

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION

*Case*

ADDENDUM NO. 1 TO  
CEASE AND DESIST ORDER NO. 78-72

AMENDING AN  
ORDER REQUIRING THE CITY OF NEEDLES TO CEASE AND  
DESIST FROM DISCHARGING AND THREATENING TO DIS-  
CHARGE WASTES CONTRARY TO REQUIREMENTS PRESCRIBED  
BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL  
BOARD, COLORADO RIVER BASIN REGION

The California Regional Water Quality Control Board, Colorado River Basin Region, finds:

1. On January 17, 1979, this Regional Board adopted Order No. 79-15 (NPDES No. CA0104205) prescribing waste discharge requirements for the discharge of wastewater by the City of Needles to the Colorado River near the center of Section 33, T9N, R23E, SBB&M.
2. The waste discharge requirements prescribed in Board Order No. 79-15 (NPDES CA0104205), provide, in part, as follows:

"A. Effluent Limitations

6. The discharged wastewater shall be adequately disinfected. Said wastewater shall be considered to be adequately disinfected if at some point in the treatment process the Median Most Probable Number of Coliform Organisms, as determined from the bacteriological results of the last seven (7) days for which analyses have been completed, does not exceed the limit prescribed below for the described discharge condition:

- a. Effluent piped into the main part of the channel - coliform organisms not to exceed 23 per one hundred (100) milliliters: or
- b. Where recreationists can come into direct contact with effluent before full mixing is accomplished, wastewater to be coagulated and filtered prior to discharge, and coliform organisms are not to exceed 2.2 per one hundred (100) milliliters. Final turbidity, as determined by an approved laboratory method, shall not exceed one turbidity unit.

*Superseded by 84-56 CED  
5/16/84*



Samples for determining coliforms in 6a and 6b (above) shall be taken at least daily and at a time when wastewater flow and characteristics are most demanding on the treatment facilities and disinfection procedures."

3. The bacteriological effluent limitations of Order No. 79-15 (listed in Finding No. 2, above) are essentially identical to the effluent limitations contained in Order No. 74-1 (NPDES No. CA0104205) adopted by this Regional Board on March 14, 1974, and superseded on January 17, 1979.
4. On July 12, 1978, the Regional Board adopted Cease and Desist Order No. 78-72 against the City of Needles for violation of effluent limitations and compliance time schedules as contained in Order No. 74-1. (NPDES No. CA0104205).
5. Needles was awarded a Clean Water Grant on February 10, 1978, to construct its selected alternative, a land disposal system to reclaim the wastewater for golf course irrigation.
6. Subsequently, the City decided not to construct its selected alternative, and has instead proposed to study and construct a mid-river wastewater discharge system.
7. Needles is discharging wastewater at the shoreline of Colorado River where recreationists can come into direct contact with effluent before full mixing is accomplished. The City also does not have facilities for the coagulation and filtration of the effluent prior to discharge. Needles is thus in violation of Effluent Limitation A.6.b. of said Order No. 79-15 (NPDES No. CA0104205).
8. This amendment to Cease and Desist Order No. 78-72 is made so that said cease and desist order will make proper reference to waste discharge requirements prescribed in Order No. 79-15 (NPDES No. CA0104205) and does not constitute a substantive change in Cease and Desist Order No. 78-72.
9. By letter dated December 18, 1978 the Regional Board explained that the Board is scheduling a public hearing on January 17, 1979, for consideration of amendment of Cease and Desist Order No. 78-72 against the City.

10. On January 17, 1979, the Regional Board conducted a public hearing in Yucca Valley after due notice to the discharger and all other affected persons, at which time the discharger appeared and evidence was received concerning Addendum No. 1 to Cease and Desist Order No. 78-72.
11. Upon the basis of the evidence received, the Regional Board determined that the discharger is violating and is threatening to violate the requirements listed in Finding No. 2, above.
12. This enforcement action is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.) in accordance with Section 15121, Chapter 3, Title 14, California Administrative Code.

IT IS HEREBY ORDERED THAT:

1. The City of Needles cease and desist discharging and threatening to discharge wastes contrary to the requirements listed in Finding No. 2, above.
2. Compliance with the Board's discharge requirements be completed according to the following time schedule:

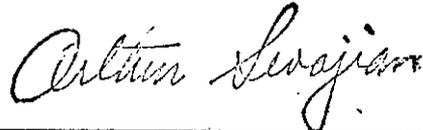
<u>Task</u>	<u>Completion Date</u>	<u>Report of Compliance Due</u>
Submit construction plans and specifications	7-02-79	7-15-79
Commence construction	2-01-80	2-15-80
Complete construction	8-01-80	8-15-80
Achieve full compliance	9-01-80	9-15-80

3. The City of Needles is required to provide periodic reports to this Board under penalty of perjury, explaining the City's progress towards compliance with the specific tasks of the compliance time schedule contained in Section 2, above.

4. If, in the opinion of the Executive Officer, the City of Needles fails to comply with the provisions of this Order, the Executive Officer is directed to request the Attorney General to take appropriate action against the City of Needles, including injunction and civil monetary remedies, if appropriate.

Except as modified in this Addendum No. 1, Cease and Desist Order No. 78-72 remains in full force and effect.

I, Arthur Swajian, 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, Colorado River Basin Region, on January 17, 1979.



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Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION

CEASE AND DESIST ORDER NO. 78-72

ORDER REQUIRING THE CITY OF NEEDLES TO CEASE AND DESIST FROM DISCHARGING AND THREATENING TO DISCHARGE WASTES CONTRARY TO REQUIREMENTS PRESCRIBED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, COLORADO RIVER BASIN REGION

The California Regional Water Quality Control Board, Colorado River Basin Region, finds:

1. On March 14, 1974, this Regional Board adopted Order No. 74-1 (NPDES No. CA0104205) prescribing waste discharge requirements for the discharge of wastewater by the City of Needles to the Colorado River near the center of Section 33, T9N, R23E, SBB&M.
2. The discharge requirements provide, in part as follows:
  - A. Effluent Limitations
    7. The discharged wastewater shall be adequately disinfected. Said wastewater shall be considered to be adequately disinfected if at some point in the treatment process the median Most Probable Number of Coliform Organisms, as determined from the bacteriological results of the last seven (7) days for which analyses have been completed, does not exceed the limit prescribed below for the described discharge condition:
      - a. Immediate good mixing with effluent piped into the main part of the channel - coliform organisms not to exceed 23 per one hundred (100) milliliters; or

*replaced  
by 84-056*

- b. Slow mixing; where recreationists can come into direct contact with effluent before full mixing is accomplished, wastewater to be coagulated and filtered prior to discharge and coliform organisms are not to exceed 2.2 per one hundred (100) milliliters. Final turbidity, as determined by an approved laboratory method, shall not exceed one turbidity unit.

Samples for determining coliform in 7a and 7b (above) shall be taken at least daily and at a time when wastewater flow and characteristics are most demanding on the treatment facilities and disinfection procedures.

### C. Provisions

5. The City of Needles shall comply with the following time schedule to assure compliance with Effluent Limitation Nos. 1a, 1c, 5 and 7 (above), subject to exceptions a and b as follows:
- a. Prior to July 1, 1977, the level of coliform organisms shall not exceed Effluent Limitation 7a, except that immediate good mixing with effluent piped into the main channel is not required.
- b. Prior to July 1, 1977, the level of Total Dissolved Solids shall not exceed 1850 mg/l and the level of Chlorides shall not exceed 400 mg/l.

<u>Task</u>	<u>Completion Date</u>	<u>Report of Compliance Due</u>
Develop work plan	7-01-74	7-15-74
Progress report on Conceptual plan	---	3-15-75
Develop conceptual plan	10-01-75	10-15-75
Complete final construction plan	1-01-76	1-15-76
Progress report on construction	--	6-15-76
Complete construction	12-01-76	12-15-76
Full compliance	7-01-77	7-15-77

The City of Needles shall submit to the Board on or before each compliance report date, a report detailing his compliance or noncompliance with the specific schedule date and task.

If noncompliance is being reported, the reasons for such noncompliance shall be stated, plus an estimate of the date when the discharger will be in compliance. The discharger shall notify the Board by letter when he has returned to compliance with the time schedule.

3. On May 18, 1977, this Board adopted Enforcement Order No. 77-43 thereby declaring that the Board did not intend to undertake further enforcement action to bring the City of Needles into compliance with final effluent limitations contained in Order No. 74-1 (above) provided, in part, the City complied with the following time schedule as contained in Order No. 77-43.

<u>Task</u>	<u>Compliance Date</u>	<u>Report of Compliance Date</u>
Complete final construction plans and specifications	6-17-77	6-30-77
Begin construction	11-21-77	11-30-77
Complete construction	5-20-78	5-31-78
Achieve full compliance	6-15-78	6-30-78

4. Needles was awarded a Clean Water Grant on February 10, 1978, to construct its selected alternative, a land disposal system to reclaim the wastewater for golf course irrigation.
5. Upon receipt of construction bids for the golf course irrigation project, the City decided not to construct its selected alternative and has instead proposed to study and construct a mid-river wastewater discharge system.
6. Needles is discharging wastewater along the shore of the Colorado River where recreationists can come into direct contact with effluent before full mixing is accomplished. The City also does not have facilities for for the coagulation and filtration of the effluent prior to discharge. Needles is thus in violation of Effluent Limitation A.7.b. of Order No. 74-1 (above).

7. By letter dated May 16, 1978, the Regional Board notified the City of Needles of the violations of requirements and:
  - a. Requested that, by June 16, 1978, the City file with this Board a time schedule of specific actions that the City would take whereby correction of said violations will be accomplished; and
  - b. Explained that the Board is scheduling a public hearing on July 12, 1978, for consideration of issuance of a Cease and Desist Order against the City.
8. On July 12, 1978, the Regional Board conducted a public hearing in the City of Coachella, after due notice to the discharger and all other affected persons, at which the discharger appeared and evidence was received concerning the discharge.
9. Upon the basis of the evidence received, the Regional Board determined that the discharger is violating and is threatening to violate the requirements listed in Finding No. 2, above.
10. This enforcement action is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.) in accordance with Section 15121, Chapter 3, Title 14, California Administrative Code.

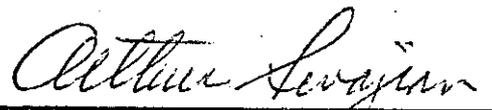
IT IS HEREBY ORDERED THAT:

1. The City of Needles cease and desist discharging and threatening to discharge wastes contrary to the requirements listed in Finding No. 2, above.
2. Compliance with the Board's discharge requirements be completed according to the following time schedule:

<u>Task</u>	<u>Completion Date</u>	<u>Report of Compliance Due</u>
Submit amended Facilities Plan	1-02-79	1-15-79
Submit construction plans and specifications	7-02-79	7-15-79
Commence construction	2-01-80	2-15-80
Complete construction	8-01-80	8-15-80
Achieve full compliance	9-01-80	9-15-80

3. The City of Needles is required to provide periodic reports to this Board under penalty of perjury, explaining the City's progress towards compliance with the specific tasks of the compliance time schedule contained in Section 2, above.
4. If, in the opinion of the Executive Officer, the City of Needles fails to comply with the provisions of this Order, the Executive Officer is directed to request the Attorney General to take appropriate action against the City of Needles, including injunction and civil monetary remedies, if appropriate.

I, Arthur Swajian, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on July 12, 1978.

  
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 Executive Officer