

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ORDER NO. R5-2006-0010

REQUIRING THE CITY OF WILLOWS AND ECO RESOURCES, INC.  
WILLOWS WASTEWATER TREATMENT PLANT,  
GLENN COUNTY  
TO  
CEASE AND DESIST  
FROM DISCHARGING CONTRARY TO REQUIREMENTS

The Central Valley Regional Water Quality Control Board (hereafter referred to as Central Valley Water Board), finds:

1. The City of Willows owns a wastewater collection, treatment, and disposal system, and provides sewerage service to the City of Willows and the Northeast Willows Community Service District. ECO Resources, Inc. operates the Wastewater Treatment Plant (WWTP). The City of Willows and ECO Resources, Inc. are hereafter collectively referred to as Discharger. The WWTP is located at 1600 South Tehama Street in Willows.
2. On 16 March 2001, the Central Valley Water Board adopted Waste Discharge Requirements (WDR) Order No. R5-01-066, (NPDES No. CA0078034) for the City of Willows which regulated the discharge of wastewater from a municipal wastewater treatment facility to Agricultural Drain C, a tributary of the Colusa Basin Drain.
3. WDR Order No. R5-01-066 included pH and temperature-dependent Effluent Limitations for ammonia as contained in B.1.A, which reads in part as follows:

<u>“Constituents</u>	<u>Units</u>	<u>Monthly</u>	<u>Daily</u>
Ammonia	mg/L	<u>Average</u> Attach C	<u>Maximum</u> Attach D”

4. The existing treatment plant was not capable of consistently meeting the new effluent ammonia limits set in Order No. R5-01-066 and on 7 June 2002, the Central Valley Water Board adopted Cease and Desist Order No. R5-2002-0105 for the City of Willows, which cited 39 effluent ammonia violations between 17 March 2001 and 31 March 2002. Order No. R5-2002-0105 required the City of Willows to cease and desist discharging and threatening to discharge contrary to WDR Order No. R5-01-066 effluent limitations for ammonia; comply with a time schedule for construction improvements for the plant to achieve compliance with the effluent limits for ammonia by 1 March 2006; and operate the plant in a nitrification mode to the maximum extent practicable.

5. Cease and Desist Order No. R5-2002-0105 included the following compliance schedule:

<u>Task</u>	<u>Compliance Date</u>
Progress Report/Implementation Schedule	15 December 2002
Progress Reports	1 June and 1 December of each year
Achieve Full Compliance	1 March 2006

6. The discharger has submitted the implementation plan and progress reports in compliance with the schedule. Construction is currently progressing, but due to difficulties obtaining funding for the project, the Discharger will not achieve full compliance by 1 March 2006.
7. On 26 January 2006, the Central Valley Water Board adopted WDR Order No. R5-2006-0009 prescribing waste discharge requirements for the Willows WWTP. Order No. R5-2006-0009 renewed NPDES permit No. CA0078034 and rescinded WDR Order No. R5-01-066.
8. WDR Order No. R5-2006-0009 regulates the discharge of wastewater from the Willows WWTP to Agricultural Drain C and Glenn-Colusa Irrigation District Lateral 26-2, both tributary to the Colusa Basin Drain.
9. WDR Order No. R5-2006-0009, Effluent Limitations B.1 includes effluent limitations for ammonia as follows:

“B. Effluent Limitations

1. The effluent discharged at Discharge Point 001 shall not exceed the following limits:

<u>“Constituents</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>
Ammonia <sup>e</sup>	mg/L	1.1	2.1
Ammonia <sup>f</sup>	mg/L	1.9	3.8

<sup>e</sup> For the period of May 1 through October 31

<sup>f</sup> For the period of November 1 through April 30”

10. As described in the Findings above, the Discharger violated Effluent Limitations in Order No. R5-01-066 and threatens to violate corresponding Effluent Limitations prescribed in Order No. R5-2006-0009. Sampling of the wastewater treatment plant effluent, submitted as part of the Report of Waste Discharge and submitted with self monitoring reports, shows that ammonia concentrations frequently exceed the Effluent Limitations.
11. In accordance with California Water Code (CWC) Section 13385(j)(3), the Central Valley Water Board finds that, based upon operational capabilities, the Discharger is not able to consistently comply with the ammonia effluent limitations. Cease and Desist Order No. R5-2002-0105 found that the ammonia limitations were new requirements that become applicable to the permit after the effective date of adoption of the existing waste discharge requirements, and after 1 July 2000, for which new or modified control measures are

necessary in order to comply with the limitation, and the new or modified control measures could not be designed, installed, and put into operation within 30 calendar days.

This Order extends the compliance schedule by one year. This revised time schedule does not exceed a combined total of five years.

California Water Code Section 13385(j)(3) requires the Discharger to prepare and implement a pollution prevention plan pursuant to Section 13263.3 of the California Water Code. A pollution prevention plan addresses only those constituents that can be effectively reduced by source control measures. Ammonia cannot be significantly reduced through source control measures in domestic wastewater. Therefore, a pollution prevention plan is not required by this order.

Compliance with this Order exempts the Discharger from mandatory minimum penalties for violations of ammonia effluent limitations only, in accordance with California Water Code Section 13385(j)(3).

12. On 26 January 2006, in Rancho Cordova, California, after due notice to the Discharger and all other affected persons, the Central Valley Water Board conducted a public hearing at which evidence was received to consider a Cease and Desist Order to establish a time schedule to achieve compliance with the WDR.
13. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), in accordance with Section 15321 (a)(2), Title 14, California Code of Regulations.
14. Any person adversely affected by this action of the Central Valley Water Board may petition the State Water Resources Control Board (State Water Board) to review the action. The petition must be received by the State Water Board, Office of Chief Counsel, P.O. Box 100, Sacramento, CA 95812-0100, within 30 days from the date that the action was taken. Copies of the law and regulations applicable to filing petitions will be provided on request.

**IT IS HEREBY ORDERED PURSUANT TO CALIFORNIA WATER CODE SECTION 13301, THAT:**

1. Cease and Desist Order No. R5-2002-0105 is rescinded.
2. The Discharger shall comply with the following time schedule to assure compliance with the ammonia Effluent Limitations contained in WDR Order No. R5-2006-0009:

<u>Task</u>	<u>Compliance Date</u>
Progress Reports <sup>a</sup>	<b>1 June and 1 December of each year</b>
Achieve Full Compliance	<b>1 March 2007</b>

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<sup>a</sup> The progress reports shall detail what steps have been implemented towards achieving compliance with waste discharge requirements, including construction progress, evaluate the effectiveness of the implemented measures and assess whether additional measures are necessary to meet the time schedule.

3. Until full compliance with WDR Order No. R5-2006-0009, Effluent Limitations B.1 is achieved, the Discharger shall operate the WWTP in a nitrification mode to the maximum extent practicable.
4. If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may apply to the Attorney General for judicial enforcement or issue a complaint for Administrative Civil Liability.

I, KENNETH D. LANDAU, Acting Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the Central Valley Regional Water Quality Control Board, on 26 January 2006.

ORIGINAL SIGNED BY  
KENNETH D. LANDAU, Acting Executive Officer

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