California Regional Water Quality Control Board
North Coast Region

CLEANUP AND ABATEMENT ORDER NO. R1-2003-0061

FOR

LEWISTON VALLEY WATER COMPANY, INC.
AND
U.S. BUREAU OF LAND MANAGEMENT

Trinity County

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), finds that:

1. The Lewiston Valley Water Company, Inc. (LVWC) owns and operates a wastewater collection and treatment facility in the community of Lewiston in Trinity County, California. The treatment facility is located adjacent to Hoadley Gulch, a tributary of the Trinity River. Hoadley Gulch is an intermittent stream that flows during winter months.

2. Sewerage facilities for the complex were constructed in 1957 and consist of a wastewater collection system, a two-compartment septic tank, two lift stations, force main, and two oxidation-percolation ponds. The oxidation-percolation ponds are situated on public lands pursuant to terms of a right-of-way grant administered by the U.S. Bureau of Land Management (BLM). LVWC and the BLM are hereby referred to as the Discharger. Waste Discharge Requirements Order No. 97-11 was issued to LVWC on February 27, 1997.

3. Inspections - Regional Water Board staff inspections of the facility in August 1997 and February 1998 document wastewater overflows at the collection system lift station. During an inspection in September of 2001, Regional Water Board staff noted inadequacies of wastewater flow calculation and neglect of the septic tank and lift station area. Staff asked LVWC to determine daily wastewater flow and to properly maintain the septic tank and lift station area. In December 2001, LVWC notified staff of sewage overflows at the collection system lift station. Staff asked LVWC to perform corrective action. On January 16, 2002, staff notified LVWC of the need for maintenance and upgrade work to the facilities. Staff requested a corrective action plan for maintenance and upgrade to the facility. Staff again requested a plan for maintenance and upgrade of the facility on October 28, 2002. The LVWC responded to this request on November 1, 2002, and is currently investigating upgrade options.

4. Spills - LVWC notified staff in December of 2001 of an approximately 10,000-gallon spill of untreated wastewater from the facility's collection system. The spill was caused by a broken force main pipe where the pipe crosses a small drainage. The spill drained into Hoadley Gulch, a tributary to the Trinity River.

5. Leaky ponds - On January 29, 2003, the Trinity County Environmental Health Division (TCEHD) inspected the wastewater treatment facility and observed seepage coming from the bermed walls of the oxidation-percolation ponds and discharging into the flowing stream of Hoadley Gulch. TCEHD estimated the seepage rate from the wastewater treatment ponds at approximately eight gallons per minute (approximately 12,000 gallons per day). Bacteria samples collected from the suspected leakage and from Hoadley Gulch. Samples from the suspected leakage contained total coliform at a concentration of >1600 MPN/100 ml and fecal coliform at a concentration of 23 MPN/100 ml. Samples from Hoadley Gulch contained a low concentration of coliform above the suspected leakage and a high concentration of coliform below the leakage. The sample results support field observations that the wastewater treatment ponds are leaking into Hoadley Gulch.

6. The beneficial uses of the Trinity River and its tributaries, as designated in the Water Quality Control Plan for the North Coast Region, include:

   a. municipal and domestic supply
   b. agricultural supply
   c. industrial service supply
   d. industrial process supply
   e. freshwater replenishment
   f. water contact recreation
   g. noncontact water recreation
   h. groundwater recharge
   i. wildlife habitat
   j. fish migration
   k. fish spawning
   l. commercial and sport fishing
   m. cold freshwater habitat
   n. aquaculture

7. Seepage from the wastewater treatment facility and spills from the aging wastewater collection system/lift stations pose a threat to public health and may result in adverse impacts to the beneficial uses of the Trinity River. Regional Water Board staff have requested representatives of the LVWC to immediately cease the unpermitted discharge from the wastewater treatment facility and take immediate measures to prevent such a discharge in the future.

8. The LVWC has attempted to control the unpermitted discharge from the wastewater ponds by collecting as much seepage as possible and pumping the seepage back into the collection system. These measures have reduced the amount of seepage into Hoadley Gulch, but have not eliminated the seepage.

9. The Discharger has caused or permitted waste to be discharged or deposited where it can be discharged to waters of the state and has created, or threatens to create, a condition of pollution or nuisance.

10. This is an enforcement action by a regulatory agency being taken for the protection of the environment and is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code, Section 21000 et seq.) in accordance with California Code of Regulations, Title 14, Sections 15308 and 15321.

THEREFORE, IT IS HEREBY ORDERED that, pursuant to California Water Code Sections 13267(b) and 13304, the Discharger shall abate the above-described discharges of waste and threatened discharges of waste to surface waters in accordance with the following:

1. By May 30, 2003, submit a workplan to abate the discharge of wastewater to surface waters from the two oxidation-percolation ponds and collection system. Actions to be considered shall include prompt repair of the ponds and collection system, reductions in wastewater generation and/or transporting wastewater to an approved offsite treatment and disposal facility, and construction of alternate ponds.

2. By June 30, 2003, submit a workplan to abate the threat of future discharges to surface waters from the wastewater treatment system. The workplan shall describe the current capacity of the existing wastewater system and determination of influent flow (wastewater, precipitation and infiltration/inflow). The workplan shall propose system upgrades or other control measures necessary to prevent future discharges to waters of the state. The workplan shall include a task and time schedule for prompt implementation of all necessary system improvements proposed in the workplan. The workplan shall address all components of the wastewater treatment system, including collection system, septic tank, lift stations, force main and waste treatment ponds. The workplan shall include a receiving water monitoring and sampling plan to sample Hoadley Gulch upstream and downstream of the treatment ponds, and any discharges from the ponds to surface water

3. Submit monthly, written status reports describing the progress of corrective measures. Each report shall include results of daily visual inspections of the pond system. Any release to surface water from the pond system shall be documented along with corrective measures taken. Monthly reports shall be received by the 15th day of the following month, with the first status report due June 15th 2003

Ordered by _____
Susan A. Warner
Executive Officer

May 12, 2003

(rrolvwc203)