

California Regional Water Quality Control Board  
North Coast Region

ORDER NO. R1-2012-0106

**REQUIRING THE TRINITY COUNTY WATERWORKS DISTRICT NO. 1 WASTEWATER  
TREATMENT FACILITY TO CEASE AND DESIST FROM DISCHARGING OR  
THREATENING TO DISCHARGE EFFLUENT IN VIOLATION OF WASTE DISCHARGE  
REQUIREMENTS  
ORDER NOS. 98-51 AND R1-2012-0105  
WDID No. 1A97069WNTR**

TRINITY COUNTY

The Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), finds that:

1. The Trinity County Waterworks District No. 1 (hereinafter Discharger) owns and operates a municipal wastewater treatment facility (Facility) located in Hayfork, Trinity County, adjacent to Salt Creek, a tributary to Hayfork Creek.
2. The Facility provides secondary treatment and consists of a collection system, an influent bar screen and headworks followed by two aerated primary ponds, a secondary pond, an effluent holding pond, two wetland polishing ponds, and four percolation ponds for final effluent disposal. The Facility is designed to treat a dry weather flow of 0.243 million gallons per day (mgd) of wastewater and a peak wet weather flow of 0.729 mgd.
3. The Facility has been regulated by Waste Discharge Requirements Order No. 98-51, adopted by the Regional Water Board on May 27, 1998. Order No. 98-51 permits the discharge of undisinfected secondary effluent to the percolation ponds and prohibits the discharge of waste to Hayfork Creek or its tributaries.
4. The Discharger has been spray-irrigating adjacent land with treated undisinfected effluent for the last several years. While the Discharger notified Regional Water Board staff prior to irrigating, these discharges are in violation of Order No. 98-51.
5. Waste Discharge Requirements Order No. R1-2012-0105 is scheduled to be adopted by the Regional Water Board concurrently with this Cease and Desist Order (CDO). Upon adoption, Order No. R1-2012-0105 will supersede Order No. 98-51. Order No. R1-2012-0105 permits the summertime agronomic application of disinfected secondary effluent via spray irrigation to a restricted access golf course adjacent to the treatment facility and wintertime disposal of undisinfected secondary effluent in the existing percolation ponds, and prohibits the discharge of waste to Salt Creek, Hayfork Creek or its tributaries.
6. The Regional Water Board adopted a Water Quality Control Plan for the North Coast Region (hereinafter Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve

those objectives for all waters addressed through the plan. The Basin Plan at page 2-1 states that the beneficial uses of any specifically identified water body generally apply to its tributary streams. The Basin Plan identifies beneficial uses for the Trinity River Hydrologic Area, to which Salt Creek is tributary.

7. Violations of Order No. 98-51 consist of the spray-irrigation of undisinfecting secondary effluent to adjacent land in violation of waste discharge requirements. Such discharges threaten to continue unless corrective actions are taken.
8. The Discharger is violating, or threatening to violate, the following terms in its Permit, Order No. 98-51:

**A. Discharge Prohibitions**

5. Creation of pollution, contamination, or nuisance, as defined by Section 13050 of the California Water Code (CWC) is prohibited.
9. The Discharger submitted a Report of Waste Discharge (ROWD) on June 04, 2009, that identifies plans to upgrade the wastewater treatment facility to provide disinfection for its treated effluent. Order No. R1-2012-0105 is being adopted to permit the upgrades to the wastewater treatment facility, including disinfection of treated effluent. The new wastewater treatment facility will have the same design flow of 0.243 mgd (average dry weather flow). The ROWD identifies additional work that the Discharger will conduct to meet disinfection requirements.
10. The ROWD describes plans to construct the facility upgrade, and will keep the existing wastewater treatment facility operational during construction. The compliance schedule in Requirement 1 of this Order reflects this plan.
11. Pursuant to Water Code section 13389 and title 14, California Code of Regulations, section 15321, this is an enforcement action for violations and threatened violations of waste discharge requirements, and as such is exempt from the requirements of the California Environmental Quality Act (Public Resources Code sections 21000-21177).
12. On December 6, 2012, after due notice to the Discharger and all other affected persons, the Regional Water Board conducted a public hearing, received evidence, and heard and considered all comments pertaining to this cease and desist order.
13. Any person affected by this action of the Regional Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and Title 23, California Code of Regulations, section 2050. The petition must be received by the State Water Board within 30 days of the date of this Order. Copies of the law and regulations applicable to filing petitions will be provided upon request. In addition to filing a petition with the State Water Board, any person affected by this Order may request the Regional Water Board to reconsider the Order. To be timely, such request must be made within 30 days of the date of this Order. Note that even if reconsideration by the

Regional Water Board is sought, filing a petition with the State Water Board within the 30-day period is necessary to preserve the petitioner's legal rights. If you choose to request reconsideration of this Order or file a petition with the State Water Board, you must comply with the Order while your request for reconsideration and/or petition is being considered.

IT IS HEREBY ORDERED PURSUANT TO CALIFORNIA WATER CODE SECTIONS 13300 and 13301, the Trinity County Waterworks District No. 1 Wastewater Treatment Facility shall cease discharging waste contrary to the prohibitions contained in Finding 8, above, and comply with the following requirements:

1. The Discharger shall comply with the following compliance schedule:

<b>Task</b>	<b>Task Description</b>	<b>Compliance Date</b>
1	Submit final specifications and design drawings for construction of the proposed wastewater treatment facility upgrade project to the Regional Water Board Executive Officer	June 3, 2013
2	Commence construction of the wastewater treatment facility upgrade project	December 2, 2013
3	Submit a written report regarding progress toward completion of the wastewater treatment facility upgrade	March 3, 2014
4	Complete construction of the wastewater treatment facility upgrade project	June 2, 2014
5	Initiate operation of the upgraded wastewater treatment, storage, and reclamation facilities to complete performance tests and engineering analysis	August 1, 2014
6	Complete testing of the completed wastewater treatment facility and submit to the Regional Water Board Executive Officer, a written report with the final performance test results and an engineering analysis of the upgraded facility, certifying disinfection standards and that the new facilities operate properly	October 1, 2014
7	Full operation of the upgraded wastewater treatment, storage, and reclamation facilities in compliance with final permit requirements	December 1, 2014
8	Submit As-Built Drawings	December 31, 2014

2. During the time period described in Requirement 1 above, the Discharger shall operate and maintain, as efficiently as possible, all facilities and systems necessary to comply with all prohibitions, effluent limitations and requirements identified in Order No. R1-2012-0105 or any revisions thereto.

3. During the time period described in Requirement 1 above, the Discharger shall comply with the final effluent limitations at Discharge Point 001 (Discharge to Effluent Percolation Ponds) and Discharge Point 002 (Seasonal Golf Course Irrigation) as required by Order No. R1-2012-0105.
4. If, for any reason, the Discharger is unable to perform any activity or submit any documentation in compliance with the deadlines set forth in Requirements 1, above, the Discharger may request, in writing, that the Regional Water Board Executive Officer grant a time extension of the deadline. The extension request shall include justification for the delay and be submitted at least 30 days prior to the deadline that the Discharger is requesting to extend. An extension may be granted by the Regional Water Board Executive Officer in writing for good cause.
5. If the Executive Officer of the Regional Water Board finds that the Discharger fails to comply with the provisions of this Order, the Executive Officer may take all actions authorized by law, including referring the matter to the Attorney General for judicial enforcement or issuing a complaint for administrative civil liability pursuant to Water Code sections 13350 and 13385. The Regional Water Board reserves the right to take any enforcement actions authorized by law.

**CERTIFICATION**

I, Matthias St. John, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on December 6, 2012.

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Matthias St. John  
Executive Officer