REGIONAL WATER QUALITY CONTROL BOARD, LAHONTAN REGION
PUBLIC HEARING SCHEDULED FOR MARCH 9-10, 2011

TRANSMITTAL OF WRITTEN MATERIALS FOR CONSIDERATION OF CEASE AND DESIST ORDER NO. R6V-2011-(PROPOSED)

REQUIRING ADELANTO PUBLIC UTILITY AUTHORITY TO CEASE AND DESIST FROM DISCHARGING OR THREATENING TO DISCHARGE WASTE IN VIOLATION OF WASTE DISCHARGE REQUIREMENTS SPECIFIED BY WATER BOARD ORDER NOS. R6V-2002-050 AND R6V-2009-0036
AND IN VIOLATION OF
CEASE AND DESIST ORDER NO. R6V-2007-24
AND CLEANUP AND ABATEMENT ORDER NO. R6V-2010-0054
FOR
ADELANTO DOMESTIC WASTEWATER TREATMENT FACILITY
AND
ADELANTO WASTEWATER TREATMENT PLANT

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LIST OF WITNESSES

1. Eric J. Taxer, P.E., Water Resource Control Engineer, Regional Water Quality Control Board, Lahontan Region

2. John Morales, Water Resource Control Engineer, Regional Water Quality Control Board, Lahontan Region

3. Wilson F. So, P.E., City Engineer, City of Adelanto

4. John R. Sponsler, Director, Adelanto Public Utility Authority

LIST OF POTENTIAL WITNESSES

5. Cindi Mitton, P.E., Senior Water Resource Control Engineer, Chief – South Basin Regulatory Unit, Regional Water Quality Control Board, Lahontan Region

6. Scott C. Ferguson, P.E., Senior Water Resource Control Engineer, Chief - Enforcement and Special Projects Unit, Regional Water Quality Control Board, Lahontan Region

7. Charles L. Curtis, P.E., Supervising Water Resource Control Engineer, Manager - Cleanup and Enforcement Division, Regional Water Quality Control Board, Lahontan Region

8. Lauri Kemper, P.E., Assistant Executive Officer, Regional Water Quality Control Board, Lahontan Region

SECTION II

SUMMARY OF TESTIMONY

SUMMARY OF TESTIMONY OF ERIC J. TAXER, JOHN MORALES, CINDI MITTON, SCOTT C. FERGUSON, CHARLES L. CURTIS, AND LAURI KEMPER

- The Adelanto Public Utility Authority owns and operates wastewater collection, treatment, and disposal facilities within the City of Adelanto (Facility);
- The Facility's waste discharge is subject to waste discharge requirements (Board Order No. R6V-2002-050 and Board Order No. R6V-2009-0036), which specify flow limits, numeric effluent limits, waste disposal areas, and freeboard limits on waste disposal ponds.
- Evidence supporting violations of the numeric effluent limits specified by Board Order No. R6V-2002-050;
- Evidence supporting violations of the flow limits specified by Board Order No. R6V-2002-050 and Board Order No. R6V-2009-0036;
- Evidence supporting violations of discharge of waste to unauthorized disposal areas specified by Board Order No. R6V-2002-050 and Board Order No. R6V-2009-0036;
- The Facility is subject to Cease and Desist Order No. R6V-2007-24 for continual influent flow limit violations, BOD effluent limit violations, and discharges of waste to unauthorized disposal site;
- The Facility is subject to Investigative Order No. R6V-2010-0035 for continuing violations of the influent flow and BOD effluent limits and failure to comply with Cease and Desist Order No. R6V-2007-24;
- The Facility is subject to Cleanup and Abatement Order No. R6V-2010-0054 for violations of pond freeboard requirements that threaten an imminent unauthorized discharge of waste;
- Evidence supporting violation of Cease and Desist Order No. R6V-2007-24, Investigative Order No. R6V-2010-0035, and Cleanup and Abatement Order No. R6V-2010-0054;
- Evidence supporting the Water Board to impose a connection ban; and
- Recommendation to the Water Board.

SUMMARY OF TESTIMONY OF JOHN SPONSLER AND WILSON SO

- Explain why the Micro-Media system was never operational and any future plans for its use.

- Any necessary history or chronology of events at the facility and technical knowledge of the facilities that is beyond enforcement staff's personal knowledge.

SECTION III

LIST OF EXHIBITS

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Exhibit Number	Description of Exhibit
1	Board Order No. R6V-2002-050
2	Board Order No. R6V-2009-0036
3	Notes of July 27, 2010 Meeting between Adelanto Public Utility Authority and Water Board staff
4	Minutes of November 18, 2010 Meeting between Adelanto Public Utility Authority and Water Board staff
5	Cease and Desist Order No. R6V-2007-24
6	A. Investigative Order No. R6V-2010-0035 B. Notice of Violation, dated November 15, 2010
7	A. Cleanup and Abatement Order No. R6V-2010-0054 B. Notice of Violation of Cleanup and Abatement Order, dated November 5, 2010 – Deficient Spill Contingency Plan C. Notice of Violation of Cleanup and Abatement Order, dated November 19, 2010 – Deficient Final Report
8	Electronic Mail Communications from APUA Regarding Freeboard Violations dated: A. September 29, 2010 – 9:37 am B. September 30, 2010 – 12:20 pm C. October 4, 2010 – 2:13 pm D. October 4, 2010 – 4:03 pm E. October 5, 2010 – 8:30 am F. October 5, 2010 – 11:55 am G. October 26, 2010 – 5:45 pm H. October 27, 2010 – 8:25 am I. October 27, 2010 – 3:39 pm J. October 28, 2010 – 11:29 am K. October 28, 2010 – 4:36 pm L. October 29, 2010 – 9:33 am M. November 1, 2020 – 4:51 pm

9	Weekly Status Reports from APUA Submitted in Response to Cleanup and Abatement Order No. R6V-2010-0054 Indicating Freeboard, Submittals via Electronic Mail dated: A. November 8, 2010 B. November 12, 2010 C. November 18, 2010 D. November 22, 2010 E. November 29, 2010 F. December 6, 2010 G. December 10, 2010 H. December 17, 2010 I. December 27, 2010 J. January 3, 2011
10	Flow, BOD, and Freeboard Violation Data Provided in APUA's Self Monitoring Reports and Included by Reference
11	Notes of November 2, 2010 Teleconference Meeting Between Adelanto Public Utility Authority and Water Board Staff
12	Electronic Mail from Water Board Staff (John Morales) Summarizing December 23, 2010 Site Inspection of Pond Overflow
13	Contract for Temporary Wastewater Treatment Agreement Between the City of Adelanto and Victor Valley Wastewater Reclamation Authority
14	Electronic Mails and Meeting Notes Documenting Flow Quantity Diversions to Victor Valley Wastewater Authority dated: A. April 15, 2010 (meeting notes) B. May 3, 2010 – 5:03 pm C. May 4, 2010 – 5:48 pm D. May 18, 2010 (meeting notes) E. June 17, 2010 – 1:15 pm F. July 13, 2010 – 5:26 pm G. July 27, 2010 (meeting notes) H. July 28, 2010 – 1:23 pm I. August 4, 2010 – 3:00 pm J. September 29, 2010 – 9:37 am

	K. September 29, 2010 – 3:29 pm L. October 4, 2010 – 2:13 pm M. November 3, 2010 – 2:49 pm N. November 5, 2010 – 6:44 am O. November 18, 2010 – 6:04 pm
15	Transmittal Cover Letter and Electronic Mail of Proposed Cease and Desist Order

SECTION IV

EXHIBITS

EXHIBIT NO. 1

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

BOARD ORDER NO. R6V-2002-050
WDID NO. 6B369805001

REVISED WASTE DISCHARGE REQUIREMENTS

FOR
ADELANTO PUBLIC UTILITY AUTHORITY
ADELANTO DOMESTIC WASTEWATER TREATMENT FACILITY

San Bernardino County

The California Regional Water Quality Control Board, Lahontan Region (Regional Board) finds:

1. Discharger

The Adelanto Public Utility Authority has submitted a complete Revised Report of Waste Discharge (Revised RWD) for its Domestic Wastewater Treatment Facility (Adelanto Treatment Facility). The Revised RWD consists of transmittals dated November 29, 2001 and February 2, 2002 and reports listed in Attachment E – List of References. For the purpose of this Regional Board Order, the Adelanto Public Utility Authority is the "Discharger."

2. Facilities

The Discharger collects, treats and disposes of an average of 1.2 million gallons per day (mgd) of wastewater generated within the City of Adelanto. The Adelanto Treatment Facility receives domestic wastewater, industrial wastewater (both pretreated and not pretreated), and septage. The Discharger is currently receiving up to 0.010 million gallons of septage per day on weekdays. The facilities which are regulated under this Order are the:

a. Collection System,
b. Adelanto Treatment Facility, which includes the Septage Receiving Station, and
c. Percolation Ponds.

3. Permit History

The Regional Board initially established Waste Discharge Requirements (WDRs) for the facilities under Board Order No. 6-98-56 adopted on September 3, 1998. Before September 15, 1998, all untreated wastewater from the Discharger's collection system was treated and disposed at the Victor Valley Wastewater Reclamation Authority (VVWRA) Treatment Facility. VVWRA is a joint powers authority. The Discharger was a member entity of VVWRA before constructing its own treatment and disposal facilities. The Regional Board subsequently amended WDRs (Board Order No. 6-98-56A1) on November 5, 1998 to authorize the Adelanto Treatment Facility to receive and treat septage generated in the Victor Valley.

4. Reason for Action

The Regional Board is revising the WDRs in response to the Revised RWD filed by the Discharger. As requested by the Discharger in the RWD, the Regional Board is including a revised septage flow limit to allow the Discharger more flexibility in operating the Septage Receiving Station. The revised limit increases the amount of septage the Discharger can accept during a 24-hour period from 0.020 million gallons to 0.028 million gallons. It does not change the amount that can be accepted for a longer period (seven days or more). That amount remains unchanged at 0.020 mgd (average). The revised limit does not go into effect until the Discharger provides further demonstration that the Facilities are adequate to treat and dispose of the amounts allowed under the limit.

These Revised WDRs acknowledge that the Adelanto Treatment Facility produces Disinfected Tertiary Recycled Water. The Revised WDRs, however, neither approve nor establish requirements for project(s) to use the recycled water. Such projects are separate from the project regulated by these Revised WDRs. Any person who proposes to use recycled water must obtain required approvals separately. At this time, the Regional Board has not received any such proposals.

In addition, these Revised WDRs:

a. Include a provision requesting the Discharger send to the Regional Board office a report describing the Discharger's plan of action to ensure there will be adequate capacity to treat and dispose of wastewater over the next several years;

b. Establish a schedule the Discharger must follow to submit a technical report to evaluate the magnitude and extent of ground water degradation caused by total dissolved solids (TDS) discharges from the Discharger's Percolation Ponds;

c. Establish revised (more stringent) effluent limits (The Discharger's Treatment Facility produces Disinfected Tertiary Recycled Water and can meet more stringent limits; and

d. Update the Monitoring and Reporting Program to require effluent monitoring for hexavalent chromium.

5. Location of Facilities

The Adelanto Treatment Facility and Percolation Ponds are located within an 18-acre site owned by the Discharger. The site is located in the City of Adelanto, approximately 1.5 miles north of the City of Adelanto Governmental Center and 0.5 miles east of Highway 395 at the northeast corner of Jonathan Street and Auburn Avenue, San Bernardino County. It is located within Section 21, T6N, R5W, SBB&M as shown on Attachments A, B and C, which are made part of this Order.

6. Influent Waste Streams

a. Septage

The Discharger currently receives septage from domestic septic tanks, restaurant grease traps, chemical toilets, and car wash clarifiers located in both incorporated and unincorporated areas of the Victor Valley. The Discharger constructed the Septage Receiving Station using financing generated through an April 28, 1998 Joint Cooperative Agreement (JCA) with the County of San Bernardino (County). Under the JCA, the County agreed to provide financial assistance to construct the Septage Receiving Station. The Discharger agreed to operate and maintain the Station through fees charged to septage haulers. The septage received at the Station was formerly disposed to unlined ponds located at the Victorville landfill, which is owned by the County. On November 29, 1998, the County de-activated the ponds and the Adelanto Treatment Facility began to receive the septage. The County has permanently closed the ponds at the landfill.

b. Industrial Waste Source Control

The Discharger has established an Industrial Wastewater Source Control and Pretreatment Program (Source Control Program), and a Septage Load Checking Program. Reports dated August 21, 1998 and March 10, 2000 provide documentation and detailed descriptions of the programs. The Programs are for reducing the amount of non-residential pollutants discharged to the sewer system and Adelanto Treatment Facility to achieve the following objectives:

i. Provide protection against discharges that may be toxic to the biological treatment organisms;
ii. Ensure reliability of the treatment system;
iii. Protect ground water quality; and
iv. Ensure that sludge and solids generated at the Adelanto Treatment Facility are not hazardous.

The Source Control Program is to regulate non-residential wastewater discharges to the sewer system. It includes an ordinance and an Industrial Pretreatment Enforcement Response Guide. The Septage Load Checking Program is to ensure that the Adelanto Treatment Facility receives only pumpings from those sources described in Finding No. 6.a, and the pumpings meet the above objectives. (*Adelanto, 1998a*) (*Adelanto, 2000*)

7. Description of Treatment Facilities

Treatment and storage systems located at the Adelanto Treatment Facility are described in Table No. 1.

Table No. 1
Treatment and Storage Systems

Treatment and Storage Systems	No. of Units	Comments
Septage Receiving Station		
Screening and Degritting	1	---
Aerated Storage Tank	1	Storage volume = 20,000 gallons
Solids Storage (Dumpster)	1	Used to store solids generated by the septage screening and degritting process
Wastewater		
Headworks (preliminary treatment)	1	An underground pipeline transports pretreated septage from the Septage Receiving Station to the headworks for further treatment
Lined Activated Sludge Basins	2	Subsurface diffusion aerators maintain aerated and anoxic zones within basins for nitrification and denitrification
Secondary Clarifiers	2	---
Multi-Media Filtration	1	Traveling-hood backwash system
Ultraviolet Disinfection	1	---
Sludge		
Gravity Thickener	1	---
Dewatering Centrifuge	1	The second centrifuge is currently being installed
Dewatered-Sludge Storage Pad	1	The Pad is constructed of Portland cement concrete (concrete). It includes concrete curbs and is constructed to drain to a sump plumbed to the Adelanto Treatment Facility headworks. In the event of centrifuge malfunction, the Discharger may temporarily use the Pad to dewater sludge from the gravity thickener.

The Adelanto Treatment Facility is designed to treat an average daily flow of 1.5 mgd and a maximum instantaneous flowrate of 2.5 mgd. Board Order No. 6-98-56A1 set a septage flow limit of 0.020 mgd (average), based on design information available at that time (November 5, 1998). Subsequent operational data for the Adelanto Treatment Facility indicates the Facility is only able to handle 0.010 mgd with the one existing sludge-dewatering centrifuge. The Discharger's Revised RWD shows that, with the completion of a second centrifuge, the Facility can treat a seven-day-average septage flow of 0.020 mgd and a 24-hour flow of up to 0.028 million gallons.

8. Description of Effluent

The Adelanto Treatment Facility is designed to produce effluent that meets the requirements of Disinfected Tertiary Recycled Water as defined in Section 60301.230, Title 22, California Code of Regulations (22 CCR Section 60301.230) and total nitrogen concentrations of less than 10 mg/L as N.

9. Authorized Disposal Sites

Adelanto Treatment Facility effluent (recycled water) is currently disposed to the Percolation Ponds, which are located within the 18-acre site owned by the Discharger, as shown in Attachment B and described in Table No. 4, Attachment D. The only authorized disposal sites for the Adelanto Treatment Facility effluent are the Percolation Ponds.

10. Treatment and Disposal Capacity

During the first few months following startup of the Adelanto Treatment Facility (September 15, 1998), the influent flows to the Facility were approximately 1.0 mgd. Since then, the influent flows have increased and are currently about 1.2 mgd. If flows continue to increase as they have in the past, the influent flow to the Facility may increase to 1.5 mgd within four years. The current capacity of the Facility is 1.5 mgd. Review of recent pond freeboard information (Table No. 5, Attachment D), indicates that the Percolation Ponds may have reached their capacity at the current wastewater flowrate, which is approximately 1.2 mgd. A provision of this Order requires the Discharger to submit a **Technical Report** to the Regional Board office providing information showing how the Discharger will prevent exceedance of the treatment and disposal capacity over the next four years.

11. Sludge/Solids Disposal

Solid debris (screenings) removed at the Septage Receiving Station and headworks of the Adelanto Treatment Facility are hauled offsite for disposal at the Victorville Municipal Landfill.

Currently, the Discharger sells centrifuge sludge cake (sludge) generated at the Adelanto Treatment Facility to cement plants where it is burned along with fuel used to heat the kilns. The Discharger also sells the sludge to composting operations. The Discharger's Sludge Management Plan (*Adelanto, 1999*) also proposes two additional options consisting of sludge disposal at an offsite landfill and sludge application to land within the City of Adelanto. The Regional Board has not permitted application of the Discharger's sludge to land within the City of Adelanto. The Discharger must file a complete application with the Regional Board before the Board can consider approval of this proposal.

12. Recycling Regulation

The State Department of Health Services (SDHS) has established statewide requirements (contained in Title 22, CCR, Section 60301 et. seq) for production and use of recycled water. This Order acknowledges that the Discharger (Producer) generates effluent that meets criteria for use of recycled water for certain purposes. In accordance with Section 13523 of the California Water Code (CWC), the Regional Board consulted with and received the recommendations of the SDHS concerning requirements incorporated within this Order. Before the Producer may supply recycled water to a party wishing to use recycled water (user), the user must obtain all necessary approvals.

13. Surface Hydrology

The ground surface in the area where the Percolation Ponds are located slopes from the southeast to the northwest at a gradient of 0.6 percent. The 18-acre site is within the 98-square-mile Fremont wash drainage area that drains generally to the northeast eventually joining the Mojave River. Surface runoff caused by storms is via numerous dry washes and sheet flow across open desert. The East Adelanto wash, tributary to the Fremont wash, passes the site approximately 0.25 miles to the west.

14. Site Hydrogeology

The site is located on a broad Pleistocene alluvial fan sloping gently toward the north and northwest. A shallow caliche layer exists at the 18-acre site. The bottoms of the Percolation Ponds are located below the caliche layer.

Before discharge to the Percolation Ponds began on September 15, 1998, the depth to the ground-water table for the Upper Aquifer was 95 feet (As indicated in Table No. 2). Since that date, there has been downward migration of effluent from the Percolation Ponds and the creation of ground water mound. Current depths to ground water in the mound area are summarized in Table No. 6, Attachment D.

Table No. 2
Summary of Hydrogeology Beneath the 18-Acre Site

Zone	Depth (Feet bgs)
Upper aquifer (alluvial)	95 to 170
Aquitard (Clayey soil layer)	170 to 230
Regional Aquifer (alluvial)	230 to < 650
Bedrock	Starts at 650

The full lateral extent of the Upper Aquifer is not known. Site investigation results indicate that its lateral dimensions are at least three miles on each side.

15. Ground Water Quality

Table No. 3 summarizes results for sampling of monitoring wells located at the 18-acre site both before and after the Adelanto Treatment Facility startup on September 15, 1998:

Table No. 3
Ground Water Quality (Upper Aquifer)

Date	TDS (mg/L)	Nitrate as N (mg/L)
September 9, 1998	500	10 to 15
July 2001	400 to 600	< 0.4 to 7

16. Receiving Waters

The receiving waters are the ground waters of the Upper Mojave Hydrologic Area of the Mojave Hydrologic Unit (Department of Water Resources Unit No. 628.20)

17. Lahontan Basin Plan

The Regional Board adopted a Water Quality Control Plan for the Lahontan Basin (Basin Plan) which became effective on March 31, 1995, and this Order implements the plan as amended.

18. Beneficial Uses

The beneficial uses of the ground waters of the Upper Mojave Hydrologic Area of the Mojave Hydrologic Unit as set forth and defined in the Basin Plan are:

a. municipal and domestic supply (MUN);
b. agricultural supply (AGR);
c. industrial service supply (IND);
d. freshwater replenishment (FRSH); and
e. aquaculture (AQUA).

19. Non-degradation

State Water Resources Control Board Resolution No. 68-16 (Statement of policy for maintaining high quality of waters in California) is called the non-degradation objective in the Basin Plan. This objective requires maintenance of existing high quality in surface waters, ground waters and wetlands. Whenever the existing quality of water is better than the quality of water established in the Basin Plan, such existing quality shall be maintained unless appropriate findings are made under Resolution No. 68-16.
The cumulative effect of the discharge and other discharges (not regulated by this Order) are believed to be causing an overall trend of TDS increases in the Mojave River watershed. The Regional Board acknowledges that there may be TDS and nitrate degradation of ground water in the Upper Aquifer if the Discharger continues the current

discharge to the Percolation Ponds. TDS and nitrate concentrations in the Adelanto Treatment Facility discharge to the Percolation Ponds exceed concentrations believed to be representative of the background water quality for the Upper Aquifer. The average TDS for the discharge, which is 506 mg/L, slightly exceeds the secondary maximum contaminant level (MCL) for TDS, which is 500 mg/L. Nitrates in the Discharge are below the primary MCL of 10 mg/L as N.

A provision of these Revised WDRs includes a schedule the Discharger must meet to prepare a Phase I Report for quantifying the magnitude and extent of the contribution to TDS degradation of ground water from use of the Percolation Ponds for disposal.

20. California Environmental Quality Act (CEQA) Compliance

The City of Adelanto certified a Negative Declaration for the Facilities on May 27, 1997. The City also certified an addendum to the Negative Declaration on September 22, 1998 in accordance with the CEQA (Public Resources Code, Section 21000 et seq.). That addendum addressed the Septage Receiving Station located at the Adelanto Treatment Facility. As discussed in Findings No. 3 and 6.a of this Order, the Regional Board amended WDRs on November 5, 1998 to authorize the Adelanto Treatment Facility to receive and treat septage generated in the Victor Valley.

The May 27, 1997 Negative Declaration, September 22, 1998 addendum and the Initial Studies supporting the Negative Declarations do not address future projects that may use recycled water produced by the Adelanto Treatment Facility. Before the recycled water can be used a potential user must obtain required approvals separately.

21. Notification of Interested Parties

The Regional Board has notified the Discharger and interested parties of its intent to issue Revised WDRs for the discharge.

22. Consideration of Public Comments

The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the Discharger shall comply with the following:

I. DISCHARGE SPECIFICATIONS

A. Effluent Limitations

1. The total volume of flow to the Adelanto Treatment Facility, during a 24-hour period, shall not exceed 1.5 million gallons.

2. The maximum (peak) instantaneous flow rate to the Adelanto Treatment Facility shall not exceed 2.5 mgd.

3. Before the **Certification Report** required under Provision No. C.2 is received and approved by the Regional Board office, the amount of septage received at the Adelanto Treatment Facility shall not exceed a total volume of 0.010 million gallons during a 24-hour period.

4. After the **Certification Report** required under Provision No. C.2 is received and approved by the Regional Board office, the amount of septage received at the Adelanto Treatment Facility shall not exceed:

   a. A total volume of 0.028 million gallons during a 24-hour period, and
   b. An average flowrate of 0.020 mgd during any seven-day period.

5. All wastewater discharged to the authorized disposal sites shall not contain concentrations of parameter in excess of the following limits:

Parameter	**Units**	**30-Day Mean**[1]	**Daily Maximum**[2]
BOD[3]	mg/L	15	30
Methylene Blue Active Substances	mg/L	1.0	2.0

6. All wastewater discharged to the authorized disposal sites shall have a pH of not less than 6.0 pH units nor more than 9.0 pH units.

7. All wastewater discharged to the authorized disposal sites shall have a dissolved oxygen concentration not less than 1.0 mg/L.

8. All wastewater discharged to the authorized disposal sites shall not contain concentrations of organic constituents in excess of primary drinking water standards as established by the California Department of Health Services.

B. Receiving Water Limitations

1. This discharge shall not cause a violation of any applicable water quality standards for receiving water adopted by the Regional Board or the State Water Resources Control Board.

2. The discharge shall not cause ground waters of the Mojave Hydrologic Unit to contain:

   a. Bacteria: A median concentration of coliform organisms over any seven-day period that is in excess of (or equal to) 1.1MPN/100 milliliters;

b. Chemical Constituents: Concentrations of chemical constituents in excess of the MCL or secondary maximum contaminant level (SMCL) based upon drinking water standards specified in the following provisions of Title 22 of the CCR which are incorporated by reference into this Order: Table 64431-A of Section 64431 (Inorganic Chemicals), Table 64433.2-A of Section 64433.2 (Fluoride), Table 64444-A of Section 64444 (Organic Chemicals), Table 64449-A of Section 64449 (Secondary Maximum Contaminant Levels-Consumer Acceptance Limits), and Table 64449-B of Section 64449 (Secondary Maximum Contaminant Levels-Ranges). (This incorporation-by-reference is prospective including future changes to the incorporated provisions as the changes take effect.);

Concentrations of chemical constituents that adversely affect the water for beneficial uses, including the beneficial use AGR;

c. Radioactivity: Concentrations of radionuclides in excess of the limits specified in Table 4 of Section 64443 (Radioactivity) of Title 22 of the CCR, which is incorporated by reference into this Order. (This incorporation-by-reference is prospective including future changes to the incorporated provisions as the changes take effect.); and

d. Taste and Odors: Taste or odor-producing substances in concentrations that cause nuisance or that adversely affect beneficial uses.

C. Recycling Requirements

These WDRs only authorize discharge of the effluent (recycled water) to the authorized disposal sites (Percolation Ponds) described in Finding No. 9 and do not authorize discharge of the recycled water to any other site(s).

D. General Requirements and Prohibitions

1. There shall be no discharge, bypass, or diversion of raw or partially treated sewage, sewage sludge, grease, or oils from the collection, transport, treatment, or disposal facilities to adjacent land areas or surface waters.

2. Surface flow or visible discharge of sewage or sewage effluent at/or from the authorized disposal sites to adjacent land areas or surface waters is prohibited.

3. The vertical distance between the liquid surface elevation and the lowest point of a pond dike or the invert of an overflow structure shall not be less than two feet.

4. The discharge shall not cause a pollution as defined in Section 13050 of the CWC, or a threatened pollution.

5. Neither the treatment nor the discharge shall cause a nuisance as defined in Section 13050 of the CWC. The discharge of wastewater except to the authorized disposal sites is prohibited.

6. The Discharger shall comply with all existing federal and state laws and regulations that apply to sewage sludge use and disposal practices.

7. The Discharger shall operate the Adelanto Treatment Facility to meet the effluent quality described in Finding No. 8.

II. PROVISIONS

A. Operator Certification

The Discharger's wastewater treatment facility shall be supervised by persons possessing a wastewater treatment facility operator certificate of appropriate grade pursuant to Chapter 3, Subchapter 14, Title 23, CCR.

B. Rescission of Waste Discharge Requirements

Board Orders No. 6-98-56 and 6-98-56A1 are hereby rescinded.

C. Time Schedules

1. The Discharger shall:

a. By **January 17, 2003**, submit a **Technical Report** to the Regional Board office providing information showing how the Discharger will:

i. Prevent wastewater flow volumes from exceeding the capacities of existing treatment and disposal facilities through January 17, 2007, or
ii. Increase capacities of wastewater treatment and disposal facilities to accommodate wastewater flow volumes through January 17, 2007.

The **Technical Report** shall also include:

- Projections for increases in sewer-service-area population and influent flow volumes to the Adelanto Treatment Facility through January 17, 2007, and

- The estimated disposal capacity of the existing Percolation Ponds in terms of average daily flow, including engineering calculations and technical information to justify the estimated capacity,
- Documentation of public participation and involvement of interested persons in the preparation of the **Technical Report**.

The Regional Board Executive Officer may grant an extension to the above due date for the **Technical Report** if sufficient justification is submitted in writing to the Regional Board office.

2. The Discharger shall submit a **Certification Report** to the Regional Board office following completion of modifications to the Adelanto Treatment Facility (addition of a second sludge-dewatering centrifuge) and testing of the Facility as modified. The **Certification Report** shall provide certification of whether the modified Facility can adequately treat and dispose of the amount of septage allowed under Discharge Specification No. A.4. Information to support the certification shall be included in the **Certification Report**. Certification shall be by a civil engineer registered in the State of California.

3. The Discharger shall:

   a. By <u>**November 15, 2002**</u>, submit a **Work Plan** to the Regional Board office for completing a **Phase I Study**. The primary purpose of the **Phase I Study** is to quantify the magnitude and extent of TDS degradation of ground water that may be caused by the use of the Percolation Ponds for disposal. This information will be used to determine potential future actions by the Discharger to both reduce degradation and address any violations of the Basin Plan water quality objectives.

   b. Following approval of the **Work Plan** and by <u>**January 17, 2003**</u>, begin the **Phase I Study** for evaluation of TDS degradation of ground water.

   c. Submit a **Phase I Report** to the Regional Board office by <u>**October 17, 2003**</u>. The **Phase I Report** shall:

      i. Contain the information described in the **Work Plan,**
      ii. Describe the total amount of TDS degradation (i.e, the current concentrations of TDS in the Aquifer minus the respective background concentrations), and
      iii. Characterize the magnitude and extent of TDS degradation caused by the Percolation Ponds.

D. Standard Provisions

The Discharger shall comply with the "Standard Provisions for Waste Discharge Requirements," dated September 1, 1994, in Attachment F, which is made part of this Order.

E. Monitoring and Reporting

1. Pursuant to the CWC Section 13267(b), the Discharger shall comply with the Monitoring and Reporting Program No. 2002-050 as specified by the Executive Officer.

2. The Discharger shall comply with the "General Provisions for Monitoring and Reporting," dated September 1, 1994, which is attached to and made part of the Monitoring and Reporting Program.

I, Harold J. Singer, 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, Lahontan Region, on September 11, 2002.

Harold J. Singer

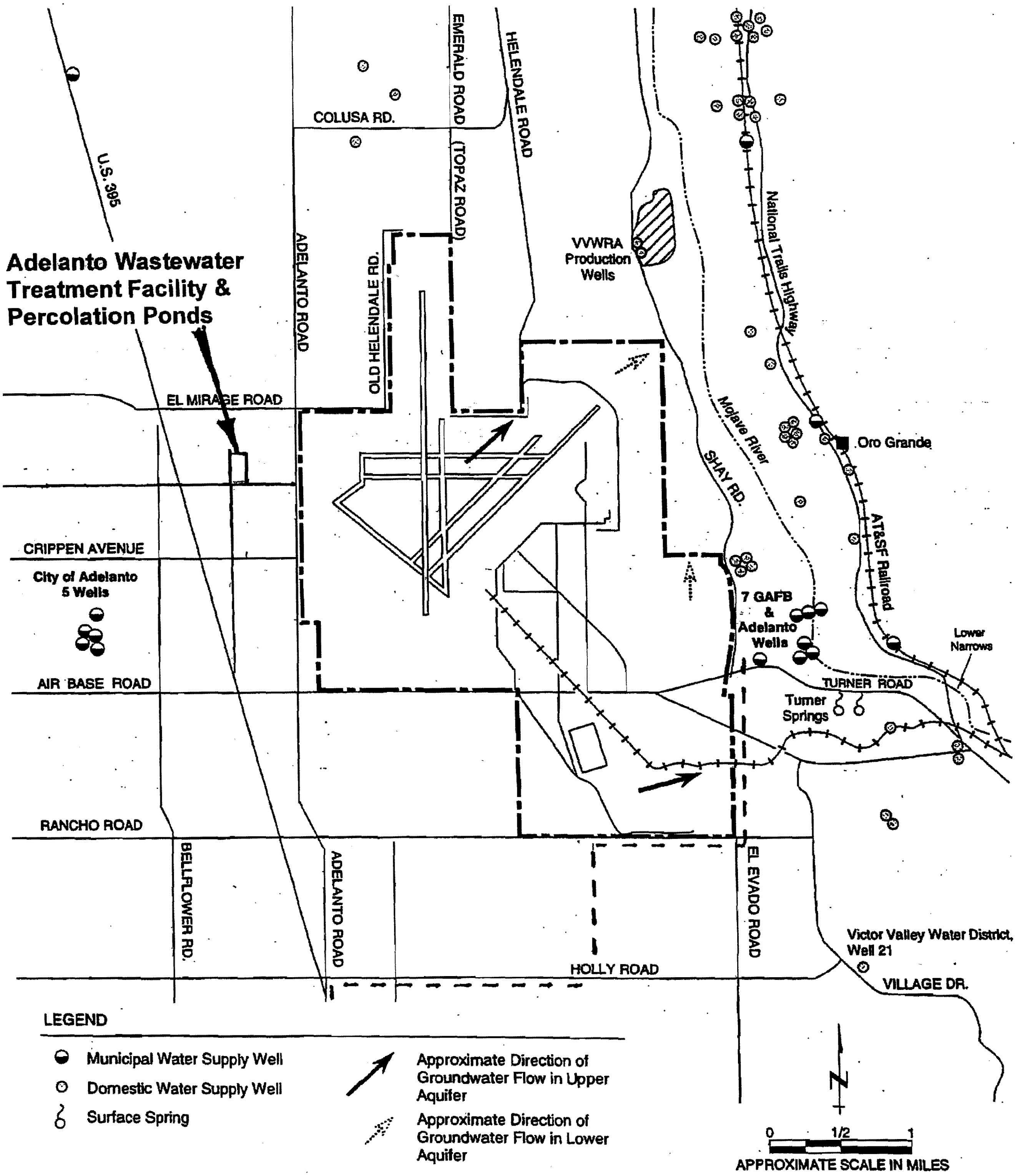
HAROLD J. SINGER
EXECUTIVE OFFICER

Attachments:
A. Location Map
B. Facilities Layout
C. Upper Aquifer Potentiometric Surface
D. Tables No. 4 through 6
E. List of References
F. Standard Provisions for Waste Discharge Requirements

[1] Compliance is determined by comparing the limit to the arithmetic mean of laboratory results for 6-hour composite samples collected during a period of 30 days.
[2] Compliance is determined by comparing the limit to the laboratory result for any 6-hour composite sample.
[3] Biochemical Oxygen Demand (five-day, 20^0C) of an unfiltered sample.

CS/rc/Sept2002 adelantoWDR

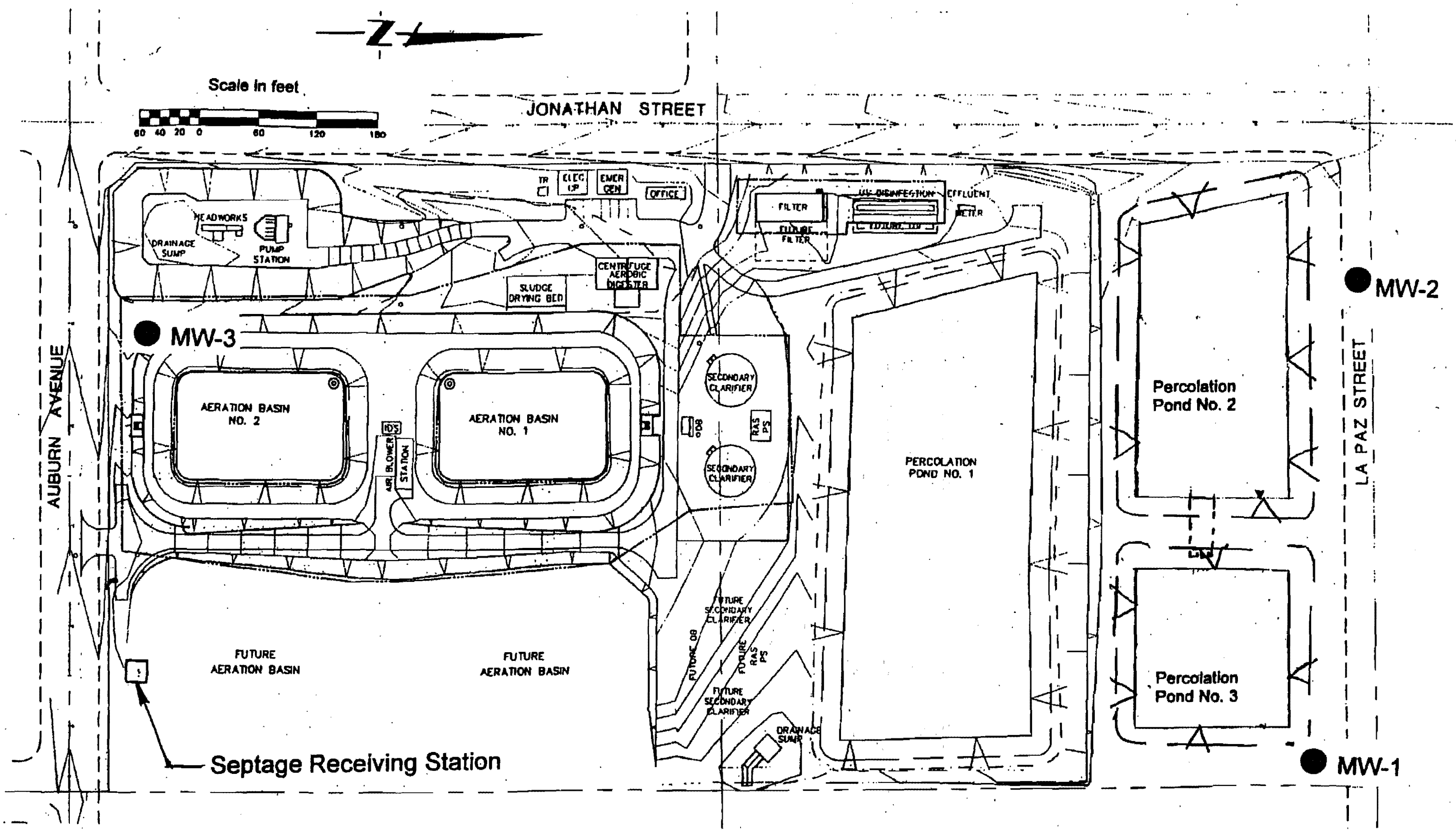
Attachment A
Adelanto Public Utility Authority
Location Map
Site of the Wastewater Treatment Facility and Percolation Ponds



Map adapted from Figure 4-21 of the following reference: Department of Defense (DOD), 1996, George Air Force Base Operable Unit 3 Remedial Investigation, Prepared by Montgomery Watson, April

Attachment B
Adelanto Public Utility Authority
Site Plan
Wastewater Treatment Facility and Percolation Ponds

(Note: North is toward the right edge of this page.)

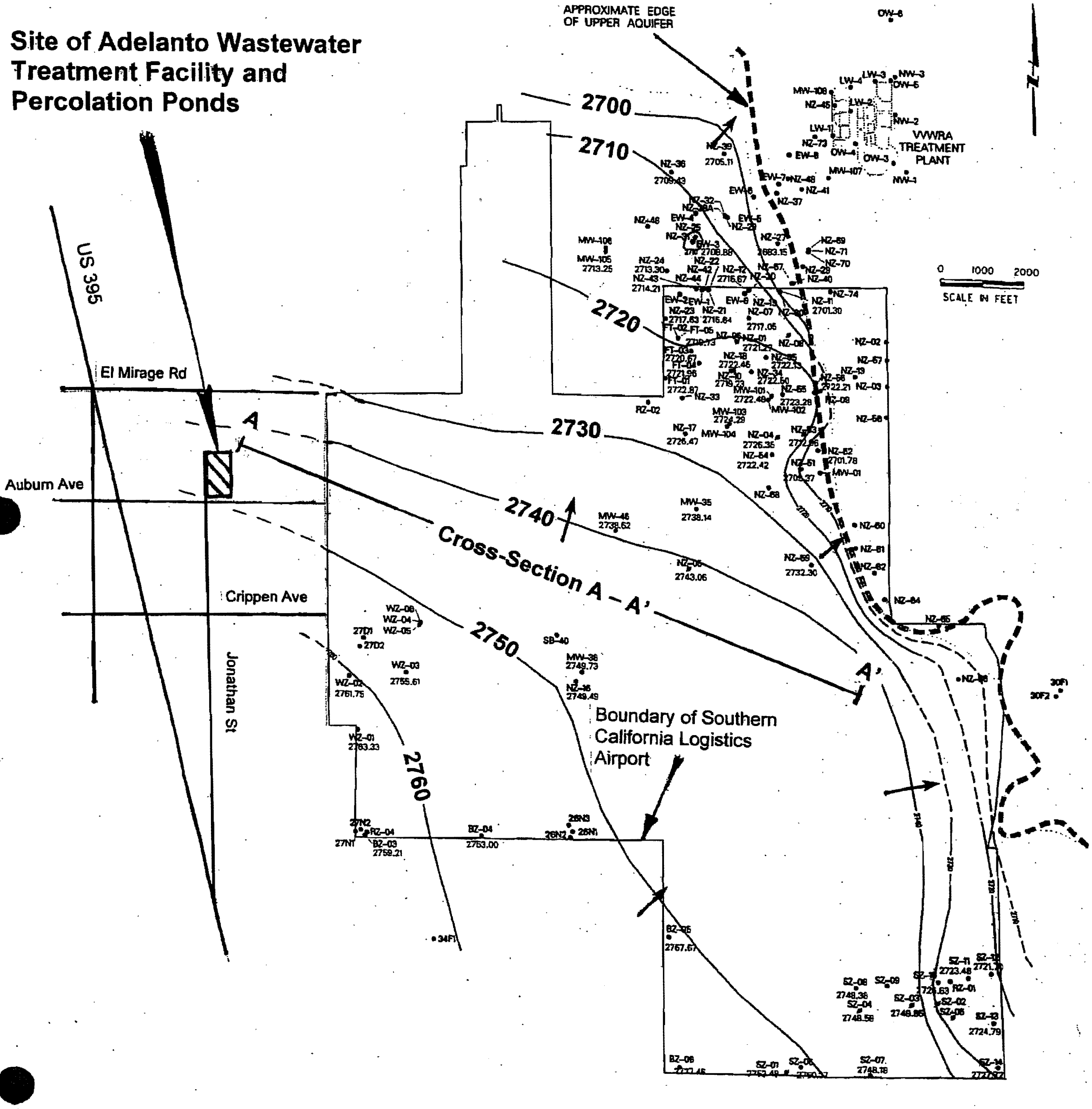


Site Plan adapted from Site Plan prepared by Urban Logics Consultants (ULC) on August 7, 1997 and amended by Greg Wiltfong of ULC on January 2, 2002 (*Adelanto, 2002*)

0000037

Attachment C
Map of Potentiometric Surface for Upper Aquifer

(Ground Water Elevation Contours in Feet Above Mean Sea Level)



Map adapted from Figure 4-15 of the following reference: Department of Defense (DOD), 1996, George Air Force Base Operable Unit 3 Remedial Investigation, Prepared by Montgomery Watson, April

ATTACHMENT D

Table 4
Percolation Ponds
Actions Completed to Increase Disposal Capacity

Date	Percolation Pond	Area (Acres)	Action by Discharger
September 15, 1998	1	2.7	Completed construction and began operation of WTF and Percolation Pond 1
December 22, 1998	2	1.5	Completed construction and began operation of Percolation Pond 2
October 2001	2		Completed construction increasing depth of Pond 2 from 18 feet to 20 feet
January 2002	3	0.7	Completed construction and began operation of Percolation Pond 3
---	---	4.9 (Total)	---

Table 5
Percolation Pond Freeboard

1	2	3	4	5
Percolation Pond	**Freeboard[1] and (Depth of Wastewater) on Feb 7, 2002 (Feet)**	**Depth to Surface of Wastewater on Feb 7, 2002 (Feet bgs)[2]**	**Depth to Surface Of Wastewater When Pond Is Full[3] (Feet bgs)[2]**	**Pond Depth (Feet bgs)[2]**
1	3.5 (10)	10	6.5	16
2	0 (11.5) full	8.5	8.5	20
3	10.5 (19) empty	19	8.5	19

Table 6
Percolation Ponds
Depth to Ground Water
(Feet Below Ground Surface)
(Note: Discharger began operation of WTF on September 15, 1998)

Well	September 1998	September 1999	September 2000	October 2001
1	95.7	92.6	91.9	90.1
2	95.2	61	53.4	53.2
3	94.4	74.1	66.9	62.5
WTF Influent Average Daily Flowrate (Million Gallons per Day)	0.96	1.07	1.11	1.16

[1] Freeboard equals Column 3 minus Column 4. Depth to wastewater equals Column 5 minus Column 3. During a subsequent Board staff inspection, the reserve disposal capacity of the Percolation Ponds had increased. Pond 1 and 2 were empty and Pond 3 contained three feet of wastewater.
[2] Depth below ground surface (top of the pond dike)
[3] For Ponds No. 1 and 2, the depth to the surface of wastewater when a pond is full is the same as the depth to invert of the overflow pipe for the respective pond. Pond No. 1 has an overflow pipe that allows flow into Pond No. 2, and Pond No. 2 has an overflow pipe that allows flow into Pond No. 3. Pond No. 3 does not have an overflow pipe.

ATTACHMENT E
REFERENCES

1. Adelanto Public Utility Authority (Adelanto), 1998a, Supplemental Information Report to Support Application for Facility Permit/Waste Discharge for Adelanto Public Utility Authority (PUA) Septage Receiving Station, Prepared by Adelanto and Urban Logics Consultants, August 21

2. Adelanto, 1998b, Acceptance of Carwash Clarifier Waste, Septage Receiving Station in Adelanto, Prepared by Urban Logics Consultants, October 9

3. Adelanto, 1998c, Monitoring Well Installation MW-2 and MW-3, Prepared by Urban Logics Consultants, October 28

4. Adelanto, 1999, Proposed Sludge Management Plan, Adelanto Wastewater Reclamation Facility, Prepared by Urban Logics Consultants, January 20

5. Adelanto, 2000, Inventory of Significant Users and Industrial Pretreatment Enforcement Response Guide (ERG), Prepared by Adelanto, March 10.

6. Adelanto, 2001, Monthly Self Monitoring Report for July 2001, Prepared by Adelanto, August 27.

7. Adelanto, 2002, Amended Site Plan, Prepared by Urban Logics Consultants (ULC) on August 7, 1997 and amended by Greg Wiltfong of ULC on January 2, 2002

8. California Regional Water Quality Control Board (CRWQCB), 1995, Water Quality Control Plan for the Lahontan Basin (Basin Plan), March 31

9. DOD, 1995, George Air Force Base Operable Unit 1 Pre-Design Study, Prepared by Montgomery Watson, October

10. DOD, 1996, George Air Force Base Operable Unit 3 Remedial Investigation, Prepared by Montgomery Watson, April

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

MONITORING AND REPORTING PROGRAM NO. R6V-2002-050
WDID NO. 6B369805001

FOR

ADELANTO PUBLIC UTILITY AUTHORITY
ADELANTO DOMESTIC WASTEWATER TREATMENT FACILITY

San Bernardino County

I. MONITORING

A. Flow Monitoring

The Discharger shall monitor the following:

1. The total volume, in million gallons, of wastewater flow to the treatment facility for each day.

2. The total volume, in million gallons, of wastewater flow to the treatment facility for each month.

3. The average flow rate, in million gallons per day (mgd), of wastewater to the treatment facility calculated for each month.

4. The maximum instantaneous flow rate, in mgd, of wastewater to the treatment facility that occurs each day.

5. The total volume, in million gallons, of wastewater flow to the percolation ponds for each month.

6. The freeboard (distance from the top of the lowest part of the dike to the wastewater surface in the pond) measured each day in each percolation pond. If a percolation pond does not contain wastewater, indicate that it is empty.

7. The total volume of each septage waste stream type, and total volume of septage, in gallons, received each day.

B. Plant Influent Monitoring

Samples of influent wastewater shall be collected and analyzed to determine the magnitude of the following parameters:

Parameter	Units	Type of Sample	Frequency
Biochemical Oxygen Demand	mg/L	6-hour composite	Weekly
Total Suspended Solids (TSS)	mg/L	6-hour composite	Weekly
Methylene Blue Active Substances	mg/L	6-hour composite	Monthly
Total Cyanide	mg/L	6-hour composite	Annually
Total Phenols[1]	mg/L as C_6H_5OH	6-hour composite	Annually
Volatile Organic Compounds (VOCs)[2]	mg/L	Grab	Annually
Semivolatile Organic Compounds (SVOCs)[3]	mg/L	6-hour composite	Annually
Heavy Metals[4]	mg/L	6-hour composite	Annually
Total Recoverable Petroleum Hydrocarbons[5]	mg/L	6-hour composite	Annually

C. Plant Effluent Monitoring

Samples of the final effluent from the wastewater treatment facility shall be collected and analyzed to determine the magnitude of the following parameters:

Parameter	Units	Type of Sample	Frequency
Biochemical Oxygen Demand	mg/L	6-hour composite	Weekly
Chemical Oxygen Demand	mg/L	6-hour composite	Weekly
Dissolved Oxygen	mg/L	Grab	Weekly
Ph	pH Units	Grab	Weekly
Methylene Blue Active Substances	mg/L	6-hour composite	Twice per Month
Oil and Grease	mg/L	6-hour composite	Twice per Month
Kjeldahl Nitrogen	mg/L as N	6-hour composite	Monthly
Nitrate Nitrogen	mg/L as N	6-hour composite	Monthly
Ammonia Nitrogen	mg/L as N	6-hour composite	Monthly
Total Dissolved Solids	mg/L	24-hour composite	Quarterly
Total Hardness	mg/L	24-hour composite	Quarterly
Boron	mg/L	24-hour composite	Quarterly
Fluoride	mg/L	24-hour composite	Quarterly
Chloride	mg/L	24-hour composite	Quarterly
Sodium	mg/L	24-hour composite	Quarterly
Sulfate	mg/L	24-hour composite	Quarterly
Sulfide	mg/L	Grab	Quarterly
Total Cyanide	mg/L	Grab	Quarterly
Total Phenols	mg/L as	24-hour composite	Quarterly

Parameter	Units	Type of Sample	Frequency
	C_6H_5OH		
Total chromium[6]	mg/L	24-hour composite	Quarterly
Hexavalent Chromium[6]	mg/L	24-hour composite	Quarterly
Volatile Organic Compounds (VOCs)	mg/L	Grab	Quarterly
Semivolatile Organic Compounds (SVOCs)	mg/L	24-hour composite	Quarterly
Heavy Metals			
Total Recoverable Petroleum Hydrocarbons	mg/L	24-hour composite	Quarterly

D. Ground Water Monitoring

1. At a minimum, samples from ground water monitoring well Nos. MW-1, MW-2, and MW-3 shall be collected and analyzed to determine the magnitude of the following parameters:

Parameter	Units	Frequency
Methylene Blue Active Substances	mg/L	Quarterly
Kjeldahl Nitrogen	mg/L as N	Quarterly
Nitrate Nitrogen	mg/L as N	Quarterly
Ammonia Nitrogen	mg/L as N	Quarterly
Total Dissolved Solids	mg/L	Quarterly
Chlorides	mg/L	Quarterly
Sulfates	mg/L	Quarterly
Fluoride	mg/L	Quarterly
Boron	mg/L	Quarterly
Total Phenols	mg/L	Quarterly
Volatile Organic Compounds (VOCs)	mg/L	Quarterly
Semivolatile Organic Compounds (SVOCs)	mg/L	Quarterly
Total Recoverable Petroleum Hydrocarbons	mg/L	Quarterly

2. Each time a well is sampled, the Discharger shall:

a. Measure and record the depth below the ground surface and the elevation above mean sea level of the ground water surface in the ground water monitoring wells.

b. Plot the above-described elevations and elevation isopleths on an 11" x 17" copy of a site plan, which shows the locations of the Facility and monitoring wells.

c. Calculate and record the ground water gradient, the direction of the gradient, and velocity of ground water flow at the authorized disposal/recycle sites.

d. Monitor the wells for the following field parameters:

Parameter	**Units**
Electrical Conductivity (E_c)	µMHOS/CM
Ph	Ph Units
Temperature	^{O}F or ^{O}C

3. For any ground water wells installed, the Discharger shall prepare a Water Well Driller's Report and file it with the California Department of Water Resources in accordance with the provisions of Sections 13750 through 13755 (Division 7, Chapter 10, Article 3) of the California Water Code (CWC Section 13750 through 13755). All work and reports shall be completed by (or under the supervision of) a California registered civil engineer, geologist or certified engineering geologist. The Discharger is responsible for obtaining all applicable permits before starting work and complying with CWC Section 13750 through 13755, and applicable County and State Well Standards.

E. Supply Water Monitoring

1. For each semiannual period; chemical analysis of a supply water sample, which is representative of the average municipal water used within the pertaining sewered area, shall be submitted to the Regional Board. Municipal water samples for this analysis shall be collected during the same day that effluent samples are collected.

Parameter	**Units**
Total Dissolved Solids	mg/L
Total Hardness as $CaCO_3$	mg/L
Chloride	mg/L
Sulfate	mg/L
Fluoride	mg/L
Boron	mg/L
Heavy Metals[3]	mg/L

The following methods of obtaining a representative chemical analysis of the municipal water will be acceptable:

a. A chemical analysis shall be conducted on a composite sample of the different municipal waters used in the sewered area. This composite sample shall be weighted in proportion to the estimated semiannual volume of water contributed to the sewer system by each municipal water source.

b. The constituent concentrations expected in the average municipal water used in the sewered area can be mathematically calculated, if the estimated semiannual volume of water contributed to the sewer system by each municipal water source and the constituent concentrations in each municipal water source for that semiannual period are known. The estimated volume (million gallons) of water contributed to the sewer system by each municipal water source shall be recorded for each semiannual period.

F. Sludge Monitoring

1. The Discharger has prepared a Sludge Management Plan dated January 20, 1999. The Discharger shall submit subsequent annual reports summarizing disposal of sludge in accordance with the provisions of the plan with the last annual self-monitoring report.

2. The Discharger shall report to the Regional Board all information necessary to comply with the U.S. Environmental Protection Agency Sludge Management Regulations contained in Section 503 of the Federal Clean Water Act.

G. Pretreatment/Source-Control

1. The Discharger has established an Industrial Wastewater Source Control and Pretreatment Program (Source Control Program), and a Septage Load Checking Program. Reports dated August 21, 1998 and March 10, 2000 provide documentation and detailed descriptions of the programs.

The Discharger shall submit an annual pretreatment/source-control report, which includes, but is not limited to, the following information:

a. An inventory of significant industrial users, including names, addresses, categories, industrial pollutants, and volumes. A significant industrial use is either:

i. An industrial user discharging more than 25,000 gallons per day;
ii. A categorical industrial user as defined in 40 CFR 400-471; or
iii. A use that can cause upset, pass through, or interference to the wastewater treatment plant.

b. A discussion of upset, interference, or pass through incidents, if any, at the treatment plant which the Discharger knows or suspects was caused by industrial users.

c. A discussion of enforcement actions taken or proposed.

d. A summary of the pretreatment/source-control functions including, but not limited to:

   i. Necessary legal authorities;
   ii. Pretreatment/source-control requirements; and
   iii. Status of funding and personnel to implement the pretreatment/source-control program.

H. Septage Load Monitoring

1. Representative grab samples of septage shall be collected and analyzed to determine the magnitude of the following parameters:

Parameter	**Units**	**Frequency**
Biochemical Oxygen Demand	mg/L	Quarterly
Chemical Oxygen Demand	mg/L	Quarterly
Methylene Blue Active Substances	mg/L	Quarterly
Kjeldahl Nitrogen	mg/L as N	Quarterly
Nitrate Nitrogen	mg/L as N	Quarterly
Ammonia Nitrogen	mg/L as N	Quarterly
Total Cyanide	mg/L	Quarterly
Total Phenols	mg/L as C_6H_5OH	Quarterly
Volatile Organic Compounds (VOCs)	mg/L	Quarterly
Semivolatile Organic Compounds (SVOCs)	mg/L	Quarterly
Heavy Metals	mg/L	Quarterly
Total Recoverable Petroleum Hydrocarbons	mg/L	Quarterly

2. The Discharger shall establish and maintain onsite, a permanent septage receipt logbook wherein, as a minimum, shall be maintained a daily record of the following for each load:

   a. Address of source of septage and type of business and/or residence;
   b. Driver name, contact information, and name of pump-truck company;
   c. Vehicle license number;
   d. Time received;
   e. Volume;
   f. Type of septage: domestic, grease trap, chemical toilet or car wash clarifier;
   g. Results of pH, conductivity, and any toxicity tests;
   h. Results of visual observations and odor monitoring;

i. Report if load accepted or rejected, with reasons for rejection; and
j. Follow-up actions taken as a result of unacceptable load detections.

3. A summary of non-routine activities associated with the septage receiving facility shall be compiled and submitted quarterly. The information to be included in the summary shall include, but is not limited to, odor complaints and how they were addressed; number of loads rejected and reasons for rejection; names of pumper truck companies of rejected loads; illegal dumping incidents and any other relevant information deemed appropriate.

I. <u>Septage Solids Monitoring</u>

The respective dates, volumes, and final disposal methods and locations for septage screenings and grit shall be recorded.

J. <u>Septage Odor Monitoring</u>

The septage receiving station and associated septage solids handling facilities shall be monitored, with results recorded daily, for the detection of odor and/or vector nuisance or potential nuisance conditions.

II. <u>REPORTING</u>

A. <u>General Provisions</u>

The Discharger shall comply with the "General Provisions for Monitoring and Reporting," dated September 1, 1994, which is attached to and made part of this Monitoring and Reporting Program.

B. Pursuant to General Provision No. 1d. of the General Provisions for Monitoring and Reporting, the Discharger shall submit to the Regional Board by **<u>October 17, 2002,</u>** a Sampling and Analysis Plan (SAP) for consideration of approval. The SAP shall include a detailed description of procedures and techniques for:

i. Sample collection, including purging techniques, sampling equipment, and decontamination of sampling equipment;
ii. Sample preservation and shipment;
iii. Analytical procedures;
iv. Chain of custody control; and
v. Quality assurance/quality control (QA/QC).

C. <u>Quarterly Reports</u>

Beginning on **<u>October 30, 2002</u>**, quarterly monitoring reports including the preceding information shall be submitted to the Regional Board before the end of the month following each quarterly monitoring period.

D. Annual Report

By **March 30th** of each year, the Discharger shall submit an annual report to the Regional Board with the following information:

1. The compliance record and the corrective actions taken or planned, which may be needed to bring the discharge into full compliance with the discharge requirements.

2. A time schedule for additional proposed compliance actions.

3. Graphical and tabular data for the monitoring data obtained for the previous year.

Ordered by: ______________________
HAROLD J. SINGER
EXECUTIVE OFFICER

Dated: September 11, 2002

Attachment: General Provisions for Monitoring and Reporting

[1] Total Phenols using the appropriate 4-Aminoantipyrine (4AAP) Method approved by the US Environmental Protection Agency (USEPA), currently USEPA Method 420.1.
[2] Use appropriate USEPA approved method that will quantify concentrations down to 0.0005 mg/L.
[3] Use either USEPA Method 625 or 8027.
[4] Analyze for the metals listed in Table II of Section 66261.24(a)(2)(A), Title 22, California Code of Regulations. Use appropriate USEPA approved methods with a minimum quantification limit equal to the background concentration of each metal in ground water. In no case shall the quantification limit be more than the Detection Limits for the Purposes of Reporting (DLRs). The California Department of Health Services establishes DLRs for analyses conducted on samples collected from drinking water supply systems.
[5] USEPA Method 418.1
[6] Use appropriate USEPA approved methods that will quantify concentrations down to 0.001 mg/L for hexavalent chromium and 0.0025 mg/L for total chromium

CS/rc/Sept2002 MRP

EXHIBIT NO. 2

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

BOARD ORDER NO. R6V-2009-0036
WDID NO. 6B369805001

WASTE DISCHARGE REQUIREMENTS

FOR
ADELANTO PUBLIC UTILITY AUTHORITY
ADELANTO WASTEWATER TREATMENT PLANT

San Bernardino County

The California Regional Water Quality Control Board, Lahontan Region (Water Board) finds:

1. Discharger

The Adelanto Public Utility Authority has submitted a Report of Waste Discharge (RWD) for its Domestic Wastewater Treatment Plant. The RWD consists of transmittals received on July 15, 2008, September 5, 2008, October 28, 2008 and January 9, 2009. For the purpose of this Water Board Order (Order), the Adelanto Public Utility Authority is referred to as the "Discharger."

2. Facility

The Discharger collects, treats and disposes of an average of 2.2 million gallons per day (mgd) of wastewater generated within the City of Adelanto. The Adelanto Treatment Plant receives domestic wastewater, industrial wastewater (both pretreated and not pretreated). The Discharger's current treatment facility has the capacity to treat 1.5 mgd. The Discharger is adding capacity at its treatment plant by constructing a new treatment plant that will be operated in addition to the existing plant. The existing and new facilities will be both used by the Discharger until sometime in the future when the Discharger plans to divert treatment of all the flow to the new plant. The new plant consists of primary treatment by "Primary Clean Screens." Effluent from the Primary Clean Screens is routed to a junction structure, where flow can be diverted to the flow equalization pond. From the equalization pond wastewater receives secondary treatment through a biological process called "Micro-media." This Order regulates discharge from the new plant. For the purpose of this Order, the new Primary Clean Screens and Micro-media plant are referred to as the "Facility".

3. Permit History

This Order establishes new Waste Discharge Requirements (WDRs) for discharge from the new Micro-media Facility. Discharge from the existing facilities is regulated under Board Order R6V-2002-050.

Cease and Desist Order No. R6V-2007-24 was adopted on August 29, 2007 to address influent flow limit violations, exceedance of Biochemical Oxygen Demand (BOD) effluent limits and discharges of waste to a non-permitted percolation pond. These are violations of Discharge Specifications contained in Board Order No. R6V-2002-050.

4. Reason for Action

The Discharger is constructing a new Facility at its wastewater treatment plant site. The Discharger proposes to treat wastewater using a new treatment process referred to as the "Micro-media" process.

The RWD submitted by the Discharger proposes to treat an additional influent flow of 3.0 mgd with the new Micro-media plant. This will allow the Discharger to treat a total flow of 4.0 MGD (3.0 MGD from the new facility and 1.0 MGD from the existing treatment facility).

The existing plant currently discharges effluent to on-site percolation ponds. Of the four existing percolation ponds, one pond was not permitted under Board Order R6V-2002-050. The Discharger has included discharge to the existing four ponds in its RWD. The Discharger has also proposed one additional percolation pond to be constructed. Discharge of treated effluent from the Facility to the four on-site percolation ponds and the proposed new percolation pond is authorized by this Order. The effluent from the new Micro-media plant is piped to discharge into any of five percolation ponds independently.

In addition, this Order establishes a schedule for a work plan for the construction of new monitoring wells down gradient of the plant.

5. Location of Facilities

The Adelanto Treatment Plant and Percolation Ponds are located within an 18-acre site owned by the Discharger. The site is located in the City of Adelanto at the northeast corner of Jonathan Street and Auburn Avenue, San Bernardino County. The site is located within Section 21, T6N, R5W, SBB&M as shown on Attachments A and B, which are made part of this Order.

6. Influent Waste Streams

a. The present flow to the Adelanto Wastewater Treatment Plant is about 2.2 MGD. The new Micro-media Filtration Plant is capable of treating up to 4.0 MGD. According to the RWD, this plant capacity should be able to handle the equivalent population increase for approximately 14 years; based on using the average growth of about 606 equivalent capacity units per year.

b. Industrial Wastewater Source Control

The Discharger has established an Industrial Wastewater Source Control and Pretreatment Program (Source Control Program). The programs are intended to reduce the amount of non-residential pollutants discharged to the sewer system and the Adelanto Treatment Plant.

7. Description of Treatment Facilities

The Facility consists of new treatment units constructed for the Micro-media process. The new treatment units consist of technology comprised of "Clean Screen" primary separators and Micro-media biological process sand filters with coagulation. The majority of the suspended particles from the incoming wastewater will be filtered at the Primary Clean Screens, thereby reducing the BOD at the Micro-media sand filters.

Influent is pumped to the Primary Clean Screens through a basin within the filter unit. A large fraction of settleable and suspended solids are captured on the screens and are partially dried and blown off using a high temperature blower. Dried solids are removed from the process and disposed off-site at a permitted landfill. The filtrate is then pumped to the Micro-media sand filters, where a small amount of coagulant (Poly Aluminum Chloride) is added. Air is pumped into the filter, primarily for the circulation of the sand bed. The treated wastewater flows through the sand filters and to a weir at the top of the sand filter unit, where it gets directed to the percolation ponds. The coagulated organics are pumped to the Primary Clean Screens, located at the beginning of the process. The bio-solids drop onto heavy duty plastic containers at about 25% to 35% solids content. The City's operations staff will compost and then dispose of the dry solids to a legal disposal or re-use location. A small amount of disinfected secondary treated effluent is used at the plant for washwater and plant maintenance activities.

Treatment and storage systems located at the Facility are described in Table No. 1.

Table No. 1
Treatment and Storage Systems

Treatment and Storage Systems	No. of Units	Description
Screening		Existing
Solids Storage (Dumpster)		Located adjacent to Clean Screens
Wastewater		
Headworks (preliminary treatment)	1	Large screening
Existing lined Activated Sludge Basins	2	One existing Bio-lac Bio-Reactor subsurface diffusion aerator basin will be converted to an equalization pond for the new Micro-media Filtration plant.
Multi-Media Filtration	1	The system is a continuous backwash traveling bridge filter.
Percolation Ponds	5	Total new and existing
Micro-media Treatment plant		
Clean screen separator	3	The clean screen separator is a continuous belt which filters out settleable & suspended solid particles from the incoming wastewater, which in turn reduces the BOD to the Micromedia sand filters.
Micro-media sand filter w/coagulation (Poly Aluminum Chloride Coagulant)	12 trains	The filtrate will receive a small amount of coagulant . Air is pumped into the filter for recirculation of the sand bed.
Sludge		
Dewatering Centrifuge	2	Existing centrifuges to operate in conjunction with the primary clean screens.
Dewatered-Sludge Storage Pad	1	The Pad is constructed of Portland cement concrete (concrete). It includes concrete curbs and is constructed to drain to a sump plumbed to the Adelanto Treatment Plant headworks. In the event of centrifuge malfunction, the Discharger may temporarily use the Pad to dewater sludge from the gravity thickener.
Chlorine Tank	1	A single chlorine tank constructed for disinfection of recycled water for flushing, cleaning and other beneficial uses around the plant only.
Hydro-pneumatic tank	1	Disinfected effluent is stored in a 10,000 gallon tank from which recycled water will be used for flushing, cleaning etc. around the plant.

8. <u>Description of Effluent</u>

The Facility is designed to produce effluent that meets a 30- day mean BOD effluent concentrations of 30 mg/L. These WDRs neither approve nor establish requirements for projects to supply recycled water for off-site users. Any person who proposes to use recycled water must obtain water reclamation requirements separately. At this time, the Water Board has not received any such proposals from the Discharger for off-site reuse of the effluent.

9. Authorized Disposal Sites

The authorized disposal sites for the Facility effluent are the five percolation ponds, which are located within the 18-acre site owned by the Discharger, as shown in Attachment A.

10. Treatment and Disposal Capacity

A provision of this Order requires the Discharger to submit a Technical Report to the Water Board office once the flow reaches 75 percent of the design capacity providing information describing how the Discharger will prevent an exceedance of the treatment and disposal capacity.

11. Sludge/Solids Disposal

Solid debris (screenings) removed at the headworks of the Adelanto Treatment Plant are disposed of at a composting facility in Riverside County.

12. Site Geology

The site is located on a broad Pleistocene alluvial fan sloping gently toward the north and northwest. The 18-acre site is within the 98-square-mile Fremont wash drainage area that drains generally to the northeast eventually joining the Mojave River. A shallow caliche layer exists beneath the site. The bottoms of the percolation ponds are located below the caliche layer. Surface runoff caused by storms is via numerous dry washes and sheet flow across open desert.

13. Site Hydrogeology

The depth to groundwater beneath the site is approximately 90 feet. Table 2 below describes the hydrogeology beneath the site.

Table No. 2
Summary of Hydrogeology Beneath the 18-Acre Site

Zone	Depth (Feet bgs)
Upper aquifer (alluvial)	90 to 170
Aquitard (Clayey soil layer)	170 to 230
Regional Aquifer (alluvial)	230 to < 650
Bedrock	Starts at 650

The full lateral extent of the Upper Aquifer is not known. Site investigation results indicate that its lateral dimensions are at least three miles on each side.

14. Groundwater Quality

Based on monitoring reports submitted quarterly by the Discharger, the groundwater beneath the facility is generally suitable for all beneficial uses with background total dissolved solids (TDS) concentration of approximately 500 mg/L. Sampling of shallow groundwater up-gradient of the site indicates nitrate concentrations of approximately 5-6 mg/L as nitrogen.

15. Receiving Waters

The receiving waters are the groundwaters of the Upper Mojave River Valley Basin (Department of Water Resources Unit No. 6-42)

16. Lahontan Basin Plan

The Water Board adopted a Water Quality Control Plan for the Lahontan Basin (Basin Plan) which became effective on March 31, 1995, and this Order implements the plan as amended.

17. Beneficial Uses

The beneficial uses of the groundwaters of the Upper Mojave River Valley Basin as set forth and defined in the Basin Plan are:

a. municipal and domestic supply (MUN);
b. agricultural supply (AGR);
c. industrial service supply (IND);
d. freshwater replenishment (FRSH); and
e. aquaculture (AQUA).

18. Non-degradation

State Water Resources Control Board Resolution No. 68-16 (Statement of Policy for Maintaining High Quality of Waters in California) is called the non-degradation objective in the Basin Plan. This objective requires maintenance of existing water quality unless appropriate findings are made under Resolution No. 68-16.

There may be degradation of groundwater in the upper aquifer as a result of increased loading of salts and nitrogen from percolation of treated effluent if the Discharger continues to discharge to the percolation ponds. TDS and total nitrogen concentrations in the discharge to the percolation ponds exceed concentrations believed to be representative of the background water quality for the Upper Aquifer. The average TDS for the discharge, which is 580 mg/L, exceeds the background water quality in the upper groundwater for TDS, which is approximately 500 mg/L.

Discharge of treated effluent to on-site percolation ponds at the Adelanto sewage treatment plant has occurred since 1998. Groundwater monitoring wells located downgradient of the three original percolation ponds (Ponds 1-3) show increases of the TDS above background with concentrations detected up to 800 mg/L. These monitoring wells do not indicate nitrate concentrations above background, although total nitrogen concentrations in the effluent discharge exceed 10 mg/L. Currently nitrate concentration are between 5-6 mg/L in monitoring wells both upgradient and downgradient of the disposal site. This Order requires the discharger to expand its groundwater monitoring system to monitor the two new percolation ponds (ponds 4 and 5) and continue its existing groundwater monitoring. This Order also establishes an interim effluent limit for total nitrogen based on effluent quality from the existing treatment plant and a final effluent limit for total nitrogen to not exceed 10mg/L. The final effluent limit is based on protecting groundwater quality for all beneficial uses, most specifically the municipal beneficial use. The order includes a schedule for the discharger to comply with the total nitrogen effluent limit by **July 13, 2013,** or by **January 15, 2011** to provide information to support an alternate limit. In order to comply with the final effluent limit for nitrogen the Discharger will need to upgrade its treatment plant(s). The time schedule is based on a reasonable timeframe to allow for designing and building such facilities. Additionally, the interim submittal date allows the Discharger to operate the Facility for one year to collect operational data and evaluate this data prior to providing the information. This Order also establishes a receiving water limit of 6 mg/L for nitrate as N in groundwater beneath the disposal ponds, based on no degradation when compared to upgradient water quality.

In order to allow any degradation, the Water Board must find that the conditions contained in Resolution No. 68-16 are met. In its evaluation of the proposed discharge the Water Board finds that:

1. *The water quality changes are consistent with maximum benefit to the people of the state* because the effluent expected from this new treatment process will be of a quality equal to or exceeding the current discharge quality, and is not expected to cause more degradation for nitrate and TDS. This new technology plant is designed to comply with the requirements of title 22 so that in the future production of water for recycling may be expanded. The treatment of wastewater is a benefit to the community and the area of TDS degradation is localized. The water quality changes will not reduce groundwater beneficial uses as described above and provide benefits to the community for sewage treatment needs.

2. *The water quality changes will not unreasonably affect present and anticipated beneficial uses.* The new treatment plant is expected to produce an equal or higher quality effluent and the discharge is not expected to affect present and future anticipated beneficial uses. The effluent BOD would provide a carbon source to permit in-situ de-nitrification to occur in soils medium. The secondary maximum contaminant levels (MCLs) for TDS consist of a three part standard of 500 mg/L, 1000 mg/L and 1500 mg/L. Water containing between 500 mg/L and

500 mg/L, 1000 mg/L and 1500 mg/L. Water containing between 500 mg/L and 1000 mg/L may be used for municipal use with no restrictions. The City's existing plant effluent contains TDS concentrations between 580 mg/L and 600 mg/L. The new biological treatment process will not help in reducing the effluent TDS. The discharge is expected to increase TDS in the receiving water by about 3%, which is within an acceptable range to protect beneficial uses.

3. *The water quality changes will not result in water quality less than that prescribed in the Basin Plan,* because the effect on groundwater from effluent nitrate (including total nitrogen) and TDS is expected to result in groundwater quality consistent with the water quality prescribed in the Basin Plan, and therefore the water quality objectives for the designated beneficial uses of groundwater beneath the site will be met.

4. *The project is consistent with the use of best practicable treatment or control to avoid pollution or nuisance and maintain the highest water quality consistent with maximum benefit to the people of the state*, because the new treatment facility utilizes a best practicable treatment technology to reduce the BOD and total nitrogen concentrations in the effluent.

In summary, the above evaluation shows that the proposed localized degradation in the vicinity of the waste treatment facility will meet the water quality objectives contained in the Basin Plan and the conditions of SWRCB Resolution No. 68-16. The Water Board finds that the degradation is reasonable, acceptable and appropriate provided the Discharger meets the conditions contained in this Order and attached Monitoring and Reporting Program. Those conditions include requirements for monitoring the long-term trends in concentrations of TDS, nitrate and other constituents to demonstrate whether constituents in the vadose zone and groundwater are acting as predicted by the Discharger's evaluation.

19. Other Considerations and Requirements for Discharge

Section 13263 of the Water Code requires that the Board, when prescribing waste discharge requirements, take into consideration specific factors in section 13241 of the Water Code. The Board has considered these factors as follows:

a. Past, present and probable future beneficial uses of water.

This Order identifies existing groundwater quality and past, present and probable future beneficial uses of water as described in findings no. 14 and 17. The proposed discharge will not adversely affect present or probable future beneficial uses of water, including domestic water supply, agricultural supply and wildlife habitat.

b. Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.

As described in finding no. 14, the total dissolved solids concentrations of the ground water are approximately 500 mg/ L, and ground water occurs in an alluvial ground water basin.

c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect water quality in the area.

The requirements of this Order, including application of wastewater at increased rates and the application of the new technology plant will result in improved effluent quality. As stated in finding No. 18, the discharge meets the conditions set forth in State Water Resources Control Board Resolution 68-16. The Water Board will use its existing authority and waste discharge requirements to ensure protection of water quality from these discharges.

d. Economic considerations

This Order authorizes the Discharger to expand and upgrade its wastewater treatment and disposal system as proposed by the Discharger. The Order accepts the Discharger's proposal for a new technology plant as well as the addition of two percolation ponds for their treatment system.

e. The need for developing housing within the region

The Discharger can treat additional flows allowing development of housing within the region to accommodate population growth and the accompanying demand for domestic wastewater treatment. This Order provides for additional capacity to treat and control wastewater from the community.

f. The need to develop and use recycled water

This Order does not provide for use of recycled water. See finding No. 8.

20. <u>California Environmental Quality Act (CEQA) Compliance</u>

In accordance with the California Environmental Quality Act (CEQA), the City of Adelanto, acting as lead agency, certified a Mitigated Negative Declaration (MND) for the Facility on April 23, 2008 in accordance with the provisions of the CEQA (Public Resources Code, Section 21000 et seq.).

The Lahontan Water Board, acting as a CEQA Responsible Agency in compliance with California Code of Regulations, title 14, section 15096, evaluated the impacts to water quality addressed in the environmental document. As a result of the analysis, the Lahontan Water Board finds the mitigation measures in the final environmental document, combined with compliance with the requirements specified by this Order, to be adequate to reduce water quality impacts to less than significant levels.

21. Notification of Interested Parties

The Water Board has notified the Discharger and interested parties of its intent to issue Revised WDRs for the discharge.

22. Consideration of Public Comments

The Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the Discharger shall comply with the following:

I. DISCHARGE SPECIFICATIONS

A. Effluent Limitations

1. The total volume of flow to the Adelanto Treatment Plant (Facility), during a 24-hour period, shall not exceed 4.0 million gallons.

2. The maximum (peak) instantaneous flow rate to the Facility shall not exceed 6.0 mgd.

3. All wastewater discharged to the authorized disposal sites shall not contain concentrations of parameters in excess of the following limits:

Parameter	**Units**	**30-Day Mean**[1]	**Daily Maximum**[2]
BOD[3]	mg/L	30[4]	45
Methylene Blue Active Substances	mg/L	1.0	2.0
Total Nitrogen (interim)	mg/L	39.0	
Total Nitrogen (Final)	mg/L	10.0	

4. All wastewater discharged to the authorized disposal sites shall have pH of not less than 6.0 pH units nor more than 9.0 pH units.

[1] Compliance is determined by comparing the limit to the arithmetic mean of laboratory results for 6-hour composite samples collected during a period of 30 days.
[2] Compliance is determined by comparing the limit to the laboratory result for any 6-hour composite sample.
[3] Biochemical Oxygen Demand (five-day, 20°C) of an unfiltered sample.
[4] This level assumes water produced will not be used as reclaimed wastewater. The Discharger must submit a revised application if proposing reclaimed water use.

5. All wastewater discharged to the authorized disposal sites shall have dissolved oxygen concentration not less than 1.0 mg/L.

6. All wastewater discharged to the authorized disposal sites shall not contain concentrations of organic constituents in excess of primary drinking water standards as established by the California Department of Health Services.

B. Receiving Water Limitations

1. The discharge from the Facility shall not cause the nitrate concentrations in the receiving water to exceed the background concentration in groundwater of 6 mg/L nitrate as N.[5] Compliance with this limit shall be determined using groundwater data from MW-1, MW-2 and the proposed new groundwater monitoring well adjacent to the percolation ponds, evaluated individually for each well as a 4-quarter moving average.[6]

2. This discharge shall not cause a violation of any applicable water quality standards for receiving water adopted by the Water Board or the State Water Resources Control Board.

3. The discharge shall not cause groundwaters of the Upper Mojave River Valley Basin to contain:

   a. Bacteria: A median concentration of coliform organisms over any seven-day period that is in excess of (or equal to) 1.1MPN/100 milliliters;

   b. Chemical Constituents: Concentrations of chemical constituents in excess of the MCL or secondary maximum contaminant level (SMCL) based upon drinking water standards specified in the following provisions of the California Code of Regulations, title 22 which are incorporated by reference into this Order: Table 64431-A of Section 64431 (Inorganic Chemicals), Table 64433.2-A of Section 64433.2 (Fluoride), Table 64444-A of Section 64444 (Organic Chemicals), Table 64449-A of Section 64449 (Secondary Maximum Contaminant Levels-Consumer Acceptance Limits), and Table 64449-B of Section 64449 (Secondary Maximum Contaminant Levels-Ranges). (This incorporation-by-reference is prospective including future changes to the incorporated provisions as the changes take effect.);

[5] Background data measured in 2008 from MW-4 and MW-5.
[6] The result from the current quarterly sample is added to the results from the three previous quarters and an average is obtained. The result is reported quarterly as the 4-quarter moving average.

Concentrations of chemical constituents that adversely affect the water for beneficial uses, including the beneficial use AGR;

c. Radioactivity: Concentrations of radionuclides in excess of the limits specified in Table 4 of Section 64443 (Radioactivity) of the California Code of Regulations, title 22 of which is incorporated by reference into this Order. (This incorporation-by-reference is prospective including future changes to the incorporated provisions as the changes take effect.); and

d. Taste and Odors: Taste or odor-producing substances in concentrations that cause nuisance or that adversely affect beneficial uses.

C. General Requirements and Prohibitions

1. There shall be no discharge, bypass, or diversion of raw or partially treated sewage, sewage sludge, grease, or oils from the collection, transport, treatment, or disposal facilities to adjacent land areas or surface waters.

2. Surface flow or visible discharge of sewage or sewage effluent at/or from the authorized disposal sites to adjacent land areas or surface waters is prohibited.

3. The vertical distance between the liquid surface elevation and the lowest point of a pond dike or the invert of an overflow structure shall not be less than two feet.

4. The discharge shall not cause a pollution as defined in Section 13050 of the California Water Code, or a threatened pollution.

5. Neither the treatment nor the discharge shall cause a nuisance as defined in Section 13050 of the California Water Code. The discharge of wastewater except to the authorized disposal sites is prohibited.

6. Disinfected effluent shall only be used for in-plant maintenance purposes.

7. The Discharger shall comply with all existing federal and state laws and regulations that apply to sewage sludge use and disposal practices.

II. PROVISIONS

A. Operator Certification

The Discharger's wastewater treatment facility shall be supervised by persons possessing a wastewater treatment facility operator certificate of appropriate grade pursuant to Chapter 3, Subchapter 14, California Code of Regulations, title 23.

B. Standard Provisions

The Discharger shall comply with the "Standard Provisions for WDRs," dated September 1, 1994, in Attachment "C," which is made part of this Order.

C. Design Capacity

The Discharger must submit a Technical Report to the Water Board office once the flow reaches 75 percent of the design capacity providing information showing how the Discharger will prevent exceedance of the treatment and disposal capacity.

D. Time Schedule

1. The Discharger must comply with the final nitrogen limit above, by **July 13, 2013.** The Discharger may provide information to the Board that supports an alternate limit.

2. By **January 15, 2011**, the Discharger must submit a report describing measures being taken to comply with the final nitrogen effluent limit. In this report the Discharger may provide information that supports an alternate limit for total nitrogen, if it can be demonstrated that an alternate limit is protective of water quality.

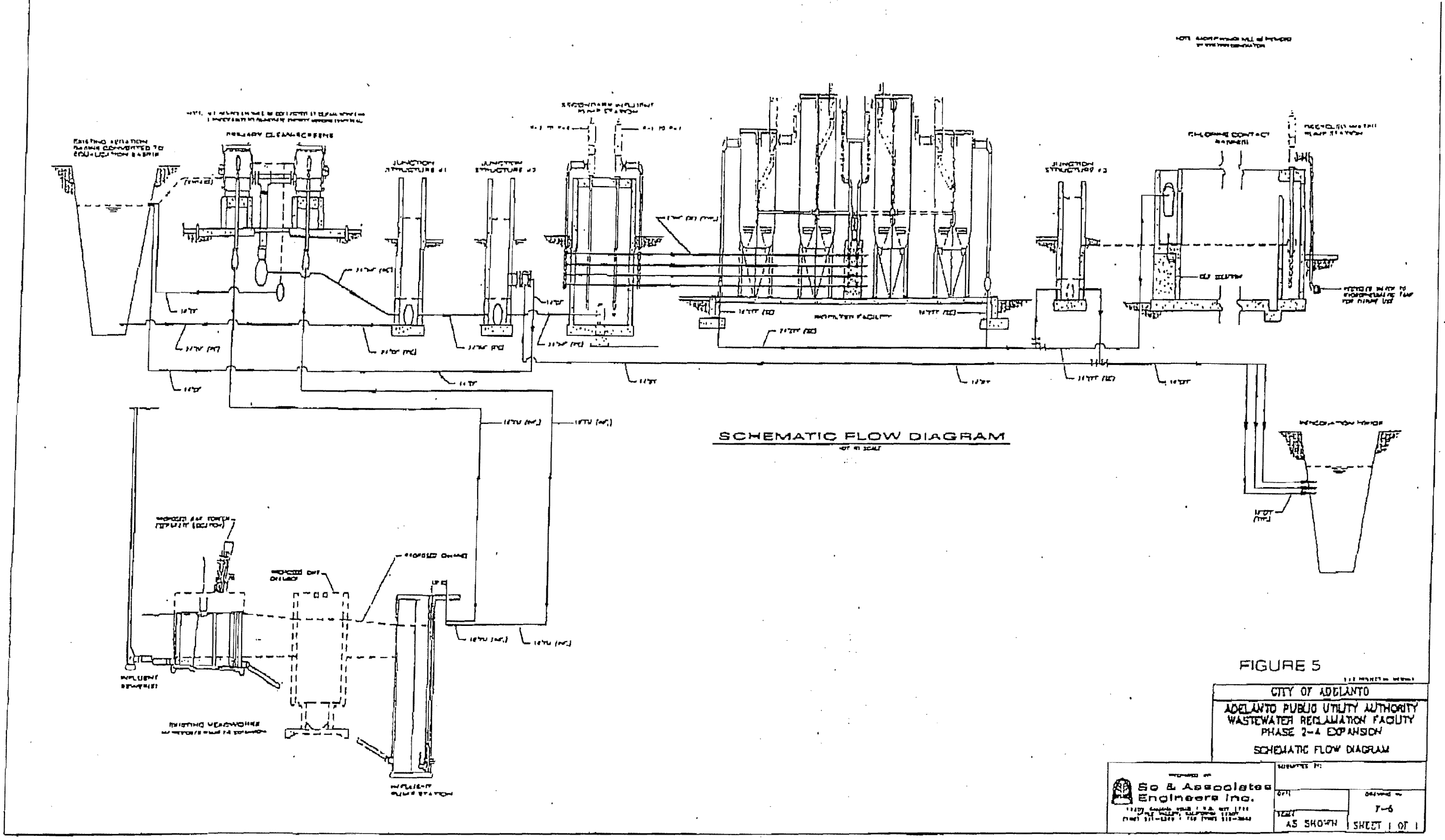
I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on June 10, 2009.

Harold J. Singer

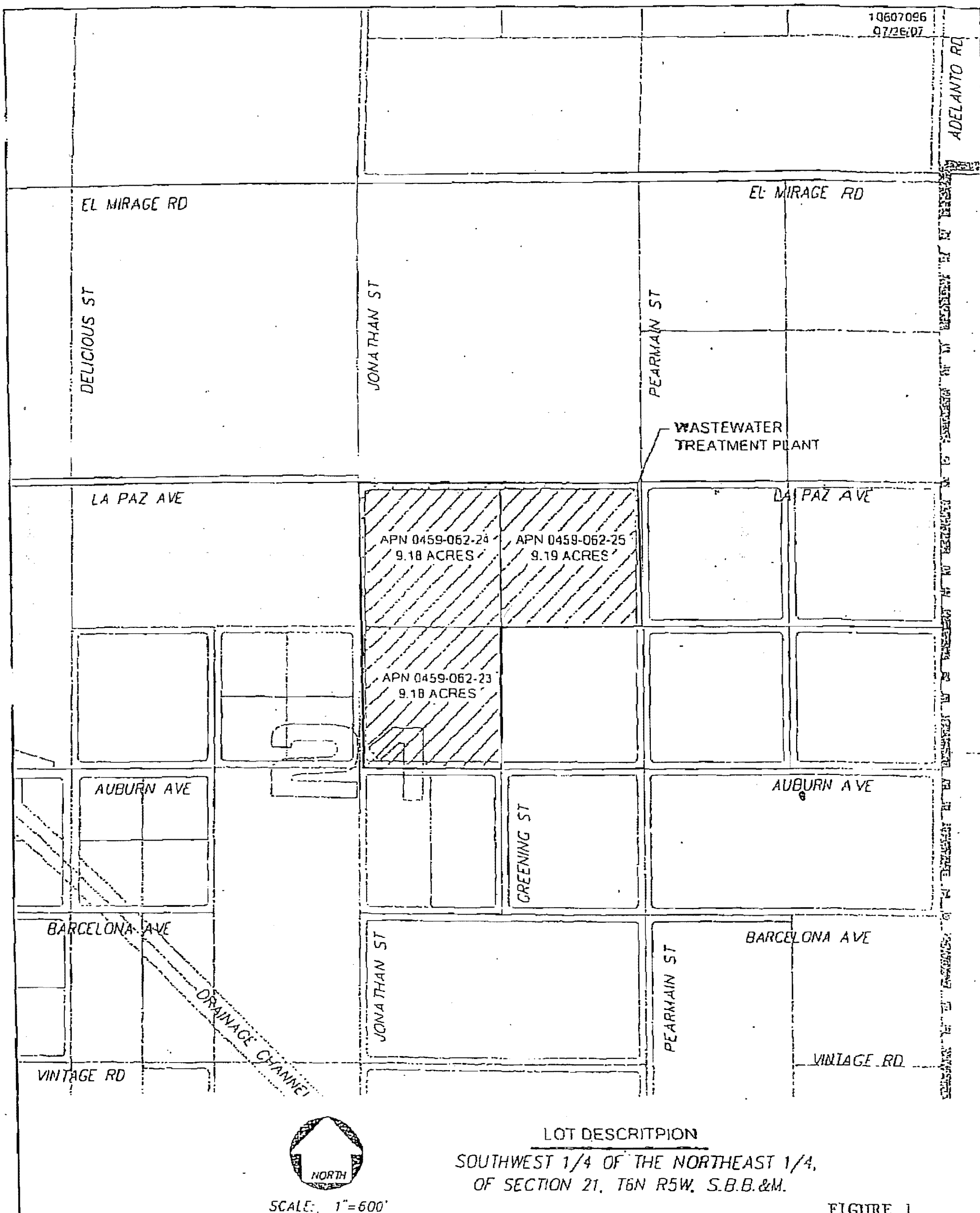
HAROLD J. SINGER
EXECUTIVE OFFICER

Attachments: A. Site Plan
B. Monitoring Well Map
C. Standard Provisions for Waste Discharge Requirements

JM/rp BO2009/Adelanto WTF/adp/R6V-2009-0036 Adelanto WDR.doc



ATTACHMENT B



LOT DESCRITPION

SOUTHWEST 1/4 OF THE NORTHEAST 1/4, OF SECTION 21, T6N R5W, S.B.B.&M.

FIGURE 1

ATTACHMENT A

CITY OF ADELANTO

WASTEWATER TREATMENT PLANT LOCATION MAP

ATTACHMENT C

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

STANDARD PROVISIONS
FOR WASTE DISCHARGE REQUIREMENTS

1. Inspection and Entry

The Discharger shall permit Regional Board staff:

a. to enter upon premises in which an effluent source is located or in which any required records are kept;

b. to copy any records relating to the discharge or relating to compliance with the Waste Discharge Requirements (WDRs);

c. to inspect monitoring equipment or records; and

d. to sample any discharge.

2. Reporting Requirements

a. Pursuant to California Water Code 13267(b), the Discharger shall immediately notify the Regional Board by telephone whenever an adverse condition occurred as a result of this discharge; written confirmation shall follow within two weeks. An adverse condition includes, but is not limited to, spills of petroleum products or toxic chemicals, or damage to control facilities that could affect compliance.

b. Pursuant to California Water Code Section 13260 (c), any proposed material change in the character of the waste, manner or method of treatment or disposal, increase of discharge, or location of discharge, shall be reported to the Regional Board at least 120 days in advance of implementation of any such proposal. This shall include, but not be limited to, all significant soil disturbances.

c. The Owners/Discharger of property subject to WDRs shall be considered to have a continuing responsibility for ensuring compliance with applicable WDRs in the operations or use of the owned property. Pursuant to California Water Code Section 13260(c), any change in the ownership and/or operation of property subject to the WDRs shall be reported to the Regional Board. Notification of applicable WDRs shall be furnished in writing to the new owners and/or operators and a copy of such notification shall be sent to the Regional Board.

d. If a Discharger becomes aware that any information submitted to the Regional Board is incorrect, the Discharger shall immediately notify the Regional Board, in writing, and correct that information.

e. Reports required by the WDRs, and other information requested by the Regional Board, must be signed by a duly authorized representative of the Discharger. Under Section 13268 of the California Water Code, any person failing or refusing to furnish technical or monitoring reports, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in an amount of up to one thousand dollars ($1,000) for each day of violation.

f. If the Discharger becomes aware that their WDRs (or permit) are no longer needed (because the project will not be built or the discharge will cease) the Discharger shall notify the Regional Board in writing and request that their WDRs (or permit) be rescinded.

3. Right to Revise WDRs

The Regional Board reserves the privilege of changing all or any portion of the WDRs upon legal notice to and after opportunity to be heard is given to all concerned parties.

4. Duty to Comply

Failure to comply with the WDRs may constitute a violation of the California Water Code and is grounds for enforcement action or for permit termination, revocation and re-issuance, or modification.

5. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of the WDRs which has a reasonable likelihood of adversely affecting human health or the environment.

6. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with the WDRs. Proper operation and maintenance includes adequate laboratory control, where appropriate, and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by the Discharger, when necessary to achieve compliance with the conditions of the WDRs.

7. Waste Discharge Requirement Actions

The WDRs may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for waste discharge requirement modification, revocation and re-issuance, termination, or a notification of planned changes or anticipated noncompliance, does not stay any of the WDRs conditions.

8. Property Rights

The WDRs do not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

9. Enforcement

The California Water Code provides for civil liability and criminal penalties for violations or threatened violations of the WDRs including imposition of civil liability or referral to the Attorney General.

10. Availability

A copy of the WDRs shall be kept and maintained by the Discharger and be available at all times to operating personnel.

11. Severability

Provisions of the WDRs are severable. If any provision of the requirements is found invalid, the remainder of the requirements shall not be affected.

12. Public Access

General public access shall be effectively excluded from treatment and disposal facilities.

13. Transfers

Providing there is no material change in the operation of the facility, this Order may be transferred to a new owner or operation. The owner/operator must request the transfer in writing and receive written approval from the Regional Board's Executive Officer.

14. Definitions

a. "Surface waters" as used in this Order, include, but are not limited to, live streams, either perennial or ephemeral, which flow in natural or artificial water courses and natural lakes and artificial impoundments of waters. "Surface waters" does not include artificial water courses or impoundments used exclusively for wastewater disposal.

b. "Ground waters" as used in this Order, include, but are not limited to, all subsurface waters being above atmospheric pressure and the capillary fringe of these waters.

15. Storm Protection

All facilities used for collection, transport, treatment, storage, or disposal of waste shall be adequately protected against overflow, washout, inundation, structural damage or a significant reduction in efficiency resulting from a storm or flood having a recurrence interval of once in 100 years.

EXHIBIT NO. 3

6B36980500I

LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD MEETING

DATE: 7 / 27 / 10

FACILITY / PROJECT NAME: ADELANTO Public Utility Authority	LOCATION: /
AGENCY / DISCHARGER NAME:	

PERSONS ATTENDING

John MORALES	RWQCB	(760) 241-7366
Wilson F. So	City of Adelanto	760-246-2300
[illegible]	City of Adelanto	760-246-2300 x [illegible]
Mark Roberts	" "	760 900 2396
CINDI MITTON	RWQCB	760-241-7413

000073

DRAFT

The purpose of the reports required by this Order is to obtain a current plan and schedule to return the Discharger into compliance and to obtain a groundwater monitoring workplan.

ORDER FOR TECHNICAL REPORTS

I am ordering you to submit a Flow and Effluent Compliance Plan that includes an Implementation Schedule to comply with your WDRs. The purpose of the Plan is to identify the City's long-range plan to eliminate violations of the flow and effluent limits prescribed in the WDRs. I am also ordering you to submit a Groundwater Monitoring Work Plan that includes an implementation schedule ~~of monitoring wells installation~~.

Pursuant to Water Code section 13267, I order you to submit the technical reports listed below:

	Report	**Due Date**
1.	Flow and Effluent Compliance Plan and Implementation Schedule	~~August 30, 2010~~ Sept 15, 2010 ?
2.	Groundwater Monitoring Work Plan	October 15, 2010

DRAFT

The technical reports required above shall include, but not limited to, the information described below.

Report Requirements

1. The Flow and Effluent Compliance Plan shall include a detailed description and a time schedule of actions that will be taken by the Discharger to attain compliance with the WDRs (Board Order No. R6V-2002-0050). The plan shall address planned interim actions and long-term actions to correct flow and effluent violations. The plan shall include a narrative description of the proposed design for an expanded plant capable of adequately treating the City's wastewater flows, and include a process flow diagram. These plans must identify measures for increasing treatment capacity to comply with flow and effluent limits per the WDRs. Interim options may include improvements in performance for the existing plant to improve effluent quality.

2. The Groundwater Monitoring Work Plan shall include a proposed implementation schedule. The workplan shall describe proposed monitoring well installation and design including replacement of abandoned wells and the installation of a sufficient number of monitoring wells to evaluate the effect of waste discharges from the facility on the groundwater. The Work Plan shall also identify locations of existing monitoring wells. For areas of groundwater where waste constituents are detected above background concentrations, the Work Plan shall propose methods to define the vertical and lateral extent of the contaminants in groundwater. The Work Plan shall include an evaluation of existing data, including maps showing monitoring well locations, groundwater gradient information and historical monitoring data. Based on this evaluation, the Work Plan shall propose additional data collection ~~if needed~~ to identify the rate and direction of travel of any contaminant plumes within the groundwater. The Work Plan shall propose additional monitoring where necessary to fully assess any groundwater impacts from past and current discharges and for conducting the work & prepare a final report.

Quarterly reports as required by the Cease and Desist Order (R6V-2007-024) must continue to be submitted and provide sufficient information on each required reporting element including "the identification of any compliance dates that the Discharger anticipates will be missed, along with the rationale for the delay in accomplishing the specific task and projected new compliance dates." Further, any anticipated delays shall be explained with a plan including interim actions and dates to come into compliance as soon as possible.

Water Board staff will take into consideration your response to this Order when considering additional enforcement actions based on the ongoing violations of the Cease and Desist Order and the WDRs. Failure to respond to this Order will subject you to imposition of administrative civil liabilities in an amount up to $1000 per day of violation pursuant to Water Code Section 13268. Failure to comply with the Cease and Desist order may result in the Water Board imposing administrative civil liabilities of up to $5000 per day of violation pursuant to Water Code Section 13350.

Meeting w/ Adelanto 7/27/10

2) ✓ John Sponsler said that the pump was installed yesterday.

✓ ≤ 800,000 gallon/day Limit Raw sewage tomorrow. Diverting this flow

✓ A trash pump will be installed as a back-up to the pump.

✓ A spill could happen from Coupling.

✓ distance from headworks to SMH ~ 100 ft
to Adelanto interceptor

✓ not a 24-hr operation.

✓ Report the 2 flows separately - per Cindi's request

✓ 6-inch pump

✓ VVWRA WW will be w/o Grit & rags, since it will go thru bar screen & Grit Comminutor.

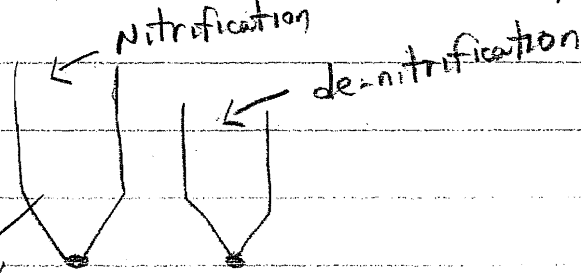
✓ Once the pump starts, they will send me an e-mail
15 months MAX.

✓ Total — interim
— to process bike system

000076

3) Testing w/ the Micro-media sand filters will be done while the interim pump to VVWRA is occuring

tall tank will see Nitrified H_2O coming out



clean Screens will remove most of the suspended solids.

~~3-4 months~~ MINIMUM 15 months, (N) plant w/ Equalization basin (seperate)

The animox bacteria was tested in Adelanto Unsuccessfully,

Micro-media is clear on the testing on the 2 trains will ~~be~~ occur.

4) Cindi says that within 1 week, a 13267 will be issued to the discharger.

Cindi suggested that the discharger mention all of the issues that they have or will have to hurdle.

3-4 months of successful testing of the Micro-media tanks & then use the remaining 12 months to Construct the Eq. basin.....

✓ Status Reports from John should include a projection of when the dischargers will be in Compliance.

✓ 550 GPM

✓ Looking @ the 13267, the Report due Aug 30, 2010 is a permanent, Long Range plan to Come into Compliance. Cindi said that the dischargers should be realistic to ~~say~~ & mention the hurdles that they have to overcome.

✓ Wilson said that the City of Victorville wants their flow. Sending Waste to Victorville would be another option.

✓ Dischargers requested a due Date on Sept. 13, 2010 for the flow & effluent Compliance plan & implementation Schedule. This request is due because of meetings w/ Micro-media & then brief their Council.

5) ✓ Mark Roberts is accumulating data.

✓ The implementation schedule shall be included within the 15 months time period.

✓ All the effects is expected to be in the upper aquifer.

000078

MW 1 could be a conduit for contamination. This well could have collapsed.

Groundwater contours (localized) is req'd per Cindi

Total Nitrogen & all of the Nitrogen species, TDS, MBAS & other constituents that can define the plume.

develop a background concentration

MW 1 & MW 6: ~~they~~ Wilson & Mark do not understand why they are collapsing.

MW 1 & MW 6: if they can be salvaged, then that would be the priority; otherwise construct New wells.

8) Next meeting: Sept. 21, 2010 @ 2:00PM

(3369805001

AGENDA

City of Adelanto and Lahontan Water Board
Lahontan Water Board Office
Adelanto Wastewater Treatment Plant
14440 Civic Drive, Suite 200
Victorville, Ca 92392
May 18, 2010
2:00 – 3:00 PM

Topics:

1) Introductions

2) Review Agenda

3) Status of actions to correct flow and BOD violations; Status update on the Micro-media Filtration plant. Alternatives if Micro-media facility cannot meet treatment performance goals; Time schedule.

4) Discussion of Investigative Order , Water Code section 13267 – Requested information and schedule

5) Groundwater work plan status

6) Status of the sampling and Analysis Plan as required per Board Order No. R6V-2009-0036

7) Next steps/action items

EXHIBIT NO. 4

Eric Taxer - Minutes of November 18, 2010 Meeting

From: Eric Taxer
To: Cass, Jehiel; Ferguson, Scott; Kemper, Lauri; Mitton, Cindi; Morales, John; Sponsler, John; wilsonso@saeinc.org
Date: 12/13/2010 10:43 AM
Subject: Minutes of November 18, 2010 Meeting
CC: Drabandt, Laura
Attachments: Adelanto WWTF, Meeting Minutes, 2010-12-09 EJT.DOC

All -

Attached are the minutes of the Water Board staff and Adelanto Pubic Utility Authority's November 18, 2010 meeting. I initially drafted the minutes the afternoon of our meeting. I don't have Mark Roberts' email address - can someone please forward his email to me so that I can include him on the distribution?

Thank you all.
Eric

Eric J. Taxer, P.E.
Water Resource Control Engineer
Enforcement and Special Projects Unit
Lahontan Regional Water Quality Control Board
2501 Lake Tahoe Boulevard
South Lake Tahoe, California 96150
530-542-5434

"The trouble with the paper chase is that even if you excel it's just a paper gain."
-Lily Tomlin

Eric Taxer - Fwd: Re: Minutes of November 18, 2010 Meeting

From: Eric Taxer
To: mwroberts@netzero.net
Date: 12/13/2010 11:24 AM
Subject: Fwd: Re: Minutes of November 18, 2010 Meeting
Attachments: Re: Minutes of November 18, 2010 Meeting; Adelanto WWTF, Meeting Minutes, 2010-12-09 EJT.DOC

Mark -

Attached are the minutes from our meeting on November 18, 2010.

-Eric

Eric J. Taxer, P.E.
Water Resource Control Engineer
Enforcement and Special Projects Unit
Lahontan Regional Water Quality Control Board
2501 Lake Tahoe Boulevard
South Lake Tahoe, California 96150
530-542-5434

"The trouble with the paper chase is that even if you excel it's just a paper gain."
-Lily Tomlin

MINUTES

City of Adelanto and Lahontan Water Board
Adelanto Public Utility Authority (APUA)
Wastewater Treatment Plant Issues/Update

November 18, 2010
9:00 – 10:30 AM
At Lahontan Water Board Victorville Office

A. Introductions & review of agenda

Attendees were:
Mark Roberts, Geology Consultant to City of Adelanto
John Sponsler, APUA Director
Wilson So, City Engineer, City of Adelanto
Lauri Kemper, Lahontan Water Board
Jay Cass, Lahontan Water Board
John Morales, Lahontan Water Board
Scott Ferguson, Lahontan Water Board (Via Telephone)
Eric Taxer, Lahontan Water Board (Via Telephone)

B. Short Term Plans

1. Percolation pond dredging schedule status & technique; effect on pond capacity from the dredging & trenching processes; storage and disposal of dredged material, schedule.

John Sponsler commented that the dredging equipment arrived and dredging is ready to begin today. The percolation pond dredging will take approximately 6 to 8 weeks to complete. The dredging equipment consists of 3 barges which will be tied together, and a long-reach backhoe with a 36" bucket (42" bucket will be installed) placed on the barges. The dredged material will be temporarily placed on the barges, and then transferred by dump trucks to an on-site temporary basin. The temporary basin is located on a cleared area immediately east of the facility's aeration basins. The basin will be constructed by installing 8-foot high berms (compacted by a dozer, interior walls lined with plastic) around the basin. The floor of the basin will not be lined. The basin dimensions are 200'x100'x8'. The basin is intended to function as a drying bed, and excess water will percolate through the underlying soil.

Scott Ferguson and Eric Taxer commented that the proposed temporary basin is an unauthorized disposal site. Scott Ferguson further commented that he understands APUA is limited on options to prevent pond overflow and to comply with the permit limits, and that the proposed pond provides an option that appears to contain minimum impacts. Nevertheless, it is still an unauthorized disposal site.

Wilson So interjected that this is the same area intended to be used for future recovery of treated wastewater, and that the dredged materials proposed to be deposited in the pond is the same material already in the existing percolation ponds.

Lauri Kemper explained that the facility is not presently permitted for on-site sludge drying beds. The dredged sludge material may contain concentrated contaminants that may be further concentrated in the pond. The leachate potential from the pond may have therefore contained higher pollutant concentrations than what may leach from the permitted ponds. If the soil had gone through a routine project review process, the Water Board would have amended the permit and possibly included additional monitoring requirements specific to a sludge drying bed.

John Sponsler didn't believe the proposed pond for the dredged material would create and adverse impact. He felt the material consisted mostly of wind-blown sand from the surrounding areas, and there would be no additional impact from what's presently located on site.

Lauri Kemper repeated that we would normally have required sampling and monitoring to evaluate potential impacts.

Jay Cass asked how long the dredged material will be stored in the beds. John Sponsler replied that the material will be there until it is dry enough to be disposed at a landfill. Wilson So added that the material will be disposed at the same area where current centrifuged solids are disposed. John Sponsler added that the material will be monitored for hazardous material concentrations and disposed accordingly. Wilson So further added that the material will be moved when the water concentration is down to 25% to 35% (when the material can be worked with heavy equipment).

John Morales inquired about potential concerns for odor emissions from the proposed pond. John Sponsler and Wilson So both stated that no consideration was given to odor issues and that they didn't anticipate any odor concerns.

2. *Construction status of percolation pond No. 5*

Wilson So stated that the proposed Pond 5 area presently has clean dirt stockpiled on top of it. The material needs to be re-stockpiled to an area (currently being negotiated for purchase) before the pond can be constructed. He noted that a 30-acre area consisting of 3 parcels is being negotiated for purchase, and it's located at the corner of Auburn Avenue and Pearmain Street. .

Eric Taxer asked how long the soils have been stored at the proposed Pond 5 site and whether the soils had ever been stabilized in accordance with the Statewide Storm Water Construction Permit. John Sponsler responded that the material has been stored on site since 2005 and that it was not stabilized in accordance with the permit.

Scott Ferguson stated that Pond 4 was constructed without Water Board approval or permit, and it is assumed that they never obtained coverage under the Storm Water Construction Permit either.

Scott Ferguson inquired how long it would take to construct Pond No. 5. Wilson So responded that a major storm occurred in 2005, APUA purchased a 10-acre parcel, and Pond #4 was immediately constructed to address emergency flow concerns due to the storm. There was no time to obtain permits due to the emergency that existed at the time. Wilson So further noted that a 10-acre site (in addition to the three parcels of the 30-acre group) was close to closing escrow (within 60 days). [A total of 4 parcels are being considered, along Pearmain between Auburn and La Paz Avenues.]

Wilson So went on that Pond #5 has been designed, and it will be built when the stockpiled material is relocated. Wilson So stated the APUA will commence the CEQA process and go out to bid for relocating the soils and constructing Pond #5 once escrow closes. He clarified, though, that a contract has already been approved to begin preparing documents associated with the CEQA process. Lauri Kemper recommended starting the bid process immediately to have everything ready upon close of escrow.

Eric Taxer asked how much it would cost to immediately remove the stockpiled soils and dispose of them off site (landfill or other area). Wilson So stated that the cost to move the material off of the Pond 5 site and dispose at a location on site would be about $150,000 to $200,000. It would cost an additional $150,000 to $200,000 to dispose the material off site. Therefore, it would cost approximately $300,000 to $400,000 to remove the soil, dispose it off site, and construct Pond No. 5 immediately.

Lauri Kemper confirmed the desire of APUA to build Ponds 6 and 7 (to be located on the parcels under purchase negotiation) concurrently with Pond 5.

Scott Ferguson stated that construction of Pond 5 was approved by the Water Board in 2009. He noted that there was a realization back then that additional capacity was needed. This need for additional capacity has been proven by the current events.

Wilson So stated it would take 3 to 5 months to get authorization to proceed with Ponds 5, 6, and 7

(At the end of the discussion on Item B.3 and B.4., Jay Cass clarified that APUA currently owns 20 additional acres. Wilson So said APUA is in the process of closing escrow on those 20 additional acres, and APUA is currently negotiating to obtain an additional 10 acres.)

3. *Update - Maximizing the flow diversion from the Adelanto plant to VVWRA*

John Sponsler stated that APUA has increased the diversion to VVWRA to

1.08 MGD, but also acknowledged this is less than the 1.3 MGD VVWRA had agreed to accept. He stated that the 15" transmission line is near capacity.

John Sponsler also commented that the domestic oil/grease in the raw sewage is high, and if the full capacity is pumped from the wet well then large amounts of oil and grease will be sent to VVWRA. He noted that he can increase pumping the treated effluent to VVWRA to avoid discharging oil and grease. He will keep tweaking with the pump rates until they reach the agreed capacity.

Scott Ferguson asked if a larger pump couldn't be installed on the effluent end of the plant to increase the diversion to VVWRA without jeopardizing issues with oil and grease (and which would also preserve the integrity of the existing biological treatment process in the existing treatment plant). John Sponsler confirmed that this alternative could be implemented at additional cost.

Lauri Kemper stated that she is hearing responses geared toward avoiding costs. She noted that the Water Board is looking at monetary penalties. When evaluating penalty amounts, the Water Board will be evaluating cost-saving measures APUA has implemented that has extended or creates non-compliance, and any assessed penalty amount will evaporate any such savings.

John Sponsler stated that he will obtain a larger pump from Rain-for-Rent to increase the effective discharge to VVWRA to the allowed 1.3 MGD rate.

4. *Minimum flow required to maintain the integrity of the biological treatment process in the APUA plant; discuss cause of oil & grease issues affecting VVWRA*

This topic was addressed in the discussion of Item B.3., above.

C. <u>Long Term Plans</u>

1. *Status of design work and/or testing for utilization of aerobic and anoxic microbes at the two stage bio-filters for expansion of the existing plant.*

Wilson So stated that he met with MicroMedia last Tuesday, and they set dates for proceeding with the design of the second treatment process at the facility. The MicroMedia plant requires a constant flow, and they will proceed with designing/constructing a flow equalization unit to be included with the facility. Eric Taxer requested clarification on interim and final dates to construct the facility. The dates are:

January 31, 2011 – Completion of design details for flow equalization unit.

March 31, 2011 – Complete bid process for constructing flow equalization unit and select contractor.

November 30, 2011 – Complete construction of flow equalization unit.

Wilson So stated that the MicroMedia treatment system is a packaged plant unit that is already built. The conversion of flow to the MicroMedia unit will occur concurrently with the flow equalization unit. He added that pure oxygen will be required in the MicroMedia treatment process (an aerobic process). The mechanics of the oxygen supply system is being designed, with a completion date for the design by February 28, 2011. Construction can be completed quite quickly and will be finished to come online with the rest of the plant.

Wilson So stated that if all goes well, the entire MicroMedia plant will be operational by November 30, 2011.

Wilson So added that pilot testing is occurring from December 15, 2010 through February 1, 2011 on the fixed-film treatment system. Information obtained from the pilot test will be used to determine the oxygen design.

John Morales asked for confirmation whether the converted MicroMedia plant will operate in parallel with the existing Biolac facility. Wilson So responded that it is hoped to convert all flow to the MicroMedia treatment system and to keep the existing Biolac facility as a backup.

Scott Ferguson asked if the new bugs being used have been tried for fixed-film systems, or if that is still being experimented with. Wilson So responded that they are using the activated sludge microbes extracted from the existing Biolac plant to seed the MicroMedia plant. MicroMedia is obtaining the microbes from the existing facility for the pilot test.

John Sponsler noted that during high flows in the past (flows that violated permit limits), solids were discharged from the existing treatment system into the percolation ponds. These solids impacted the percolation rates. Now that excess flows are diverted to VVWRA, they are seeing much better effluent quality and are not observing high discharges of suspended solids concentrations in the plant effluent to the ponds.

2. ***Plan and scheduled actions to attain compliance with flow and effluent requirements without diverting flows to VVWRA - compliance in treatment and disposal capacities***

Item was covered during discussion of item C.1.

D. Enforcement Actions

1. ***Review Treatment Plant Regulatory and Enforcement History***

Scott Ferguson commented that the history provided in the existing Cease and

Desist Order (CDO) identifies concerns over plant capacity as early as 2002. He asked APUA staff why we are in the mess we are in today regarding excess capacity when this issue was identified over 8 years ago. He noted that the Water Board has issued numerous enforcement actions (CDO, WDRs, 13267 Letters, CAO, NOVs) and that we are prepared to issue more enforcement orders. It will have been 9 years since the capacity issue was identified by the Water Board until the issue gets resolved next year when the MicroMedia plant comes on line. Scott Ferguson added that it appears the City of Adelanto is reluctant to perform any corrective measure without a Water Board enforcement order.

Wilson So stated that he had advised the City Council recently that they need to be proactive in this issue. Scott Ferguson asked why the issue of being more proactive wasn't addressed earlier. Wilson So responded that he wasn't around in 2002 and that he wasn't hired by the City of Adelanto until 2006. Wilson So added that the City of Adelanto had many other priorities early on (roads, police service, fire department, etc) and had to spend time on those priorities, and that 2002 was also a time of impropriety. John Sponsler added that he wasn't with the City of Adelanto in 2002 and that had no idea why this issue wasn't addressed back then.

Wilson So added that he was skeptical of the initially-proposed microbes. He felt the MicroMedia treatment process was questionable, and he requested that various safeguards be in place. He went on to state that the City Council had their mind set on the Micromedia process and ignored the safeguards proposed. The safeguards included a peer review by technical professionals (he mentioned Professor Tchobanoglous) to provide an opinion whether the MicroMedia treatment system was viable.

John Sponsler added that the MicroMedia treatment system was sold as a very green process with regard to energy savings, power generation, etc.

2. *Review Response to Investigative Order – Flow & Effluent Compliance Plan*

John Morales stated the Flow & Effluent Compliance Plan was submitted, and the Water Board deemed the plan incomplete in its November 15, 2010 Notice of Violation that was mailed and emailed.

Wilson So said he just received the NOV and that he needs to review it and respond to Lauri Kemper.

Scott Ferguson stated that he anticipates seeing a schedule similar to the types of schedules discussed today. Scott Ferguson asked John Morales for clarification about the Ground Water Investigation Plan that was also required. John Morales responded that the plan has been received and it's being reviewed.

Wilson So stated that Mark Roberts has tentative dates for installing the additional ground water monitoring wells. Wilson will provide a response by December 6 or 7, 2010.

Lauri Kemper clarified that the Water Board is not extending the due dates for submitting any of the required reports. Instead, agreeing to an expedited time frame for submittals merely shortens then number of days of violation for failing to submit complete plans. Scott Ferguson added that the civil liability for late reports is $1000 per day.

Lauri Kemper added that the Water Board's enforcement staff is counting up the violations and will note the maximum liability in a future enforcement action. Additional factors will be considered when a final liability is recommended. Lauri Kemper stated that she appreciates the efforts and timelines that were committed to today, but it's all a bit too late. She noted that previously, Water Board staff did not feel there was a clear path toward completion of tasks to achieve compliance. The penalty that will be proposed is intended, partly, to get the City of Adelanto's attention to never let this happen again.

3. *Review Response to CAO – disposal capacity issues*

Scott Ferguson noted that Water Board staff drafted a response which identified deficiencies in the Final Report that was submitted November 12, 2010. The details discussed in today's meeting are the same level of detail in the descriptions we are looking for in the various required reports. Therefore, the Final Report submittal is still an unfulfilled milestone. The Water Board staff response to the Final Report will be issued Friday or Monday next.

Scott Ferguson summarized that our level of confidence in the APUA was nil prior to today's meeting. He felt that our confidence level has improved a bit after the meeting. He continued that the Water Board's goal is to get the APUA back into compliance ASAP. Also, the Water Board will address the past years of non compliance with a civil liability. Scott Ferguson directed John Sponsler to marshal resources immediately to the best of his ability to address the issues of non-compliance and get results ASAP. The swiftness and effectiveness of the APUA to address concerns to return to compliance will be one of the few mitigating factors we'll consider in recommending a final Administrative Civil Liability to the Water Board.

E. Next steps/action items

Meeting adjourned at 11:00 am. There was no further discussion. Action items are contained in narrative above, and are highlighted.

EXHIBIT NO. 5

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

CEASE AND DESIST ORDER NO. R6V- 2007-24
WDID NO. 6B369805001

ADELANTO PUBLIC UTILITY AUTHORITY
VIOLATIONS OF REVISED WASTE DISCHARGE REQUIREMENTS
BOARD ORDER NO. R6V-2002-050
FOR
ADELANTO PUBLIC UTILITY AUTHORITY
ADELANTO DOMESTIC WASTEWATER TREATMENT FACILITY

San Bernardino County

The California Regional Water Quality Control Board, Lahontan Region (Water Board) finds:

1. Waste Discharge Requirements and Discharger

On September 11, 2002, the Regional Board adopted Board Order No. R6V-2002-050 prescribing Waste Discharge Requirements for the Adelanto Domestic Wastewater Treatment Facility (Facility), owned and operated by the Adelanto Public Utility Authority. For the purposes of this Cease and Desist Order (Order), the Adelanto Public Utility Authority is considered and referred to as the "Discharger."

The Facility is permitted to collect, treat and dispose of an average daily flow of 1.5 million gallons per day (MGD) of industrial and domestic wastewater and septage generated within the City of Adelanto. The Facility is designed for a maximum instantaneous flow rate of 2.5 MGD.

The facilities regulated under Board Order No. R6V-2002-050 include the collection system, the treatment facility, the septage receiving station, and three percolation ponds (4.9 acres total).

The treatment facility and percolation ponds are within an 18-acre site located in the City of Adelanto, approximately 1.5 miles north of the City of Adelanto Governmental Center and 0.5 miles east of Highway 395 at the northeast corner of Jonathan Street and Auburn Avenue, San Bernardino County (Section 21, T6N, R5W, SBB&M as shown on Attachment A, which is made part of this Order.)

2. Permit History

The Water Board initially established Waste Discharge Requirements for the Facility under Board Order No. 6-98-56 on September 3, 1998. The Water Board subsequently amended this Board Order (Board Order No. 6-98-56A1) on November 5, 1998 to allow the Facility to receive and treat septage. The Waste Discharge Requirements were further revised on September 11, 2002 in Board Order No. R6V-2002-050 to increase the septage flow limit for a 24-hour period from 0.020 to 0.028 million gallons. Additionally, Board Order No. R6V-2002-050 required the Discharger's plan of action to ensure there will be adequate capacity to treat and dispose of wastewater over the next four years. For the purposes of this Cease and Desist Order, Board Order No. R6V-2002-050 will be referred to as the "WDR".

3. Discharges from the Facility

The only authorized disposal sites for effluent from the Facility are the percolation ponds. There are three percolation ponds constructed of compacted native soil that cover a combined area of 4.9 acres in the northern section of the Facility.

As of June 2004, the Discharger stopped receiving and treating septage at the septage receiving station in light of the reduced capacity at the Facility.

4. Violations of Waste Discharge Requirements

This Order is being adopted to address violations of Discharge Specifications contained in Board Order No. R6V-2002-050 (WDR) specifically:

a. Section I.A.1. Effluent Limitations, requires "the total volume of flow to the Adelanto Treatment Facility, during a 24-hour period, shall not exceed 1.5 million gallons.";

b. Section I.A.5. Effluent Limitations, requires all wastewater discharged to the authorized disposal site shall not contain Biochemical Oxygen Demand (BOD) in excess of 15 mg/L (30-day mean) and 30 mg/L (daily maximum).

c. Section I.D.1., General Requirements and Prohibitions, prohibits "discharge, bypass, or diversion of raw or partially treated sewage, sewage sludge, grease or oils from the collection, transport, treatment, or disposal facilities to adjacent land areas or surface waters."

5. Cause of Violations

a. The Discharger's self monitoring reports indicate the influent flow to the Facility has consistently exceeded its maximum daily flow capacity of 1.5 MGD since February 2004 (see Attachment B).

Water Board staff observed the population growth the City was experiencing in 2002 and projected the influent flow to the Facility would exceed 1.5 MGD by 2006. Consequently, the WDR required the Discharger to evaluate the Facility capability to accept additional flows and provide Water Board staff with a technical report describing how the Discharger will prevent exceedence of the treatment and disposal capacity over the next four years. The Discharger submitted a Report of Waste Discharge (ROWD) on December 13, 2004 for a project to expand the Facility to increase its capacity. Water Board staff determined on January 8, 2005 the Discharger's ROWD incomplete because it failed to evaluate potential degradation of groundwater quality from the project. The Discharger has yet to submit a revised ROWD to upgrade the capacity of the Facility. Consequently, the Facility continues to exceed its maximum daily flow limitations.

b. Wastewater discharged to the authorized disposal sites shall not contain BOD in concentrations greater than 15 mg/L for a 30-day mean or 30 mg/L for daily maximum.

The Discharger's self monitoring reports indicate that the Facility operates in a manner that allows BOD to exceed the 30-day mean, beginning in February 2004. Table 1 (Attachment B) illustrates the number of days where the daily and monthly BOD concentrations exceeded limits established in the WDR in 2004, 2005, 2006 and 2007.

c. In 2005 the Discharger constructed an addition percolation pond at the Facility to accommodate the increased influent flow. The new percolation pond covers an area that is approximately 5 acres which brings the total percolation area of the Facility from 4.9 acres permitted in the WDR to 9.9 acres. The WDR describes the authorized disposal site as pond No. 1, 2, and 3 located in the northern section of the Facility.[1] The diversion of effluent to the new 5 acre pond is a violation of Section I.D.1. of the WDR.

The WDR also recognized that there may be a total dissolved solids (TDS) and nitrate degradation of groundwater in the upper aquifer below the Facility if the Discharger continued discharging to the three percolation ponds. Consequently, the WDR contained a provision for the Discharger to quantify the magnitude and extent of the TDS degradation in groundwater from the use of the three percolation ponds. The addition of a fourth percolation pond with a surface area equal to the existing three percolation ponds was never reported to the Water Board. Moreover, there were no anti-degradation analyses performed by the Discharger to determine if the additional flow to the percolation ponds will degrade groundwater quality.

6. Adelanto Treatment Facility Plan

The Discharger has prepared a schedule to address its current and future wastewater management needs by proposing to construct additional wastewater treatment and effluent disposal facilities. Implementation of the schedule will result in both increased disposal capacity as well as a higher level of treatment. The schedule indicates that the facilities necessary to completely eliminate of total volume of flow violations will be completed in November 2008, with facilities to begin full operation in December 2008.[2]

7. Interim Corrective Actions

The immediate interim corrective actions specified below in this Order are feasible and should be implemented by October 31, 2007. The Regional Board is establishing a new time schedule for the Discharger in this Order to complete immediate corrective actions that will lead toward complete elimination of effluent limitation violations.

[1] Finding 9 and Attachment B of Board Order No. R6V-2002-050 (WDR)
[2] City of Adelanto – Schedule for Mitigation of Wastewater Treatment Effluent

8. Final Compliance

The Discharger has stated that it is not able to complete all of the necessary projects to eliminate violations of flow limitations until the facility is expanded, which is expected to be completed by November 30, 2008.[3] The proposed expansion project consists of improvements to the existing treatment facilities to increase the capacity to 4.0 MGD, and new treatment facilities with a potential 4.0 MGD capacity, bringing the total Adelanto Treatment Facility capacity to 8.0 MGD. The project is forecast to be operational by December 2008.

9. California Water Code and California Code of Regulations

a. California Water Code Section 13301 states, in part, "When a regional board finds that a discharge of waste is taking place or threatening to take place in violation of requirements or discharge prohibitions prescribed by the regional board or the state board, the board may issue an order to cease and desist and direct that those persons not complying with the requirements or discharge prohibitions (a) comply forthwith, (b) comply in accordance with a time schedule set by the board, or (c) in the event of a threatened violation, take appropriate remedial or preventive action."

b. The California Code of Regulations, Title 23, Division 3, Chapter 9.1, section 2245, entitled "Immediate Corrective Measures "states:

"(a) Each discharger should be expected to construct emergency facilities or modify existing plant operation to achieve rapid compliance.

(b) Emergency facilities which should be constructed immediately include chemical treatment, additional disinfection, ponding with or without aeration, receiving water mixing, aeration, and any other steps which can be immediately implemented.

(c) Extra cost of such facilities is not a reasonable excuse for failure to construct them.

(d) If necessary emergency facilities are not immediately provided, the board should consider further action against the discharger."

10. California Environmental Quality Act

This enforcement action is being taken by this regulatory agency to enforce provisions of the California Water Code and, as such, it is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Section 15308, Chapter 3, Division 6, Title 14, California Code of Regulations.

[3] Meeting with the Regional Board on July 16, 2007

11. Notification of Interested Parties

The Water Board notified the Dischargers and interested parties of a public hearing scheduled for the Water Board meeting on August 29, 2007. During the public hearing conducted at this meeting, the Water Board heard and considered all comments related to the proposed Order.

12. Petitions

Any person adversely affected by this action of the Water Board may petition the State Water Resources Control Board (State Water Board) for review of this action. The petition must be received by the State Water Board, Office of Chief Counsel, PO Box 100, Sacramento, CA 95812-0100, within 30 days of the date on which this action was taken. Copies of the law and regulations applicable to filing petitions are available at the SWRCB web page (http://www.waterboards.ca.gov/wqpetitions/wqpetition_instr.html) and will be provided on request.

13. Reporting Requirements

The Adelanto Public Utility Authority is required to provide reports pursuant to this Order because it is discharging waste. The reporting requirements of this Order are needed to allow the Water Board to track the actions being taken by the Discharger in its efforts to achieve compliance with this Order, and to assess the water quality impacts of those actions.

IT IS HEREBY ORDERED that, in accordance with Section 13301 of the California Water Code, the Discharger shall cease and desist from discharging waste in violation of Discharge Specifications I.A.1, I.A.5 and I.D.1 of its Waste Discharge Requirements prescribed in Board Order No. R6V-2002-050, by implementing the following actions.

I. INTERIM COMPLIANCE ACTIONS

The interim corrective measures described below are intended to reduce the BOD and flow violations. The Discharger shall implement the following interim corrective actions.

A. Effective immediately, the Discharger may no longer accept septage for treatment and disposal at the treatment plant.

B. The Discharger must submit an Interim Action Plan (IAP) by **October 31, 2007**. The IAP will identify corrective actions the Discharger can implement immediately to reduce BOD in the effluent. The Discharger may demonstrate compliance with this requirement by employing aeration technology in each aeration basin. Alternatively, the Discharger may choose another technology that will bring effluent BOD rapidly into compliance with the WDR.

C. By **January 31, 2008**, the Discharger must begin full operation of the modified existing facilities proposed in the Interim Action Plan. Operation of the modified existing facilities must continue until the Discharger completes expansion to increase treatment capacity.

II. ACTIONS RELATED TO FINAL COMPLIANCE

A. By **December 31, 2007**, the Discharger must submit a Long-Term Action Plan, including a schedule for preparing a facilities and financing plan, describing actions to be taken by the Discharger to provide adequate wastewater treatment, storage, and disposal capacity to accommodate expected population growth.

B. By **December 31, 2008**, the Discharger must achieve final compliance with WDRs adopted by the Water Board.

III. REPORTING

Pursuant to Section 13267 of the California Water Code, beginning **October 15, 2007**, and every three months, on or before January 15, April 15, July 15, and October 15, the Adelanto Public Utility Authority must submit the following CDO quarterly status reports until final compliance is achieved. The reports must include, but are not limited to:

A. A description of the progress made to date implementing the requirements of Sections I and II of this Order;

B. The results of all actions the Adelanto Public Utility Authority has taken to comply with Section II of this Order. If the Adelanto Public Utility Authority identifies a project, other than those identified in this Order that will result in compliance with this Order, the report must include the submittal of an implementation time schedule and each subsequent report must describe progress towards implementation of the project;

C. The status of planning, design, construction and implementation of any other measures that are necessary or that the Discharger proposes to achieve compliance with this Order; and

D. The identification of any compliance dates that the Discharger anticipates will be missed, along with the rationale for the delay in accomplishing the specific task and projected new compliance dates.

All technical reports required by this Order that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geologic sciences, must be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, sections 6735, 7835, and 7835.1. As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.

IV. TIME EXTENSIONS FOR COMPLIANCE

The compliance dates and reduction amounts required in this Order are based, in part, upon an assumption that weather conditions will be average and that no unforeseen obstacles will cause delays for the discharger. If the discharger faces circumstances which are not within its control, and that will either delay compliance dates or affect reduction amounts, it may apply to the Water Board for more time to bring the facility into compliance. The Water Board will consider such time extensions based upon the facts contained in the request, and whether and to what extent the delays were out of the Discharger's control.

Failure to comply with the terms or conditions of the Order may result in additional enforcement action by the Water Board. The Executive Officer is authorized to initiate, as needed, referral of this matter to the Attorney General of the State of California for the imposition of Administrative Civil Liability for failure to comply with this Order, injunctive relief, or for any other legal action, as he may deem appropriate.

I, Harold J. Singer, 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, Lahontan Region, on August 29, 2007.

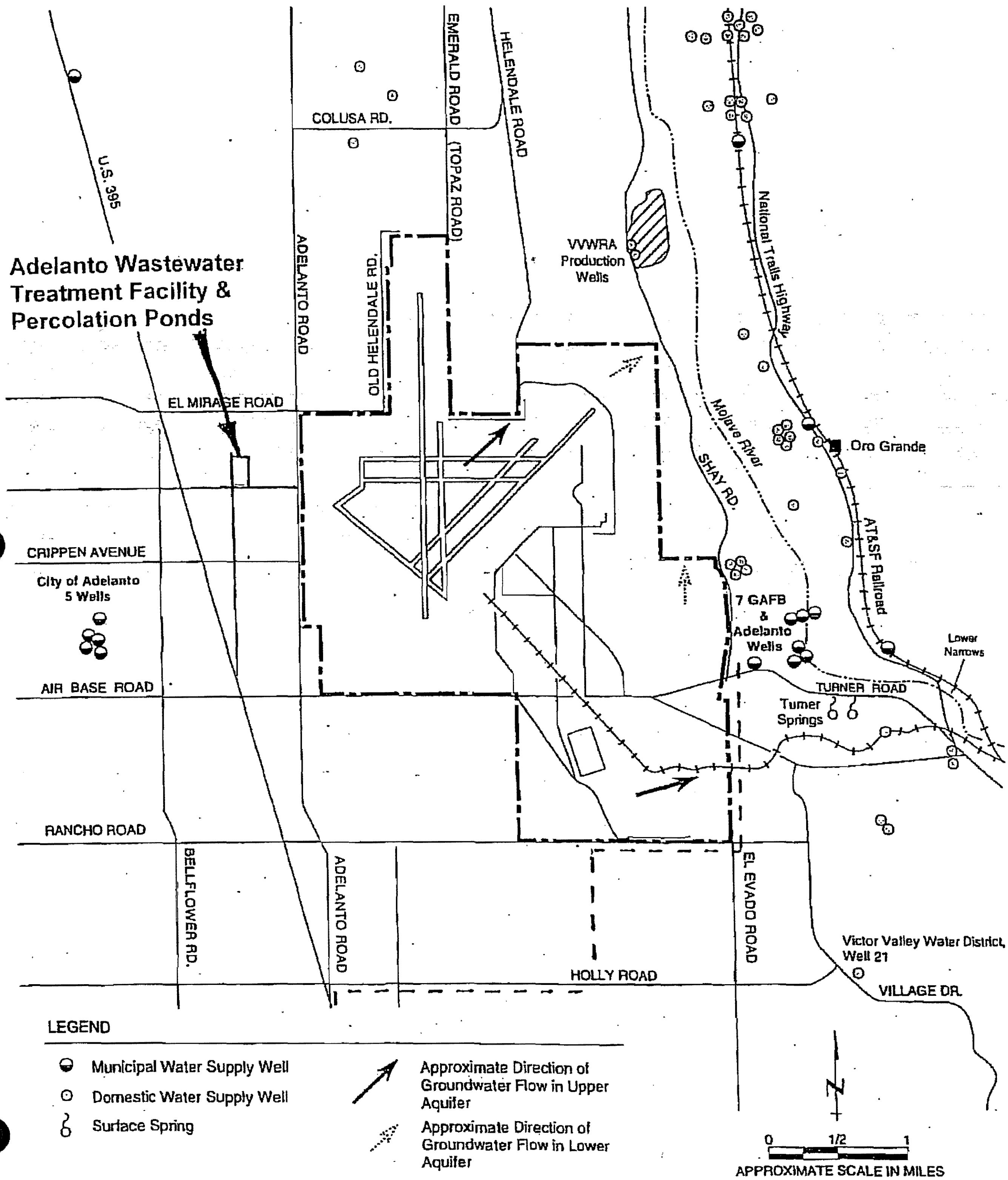
Harold J. Singer

HAROLD J. SINGER
EXECUTIVE OFFICER

Attachments: A. Location Map
B. Table 1, BOD and Influent Flow Violations
C. Updated Schedule for Mitigation of Wastewater Treatment Effluent

MP/rp public/Enfor Orders 2007/Adelanto PUA/R6V-2007-24.doc

Attachment A
Adelanto Public Utility Authority
Location Map
Site of the Wastewater Treatment Facility and Percolation Ponds



Map adapted from Figure 4-21 of the following reference: Department of Defense (DOD), 1996, George Air Force Base Operable Unit 3 Remedial Investigation, Prepared by Montgomery Watson, April

ATTACHMENT B
City of Adelanto Wastewater Treatment Facility
BOARD ORDER NO. R6V-2002-050
WDID NO. 6B369805001

TABLE 1 - BOD AND INFLUENT FLOW VIOLATIONS

Date	Number of Days That Flow Exceeded 1.5 MGD	Number of Days That BOD Exceeded Daily Maximum of 30 mg/L	30-Day Mean BOD in Excess of 15 mg/L
January-04	2	0	8.8 *
February-04	1	1	47.2
March-04	NA	3	27.0
April-04	0	2	29.3
May-04	18	1	24.5
June-04	6	3	45.8
July-04	1	4	55.3
August-04	NA	1	51.0
September-04	21	4	41.4
October-04	28	1	24.4
November-04	27	1	39.5
December-04	5	0	14.0*
January-05	NA	0	17
February-05	NA	NA	21
March-05	31	1	47.4
April-05	29	2	22.5
May-05	NA	NA	18.3
June-05	29	NA	18.8
July-05	31	1	14 *
August-05	NA	0	3.9 *
September-05	30	0	11.45 *
October-05	26	NA	14.4 *
November-05	30	2	28.5
December-05	30	0	9.6*
January-06	29	0	NA
February-06	28	2	22.8
March-06	31	1	27.0
April-06	30	1	21.8
May-06	31	1	19.4
June-06	30	3	47.8
July-06	31	2	36.8
August-06	31	1	19.4
September-06	30	0	18.8
October-06	31	1	20.4
November-06	30	0	18.2
December-06	31	NA	36.8
January-07	31	0	18.9
February-07	28	0	14.9*
March-07	31	1	22.3

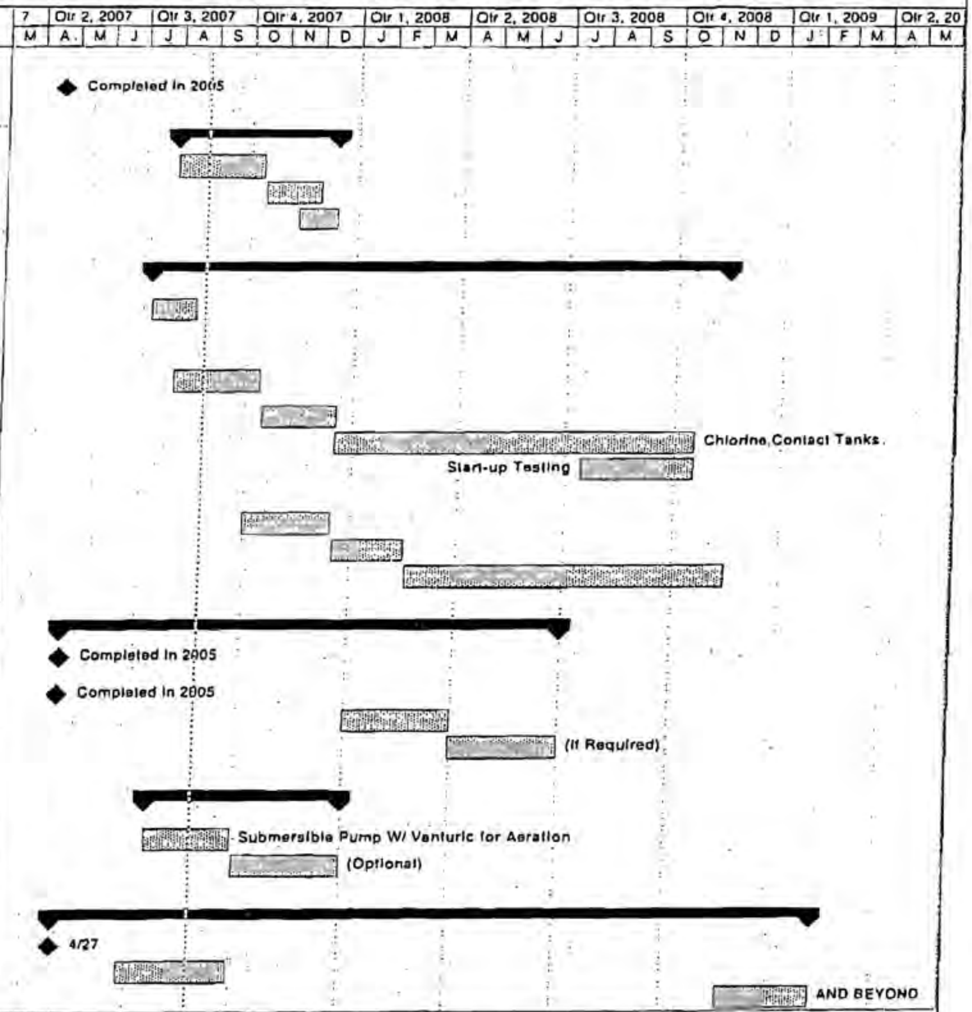
* Indicates that the results do not exceed limit.

"NA" signifies that there were insufficient data to reach a conclusion for compliance.

ATTACHMENT C

CITY OF ADELANTO - UPDATED SCHEDULE FOR MITIGATION OF WASTEWATER TREATMENT EFFLUENT

ID	Task No.	Task Name
1	1	**INTERIM MEASURE**
2		Installation of Flow Equalization Tanks
3		
4	2	CEQA PROCESS FOR PROPOSED EXPANSION
5		Notice of Preparation, Environmental Check list, Submission of Initial Study
6		Review Period and Response to Comments
7		Public Hearing/Adoption of Mitigative Negative Declaration
8		
9	3A	DETAILED DESIGN (PHASE A FACILITIES) PRELIMINARY SCHEDULE & CONSTRUCTION
10		Plant Hydraulic Review, Gather Support Data from Equipment Manufacturer; Coordination of Building/Laboratory and Structural Layouts for Micromedia Biological Filters and related Advanced Primary Screens and Primary Effluent Pumps etc.
11		Phase A Design and Bid Package
12		Phase A Construction Bidding/Award
13		Construction of Facilities to House MMF Equipment
14		MMF to Install its Equipment
15		
16	3B	Phase B (Headwork Facilities) Design and Bid Package
17		Phase B Construction Bidding/Award
18		Construction of Phase B Headwork Facilities
19		
20	4	**Other Administrative Details**
21		Purchase of Additional 10 Acres Site East of Existing Percolation Ponds (Completed in 2005)
22		Additional of 5 Acres Percolation Pond (Completed in 2005)
23		An Additional 5 Acres Percolation Pond
24		Purchasing of Additional Properties (If Required)
25		
26	5	IMPLEMENTATION OF AN AUXILIARY AERATION SYSTEM FOR THE OXIDATION BASINS
27		Installation of Auxiliary Aeration Equipment
28		Installation of Floating Aerators (Optional)
29		
30	6	INSTALLATION OF ADDITIONAL GROUND WATER MONITORING WELLS
31		Letter Report
32		Drilling and monitoring 3 new Monitoring Wells
33		"Cradle-to-grave" Analysis of TDS (Sampling, Monitoring and Analysis)



Project: Wastewater(7-20-07)
Date: Fri 8/24/07

Task		Milestone		External Tasks	
Split		Summary		External Milestone	
Progress		Project Summary		Deadline	

000104

EXHIBIT NO. 6

California Regional Water Quality Control Board
Lahontan Region

Linda S. Adams
Secretary for Environmental Protection

Victorville Office
14440 Civic Drive, Suite 200, Victorville, California 92392
(760) 241-6583 • Fax (760) 241-7308
http://www.waterboards.ca.gov/lahontan

Arnold Schwarzenegger
Governor

AUG 0 2 2010

CERTIFIED MAIL: 7009 0820 0001 6630 0842

John Sponsler
Director of Public Utilities
Adelanto Public Utility Authority
P.O. Box 10
Adelanto, CA 92301

WDID No: 6B369805001

INVESTIGATIVE ORDER NO. R6V-2010-0035 TO SUBMIT TECHNICAL REPORTS, ADELANTO PUBLIC UTILITY AUTHORITY, SAN BERNARDINO COUNTY

Pursuant to Water Code section 13267, subdivision (b), this Investigative Order requires the Adelanto Public Utility Authority (APUA), the Discharger, to provide technical reports describing the manner and a schedule in which APUA intends to comply with Waste Discharge Requirements (WDRs), Board Order Nos. R6V-2002-0050 and R6V-2009-0036, including a Groundwater Monitoring Workplan. Nothing in this Order relieves the Discharger of its responsibility to comply with previous Orders, including the Cease and Desist Order (CDO No. R6V-2007-24).

Justification

Section 13267, subdivision (b) of the California Water Code states in part, that..." the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region that could affect the quality of water within its region, shall furnish, under penalty of perjury, technical or monitoring reports which the regional board requires... In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."

On August 29, 2007, the Water Board adopted CDO No. R6V-2007-24 requiring the Discharger to address violations of Board Order No. R6V-2002-0050, including violations of the effluent limits for flow and for biochemical oxygen demand (BOD), and violations discharging waste to an unauthorized percolation pond. The Cease and Desist Order requires final compliance with WDRs by December 2008.

In response to the CDO, the Discharger submitted a Report of Waste Discharge (RWD) proposing to construct a new micro-media filtration (MMF) treatment plant with additional capacity to treat all the influent flows. Once the new plant was started up, the Discharger planned to incorporate the infrastructure and equipment of the existing plant into the new MMF treatment plant. Based on the RWD, the Water Board adopted Board Order No. R6V-2009-0036 prescribing WDRs for the MMF treatment plant discharge. The Water Board also adopted Monitoring and Reporting Program (MRP) No. R6V-2009-0036 requiring a Groundwater Monitoring Work Plan for the additional disposal pond installed by the Discharger.

The purpose of the reports required by this Order is to obtain a current plan and schedule to return the Discharger into compliance and to obtain a groundwater monitoring work plan.

Violations of Cease and Desist Order (R6V-2007-024)

You are violating orders imposed in Order No. R6V-2011-24, in particular, Order II.B. that states, "By December 31, 2008, the Discharger must achieve final compliance with WDRs adopted by the Water Board." You have failed to complete facility expansion to adequately treat and dispose of the current flows at the facility.

The Cease and Desist Order (R6V-2007-024) also requires quarterly reporting (Order III). Order III.D. requires reporting on "the identification of any compliance dates that the Discharger anticipates will be missed, along with the rationale for the delay in accomplishing the specific task and projected new compliance dates." Quarterly reports received fail to identify new compliance dates.

Violations of WDRs

Failure to Meet Flow Limits in Existing WDRs

The Discharger remains in violation of existing CDO R6-2007-024, notwithstanding delays in operation of an expanded facility as described below.

With its existing treatment plant and under requirements prescribed in Order No. R6V-2002-0050, the Discharger is permitted to collect, treat and dispose of an average daily flow of 1.5 million gallons per day (MGD) of industrial and domestic wastewater generated within the city of Adelanto. The self monitoring reports indicate the influent flow to the Facility is currently averages 2.2 MGD and has consistently exceeded the Facility's average daily flow capacity since February 2004.

On June 10, 2009, Board Order No. R6V-2009-0036 was adopted to prescribe WDRs for the new and expanded treatment facilities, based on the proposal by the Discharger to add capacity to the facility by constructing an MMF treatment plant that would operate in conjunction with the existing plant. Operation of the MMF treatment plant would allow the Discharger to treat a total flow of 4.0 MGD in conjunction with the existing facility.

Because of delays in completing the infrastructure of the MMF treatment plant and the micro-organisms not performing as expected, the Discharger has not been able to successfully begin operations of the new plant. These delays have resulted in all wastewater continuing to be routed through the existing treatment plant, causing the Discharger to be consistently in violation of the flow and effluent limits in the WDRs, Board Order No. R6V-2002-0050. Although we understand you are implementing an interim plan to divert excess flows to Victor Valley Wastewater Reclamation Authority's wastewater treatment facility, you must still identify and implement a permanent solution to the capacity issues.

Failure to Submit Groundwater Monitoring Work Plan

MRP No. R6V-2009-0036, Section II.B., requires the Discharger to submit a Groundwater Monitoring Work Plan by August 31, 2009. This Work Plan has not yet been submitted. When asked why the Work Plan was not submitted, the Discharger indicated it was not aware the requirement was in effect because the MMF facility was not operating. However, the Discharger is discharging to the new pond (Pond #4) and the monitoring requirements of R6V-2009-0036 are in effect. R6V-2009-0036 states in part,

"3. *Permit History*

This Order establishes new Waste Discharge Requirements (WDRs) for discharge from the new Micro-media Facility. Discharge from the existing facilities is regulated under Board Order R6V-2002-050."

"4. *Reason for Action*

...In addition, this Order establishes a schedule for a work plan for the construction of new monitoring wells down gradient of the plant."

Since the two statements above present some ambiguity, this Order establishes a new deadline for submittal of the Groundwater Monitoring Work Plan.

ORDER FOR TECHNICAL REPORTS

I am ordering you to submit a Flow and Effluent Compliance Plan that includes an Implementation Schedule to comply with your WDRs. The purpose of the Plan is to identify the City's long-range plan to eliminate violations of the flow and effluent limits prescribed in the WDRs. I am also ordering you to submit a Groundwater Monitoring Work Plan that includes an implementation schedule.

Pursuant to Water Code section 13267, I order you to submit the technical reports listed below:

	Report	Due Date
1.	Flow and Effluent Compliance Plan and Implementation Schedule	September 15, 2010
2.	Groundwater Monitoring Work Plan	October 15, 2010

The technical reports required above shall include, but not limited to, the information described below.

Report Requirements

1. The Flow and Effluent Compliance Plan shall include a detailed description and a time schedule of actions that will be taken by the Discharger to attain compliance with the WDRs (Board Order No. R6V-2002-0050). The plan shall address planned interim actions and long-term actions to correct flow and effluent violations. The plan shall include a narrative description of the proposed design for an expanded plant capable of adequately treating the City's wastewater flows, and include a process flow diagram. These plans must identify measures for increasing treatment capacity to comply with flow and effluent limits per the WDRs. Interim options may include improvements in performance for the existing plant to improve effluent quality.

2. The Groundwater Monitoring Work Plan shall describe proposed monitoring well installation and design including replacement of abandoned wells and the installation of a sufficient number of monitoring wells to evaluate the effect of waste discharges from the facility on the groundwater. The Work Plan shall also identify locations of existing monitoring wells. For areas of groundwater where waste constituents are detected above background concentrations, the Work Plan shall propose methods to define the vertical and lateral extent of the contaminants in groundwater. The Work Plan shall include an evaluation of existing data, including maps showing monitoring well locations, groundwater gradient information and historical monitoring data. Based on this evaluation, the Work Plan shall propose additional data collection to identify the rate and direction of travel of any contaminant plumes within the groundwater. The Work Plan shall propose additional monitoring where necessary to fully assess any groundwater impacts from past and current discharges and shall include a proposed implementation schedule for conducting the work and preparing a final report.

3. Quarterly reports as required by the CDO (R6V-2007-024) must continue to be submitted and provide sufficient information on each required reporting element including "the identification of any compliance dates that the Discharger anticipates will be missed, along with the rationale for the delay in accomplishing the specific task and projected new compliance dates." Further, any anticipated delays shall be explained with a plan including interim actions and dates to come into compliance as soon as possible.

Future Enforcement by Water Board Regarding Ongoing Violations

Water Board staff will take into consideration your response to this Order when considering additional enforcement actions based on the ongoing violations of the Cease and Desist Order and the WDRs. Failure to respond to this Order will subject you to imposition of administrative civil liabilities in an amount up to $1000 per day of violation pursuant to Water Code Section 13268. Failure to comply with the Cease and Desist

Order may result in the Water Board imposing administrative civil liabilities of up to $5000 per day of violation pursuant to Water Code Section 13350.

Enclosed for your information is a fact sheet discussing the requirements for submitting or filing a petition on a technical or monitoring report related to Water Code section 13267.

Please contact John Morales at (760) 241-7366 or Cindi Mitton, Senior Engineer, at (760) 241-7413 if you have any questions regarding this Order.

Lauri Kemper

LAURI KEMPER, P.E.
ASSISTANT EXECUTIVE OFFICER

Enclosure: Water Code Section 13267 Fact Sheet

cc: Wilson So, So and Associates
Water Board members

JM/rp Enforc 2010/Adelanto INVESTIGATIVE ORDER R6V-2010-0035

Californi. Regional Water Quality Co rol Board
Lahontan Region

EJT

Linda S. Adams
Secretary for Environmental Protection

Victorville Office
14440 Civic Drive, Suite 200, Victorville, California 92392
(760) 241-6583 • Fax (760) 241-7308
http://www.waterboards.ca.gov/lahontan

Arnold Schwarzenegger
Governor

November 15, 2010

CERTIFIED MAIL: 7008 1300 0001 6173 1831

John Sponsler, Director
Adelanto Public Utility Authority
11600 Air Expressway
Adelanto, CA 92301

NOTICE OF VIOLATION OF INVESTIGATIVE ORDER NO. R6V-2010-0035: DEFICIENT FLOW AND EFFLUENT COMPLIANCE PLAN AND IMPLEMENTATION SCHEDULE FOR THE ADELANTO PUBLIC UTILITY AUTHORITY WASTEWATER TREATMENT PLANT, CITY OF ADELANTO, SAN BERNARDINO COUNTY, WDID NO. 6B369805001

The California Regional Water Quality Control Board, Lahontan Region (Water Board) staff received the Adelanto Public Utility Authority's (Authority) Flow and Effluent Compliance Plan and Implementation Schedule (Plan and Schedule) on September 13, 2010. The Plan and Schedule were required to be submitted by September 15, 2010 pursuant to Water Board Investigative Order No. R6V-2010-0035. Water Board staff has reviewed the Plan and Schedule and has determined it to be deficient and that it does not satisfy the requirements of the Order for the following reasons.

1. Order No. 1 requires the Authority to develop and submit a plan that includes a detailed description of and schedule for implementing measures **to return the Adelanto Wastewater Treatment Plant (Facility) to compliance** with its waste discharge requirements specified by Water Board Order No. R6V-2002-050. Such a plan **must** include a date upon which the Facility will return to compliance with Water Board Order No. R6V-2002-050. The Authority's Plan and Schedule does not provide a "return to compliance" date. The Authority's schedule only identifies a time schedule for **testing** new microbes, which is to be completed by January 15, 2011.

2. There are at least two potential outcomes associated with testing the new microbes. The two most likely outcomes are either (1) successful results, or (2) unsuccessful results. The first scenario will likely require, and the second scenario will definitely require, implementing additional measures prior to the Facility returning to compliance with Water Board Order No. R6V-2002-050. The plan **must** describe in detail and provide implementation schedules for the additional measures associated with each of the two scenarios describe above. The Authority's Plan and Schedule does not provide descriptions of or implementation schedules for the additional measures associated with each of the scenarios described above.

Water Board staff is currently evaluating a number of enforcement actions intended to return the Authority to compliance with its waste discharge requirements as soon as possible. Water Board Investigative Order No. R6V-2010-0035 is an opportunity for the Authority to provide information related to compliance measures and implementation schedules before Water Board staff and/or the Water Board establishes a compliance schedule. Water Board staff strongly recommends that the Authority take advantage of this opportunity before it is gone.

Water Board staff also strongly encourages the Authority to submit a fully compliant plan as soon as possible. Water Board staff is evaluating the Authority's response to Investigative Order No. R6V-2010-0035 and other Water Board Orders.

The potential liability the Water Board may pursue against the Authority increases with each day Investigative Order No. R6V-2010-0035 or other Water Board Orders are violated. California Water Code section 13268 authorizes the Water Board to administer civil liability for up to $1,000 per day of violation of Investigative Order No. R6V-2010-0035. Water Code section 13350 authorizes the Water Board to administer civil liability up to $5,000 per day of violation of waste discharge requirements, cleanup and abatement orders, and cease and desist orders, or up to $10 per gallon of waste discharged in violation of such orders. Additional Water Code sections may apply. The Water Board reserves its rights to fully enforce against Adelanto Public Utility Authority for any violations.

If you have any questions regarding Investigative Order No. R6V-2010-0035, please contact John Morales at (760) 241-7366 or Cindi Mitton, P.E. at (760) 241-7413.

Lauri Kemper

Lauri Kemper, P.E.
Assistant Executive Officer

cc: Regional Board Members
Adelanto City Council
D. James Hart, PhD., City Manager/City of Adelanto
Wilson So, P.E., City Engineer/So & Associates Engineers, Inc.
Mike Perales/United Water
Roger Vesely/United Water
Terri S. Williams, REHS/San Bernardino Co. EPA, Environmental Health Services
Harold J. Singer, Executive Officer/Lahontan Regional Water Quality Control Board
Cindi Mitton/Lahontan Regional Water Quality Control Board
John Morales/Lahontan Regional Water Quality Control Board
Scott C. Ferguson/Lahontan Regional Water Quality Control Board
Eric Taxer/Lahontan Regional Water Quality Control Board
Laura Drabandt/State Water Resources Control Board, Office of Enforcement
Kim Niemeyer/State Water Resources Control Board, Office of Chief Counsel

JM/SCF/rp/clhT: Adelanto Compliance Plan-NOV 11-10-2010.doc
File: SLT WDID No. 6B369805001/VVL WDID No. 6B369805001

EXHIBIT NO. 7

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

CLEANUP AND ABATEMENT ORDER NO. R6V-2010-0054

WDID NO. 6B369805001

REQUIRING ADELANTO PUBLIC UTILITY AUTHORITY TO ABATE THREATENED NUISANCE CONDITION ASSOCIATED WITH THREATENED UNAUTHORIZED DISCHARGE FROM ADELANTO WASTEWATER TREATMENT FACILITY PERCOLATION PONDS, ADELANTO

San Bernardino County

The California Regional Water Quality Control Board, Lahontan Region (hereinafter "Water Board") finds that:

1. The Adelanto Public Utility Authority (hereinafter the "Discharger") owns the Adelanto Wastewater Treatment Plant (hereinafter the "Facility"), located on an 18-acre site at the northeast corner of Jonathan Street and Auburn Avenue, in the City of Adelanto, San Bernardino County, California. The Discharger has contracted with United Water to operate the Facility.

2. The Facility consists of two treatment systems that discharge to four percolation ponds. The first treatment system is an operational activated sludge system, that includes a septage receiving station, headworks, lined activated sludge basins, secondary clarifiers, multi-media filtration system, and sludge dewatering system. This treatment system is authorized to receive and treat up to 1.5 million gallons per 24-hour period and a maximum instantaneous flow rate of 2.5 million gallons per day (Water Board Order No. R6V-2002-050).

3. The second treatment system is a micro-media system, which is currently non-operational, and includes primary clean screens, flow equalization pond, "micro-media" sand filter biological treatment system, and solids dewatering system. This treatment system is authorized to receive and treat up to 2.5 million gallons per 24-hour period and a maximum instantaneous flow rate of 3.5 million gallons per day (Water Board Order No. R6V-2009-0036.)

4. Both treatment systems are designed to discharge to any one of four percolation ponds located on the 18-acre site. Pond No. 4 is divided into Pond No. 4N and Pond No. 4S, but is considered as a single pond. All four percolation ponds are designed to infiltrate the un-disinfected effluent. Groundwater in the uppermost aquifer is generally located at a depth of 90 to 170 feet below ground surface (bgs). There is an aquitard (clayey soil layer) located 170 to 230 feet bgs separating the uppermost aquifer from the regional aquifer.

5. Waste discharge requirements prescribed by Water Board Order No. R6V-2002-050 regulate waste discharges from the activated sludge system and percolation ponds. Waste discharge requirements prescribed by Water Board Order No. R6V-2009-0036 regulate waste discharges from the micro-media system and percolation ponds.

6. Water Board Order No. R6V-2009-0036 authorizes the construction and use of a fifth percolation pond. The fifth percolation pond currently has not been constructed.

7. The Discharger is presently violating the following waste discharge requirements:

   a. Water Board Order No. R6V-2002-050, Requirement No. I.D.3:

      "The vertical distance between the liquid surface elevation and the lowest point of a pond dike or the invert of an overflow structure shall not be less than two feet."

   b. Water Board Order No. R6V-2009-0036, Requirement No. I.C.3:

      "The vertical distance between the liquid surface elevation and the lowest point of a pond dike or the invert of an overflow structure shall not be less than two feet."

8. For the purposes of this Cleanup and Abatement Order, a "threatened discharge" is defined as when the vertical distance between the liquid surface elevation and the lowest point of a pond dike or the invert of an overflow structure (e.g. freeboard) is less than two feet. This definition is consistent with the General Requirements and Prohibitions set forth in Water Board Orders No. R6V-2002-050 and No. R6V-2009-0036.

9. On October 26, 2010, Chief Plant Operator Roger Vesely provided freeboard information for the Facility's percolation ponds to Water Board staff. The remaining freeboard for the percolation ponds on October 26, 2010 at 5:00 p.m. was as follows:

Percolation Pond #	Freeboard (feet)
1	1.3
2	1.0
3	0.5
4N	0.8
4S	1.5

10. On October 27, 2010, Chief Plant Operator Roger Vesely provided freeboard information for the Facility's percolation ponds to Water Board staff. The remaining freeboard for the percolation ponds on October 27, 2010 at 3:00 p.m. was as follows:

Percolation Pond	#Freeboard (feet)
1	1.2
2	1.0
3	0.5
4N	1.0
4S	2.0

11. On October 28, 2010, Chief Plant Operator Roger Vesely provided freeboard information for the Facility's percolation ponds to Water Board staff. The remaining freeboard for the percolation ponds on October 28, 2010 at 4:00 p.m. was as follows:

Percolation Pond #	Freeboard (feet)
1	1.0
2	1.0
3	0.5
4N	1.0
4S	1.5

12. The freeboard data provided by the Discharger's agent demonstrate that each of the Facility's percolation ponds had less than two feet of freeboard at some point over the course of the three days, violating the waste discharge requirements in Water Board Orders No. R6V-2002-050 and No. R6V-2009-0036.

13. The Discharger continues to threaten to violate the following waste discharge requirements:

    a. Water Board Order No. R6V-2002-050, Requirements No. I.D.1 and No. I.D.2:

    I.D.1 "There shall be no discharge, bypass, or diversion of raw or partially treated sewage, sewage sludge, grease, or oils from the collection, transport, treatment, or disposal sites to adjacent land areas or surface waters."

    I.D.2 "Surface flow or visible discharge of sewage or sewage effluent at/or from the authorized disposal sites to adjacent land areas or surface waters is prohibited.

    b. Water Board Order No. R6V-2009-0036, Requirements No. I.C.1 and No. I.C.2:

    I.C.1 "There shall be no discharge, bypass, or diversion of raw or partially treated sewage, sewage sludge, grease, or oils from the collection, transport, treatment, or disposal facilities to adjacent land areas or surface waters."

I.C.2 "Surface flow or visible discharge of sewage or sewage effluent at/or from the authorized disposal sites to adjacent land areas or surface waters is prohibited."

14. Water Board Order No. R6V-2002-050, Finding No. 9 identifies Percolation Ponds No. 1, 2, and 3 as the Discharger's authorized disposal sites. Board Order No. R6V-2009-0036, Finding No. 9, identifies all four percolation ponds located on the Facility's 18-acre site as the Discharger's authorized disposal facilities/sites.

15. October 28, 2010, 2:28 p.m., Mr. Vesely stated in a phone call with Water Board staff that if flow and site conditions remained unchanged from as they were on October 28, 2010, the percolation pond system would begin unauthorized discharges to adjacent land areas in approximately six days, which is November 3, 2010.

16. The anticipated discharge on November 3, 2010, constitutes a threatened violation of the waste discharge requirements in Water Board Orders No. R6V-2002-050 and No. R6V-2009-0036. At the time of staff's phone conversation with Mr. Vesely, the Discharger and United Water staff had not developed any plan to address the threatened discharge from the percolation ponds to Water Board staff's knowledge, other than to begin dredging the ponds and scarifying the pond bottoms to improve the ponds' percolation.

17. October 28, 2010, 5:57 p.m., Director of Public Utilities for the City of Adelanto John Sponsler informed Water Board staff in an e-mail that the dredging and scarifying will not start for another two weeks. Mr. Sponsler also stated in the same e-mail, "...we moved dirt onto the berms of the northside of the ponds to buildup and shoreup the freeboard. We built them up to approximately 4'. A spillage is not anticipated at this time, nor during the 2 weeks before the contractor can begin work." Mr. Sponsler provided some information of how the Discharger would respond in case of a pond discharge. Mr. Sponsler's description of such actions mentions where the Discharger would attempt to contain such discharges with berms, and the availability of chlorine tablets for disinfection, but does not provide any detail regarding when and how berms would be constructed or when, how, and where disinfection would occur.

18. The information provided by the Discharger is inadequate to prevent the threatened discharge or to abate an actual discharge. While it appears the Discharger has started to respond to the threatened discharge, the Discharger has yet to describe whether the "dirt" moved onto the existing pond berms has the ability to contain wastewater; how thoroughly the Discharger's spill containment management plan has been engineered; and if the Discharger has or is implementing measures to prepare for a discharge event. Additionally, it is unknown if the Discharger is taking any steps to reduce influent flows to the Facility; is establishing a standby system to transport effluent to other wastewater treatment facilities; is notifying or preparing to

notify surrounding property owners of a pending discharge from the percolation ponds to surrounding lands; or is developing a process to discharge effluent to an alternative disposal site without jeopardizing the integrity of the ponds and their berms.

19. The Discharger has not provided information about whether it can contain all effluent discharges from the percolation ponds on the Facility site. There is the potential for effluent to enter any number of dry washes near the Facility. The Facility is located within the Fremont Wash drainage area that conveys storm water runoff and any other surface discharges from the Facility site across the open desert via named and unnamed dry washes and sheet flow. Surface flows from the Fremont Wash drainage area eventually enter the Mojave River. The nearest named dry wash is the East Adelanto Wash, located approximately a quarter-mile from the Facility. Effluent flows will likely reach this wash and/or unnamed washes through overland flow and the roadside storm water conveyance system.

20. Based upon the information provided to Water Board staff, the threatened discharge of un-disinfected wastewater effluent from the percolation ponds and Facility site constitutes a threatened condition of nuisance. California Water Code section 13050, subdivision (m) defines "nuisance" as:

"...anything which meets all of the following requirements:

(1) Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.

(2) Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

(3) Occurs during, or as a result of, the treatment or disposal of wastes."

21. Contact with wastewater, treated or otherwise, is offensive to the senses due to foul odors, potential for infection, aesthetics, and a general aversion to coming into contact with human waste.

22. In the event of a discharge at the Facility, effluent flows from the percolation ponds that migrate beyond the Facility site will be conveyed via the roadside storm water conveyance system (roadside ditches) towards a heavily developed and populated residential area located a little more than a quarter-mile south of the Facility and/or towards the former George Air Force Base facility to the east. The close proximity of the Facility to these areas threatens to bring the City of Adelanto's general population into contact with the wastewater, interfering with the citizens' enjoyment of life and property. The potential discharge from the percolation ponds and from

the Facility is a result of waste disposal practices at the Facility. These conditions meet the definition of "nuisance" as defined by the California Water Code.

23. California Water Code section 13304, subdivision (a) states:

> "Any person...who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into waters of the state and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board, clean up the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing cleanup and abatement efforts... Upon failure of any person to comply with the cleanup or abatement order, the Attorney General, at the request of the board, shall petition the superior court for that county for the issuance of an injunction requiring the person to comply with the order. In the suit, the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the facts may warrant."

24. The Water Board is authorized to issue a Cleanup and Abatement Order to the Discharger pursuant to California Water Code section 13304 because the Discharger is threatening to permit waste to be discharged where the waste will probably be discharged to waters of the state and threatens to create a condition of nuisance. There is sufficient information contained in the public file for this facility to support this Order that includes the Discharger's written response to the CWC section13267 Investigative Order and e-mails sent to staff.

25. This Order requires the Discharger to submit technical reports pursuant to Water Code section 13267. Water Code section 13267, subdivision (b) states, in part, that

> "...the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region ... shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires... In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports and shall identify the evidence that supports requiring that person to provide the reports."

26. The technical reports required by this Order are necessary to develop a plan intended to prevent unauthorized discharges from the Discharger's Facility when implemented. In the case of unauthorized discharges, the Spill Contingency Management Plan is also necessary to identify measures that will reduce the adverse impacts of such discharges upon the general public and water quality, when implemented.

IT IS HEREBY ORDERED that, pursuant to California Water Code section 13267 (see Attachment "B") and section 13304, the Discharger shall take the following actions to comply with this Order:

I. ORDERS

A. By **5:00 p.m. on Wednesday, November 3, 2010**, the Discharger must provide to the Water Board a Spill Contingency Management Plan describing what actions the Discharger shall take in the event of a spill or threatened spill.

   a. The Spill Contingency Management Plan shall include an evaluation of the following criteria for the Discharger's response to a spill or a threatened spill:
      i. water conservation,
      ii. increased wastewater diversions or transfers to other permitted wastewater treatment facilities,
      iii. engineered pond modifications,
      iv. and alternative on-site and off-site disposal areas and associated potential water quality effects.

   b. To prevent the overflow of wastewater from the ponds, the Spill Contingency Management Plan shall include an evaluation of methods approved by a licensed professional engineer to transport wastewater from the ponds and/or other areas within the wastewater treatment plant facility to alternative disposal areas without jeopardizing the integrity of the ponds or other treatment facility components.

   c. The following information must be provided for any pond modifications proposed by the Spill Contingency Management Plan to ensure the structural integrity of the ponds:
      i. Design details for foundation construction and preparation for any proposed embankment.
      ii. Design details for bonding the impervious zone of any proposed embankment to its foundation. Considerations include soil type of the foundation, soil type of the material used in the embankment, design details of the cutoff trench or key trench, proposed embankment height, etc.

   d. The Spill Contingency Management Plan must also include:
      i. Design details to protect any proposed embankment from failure due to piping caused from potential foundation seepage forces and potential underseepage.
      ii. Crest details for any proposed embankment, including crest width, need to support traffic for maintenance vehicles, camber, and type of crest surfacing.

iii. Drainage design from the crest down the embankment face and applicable erosion control along the embankment face.
iv. Slope protection methods for the interior portions of the embankment against erosion from wave action.
v. Spillway design details for directing any amount of wastewater that may exceed minimum freeboard requirements to an alternative storage area or to an alternative permitted treatment facility.
vi. Design details to protect any constructed embankment from failure due to earthquakes.

B. By **5:00 p.m. on Wednesday, November 3, 2010**, the Discharger must have begun implementing the Spill Contingency Management Plan. The Water Board retains its rights to require amendments to the Spill Contingency Management Plan if the Assistant Executive Officer deems the plan inadequate.

C. By **5:00 p.m. on Wednesday, November 10, 2010 or prior to any unauthorized discharge from any of the percolation ponds, whichever is sooner**, the Discharger must complete implementation of the Spill Contingency Management Plan (and its amendments if deemed necessary by the Assistant Executive Officer).

D. By **5:00 p.m. on November 12, 2010**, the Discharger must provide a Final Report to the Water Board that describes the actions taken by the Discharger to comply with the requirements imposed by this Order. This technical report must include photographic evidence documenting compliance with Requirement No. I.C, above.

E. Beginning at **12:00 p.m. (noon) on November 8, 2010**, the Discharger must provide weekly status reports providing the following information:

a. The remaining freeboard for each of the four percolation ponds as of the morning of the date the status report is due. The date and time freeboard measurements are recorded by the Discharger must be submitted.

b. A description of the spill containment management measures implemented since the previous status report was submitted. The date, time, purpose and effectiveness of each measure must be submitted.

c. The duration and volume of any unauthorized discharge from any of the four percolation ponds that occurs since the previous status report was submitted. The date and time that each unauthorized discharge begins and ends must be submitted, in addition to a description of the unauthorized discharge (e.g., overtopping the pond berm, pumping, berm failure).

d. The remaining capacity in gallons, and when applicable, remaining freeboard, for each temporary containment measure as of the morning of the date the status report is due. The date and time such information is obtained must be submitted.

Following November 8, 2010, the Discharger must continue to provide weekly status reports to the Water Board by **12:00 p.m. (noon) of each subsequent Monday**. This requirement will remain in effect until freeboard data provided in each of four consecutive weekly status reports demonstrates that **all four percolation ponds** have maintained greater than two feet of freeboard for the entire four-week period addressed by the status reports.

II. REPORTING REQUIREMENTS:

A. **Signatory Requirements.** All reports required under this Cleanup and Abatement Order shall be signed and certified by the Discharger or by a duly authorized representative of the Discharger and submitted to the Water Board. A person is a duly authorized representative of the Discharger only if: (1) the authorization is made in writing by the Discharger and (2) the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity. A duly authorized representative may thus be either a named individual or any individual occupying a named position.

B. **Certification.** Include the following signed certification with all reports submitted pursuant to this Order:

> *"I certify under penalty of perjury under the laws of the State of California that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted, the document and all attachments are, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."*

C. **Report Submittals.** All monitoring and technical reports required under this Order shall be submitted to:

California Regional Water Quality Control Board-Lahontan Region
2501 South Lake Tahoe Blvd.
South Lake Tahoe, CA 96150
Attn: Eric Taxer
Email: etaxer@waterboards.ca.gov
Phone: (530) 542-5434

California Regional Water Quality Control Board-Lahontan Region
14440 Civic Drive, Suite 200
Victorville, CA 92392
Attn: John Morales
Email: jmorales@waterboards.ca.gov
Phone: (760) 241-7366

III. NOTIFICATIONS:

A. **Cost Recovery.** Pursuant to Water Code section 13304, the Water Board is entitled to, and may seek, reimbursement for all reasonable costs actually incurred by the Water Board to investigate unauthorized discharges of wastes and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action required by this Order.

B. **California Environmental Quality Act (CEQA) Compliance.** Issuance of this Order is an enforcement action taken by a regulatory agency and is exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code, section 21000 et seq.) pursuant to California Code of Regulations, Chapter 3, Title 14, section 15321 subdivision (a)(2).

C. **Requesting Administrative Review by the State Water Board.** Any person aggrieved by an action of the Water Board that is subject to review as set forth in Water Code section 13320, subdivision (a), may petition the State Water Resources Control Board (State Water Board) to review the action. Any petition must be made in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Board must receive the petition within 30 days of the date the action was taken, except that if the thirtieth day following the date the action was taken falls on a Saturday, Sunday, state holiday, or furlough day, then the State Water Board must receive the petition by 5:00 p.m. on the next business day. Copies of the law and regulation applicable to filing petitions may be found on the internet at: http://www.waterboards.ca.gov/publicnotices/petitions/waterquality or will be provided upon request.

D. **Request for Extension of Time.** If for any reason, the Discharger is unable to perform any activity or submit any document in compliance with the schedule set forth herein, or in compliance with any work schedule submitted pursuant to this

Order and approved by the Assistant Executive Officer, the Discharger may request, in writing, an extension of the time specified. The extension request shall include justification for the delay. An extension may be granted only by revision of or amendment to this Order. Any modifications to this Order will be in writing and provided to the Discharger.

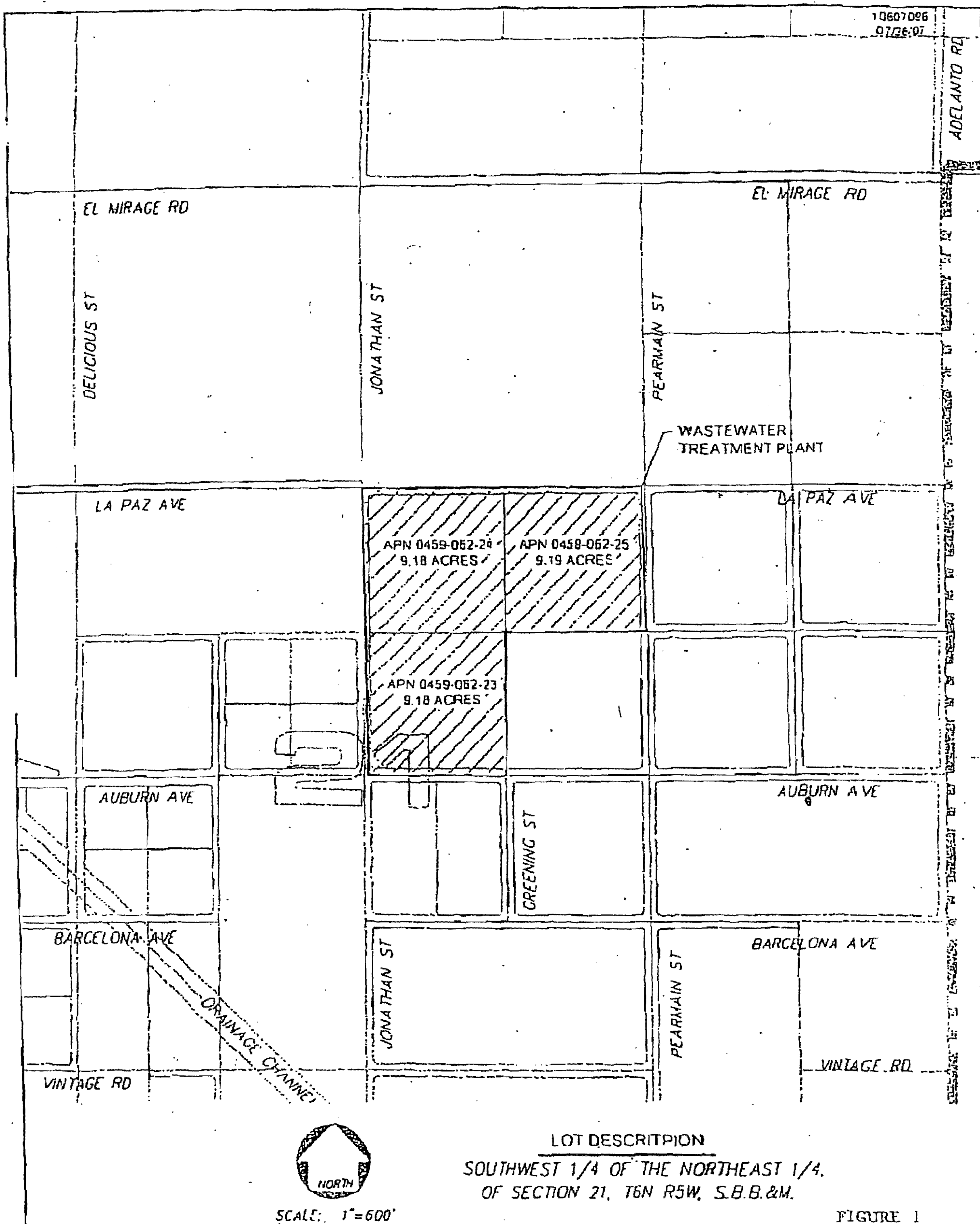
E. **Enforcement Notification.** Failure to comply with the terms or conditions of this Cleanup and Abatement Order may result in additional enforcement action, which may include the imposition of administrative civil liability pursuant to California Water Code section 13350 for up to $5,000 a day for each violation; and/or section 13268 for up to $1,000 a day for each violation, or referral to the Attorney General of the State of California for injunctive relief or civil or criminal liability. Any actual discharge subjects the Discharger to additional administrative civil liability. The Water Board retains all of its enforcement rights.

Ordered by: Lauri Kemper
LAURI KEMPER, P.E.
ASSISTANT EXECUTIVE OFFICER

Dated: November 1, 2010

Attachments: A. Location Map
B. Water Code section 13267 Fact Sheet

ATTACHMENT A



LOT DESCRITPION

SOUTHWEST 1/4 OF THE NORTHEAST 1/4, OF SECTION 21, T6N R5W, S.B.B.&M.

FIGURE 1

ATTACHMENT A

CITY OF ADELANTO
WASTEWATER TREATMENT PLANT
LOCATION MAP

ATTACHMENT B

Fact Sheet – Requirements for Submitting Technical Reports Under Section 13267 of the California Water Code

October 8, 2008

What does it mean when the regional water board requires a technical report?

Section 13267[1] of the California Water Code provides that "...the regional board may require that any person who has discharged, discharges, or who is suspected of having discharged...waste that could affect the quality of waters...shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires".

This requirement for a technical report seems to mean that I am guilty of something, or at least responsible for cleaning something up. What if that is not so?

Providing the required information in a technical report is not an admission of guilt or responsibility. However, the information provided can be used by the regional water board to clarify whether a given party has responsibility.

Are there limits to what the regional water board can ask for?

Yes. The information required must relate to an actual or suspected discharge of waste, and the burden of compliance must bear a reasonable relationship to the need for the report and the benefits obtained. The regional water board is required to explain the reasons for its request.

What if I can provide the information, but not by the date specified?

A time extension can be given for good cause. Your request should be submitted in writing, giving reasons. A request for a time extension should be made as soon as it is apparent that additional time will be needed and preferably before the due date for the information.

Are there penalties if I don't comply?

Depending on the situation, the regional water board can impose a fine of up to $1,000 per day, and a court can impose fines of up to $25,000 per day as well as criminal penalties. A person who submits false information is guilty of a misdemeanor and may be fined as well.

What if I disagree with the 13267 requirement and the regional water board staff will not change the requirement and/or date to comply?

Any person aggrieved by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must *receive* the petition by 5:00 p.m., 30 days after the date of the Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

Claim of Copyright or other Protection

Any and all reports and other documents submitted to the Regional Board pursuant to this request will need to be copied for some or all of the following reasons: 1) normal internal use of the document, including staff copies, record copies, copies for Board members and agenda packets, 2) any further proceedings of the Regional Board and the State Water Resources Control Board, 3) any court proceeding that may involve the document, and 4) any copies requested by members of the public pursuant to the Public Records Act or other legal proceeding.

If the discharger or its contractor claims any copyright or other protection, the submittal must include a notice, and the notice will accompany all documents copied for the reasons stated above. If copyright protection for a submitted document is claimed, failure to expressly grant permission for the copying stated above will render the document unusable for the Regional Board's purposes, and will result in the document being returned to the discharger as if the task had not been completed.

If I have more questions, who do I ask?

Requirements for technical reports normally indicate the name, telephone number, and email address of the regional water board staff person involved at the end of the letter.

[1] All code sections referenced herein can be found by going to www.leginfo.ca.gov. Copies of the regulations cited are available from the Regional Board upon request.

California Regional Water Quality Control Board
Lahontan Region

Linda S. Adams
Secretary for Environmental Protection

2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
(530) 542-5400 • Fax (530) 544-2271
www.waterboards.ca.gov/lahontan

Arnold Schwarzenegger
Governor

November 5, 2010

John Sponsler, Director
Adelanto Public Utility Authority
11600 Air Expressway
Adelanto, CA 92301
jsponsler@ci.adelanto.ca.us

NOTICE OF VIOLATION OF CLEANUP AND ABATEMENT ORDER NO. R6V-2010-0054: DEFICIENT SPILL CONTINGENCY MANAGEMENT PLAN FOR THE ADELANTO PUBLIC UTILITY AUTHORITY WASTEWATER TREATMENT PLANT, ADELANTO, SAN BERNARDINO COUNTY, WDID NO. 6B369805001

Lahontan Regional Water Quality Control Board (Water Board) staff has reviewed the Spill Contingency Management Plan (Plan) submitted to this office on November 3, 2010. The Plan was submitted by the Adelanto Public Utility Authority (Authority) in response to Cleanup and Abatement Order No. R6V-2010-0054 (Order), issued on November 1, 2010.

The Plan is deficient and does not satisfy the requirements of the Order for the following reasons.

1. Order No. I.A.a.i requires the Authority to evaluate conservation measures in the Plan. During your November 2, 2010 phone conversation with Water Board staff, my staff stated that the Authority shall include an evaluation of the use of Public Service Announcements and Reverse 911 calls to inform the affected population of the urgency to immediately and significantly reduce water use and subsequently wastewater discharges. This evaluation was not provided in the Plan. The only information provided in the Plan regarding this subject is a description of existing water rates and the Authority's current participation in the Alliance for Water Awareness and Conservation Program.

2. Order No. I.A.a.ii requires the Authority to evaluate increased wastewater diversions to other permitted facilities. The Plan provides a proposal to increase influent diversion flows to the Victor Valley Wastewater Reclamation Authority's (VVWRA) treatment facility from 16 to 17 hours daily, and increase effluent diversion flows from 6.5 hours to 7 hours daily. This will increase total diverted flows from 907,500 gallons per day (gpd) to 965,400 gpd.

However, VVWRA has indicated (via electronic mail dated August 4, 2010) that it can accept up to 1,300,000 gpd from the Authority. Your own email dated September 29, 2010 to Roger Vesely (United Water, Authority's wastewater treatment facility contract operator) confirms this figure. It appears that the Authority has the ability to divert/discharge nearly 400,000 gpd more to VVWRA, than it currently is. However, there is no explanation or evaluation as to why this available diversion capacity is not being used. An appropriate evaluation must include all such reasonable diversion/disposal options.

3. Order No. I.A.a.iii requires the Authority to evaluate engineered pond modifications. The Plan provides information that additional dirt (existing sandy material) has been deposited along the banks of Ponds No. 1 and 4 to increase the freeboard. The Plan also provides information documenting that six trenches (18-feet deep, 20-feet long) have been constructed through the existing embankment of Pond No. 4 to increase percolation rates. However, the Plan contains no information regarding the structural integrity/stability of the additional embankment material (see No. 6, below), nor is there information to verify percolation rates for the constructed trenches.

   Furthermore, Water Board staff questions whether the material excavated during trench construction is being appropriately managed/disposed of, considering the material was likely excavated while in contact with the un-disinfected treated wastewater effluent. Additionally, Water Board staff questions whether Occupational Safety and Health Administration requirements were/are being followed to ensure worker safety during and following the trench excavation process.

   The evaluation of the pond modifications is deficient for the technical reasons noted above. Again, the evaluation is inadequate for failing to provide documentation demonstrating that the six trenches are an alternative disposal method that provide safe storage capacity, as required by the Order.

4. Order No. I.A.a.iv requires the Authority to evaluate alternative on-site and off-site disposal areas and the associated water quality effects. For the on-site disposal alternative, the Plan proposes to pump wastewater to the top of a waste earthen pile, which is currently stockpiled at the site of a future percolation pond (proposed Pond No. 5). No information is provided regarding:
   - percolation rates within the stockpiled soil area, considering the material has been consolidated by heavy equipment;
   - storage capacity/disposal capacity within the stockpiled soil area;
   - disposal plans for the stockpiled soil and affect of temporary wastewater disposal on the ability to dispose of the stockpiled material; and
   - slope stability and installed erosion control measures for the stockpiled soil material. See Comment No. 6, below, for specific slope stability information that must be submitted.

For the off-site disposal alternative, the Plan states that overflow from the ponds will flow to the south of Pond No. 4 and percolate into the ground. The affected area will be disinfected with diluted chlorine, cleaned up, and disposed. The Plan does not estimate what quantity of wastewater may possibly overflow should any of the pond embankments fail. The Plan does not estimate the ground area that may be affected by such a spill, nor does it identify ephemeral channels and desert washes or roadside ditches that may be impacted and carry wastewater flows to other desert washes and to the general public.

5. Order No. I.A.b requires the Authority in its Plan to include, "...an evaluation of methods approved by a licensed professional engineer to transport wastewater...to alternative disposal areas without jeopardizing the integrity of the ponds or other treatment facility components." The Plan does not provide such an evaluation by a licensed engineer. This is needed to ensure appropriate review of all disposal areas and transport methods to ensure the safety and integrity throughout the treatment plant and within and surrounding all disposal areas.

6. Order Nos. I.A.c and I.A.d require the Authority to provide foundation design information and embankment design/protection information to ensure the structural integrity for any constructed embankments and embankment modifications. The following items are deficient:

   a. Embankment Foundation Design Details. The Plan states that this information is not available for the existing embankments. The Plan also states that the increase in embankment height was constructed in October, 2010, with loose sandy soil (pervious materials). Such material is susceptible to seepage, erosion, and failure. If the embankment foundations are constructed of such material, they may, especially with the high pond levels, become unstable and subject to collapse under the action of a dynamic load, vibration, or shock – all of which may cause the foundation to behave as a liquid unless properly designed.

   b. Embankment/Foundation Bonding Details. The Plan notes that water was used for bonding the embankment to the foundation. This is unacceptable. Bonding refers to either installing a cutoff trench, a partial cutoff trench, or a key trench to bond the impervious zone of the embankment to the foundation, or construction of stabilizing fill materials for weak foundations. This practice is necessary to ensure the structural integrity of the embankment.

   c. Protection from Piping Failure. The Plan states that this is not applicable as there is no piping involved. The term "piping" is an engineering term used in the design of small earthen embankments and soil science. It refers to the process of erosion through the interior of an earthen embankment caused from seepage. Failure to design an earthen embankment to prevent piping from occurring threatens the structural integrity of the impoundment.

d. Crest Detail. The Plan states that the crest of the embankment is three to four feet wide and 3 feet in height, the surface of which consists of native sandy soil material. Such material is not protective against damage from wave splash/spray and storm water runoff. Further, the small width for the embankments that are roughly four to eight feet high suggests the embankment slopes are quite steep for the loose sandy soil and susceptible to erosion and, eventually, failure.

e. Crest Drainage. The Plan notes the slope of the crest is 60-degrees. Perhaps this is the slope of the embankment? Either way, the natural angle of repose for cohesionless soils (sandy material) is 30 to 45 degrees. This indicates the embankments are too steep and will erode. Signs of erosion are documented in the photographs submitted with the Plan and in Water Board photographs of the site.

The Plan also notes that sandbags will be placed on the embankment face in the event erosion control is needed. There is no analysis provided for the quantity of sandbags that will be needed and whether such quantity of sandbags exists on the site. Furthermore, there is no information provided indicating where drainage from the crest will be directed and managed – whether it will be directed into the ponds or down the embankments' outer faces.

f. Interior Slope Protection Methods. The Plan states that sandbags will be placed along the embankment face if necessary, and plastic sheeting may also be placed. Placing sandbags within the interior of the ponds does not seem practical. Current photographs document internal pond erosion resulting from wave action, which threatens the integrity of the embankments. Slope protection is typically addressed by installing a stable protective barrier such as rip rap, concrete, steel plates, soil cement, etc. Furthermore, the interior slopes should typically be between 2:1 to 4:1 (Horizontal:Vertical) for stability. The flatter slope angles typically negate the need for additional slope protection materials depending upon the embankment material used.

g. Spillway Design Details. The Plan indicates that spillways are not constructed. However, if the ponds do overflow, the areas where the overflow occurs will need to be stabilized to prevent erosion and loss of the overall embankment structures.

h. Earthquake Protection. The Plan does not indicate how the embankments have been designed to maintain structural integrity in the event of an earthquake. If earthen materials are being placed to increase the pond height, this level of protection is imperative. The pervious materials used to construct the embankments are susceptible to underseepage and the forces exerted on the foundation from seepage, causing the materials to be unstable and subject to collapse under the action of an earthquake.

An amended Spill Contingency Management Plan adequately addressing all of the above-referenced issues must be submitted to this office as soon as possible. Water Board staff is evaluating the Authority's response to the Order and overall situation. Continued non-compliance with the Order and Water Board Orders No. R6V-2002-050 and No. R6V-2009-0036 will result in additional enforcement action, which may include assessing administrative civil liabilities. The potential liability the Water Board could assess against the Authority continues to increase with each day of non-compliance.

Please contact Eric Taxer at (530) 542-5434, or Scott Ferguson at (530) 542-5432 if you have any questions regarding this matter.

Lauri Kemper, P.E.
Assistant Executive Officer

cc: Regional Board Members
Adelanto City Council
D. James Hart, Ph.D., City Manager/City of Adelanto
Wilson So/So & Associates Engineers, Inc.
Mike Perales/United Water
Roger Vesely/United Water
San Bernardino County EPA/Joan Mulcare
Harold J. Singer/Lahontan Regional Water Quality Control Board
Cindi Mitton/Lahontan Regional Water Quality Control Board
John Morales/Lahontan Regional Water Quality Control Board
Eric Taxer/Lahontan Regional Water Quality Control Board
Laura Drabandt/State Water Resources Control Board, Office of Enforcement
Kim Niemeyer/State Water Resources Control Board, Office of Chief Counsel

EJT/ T:Adelanto WWTP/Adelanto WWTF, Spill Contingency Managemetn Plan Response-final, 2010-11-05 EJT
File: SLT – WDID No. 6B369805001
VVL – WDID No. 6B369805001

California Regional Water Quality Control Board
Lahontan Region

Linda S. Adams
Secretary for Environmental Protection

2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
(530) 542-5400 • Fax (530) 544-2271
www.waterboards.ca.gov/lahontan

Arnold Schwarzenegger
Governor

November 19, 2010

John Sponsler, Director
Adelanto Public Utility Authority
11600 Air Expressway
Adelanto, CA 92301
jsponsler@ci.adelanto.ca.us

NOTICE OF VIOLATION OF CLEANUP AND ABATEMENT ORDER NO. R6V-2010-0054: DEFICIENT FINAL REPORT FOR THE ADELANTO PUBLIC UTILITY AUTHORITY WASTEWATER TREATMENT PLANT, ADELANTO, SAN BERNARDINO COUNTY, WDID NO. 6B369805001

Lahontan Regional Water Quality Control Board (Water Board) staff has reviewed the Final Report submitted to this office on November 12, 2010. The Final Report was submitted by the Adelanto Public Utility Authority (Authority) in response to Cleanup and Abatement Order No. R6V-2010-0054 (Order), issued on November 1, 2010.

Paragraph I.D. of the Order requires the Authority to submit a Final Report that describes the actions taken to comply with the requirements imposed by the Order and that documents compliance with the Authority's implementation of the Spill Contingency Management Plan and its amendments (Paragraph I.C. of the Order). The Water Board listed specific items in its November 5, 2010 Notice of Violation to you which required you to amend the Spill Contingency Management Plan and to implement the amendments.

The Final Report is deficient and does not satisfy the requirements of the Order for the following reasons.

1. The Authority was required to amend the Spill Contingency Management Plan to include an evaluation of the use of Public Service Announcements and Reverse 911 calls to inform the affected population of the urgency to immediately and significantly reduce water use and subsequently wastewater discharges. The Final Report does not provide any documentation that this was completed. Instead, the Final Report states that Public Service Announcements will be completed, "...in the event this becomes necessary." There is no boundary provided for determining when it is necessary. The Water Board firmly believes violating minimum freeboard requirements contained in the permit creates the necessity.

Furthermore, the Final Report states that the City has no reverse 911 system. The San Bernardino County Sheriff's Public Affairs Division informed State Water Board staff that San Bernardino County has a reverse 911 system. The Adelanto Police Department further verified to State Water Board staff that the Department has a contract with the San Bernardino County Sherriff's Office to use the County's reverse 911 system for the Adelanto Police and Fire Departments. Again, Water Board staff firmly believes violating minimum freeboard requirements contained in the permit creates the necessity to implement a reverse 911 call system to immediately reduce flows until compliance is achieved.

2. The Spill Contingency Management Plan proposed to increase diversion flows from 907,500 gallons per day (gpd) to 965,400 gpd. The Water Board's November 5, 2010 Notice of Violation required the Authority to amend the plan to evaluate why the total available diversion capacity of 1,300,000 gpd was not being used. The Final Report documents that the total diversion rate remained at 907,500 gpd at the time the report was submitted, but that permission was received to increase the rate. The Final Report does not document compliance with the required amendment to evaluate the ability to increase diversion flows to 1,300,000 gpd, and to do so if feasible.

   The Authority's November 12, 2010 weekly report did reflect that 1,080,000 gpd were being diverted, but that diverting 1,300,000 gpd was not feasible due to the need to maintain the treatment system biological life and to prevent oil and grease from being diverted. However, no explanation for increasing the diversion stream at the effluent end of the treatment system (prior to pond discharge) was provided, nor was an explanation of oil and grease concerns provided.

3. The Authority was required to amend its Spill Contingency Management Plan to provide information regarding the structural integrity and structural stability of the modified pond embankments (additional soil material was deposited on existing embankments to increase the height and storage capacity of the ponds). The Authority was also required to amend its Spill Contingency Management Plan to provide information regarding the percolation rates for the six trenches that were installed through the embankment of Pond No. 4.

   The Final Report states that the Authority has completed modifying Percolation Ponds Nos. 1, 3, and 4 by adding, "...dirt to the existing banks to add additional freeboard...Riprap was applied to the eastside bank of PP#1 to prevent wave erosion." There is no information provided to indicate that the additional material used to build up the pond heights has any sort of structural integrity that would prevent a catastrophic breach of the respective ponds. Additionally, the submitted photograph of the rip rap installed within Pond No. 1 shows that the rip rap was not placed consistently throughout the embankment face, which brings the rip rap's effectiveness into question.

The Final Report also notes that a total of thirteen trenches (18-feet deep, 20-feet long) have been cut into and from the east side of Pond No. 4 to accelerate the percolation. There is no information that the trenches provide an alternative disposal method for safe storage capacity, as required by the Order, nor is there information provided on the percolation rates of the trenches.

Furthermore, the Water Board did not authorize the construction of the seven additional trenches along Pond No. 4. The Water Board's November 4, 2010 letter accepting temporary percolation/seepage trenches was only for the installation of the trenches on the proposed Pond No. 5 site. The trench installation proposal for the proposed Pond No. 5 site was to be fully described within the Spill Contingency Management Plan prior to installation. The Water Board's November 4, 2010 letter specifically excluded trench installation in any other location and required additional approval for any such proposal. The discharges of wastewater to the seven additional trenches are therefore an unauthorized discharge of waste that is not allowed by existing Waste Discharge Requirements.

With respect to the material excavated during trench construction, the Final Report provides information that all trenched material was deposited on site. Although the trenches were dug from the far end of the trench toward the pond to minimize contact with wastewater, no information is submitted documenting that the soil in contact with the wastewater was segregated from the soil that had no such contact. Therefore, all excavated soil may need to be appropriately managed and disposed.

4. The Final Report states that four to six trenches (each 25-feet deep, 30-feet long, and 10-feet wide) may be installed within the proposed Pond No. 5 site should the existing percolation ponds be in danger of overflowing. Effluent would be pumped and distributed to the trenches. No information is provided to define at what level the existing ponds would be considered to be in danger of overflowing, and no consideration is given to determine how long it would take to implement this option once the ponds are considered to be in danger of overflowing. Furthermore, the Final Report fails to provide a response to the following information that was required to be addressed within an amendment to the Spill Contingency Management Plan:

   - percolation rates within the stockpiled soil area, considering the material has been consolidated by heavy equipment;
   - storage capacity/disposal capacity within the stockpiled soil area;
   - disposal and/or stabilization plans for all excavated soil; and
   - slope stability and installed erosion control measures for any proposed stockpiled soil material.

   For the off-site disposal alternative, the Final Report states that, at a maximum, 150,000 gallons of treated wastewater would overflow from Pond No. 4-South before repair actions could be completed to Pond No. 4-South. The overflow volume is estimated to impact 210,000 square feet within an adjacent 10-acre parcel, and the parcel does not contain any ephemeral channels, desert washes, or roadside ditches. The Final Report must include a description of the repairs and repair time frame that were considered in determining the potential overflow volume. Also, a map of the spill area must be provided so that Water Board staff can verify whether any drainage features may be present within the potentially-affected area. Additionally, the Final Report must identify where the discharged wastewater would flow to if it were to migrate beyond the 10-acre parcel's boundaries.

5. The Final Report adequately addresses the safe transfer of wastewater to alternative on-site disposal areas. Pump size(s) and piping will be determined by the vendor supplying the pump and pipe line material based upon site-specific hydraulic considerations.

6. The Authority was required to provide additional information needed to demonstrate that the pond embankments as originally constructed and as modified are structurally sound to withstand the hydraulic forces from the high pond levels and weather and geologic forces. Adequate information was not provided as required.

   a. Embankment Foundation Design Details. The Final Report notes that the Authority does not have design details for any of the constructed ponds. The Final Report also states that the additional loose sandy soil used to increase pond height was compacted primarily only along the north side of Ponds Nos. 3 and 4. The height of the ponds was increased three feet at their lowest levels – it is inferred that all ponds were increased in height, although no such verification is provided. As noted in the Water Board's November 5, 2010 Notice of Violation, the loose sandy soil is susceptible to seepage, erosion, and failure, and the soil may become unstable and collapse under the action of a dynamic load, vibration, or shock – all of which may cause the foundation to behave as a liquid unless properly designed.

   b. Embankment/Foundation Bonding Details. The Water Board's November 5, 2010 letter noted the Authority's confusion regarding the use of the term "bonding" in reference to securing embankments to their foundations. We clarified that bonding refers to either installing a cutoff trench, a partial cutoff trench, or a key trench to bond the impervious zone of the embankment to the foundation, or construction of stabilizing fill materials for weak foundations. This practice is necessary to ensure the structural integrity of the embankment. Regardless, the Final Report notes that the embankments have not been secured to their foundations (if such foundations even exist), and proposes to provide the security by installing a shallow trench in the roadways between the ponds and filling the trenches with native material to a 3-foot (or less) height. Water Board staff recommends that the Authority contact staff to discuss this matter in more detail, so that the Authority has an accurate understanding of what information is necessary to comply with this section.

c. Protection from Piping Failure. The Final Report notes that the embankments have not been designed to protect against piping. Although rip rap was placed on two of the ponds, rip rap does not protect against piping per se. The Final Report notes that protection against piping impacts will be implemented in the future when the ponds can be reconstructed and rehabilitated.

d. Crest Detail. The Final Report states that the crest surface is native sandy material, and 18 boxes of six-mil plastic sheeting (20 feet by 100 feet) exists to cover the embankment crests should the need arise. The Final Report needs to indicate at what point such need to cover the crest is determined, whether the 18 boxes of plastic sheeting are adequate, and the length of time needed to install and secure the sheeting to the embankment crest. This information is needed to determine whether the option of covering the crest is viable.

e. Crest Drainage. The Final Report still notes that the slope of the crest is 60-degrees downward and that sandbags will be used should erosion control be necessary. The Water Board's November 5, 2010 NOV noted that the slopes exceed the natural angle of reposes and will erode, which was supported by photographic evidence of erosion. The NOV required an analysis to verify the quantity of sandbags that will be needed and whether such quantity of sandbags exists on the site. The NOV also required information to indicate where drainage from the crest will be directed and managed – whether it will be directed into the ponds or down the embankments' outer faces. This information was not provided.

f. Interior Slope Protection Methods. The Final Report notes that rip rap was applied to the eastside bank of PP#1 to prevent wave erosion. The submitted photograph of the rip rap installed within Pond No. 1 shows that the rip rap was not placed consistently throughout the embankment face. No information was provided for the other ponds.

g. Spillway Design Details. The Final Report states rip rap and sandbags will be placed along the southeast corner of Pond No. 4-South to control the overflow in the event an overflow occurs. However, no analysis is provided to verify the materials are available, the length of time needed to install a stabilized spillway, and at what point a decision will be made that an overflow may occur so that the spillway can be quickly constructed.

h. Earthquake Protection. The Final Report does not indicate that the embankments as constructed and modified have been constructed to withstand earthquakes. Instead, the Final Report includes measures to deploy sandbags, rip rap, plastic sheeting, etc., in the event of an earthquake. The intent of ensuring that the embankment modifications have been designed and constructed to withstand earthquakes is to prevent embankment damage and failure. Having repair materials available does not satisfy this objective. If the Authority is unable to construct the embankment modifications to current construction standards, then the Final Report must identify if and when the embankment modifications will be upgraded to meet current construction standards.

An amended Final Report adequately addressing all of the above-referenced issues must be submitted to this office as soon as possible. This is to be a separate and distinct document from the amended Spill Contingency Management Plan that is required by the Water Board's November 5, 2010 Notice of Violation. Water Board staff is evaluating the Authority's response to the Order and overall situation. Continued non-compliance with the Order and Water Board Orders No. R6V-2002-050 and No. R6V-2009-0036 will result in additional enforcement action, which may include assessing administrative civil liabilities. The potential liability the Water Board could assess against the Authority continues to increase with each day of non-compliance.

Please contact Eric Taxer at (530) 542-5434, or Scott Ferguson at (530) 542-5432 if you have any questions regarding this matter.

Lauri Kemper

Lauri Kemper, P.E.
Assistant Executive Officer

cc: Regional Board Members
Adelanto City Council
D. James Hart, Ph.D., City Manager/City of Adelanto
Wilson So/So & Associates Engineers, Inc.
Todd Liftin, Attorney, City of Adelanto
Mike Perales/United Water
Roger Vesely/United Water
San Bernardino County EPA/Joan Mulcare
Harold J. Singer/Lahontan Regional Water Quality Control Board
Cindi Mitton/Lahontan Regional Water Quality Control Board
John Morales/Lahontan Regional Water Quality Control Board
Eric Taxer/Lahontan Regional Water Quality Control Board
Laura Drabandt/SWRCB, Office of Enforcement (via email)
Kim Niemeyer/SWRCB, Office of Chief Counsel (via email)

EJT/clhT: Adelanto WWTF, Adelanto WWTF, Final Report Review, 2010-11-17 EJT
File Under: SLT Office-WDID No. 6B369805001 (With Eric)
File Under: VVL Office-WDID No. 6B369805001

EXHIBIT NO. 8

6B36980500/

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: "'rvesely@aquarionops.com'" <rvesely@aquarionops.com>
CC: "'JMMorales@waterboards.ca.gov'" <JMMorales@waterboards.ca.gov>, "'mike....
Date: 9/29/2010 9:37 AM
Subject: Re: Exceeded freeboard on Ponds #3 and #4 N

Ok. Thanks Roger,
We do have permission from VVWRA to divert up to 1.3 mgd to them. This also includes the effluent.
-John Sponsler

**Sent from my BlackBerry

----- Original Message -----
From: Vesely, Roger <rvesely@aquarionops.com>
To: John Sponsler
Cc: jmmorales@waterboards.ca.gov <jmmorales@waterboards.ca.gov>; Perales, Mike <Mike.Perales@UnitedWater.com>; Savage, Vic <Vic.Savage@UnitedWater.com>; Wilson So (External)
Sent: Wed Sep 29 09:19:07 2010
Subject: Exceeded freeboard on Ponds #3 and #4 N

John and Wilson,

This is a serious condition we are in violation of this permit. We exceeded the freeboard in pond #3 and #4 North. Pond #1 at 3', #2 at 2', and #4 South at 4'. We need pond #5 to be dug out now! I am calling the regional Board to report the permit violation.

ROGER VESELY

Chieef Plant Operator

Adelanto WWTP

UNITED WATER

PO Box 771

19101 Jonathan Street

Adelanto, Ca 92301

Ph: 760-246-1149

Fax: 760-246-5899

Cell: 951-505-9234

Email: Roger.Vesely@Unitedwater.com

Making the planet sustainable is the best job on Earth.

Please think twice before printing this e-mail.

6B369805001

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: "'JMMorales@waterboards.ca.gov'" <JMMorales@waterboards.ca.gov>
CC: "Wilson So (External)" <wilsonso@saeinc.org>, "'cmitton@waterboards.ca.g...
Date: 9/30/2010 12:20 PM
Subject: Re: Adelanto Violations - Free Board

John,

I will need to meet with City and United Water staff on Monday before I can give you a definitive course of action.

Tentative immediate courses of action involve dredging the existing ponds and reducing our use of polymers.

Long term course of action involves purchasing adjacent land and constructing pond #5 as well additional ponds.

As was stated in Mondays email, we are diverting our maximum allowed rate of raw to VVWRA.

Thanks,
-John Sponsler

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----- Original Message -----
From: John Morales <JMMorales@waterboards.ca.gov>
To: John Sponsler
Cc: Wilson So (External); Cindi Mitton <cmitton@waterboards.ca.gov>
Sent: Thu Sep 30 11:32:30 2010
Subject: Adelanto Violations - Free Board

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These are effluent, flow and disposal violations to Board Order Nos. R6V-2002-050 and R6V-2009-0036.

Please note that these violations are serious to the extent that the APUA is in chronic violations with these lingering issues.

The Regional Water Board office is interested in your evaluation of alternatives that may be feasible and possible to implement.

Please advise how you plan to remediate these violations and provide your best anticipated time schedule when these issues will be resolved both in the interim and in the long term time frames.

Thank you,

John Morales, P.E.
Water Resources Control Engineer
CA Regional Water Quality Control Board

Lahontan Region (6B)
14440 Civic Drive, Suite 200
Victorville, Ca 92392
Phone: (760) 241-7366
Fax: (760) 241-7308
email:jmmorales@waterboards.ca.gov
web:http://www.waterboards.ca.gov

6B369805001

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: "'JMMorales@waterboards.ca.gov'" <JMMorales@waterboards.ca.gov>
CC: James Hart <jhart@ci.adelanto.ca.us>, "Wilson So (External)" <wilsonso@s...
Date: 10/4/2010 2:13 PM
Subject: RE: Adelanto Violations - Free Board

Good morning John,

In response to your question, the City will remedy this violation in two ways and asks for the Regional Boards' concurrence and approval to proceed;

1). The City plans to construct, as a minimum, 2 60' deep leach(seepage) pits located to the immediate west of Percolation Ponds #1 and #2. Pits will be constructed within the property area of the treatment plant. The pits will be used to contain/percolate secondary effluent. The effluent will be pumped from the traveling bridge sand filters via an above ground plastic pipeline. The effluent will join the waters contained within the upper zone of the aquifer which is not considered to be a potable source of water. The City will alternate between the two leach pits.

If successful, additional pits may be constructed within the confines of the treatment plant facility. Leach pits have proven to be an effective means of water disposal and, when properly operated, should provide relief for a number of years.

2). The City, through an outside contractor, will clean and remove the solids from Percolation Ponds #1 and #4 (#3 may be included as well). The contractor is in the process of locating and procuring (at his own expense) equipment necessary to perform this task. The solids will be removed to two areas within the facility for drying. Once dried and tested, the solids may be removed to an outside landfill or composting facility. Once these percolation ponds are cleaned, the ponds should percolate for approximately 1 year at current effluent conditions before cleaning is again required.

Through these efforts, the City will "buy time" until outside, adjacent land is procured and Percolation Pond #5, as well as other percolation ponds, is constructed. The City's engineer, Wilson So, has previously briefed the Regional Board on the status of the land acquisition and Percolation Pond #5.

Effluent quality is the key to the success of these 2 remedies. As the City continues to divert 1.3 MGD of raw influent to the Victor Valley Wastewater Reclamation Authority, the current Biolac wastewater treatment facility operates/treats as designed. Therefore, the City's effluent quality is within WDR specifications and should percolate with acceptable results.

If approved by the Regional Board, the City desires to begin construction on the 2 leach pits within the month of October 2010. If the equipment can be procured and quickly transported back to the City, the City desires to begin cleaning operations no later than the end of November 2010.

Thank you,

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92311
(760)246-2300 x 3006
(760)578-4297 cell
(760)246-3242 fax

City Hall is open Monday - Thursday from 7:00 a.m. until 6:00 p.m. City Hall is closed every Friday and Holidays.

-----Original Message-----
From: John Sponsler
Sent: Thursday, September 30, 2010 12:19 PM
To: 'JMMorales@waterboards.ca.gov'
Cc: 'wilsonso@saeinc.org'; 'cmitton@waterboards.ca.gov'; 'roger.vesely@unitedwater.com'; 'mike.perales@unitedwater.com'
Subject: Re: Adelanto Violations - Free Board

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As was stated in Mondays email, we are diverting our maximum allowed rate of raw to VVWRA.

Thanks,
-John Sponsler

**Sent from my BlackBerry

----- Original Message -----
From: John Morales <JMMorales@waterboards.ca.gov>
To: John Sponsler
Cc: Wilson So (External); Cindi Mitton <cmitton@waterboards.ca.gov>
Sent: Thu Sep 30 11:32:30 2010
Subject: Adelanto Violations - Free Board

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Please note that these violations are serious to the extent that the APUA is in chronic violations with these lingering issues.

The Regional Water Board office is interested in your evaluation of alternatives that may be feasible and possible to implement.

Please advise how you plan to remediate these violations and provide your best anticipated time schedule when these issues will be resolved both in the interim and in the long term time frames.

Thank you,

John Morales, P.E.

Water Resources Control Engineer
CA Regional Water Quality Control Board
Lahontan Region (6B)
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email:jmmorales@waterboards.ca.gov
web:http://www.waterboards.ca.gov

6B369805001

ɔhn Morales - RE: Adelanto olations - Free Board

:	John Morales
ɔ:	Sponsler, John
ate:	10/4/2010 4:03 PM
ubject:	RE: Adelanto Violations - Free Board
C:	(External), Wilson So; Hart, James; 'mike.perales@unitedwater.com'; Mitton, Cindi; 'roger.vesely@unitedwater.com'

ɔhn,

hank you for your response to my request for a remediation action plan regarding the effluent, flow and disposal concerns.

Inder Board Order No. R6V-2002-050, sub-sections 1.D.1 and 1.D.2,the Order states as follows:

1. *There shall be no discharge, bypass, or diversion of raw or partially treated sewage, sewage sludge, grease, or oils from the collection, transport, treatment, or disposal facilities to adjacent land areas or surface waters.*
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Please advise as to the approach that the City of Adelanto will adopt to remediate these violations.

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>>> John Sponsler <jsponsler@ci.adelanto.ca.us> 10/4/2010 2:11 PM >>>

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R. Sponsler
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From: John Sponsler
Sent: Thursday, September 30, 2010 12:19 PM
To: 'JMMorales@waterboards.ca.gov'
Cc: 'wilsonso@saeinc.org'; 'cmitton@waterboards.ca.gov'; 'roger.vesely@unitedwater.com'; 'mike.perales@unitedwater.com'
Subject: Re: Adelanto Violations - Free Board

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hn Sponsler
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nt: Thu Sep 30 11:32:30 2010
ıbject: Adelanto Violations - Free Board

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Victorville, Ca 92392
Phone: (760) 241-7366
Fax: (760) 241-7308
email:jmmorales@waterboards.ca.gov
web:http://www.waterboards.ca.gov

ohn Morales - Fwd: RE: Ad..anto Violations - Free Board

:	Cindi Mitton
'o:	Plaziak, Mike
)ate:	10/5/2010 8:30 AM
;ubject:	Fwd: RE: Adelanto Violations - Free Board

/ike,
\delanto is now having problems with freeboard because its ponds don't perc well. It does not have the capacity to take any)f the ponds offline to clean them. Now John Sponsler is asking to construct seepage pits on the plant property. We have aken the position that seepage pits are not authorized by the existing orders and would not be a permitted disposal location.
'hanks,
:indi

>>> John Sponsler <jsponsler@ci.adelanto.ca.us> 10/4/2010 4:27 PM >>>

[ohn,

Γhe seepage pits are not off site into adjacent land areas or surface waters. The City is asking to construct these ;eepage pits within the confines of the treatment plant adjacent to the existing percolation ponds. The effluent meets :he WDR requirements for secondary effluent so it is not raw or partially treated sewage. It is the same effluent as is)eing disposed of in the percolation ponds and the same effluent as is being percolated into the aquifer.

se reconsider the use of the seepage pits.

Γhanks,

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92311
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From: John Morales [mailto:JMMorales@waterboards.ca.gov]
Sent: Monday, October 04, 2010 4:04 PM
To: John Sponsler
Cc: James Hart; Wilson So (External); 'mike.perales@unitedwater.com'; 'roger.vesely@unitedwater.com'; Cindi Mitton
Subject: RE: Adelanto Violations - Free Board

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000173

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From: John Morales
To: Mitton, Cindi
CC: Plaziak, Mike
Date: 10/5/2010 11:55 AM
Subject: Fwd: RE: Adelanto Violations - Free Board
Attachments: RE: Adelanto Violations - Free Board

Cindi,

In talking with John Sponsler this morning, I inquired on other alternatives the City has considered to remedy the free board violations in their existing percolation ponds.

John responded that the only alternatives they have considered are the ones listed in the attached e-mail. These alternatives are :
To construct two 60 foot deep leach seepage pits located within the treatment plant boundaries
Purchase their own dredging equipment to scour the bottom of the existing percolation ponds.
I also inquired with John on using percolation pond No. 5, since this pond is located within the treatment plant boundaries plus it is already permitted. John replied that percolation pond No. 5 is not yet excavated. In order to excavate this pond, they need to purchase land to dispose of the removed soil.

I also inquired with John if there is any other existing infrastructure that they can use to divert flow to VVWRA. Perhaps the infrastructure used when Adelanto belonged to the Joint Powers Agreement (JPA) at VVWRA. John said that the infrastructure they are currently using to divert wastewater to VVWRA is the only infrastructure that connects Adelanto to VVWRA. The pipeline(s) that is currently being used to divert to VVWRA is the pipeline used when Adelanto was part of the the JPA.

John is insisting on Lahontan allowing the construction of the leach seepage pits as a temporary means to comply with the WDRs as temporary basis. When asked about the duration for the temporary use of the leach pits, John anticipated approximately a 15 month use. The construction of these pits entail the lining of the embankments for integrity purposes. John said that if Lahontan allows them to proceed with the pits, they could start the construction within this month of October, but is unsure as to the duration of the construction.

As of yesterday, two percolation ponds are still in free board violation (under 2 feet).

I told John that I would get back to him after obtaining direction from my management.

Thanks,

Eric Taxer - Adelanto In case of a Spill and Freeboard 10-26-2010

From: "Vesely, Roger" <rvesely@aquarionops.com>
To: John Sponsler <jsponsler@ci.adelanto.ca.us>
Date: 10/26/2010 5:45 PM
Subject: Adelanto In case of a Spill and Freeboard 10-26-2010
CC: "Savage, Vic" <Vic.Savage@UnitedWater.com>, "Linder, Tommy" <Tommy.Linder@UnitedWater.com>, "Perales, Mike" <Mike.Perales@UnitedWater.com>, <wilsonso@saeinc.org>, <jmmorales@waterboards.ca.gov>

John, freeboard for 10-26-2010 at 5:00 pm.

Percolation Pond #	Freeboard (feet)
1	1.3
2	1.0
3	0.5
4N	0.8
4S	1.5

In the event of a spill into the surrounding area we will need :

1. Traffic control (barricades, etc.)
2. Chlorine tablets and dispensers (disinfection).
3. Septic pumper trucks and clean-up crew
4. Need to move earth to berm and contain the water to a specific area.

Any other ideas ? I tried to contact Stan Roland for the last 2 days just get his voice mail.

ROGER VESELY
Chieef Plant Operator
Adelanto WWTP

UNITED WATER
PO Box 771
19101 Jonathan Street
Adelanto, Ca 92301
Ph: 760-246-1149
Fax: 760-246-5899
Cell: 951-505-9234
Email: Roger.Vesely@Unitedwater.com

UNITEDWATER.COM

Making the planet sustainable is the best job on Earth.
Please think twice before printing this e-mail.

Eric Taxer - RE: Adelanto In case of a Spill and Freeboard 10-26-2010

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: 'John Morales' <JMMorales@waterboards.ca.gov>, "'Vesely, Roger'" <rvesely@aquarionops.com>
Date: 10/27/2010 8:25 AM
Subject: RE: Adelanto In case of a Spill and Freeboard 10-26-2010
CC: "Wilson So (External)" <wilsonso@saeinc.org>, "Linder, Tommy" <Tommy.Linder@UnitedWater.com>, "Mitton, Cindi" <cmitton@waterboards.ca.gov>, "Perales, Mike" <Mike.Perales@UnitedWater.com>, "Plaziak, Mike" <mplaziak@waterboards.ca.gov>, "Savage, Vic" <Vic.Savage@UnitedWater.com>

They are requiring payment up front for this job. The contract came in the form of an estimate. The City normally does not pay off of an estimate; we pay off invoices. However, I submitted a check request this morning for processing and I have been told it will be processed and sent out to them this week. They are to submit their invoice and completed W-9 today.

They are moving to get their equipment in place so they can transport it up here, but it looks like they are still looking at that 31 October timeframe.

Meanwhile, if we have to buy time with building up the banks, than that's what we will do.

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92311
(760)246-2300 x 3006
(760)578-4297 cell
(760)246-3242 fax

City Hall is open Monday - Thursday from 7:00 a.m. until 6:00 p.m. City Hall is closed every Friday and Holidays.

From: John Morales [mailto:JMMorales@waterboards.ca.gov]
Sent: Wednesday, October 27, 2010 8:09 AM
To: John Sponsler; 'Vesely, Roger'
Cc: Wilson So (External); Linder, Tommy; Mitton, Cindi; Perales, Mike; Plaziak, Mike; Savage, Vic
Subject: RE: Adelanto In case of a Spill and Freeboard 10-26-2010

John,

What is the status of the dredging contract that you have with RDS Underwater Works?

From your last e-mail, you provided a copy of the estimate from Underwater Works and provided direction to them requesting that they begin the dredging process by no later than October 31, 2010.

Since the freeboard on the ponds are nearing an overflow, what has been done to expedite the dredging process?

Please advise.

Thanks,

John Morales, P.E.
Water Resources Control Engineer
CA Regional Water Quality Control Board
Lahontan Region (6B)
14440 Civic Drive, Suite 200
Victorville, Ca 92392
Phone: (760) 241-7366
Fax: (760) 241-7308
email:jmmorales@waterboards.ca.gov
web:http://www.waterboards.ca.gov

>>> John Sponsler <jsponsler@ci.adelanto.ca.us> 10/27/2010 7:19 AM >>>
Good morning Roger,

I will get you the chlorine tabs.

Since you can't get in touch with Stan, you can use the backhoe and build up the berms. It may take some time to do but it can be done. I will have one of my guys with our backhoe help out. I will send him out at 9 am and you can direct him as needed.

Thanks,

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92311
(760)246-2300 x 3006
(760)578-4297 cell
(760)246-3242 fax

City Hall is open Monday - Thursday from 7:00 a.m. until 6:00 p.m. City Hall is closed every Friday and Holidays.

From: Vesely, Roger [mailto:rvesely@aquarionops.com]
Sent: Tuesday, October 26, 2010 5:45 PM
To: John Sponsler
Cc: Savage, Vic; Linder, Tommy; Perales, Mike; Wilson So (External); jmmorales@waterboards.ca.gov
Subject: Adelanto In case of a Spill and Freeboard 10-26-2010

John, freeboard for 10-26-2010 at 5:00 pm.

Percolation Pond #	Freeboard (feet)
1	1.3

2	1.0
3	0.5
4N	0.8
4S	1.5

In the event of a spill into the surrounding area we will need :

1. Traffic control (barricades, etc.)
2. Chlorine tablets and dispensers (disinfection).
3. Septic pumper trucks and clean-up crew
4. Need to move earth to berm and contain the water to a specific area.

Any other ideas ? I tried to contact Stan Roland for the last 2 days just get his voice mail.

ROGER VESELY
Chieef Plant Operator
Adelanto WWTP

UNITED WATER
PO Box 771
19101 Jonathan Street
Adelanto, Ca 92301
Ph: 760-246-1149
Fax: 760-246-5899
Cell: 951-505-9234
Email: Roger.Vesely@Unitedwater.com

Eric Taxer - Adelanto ponds 10-27-2010

From: "Vesely, Roger" <rvesely@aquarionops.com>
To: "John Sponsler" <jsponsler@ci.adelanto.ca.us>
Date: 10/27/2010 3:39 PM
Subject: Adelanto ponds 10-27-2010
CC: <jmmorales@waterboards.ca.gov>, "Savage, Vic" <Vic.Savage@UnitedWater.com>, "Perales, Mike" <Mike.Perales@UnitedWater.com>, "Linder, Tommy" <Tommy.Linder@UnitedWater.com>, "Khan, Kanwer" <Kanwer.Khan@UnitedWater.com>, <wilsonso@saeinc.org>

John, freeboard for 10-27-2010 at 3:00 pm. We are still holding on.

Percolation Pond #	Freeboard (feet)
1	1.2
2	1.0
3	0.5
4N	1.0
4S	2.0

ROGER VESELY
Chieef Plant Operator
Adelanto WWTP

UNITED WATER
PO Box 771
19101 Jonathan Street
Adelanto, Ca 92301
Ph: 760-246-1149
Fax: 760-246-5899
Cell: 951-505-9234
Email: Roger.Vesely@Unitedwater.com

Eric Taxer - Re: Fwd: Recap Adelanto pond freeboard levels 10-23 to 10-25

From: Cindi Mitton
To: Ferguson, Scott; Taxer, Eric
Date: 10/28/2010 11:29 AM
Subject: Re: Fwd: Recap Adelanto pond freeboard levels 10-23 to 10-25
CC: Morales, John; Plaziak, Mike

Eric,
You are correct. Adelanto has a contract and plans to dredge the ponds in the next few days. Also John will be sending them another email today asking the City what emergency measures are being put in place now.
Thanks,
Cindi

>>> Eric Taxer 10/28/2010 10:15 AM >>>
John - Thanks for the info!

Scott/Cindi - the CDO won't be going out for quite a while, yet. What actions can be immediately taken to prevent a spill? Looks like the ponds have gone well beyond violating freeboard limits and are about to overflow.

ET

Eric J. Taxer, P.E.
Water Resource Control Engineer
Enforcement and Special Projects Unit
Lahontan Regional Water Quality Control Board
2501 Lake Tahoe Boulevard
South Lake Tahoe, California 96150
530-542-5434

"The trouble with the paper chase is that even if you excel it's just a paper gain. "
-Lily Tomlin

Eric Taxer - Recap Adelanto pond freeboard levels 10-23 to 10-25

From: "Vesely, Roger" <rvesely@aquarionops.com>
To: "John Sponsler" <jsponsler@ci.adelanto.ca.us>
Date: 10/25/2010 12:05 PM
Subject: Recap Adelanto pond freeboard levels 10-23 to 10-25
CC: <jmmorales@waterboards.ca.gov>, "Savage, Vic" <Vic.Savage@UnitedWater.com>, "Perales, Mike" <Mike.Perales@UnitedWater.com>, "Linder, Tommy" <Tommy.Linder@UnitedWater.com>, <wilsonso@saeinc.org>

John, This is our recap sheet 10-23 thru 10-25- 2010. We are running out of room fast. We need the city to view the current conditions.

10-23	10-24	10-25	10-26	10-27	10-28	10-29	Pond #
1.0	1.5	1.0					1
1.0	0.5	0.5					2
0.5	3"	3"					3
2"	1.0	0.5					4N
1.0	1.0	1.0					4S
							Pond #
							1
							2
							3
							4N
							4S

ROGER VESELY
Chieef Plant Operator
Adelanto WWTP

UNITED WATER
PO Box 771
19101 Jonathan Street
Adelanto, Ca 92301
Ph: 760-246-1149
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Cell: 951-505-9234
Email: Roger.Vesely@Unitedwater.com

UNITEDWATER.COM

Making the planet sustainable is the best job on Earth.
Please think twice before printing this e-mail.

Eric Taxer - Adelanto Ponds 10-28-2010

From: "Vesely, Roger" <rvesely@aquarionops.com>
To: John Sponsler <jsponsler@ci.adelanto.ca.us>
Date: 10/28/2010 4:36 PM
Subject: Adelanto Ponds 10-28-2010
CC: <jmmorales@waterboards.ca.gov>, "Savage, Vic" <Vic.Savage@UnitedWater.com>, "Perales, Mike" <Mike.Perales@UnitedWater.com>, "Linder, Tommy" <Tommy.Linder@UnitedWater.com>, "Khan, Kanwer" <Kanwer.Khan@UnitedWater.com>, <wilsonso@saeinc.org>

John, freeboard for 10-28-2010 at 4:00 pm. We are still holding on. Piled dirt (berm) from pond 2, 3, and 4N on the North fence line access road.

Percolation Pond #	Freeboard (feet)
1	1.0
2	1.0
3	0.5
4N	1.0
4S	1.5

ROGER VESELY
Chieef Plant Operator
Adelanto WWTP

UNITED WATER
PO Box 771
19101 Jonathan Street
Adelanto, Ca 92301
Ph: 760-246-1149
Fax: 760-246-5899
Cell: 951-505-9234
Email: Roger.Vesely@Unitedwater.com

 000203

Eric Taxer - Re: Adelanto

From: John Morales
To: Ferguson, Scott
Date: 10/29/2010 9:33 AM
Subject: Re: Adelanto
CC: Mitton, Cindi; Plaziak, Mike; Taxer, Eric

Scott,

On October 28, 2010, at 2:28 p.m. I received a call from the Chief plant operator, Roger Vesely of United Water, to inquire on the options available in case of a spill.

Our phone conversation consisted of the following main points:

Roger described that flow diversion to VVWRA consists of two flows staggered from each other. The influent pump used to divert raw sewage from the Adelanto plant to VVWRA comes ON at 8:00 a.m. and transfers sewage for 16 hors at a flow rate of 860 GPM. This rate will yield the 800,000 gallon maximum requirement from the MOU between VVWRA and Adelanto. At 12:30 a.m., another pump turns ON and pumps to VVWRA at a rate of 200 GPM, while the influent pump shuts off.

Roger also said that if the spill occurs, it will spill towards the south-east side of the plant, over the east side fence. According to Roger, the topography is such that the wastewater will flow back towards the west onto the plant boundary.

When I asked Roger of how much longer he anticipates before a spill occurs, Roger said that if it keeps going the way it has been, he anticipates another 5 days from today.

I inquired with Roger if trucking out wastewater from the ponds and disposing of it through a sewer manhole that would lead to VVWRA would be feasible in doing. Roger said that this was not possible because they are up to their allotment of transferring to VVWRA. Roger also said that VVWRA is restricting them from sending wastewater with grease in it; the grease upsets the plant at VVWRA.

I inquired with Roger about wells No. 1 & 2 which are within the vicinity of the where Roger described the possibility of the spill. Roger said that well No. 2 is the well that would pick up the spill.

I advised Roger about undeliverable messages I have been getting whenever I send an e-mail to him. Roger provided his e-mail as roger.vesely@unitedwater.com

Let me know if you need additional information.

Thanks,

John Morales, P.E.
Water Resources Control Engineer
CA Regional Water Quality Control Board
Lahontan Region (6B)
14440 Civic Drive, Suite 200
Victorville, Ca 92392
Phone: (760) 241-7366
Fax: (760) 241-7308
email:jmmorales@waterboards.ca.gov
web:http://www.waterboards.ca.gov

>>> Scott Ferguson 10/29/2010 8:58 AM >>>
John,

Cindi and Mike told me yesterday that Adelanto or United staff had told you yesterday that they had 4 to 5 days before they began to spill. I got the impression that you were provided this info during a conversation as opposed to in writing. Could you please let Eric Taxer and me know who provided you that estimate, confirm that it was verbal or provide the written documentation if written, and when you were provided the information (date and approximate time/time of day)? This information plus the info in other emails you have already provided should provide us the basis we need for issuing the CAO. Hopefully the next thing you see from us will be a draft CAO going for quick legal review. Thank you for your assistance.

FYI-I have seen John Sponsler's email from last evening (5:57 p.m.) discussing building berms and such. At least they are starting to take some action, but I still have concerns that Adelanto has not thought this through.

Scott C. Ferguson, Chief
Enforcement and Special Projects Unit
Lahontan Regional Water Quality Control Board
530-542-5432
Sferguson@waterboards.ca.gov

Eric Taxer - Re: Adelanto recap 10-23 to 11-1 2010

From: John Morales
To: Sponsler, John; Vesely, Roger
Date: 11/1/2010 4:51 PM
Subject: Re: Adelanto recap 10-23 to 11-1 2010
CC: Ferguson, Scott; Linder, Tommy; Mitton, Cindi; Perales, Mike; Savage, Vic; Taxer, Eric; wilsonso@saeinc.org

---

John & Roger,

Thank you for the status information regarding the pond freeboard via the recap sheet below.

Please clarify if the relief channels that were dug to increase surface area or volume. If they were to increase volume, where are the spoils being discharged to? Were these relief channels done only at the periphery of pond No. 4? Did any of the channels overlapped beneath the berm(s)?

On another note, when the dredging does occur on the pond surfaces from RDS Underwater Works, please advise on the following questions:

1. What methods are they using to remove the sludge?
2. Will the sludge be placed on-site prior to disposing of it?
3. What kind of BMPs will there be to contain and prevent run-off from occurring?

Please submit a descriptive summary addressing the above questions and include any other work plan you may have describing the scope of work to be conducted during the dredging, scarifying and disposal of the spoils from the bottom of the ponds.

Thank you,

John Morales, P.E.
Water Resources Control Engineer
CA Regional Water Quality Control Board
Lahontan Region (6B)
14440 Civic Drive, Suite 200
Victorville, Ca 92392
Phone: (760) 241-7366
Fax: (760) 241-7308
email:jmmorales@waterboards.ca.gov
web:http://www.waterboards.ca.gov

>>> "Vesely, Roger" <rvesely@aquarionops.com> 11/1/2010 4:17 PM >>>
John, This is our recap sheet 10-23 thru 11-1- 2010. You got 800 empty sand bags to be filled on Tuesday. Stan compacted the berm area and dug several relief channels off the east side of pond #4 South

10-23	10-24	10-25	10-26	10-27	10-28	10-29	Pond #
			1.3	1.2	1.0	1.0	1

1.0	1.5	1.0					
1.0	0.5	0.5	1.0	1.0	1.0	1.2	2
0.5	3"	3"	0.5	0.5	1.0	1.0	3
2"	1.0	0.5	0.8	1.0	0.5	2"	4N
1.0	1.0	1.0	1.5	2.0	1.5	1.0	4S
10-30	**10-31**	**11-1**					Pond #
1.0	1.5	2.0					1
1.5	1.0	1.0					2
1.2	10"	0.5					3
0.5	1.0	0.5					4N
1.0	1.0	1.5					4S

ROGER VESELY
Chieef Plant Operator
Adelanto WWTP

UNITED WATER
PO Box 771
19101 Jonathan Street
Adelanto, Ca 92301
Ph: 760-246-1149
Fax: 760-246-5899
Cell: 951-505-9234
Email: Roger.Vesely@Unitedwater.com

EXHIBIT NO. 9

Scott Ferguson - Weekly Status Report for Cleanup and Abatement Order for the Adelanto Public Utilities Authority

From:	John Sponsler <jsponsler@ci.adelanto.ca.us>
To:	"'Sferguson@waterboards.ca.gov'" <Sferguson@waterboards.ca.gov>, 'JohnMorales' <JMMorales@waterboards.ca.gov>
Date:	11/8/2010 11:47 AM
Subject:	Weekly Status Report for Cleanup and Abatement Order for the Adelanto Public Utilities Authority
CC:	"'etaxer@waterboards.ca.gov'" <etaxer@waterboards.ca.gov>, James Hart <jhart@ci.adelanto.ca.us>, "Wilson So (External)" <wilsonso@saeinc.org>, "'mike.perales@unitedwater.com'" <mike.perales@unitedwater.com>, "'roger.vesely@unitedwater.com'" <roger.vesely@unitedwater.com>
Attachments:	Adelanto - WWRP Cleanup andAbatement Order Weekly Status Report 11-8-10.doc

Good morning Gentlemen,

Attached is the Cleanup and Abatement Order Weekly Status Report for the APUA.

As I will be out of the office Monday, 15 November, the next status report will be submitted on, or about, 12 November 2010.

Thanks,

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92311
(760)246-2300 x 3006
(760)578-4297 cell
(760)246-3242 fax

City Hall is open Monday - Thursday from 7:00 a.m. until 6:00 p.m. City Hall is closed every Friday and Holidays.

File: Adelanto WWTP - WDID No. 6B36980500.

City of Adelanto

November 2, 2010

California Regional Water Quality Control Board-Lahontan Region
14440 Civic Drive, Suite 200
Victorville, CA 92392-2306
Attn: Mr. John Morales

California Regional Water Quality Control Board-Lahontan Region
2501 South Lake Tahoe Blvd.
South Lake Tahoe, CA 96150
Attn: Mr. Eric Taxer

RE: CLEANUP AND ABATEMENT ORDER NO. R6V-2010-0054, ADELANTO PUBLIC UTILITY AUTHORITY WASTEWATER TREATMENT PLANT AND PERCOLATION PONDS, ADELANTO, SAN BERNARDINO COUNTY, WDID NO. 6B369805001

Gentlemen:

As a follow up to the Lahontan Regional Water Quality Control Board's (hereinafter referred to as RWQCB) Order No. R6V-2010-0054 Adelanto Public Utility Authority (APUA) is pleased to submit this Weekly Status Report to the Cleanup and Abatement Order. The following is a brief update of APUA's actions.

A. The remaining freeboard of each of the four percolation ponds as of the morning of the date the status report is due. The date and time freeboard measurements are recorded by the Discharger must be submitted.

Percolation Pond	Freeboard		Date	Time
			8 Nov 2010	0900
1	2'			
2	0.8'			
3	1'			
4N	1'			
4S	1.5'			

B. A description of the spill containment management measures implemented since the previous status report was submitted. The date, time, purpose and effectiveness of each measure must be submitted.

- Completed 13 trenches (7 ea in Percolation Pond #4N (plus the 6 trenches completed at the date the initial report was submitted on 3 Nov 2010).
- Filled and compacted center divider between PP #4N and #4S. Center is in without any crossover of water.

Purpose is to increase the percolation rate to PP #4. This has helped to remove more water through percolation.

Completed 4 November 2010 @ 1500.

C. The duration and volume of any unauthorized discharge from any of the four percolation ponds that occurs since the previous status report was submitted. The date and time that each unauthorized discharge begins and ends must be submitted, in addition to a description of the unauthorized discharge (e.g., overtopping the pond berm, pumping, berm failure).

No unauthorized discharges occurred since the initial report was submitted.

D. The remaining capacity in gallons, and when applicable, remaining freeboard, for each temporary containment measure as of the morning of the date the status report is due. The date and time such information is obtained must be submitted.

- PP #1, approximately 1.6 MG capacity
- PP#2, approximately .33 MG capacity
- PP#3, approximately .35 MG capacity
- PP#4N, approximately .43 MG capacity
- PP#4S, approximately .91 MG capacity

Taken as of 8 November 2010 at 0900

E. Certification.
"I certify under penalty of perjury under the laws of the State of California that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted, the document and all attachments are, to the best f my knowledge and belief,

true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

We appreciate the continued advice and cooperation of the RWQCB staff. We look forward to providing future updates in weekly status reports. Because I will be out of the office on 15 November 2010, the next weekly status report will be sent on or about 12 November 2010.

Sincerely,

John R. Sponsler
APUA Director

Cc: City Manager
Wilson So, PE City Engineer

000220

Eric Taxer - Cleanup and Abatement Order; Weekly Status Report #2

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: "'Sferguson@waterboards.ca.gov'" <Sferguson@waterboards.ca.gov>, "'etaxer@waterboards.ca.gov'" <etaxer@waterboards.ca.gov>, 'John Morales' <JMMorales@waterboards.ca.gov>
Date: 11/12/2010 5:16 PM
Subject: Cleanup and Abatement Order; Weekly Status Report #2
CC: James Hart <jhart@ci.adelanto.ca.us>, "Wilson So (External)" <wilsonso@saeinc.org>, "'mike.perales@unitedwater.com'" <mike.perales@unitedwater.com>, "'roger.vesely@unitedwater.com'" <roger.vesely@unitedwater.com>
Attachments: Adelanto - WWRP Cleanup andAbatement Order Weekly Status Report #2 11-8-10.doc

---

Good afternoon Gentlemen,

Please find attached the second Weekly Status Report for the Cleanup and Abatement Order.

Please let me know if you have any questions.

Thanks,

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92311
(760)246-2300 x 3006
(760)578-4297 cell
(760)246-3242 fax

City of Adelanto

November 12, 2010

California Regional Water Quality Control Board-Lahontan Region
14440 Civic Drive, Suite 200
Victorville, CA 92392-2306
Attn: Mr. John Morales

California Regional Water Quality Control Board-Lahontan Region
2501 South Lake Tahoe Blvd.
South Lake Tahoe, CA 96150
Attn: Mr. Eric Taxer

RE: CLEANUP AND ABATEMENT ORDER NO. R6V-2010-0054, ADELANTO PUBLIC UTILITY AUTHORITY WASTEWATER TREATMENT PLANT AND PERCOLATION PONDS, ADELANTO, SAN BERNARDINO COUNTY, WDID NO. 6B369805001

Gentlemen:

As a follow up to the Lahontan Regional Water Quality Control Board's (hereinafter referred to as RWQCB) Order No. R6V-2010-0054 Adelanto Public Utility Authority (APUA) is pleased to submit this Weekly Status Report to the Cleanup and Abatement Order. The following is a brief update of APUA's actions.

A. The remaining freeboard of each of the four percolation ponds as of the morning of the date the status report is due. The date and time freeboard measurements are recorded by the Discharger must be submitted.

Percolation Pond	Freeboard		Date	Time
			12 Nov 2010	1300
1	3'			
2	.2'			
3	.5'			
4N	.2'			
4S	2'			

000224

B. A description of the spill containment management measures implemented since the previous status report was submitted. The date, time, purpose and effectiveness of each measure must be submitted.

- Placed riprap along the eastside of PP# 1 to prevent wave erosion.

Purpose is to prevent wave erosion. This has helped to prevent this action.

Completed 10 November 2010 @ 1200.

- Reset pump timers on Influent and Effluent by-pass systems.
  Influent = 19.5 hours x 870 gpm = 1.018 MGD
  Effluent = 5 hours x 210 gpm = 0.063 MGD
  Total: 1.081 MGD

Purpose is to increase the flows to VVWRA which decreases the effluent flows into the Percolation Ponds. The maximum flow of 1.3 MGD is not being diverted to VVWRA due to the need to maintain the APUA's treatment system biological life and to prevent oil and grease from being sent to VVWRA. As the APUA fine tunes the oil and grease issue, more flows may be diverted to VVWRA.

Began 11 November 2010 at 1700.

C. The duration and volume of any unauthorized discharge from any of the four percolation ponds that occurs since the previous status report was submitted. The date and time that each unauthorized discharge begins and ends must be submitted, in addition to a description of the unauthorized discharge (e.g., overtopping the pond berm, pumping, berm failure).

No unauthorized discharges occurred during this reporting period.

D. The remaining capacity in gallons, and when applicable, remaining freeboard, for each temporary containment measure as of the morning of the date the status report is due. The date and time such information is obtained must be submitted.

- PP #1, Not applicable; meeting freeboard requirements
- PP#2, approximately .083 MG capacity
- PP#3, approximately .172 MG capacity
- PP#4N, approximately .086 MG capacity
- PP#4S, Not applicable; meeting freeboard requirements

Taken as of 12 November 2010 at 1300.

E. Certification.

"I certify under penalty of perjury under the laws of the State of California that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted, the document and all attachments are, to the best f my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

We appreciate the continued advice and cooperation of the RWQCB staff. We look forward to providing future updates in weekly status reports. Because I will be out of the office on 15 November 2010, this weekly status report is being sent today, 12 November 2010. The next scheduled weekly status report will be sent, on or before, 22 November 2010 at 1200.

Sincerely,

John R. Sponsler
APUA Director

Cc: City Manager
Wilson So, PE City Engineer

Eric Taxer - RE: Adelanto Public Utility Authority: Review of Weekly Status Reports

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: 'Eric Taxer' <ETaxer@waterboards.ca.gov>
Date: 11/18/2010 6:04 PM
Subject: RE: Adelanto Public Utility Authority: Review of Weekly Status Reports
CC: "jhart@ci.adleanto.ca.us" <jhart@ci.adleanto.ca.us>, "Wilson So(External)" <wilsonso@saeinc.org>, "mike.perales@unitedwater.com" <mike.perales@unitedwater.com>, "roger.vesely@unitedwater.com" <roger.vesely@unitedwater.com>, Cindi Mitton <cmitton@waterboards.ca.gov>, John Morales <JMMorales@waterboards.ca.gov>, Laura Drabandt <LDrabandt@waterboards.ca.gov>, Lauri Kemper <LKemper@waterboards.ca.gov>, Scott Ferguson <SFerguson@waterboards.ca.gov>

Good morning Eric,

Thanks for reviewing the reports. I will attempt to answer your questions for each date.

November 8th:

1. I took the dimensions of each pond and performed a volume calculation for each freeboard reading, which determined how much capacity remained in the ponds before overflowing the banks. I took length x width x depth(freeboard) x 7.48 = remaining capacity. If I should be calculating this differently, please let me know.

2. The 13 trenches are each approximately 20'l x 10'w x 18'deep. Given those dimensions, they each will contain approximately 26,928 gallons for an approximate total of 350,064 gallons. They are working in percolating the water; according to the plant operators, they are percolating water at a rate of approximately 12" per 12 hours. As the ponds are continually being worked, i.e., transferring water from one pond to the other as needed, the levels fluctuate.

3. The divider between Percolation Pond 4N and 4S is an "artificial" divider constructed to divide the pond so one side could be worked while the other perc'd water. If we lose the divider, it is of no consequence to the ponds, only an inconvenience to the operators and the ability to maintain that pond. We built it up because we don't want to lose it; a lot of time and energy went in to its construction. However, the divider is holding and is serving its purpose as a divider.

4. The "November 2" date is a typo. It should have stated November 8, the date I submitted that report. I used the original Cleanup and Abatement Order as a template for submitting my subsequent reports; I forgot to change the date.

November 12th:

2. Please see my explanation in 1. Above.

3. The WWTP has a capacity to treat 1.5 MGD, but it was designed for 1.4 MGD (according to our Chief Plant Operator). We are receiving flows of approximately 2.2 MGD; we are diverting approximately 1.02 MGD raw and .06 MGD effluent, leaving approximately 1.12 MGD through our treatment plant. At this rate, we have been meeting the effluent requirements as per our WDR; our effluent is clear and no solids are spilling over the clarifier weirs into the ponds. The 1.12 MGD is very acceptable to our WWTP. Additionally, this rate provides enough flow to the Micromedia process for them to continue their testing.

   The source of the oil and grease is domestic household. VVWRA requires us not to send O&G to them as it increases their BOD loading and they need to expend extra effort to reduce that loading. As they are the recipient of our flows, we do not want to upset their treatment process, which could jeopardize our diversion to them. At the time the City's WWTP was constructed, the population of Adelanto was approximately 13,000 people; we have since grown to over 28,000 people. You may well be correct; VVWRA may not have experienced O&G issues prior to construction, but the City's additional population has since contributed to the O&G issue.

I hope this answers your questions, but should you have further concerns, please let me know.

Thanks,

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92311
(760)246-2300 x 3006
(760)578-4297 cell
(760)246-3242 fax

City Hall is open Monday - Thursday from 7:00 a.m. until 6:00 p.m. City Hall is closed every Friday and Holidays.

From: Eric Taxer [mailto:ETaxer@waterboards.ca.gov]
Sent: Monday, November 15, 2010 5:19 PM
To: John Sponsler
Cc: jhart@ci.adleanto.ca.us; Wilson So (External); mike.perales@unitedwater.com; roger.vesely@unitedwater.com; Cindi Mitton; John Morales; Laura Drabandt; Lauri Kemper; Scott Ferguson
Subject: Adelanto Public Utility Authority: Review of Weekly Status Reports

John -

I just returned to the office today and reviewed the two weekly status reports submitted so far in response to Cleanup and Abatement Order No. R6V-2010-0054. I have the following comments.

November 8 2010 Report;
1. This report shows freeboard violations in all ponds except Pond No. 1. However, Item D of the report shows that you have remaining capacity in each of the ponds. How is this determined? Is this available capacity before the ponds overflow?

2. Item B states that you installed the 13 trenches. However, you did not provide any information on their effectiveness as required by the Order. What is the additional volume and percolation rates achieved from the additional trenches?

3. Item B also indicates you filled and compacted the center divider between ponds 4 North and South. Again, what is the purpose/effectiveness of this measure?
4. The report is dated November 2, 2010. Does the information actually reflect the conditions of November 8th, which is when the report was required to have been submitted?

November 12, 2010 Report:
1. The Report is due November 15th - thank you for submitting early.

2. This report shows freeboard violations in all ponds except Pond Nos 1 and 4-South. However, Item D of the report shows that you have remaining capacity in each of the ponds that have freeboard violations. Item D also notes that Ponds 1 and 4 South have no available capacity as they are meeting minimum freeboard requirements. How is this determined? The information you are providing is very misleading.

3. Item B reflects 1.08 MGD being diverted to VVWRA, but that full capacity (1.3 MGD) is not being diverted due to the need to maintain the APUA treatment system biological life and to prevent oil and grease from being sent to VVWRA. Please indicate the minimum flow you need to maintain the biological life of the treatment system. Also, please indicate the source of the oil and grease issue. Apparently, the oil and grease was not an issue prior to construction of the APUA treatment plant when all flows were directed to VVWRA.

Thanks,
Eric

Eric J. Taxer, P.E.
Water Resource Control Engineer
Enforcement and Special Projects Unit
Lahontan Regional Water Quality Control Board
2501 Lake Tahoe Boulevard
South Lake Tahoe, California 96150
530-542-5434

"The trouble with the paper chase is that even if you excel it's just a paper gain."
-Lily Tomlin

Eric Taxer - RE: Cleanup and Abatement Order; Weekly Status Report

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: 'John Morales' <JMMorales@waterboards.ca.gov>, "Taxer, Eric" <ETaxer@waterboards.ca.gov>
Date: 11/22/2010 11:45 AM
Subject: RE: Cleanup and Abatement Order; Weekly Status Report
CC: "Wilson So (External)" <wilsonso@saeinc.org>, "Ferguson, Scott" <SFerguson@waterboards.ca.gov>, James Hart <jhart@ci.adelanto.ca.us>, "mike.perales@" <unitedwater.com mike.perales@unitedwater.com>, "Mitton,Cindi" <cmitton@waterboards.ca.gov>, "roger.vesely@" <unitedwater.com roger.vesely@unitedwater.com>
Attachments: Adelanto - WWRP Cleanup andAbatement Order Weekly Status Report 11222010.doc

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All,

Please find attached a revised status report. The freeboard reading for pond # 4N was erroneously listed as .2'. The correct reading is 2'. The narrative is correct however.

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92311
(760)246-2300 x 3006
(760)578-4297 cell
(760)246-3242 fax

City Hall is open Monday - Thursday from 7:00 a.m. until 6:00 p.m. City Hall is closed every Friday and Holidays.

From: John Morales [mailto:JMMorales@waterboards.ca.gov]
Sent: Monday, November 22, 2010 11:36 AM
To: John Sponsler; Taxer, Eric
Cc: Wilson So (External); Ferguson, Scott; James Hart; mike.perales@; Mitton, Cindi; roger.vesely@
Subject: Re: Cleanup and Abatement Order; Weekly Status Report

John,

Under the impression that dredging of the ponds has begun, the attached report shows that the freeboard for pond 4N shows a .2 feet of freeboard. Is this a discrepancy or is this pond ready to overflow?

Please advise.

Thanks,

John Morales, P.E.
Water Resources Control Engineer
CA Regional Water Quality Control Board
Lahontan Region (6B)
14440 Civic Drive, Suite 200
Victorville, Ca 92392
Phone: (760) 241-7366
Fax: (760) 241-7308
email:jmmorales@waterboards.ca.gov
web:http://www.waterboards.ca.gov

>>> John Sponsler <jsponsler@ci.adelanto.ca.us> 11/22/2010 11:02 AM >>>
Good morning Gentlemen,

Please find attached the APUA's weekly status report for the Cleanup and Abatement Order. The next report will be submitted on 29 November, 2010.

Please let me know if you have any questions.

Thanks, and have a great Thanksgiving holiday.

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92311
(760)246-2300 x 3006
(760)578-4297 cell
(760)246-3242 fax

City Hall is open Monday - Thursday from 7:00 a.m. until 6:00 p.m. City Hall is closed every Friday and Holidays.

City of Adelanto

November 22, 2010

California Regional Water Quality Control Board-Lahontan Region
14440 Civic Drive, Suite 200
Victorville, CA 92392-2306
Attn: Mr. John Morales

California Regional Water Quality Control Board-Lahontan Region
2501 South Lake Tahoe Blvd.
South Lake Tahoe, CA 96150
Attn: Mr. Eric Taxer

RE: CLEANUP AND ABATEMENT ORDER NO. R6V-2010-0054, ADELANTO PUBLIC UTILITY AUTHORITY WASTEWATER TREATMENT PLANT AND PERCOLATION PONDS, ADELANTO, SAN BERNARDINO COUNTY, WDID NO. 6B369805001

Gentlemen:

As a follow up to the Lahontan Regional Water Quality Control Board's (hereinafter referred to as RWQCB) Order No. R6V-2010-0054 Adelanto Public Utility Authority (APUA) is pleased to submit this Weekly Status Report to the Cleanup and Abatement Order. The following is a brief update of APUA's actions.

A. The remaining freeboard of each of the four percolation ponds as of the morning of the date the status report is due. The date and time freeboard measurements are recorded by the Discharger must be submitted.

Percolation Pond	Freeboard		Date	Time
			22 Nov 2010	0930
1	3'			
2	1'			
3	1.75'			
4N	2'			
4S	2.25'			

11600 Air Expressway, Adelanto, CA 92301 (760) 246-2300 Fax: (760) 246-3242

B. A description of the spill containment management measures implemented since the previous status report was submitted. The date, time, purpose and effectiveness of each measure must be submitted.

No additional measures taken during this reporting week. A quarterly meeting was held 11/18/2010 at the Victorville Regional Office at which an update was given to Regional Board members. Participants included: John Sponsler, Wilson So, Jay Das, Laurie Kemper, John Morales, Scott Ferguson and Eric Taxer.

Dredging Company, RDS Underwater, is on-site. As of this writing, they have awaiting delivery of additional equipment.

Contact was made 11/19/2010 with Rain for Rent to request quote for additional pump for increased effluent diversion to VVWRA. Quote is expected 11/23/2010.

C. The duration and volume of any unauthorized discharge from any of the four percolation ponds that occurs since the previous status report was submitted. The date and time that each unauthorized discharge begins and ends must be submitted, in addition to a description of the unauthorized discharge (e.g., overtopping the pond berm, pumping, berm failure).

No unauthorized discharges occurred during this reporting period.

D. The remaining capacity in gallons, and when applicable, remaining freeboard, for each temporary containment measure as of the morning of the date the status report is due. The date and time such information is obtained must be submitted.

- PP #1, Not applicable; meeting freeboard requirements
- PP#2, approximately .415 MG capacity
- PP#3, approximately .599 MG capacity
- PP#4N, Not applicable; meeting freeboard requirements
- PP#4S, Not applicable; meeting freeboard requirements

Taken as of 22 November 2010 at0930.

E. Certification.

"I certify under penalty of perjury under the laws of the State of California that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted, the document and all attachments are, to the best f my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

We appreciate the continued advice and cooperation of the RWQCB staff. We look forward to providing future updates in weekly status reports. The next scheduled weekly status report will be sent, on or before, 29 November 2010 at 1200.

Sincerely,

John R. Sponsler
APUA Director

Cc: City Manager
Wilson So, PE City Engineer

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: "Taxer, Eric" <ETaxer@waterboards.ca.gov>, 'John Morales' <JMMorales@wat...
CC: James Hart <jhart@ci.adelanto.ca.us>, "Wilson So (External)" <wilsonso@s...
Date: 11/29/2010 11:43 AM
Subject: Cleanup and Abatement Order Weekly Status Report
Attachments: Adelanto - WWRP Cleanup andAbatement Order Weekly Status Report 11292010.doc

Good morning Gentlemen,

Please find attached the APUA's weekly status report.

Please let me know if you have any questions concerning the report.

Thank you,

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92311
(760)246-2300 x 3006
(760)578-4297 cell
(760)246-3242 fax

City Hall is open Monday - Thursday from 7:00 a.m. until 6:00 p.m. City Hall is closed every Friday and Holidays.

City of Adelanto

November 29, 2010

California Regional Water Quality Control Board-Lahontan Region
14440 Civic Drive, Suite 200
Victorville, CA 92392-2306
Attn: Mr. John Morales

California Regional Water Quality Control Board-Lahontan Region
2501 South Lake Tahoe Blvd.
South Lake Tahoe, CA 96150
Attn: Mr. Eric Taxer

RE: CLEANUP AND ABATEMENT ORDER NO. R6V-2010-0054, ADELANTO PUBLIC UTILITY AUTHORITY WASTEWATER TREATMENT PLANT AND PERCOLATION PONDS, ADELANTO, SAN BERNARDINO COUNTY, WDID NO. 6B369805001

Gentlemen:

As a follow up to the Lahontan Regional Water Quality Control Board's (hereinafter referred to as RWQCB) Order No. R6V-2010-0054 Adelanto Public Utility Authority (APUA) is pleased to submit this Weekly Status Report to the Cleanup and Abatement Order. The following is a brief update of APUA's actions.

A. The remaining freeboard of each of the four percolation ponds as of the morning of the date the status report is due. The date and time freeboard measurements are recorded by the Discharger must be submitted.

Percolation Pond	Freeboard		Date	Time
			29 Nov 2010	1000
1	2.5'			
2	1.5'			
3	2.0'			
4N	1.5'			
4S	2.0'			

11600 Air Expressway, Adelanto, CA 92301 (760) 246-2300 Fax: (760) 246-3242

B. A description of the spill containment management measures implemented since the previous status report was submitted. The date, time, purpose and effectiveness of each measure must be submitted.

Dredging Company, RDS Underwater, is on-site. Dredging of Percolation Pond #2 is underway as of 11/24/10 @ 1200. Purpose is to clean pond bottom of sediment buildup to allow percolation to occur; minimal positive effects shown as of this writing (due to Thanksgiving holiday and weekend inactivity).

Rain for Rent installed piping and DV-100C Pump at effluent structure on 11/26/10 @ 1500. Purpose is to pump increased amount of effluent to VVWRA. Total flow to VVWRA as of this date is 1.24 MGD. Flows will be incrementally increased to divert maximum flows to VVWRA.

C. The duration and volume of any unauthorized discharge from any of the four percolation ponds that occurs since the previous status report was submitted. The date and time that each unauthorized discharge begins and ends must be submitted, in addition to a description of the unauthorized discharge (e.g., overtopping the pond berm, pumping, berm failure).

No unauthorized discharges occurred during this reporting period.

D. The remaining capacity in gallons, and when applicable, remaining freeboard, for each temporary containment measure as of the morning of the date the status report is due. The date and time such information is obtained must be submitted.

- PP #1. Not applicable; meeting freeboard requirements
- PP#2. approximately .514 MG capacity
- PP#3. Not applicable; meeting freeboard requirements
- PP#4N. approximately .648 MG capacity
- PP#4S. Not applicable; meeting freeboard requirements

Taken as of 29 November 2010 at 1000.

E. Certification.

"I certify under penalty of perjury under the laws of the State of California that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted, the document and all attachments are, to the best f my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

000245

We appreciate the continued advice and cooperation of the RWQCB staff. We look forward to providing future updates in weekly status reports. The next scheduled weekly status report will be sent, on or before, 6 December 2010 at 1200.

Sincerely,

John R. Sponsler
APUA Director

Cc: City Manager
Wilson So, PE City Engineer

Eric Taxer - Weekly Status Report for Cleanup and Abatement Order

From:	John Sponsler <jsponsler@ci.adelanto.ca.us>
To:	"Taxer, Eric" <ETaxer@waterboards.ca.gov>, 'John Morales' <JMMorales@waterboards.ca.gov>
Date:	12/6/2010 11:34 AM
Subject:	Weekly Status Report for Cleanup and Abatement Order
CC:	James Hart <jhart@ci.adelanto.ca.us>, "Ferguson, Scott" <SFerguson@waterboards.ca.gov>, "Mike Perales (mike.perales@unitedwater.com)" <mike.perales@unitedwater.com>, "Roger Vesely (roger.vesely@unitedwater.com)" <roger.vesely@unitedwater.com>
Attachments:	Adelanto - WWRP Cleanup andAbatement Order Weekly Status Report 12-6-2010.doc

Good morning Gentlemen,

Please find attached our Weekly Status Report for the Cleanup and Abatement Order.

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92311
(760)246-2300 x 3006
(760)578-4297 cell
(760)246-3242 fax

City Hall is open Monday - Thursday from 7:00 a.m. until 6:00 p.m. City Hall is closed every Friday and Holidays.

City of Adelanto

December 6, 2010

California Regional Water Quality Control Board-Lahontan Region
14440 Civic Drive, Suite 200
Victorville, CA 92392-2306
Attn: Mr. John Morales

California Regional Water Quality Control Board-Lahontan Region
2501 South Lake Tahoe Blvd.
South Lake Tahoe, CA 96150
Attn: Mr. Eric Taxer

RE: CLEANUP AND ABATEMENT ORDER NO. R6V-2010-0054, ADELANTO PUBLIC UTILITY AUTHORITY WASTEWATER TREATMENT PLANT AND PERCOLATION PONDS, ADELANTO, SAN BERNARDINO COUNTY, WDID NO. 6B369805001

Gentlemen:

As a follow up to the Lahontan Regional Water Quality Control Board's (hereinafter referred to as RWQCB) Order No. R6V-2010-0054 Adelanto Public Utility Authority (APUA) is pleased to submit this Weekly Status Report to the Cleanup and Abatement Order. The following is a brief update of APUA's actions.

A. The remaining freeboard of each of the four percolation ponds as of the morning of the date the status report is due. The date and time freeboard measurements are recorded by the Discharger must be submitted.

Percolation Pond	Freeboard	Remaining Capacity	Date	Time
			6 Dec 2010	0930
1	3'	N/A		
2	1.5'	App .624 MG		
3	2.5'	N/A		
4N	1.5'	App .648 MG		
4S	1.5'	App .910 MG		

000250

B. A description of the spill containment management measures implemented since the previous status report was submitted. The date, time, purpose and effectiveness of each measure must be submitted.

No additional information occurred during this reporting period.

C. The duration and volume of any unauthorized discharge from any of the four percolation ponds that occurs since the previous status report was submitted. The date and time that each unauthorized discharge begins and ends must be submitted, in addition to a description of the unauthorized discharge (e.g., overtopping the pond berm, pumping, berm failure).

No unauthorized discharges occurred during this reporting period.

D. The remaining capacity in gallons, and when applicable, remaining freeboard, for each temporary containment measure as of the morning of the date the status report is due. The date and time such information is obtained must be submitted.

See A. above

E. Certification.
"I certify under penalty of perjury under the laws of the State of California that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted, the document and all attachments are, to the best f my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

We appreciate the continued advice and cooperation of the RWQCB staff. We look forward to providing future updates in weekly status reports. The next scheduled weekly status report will be sent, on or before, 13 December 2010 at 1200.

Sincerely,

John R. Sponsler
APUA Director

Cc: City Manager
Wilson So, PE City Engineer

000251

Eric Taxer - Weekly Status Report for Cleanup and Abatement Order

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: "ETaxer@waterboards.ca.gov" <ETaxer@waterboards.ca.gov>, "John Morales(JMMorales@waterboards.ca.gov)" <JMMorales@waterboards.ca.gov>
Date: 12/10/2010 10:28 PM
Subject: Weekly Status Report for Cleanup and Abatement Order
CC: James Hart <jhart@ci.adelanto.ca.us>, "SFerguson@waterboards.ca.gov" <SFerguson@waterboards.ca.gov>, "Mike Perales (mike.perales@unitedwater.com)" <mike.perales@unitedwater.com>, "Roger Vesely (roger.vesely@unitedwater.com)" <roger.vesely@unitedwater.com>, Wilson So <wso@ci.adelanto.ca.us>
Attachments: Adelanto - WWRP Cleanup andAbatement Order Weekly Status Report 12-10-2010[1].doc

---

Good morning Gentlemen,

Please find attached the weekly status report for the Cleanup and Abatement Order. The report is being sent this day due to my being out of the office on Monday, 13 December.

If you have any questions concerning this report, please contact me.

Thank you,

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92301
(760)246-2300 x 3006
(760)578-4297 cell
(760)246-3242 fax

City of Adelanto

December 10, 2010

California Regional Water Quality Control Board-Lahontan Region
14440 Civic Drive, Suite 200
Victorville, CA 92392-2306
Attn: Mr. John Morales

California Regional Water Quality Control Board-Lahontan Region
2501 South Lake Tahoe Blvd.
South Lake Tahoe, CA 96150
Attn: Mr. Eric Taxer

RE: CLEANUP AND ABATEMENT ORDER NO. R6V-2010-0054, ADELANTO PUBLIC UTILITY AUTHORITY WASTEWATER TREATMENT PLANT AND PERCOLATION PONDS, ADELANTO, SAN BERNARDINO COUNTY, WDID NO. 6B369805001

Gentlemen:

As a follow up to the Lahontan Regional Water Quality Control Board's (hereinafter referred to as RWQCB) Order No. R6V-2010-0054 Adelanto Public Utility Authority (APUA) is pleased to submit this Weekly Status Report to the Cleanup and Abatement Order. The report is being sent today due to my being out of the office on Monday, 13 December 2010. The following is a brief update of APUA's actions.

A. The remaining freeboard of each of the four percolation ponds as of the morning of the date the status report is due. The date and time freeboard measurements are recorded by the Discharger must be submitted.

Percolation Pond	Freeboard	Remaining Capacity	Date	Time
			10 Dec 2010	0830
1	2.5'	N/A		
2	2.5'	N/A		
3	3'	N/A		
4N	2.5'	N/A		
4S	2'	N/A		

11600 Air Expressway, Adelanto, CA 92301 (760) 246-2300 Fax: (760) 246-3242

B. A description of the spill containment management measures implemented since the previous status report was submitted. The date, time, purpose and effectiveness of each measure must be submitted.

No additional information occurred during this reporting period.

C. The duration and volume of any unauthorized discharge from any of the four percolation ponds that occurs since the previous status report was submitted. The date and time that each unauthorized discharge begins and ends must be submitted, in addition to a description of the unauthorized discharge (e.g., overtopping the pond berm, pumping, berm failure).

No unauthorized discharges occurred during this reporting period.

D. The remaining capacity in gallons, and when applicable, remaining freeboard, for each temporary containment measure as of the morning of the date the status report is due. The date and time such information is obtained must be submitted.

As of the date of this report, all percolation ponds are currently meeting freeboard requirements.

E. Certification.
"I certify under penalty of perjury under the laws of the State of California that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted, the document and all attachments are, to the best f my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

We appreciate the continued advice and cooperation of the RWQCB staff. We look forward to providing future updates in weekly status reports. The next scheduled weekly status report will be sent, on or before, 20 December 2010 at 1200.

Sincerely,

John R. Sponsler
APUA Director

Cc: City Manager
Wilson So, PE City Engineer

000259

Eric Taxer - Cleanup and Abatement Order Weekly Status Report

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: "John Morales (JMMorales@waterboards.ca.gov)" <JMMorales@waterboards.ca.gov>, "ETaxer@waterboards.ca.gov" <ETaxer@waterboards.ca.gov>
Date: 12/17/2010 11:20 PM
Subject: Cleanup and Abatement Order Weekly Status Report
CC: James Hart <jhart@ci.adelanto.ca.us>, Wilson So <wso@ci.adelanto.ca.us>, "SFerguson@waterboards.ca.gov" <SFerguson@waterboards.ca.gov>, "Mike Perales (mike.perales@unitedwater.com)" <mike.perales@unitedwater.com>, "RogerVesely (roger.vesely@unitedwater.com)" <roger.vesely@unitedwater.com>
Attachments: Adelanto - WWRP Cleanup andAbatement Order Weekly Status Report 12-17-2010[1].doc

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Good morning Gentlemen,

Please find attached the City of Adelanto's Cleanup and Abatement Order Weekly Status Report. The report is being sent today due to scheduled office renovations and computer server maintenance.

Please let me know if there are any questions concerning this report.

Thank you and have a Merry Christmas and wonderful New Year.

Sincerely,

John R. Sponsler
Director of Public Utilities
City of Adelanto

City of Adelanto

December 17, 2010

California Regional Water Quality Control Board-Lahontan Region
14440 Civic Drive, Suite 200
Victorville, CA 92392-2306
Attn: Mr. John Morales

California Regional Water Quality Control Board-Lahontan Region
2501 South Lake Tahoe Blvd.
South Lake Tahoe, CA 96150
Attn: Mr. Eric Taxer

RE: CLEANUP AND ABATEMENT ORDER NO. R6V-2010-0054, ADELANTO PUBLIC UTILITY AUTHORITY WASTEWATER TREATMENT PLANT AND PERCOLATION PONDS, ADELANTO, SAN BERNARDINO COUNTY, WDID NO. 6B369805001

Gentlemen:

As a follow up to the Lahontan Regional Water Quality Control Board's (hereinafter referred to as RWQCB) Order No. R6V-2010-0054 Adelanto Public Utility Authority (APUA) is pleased to submit this Weekly Status Report to the Cleanup and Abatement Order. The report is being sent today due to scheduled office renovations and server maintenance on Monday, 20 December 2010. The following is a brief update of APUA's actions.

A. The remaining freeboard of each of the four percolation ponds as of the morning of the date the status report is due. The date and time freeboard measurements are recorded by the Discharger must be submitted.

Percolation Pond	Freeboard	Remaining Capacity	Date	Time
			17 Dec 2010	0900
1	3'	N/A		
2	2.5'	N/A		
3	3'	N/A		
4N	4'	N/A		
4S	2'	N/A		

000262

B. A description of the spill containment management measures implemented since the previous status report was submitted. The date, time, purpose and effectiveness of each measure must be submitted.

The sediments being removed from percolation pond #2 is sand and decomposed material from the Biolac activated sludge treatment process. We are not finding the material to be sludge. As these sediments are being removed, percolation is occurring. We are currently re-evaluating the need to remove all of this sandy sediment and may issue a change order to instead scarify the percolation ponds to promote percolation and reduce dredging costs. Discussion with the dredging contractor of this change will take place during the first week of January 2011. Current removal actions, coupled with diversion to VVWRA, are proving successful as can be seen in A. above.

C. The duration and volume of any unauthorized discharge from any of the four percolation ponds that occurs since the previous status report was submitted. The date and time that each unauthorized discharge begins and ends must be submitted, in addition to a description of the unauthorized discharge (e.g., overtopping the pond berm, pumping, berm failure).

No unauthorized discharges occurred during this reporting period.

D. The remaining capacity in gallons, and when applicable, remaining freeboard, for each temporary containment measure as of the morning of the date the status report is due. The date and time such information is obtained must be submitted.

As of the date of this report, all percolation ponds are currently meeting freeboard requirements.

E. Certification.
"I certify under penalty of perjury under the laws of the State of California that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted, the document and all attachments are, to the best f my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

We appreciate the continued advice and cooperation of the RWQCB staff. We look forward to providing future updates in weekly status reports. The next scheduled weekly status report will be sent, on or before, 27 December 2010 at 1200.

Sincerely,

000263

JRS

John R. Sponsler
APUA Director

Cc: City Manager
Wilson So, PE City Engineer

Eric Taxer - Cleanup and Abatement Order; Weekly Status Report

From:	John Sponsler <jsponsler@ci.adelanto.ca.us>
To:	'John Morales' <JMMorales@waterboards.ca.gov>, "Taxer, Eric" <ETaxer@waterboards.ca.gov>
Date:	12/27/2010 11:47 AM
Subject:	Cleanup and Abatement Order; Weekly Status Report
CC:	James Hart <jhart@ci.adelanto.ca.us>, "Wilson So (External)" <wilsonso@saeinc.org>, "'Litfin, Todd'" <tlitfin@rutan.com>, "Ferguson,Scott" <SFerguson@waterboards.ca.gov>, "(mike.perales@unitedwater.com), MikePerales" <mike.perales@unitedwater.com>, 'roger vesely' <roger.vesely@unitedwater.com>
Attachments:	Adelanto - WWRP Cleanup andAbatement Order Weekly Status Report 12-27-2010.doc

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Good morning All,

Please find attached the APUA's weekly status report.

Please let me know if you have any questions regarding the report.

Thanks,

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92311
(760)246-2300 x 3006
(760)578-4297 cell
(760)246-3242 fax

City Hall is open Monday - Thursday from 7:00 a.m. until 6:00 p.m. City Hall is closed every Friday and Holidays.

City of Adelanto

December 27, 2010

California Regional Water Quality Control Board-Lahontan Region
14440 Civic Drive, Suite 200
Victorville, CA 92392-2306
Attn: Mr. John Morales

California Regional Water Quality Control Board-Lahontan Region
2501 South Lake Tahoe Blvd.
South Lake Tahoe, CA 96150
Attn: Mr. Eric Taxer

RE: CLEANUP AND ABATEMENT ORDER NO. R6V-2010-0054, ADELANTO PUBLIC UTILITY AUTHORITY WASTEWATER TREATMENT PLANT AND PERCOLATION PONDS, ADELANTO, SAN BERNARDINO COUNTY, WDID NO. 6B369805001

Gentlemen:

As a follow up to the Lahontan Regional Water Quality Control Board's (hereinafter referred to as RWQCB) Order No. R6V-2010-0054 Adelanto Public Utility Authority (APUA) is pleased to submit this Weekly Status Report to the Cleanup and Abatement Order. The following is a brief update of APUA's actions.

A. The remaining freeboard of each of the four percolation ponds as of the morning of the date the status report is due. The date and time freeboard measurements are recorded by the Discharger must be submitted.

Percolation Pond	Freeboard	Remaining Capacity	Date	Time
			27 Dec 2010	0830
1	3'	N/A		
2	1.5'	.624 MG		
3	2'	N/A		
4N	1'	.432 MG		
4S	.5'	.303 MG		

11600 Air Expressway, Adelanto, CA 92301 (760) 246-2300 Fax: (760) 246-3242

B. A description of the spill containment management measures implemented since the previous status report was submitted. The date, time, purpose and effectiveness of each measure must be submitted.

Heavy rains from the Southern California storms caused a substantial increase in flows to the plant; exceeding that which could be diverted to VVWRA or contained within the percolation ponds. Therefore on 12/23/2010 at approximately 0200, Percolation Pond #4S broke through its berm into adjoining property. At approximately 1000, the temporary trenches were extended and widened to allow additional percolation and pond capacity. Work was completed at approximately 1500 on 12/23/2010. On 12/24/2010 at approximately 0900 work began to repair the berm failure; by replacing the dirt to the breech, repairs were completed at approximately 1000 on 12/24/2010.

C. The duration and volume of any unauthorized discharge from any of the four percolation ponds that occurs since the previous status report was submitted. The date and time that each unauthorized discharge begins and ends must be submitted, in addition to a description of the unauthorized discharge (e.g., overtopping the pond berm, pumping, berm failure).

At approximately 0200 on 12/23/2010, a berm failure caused by the impact of heavy rains, influent flows in excess of 3 MGD on 12/21 – 22/2010, and not enough pond capacity, spilled a volume of approximately 197,472 gallons of secondary effluent into adjoining property. The discharge ended at approximately 1500 on 12/23/2010.

D. The remaining capacity in gallons, and when applicable, remaining freeboard, for each temporary containment measure as of the morning of the date the status report is due. The date and time such information is obtained must be submitted.

Please see A. above. Percolation is occurring at a rate of approximately 12" per 12 hours period.

E. Certification.
"I certify under penalty of perjury under the laws of the State of California that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted, the document and all attachments are, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

We appreciate the continued advice and cooperation of the RWQCB staff. We look forward to providing future updates in weekly status reports. The next scheduled weekly status report will be sent, on or before, 3 January 2011 at 1200.

000269

Sincerely,

John R. Sponsler
APUA Director

Cc: City Manager
Wilson So, PE City Engineer

Eric Taxer - Cleanup and Abatement Order; Weekly Status Report

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: 'John Morales' <JMMorales@waterboards.ca.gov>, "Taxer, Eric" <ETaxer@waterboards.ca.gov>
Date: 1/3/2011 11:14 AM
Subject: Cleanup and Abatement Order; Weekly Status Report
CC: James Hart <jhart@ci.adelanto.ca.us>, 'roger vesely' <roger.vesely@unitedwater.com>, Wilson So <wso@ci.adelanto.ca.us>, "(mike.perales@unitedwater.com), Mike Perales" <mike.perales@unitedwater.com>
Attachments: Adelanto - WWRP Cleanup andAbatement Order Weekly Status Report 1-3-2011.doc

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Good morning Gentlemen,

Please find attached the weekly status report from the City of Adelanto.

Please let me know if you have any questions regarding the report.

Thanks,

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92311
(760)246-2300 x 3006
(760)578-4297 cell
(760)246-3242 fax

City Hall is open Monday - Thursday from 7:00 a.m. until 6:00 p.m. City Hall is closed every Friday and Holidays.

City of Adelanto

January 3, 2011

California Regional Water Quality Control Board-Lahontan Region
14440 Civic Drive, Suite 200
Victorville, CA 92392-2306
Attn: Mr. John Morales

California Regional Water Quality Control Board-Lahontan Region
2501 South Lake Tahoe Blvd.
South Lake Tahoe, CA 96150
Attn: Mr. Eric Taxer

RE: CLEANUP AND ABATEMENT ORDER NO. R6V-2010-0054, ADELANTO PUBLIC UTILITY AUTHORITY WASTEWATER TREATMENT PLANT AND PERCOLATION PONDS, ADELANTO, SAN BERNARDINO COUNTY, WDID NO. 6B369805001

Gentlemen:

As a follow up to the Lahontan Regional Water Quality Control Board's (hereinafter referred to as RWQCB) Order No. R6V-2010-0054 Adelanto Public Utility Authority (APUA) is pleased to submit this Weekly Status Report to the Cleanup and Abatement Order. The following is a brief update of APUA's actions.

A. The remaining freeboard of each of the four percolation ponds as of the morning of the date the status report is due. The date and time freeboard measurements are recorded by the Discharger must be submitted.

Percolation Pond	Freeboard	Remaining Capacity	Date	Time
			3 Jan 2011	1030
1	2.3'	N/A		
2	1.5'	.624 MG		
3	2'	N/A		
4N	2.5'	N/A		
4S	1.5'	.303 MG		

000274

B. A description of the spill containment management measures implemented since the previous status report was submitted. The date, time, purpose and effectiveness of each measure must be submitted.

C. The duration and volume of any unauthorized discharge from any of the four percolation ponds that occurs since the previous status report was submitted. The date and time that each unauthorized discharge begins and ends must be submitted, in addition to a description of the unauthorized discharge (e.g., overtopping the pond berm, pumping, berm failure).

D. The remaining capacity in gallons, and when applicable, remaining freeboard, for each temporary containment measure as of the morning of the date the status report is due. The date and time such information is obtained must be submitted.

Please see A. above.

E. Certification.
"I certify under penalty of perjury under the laws of the State of California that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted, the document and all attachments are, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

We appreciate the continued advice and cooperation of the RWQCB staff. We look forward to providing future updates in weekly status reports. The next scheduled weekly status report will be sent, on or before, 10 January 2011 at 1200.

Sincerely,

John R. Sponsler
APUA Director

Cc: City Manager
Wilson So, PE City Engineer

EXHIBIT NO. 10

Exhibit No. 10

Flow, BOD, and Freeboard Violation Data Provided in APUA's Self Monitoring Reports and Included by Reference

Month/Year (Report/Source, Page No.)[1]	**Violation Type**	**Violation Description**	**Sampling Frequency**	**Number of Violations**
February-04 (February, 2004 Rpt., p. 3)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation two days during the month.	Daily	2
February-04 (February, 2004 Rpt., p. 4)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
February-04 (February, 2004 Rpt., p. 4)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
March-04 (March 2004 Rpt., p. 12)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation three days during the month.	Weekly	3
March-04 (March, 2004 Rpt., p. 12)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
April-04 (April, 2004 Rpt., p. 6)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation two days during the month.	Weekly	2
May-04 (May, 2004 Rpt., p. 4)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation one day during the month.	Daily	1
May-04 (May, 2004 Rpt., p. 3)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
May-04 (May, 2004 Rpt., p. 3)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
June-04 (June, 2004 Rpt., p. 4)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation six days during the month.	Daily	6

[1]Report names are from APUA's self-monitoring report title pages. Page number references are based upon page counting starting after the title page.

Exhibit No. 10

Flow, BOD, and Freeboard Violation Data Provided in APUA's Self Monitoring Reports and Included by Reference

Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
June-04 (June, 2004 Rpt., p. 3)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation three days during the month.	Weekly	3
June-04 (June,2004 Rpt., p. 3)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
July-04 (July, 2004 Rpt., p. 3)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation one day during the month.	Daily	1
July-04 (July, 2004 Rpt., p. 4)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation four days during the month.	Weekly	4
July-04 (July, 2004 Rpt., p. 4)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
August-04 (August, 2004 Rpt., p. 3)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 12 days during the month.	Daily	12
August-04 (August, 2004 Rpt., p. 4)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation four days during the month.	Weekly	4
August-04 (August, 2004 Rpt., p. 4)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
September-04 (September, 2004 Rpt., p.4)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 21 days during the month.	Daily	21
September-04 (September, 2004 Rpt., p.3)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation four days during the month.	Weekly	4

[1]Report names are from APUA's self-monitoring report title pages. Page number references are based upon page counting starting after the title page.

Exhibit No. 10

Flow, BOD, and Freeboard Violation Data Provided in APUA's Self Monitoring Reports and Included by Reference

Month/Year (Report/Source, Page No.)[1]	**Violation Type**	**Violation Description**	**Sampling Frequency**	**Number of Violations**
September-04 (September, 2004 Rpt., p.3)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
October-04 (October, 2004 Rpt., p. 3)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 28 days during the month.	Daily	28
October-04 (October, 2004 Rpt., p. 4)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
October-04 (October, 2004 Rpt., p. 4)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
November-04 (November, 2004 Rpt., p. 3)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 26 days during the month.	Daily	26
November-04 (November, 2004 Rpt., p. 4)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
November-04 (November, 2004 Rpt., p. 4)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
December-04 (December, 2004 Rpt., p. 6)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
January-05 (January, 2005 Rpt., p. 3)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 29 days during the month.	Daily	29
January-05 (January, 2005 Rpt., p. 4)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1

[1] Report names are from APUA's self-monitoring report title pages. Page number references are based upon page counting starting after the title page.

Exhibit No. 10
Flow, BOD, and Freeboard Violation Data Provided in APUA's Self Monitoring Reports and Included by Reference

Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
January-05 (January, 2005 Rpt., p. 3)	Freeboard Level Req. - Minimum of 2 feet	Failed to maintain minimum freeboard levels in one or more percolation ponds for seven days.	Daily	7
February-05 (February, 2005 Rpt., p. 4)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 28 days during the month.	Daily	28
February-05 (February, 2005 Rpt., p. 3)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
February-05 (February, 2005 Rpt., p. 3)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
February-05 (February, 2005 Rpt., p. 4)	Freeboard Level Req. - Minimum of 2 feet	Failed to maintain minimum freeboard levels in one or more percolation ponds for seven days.	Daily	7
March-05 (March, 2005 Rpt., p. 3)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 28 days during the month.	Daily	31
March-05 (March, 2005 Rpt., p. 4)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation two days during the month.	Weekly	2
March-05 (March, 2005 Rpt., p. 4)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
March-05 (March, 2005 Rpt., p. 3)	Freeboard Level Req. - Minimum of 2 feet	Failed to maintain minimum freeboard levels in one or more percolation ponds for 10 days.	Daily	10

[1] Report names are from APUA's self-monitoring report title pages. Page number references are based upon page counting starting after the title page.

Exhibit No. 10
Flow, BOD, and Freeboard Violation Data Provided in APUA's Self Monitoring Reports and Included by Reference

Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
April-05 (April, 2005 Rpt., p. 3)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 29 days during the month.	Daily	29
April-05 (April, 2005 Rpt., p. 4)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation two days during the month.	Weekly	2
April-05 (April, 2005 Rpt., p. 4)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
April-05 (April, 2005 Rpt., p. 3)	Freeboard Level Req. - Minimum of 2 feet	Failed to maintain minimum freeboard levels in one or more percolation ponds for seven days.	Daily	7
May-05 (May 2005 Rpt., p. 7)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 29 days during the month.	Daily	29
May-05 (May 2005 Rpt., p. 8)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
May-05 (May 2005 Rpt., p. 8)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
June-05 (June 2005 Rpt., p. 7)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 29 days during the month.	Daily	29
June-05 (June 2005 Rpt., p. 6)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
June-05 (June 2005 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1

[1] Report names are from APUA's self-monitoring report title pages. Page number references are based upon page counting starting after the title page.

Exhibit No. 10
Flow, BOD, and Freeboard Violation Data Provided in APUA's Self Monitoring Reports and Included by Reference

Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
July-05 (July 2005 Rpt., p. 2)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
July-05 (July 2005 Rpt., p. 3)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
August-05 (August 2005 Rpt., p. 4)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 11 days during the month.	Daily	11
September-05 (September 2005 Rpt., p. 4)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
October-05 (October 2005 Rpt., p. 7)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
October-05 (October 2005 Rpt., p. 5)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 26 days during the month.	Daily	26
November-05 (November 2005 Rpt., p. 6)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
November-05 (November 2005 Rpt., p. 5)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation two days during the month.	Weekly	2
November-05 (November 2005 Rpt., p. 5)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1

[1]Report names are from APUA's self-monitoring report title pages. Page number references are based upon page counting starting after the title page.

Exhibit No. 10

Flow, BOD, and Freeboard Violation Data Provided in APUA's Self Monitoring Reports and Included by Reference

Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
December-05 (December 2005 Rpt., p. 4)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
January-06 (January 2006 Rpt., p. 3)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 29 days during the month.	Daily	29
February-06 (February 2006 Rpt., p. 4)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 28 days during the month.	Daily	28
February-06 (February 2006 Rpt., p. 3)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation two days during the month.	Weekly	2
February-06 (February 2006 Rpt., p. 3)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation	N/A	1
March-06 (March 2006 Rpt., p. 5)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
March-06 (March 2006 Rpt., p. 6)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation two days during the month.	Weekly	2
March-06 (March 2006 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
April-06 (April 2006 Rpt., p. 6)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
April-06 (April 2006 Rpt., p. 7)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1

[1]Report names are from APUA's self-monitoring report title pages. Page number references are based upon page counting starting after the title page.

Exhibit No. 10

Flow, BOD, and Freeboard Violation Data Provided in APUA's Self Monitoring Reports and Included by Reference

Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
April-06 (April 2006 Rpt., p. 7)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
May-06 (May 2006 Rpt., p. 6)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
May-06 (May 2006 Rpt., p. 5)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
June-06 (June 2006 Rpt., p. 6)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
June-06 (June 2006 Rpt., p. 7)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation three days during the month.	Weekly	3
June-06 (June 2006 Rpt., p. 7)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
July-06 (July 2006 Rpt., p. 6)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
July-06 (July 2006 Rpt., p. 3)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation two days during the month.	Weekly	2
July-06 (July 2006 Rpt., p. 3)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
August-06 (August 2006 Rpt., p. 4)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31

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Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
August-06 (August 2006 Rpt., p. 6)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
August-06 (August 2006 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
September-06 (September 2006 Rpt., p. 4)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
September-06 (September 2006 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
September-06 (September 2006 Rpt., p. 4)	Freeboard Level Req. - Minimum of 2 feet	Failed to maintain minimum freeboard levels in one or more percolation ponds for two days.	Daily	2
October-06 (October 2006 Rpt., p. 6)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 29 days during the month.	Daily	29
October-06 (October 2006 Rpt., p. 3)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
October-06 (October 2006 Rpt., p. 3)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
November-06 (November 2006 Rpt., p. 5)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
November-06 (November 2006 Rpt., p. 3)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1

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Flow, BOD, and Freeboard Violation Data Provided in APUA's Self Monitoring Reports and Included by Reference

Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
December-06 (December 2006 Rpt., p. 4)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
December-06 (December 2006 Rpt., p. 6)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
December-06 (December 2006 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
December-06 (December 2006 Rpt., p. 4)	Freeboard Level Req. - Minimum of 2 feet	Failed to maintain minimum freeboard levels in one or more percolation ponds for one day.	Daily	1
January-07 (January 2007 Rpt., p. 4)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
January-07 (January 2007 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
February-07 (February 2007 Rpt., p. 5)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 28 days during the month.	Daily	28
March-07 (March 2007 Rpt., p. 6)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
March-07 (March 2007 Rpt., p. 5)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
March-07 (March 2007 Rpt., p. 5)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation	N/A	1

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Exhibit No. 10
Flow, BOD, and Freeboard Violation Data Provided in APUA's Self Monitoring Reports and Included by Reference

Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
March-07 (March 2007 Rpt., p. 6)	Freeboard Level Req. - Minimum of 2 feet	Failed to maintain minimum freeboard levels in one or more percolation ponds for three days.	Daily	3
April-07 (April 2007 Rpt., p. 6)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
April-07 (April 2007 Rpt., p. 6)	Freeboard Level Req. - Minimum of 2 feet	Failed to maintain minimum freeboard levels in one or more percolation ponds for three days.	Daily	3
May-07 (May 2007 Rpt., p. 5)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
May-07 (May 2007 Rpt., p. 6)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
May-07 (May 2007 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
May-07 (May 2007 Rpt., p. 5)	Freeboard Level Req. - Minimum of 2 feet	Failed to maintain minimum freeboard levels in one or more percolation ponds for six days.	Daily	6
June-07 (June 2007 Rpt., p. 5)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
June-07 (June 2007 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1

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Flow, BOD, and Freeboard Violation Data Provided in APUA's Self Monitoring Reports and Included by Reference

Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
June-07 (June 2007 Rpt., p. 5)	Freeboard Level Req. - Minimum of 2 feet	Failed to maintain minimum freeboard levels in one or more percolation ponds for four days.	Daily	4
July-07 (July 2007 Rpt., p. 5)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
July-07 (July 2007 Rpt., p. 6)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
July-07 (July 2007 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
July-07 (July 2007 Rpt., p. 5)	Freeboard Level Req. - Minimum of 2 feet	Failed to maintain minimum freeboard levels in one or more percolation ponds for two days.	Daily	2
August-07 (August 2007 Rpt., p. 5)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
August-07 (August 2007 Rpt., p. 6)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation five days during the month.	Weekly	5
August-07 (August 2007 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
September-07 (September 2007 Rpt., p. 5)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30

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Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
September-07 (September 2007 Rpt., p. 7)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation two days during the month.	Weekly	2
September-07 (September 2007 Rpt., p. 7)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
October-07 (October 2007 Rpt., p. 5)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
October-07 (October 2007 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
November-07 (November 2007 Rpt., p. 7)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
November-07 (November 2007 Rpt., p. 5)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation three days during the month.	Weekly	3
November-07 (November 2007 Rpt., p. 5)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
December-07 (December 2007 Rpt., p. 6)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
December-07 (December 2007 Rpt., p. 5)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation three days during the month.	Weekly	3
December-07 (December 2007 Rpt., p. 5)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1

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Flow, BOD, and Freeboard Violation Data Provided in APUA's Self Monitoring Reports and Included by Reference

Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
January-08 (January 2008 Rpt., p. 7)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
January-08 (January 2008 Rpt., p. 5)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
February-08 (February 2008 Rpt., p. 5)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 29 days during the month.	Daily	29
February-08 (February 2008 Rpt., p. 6)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
February-08 (February 2008 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
March-08 (March 2008 Rpt., p. 7)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
March-08 (March 2008 Rpt., p. 5)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
March-08 (March 2008 Rpt., p. 5)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
April-08 (April 2008 Rpt., p. 7)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
April-08 (April 2008 Rpt., p. 5)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation five days during the month.	Weekly	5

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Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
April-08 (April 2008 Rpt., p. 5)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
May-08 (May 2008 Rpt., p. 6)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
May-08 (May 2008 Rpt., p. 5)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
May-08 (May 2008 Rpt., p. 5)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
June-08 (June 2008 Rpt., p. 5)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
June-08 (June 2008 Rpt., p. 6)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation four days during the month.	Weekly	4
June-08 (June 2008 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
July-08 (July 2008 Rpt., p. 5)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
July-08 (July 2008 Rpt., p. 6)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation four days during the month.	Weekly	4
July-08 (July 2008 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1

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Flow, BOD, and Freeboard Violation Data Provided in APUA's Self Monitoring Reports and Included by Reference

Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
August-08 (August 2008 Rpt., p. 5)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
August-08 (August 2008 Rpt., p. 6)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
August-08 (August 2008 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
September-08 (September 2008 Rpt., p. 5)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
October-08 (Fourth Quarter, 2008 Rpt., p. 8)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
November-08 (Fourth Quarter, 2008 Rpt., p. 21)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
November-08 (Fourth Quarter, 2008 Rpt., p. 22)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation four days during the month.	Weekly	4
November-08 (Fourth Quarter, 2008 Rpt., p. 22)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
December-08 (Fourth Quarter, 2008 Rpt., p. 35)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31

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Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
December-08 (Fourth Quarter, 2008 Rpt., p. 33)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation five days during the month.	Weekly	5
December-08 (Fourth Quarter, 2008 Rpt., p. 33)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
January-09 (January, February, March 2009 Quarterly Rpt., p. 7)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
January-09 (January, February, March 2009 Quarterly Rpt., p. 6)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation four days during the month.	Weekly	4
January-09 (January, February, March 2009 Quarterly Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
February-09 (January, February, March 2009 Quarterly Rpt., p. 25)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 28 days during the month.	Daily	28
February-09 (January, February, March 2009 Quarterly Rpt., p. 24)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation four days during the month.	Weekly	4
February-09 (January, February, March 2009 Quarterly Rpt., p. 24)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
March-09 (January, February, March 2009 Quarterly Rpt., p. 70)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31

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Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
March-09 (January, February, March 2009 Quarterly Rpt., p. 69)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation three days during the month.	Weekly	3
March-09 (January, February, March 2009 Quarterly Rpt., p. 69)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
April-09 (April, May, June, 2009 Quarterly Rpt., p. 7)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
April-09 (April, May, June, 2009 Quarterly Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
May-09 (April, May, June, 2009 Quarterly Rpt., p. 62)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
May-09 (April, May, June, 2009 Quarterly Rpt., p. 61)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
June-09 (April, May, June, 2009 Quarterly Rpt., p. 78)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
June-09 (April, May, June, 2009 Quarterly Rpt., p. 77)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
July-09 (July, August, September 2009 Quarterly Rpt., p. 8)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31

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Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
July-09 (July, August, September 2009 Quarterly Rpt., p. 7)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
July-09 (July, August, September 2009 Quarterly Rpt., p. 7)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
August-09 (July, August, September 2009 Quarterly Rpt., p. 34)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
August-09 (July, August, September 2009 Quarterly Rpt., p. 33)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation two days during the month.	Weekly	2
August-09 (July, August, September 2009 Quarterly Rpt., p. 33)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
September-09 (July, August, September 2009 Quarterly Rpt., p. 50)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
September-09 (July, August, September 2009 Quarterly Rpt., p. 49)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation three days during the month.	Weekly	3
September-09 (July, August, September 2009 Quarterly Rpt., p. 49)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
October-09 (Quarterly October, November, December, 2009 Rpt., p. 7)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31

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Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
October-09 (Quarterly October, November, December, 2009 Rpt., p. 6)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation two days during the month.	Weekly	2
October-09 (Quarterly October, November, December, 2009 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
November-09 (Quarterly October, November, December, 2009 Rpt., p. 28)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
November-09 (Quarterly October, November, December, 2009 Rpt., p. 27)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
December-09 (Quarterly October, November, December, 2009 Rpt., p. 44)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
December-09 (Quarterly October, November, December, 2009 Rpt., p. 43)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation two days during the month.	Weekly	2
December-09 (Quarterly October, November, December, 2009 Rpt., p. 43)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
January-10 (Quarterly January, February, March, 2010 Rpt., p. 7)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
January-10 (Quarterly January, February, March, 2010 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1

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Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
February-10 (Quarterly January, February, March, 2010 Rpt., p. 32)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 28 days during the month.	Daily	28
February-10 (Quarterly January, February, March, 2010 Rpt., p. 31)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
February-10 (Quarterly January, February, March, 2010 Rpt., p. 31)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
March-10 (Quarterly January, February, March, 2010 Rpt., p. 83)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
March-10 (Quarterly January, February, March, 2010 Rpt., p. 82)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
March-10 (Quarterly January, February, March, 2010 Rpt., p. 82)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
April-10 (Quarterly April, May, June, 2010 Rpt., p. 7)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
April-10 (Quarterly April, May, June, 2010 Rpt., p. 6)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation four days during the month.	Weekly	4
April-10 (Quarterly April, May, June, 2010 Rpt., p. 6)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1

[1]Report names are from APUA's self-monitoring report title pages. Page number references are based upon page counting starting after the title page.

Exhibit No. 10

Flow, BOD, and Freeboard Violation Data Provided in APUA's Self Monitoring Reports and Included by Reference

Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
May-10 (Quarterly April, May, June, 2010 Rpt., p. 28)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
May-10 (Quarterly April, May, June, 2010 Rpt., p. 27)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation four days during the month.	Weekly	4
May-10 (Quarterly April, May, June, 2010 Rpt., p. 27)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
June-10 (Quarterly April, May, June, 2010 Rpt., p. 71)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 30 days during the month.	Daily	30
June-10 (Quarterly April, May, June, 2010 Rpt., p. 70)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation five days during the month.	Weekly	5
June-10 (Quarterly April, May, June, 2010 Rpt., p. 70)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
July-10 (3rd Quarter 2010 Rpt., p. 10)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation 31 days during the month.	Daily	31
July-10 (3rd Quarter 2010 Rpt., p. 9)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation four days during the month.	Weekly	4
July-10 (3rd Quarter 2010 Rpt., p. 9)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1

[1]Report names are from APUA's self-monitoring report title pages. Page number references are based upon page counting starting after the title page.

Exhibit No. 10

Flow, BOD, and Freeboard Violation Data Provided in APUA's Self Monitoring Reports and Included by Reference

Month/Year (Report/Source, Page No.)[1]	Violation Type	Violation Description	Sampling Frequency	Number of Violations
August-10 (3rd Quarter 2010 Rpt., p. 36)	Influent Flow Limitation - Daily Maximum - 1.5 million gallons per 24 hours	Exceeded Daily Maximum Influent Flow Limitation one day during the month.	Daily	1
August-10 (3rd Quarter 2010 Rpt., p. 35)	BOD Effluent Limitation - Daily Maximum - 30 mg/L	Exceeded Daily Maximum BOD Effluent Limitation one day during the month.	Weekly	1
August-10 (3rd Quarter 2010 Rpt., p. 35)	BOD Effluent Limitation - Monthly Average - 15 mg/L	Exceeded Monthly Average BOD Effluent Limitation.	N/A	1
September-10 (3rd Quarter 2010 Rpt., p. 58)	Freeboard Level Req. - Minimum of 2 feet	Failed to maintain minimum freeboard levels in one or more percolation ponds for one day.	Daily	1
October-10 (Exhibit No. 8)	Freeboard Level Req. - Minimum of 2 feet	Failed to maintain minimum freeboard levels in one or more percolation ponds for nine days.	Daily	9
November-10 (Exhibit No. 9)	Freeboard Level Req. - Minimum of 2 feet	Failed to maintain minimum freeboard levels in one or more percolation ponds for 30 days.	Daily	30
December-10 (Exhibit No. 9 and Exhibit No. 12)	Freeboard Level Req. - Minimum of 2 feet	Failed to maintain minimum freeboard levels in one or more percolation ponds for 7 days. (*)	Daily	7
			Total Violations	**2418**

(*)This violation count includes the 12/23/2010 freeboard violation that occurred when Percolation Pond No. 4S discharged to open desert lands located south of the percolation pond.

[1] Report names are from APUA's self-monitoring report title pages. Page number references are based upon page counting starting after the title page.

EXHIBIT NO. 11

Adelanto WWTP Consultation Mtg.
John Spansler 3:00 p.m.
Eric Taxer 11/2/10
Scott Ferguson

- Dredging - Suction dredge 90' x 200'
Line w/ visquene, store sludge
- Reverse = 911 call, PSA
- Increase discharge to VVWRA nearby and elsewhere.
- ~~S~~ Material from Pond No. 4 is on Pond No. 5 site Currently moving dirt to improve capacity at Pond No. 5.
- Can use material to create structurally sound berms, to increase Pond 5 site capacity?
- Proposal for 60' or shallower trenches. ~~F~~ Trenches of equal pond depth? Currently digging 20' long 10' w x 21' depth. Approx. dimensions. Start w/ 2 or 3 and til they work, dig more.

Breached Pond 4 berms to allow flow into recently dug trenches. 4 exist now with 2 more being dug. 3w' x 10' d x 20' l. Each ~~breach~~ trench has its own ~~trench~~ breach.

Berm work ~~can~~ has created additional freeboard, but measurements continue to be taken @ original berm elevations.

EXHIBIT NO. 12

Eric Taxer - Re: Adelanto

From:	John Morales
To:	Drabandt, Laura; Ferguson, Scott; Taxer, Eric
Date:	12/23/2010 6:13 PM
Subject:	Re: Adelanto
CC:	Curtis, Chuck; Mitton, Cindi; PourGhasemi, Ghasem
Attachments:	Adelanto Perc pond 4S spill Dec 23, 2010 001.JPG; Adelanto Perc pond 4S spill Dec 23, 2010 004.JPG; Adelanto Perc pond 4S spill Dec 23, 2010 007.JPG

All,

Upon arrival at the treatment plant, I observed the wastewater overflow from percolation pond (the pond) No. 4S onto open desert land, south of percolation pond 4S. The topography of the open desert land where the spill occurred is such that it creates a low spot down-gradient of the pond (see attached pictures).

The over flow spill had already ceased and had come to an equilibrium state such that the wastewater was at a standing condition at the low spot of the spill area. I estimated the dimensions of the spill to be approximately 200' X 200' X 8"(average depth), equating to a volume of approximately 200,000 gallons.

According to the Discharger, the spill occurred at approximately 2:00 a.m. this morning. Flow into the pond from the treatment process had ceased since 9:30 a.m. this morning. The spill did not extent to any washes, drainages or tributaries to the Mojave River.

There was a contractor on-site excavating and extending trenches on the east side of the pond in an effort to increase capacity.

The capacity of the percolation ponds in terms of freeboard were as follows:

Percolation pond No.	Freeboard
1	2 feet
2	1 1/2 feet
3	1 3/4 feet
4N	> 2 feet
4S	overspill

The bottom of percolation pond No. 2 has been scoured from the bottom. The bottom surface from the dredging has been set in a location within the plant boundaries, located south of the percolation ponds in an open land east of the Biolac aeration basins. This scoured material is relatively dry and does not seem to contain excessive moisture to the extent where the area assigned to contain this material does not contain excessive wastewater. The material is mostly consistent of sand along with decomposed material.

Since the pictures take up a large space, I will forward you some of the pictures of the inspection on a piecemeal basis.

Picture No. 1: Extent of the spill on the west side of the pond, looking northeast.
Picture No. 4: Picture showing the spill flowing through the failed berm allowing wastewater to flow beyond the chain link fence onto the adjacent private property
Picture No. 7: Looking east, picture showing wastewater as standing water on the low spot resulting by the topography of the open land sloping downward towards the pond.

Thank you,

John Morales, P.E.
Water Resources Control Engineer
CA Regional Water Quality Control Board
Lahontan Region (6B)
14440 Civic Drive, Suite 200
Victorville, Ca 92392
Phone: (760) 241-7366
Fax: (760) 241-7308
email:jmmorales@waterboards.ca.gov
web:http://www.waterboards.ca.gov

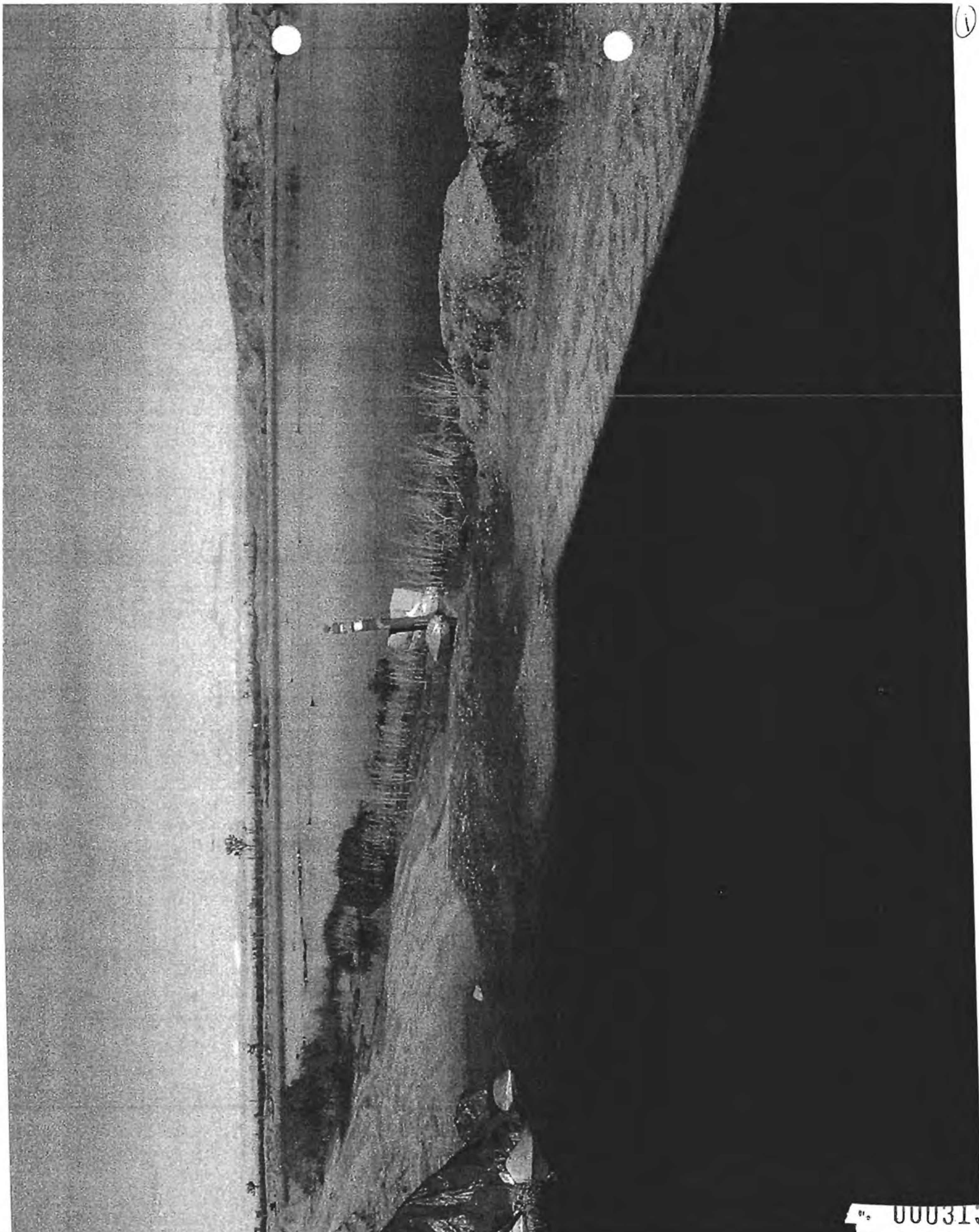
>>> Scott Ferguson 12/23/2010 12:10 PM >>>
Laura and Eric,

Ghasem PourGhasemi from our VVL office just called me to let us know that Adelanto started discharging from one of its percolation ponds to adjacent lands areas this morning. VVWRA was not able to continue accepting diverted Adelanto wastewater flows because of increasing flows into VVWRA caused by all of the rainfall southern California has been experiencing. VVWRA may be able to accept Adelanto diverted flows again now or soon.

John Morales has gone to inspect the Adelanto site and will report to us his findings upon his return to the office.

Scott C. Ferguson, Chief
Enforcement and Special Projects Unit
Lahontan Regional Water Quality Control Board
530-542-5432
Sferguson@waterboards.ca.gov

1



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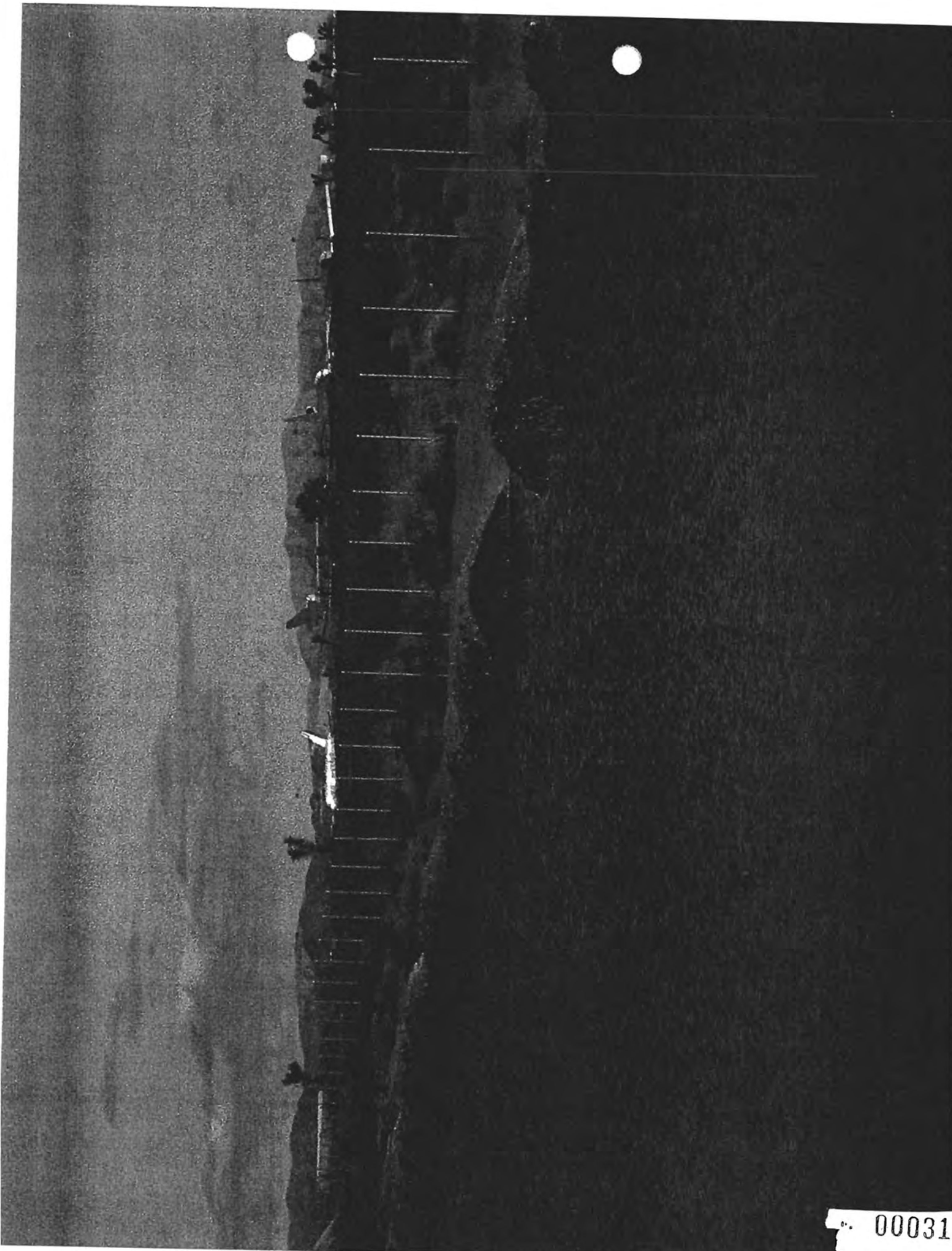
4)



000314

7

Eric Taxer - Re: Adelanto

From:	John Morales
To:	Drabandt, Laura; Ferguson, Scott; Taxer, Eric
Date:	12/23/2010 6:20 PM
Subject:	Re: Adelanto
CC:	Curtis, Chuck; Mitton, Cindi; PourGhasemi, Ghasem
Attachments:	Adelanto Perc pond 4S spill Dec 23, 2010 010.JPG; Adelanto Perc pond 4S spill Dec 23, 2010 012.JPG; Adelanto Perc pond 4S spill Dec 23, 2010 013.JPG

More pictures:

Picture No. 10: Extent of the spill beyond the chain link fence
Picture No. 12: Wastewater beyond the chain link fence on adjacent property, looking southeast.
Picture No. 13: Extent of the spill on open desert land. The chain link fence is seen towards the upper left corner of the picture.

John Morales, P.E.
Water Resources Control Engineer
CA Regional Water Quality Control Board
Lahontan Region (6B)
14440 Civic Drive, Suite 200
Victorville, Ca 92392
Phone: (760) 241-7366
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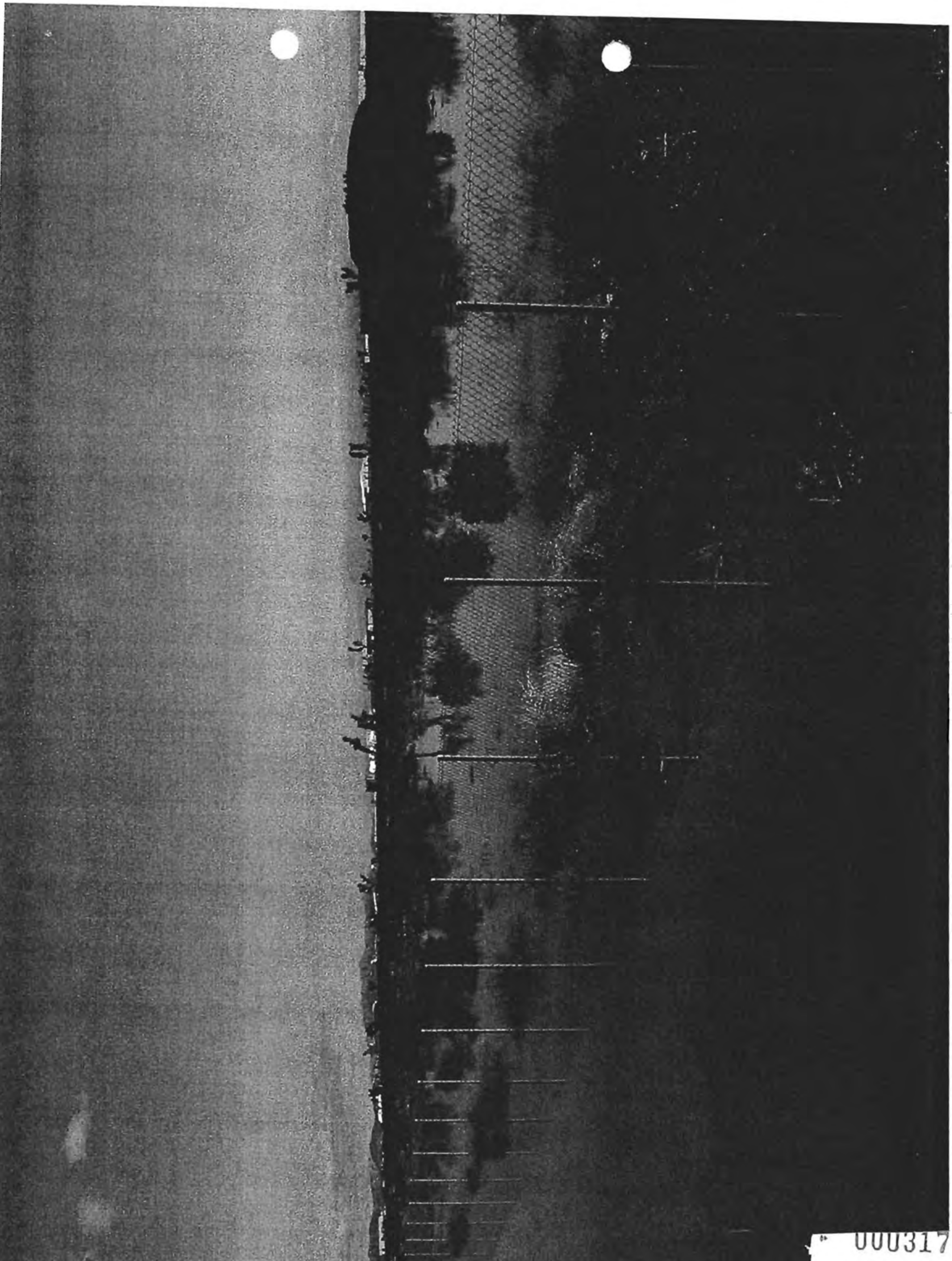

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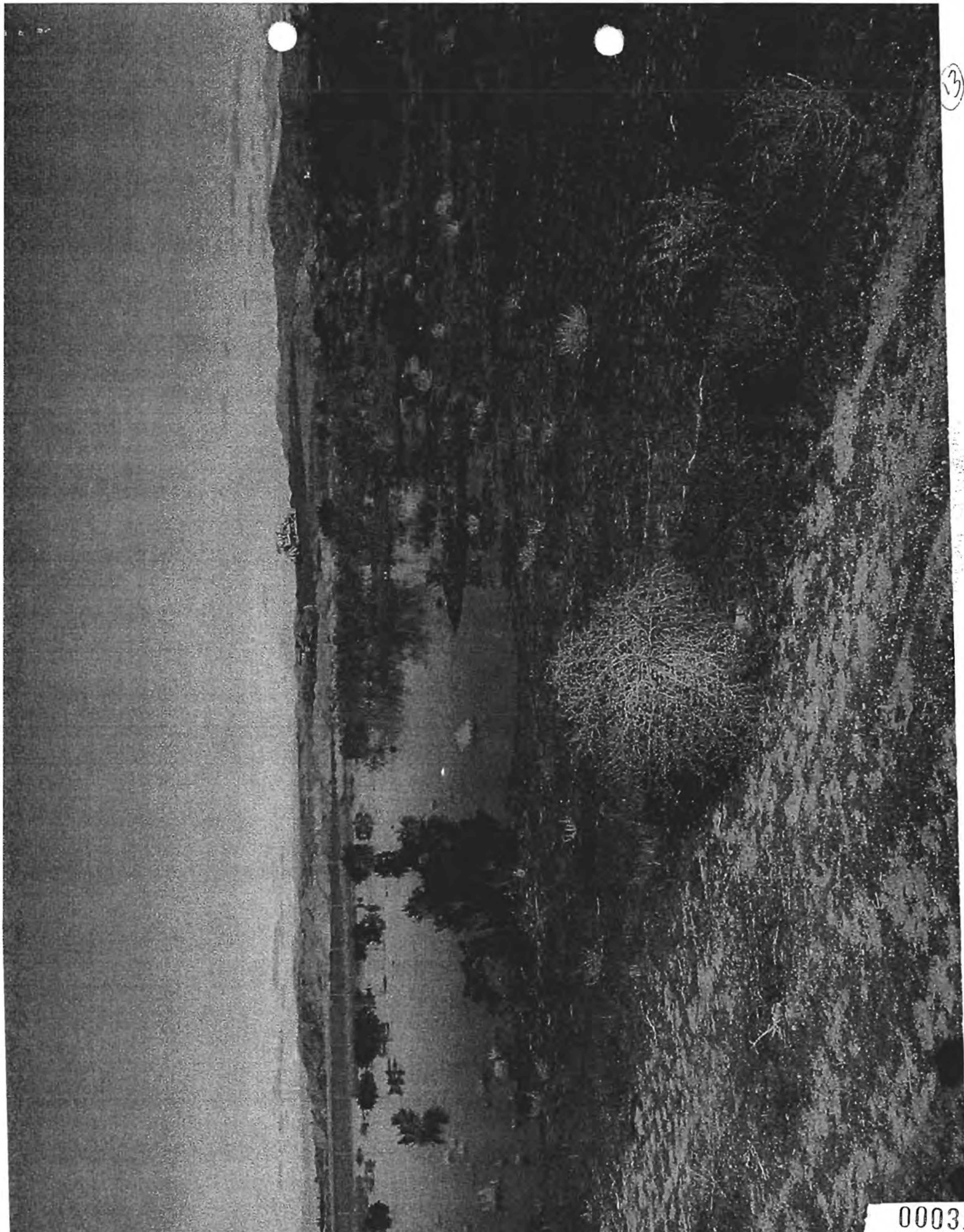
(13)



000319

Eric Taxer - Re: Adelanto

From: John Morales
To: Drabandt, Laura; Ferguson, Scott; Taxer, Eric
Date: 12/23/2010 6:30 PM
Subject: Re: Adelanto
CC: Curtis, Chuck; Mitton, Cindi; PourGhasemi, Ghasem
Attachments: Adelanto Perc pond 4S spill Dec 23, 2010 014.JPG; Adelanto Perc pond 4S spill Dec 23, 2010 018.JPG; Adelanto Perc pond 4S spill Dec 23, 2010 031.JPG

Picture No. 14: Precautionary ribbon alerting the public of the spill.
Picture No. 18: Trenches shown constructed to increase capacity of pond 4S & 4N.
Picture No. 31: Area where the scoured bottom surface from percolation pond No. 2 is located. Not excessive wastewater is observed on the surface.

John Morales, P.E.
Water Resources Control Engineer
CA Regional Water Quality Control Board
Lahontan Region (6B)
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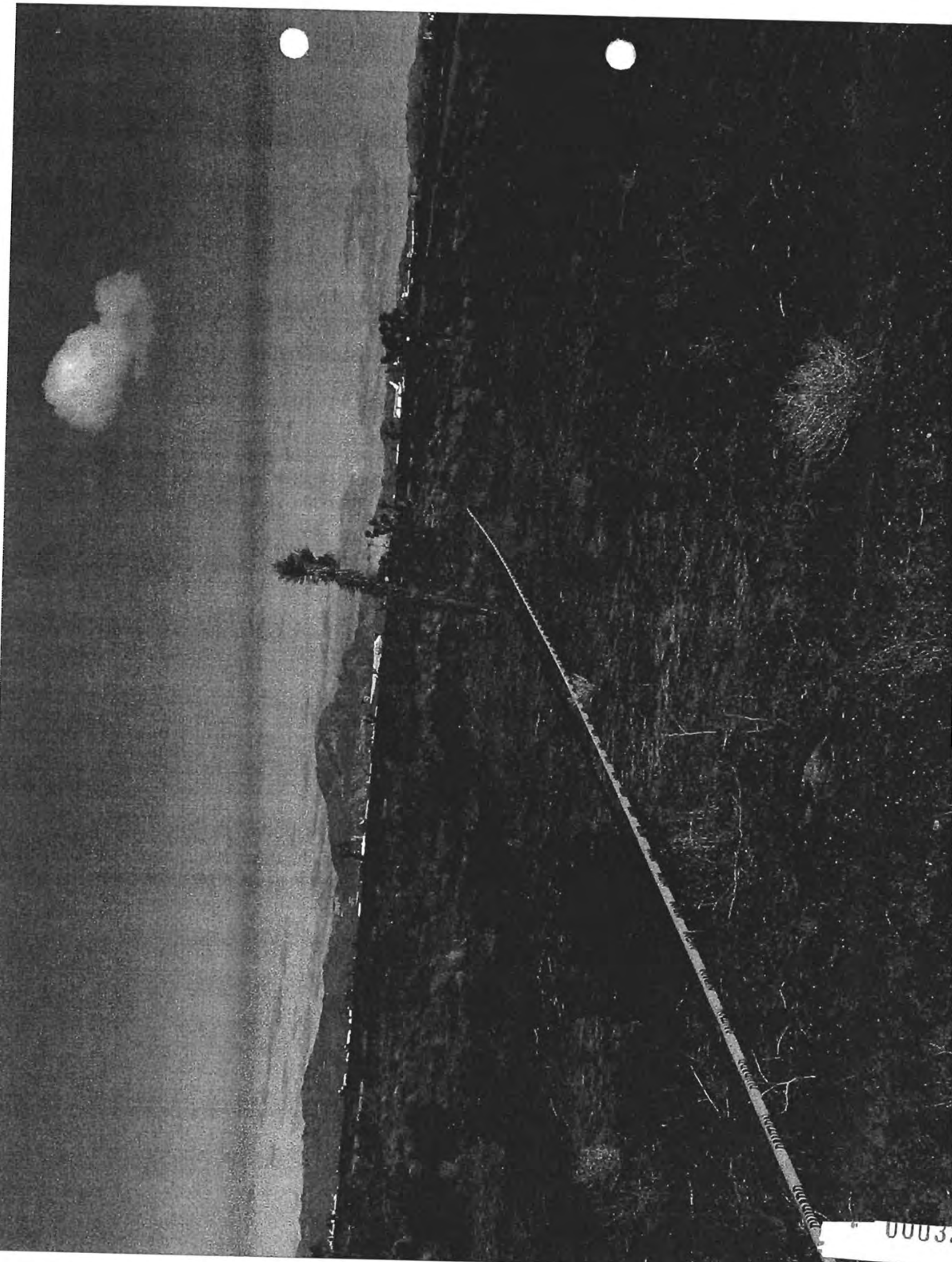

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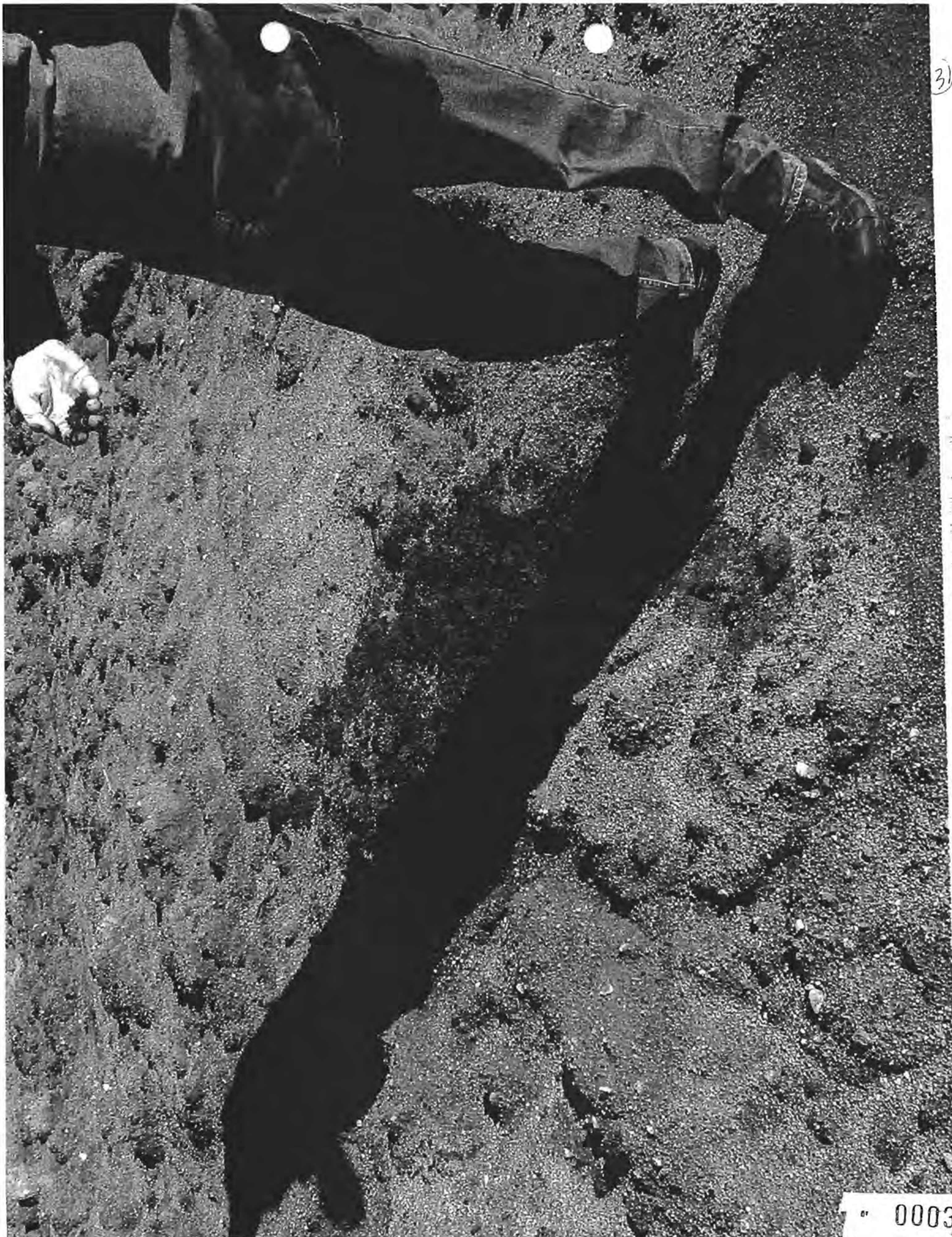
31



000323

Eric Taxer - Re: Adelanto

From: John Morales
To: Drabandt, Laura; Ferguson, Scott; Taxer, Eric
Date: 12/23/2010 6:31 PM
Subject: Re: Adelanto
CC: Curtis, Chuck; Mitton, Cindi; PourGhasemi, Ghasem
Attachments: Adelanto Perc pond 4S spill Dec 23, 2010 028.JPG

Picture showing location of the scouring from percolation pond No.2. As seen, not excessive wastewater is observed.

John Morales, P.E.
Water Resources Control Engineer
CA Regional Water Quality Control Board
Lahontan Region (6B)
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>>> Scott Ferguson 12/23/2010 12:10 PM >>>
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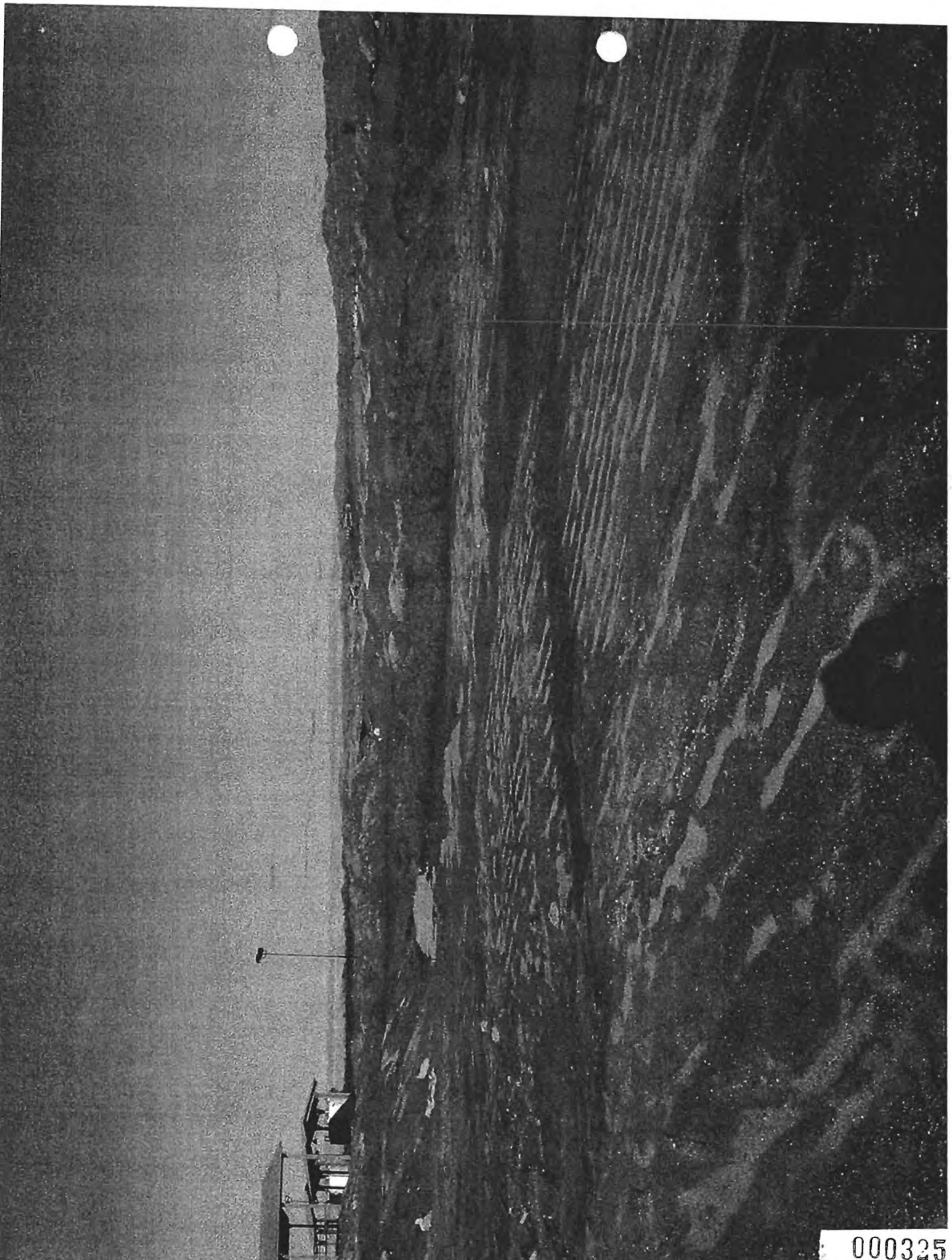


EXHIBIT NO. 13

Eric Taxer - RE: Request for Information - APUA Wastewater Diversions to VVWRA

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: 'Eric Taxer' <ETaxer@waterboards.ca.gov>
Date: 12/15/2010 3:50 PM
Subject: RE: Request for Information - APUA Wastewater Diversions to VVWRA
Attachments: VVWRA - COA Diversion Agreement 6 - 10.pdf

Good afternoon Eric,

Please find attached the requested document. We signed the document on 9 June 2010, but it did not become effective until we began diverting the raw. We began diversion on 7/28/2010. By that date, the contract should end on 10/28/2011.

Thanks,

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92311
(760)246-2300 x 3006
(760)578-4297 cell
(760)246-3242 fax

City Hall is open Monday - Thursday from 7:00 a.m. until 6:00 p.m. City Hall is closed every Friday and Holidays.

From: Eric Taxer [mailto:ETaxer@waterboards.ca.gov]
Sent: Wednesday, December 15, 2010 11:13 AM
To: John Sponsler
Subject: Re: Request for Information - APUA Wastewater Diversions to VVWRA

End of November?

Eric J. Taxer, P.E.
Water Resource Control Engineer
Enforcement and Special Projects Unit
Lahontan Regional Water Quality Control Board
2501 Lake Tahoe Boulevard
South Lake Tahoe, California 96150

530-542-5434

"The trouble with the paper chase is that even if you excel it's just a paper gain. "
-Lily Tomlin

>>> On 12/15/2010 at 11:09 AM, in message
<2BEE9B80DEAACF4A9A0171FB8555ECED4F3D63E344@AdelExchsvr01.adelanto.com>, John Sponsler
<jsponsler@ci.adelanto.ca.us> wrote:

> Ok,
> We are still on a contact with VVWRA; it doesn't expire until Nov 2011.
> -John Sponsler
>
> **Sent from my BlackBerry
>
> ----- Original Message -----
> From: Eric Taxer <ETaxer@waterboards.ca.gov>
> To: John Sponsler
> Cc: Cindi Mitton <cmitton@waterboards.ca.gov>; John Morales <JMMorales@waterboards.ca.gov>; Laura Drabandt <LDrabandt@waterboards.ca.gov>; Scott Ferguson <SFerguson@waterboards.ca.gov>
> Sent: Wed Dec 15 11:03:13 2010
> Subject: Request for Information - APUA Wastewater Diversions to VVWRA
>
> John -
>
> Could you please provide me with a copy of APUA's existing contract/agreement with VVWRA regarding the wastewater diversion? Also, what is the date when APUA's current contract/agreement with VVWRA regarding wastewater diversions expires. Has it already expired?
>
> Could you please provide this information ASAP, but no later than Noon tomorrow (December 16, 2010).
>
> Thank you,
> Eric Taxer
>
> Eric J. Taxer, P.E.
> Water Resource Control Engineer
> Enforcement and Special Projects Unit
> Lahontan Regional Water Quality Control Board
> 2501 Lake Tahoe Boulevard
> South Lake Tahoe, California 96150
> 530-542-5434
>
> "The trouble with the paper chase is that even if you excel it's just a paper gain. "
> -Lily Tomlin

AGENDA REPORT

City of Adelanto

Adelanto Governmental Center
11600 AIR EXPRESSWAY
ADELANTO, CALIFORNIA 92301

DATE: June 9, 2010

TO: Honorable Mayor and City Council Members

FROM: D. James Hart, City Manager

By: John Sponsler, Director of Public Utilities

SUBJECT: APPROVAL OF TEMPORARY WASTEWATER TREATMENT AGREEMENT BETWEEN THE CITY OF ADELANTO AND VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY

RECOMMENDATION:

Staff recommends approval of a temporary wastewater treatment agreement between the City of Adelanto and Victor Valley Wastewater Reclamation Authority.

BACKGROUND:

The City of Adelanto is in violation of its Waste Discharge Requirement; specifically exceedance of influent flow and effluent Biochemical Oxygen Demand (BOD). The City has been in violation in excess of 4 years. The WDR allows a maximum influent flow of 1.5 million gallons per day (mgd) and effluent BOD of 30 milligrams per Liter (mg/L), 15 mg/L mean. The City's influent flows are currently averaging 2.2 mgd and effluent BOD levels in excess of 15 mg/L mean.

The State Water Resources Control Board, Lahontan Region is promising regulatory action against the City if these excesses are not soon brought into compliance. This action could be in the form of monetary penalties for each day of non-compliance, possibly dating back to the first day of non-compliance; as much as $5,000.00 for each day.

Discussions were held with VVWRA to divert a portion of the City's raw influent for a period of 15 months into their treatment system at a rate not to exceed 800,000 gallons per day, in order to bring the City's influent limitation to the required 1.5 mgd. By so doing, this will allow the City's waste treatment system to function as designed and reduce the effluent BOD to within limits as well. The 15 month time starts upon the first day of diversion.

This agreement was discussed and approved on Thursday, May 27, 2010 at the Meeting of the Board of Commissioners Victor Valley Wastewater Reclamation Authority.

FISCAL IMPACT:

Diverting the City's raw influent into the VVWRA treatment system for a period of 15 months (approximately 465 days) will cost $2,080 per 800,000 gallons. This is a cost of approximately $967,200.00 to VVWRA.

ATTACHMENTS:

(1) Copy, Temporary Wastewater Treatment Agreement between VVWRA and the City of Adelanto

COPY

WASTEWATER TREATMENT AGREEMENT
BETWEEN THE ADELANTO PUBLIC UTILITY AUTHORITY AND THE VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY

This Wastewater Treatment Agreement ("Agreement") is made and entered into as of June 9, 2010, by and between the Adelanto Public Utility Authority ("APUA"), a Municipal Corporation, organized and existing under the laws of the State of California and Victor Valley Wastewater Reclamation Authority ("VVWRA"), a joint powers authority organized and existing under the laws of the State of California, and APUA and VVWRA are sometimes individually referred to as a "party" and collectively as the "parties".

RECITALS

(A) VVWRA is a joint powers authority which is engaged in the business of managing, treating and disposing of domestic strength municipal wastewater which is generated by its member agencies at facilities owned and operated by VVWRA.

(B) The APUA is a former member of VVWRA which now operates its own municipal wastewater treatment facility ("Adelanto Facility");

(C) VVWRA and APUA are parties to that certain Standby Wastewater Treatment Agreement ("Standby Agreement") whereby VVWRA has agreed to treat secondary wastewater effluent through the interceptor between the APUA and VVWRA's Westside Wastewater Treatment Plant ("WWTP) in the event of an emergency or operational necessity.

(D) The Adelanto Facility is currently treating raw untreated sewage influent ("Raw Influent") in excess of its current operating capacity of 1,500,000 gallons per day and APUA has requested that VVWRA agree to take and treat up to 800,000 gallons of excess Raw Influent per day.

(E) VVWRA and APUA desire to expand the arrangement set forth in the Standby Agreement by entering into an agreement for the treatment of Raw Influent subject to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual agreements hereinafter set forth, and for other good and sufficient consideration given, the receipt of all of which is hereby acknowledged, the parties hereto agree as follows:

1. Term of Agreement. The Effective Date of this Agreement shall be the first date upon which Raw Influent is delivered to VVWRA. The term of this Agreement shall commence on the Effective Date and continue for a period of fifteen (15) months from the Effective Date unless renewed by the Parties hereto pursuant to a written instrument executed by both the APUA and VVWRA or terminated in accordance with the terms of Section 9.

RVBUS\GPRICE\744003.1

COPY

2. Delivery of Raw Influent and Permit Requirements

(a) Subject to the quality and quantity limitation set forth herein, VVWRA shall receive, process and dispose of Raw Influent which is delivered from APUA to the WWTP through the Adelanto interceptor. APUA shall notify VVWRA, in writing and telephonically, seventy-two (72) hours prior to the commencement of delivery of Raw Influent. APUA shall notify VVWRA, in writing and telephonically, forty-eight (48) hours prior to any anticipated material reduction in volume or cessation of the diversion of Raw Influent.

(b) APUA shall be solely responsible for determining whether the delivery of Raw Influent to the WWTP is in compliance with APUA's waste discharge requirements ("WDR") and all state and federal permits applicable to the operation of the Adelanto Facility. APUA shall indemnify, defend and hold harmless VVWRA (in accordance with the terms of Section 8) with respect to any federal or state regulatory action in connection with VVWRA's acceptance of the Raw Influent for treatment and any violation of the WDR and any other permit or requirement applicable to APUA, including without limitation, all costs, expenses, fines or penalties (including legal fees and expenses) which are incurred by VVWRA as a result.

(c) Except as set forth in Section 7(c), VVWRA shall own all reclaimed water and byproducts which are generated as a result of the treatment of the Raw Influent and shall have the right to discharge, sell, transfer or dispose of such reclaimed water and byproducts as determined by VVWRA in its sole discretion.

3. Quantity of Effluent. The quantity of Effluent delivered by the APUA to the WWTP shall not exceed eight hundred thousand (800,000) gallons per day ("Maximum Quantity"). The treatment of the Maximum Quantity is subject to the availability of excess capacity at the WWTP and the regulatory requirements which are applicable to the treatment of Raw Influent by VVWRA. In the event that VVWRA does not have sufficient excess capacity, as determined in its sole discretion, to treat the Maximum Quantity of Raw Influent for any reason, then VVWRA shall have the right at any time during the term of this Agreement to reduce the Maximum Quantity upon thirty (30) days written notice to APUA. At the request of APUA, VVWRA may agree, in its sole discretion, to accept higher volumes of Raw Influent for treatment at the WWTP.

4. Quality of Raw Influent. The Raw Influent to be delivered pursuant to this Agreement shall be raw untreated effluent and shall strictly comply with the quality standards which are set forth in Ordinance 001 of VVWRA, as the same may be amended from time to time, including without limitation, the pretreatment requirements with respect to any industrial wastewater ("Quality Standards"). A current copy of Ordinance 001 has been provided to APUA. APUA shall further obtain all permits required pursuant to Ordinance 001 prior to delivering any Raw Influent. VVWRA shall not be obligated to accept any Raw Influent which is not in compliance with the Quality Standards.

5. Cost of Treatment.

(a) In consideration of VVWRA's treatment and disposal of the Raw Influent at the WWTP, the APUA shall pay VVWRA a treatment fee equal to Two Thousand Six Hundred Dollars ($2,600.00) for each one million gallons of Raw Influent delivered to the WWTP during the term of this Agreement. The foregoing fee shall be subject to change in the event of a general rate increase adopted by VVWRA during the term of this Agreement, provided, however, that VVWRA shall give APUA with no less than thirty (30) days prior written notice of any such increase.

(b) During the initial term of this Agreement, the fee for treatment and disposal identified in Paragraph 5(a) above shall be inclusive of all costs and expenses which are expected to be incurred by VVWRA and no additional fees and charges shall be payable by APUA for the treatment and discharge of Raw Influent which is in compliance with the quantity and quality limitations set forth in this Agreement. In the event that the expected cost of treatment increases as a result of unforeseen circumstances or the imposition of additional regulatory requirements associated with the treatment of Raw Influent pursuant to this Agreement, then VVWRA shall provide APUA with no less than thirty (30) days prior written notice of such additional costs, which notice shall set forth the cause and calculation of such costs in reasonable detail.

(c) APUA acknowledges that any renewal of this Agreement beyond the initial term specified in Section 1 will subject APUA to the payment of connection fees and charges at the then current rates adopted by VVWRA and will further require the negotiation of additional terms, including without limitation, the terms upon which APUA might be re-admitted as a member of VVWRA, how the Adelanto Facility would be incorporated within the VVWRA system and whether the contribution of the Adelanto Facility and other infrastructure could be offset against connection fees and other charges. All such terms and conditions shall be subject to mutual negotiation and approval of any long term arrangement will be in the sole discretion of VVWRA.

6. Billing and Payment. VVWRA shall invoice the APUA for the costs described in Section 5 on a weekly basis and the APUA shall pay such invoice within fifteen (15) business days of the invoice date.

7. Non-Conforming Raw Influent.

(a) Suspension of Raw Influent. VVWRA shall have the right to meter and test the Raw Influent which is delivered to VVWRA for compliance with the terms of this Agreement and to suspend acceptance of Raw Influent at any time if the Raw Influent is non-conforming with the quantity limitation set forth in Section 3 or the Quality Standards ("Non-Conforming Raw Influent"), provided, however, that VVWRA shall immediately notify the manager of the Adelanto Facility of its intent to suspend delivery and shall reasonably cooperate with the APUA to perform an orderly shutdown of delivery of Raw Influent.

(b) Responsibility for Non-Conforming Raw Influent. The APUA shall be solely responsible for any additional cost or expense incurred by VVWRA in connection with Non-Conforming Raw Influent that is delivered to VVWRA prior to suspension of delivery and for any costs, expenses, fines or penalties (including legal fees and expenses) which are incurred by VVWRA as a result of any violation of Environmental Laws due to the delivery of Non-Conforming Raw Influent by the APUA. The APUA shall further be responsible for all costs of remediation, whether or not there is a formal claim or investigation against VVWRA, associated with the further treatment of Non-Conforming Raw Influent. Upon written demand by VVWRA, the APUA shall promptly advance all such costs and expenses that have not already been paid by VVWRA and shall promptly reimburse VVWRA for all costs and expenses already incurred upon presentation of an invoice from VVWRA which sets forth such costs and expenses in reasonable detail.

(c) Ownership of Non-Conforming Raw Influent. In no event shall VVWRA be deemed to have taken ownership of any Non-Conforming Raw Influent or of any hazardous materials or hazardous wastes, as defined by federal, state or local law, which are contained in any Non-Conforming Raw Influent.

8. Indemnity and Liability Provisions.

(a) Indemnity by APUA. APUA hereby agrees, at its sole cost and expense, to indemnify, protect, hold harmless and defend VVWRA, its commissioners, officers, employees, agents, successors and assigns from and against any and all claims, demands, damages, losses, liabilities, obligations, penalties, fines, actions, causes of action, judgments, suits, proceedings, costs, disbursements and expenses (including, without limitation, fees, disbursements and cost of attorneys, consultants and experts) (collectively "Losses") which may at any time be imposed upon, incurred, or suffered by, or asserted or awarded against, any Indemnified Party directly or indirectly relating to or arising from the acceptance and treatment of the Raw Influent by VVWRA, including without limitation, the violation of any permit described in Section 2(b) and/or the violation of any Environmental Laws applicable to the treatment and discharge of wastewater by VVWRA. This indemnity shall not apply to any Losses or Third Party Claims which result from a claim for which VVWRA is responsible pursuant to Section 8(b).

(b) VVWRA shall indemnify, protect, hold harmless and defend the APUA, its officers, employees, and agents from and against any and all Losses resulting from any third party claim resulting from (i) the sole negligence or willful misconduct of VVWRA; or (ii) the failure of VVWRA to properly treat and discharge Raw Influent which strictly conforms with the terms of this Agreement.

(c) Defense of Third Party Claims. Promptly following receipt of any written claim or legal proceeding asserted by a person or entity which is not a party to this Agreement (a

"Third Party Claim"), the party entitled to indemnification pursuant to this Section 8 (the "Indemnified Party") shall notify the party responsible for providing indemnification ("Indemnifying Party") of such claim in writing. The Indemnifying Party shall have a period of 30 days (or such lesser period as may be required to timely respond to a Third Party Claim) following the receipt of such notice to undertake and diligently pursue the defense of the Third Party Claim with legal counsel which is reasonable acceptable to the Indemnified Party. The Indemnifying Party shall reimburse the Indemnified Party for any legal expense reasonably incurred by the Indemnified Party to timely respond to a Third Party Claim prior to the Indemnifying Party assuming the defense thereof. The Indemnifying Party shall not consent to entry of judgment or enter into any settlement agreement, without the consent of the Indemnified Party, which does not include a complete and unconditional release of the Indemnified Party or which imposes injunctive or other equitable relief against the Indemnified Party. The Indemnified Party shall have final authority with respect to all decisions made in connection with the defense of the Third Party Claim. If the Indemnifying Party fails to assume and diligently pursue the defense of a Third Party Claim, the Indemnified Party may defend against such Third Party Claim in such manner as it may deem appropriate, including without limitation settlement thereof on such terms as the Indemnified Party may deem appropriate, and to pursue such remedies as may be available to the Indemnified Party against the Indemnifying Party.

(d) Definitions.

(i) "Environmental Law(s)" means any federal, state or local law whether common law, court or administrative decision, ordinance, regulation, permit condition, rule, court order or decree, or administrative order or any administrative policy or guideline concerning of a governmental authority relating to the environment, public health, any Hazardous Material (as hereinafter defined) or the treatment of wastewater, in effect from time to time, including, but not limited to (i) the Federal Water Pollution Control Act, as amended (33 U.S.C. §1251 et seq.); (ii) the Resource Conservation and Recovery Act, as amended (42 U.S.C. §6901 et seq.); (iii) the Comprehensive Environmental Response, Compensation and Liability Act, as amended (42 U.S.C. §9601 et seq.); (iv) the Federal Clean Air Act, as amended (42 U.S.C. §7401 et seq.); (v) the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. §136 et seq.); (vi) the Toxic Substances Control Act, as amended (15 U.S.C. §2601 et seq.); (vii) the Emergency Planning and Community Right-to-Know Act, as amended (42 U.S.C. §11001 et seq.); (viii) the Occupational Safety and Health Act, as amended (29 U.S.C. §650 et seq.); (ix) Chapter 6 of the California Health and Safety Code; California Health and Safety Code Sections 25100 et seq. and Sections 25280 et seq.; (x) the Safe Drinking Water and Toxic Enforcement Act of 1986, as amended (Proposition 65); (xi) Title 22 of the California Code of Regulations (Division 4, Chapter 30); and (xii) all regulations or guidelines promulgated pursuant to all of the foregoing, as same may be amended from time to time.

(ii) "Hazardous Material(s)" means any petroleum or petroleum products and any hazardous or toxic material, substance, pollutant, allergen, irritant, mold, fungus, bacteria, contaminant, waste, or terms similar to the forgoing, any of which are (a) defined by or regulated as such under any Environmental Laws, or (b) determined by a final court ruling or order to be hazardous or toxic.

9. Termination.

(a) This Agreement shall terminate automatically at the end of the term set forth in Section 1.

(b) VVWRA shall have the right to terminate this Agreement on ten (10) days written notice in the event that the APUA is in material violation of its obligations under this Agreement or VVWRA determines, in its sole discretion, that the further acceptance of Raw Influent would be a violation of any Environmental Laws, permit requirements, court or administrative orders or other legal obligations applicable to VVWRA.

(c) The APUA shall further have the right to terminate this Agreement on ten (10) days written notice to VVWRA in the event that VVWRA is in material violation of its obligations under this Agreement.

(d) Following termination of this Agreement for any reason, all obligations of VVWRA to accept delivery of Raw Influent shall terminate and be of no further force and effect. The obligations of APUA pursuant to Sections 5, 7(b) and 8 shall survive termination of this Agreement. The obligations of VVWRA pursuant to Section 8 shall survive termination of this Agreement.

10. Limitation on Damages.

Except for the obligation of APUA pursuant to Section 7(b), neither party shall be liable to the other party for any special, indirect or consequential damages of any kind resulting from a breach of this Agreement, whether or not such damages were reasonably foreseeable by the other party.

11. Entire Agreement. This Agreement constitutes the entire agreement and understanding of the parties hereto with respect to the subject matter hereof and supersedes all prior agreements and understandings, both written and verbal, between the parties with respect to the subject matter hereof.

12. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the parties thereto and their successors and assigns. The Agreement may not be assigned by either party without the prior written consent of the other party.

13. Amendments. This Agreement may not be amended, altered or modified except in writing signed by the parties hereto. No waiver by either party of any breach by the other party of any provisions of this Agreement shall be construed as a waiver of any subsequent breach, whether of the same or of any different provision of this Agreement. No course of conduct or series of dealings shall constitute a waiver hereunder.

14. Notice. In the event that written notice must or may be given hereunder, such notice shall be sent via a commercial overnight courier such as Federal Express or UPS to the other party at the following address or such other address as a party may notify the other in writing:

If to VVWRA:	Logan Olds, General Manager 15776 Main St. Hesperia, CA 92345
With a copy to:	Best Best & Krieger LLP Attn: Piero Dallarda 3750 University Avenue Riverside, CA 92501
If to APUA:	City of Adelanto Attn: City Clerk 11600 Air Expressway Adelanto, CA 92301
With a copy to:	Rutan & Tucker, LLP Attn: Todd Litfin 611 Anton Blvd, 14th Floor Costa Mesa, CA 92626

Notice shall be sent to the above referenced persons unless the parties are otherwise notified in writing of a change in the name or address of the person to be notified.

15. Governing Law. This Agreement shall be governed by and construed under the laws of the State of California and venue for any action arising out of this Agreement shall be in the County of San Bernardino.

16. Attorney's Fees and Costs. The prevailing party in any action brought to enforce the terms of this Agreement in court or arbitration shall be entitled to an award of its reasonable attorney's fees and costs, including without limitation, the costs of discovery and expert witnesses in connection with any such action.

17. Nature of Agreement. The parties acknowledge that the sole purpose of this Agreement is to provide standby treatment capacity for Raw Influent from the Adelanto Facility and that in no event shall this Agreement be deemed to constitute a request for admission by the APUA to be a member of VVWRA or for VVWRA to annex any portion of the service area of the APUA.

18. Effect on Standby Agreement. Upon the execution of this Agreement, the Standby Agreement with respect to the delivery of secondary effluent shall remain in effect, provided, however, that the maximum volume of secondary effluent that may be delivered pursuant to Section 3 of the Standby Agreement shall be reduced by the actual quantity of Raw Influent delivered pursuant to this Agreement.

[signature page follows]

IN WITNESS WHEREOF, the parties hereto have by their duly authorized officers or representatives executed this Agreement all on the day and year first above written.

VICTOR VALLEY WASTEWATER

RECLAMATION AUTHORITY

By: ____________________

Name: LOGAN OLDS

Title: General Manager

ADELANTO PUBLIC UTILITY AUTHORITY

By: ____________________

Name: Charley B. Glasper

Title: Mayor

EXHIBIT NO. 14

4-15-10

AGENDA

City of Adelanto and Lahontan Water Board

Lahontan Water Board Office
Adelanto Wastewater Treatment Plant
14440 Civic Drive, Suite 200
Victorville, Ca 92392
2:00 – 3:00 PM

Topics:

1) Notice of Violation dated March 18, 2010 for failure to submit a Groundwater Monitoring Plan per Board Order no. R6V-2009-0036

2) SWRCB Annual Fees for the Board Order No. R6V-2002-050 and No. R6V-2009-0036

3) Update on plant upgrades and the Micro-Media Filtration Plant status

4) Sampling and Analysis Plan still needed as required per Board Order No. R6V-2009-0036

5) Next steps/action items

U: Cindi/agenda for april 15, 2010 meeting.

4/15/10

Meeting - Adelanto

Due to plug IN effluent to pond #1, diversion to VVWRA (~~~1~~ 1.2 MGD) has been diverted ~ 2ndary treated ww. Since Aug 09. Will continue until another pond is built.

ponds not percolating because plant is overloaded. Polymers used but clug soil pores; they scarify the soil etc ...

City looking at building a couple of ponds in the (N) parcels

Revise WDR to include the proposed ponds.

VVWRA's interceptor. Procedure to scarify the pond is to Let it dry; then scarify the bottom.

Micro Media has had mechanical problems; wiring has been faulty.

Microbes are not on-site yet; schedule to get the Microbes = ~~60 to 75 days starting from~~ early May.

Cindi asked ~~??~~ if in the Contract, there is a clause w/ a date (deadline) of Compliance. Wilson said that there is no clause, but Adelanto will put a deadline.

000346

Flow into OZ plant is ~ 2.2 MGD. Mike suggests

Adelanto does have a Pre-treatment program.

BOD is their biggest problem now.

Accordg to Wilson, diverting raw sewage to VVWRA will help the effluent + it will help the percolation process in the ponds.

Mike said that by default, the flow limit is 1.5 MGD per the 2002 Board Order.

John will talk to Logan about this.

Per Mike, a 13267 Order will be issued to Discharger to:

1. Plan & time schedule on how you are going to Comply w/ your WDRs. (flow & BOD problems)
2. A CDO will be also given (A second CDO; rescind the 2007 CDO)

Well #3 was abandoned because it was over the mound

Ground Water Monitoring Work Plan; By 8/31/09;
Per Mike, everyday is a violation starting
Wilson ~~said~~ requested to ~~extend~~ the deadline but Mike said he could not grant the extension,
but since the date is in the MRP, Harold could

For a background, try to get a sample away from the mound.

SAP

John said that the Micro-media was not operational ∴ a SAP was not submitted.

Per Cindi, the SAP is for the effluent regardless of what B.O. you are following. The analytes listed in the MRP should be included. GW samples should be included as well.

John will request 120 days to complete a SAP. Mike said that Aug 15, 2010 to get the SAP in; he will inquire w/ Enforcement Committee.

Annual Fees

John was inquiring about the Complexity of the Micro-media vs. Biolac system; $1226 vs ~~8000~~ 8769

- Cindi says that it might be dependent on flow surcharge.
- Mike said that we will provide John an answer as to what complexity & if it depends on flow surcharge.

obtain Copy of the invoice

Next Step

1. Mike will talk to the enforcement Committee

May ~~17~~ 18, 2010 @ 2:00PM Next MTG.

4th Q 2008 → ~~4th~~ 3rd Q 2009 (~~8~~ 4 total)
EFF DATA

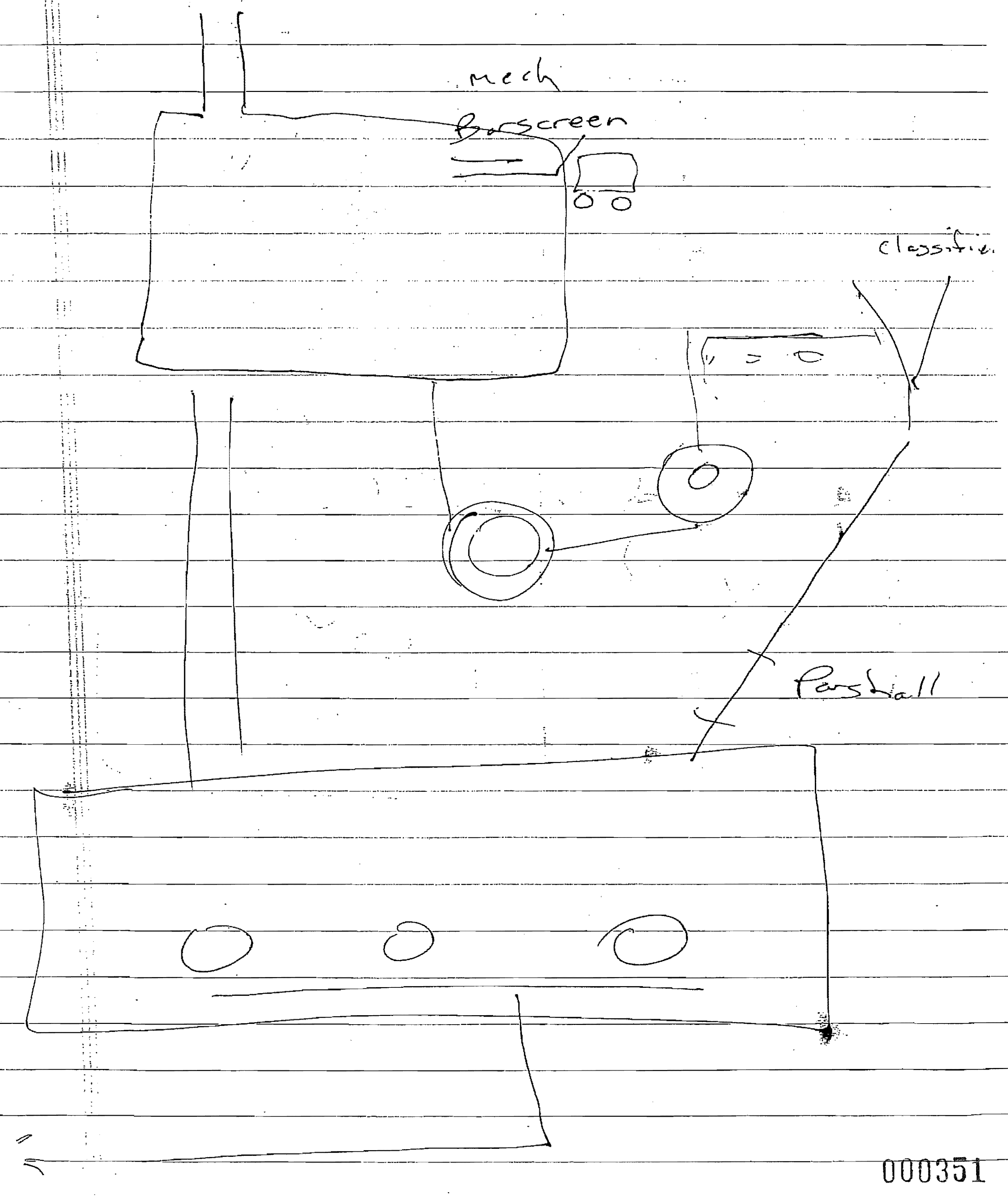
BOD
MBAS
DO
pH
Free Board (2ft)

1. Excell Table
2. Graphs

Total Nitrogen 3rd Q, 4th Q 2009

R6V-2002-050 - Old Plant
R6V-2007-24 - CDO
R6V-2009-0036 - Micromedia New Plant

WDR R6V-2002-050	CDO R6V-2007-24	R6V-2009-0036
Eff. limits - table		8-31-09 GW Mon Plan
FLOW - 2.2 > 1.5	II. B. not met 12-31-08	10-31-09 SAP
		Submitting SMRs? ask Christine


mech
Barscreen
classifier
Parshall

6B369805001

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: James Hart <jhart@ci.adelanto.ca.us>, "Wilson So (External)" <wilsonso@s...
CC: "'Perales, Mike'" <mperales@aquarionops.com>, "Vesely, Roger" <rvesely@a...
Date: 5/3/2010 5:03 PM
Subject: VVWRA

Good afternoon Gentlemen,

I attended, and spoke at, the VVWRA Board Meeting this afternoon concerning our ability to divert a portion of our influent into their system.

They voted "yes;" Logan is going to craft an agreement similar to what we have in place with our effluent. They will need to grab some samples and conduct analysis on it in order to determine an exact cost.

However, the charge for influent could go as high as $2,100.00 per million gallons. Even though it is for a temporary duration, they asked for a timeframe; I told them it would be for a minimum of 12 months in order for us to build a second, secondary plant, or have MMF complete theirs. This could result in an extra annual expense of between $536,550.00 and $766,500.00.

I also told them that because Lahontan is requiring us to come to our WDR flows of 1.5 million gallons per day, we would be diverting approximately 700,000 gallons per day (2.2mgd - 1.5mgd).

Please be advised, too, that VVWRA will be raising their rate to $2,600.00 per million gallons on 1 July, 2010. This could result in an extra annual expense of $664,300.00 and $949,000.00.

Thanks,

John R. Sponsler
Director of Public Utilities
City of Adelanto
P.O. Box 10
Adelanto, CA 92301
(760) 246-2300 x 3006
(760) 578-4297 cell
(760) 246-3242 Fax

From: Cindi Mitton
To: Sponsler, John
CC: (External), WilsonSo; Hart, James; Morales, John; Plaziak, Mike
Date: 5/4/2010 5:48 PM
Subject: RE: VVWRA

John,
Thanks for the update regarding how you are tackling the details.
Cindi

Cindi Mitton, P.E.
Senior Engineer
CA Water Boards
CRWQCB 6 Victorville office
14440 Civic Dr., Suite 200
Victorville, CA 92392
(760) 241-7413
cmitton@waterboards.ca.gov

>>> John Sponsler <jsponsler@ci.adelanto.ca.us> 5/4/2010 5:45 PM >>>
Hi Cindi,

No, I don't know yet when we will be diverting, although it could be as short as 30 days.

Although we received permission to divert, we have to craft an agreement with VVWRA similar to what we currently have in place with our effluent diversion. They need to take samples of our influent to determine BOD strength and the amount of rags, debris, etc., they could be receiving. That will help in determining the cost we will pay them for taking it. And, too, we have to determine how we are going to pay for it.

There are probably some other variables to this I haven't mentioned that could change things, but this is my estimate.

Thanks,

John R. Sponsler
Director of Public Utilities
City of Adelanto
P.O. Box 10
Adelanto, CA 92301
(760) 246-2300 x 3006

(760) 578-4297 cell
(760) 246-3242 Fax

-----Original Message-----
From: Cindi Mitton [mailto:cmitton@waterboards.ca.gov]
Sent: Tuesday, May 04, 2010 5:31 PM
To: John Sponsler
Cc: John Morales; Mike Plaziak
Subject: Fwd: VVWRA

John,
Thank you for your efforts to address the excess influent flow at the City's treatment plant, and for letting us know that you reached an agreement with VVWRA. Do you know when you might be able to start diverting flow?
Thanks,
Cindi

Cindi Mitton, P.E.
Senior Engineer
CA Water Boards
CRWQCB 6 Victorville office
14440 Civic Dr., Suite 200
Victorville, CA 92392
(760) 241-7413
cmitton@waterboards.ca.gov

>>> John Morales 5/4/2010 8:13 AM >>>
Cindi,

FYI

>>> John Sponsler <jsponsler@ci.adelanto.ca.us> 5/3/2010 5:03 PM >>>
Good afternoon Gentlemen,

I attended, and spoke at, the VVWRA Board Meeting this afternoon concerning our ability to divert a portion of our influent into their system.

They voted "yes;" Logan is going to craft an agreement similar to what we have in place with our effluent. They will need to grab some samples and conduct analysis on it in order to determine an exact cost.

However, the charge for influent could go as high as $2,100.00 per million gallons. Even though it is for a temporary duration, they asked for a timeframe; I told them it would be for a minimum of 12 months in order for us to build a second, secondary plant, or have MMF complete theirs. This could result in an extra annual expense of between $536,550.00 and $766,500.00.

I also told them that because Lahontan is requiring us to come to our WDR flows of 1.5 million gallons per day, we would be diverting approximately 700,000 gallons per day (2.2mgd - 1.5mgd).

Please be advised, too, that VVWRA will be raising their rate to $2,600.00 per million gallons on 1 July, 2010. This could result in an extra annual expense of $664,300.00 and $949,000.00.

Thanks,

John R. Sponsler
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Adelanto, CA 92301
(760) 246-2300 x 3006
(760) 578-4297 cell
(760) 246-3242 Fax

6B36980500I

MEETING SIGN IN SHEET

E: MAY 18, 2010	FACILITY PROJECT NAME: ADELANTO Public Utility Authority
CATION: WCB office - Victorville	AGENCY/DISCHARGER NAME: ADELANTO Public Utility Authority

AME	AGENCY	PHONE	EMAIL
ilson F Soyle	City of Adelanto	760-242-2365 x-11	wilsonsc@saeinc.org
ohn R. Spansler	City of Adelanto	760-246-2300 x 3006	jspansler@ci.adelanto.ca.us
John Morales	RWQCB	760 241-7366	jmmorales@waterboards.ca.gov
Cindi Mitton	RWQCB	760-241-7413	cmitton@waterboards.ca.gov

Adelanto Meeting 5/18/10

0.7 MGD - VVWRA Accepted diversion; this will get them into Compliance w/ WDR

April 2008 began Construction
Still Correcting electrical

Utilizing the Sand Filters from Micro-media has been proven to work. These will be tertiary filters.

Adelanto will issue a letter to Micro-media as an exit strategy; Next few days. This will request that Micro-media conduct & justify operation. IF they fail, then the City will terminate the Contract.

Cindi pointed out the Violating ~~the~~ CDO has a potential Liability of \$5,000/day & they have been in Violation for ~1 yr! Cindi advised that John & Wilson share this information ~~to~~ the Lawyers.

1) plant will consist { Sludge processes - the new plant < nitrification / de-nitrification

Cindi requested that the (N) plant expansion should abide by the RMF Order (Total Nitrogen = 10 mg/L)

When you Violate an enforcement Order, it is more expensive than Violating a permit.

addressed as a priority; Cindi also requested a schedule for compliance.

...be dressed this 3267 letter

Diverting influent to VVWRA will show a good effort & will stop the everyday violation (bleeding)

Short & long term fix

Groundwater Work

Wilson Contacted Mark Roberts - Hydrogeologist. Wilson will have a meeting w/ Mark Roberts to develop a plan. Describe the Workplan & schedule.

The Condition of the percolation ponds is such that they are not percolating properly.

Response to NOV (March 18, 2010) will come from Wilson. Schedule included & then request an extension. Lay out all the positive things that they are doing. Provide a target date for GW monitoring ~~Report~~ workplan.

SAP

John requested United Water to
August 15, 2010 - Anticipated to get SAP submitted

SAP - Once you have a Sand...

for shunting off some of the influent to VVWRA, the diversion to VVWRA will probably be by the end of June. (0.7MGD).

VVWRA will sample ; John will inquire with Marce D. of VVWRA.

Cindi requested to talk to state health.

the line belongs to Adelanto

TARGet for next meeting : July 20, 2010 @ 2:00 - 3:00

6P567OU5OO1

ohn Morales - Approval of Wast...water Agreement between VVWRA ... d City of Adelanto

John Sponsler <jsponsler@ci.adelanto.ca.us>
James Hart <jhart@ci.adelanto.ca.us>
late: 6/17/2010 1:15 PM
ubject: Approval of Wastewater Agreement between VVWRA and City of Adelanto
C: "'Litfin, Todd'" <tlitfin@rutan.com>, "Wilson So (External)" <wilsonso@saeinc.org>, "Perales, Mike" <mperales@aquarionops.com>, "'Vesely,Roger'" <rvesely@aquarionops.com>, 'Cindi Mitton' <cmitton@waterboards.ca.gov>, John Morales <JMMorales@waterboards.ca.gov>

Good afternoon Mr. Hart,

This morning, VVWRA approved the diversion of raw wastewater agreement. I have a copy of the signed document.

There was some minor discussion before passage, however. The VVWRA board wants quarterly progress/status reports from Logan on the flows, quality of wastewater and cost of treatment of the wastewater we are sending them. They were very considerate of the situation we are in and are glad they could be of help to us; I thanked them for that.

This new agreement voids the present agreement we have with them in sending our effluent, so once we start pumping the raw we are to immediately cease pumping them our secondary effluent. United Water ... also have to coordinate closely with VVWRA staff prior to the startup.

We cannot pump more than the agreed upon 800,000 gallons per day or longer than 15 months.

Rain for Rent was at the plant yesterday performing a job walk for the installation of pipe. Once I get the estimate from them I'll let you know. One good thing about this is we will be able to send back the pump we had been using to pump the effluent.

We should be able to begin pumping by the end of the month.

Thanks,

John R. Sponsler
Director of Public Utilities
City of Adelanto
P.O. Box 10
Adelanto, CA 92301
(760) 246-2300 x 3006
(760) 578-4297 cell
(760) 246-3242 Fax

John Morales - Update on Adelanto

): John Morales
Mitton, Cindi; Plaziak, Mike
Date: 7/13/2010 5:26 PM
Subject: Update on Adelanto

Mike and Cindi,

In talking with Roger Vesely, Chief plant operator for the Adelanto treatment plant, his response to the question of diverting secondary treated wastewater or raw influent to VVWRA,was that Adelanto is still diverting secondary treated wastewater.

A 20 HP pump failure is restricting Adelanto from diverting raw influent to VVWRA. Roger anticipates to have the pump repaired by the end of this week or the beginning of next week.

Adelanto currently diverts 1.1 MGD secondary treated wastewater to VVWRA; they will divert 0.8 MGD of raw influent by the beginning of next week. Adelanto will be diverting a combination of sanitary and industrial raw influent wastewater to VVWRA that will be screened and without any grit. Diverting the 0.8 MGD will leave 1.4 MGD (less than the required 1.5 MGD in the permit) to be treated in the existing plant.

The next step is to verify if diverting secondary wastewater to VVWRA has improved the water quality effluent discharging to the disposal ponds. I will check the latest SMR submittal tomorrow morning and will update you as soon as I have the information.

On another note, Roger reported that two monitoring wells (MW1 and MW6) have probably collapsed, since these wells only output mud. Monitoring well No.2, which is approximately 150 feet to the east of MW1, outputs good, clear water. I will follow-up with this issue with Wilson and or John Sponsler when he returns from vacation.

6B36980500I

LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD MEETING

DATE: 7 / 27 / 10

FACILITY / PROJECT NAME: ADELANTO Public Utility Authority	LOCATION: /
AGENCY / DISCHARGER NAME:	

PERSONS ATTENDING

John MORALES	RWQCB	(760) 241-7366
Wilson F. So	City of Adelanto	760-246-2300
[illegible]	City of Adelanto	760-246-2300 x [illegible]
Mark Roberts	" "	760 900 2396
CINDI MITTON	RWQCB	760-241-7413

DRAFT

The purpose of the reports required by this Order is to obtain a current plan and schedule to return the Discharger into compliance and to obtain a groundwater monitoring workplan.

ORDER FOR TECHNICAL REPORTS

I am ordering you to submit a Flow and Effluent Compliance Plan that includes an Implementation Schedule to comply with your WDRs. The purpose of the Plan is to identify the City's long-range plan to eliminate violations of the flow and effluent limits prescribed in the WDRs. I am also ordering you to submit a Groundwater Monitoring Work Plan that includes an implementation schedule ~~of monitoring wells installation~~

Pursuant to Water Code section 13267, I order you to submit the technical reports listed below:

	Report	**Due Date**
1.	Flow and Effluent Compliance Plan and Implementation Schedule	~~August 30, 2010~~ Sept 15, 2010 ?
2.	Groundwater Monitoring Work Plan	October 15, 2010

000380

The technical reports required above shall include, but not limited to, the information described below.

Report Requirements

1. The Flow and Effluent Compliance Plan shall include a detailed description and a time schedule of actions that will be taken by the Discharger to attain compliance with the WDRs (Board Order No. R6V-2002-0050). The plan shall address planned interim actions and long-term actions to correct flow and effluent violations. The plan shall include a narrative description of the proposed design for an expanded plant capable of adequately treating the City's wastewater flows, and include a process flow diagram. These plans must identify measures for increasing treatment capacity to comply with flow and effluent limits per the WDRs. Interim options may include improvements in performance for the existing plant to improve effluent quality.

2. The Groundwater Monitoring Work Plan shall describe proposed monitoring well installation and design including replacement of abandoned wells and the installation of a sufficient number of monitoring wells to evaluate the effect of waste discharges from the facility on the groundwater. The Work Plan shall also identify locations of existing monitoring wells. For areas of groundwater where waste constituents are detected above background concentrations, the Work Plan shall propose methods to define the vertical and lateral extent of the contaminants in groundwater. The Work Plan shall include an evaluation of existing data, including maps showing monitoring well locations, groundwater gradient information and historical monitoring data. Based on this evaluation, the Work Plan shall propose additional data collection ~~if needed~~ to identify the rate and direction of travel of any contaminant plumes within the groundwater. The Work Plan shall propose additional monitoring where necessary to fully assess any groundwater impacts from past and current discharges and

shall include a proposed implementation schedule. The workplan ~~shall~~ for conducting the work & preparing a final report.

Quarterly reports as required by the Cease and Desist Order (R6V-2007-024) must continue to be submitted and provide sufficient information on each required reporting element including "the identification of any compliance dates that the Discharger anticipates will be missed, along with the rationale for the delay in accomplishing the specific task and projected new compliance dates." Further, any anticipated delays shall be explained with a plan including interim actions and dates to come into compliance as soon as possible.

Water Board staff will take into consideration your response to this Order when considering additional enforcement actions based on the ongoing violations of the Cease and Desist Order and the WDRs. Failure to respond to this Order will subject you to imposition of administrative civil liabilities in an amount up to $1000 per day of violation pursuant to Water Code Section 13268. Failure to comply with the Cease and Desist order may result in the Water Board imposing administrative civil liabilities of up to $5000 per day of violation pursuant to Water Code Section 13350.

Meeting w/ Adelanto 7/27/10

2) ✓ John Sponsler said that the pump was installed yesterday.

✓ ≤ 800,000 gallon/day Limit Raw sewage tomorrow. Diverting this flow

✓ A trash pump will be installed as a back-up to the pump.

✓ A spill could happen from Coupling.

✓ distance from headworks to SMH ~ 100 ft
to Adelanto interceptor

✓ not a 24-hr operation.

✓ Report the 2 flows separately - per Cindi's request

✓ 6-inch pump

✓ VVWRA WW will be w/o Grit & rags, since it will go thru bar screen & Grit Comminutor.

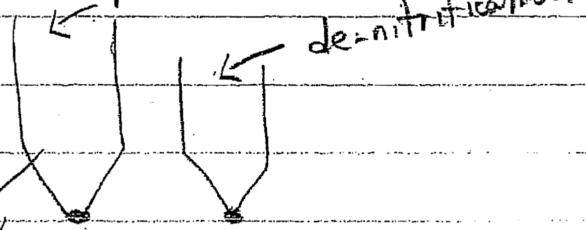
✓ Once the pump starts, they will send me an e-mail
15 months MAX.

✓ Total ⟵ interim

000382

3) ✓ Testing w/ the Micro-media sand filters will be done while the interim pump to VVWRA is occurring

✓ tall tank will see Nitrified H_2O coming out



✓ clean screens will remove most of the suspended solids.

✓ ~~3-4 months~~ minimum 15 months, (N) plant w/ Equalization basin (separate)

✓ The anamox bacteria was tested in Adelanto unsuccessfully,

✓ Micro-media is clear on the testing on the 2 trains will ~~be~~ occur.

4) ✓ Cindi says that within 1 week, a 13267 will be issued to the discharger

✓ Cindi suggested that the discharger mention all of the issues that they have or will have to hurdle.

✓ 3-4 months of successful testing of the Micro-media tanks & then use the remaining 12 months to construct

✓ status Reports from John should include a projection of when the dischargers will be in Compliance.

✓ 550 GPM

✓ Looking @ the 13267, the Report due Aug 30, 2010 is a permanent, Long Range plan to Come into Compliance. Cindi said that the dischargers should be realistic to ~~say~~ & mention the hurdles that they have to overcome.

✓ Wilson said that the City of Victorville wants their flow. Sending Waste to Victorville would be another option.

✓ Discharger requested a due Date on Sept. 13, 2010 for the flow & effluent Compliance plan & implementation Schedule. This request is due because of meetings w/ Micro-media & then brief their Council.

5) ✓ Mark Roberts is accumulating data.

✓ The implementation Schedule shall be included within the 15 months time period

✓ All the effects is expected to be in the upper aquifer.

✓ MW 1 could be a conduit for contamination. This well could have collapsed.

✓ Groundwater Contours (localized) is req'd per Cindi

✓ Total Nitrogen & all of the Nitrogen species, TDS, MBAS & other constituents that can define the plume.

✓ develop a background concentration

✓ MW 1 & MW 6 : ~~they~~ Wilson & Mank do not understand why they are collapsing.

✓ MW1 & MW6 : if they can be salvaged, then that would be the priority ; otherwise construct New wells.

✓8) Next meeting : Sept. 21, 2010 @ 2:00PM

(3369805001

AGENDA

City of Adelanto and Lahontan Water Board
Lahontan Water Board Office
Adelanto Wastewater Treatment Plant
14440 Civic Drive, Suite 200
Victorville, Ca 92392
May 18, 2010
2:00 – 3:00 PM

Topics:

1) Introductions
2) Review Agenda
3) Status of actions to correct flow and BOD violations; Status update on the Micro-media Filtration plant. Alternatives if Micro-media facility cannot meet treatment performance goals; Time schedule.
4) Discussion of Investigative Order , Water Code section 13267 – Requested information and schedule
5) Groundwater work plan status
6) Status of the sampling and Analysis Plan as required per Board Order No. R6V-2009-0036
7) Next steps/action items

6B36980500 /

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: Cindi Mitton <cmitton@waterboards.ca.gov>, 'John Morales' <JMMorales@wat...
CC: James Hart <jhart@ci.adelanto.ca.us>, "Wilson So (External)" <wilsonso@s...
Date: 7/28/2010 1:23 PM
Subject: Raw Diversion to VVWRA

Good afternoon All,

At 1:15 this afternoon the City began diverting raw wastewater to VVWRA.

Thanks,

John R. Sponsler
Director of Public Utilities
City of Adelanto
P.O. Box 10
Adelanto, CA 92301
(760) 246-2300 x 3006
(760) 578-4297 cell
(760) 246-3242 Fax

City Hall is open from 7:00 a.m. until 6:00 p.m. City Hall is closed every Friday and Holidays.

6B36980C001

From: Gilbert Perez <GilbertPerez@vvwra.com>
To: "Logan Olds" <lolds@vvwra.com>
CC: <JMMorales@waterboards.ca.gov>, "John Sponsler" <jsponsler@ci.adelanto.c...
Date: 8/4/2010 3:00 PM
Subject: RE: Raw Influent Bypass Pump

Hello, Logan

The plant can definitely handle the additional flow no problem. I would however limit to 1.3 MGD max from Adelanto due to current discharge from VVIWWTP. I received an update from Martinez on Monday they are discharging .35 to .45 MGD. If the need was to arise and Adelanto increased to 1.3 MGD with VVIWWTP flowing at the current rate we can then visually inspect the collection system and verify if the system can handle more.

Thanks

Gilbert Perez
Director of Operations
Victor Valley Wastewater Reclamation Authority
WWTP Office Address: 20111 Shay Road Victorville, CA 92394
Mailing Address: 15776 Main St. Suite #3 Hesperia, CA 92345
Phone: 760/246-8638 X282
Cell: 760-927-1321
Email:gperez@vvwra.com

-----Original Message-----
From: Logan Olds
Sent: Wednesday, August 04, 2010 2:45 PM
To: Gilbert Perez; 'John Sponsler'
Cc: 'JMMorales@waterboards.ca.gov'
Subject: RE: Raw Influent Bypass Pump

HI Gilbert,

Since we are no longer accepting high strength waste from Dr. Pepper do you think the plant could handle a full pipe from Adelanto? If I recall correctly that is something like 1.5 mgd. That is not part of the agreement but might help Adelanto if needed at some point.

Thank You

Logan Olds
General Manager
Victor Valley Wastewater Reclamation Authority

760-948-9849

Hesperia Administration Office
15776 Main Street, Suite 3

Hesperia, CA 92345

-----Original Message-----
From: Gilbert Perez
Sent: Wednesday, August 04, 2010 2:42 PM
To: 'John Sponsler'
Cc: 'JMMorales@waterboards.ca.gov'; Logan Olds
Subject: RE: Raw Influent Bypass Pump

Hello, John

There is no issues on our end to accept additional flow if you need to catch up.

Thanks

Gilbert Perez
Director of Operations
Victor Valley Wastewater Reclamation Authority
WWTP Office Address: 20111 Shay Road Victorville, CA 92394
Mailing Address: 15776 Main St. Suite #3 Hesperia, CA 92345
Phone: 760/246-8638 X282
Cell: 760-927-1321
Email:gperez@vvwra.com

-----Original Message-----
From: Logan Olds
Sent: Wednesday, August 04, 2010 2:37 PM
To: John Sponsler
Cc: 'JMMorales@waterboards.ca.gov'; Gilbert Perez
Subject: RE: Raw Influent Bypass Pump

HI John,

That is fine, your flows are not really impacting the plant that much so check with Gilbert if you need to pump a little extra to get caught up. I see it as an average of 800k per day per month.

Thank You

Logan Olds
General Manager

Victor Valley Wastewater Reclamation Authority

760-948-9849

Hesperia Administration Office
15776 Main Street, Suite 3
Hesperia, CA 92345

-----Original Message-----
From: John Sponsler [mailto:jsponsler@ci.adelanto.ca.us]
Sent: Wednesday, August 04, 2010 2:26 PM
To: Logan Olds
Cc: 'JMMorales@waterboards.ca.gov'
Subject: Re: Raw Influent Bypass Pump

Thanks Logan,
It looks like Rain for Rent will be installing a trash pump at the headworks to be tied into the bypass piping before the meter. They should be putting that in today and we'll resume pumping after installation.

The only trouble is that the pump will operate manually until the pit pump is repaired. We will have to operate the trash pump at low RPM's to avoid going over the 800k.

The bypass pump will be removed tomorrow and repaired/reinstalled as quickly as possible. I just don't have a good ETA on its repair.

Thanks,
-John Sponsler

**Sent from my BlackBerry

----- Original Message -----
From: Logan Olds <lolds@vvwra.com>
To: John Sponsler; James Hart; Wilson So (External); John Morales <JMMorales@waterboards.ca.gov>; Cindi Mitton <cmitton@waterboards.ca.gov>
Cc: Roger.Vesely@unitedwater.com <Roger.Vesely@unitedwater.com>; mike.perales@unitedwater.com <mike.perales@unitedwater.com>; Gilbert Perez <GilbertPerez@vvwra.com>
Sent: Wed Aug 04 13:22:08 2010
Subject: RE: Raw Influent Bypass Pump

HI John,

Anything we can do to help? My understanding is that Adelanto can no longer send us secondary effluent per the new agreement. If the condition worsens let me know and I will see what I can do.

Thank You

Logan Olds

General Manager
Victor Valley Wastewater Reclamation Authority

760-948-9849

Hesperia Administration Office
15776 Main Street, Suite 3
Hesperia, CA 92345

-----Original Message-----
From: John Sponsler [mailto:jsponsler@ci.adelanto.ca.us]
Sent: Wednesday, August 04, 2010 11:20 AM
To: James Hart; Wilson So (External); Logan Olds; 'John Morales'; Cindi Mitton
Cc: Roger.Vesely@unitedwater.com; Mike Perales (mike.perales@unitedwater.com)
Subject: Raw Influent Bypass Pump

Good morning All,

Just received word from United Water that the raw influent bypass pump shorted out. There was an SCE power outage this morning that caused the entire plant to go down for a short period (the backup generator automatically came on to supply power). When power was restored, the bypass pump shorted out.

United Water is immediately notifying Rain for Rent to supply a backup pump to continue the diversion, but at this time we are unable to divert the influent flow to VVWRA. Also at this time, I do not have an estimated time as to when we will be able to restart the diversion. Once I hear back from United Water I will be able provide additional information.

Thanks,

John R. Sponsler
Director of Public Utilities
City of Adelanto
P.O. Box 10
Adelanto, CA 92301
(760) 246-2300 x 3006
(760) 578-4297 cell
(760) 246-3242 Fax

City Hall is open from 7:00 a.m. until 6:00 p.m. City Hall is closed every Friday and Holidays.

6B36980500/

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: "'rvesely@aquarionops.com'" <rvesely@aquarionops.com>
CC: "'JMMorales@waterboards.ca.gov'" <JMMorales@waterboards.ca.gov>, "'mike....
Date: 9/29/2010 9:37 AM
Subject: Re: Exceeded freeboard on Ponds #3 and #4 N

Ok. Thanks Roger,
We do have permission from VVWRA to divert up to 1.3 mgd to them. This also includes the effluent.
-John Sponsler

**Sent from my BlackBerry

----- Original Message -----
From: Vesely, Roger <rvesely@aquarionops.com>
To: John Sponsler
Cc: jmmorales@waterboards.ca.gov <jmmorales@waterboards.ca.gov>; Perales, Mike <Mike.Perales@UnitedWater.com>; Savage, Vic <Vic.Savage@UnitedWater.com>; Wilson So (External)
Sent: Wed Sep 29 09:19:07 2010
Subject: Exceeded freeboard on Ponds #3 and #4 N

John and Wilson,

This is a serious condition we are in violation of this permit. We exceeded the freeboard in pond #3 and #4 North. Pond #1 at 3', #2 at 2', and #4 South at 4'. We need pond #5 to be dug out now! I am calling the regional Board to report the permit violation.

ROGER VESELY

Chieef Plant Operator

Adelanto WWTP

UNITED WATER

PO Box 771

19101 Jonathan Street

Adelanto, Ca 92301

Ph: 760-246-1149

Fax: 760-246-5899

Cell: 951-505-9234

Email: Roger.Vesely@Unitedwater.com

Making the planet sustainable is the best job on Earth.

Please think twice before printing this e-mail.

6B36980500/

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: "'JMMorales@waterboards.ca.gov'" <JMMorales@waterboards.ca.gov>
CC: "'rvesely@aquarionops.com'" <rvesely@aquarionops.com>, "'lolds@vvwra.com...
Date: 9/29/2010 3:29 PM
Subject: Re: Fwd: RE: Raw Influent Bypass Pump

Good afternoon John,
I spoke with Logan a couple of weeks ago about allowing us to pump more. He told us the maximum we could divert to them is 1.3mgd. In email conversations with Roger, not only are we topped out in their line (14" in a 15" line), we are pumping at our maximum allowed rate of 1.3mgd.

VVWRA cannot take our entire flows; therefore the only immediate alternative is to dig that fifth pond.

The diversion has helped our effluent quality so dredging will buy us a few months. We received a a couple of quotes for dredging, both very expensive, but it looks like we will have to bite that bullet in order to gain those extra months.
-John Sponsler

**Sent from my BlackBerry

----- Original Message -----
From: John Morales <JMMorales@waterboards.ca.gov>
To: John Sponsler
Cc: rvesely@aquarionops.com <rvesely@aquarionops.com>; lolds@vvwra.com <lolds@vvwra.com>; Cindi Mitton <cmitton@waterboards.ca.gov>
Sent: Wed Sep 29 15:04:08 2010
Subject: Fwd: RE: Raw Influent Bypass Pump

John,

Per a conversation that I had on September 1, 2010 with an operator at the Adelanto plant by the name of Dutch (in the absence of Roger and Eric who were in a training session), he advised me that the influent flow to the plant at the time was between 1.2 mgd and 1.4 mgd. Dutch was basing the flow on a flow chart that he was looking at.

If the assessment from the operator was correct at the time, how much amplitude is there from VVWRA to accept more flow from the Adelanto plant?

Please advise.

Thanks,

John Morales, P.E.
Water Resources Control Engineer
CA Regional Water Quality Control Board
Lahontan Region (6B)
14440 Civic Drive, Suite 200
Victorville, Ca 92392
Phone: (760) 241-7366
Fax: (760) 241-7308
email:jmmorales@waterboards.ca.gov
web:http://www.waterboards.ca.gov

6B36980500l

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: "'JMMorales@waterboards.ca.gov'" <JMMorales@waterboards.ca.gov>
CC: James Hart <jhart@ci.adelanto.ca.us>, "Wilson So (External)" <wilsonso@s...
Date: 10/4/2010 2:13 PM
Subject: RE: Adelanto Violations - Free Board

Good morning John,

In response to your question, the City will remedy this violation in two ways and asks for the Regional Boards' concurrence and approval to proceed;

1). The City plans to construct, as a minimum, 2 60' deep leach(seepage) pits located to the immediate west of Percolation Ponds #1 and #2. Pits will be constructed within the property area of the treatment plant. The pits will be used to contain/percolate secondary effluent. The effluent will be pumped from the traveling bridge sand filters via an above ground plastic pipeline. The effluent will join the waters contained within the upper zone of the aquifer which is not considered to be a potable source of water. The City will alternate between the two leach pits.

If successful, additional pits may be constructed within the confines of the treatment plant facility. Leach pits have proven to be an effective means of water disposal and, when properly operated, should provide relief for a number of years.

2). The City, through an outside contractor, will clean and remove the solids from Percolation Ponds #1 and #4 (#3 may be included as well). The contractor is in the process of locating and procuring (at his own expense) equipment necessary to perform this task. The solids will be removed to two areas within the facility for drying. Once dried and tested, the solids may be removed to an outside landfill or composting facility. Once these percolation ponds are cleaned, the ponds should percolate for approximately 1 year at current effluent conditions before cleaning is again required.

Through these efforts, the City will "buy time" until outside, adjacent land is procured and Percolation Pond #5, as well as other percolation ponds, is constructed. The City's engineer, Wilson So, has previously briefed the Regional Board on the status of the land acquisition and Percolation Pond #5.

Effluent quality is the key to the success of these 2 remedies. As the City continues to divert 1.3 MGD of raw influent to the Victor Valley Wastewater Reclamation Authority, the current Biolac wastewater treatment facility operates/treats as designed. Therefore, the City's effluent quality is within WDR specifications and should percolate with acceptable results.

If approved by the Regional Board, the City desires to begin construction on the 2 leach pits within the month of October 2010. If the equipment can be procured and quickly transported back to the City, the City desires to begin cleaning operations no later than the end of November 2010.

Thank you,

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92311
(760)246-2300 x 3006
(760)578-4297 cell
(760)246-3242 fax

City Hall is open Monday - Thursday from 7:00 a.m. until 6:00 p.m. City Hall is closed every Friday and Holidays.

-----Original Message-----
From: John Sponsler
Sent: Thursday, September 30, 2010 12:19 PM
To: 'JMMorales@waterboards.ca.gov'
Cc: 'wilsonso@saeinc.org'; 'cmitton@waterboards.ca.gov'; 'roger.vesely@unitedwater.com'; 'mike.perales@unitedwater.com'
Subject: Re: Adelanto Violations - Free Board

John,

I will need to meet with City and United Water staff on Monday before I can give you a definitive course of action.

Tentative immediate courses of action involve dredging the existing ponds and reducing our use of polymers.

Long term course of action involves purchasing adjacent land and constructing pond #5 as well additional ponds.

As was stated in Mondays email, we are diverting our maximum allowed rate of raw to VVWRA.

Thanks,
-John Sponsler

**Sent from my BlackBerry

----- Original Message -----
From: John Morales <JMMorales@waterboards.ca.gov>
To: John Sponsler
Cc: Wilson So (External); Cindi Mitton <cmitton@waterboards.ca.gov>
Sent: Thu Sep 30 11:32:30 2010
Subject: Adelanto Violations - Free Board

John,

As of yesterday, the APUA has violated free board requirements in two percolation ponds and is near non-compliance in the remaining ponds. In June 2009, Board Order No. R6V-2009-0036 was adopted to permit the use of percolation pond No. 5. Apparently, this pond has not been constructed.

These are effluent, flow and disposal violations to Board Order Nos. R6V-2002-050 and R6V-2009-0036.

Please note that these violations are serious to the extent that the APUA is in chronic violations with these lingering issues.

The Regional Water Board office is interested in your evaluation of alternatives that may be feasible and possible to implement.

Please advise how you plan to remediate these violations and provide your best anticipated time schedule when these issues will be resolved both in the interim and in the long term time frames.

Thank you,

John Morales, P.E.

Water Resources Control Engineer
CA Regional Water Quality Control Board
Lahontan Region (6B)
14440 Civic Drive, Suite 200
Victorville, Ca 92392
Phone: (760) 241-7366
Fax: (760) 241-7308
email:jmmorales@waterboards.ca.gov
web:http://www.waterboards.ca.gov

Eric Taxer - Re: Adelanto-Conversation with John Sponsler

From: John Morales
To: Drabandt, Laura; Ferguson, Scott; Mitton, Cindi; Taxer, Eric
Date: 11/3/2010 2:49 PM
Subject: Re: Adelanto-Conversation with John Sponsler
CC: Curtis, Chuck; Kemper, Lauri
Attachments: Adelanto pond freeboard inspection Oct 29, 2010 027.JPG; Adelanto pond freeboard inspection Oct 29, 2010 028.JPG; Adelanto pond freeboard inspection Oct 29, 2010 003.JPG

All,

Attached, please find some more pictures that may be beneficial to you.

Picture No. 3: Picture showing a 2 X 4 with a rope attached measuring freeboard.
Picture No. 27: Overall picture of the site at the headworks area showing the transfer pump & pipe to VVWRA.
Picture No. 28: Picture showing the transfer pipe installed from the headworks area installed towards the north

Let me know if you need additional information.

Thanks,

John Morales, P.E.
Water Resources Control Engineer
CA Regional Water Quality Control Board
Lahontan Region (6B)
14440 Civic Drive, Suite 200
Victorville, Ca 92392
Phone: (760) 241-7366
Fax: (760) 241-7308
email:jmmorales@waterboards.ca.gov
web:http://www.waterboards.ca.gov

>>> Eric Taxer 11/3/2010 9:44 AM >>>
For clarification, the trenches that have been constructed at Pond 4 radiate out from the pond, kinda like the spokes of a tire.

Regarding the proposed new trenches that are to be 21-feet deep, we expressed concern about the structural safety of the trenches. Even though nobody will physically be down inside the trench, the fact that the trenches will have 21-foot vertical walls that will become saturated when filled may be a cause for safety considerations on the ground surface adjacent to the trenches.

ET

Eric J. Taxer, P.E.
Water Resource Control Engineer
Enforcement and Special Projects Unit
Lahontan Regional Water Quality Control Board
2501 Lake Tahoe Boulevard
South Lake Tahoe, California 96150

530-542-5434

"The trouble with the paper chase is that even if you excel it's just a paper gain. "
-Lily Tomlin

>>> On 11/2/2010 at 6:39 PM, in message <4CD05AF3.CECE.00BA.1@waterboards.ca.gov>, Scott Ferguson wrote:

Everyone,

Eric and I talked to John Sponsler this afternoon beginning at approximately 3:00 p.m. We discussed the need to evaluate reducing influent flows to the wastewater treatment facility by informing the community of the situation and requesting their help in reducing wastewater flows. To this end, we discussed using reverse 911 system, public service announcements, and other media outlets to get the word out.

We also discussed the need to evaluate increasing flows diverted to Victor Valley Wastewater Reclamation Authority. This portion of the discussion focused on "convenient" and "more complicated" diversion/transfer systems. The more convenient system is to increase the amount of wastewater currently being diverted to VVWRA. There appears to be a window between 12:30 a.m. and 8:00 a.m. when diversions drop from 860 gpm to 200 gpm. It is currently unclear exactly why this drop happens other than they switch off the influent pump (possibly due to low flows) and switch on a 200 gpm pump near the sand filters. Physically, it seems like the pipe they are pumping into has capacity during these early morning hours, and that Adelanto could pump from the ponds at a higher rate if using the influent pump is infeasible due to low flows. We also discussed the more complicated system of using tanker trucks to transport wastewater to discharge to another portion of VVWRA's trunk line if the pipeline near Adelanto's facility is at capacity.

We also let Mr. Sponsler know that the pond dredging operation needs to be spelled out in detail in the plan. Mr. Sponsler believes a suction dredge will be used and that the spoils are going to be discharged in a 90-foot x 200-foot temporary basin that is lined with plastic. The spoils/sludge will be allowed to dry prior to being hauled to a landfill. I pointed out that the suction dredges I have seen in operation produce a slurry at best, and that Adelanto needs to consult with its contractor regarding what capacity they need to store and dry the dredged material. I also informed Mr. Sponsler that 25% solids would likely be the best he could hope for and to expect even less solids and more water in the discharge from the suction dredge. Mr. Sponsler indicated he would start consulting with the contractor on this matter.

Next we discussed discharging pond water to the proposed Pond No. 5 area. Mr. Sponsler explained that Adelanto prefers this site in case of an unauthorized discharge also, but it is a challenging site. The challenge is created by the fact that Adelanto placed the soil excavated from Pond No. 4 during its construction on the proposed Pond No. 5 site, and they cannot get rid of the material. Therefore, they are trying to move the stockpiled soil around to create an area where pond discharges could be contained. We discussed the importance of making sure that all containment measures are structurally sound so that a bad situation does not become a significantly worse situation.

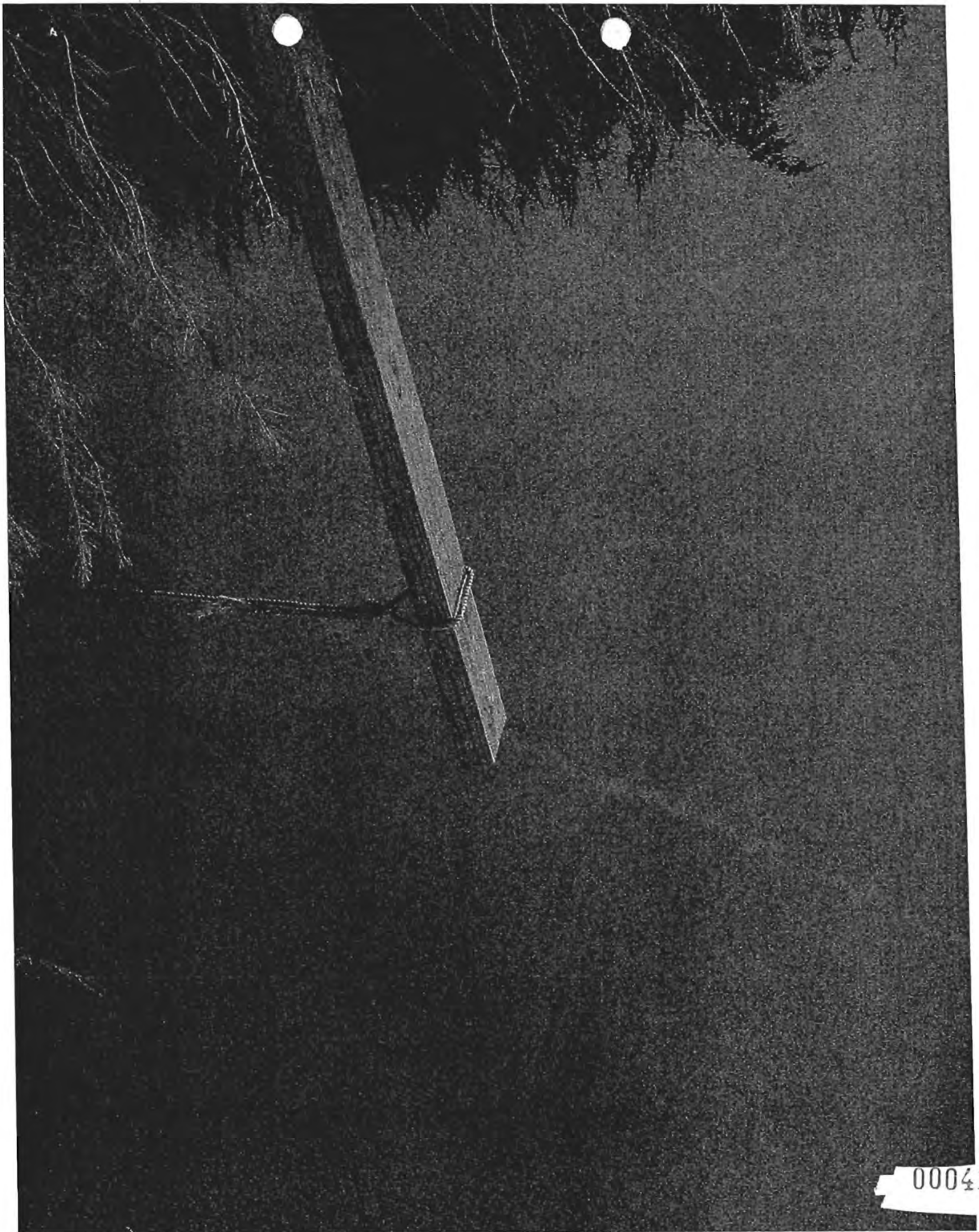
We discussed Adelanto's earlier proposal to dig 60-foot deep trenches to discharge the pond water. Mr. Sponsler correctly stated that WB staff had denied that option as it would place undisinfected wastewater into very close proximity to groundwater (within 10 feet). Mr. Sponsler asked in shallower trenches could be used and after we established that the existing pond bottoms are approximately 21 feet below grade, it seemed realistic to allow such a measure. I committed to discussing this idea with others in the office before accepting the measure. I have since talked to Lauri Kemper who agrees that it seems like a reasonable approach that should still protect water quality. **If anyone else has ideas, positive or negative, on this subject, please share them tomorrow morning.**

The major information that Mr. Sponsler shared with us was that the Adelanto has constructed trenches outside of Pond No. 4 and has breached Pond No. 4 berms to allow wastewater to flow into the trenches and infiltrate. The trenches are approx. 3 feet wide x 20 feet long x 10 feet deep. There are currently about four with a couple of more being created. Mr. Sponsler will be sending photos showing these trenches.

Finally, we discussed how freeboard is being measured given that soil/material has been pushed up on existing berms. It is my understanding is that Adelanto is measuring freeboard from the low point in each pond's original berm, not with respect to the increased berm heights. So we may have some additional temporary containment capacity, although the structural integrity of the berm augmentations cannot be vouched for.

Those are the major issues we discussed for just shy of an hour this afternoon. We plan to talk to Logan Olds of VVWRA to see if he has additional capacity for Adelanto wastewater and what the conveyance system can take. We also plan to talk to Reed Sato tomorrow to discuss enforcement options beyond our traditional CDOs and ACLs. We will be in touch with you tomorrow.

Scott C. Ferguson, Chief
Enforcement and Special Projects Unit
Lahontan Regional Water Quality Control Board
530-542-5432
Sferguson@waterboards.ca.gov



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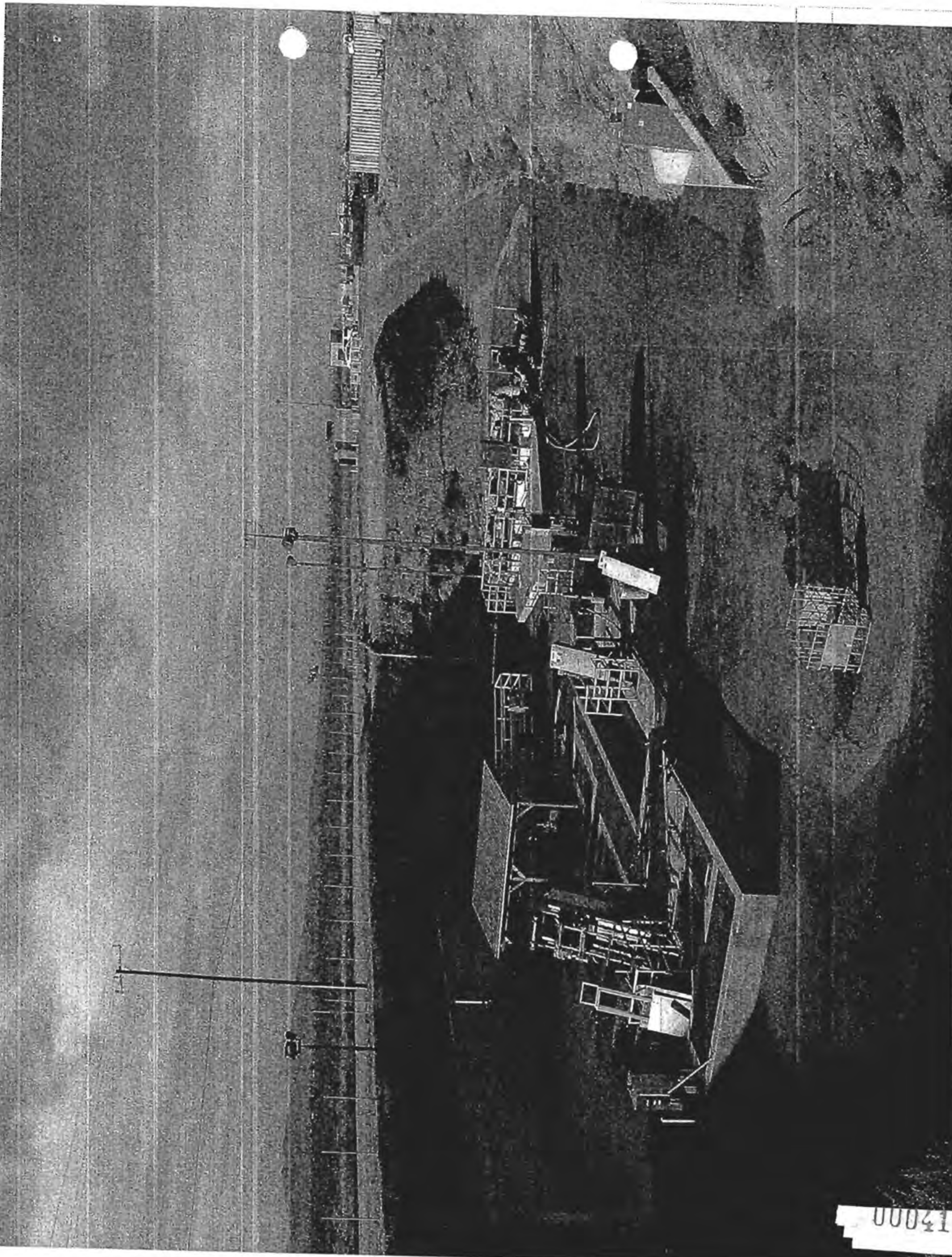

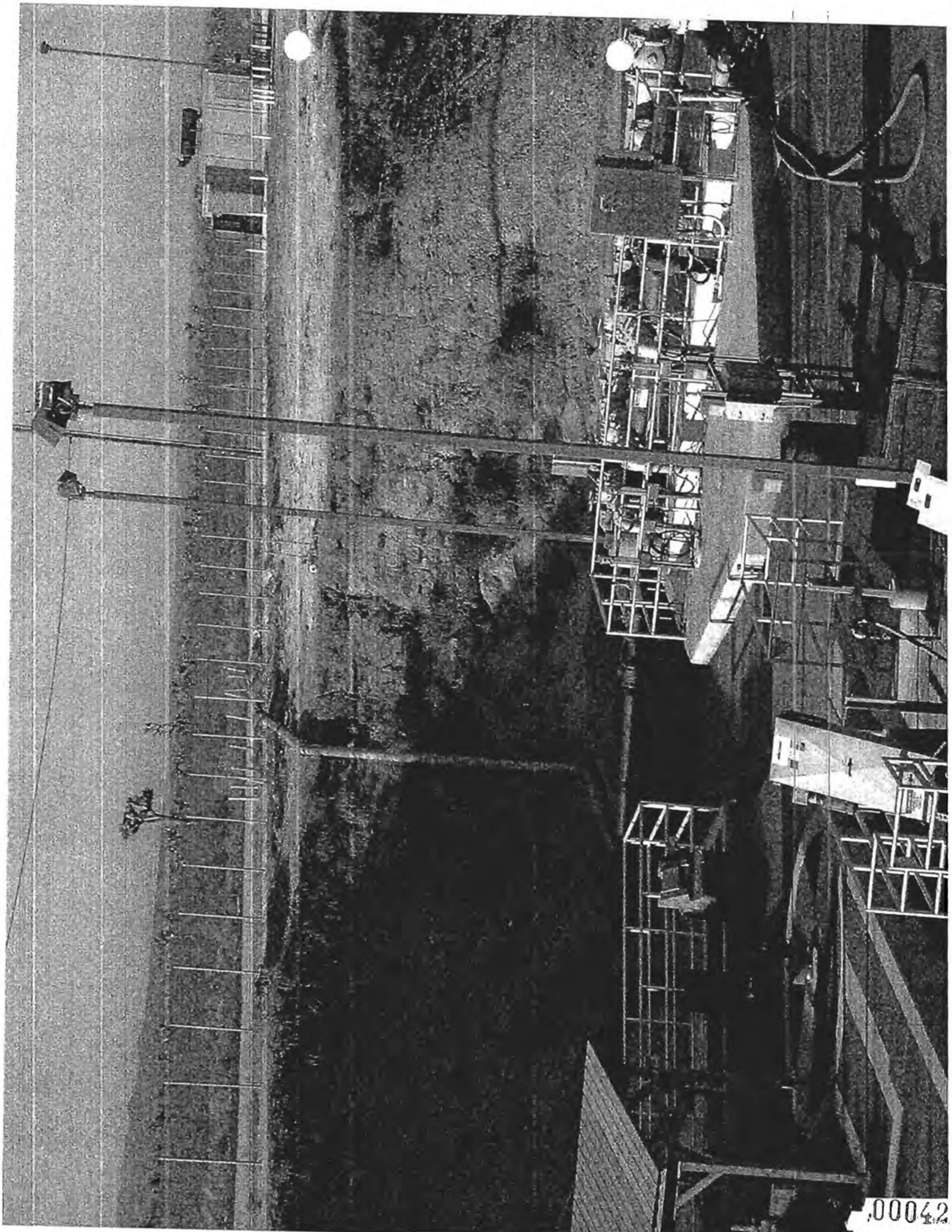

Eric Taxer - phone call

From: Logan Olds <lolds@vvwra.com>
To: "Scott Ferguson" <SFerguson@waterboards.ca.gov>
Date: 11/5/2010 6:44 AM
Subject: phone call

HI Scott,

I apologize for not getting back to you sooner, as usual many pans in the fire. Our interceptor can handle approximately 1.3 mgd and flow to the Adelanto wwtp is about 2.2 mgd I think. I have advocated all along that the facility should be operated as a scalping plant. Also I think they are still struggling because they have not addressed the root cause of their operational issues. This is one of the difficulties when things go wrong and you are under contract with a private operations firm. They have requested a meeting with me today at 9am. I have a few ideas but as always it comes down to money and I am not sure if they have the courage to make the tough choice that is required. Anyway I could be completely wrong as well.

Thank You

Logan Olds
General Manager
Victor Valley Wastewater Reclamation Authority

760-948-9849

Hesperia Administration Office
15776 Main Street, Suite 3
Hesperia, CA 92345

Eric Taxer - RE: Adelanto Public Utility Authority: Review of Weekly Status Reports

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: 'Eric Taxer' <ETaxer@waterboards.ca.gov>
Date: 11/18/2010 6:04 PM
Subject: RE: Adelanto Public Utility Authority: Review of Weekly Status Reports
CC: "jhart@ci.adleanto.ca.us" <jhart@ci.adleanto.ca.us>, "Wilson So(External)" <wilsonso@saeinc.org>, "mike.perales@unitedwater.com" <mike.perales@unitedwater.com>, "roger.vesely@unitedwater.com" <roger.vesely@unitedwater.com>, Cindi Mitton <cmitton@waterboards.ca.gov>, John Morales <JMMorales@waterboards.ca.gov>, Laura Drabandt <LDrabandt@waterboards.ca.gov>, Lauri Kemper <LKemper@waterboards.ca.gov>, Scott Ferguson <SFerguson@waterboards.ca.gov>

Good morning Eric,

Thanks for reviewing the reports. I will attempt to answer your questions for each date.

November 8th:

1. I took the dimensions of each pond and performed a volume calculation for each freeboard reading, which determined how much capacity remained in the ponds before overflowing the banks. I took length x width x depth(freeboard) x 7.48 = remaining capacity. If I should be calculating this differently, please let me know.

2. The 13 trenches are each approximately 20'l x 10'w x 18'deep. Given those dimensions, they each will contain approximately 26,928 gallons for an approximate total of 350,064 gallons. They are working in percolating the water; according to the plant operators, they are percolating water at a rate of approximately 12" per 12 hours. As the ponds are continually being worked, i.e., transferring water from one pond to the other as needed, the levels fluctuate.

3. The divider between Percolation Pond 4N and 4S is an "artificial" divider constructed to divide the pond so one side could be worked while the other perc'd water. If we lose the divider, it is of no consequence to the ponds, only an inconvenience to the operators and the ability to maintain that pond. We built it up because we don't want to lose it; a lot of time and energy went in to its construction. However, the divider is holding and is serving its purpose as a divider.

4. The "November 2" date is a typo. It should have stated November 8, the date I submitted that report. I used the original Cleanup and Abatement Order as a template for submitting my subsequent reports; I forgot to change the date.

November 12th:

2. Please see my explanation in 1. Above.

3. The WWTP has a capacity to treat 1.5 MGD, but it was designed for 1.4 MGD (according to our Chief Plant Operator). We are receiving flows of approximately 2.2 MGD; we are diverting approximately 1.02 MGD raw and .06 MGD effluent, leaving approximately 1.12 MGD through our treatment plant. At this rate, we have been meeting the effluent requirements as per our WDR; our effluent is clear and no solids are spilling over the clarifier weirs into the ponds. The 1.12 MGD is very acceptable to our WWTP. Additionally, this rate provides enough flow to the Micromedia process for them to continue their testing.

   The source of the oil and grease is domestic household. VVWRA requires us not to send O&G to them as it increases their BOD loading and they need to expend extra effort to reduce that loading. As they are the recipient of our flows, we do not want to upset their treatment process, which could jeopardize our diversion to them. At the time the City's WWTP was constructed, the population of Adelanto was approximately 13,000 people; we have since grown to over 28,000 people. You may well be correct; VVWRA may not have experienced O&G issues prior to construction, but the City's additional population has since contributed to the O&G issue.

I hope this answers your questions, but should you have further concerns, please let me know.

Thanks,

John R. Sponsler
Director of Public Utilities
City of Adelanto
11600 Air Expressway
Adelanto, CA 92311
(760)246-2300 x 3006
(760)578-4297 cell
(760)246-3242 fax

City Hall is open Monday - Thursday from 7:00 a.m. until 6:00 p.m. City Hall is closed every Friday and Holidays.

From: Eric Taxer [mailto:ETaxer@waterboards.ca.gov]
Sent: Monday, November 15, 2010 5:19 PM
To: John Sponsler
Cc: jhart@ci.adleanto.ca.us; Wilson So (External); mike.perales@unitedwater.com; roger.vesely@unitedwater.com; Cindi Mitton; John Morales; Laura Drabandt; Lauri Kemper; Scott Ferguson
Subject: Adelanto Public Utility Authority: Review of Weekly Status Reports

John -

I just returned to the office today and reviewed the two weekly status reports submitted so far in response to Cleanup and Abatement Order No. R6V-2010-0054. I have the following comments.

November 8 2010 Report:

1. This report shows freeboard violations in all ponds except Pond No. 1. However, Item D of the report shows that you have remaining capacity in each of the ponds. How is this determined? Is this available capacity before the ponds overflow?

2. Item B states that you installed the 13 trenches. However, you did not provide any information on their effectiveness as required by the Order. What is the additional volume and percolation rates achieved from the additional trenches?

3. Item B also indicates you filled and compacted the center divider between ponds 4 North and South. Again, what is the purpose/effectiveness of this measure?

4. The report is dated November 2, 2010. Does the information actually reflect the conditions of November 8th, which is when the report was required to have been submitted?

November 12, 2010 Report:

1. The Report is due November 15th - thank you for submitting early.

2. This report shows freeboard violations in all ponds except Pond Nos 1 and 4-South. However, Item D of the report shows that you have remaining capacity in each of the ponds that have freeboard violations. Item D also notes that Ponds 1 and 4 South have no available capacity as they are meeting minimum freeboard requirements. How is this determined? The information you are providing is very misleading.

3. Item B reflects 1.08 MGD being diverted to VVWRA, but that full capacity (1.3 MGD) is not being diverted due to the need to maintain the APUA treatment system biological life and to prevent oil and grease from being sent to VVWRA. Please indicate the minimum flow you need to maintain the biological life of the treatment system. Also, please indicate the source of the oil and grease issue. Apparently, the oil and grease was not an issue prior to construction of the APUA treatment plant when all flows were directed to VVWRA.

Thanks,
Eric

Eric J. Taxer, P.E.
Water Resource Control Engineer
Enforcement and Special Projects Unit
Lahontan Regional Water Quality Control Board
2501 Lake Tahoe Boulevard
South Lake Tahoe, California 96150
530-542-5434

"The trouble with the paper chase is that even if you excel it's just a paper gain."
-Lily Tomlin

EXHIBIT NO. 15

From: John Sponsler <jsponsler@ci.adelanto.ca.us>
To: "'SFerguson@waterboards.ca.gov'" <SFerguson@waterboards.ca.gov>
CC: "City of Adelanto" <adelanto@ci.adelanto.ca.us>, James Hart <jhart@ci.a...
Date: 12/24/2010 1:42 PM
Subject: Re: Adelanto WWTF-Proposed Cease and Desist Order

Got it Scott. Thanks,
-John Sponsler

**Sent from my BlackBerry

----- Original Message -----
From: Scott Ferguson <SFerguson@waterboards.ca.gov>
To: John Sponsler
Cc: City of Adelanto; James Hart; Wilson So (External); NeilKaufman@TDPUD.org <NeilKaufman@TDPUD.org>; mike.perales@unitedwater.com <mike.perales@unitedwater.com>; roger.vesely@unitedwater.com <roger.vesely@unitedwater.com>; Chuck Curtis <CCurtis@waterboards.ca.gov>; Cindi Mitton <cmitton@waterboards.ca.gov>; Eric Taxer <ETaxer@waterboards.ca.gov>; Harold Singer <HSinger@waterboards.ca.gov>; John Morales <JMMorales@waterboards.ca.gov>; Laura Drabandt <LDrabandt@waterboards.ca.gov>; Lauri Kemper <LKemper@waterboards.ca.gov>
Sent: Fri Dec 24 12:41:25 2010
Subject: Adelanto WWTF-Proposed Cease and Desist Order

John,

Please confirm via email that you have received this email and its attachment.

Attached is a proposed Cease and Desist Order for the Adelanto Wastewater Treatment Facility. A 30-day public comment period begins this coming Monday, December 27, 2010 and ends January 28, 2011. The proposed Cease and Desist Order will also be posted on our web site - www.waterboards.ca.gov/lahontan.

There will likely be another opportunity to comment on the proposed Cease and Desist Order prior to the Water Board considering it for adoption at its March 2011 Board meeting. This additional opportunity will be addressed in hearing procedures that the Water Board's Advisory Team will be sending out in the near future.

I will be out of the office next week. Please contact Eric Taxer (returns to the office on 12/28/2010) if you have any questions regarding the proposed Cease and Desist Order.

Scott C. Ferguson, Chief
Enforcement and Special Projects Unit
Lahontan Regional Water Quality Control Board
530-542-5432
Sferguson@waterboards.ca.gov

Eric Taxer - Adelanto WWTF-Proposed Cease and Desist Order

From: Scott Ferguson
To: Jsponsler@ci.adelanto.ca.us
Date: 12/24/2010 12:41 PM
Subject: Adelanto WWTF-Proposed Cease and Desist Order
CC: adelanto@ci.adelanto.ca.us; Curtis, Chuck; Drabandt, Laura; jhart@ci.adelanto.ca.us; Kemper, Lauri; Mike.Perales@Unitedwater.com; Mitton, Cindi; Morales, John; NeilKaufman@TDPUD.org; Roger.Vesely@Unitedwater.com; Singer, Harold; Taxer, Eric; WilsonSo@saeinc.org
Attachments: Adelanto WWTP CDOAdelanto WWTF, CDO.pdf

Reply Requested: By 12/25/2010

John,

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Scott C. Ferguson, Chief
Enforcement and Special Projects Unit
Lahontan Regional Water Quality Control Board
530-542-5432
Sferguson@waterboards.ca.gov

SECTION V

LIST OF DOCUMENTS INCLUDED BY REFERENCE

LIST OF DOCUMENTS INCLUDED BY REFERENCE

1. Water Quality Control Plan for the Lahontan Region
2. California Water Code, including CWC section 13301
3. California Code of Regulations, including title 23, section 2244
4. Code of Federal Regulations
5. Water Board's Complete Public Files for Adelanto Public Utility Authority, WDID No. 6B369805001
6. Waste Discharge Requirements Contained in Board Order No. 6-98-56A1