

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

CENTRAL VALLEY REGION

ORDER NO. 5-01-181

REQUIRING THE
CITY OF COLFAX
WASTEWATER TREATMENT PLANT
PLACER COUNTY

TO CEASE AND DESIST
FROM DISCHARGING CONTRARY TO REQUIREMENTS

The California Regional Water Quality Control Board, Central Valley Region (hereafter Board), finds:

1. On 24 March 1995, the Board adopted Waste Discharge Requirements Order No. 95-058, prescribing waste discharge requirements for the City of Colfax (hereafter Discharger) Wastewater Treatment Plant in Placer County. Order No. 95-058 was a renewal of the National Pollution Discharge Elimination (NPDES) No. CA0079529.
2. The City of Colfax Wastewater Treatment Plant (WWTP) consists primarily of two aerated treatment ponds, a 69 million gallon storage reservoir, and a 47-acre sprinkler irrigation system. The WWTP has a design flow rate of 0.20 mgd. Along with the sprinkler irrigation system, the storage reservoir was originally intended to provide storage capacity for complete containment of all wastewater. However, from the time the storage reservoir was first filled in 1979, wastewater has seeped from the base of the levee/dam. The NPDES Permit adopted in 1978, allowed seasonal discharges to Bunch Creek until February 1979, when the new treatment facility was to be completed and the discharge to surface water was prohibited. In 1985, the Board issued the first NPDES Permit that allowed year-round discharge of the seepage to an unnamed tributary of Smuthers Ravine. When the NPDES Permit was renewed in 1990, the Discharger was required to treat the seepage prior to discharge. The existing NPDES Permit (Order No. 95-058) continued to allow the year-round discharge of treated seepage to the unnamed tributary of Smuthers Ravine. No other discharges were permitted.
3. Order No. 95-058 includes the following Waste Discharge Requirements:
 - A. *Discharge Prohibitions:*
 1. *Discharge of treated wastewater at a location or in a manner different from that described in Findings No. 3 and 4 is prohibited.*
 3. *Bypass or overflow of untreated or partially treated waste is prohibited.*

B. Effluent Limitations:

1. *Effluent discharged from the seepage disinfection facility shall not exceed the following limits:*

| <u>Constituent</u> | <u>Units</u> | <u>30-Day Median</u> | <u>Daily Maximum</u> |
|--------------------|--------------|--------------------------|--------------------------|
| Total Coliform | MPN/100 ml | 23 | 500 |
| Chlorine Residual | mg/l | -- | 0.02 |

C. Spray Irrigation Disposal and Pond Limitations:

2. *The average dry weather (1 May through 15 October) flow to the wastewater treatment plant shall not exceed 0.16 mgd.*
16. *Ponds shall have sufficient capacity to accommodate allowable wastewater flow and design seasonal precipitation and ancillary inflow and infiltration during the nonirrigation season. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns. Freeboard shall never be less than two feet (measured vertically to the lowest point of overflow).*
4. Monthly Discharger Self-Monitoring Reports (DSMRs) submitted for the WWTP by the Discharger, for the period April 1995 through March 2001 (2192 days), indicate that there were a minimum of 199 days of discharge over the spillway in violation of Discharge Prohibitions A.1 and A.3, shown above.
5. The Discharger tested the WWTP effluent weekly to determine the concentration of Total Coliform Organisms. DSMRs, submitted by the Discharger for the period April 1995 through March 2001 (313 weeks or 72 months), indicate there were 20 violations of the 30-Day Median (20 months out of 72) and 12 violations of the Daily Maximum (12 weeks out of 313) specified in Effluent Limitation B.1, shown above.
6. The Discharger tested the WWTP effluent weekly to determine the concentration of Chlorine Residual. DSMRs, submitted by the Discharger for the period June 2000 through March 2001 (43 weeks or 10 months), indicate the Discharger did not report the results for 8 weekly Chlorine Residual samples (out of 43 weeks). For the same period, the Discharger reported 13 violations (out of 43 weeks) of the Daily Maximum Effluent Limitation B.1, shown above.
7. Board staff attempted to resolve the capacity problem at the WWTP by establishing an Influent Flow Limitation. Using calculations based on a 100-year storm event, 0.16 mgd was calculated as the average dry weather flow that would allow enough capacity to avoid discharge over the spillway of the dam. Monthly DSMRs submitted for the WWTP by the Discharger, for the period April 1995 through March 2001 (2192 days), indicate that there were 290 days in which the influent flow exceeded the Influent Flow Limitation (0.16 mgd) in violation of Spray Irrigation Disposal and Pond Limitation C.2, shown above.

8. Monthly DSMRs submitted for the WWTP by the Discharger, for the period April 1995 through March 2001 (2192 days), indicate that there were a minimum of 455 days in which the freeboard in the storage reservoir exceeded the minimum limitation (2 feet) in violation of Spray Irrigation Disposal and Pond Limitation C.16, shown above.
9. On 14 June 2001, the Board adopted Waste Discharge Requirements Order No. 5-01-180, renewing NPDES No. CA0079529 for the City of Colfax WWTP and rescinding existing Order No. 95-058. Order No. 5-01-180 contains new more stringent Effluent Limitations for Total Coliform Organisms, new Effluent Limitations for Chlorine Residual, and Discharge Prohibitions and Spray Irrigation and Pond Limitations similar to but more stringent than those in Order No. 95-058. Compliance schedules for the existing limitations and prohibitions are included in this Order.
10. The Discharger violated Order No. 95-058 and threatens to violate Discharge Prohibitions, Effluent Limitations, and Spray Irrigation and Pond Limitations prescribed in Order No. 5-01-180 as follows:

A. Discharge Prohibitions:

1. *Discharge of wastewater, other than seepage and runoff that have been treated and disinfected, at a location or in a manner different from that described in the Findings is prohibited.*
2. *The by-pass or overflow of untreated, partially treated, or undisinfecting waste is prohibited throughout the collection, treatment, storage, irrigation, and discharge systems.*
3. *The by-pass or overflow of wastes over the spillway to surface waters is prohibited, except for discharge of treated and disinfected waste to prevent damage to or failure of the dam/levee and as allowed by Standard Provision A.13...*

B. Effluent Limitations:

- 1.b *Effluent shall not exceed the following limits until 14 June 2006:*

| <u>Constituent</u> | <u>Units</u> | <u>Monthly Median</u> | <u>Daily Maximum</u> |
|--------------------------|--------------|---------------------------|--------------------------|
| Total Coliform Organisms | MPN/100 ml | 23 | 500 |
| Chlorine Residual | mg/l | -- | 0.02 |

C. *Spray Irrigation and Pond Limitations:*

1. *The monthly average dry weather flow to the WWTP shall not exceed 0.16 mgd.*
 9. *All runoff from the irrigation system shall be returned to the storage reservoir.*
 17. *Ponds shall have sufficient capacity to accommodate allowable wastewater flow and design seasonal precipitation and ancillary inflow and infiltration during the nonirrigation season. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns.*
 18. *Freeboard shall never be less than two feet (measured vertically to the lowest point of overflow).*
11. On 14 June 2001, in Sacramento, California, after due notice to the Discharger and all other affected persons, the 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 waste discharge requirements.
 12. 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.
 13. Any person adversely affected by this action of the Board may petition the State Water Resources Control Board (State Board) to review the action. The petition must be received by the State 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 THAT:

1. **Immediately**, the City of Colfax shall cease and desist from discharging waste contrary to Waste Discharge Requirements Order No. 5-01-180 as described in Finding 10, above, regarding Effluent Limitations B.1.b for Chlorine Residual and Total Coliform Organisms.
2. **By 14 June 2002**, The City of Colfax shall cease and desist from discharging undisinfectated seepage, runoff, and waste over the spillway, and partially disinfected seepage contrary to Waste Discharge Requirements Order No. 5-01-180 as described in Finding No. 10 above.

3. By **14 June 2006**, the City of Colfax shall cease and desist from discharging waste contrary to the Waste Discharge Requirements Order No. 5-01-180, due to inadequate capacity and treatment, as described in Finding No. 10, above. In order to achieve full compliance with Finding 10, above, the Discharger shall comply with the following compliance schedule to increase plant capacity to accommodate current flow and future growth, and upgrade the facility to full tertiary treatment or complete land disposal:

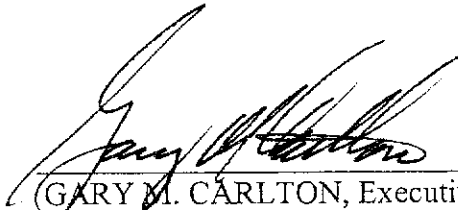
| <u>Task</u> | <u>Compliance Date</u> |
|--|---------------------------------------|
| Submit Work Plan and Time Schedule | 6 months after permit adoption |
| Submit Progress Reports | Quarterly |
| Submit Engineered Report and Facilities Plan | 2 years after permit adoption |
| Full Compliance | 14 June 2006 |

The engineered report must include the following:

- a. Assessment of local lithology and geology in relation to the presence and behavior of groundwater, in preparation for installation of monitoring wells;
 - b. Capacity analysis and calculation of the water balance of the collection, irrigation, and treatment systems, including inflow/infiltration and storm water and percolation to groundwater from ponds and the storage reservoir;
 - c. Assessment of alternatives to:
 - i Adequately treat all wastewater to tertiary or equivalent standards for NPDES discharge or provide complete land containment with no discharge to surface water; and
 - ii Provide adequate capacity for existing flows and additional capacity to allow for community growth.
 - d. Assessment of the costs to implement the different alternatives with a recommended alternative; and
 - e. If tertiary treatment with discharge to surface water is the chosen alternative, the Discharger must provide, operate, and maintain, continuous flow measurement within **2 years and 6 months** after permit adoption, and continuous chlorine residual measurement by **14 June 2006**.
4. As a means for determining progress toward compliance, the City of Colfax shall, beginning **30 October 2001 and quarterly thereafter**, submit quarterly progress reports to the Board describing actions taken to achieve compliance with Waste Discharge Requirements, Order No. 5-01-180.

5. 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, GARY M. CARLTON, 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, Central Valley Region, on 14 June 2001.



GARY M. CARLTON, Executive Officer