

**CALIFORNIA WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

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

Public Notice No. 7-10-02
NPDES Permit No. CA0104523
Revised January 4, 2010

**REVISED NOTICE OF PUBLIC HEARING
(CHANGE IN HEARING LOCATION)**

**SPECIAL BOARD ORDER NO. R7-2010-0003
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. On November 19, 2008, the Board adopted Special Board Order No. R7-2008-0069. This Special Board Order revises Cease and Desist Order (CDO) No. R7-2008-0008 to add interim effluent limits for Total Ammonia as Nitrogen because California Water Code (CWC) Section 13385(j)(3)(C) requires interim effluent limitations to be specified if the time schedule exceeds one year from the effective date of the order, and the CDOs time schedule exceeded one year.

On November 18, 2009, the Discharger, in a letter to the Assistant Executive Officer (AEO), requested that the schedule for the completion date to be extended until June 30, 2012. The Discharger explained that the primary reason for the delay is in securing affordable financing for the project through the State Revolving Fund (SRF) Office and the federal American Recovery and Reinvestment Act (ARRA) funding for shovel-ready

projects. The Discharger said that this required a new wastewater rate study, conducting public participation, notification under Proposition 218, and taking action for adoption of the new rates by the Brawley City Council.

In accordance with the requirements set forth in CWC Section 13385(j)(3)(C), this proposed Special Board Order revises CDO No. R7-2008-0008 to extend the milestone deadlines specified on pages 10-11, Ordered Paragraph No. 2 for Milestones 1.C, 1.D, and 1.E. as follows:

Milestone 1.C, "Complete Construction of the Wastewater Treatment Plant Upgrades," is extended from December 31, 2010, to December 31, 2011.

Milestone 1.D, "Complete Operational Start-up of New Wastewater Treatment Plant Upgrades," is extended from December 31, 2010, to June 30, 2012.

Milestone 1.E, "Achieve Full Compliance with Order No. R7-2005-0021 (NPDES Permit No. CA0104523)," from December 31, 2010, to June 30, 2012.

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

Date: January 21, 2010
Time: 10:00 a.m.
Location: **City of La Quinta
City Council Chambers
78-495 Calle Tampico
La Quinta, CA 92253**

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 twenty (20) 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/coloradriver/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.