

73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260
(760) 346-7491

Public Notice No. 7-08-43
NPDES Permit No. CA0104523
October 15, 2008

NOTICE OF PUBLIC HEARING

SPECIAL BOARD ORDER NO. R7-2008-0069
AMENDING CEASE AND DESIST ORDER NO. R7-2008-0008
ISSUED TO CITY OF BRAWLEY, OWNER/OPERATOR,
MUNICIPAL WASTEWATER TREATMENT PLANT,
FOR DISCHARGES OF WASTEWATER INTO THE NEW RIVER
IN VIOLATION OF BOARD ORDER NO. R7-2005-0021

The City of Brawley (Discharger) owns and operates a sewage collection, treatment, and disposal system and provides sewerage service to its residents. The wastewater treatment plant (WWTP) has a treatment capacity of 5.9 million gallons-per-day. The final effluent from the WWTP is discharged to the New River. On June 29, 2005, the California Regional Water Quality Control Board, Colorado River Basin Region (Regional Water Board) adopted Waste Discharge Requirements and a National Pollutant Discharge Elimination System (NPDES) Permit to regulate the discharge of the treated municipal wastewater to the New River. The Permit is assigned NPDES Permit No. CA0104523, Board Order No. R7-2005-0021.

Among other requirements, Board Order No. R7-2005-0021 prescribes a final effluent limitation for Total Ammonia as Nitrogen, which became effective February 1, 2007. To meet this effluent limitation, the Discharger upgraded its WWTP through the construction and startup of an Ammonia Removal Enhancement Project. The new WWTP design was ineffective, however, in meeting this limitation. As a result, the discharge is continuing to violate the new ammonia effluent limitation. The Discharger is currently designing and constructing additional improvements to the WWTP to bring the ammonia discharges into compliance with Board Orders.

On March 19, 2008, the Regional Water Board adopted Cease and Desist Order (CDO) No. R7-2008-0008 to address violations of Board Order No. R7-2005-0021, including in particular the continuing ammonia violations. Pursuant to California Water Code (CWC) Section 13385(j)(3), paragraph 5 of the CDO exempts the Discharger from Mandatory Minimum Penalties (MMPs) for violations of the new effluent limitation for Total Ammonia as Nitrogen if the Discharger is in compliance with the CDO. Accordingly, the exemption from MMPs for violations of the Final Effluent Limitation for Total Ammonia as Nitrogen became effective on the date the CDO was adopted. The exemption remains in effect until December 31, 2010, the date when the WWTP improvements must be completed and full compliance with Board Order No. R7-2005-0021 must be achieved, as specified in Paragraph 2 of the CDO.

In accordance with the requirements set forth in CWC Section 13385(j)(3)(C)(i), this proposed Special Board Order amends CDO No. R7-2008-0008 by adding interim effluent limitations for Total Ammonia as Nitrogen.

The Regional Board will proceed with the public hearing as follows:

Date: November 19, 2008
Time: 10:00 a.m.
Location: City of Indio
City Council Chambers
150 Civic Center Mall
Indio, CA 92201

During the hearing, the public and any other person interested in this matter can provide the Regional Water Board with comments on this matter.

Persons wishing to file written comments on or objections to the proposed Special Board Order or any other aspects of this matter are required to do so within thirty (30) days of the date of this Public Notice so that the Regional Water Board may consider the comments.

Comments must be mailed to the following address:

California Regional Water Quality Control Board
Colorado River Basin Region
73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260

A copy of the proposed Special Board Order and CDO may be obtained from the Regional Board Office. The CDO is available via the Internet at:
<http://www.waterboards.ca.gov/coloradoriver/board_decisions/adopted_orders/orders/2008/08_0008brawley.pdf>

Please contact Doug Wylie at (760) 346-6585 for any questions regarding this matter.

Any person who is disabled and requires special accommodations to participate in this Regional Water Board Meeting, please contact Hilda Vasquez at (760) 346-7491 no later than ten (10) days before the scheduled public hearing.