California Regional Water Quality Control Board
North Coast Region

TIME SCHEDULE ORDER NO. R1-2018-0051
TO PROVIDE TIME SCHEDULES TO COMPLY WITH
ORDER No. R1-2018-0035

UKIAH WASTEWATER TREATMENT PLANT
NPDES NO. CA0022888

WDID No. 1B84029OMEN
Mendocino County

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

1. The City of Ukiah (Permittee[1]) is the owner and operator of the Ukiah Wastewater Treatment Plant (Facility), a publicly owned treatment works, which discharges tertiary treated wastewater under Waste Discharge Requirements (WDRs) contained in Order No. R1-2018-0035 (Permit) beginning on November 1, 2018, adopted by the Regional Water Board on September 6, 2018. The Permit also serves as a National Pollutant Discharge Elimination System (NPDES) permit (NPDES No. CA0022888). The Permit contains discharge prohibitions, effluent and receiving water limitations, compliance provisions, and monitoring and reporting requirements, including the continuation of final effluent limitations for ammonia, nitrate, dichlorobromomethane (DCBM), and chlorodibromomethane (CDBM).

2. The Permittee was previously regulated under WDR Order No. R1-2012-0068 (previous permit), adopted by the Regional Water Board on August 23, 2012 which also contained discharge prohibitions, effluent and receiving water limitations, compliance provisions, and monitoring and reporting requirements, including the final effluent limitations for ammonia, nitrate, and DCBM.

[1] Note that the terms "Permittee" and "discharger" are used interchangeably in this Order. The term Permittee is always used to refer to the City of Ukiah, while the term "discharger" is used when citing language from regulations.

3. The Facility serves a population of approximately 21,000 residential, commercial, and industrial users, including 16,000 within the City of Ukiah and 5,000 in the Ukiah Valley Sanitation District. The Facility is designed to treat an average dry weather flow of 3.01 million gallons per day (mgd), and a peak wet weather flow of 24.5 mgd of secondary treated wastewater, as well as a peak wet weather flow of 7.0 mgd of advanced treated wastewater. The treatment system consists of an influent wet well, bar screens, aerated grit removal, primary clarifiers, trickling filters, aerated solids contact tank, secondary clarifiers, and a chlorine contactor pipe where secondary disinfection is performed using sodium hypochlorite. This disinfected secondary effluent is discharged to three percolation ponds year-round. During the period from October 1 through May 14, treatment continues with the addition of a ferric chloride polymer as the wastewater is sent to multi-media filters, a tertiary chlorine contact basin where disinfection is performed using sodium hypochlorite, and a dechlorination facility where dechlorination is performed using sodium bisulfite. The resulting disinfected, dechlorinated advanced treated wastewater effluent is discharged to the Russian River.

4. The Permittee has been subject to Cease and Desist Order (CDO) No. R1-2012-0069 that was adopted concurrently with WDR Order No. R1-2012-0068 to establish a compliance schedule requiring the Permittee to complete specific tasks to achieve compliance with ammonia and nitrate effluent limitations. The Permittee completed studies and assessments to identify a means to comply with ammonia and nitrate effluent limitations which has proved challenging due to limited capital improvement funds following the Permittee's costly wastewater treatment plant upgrade in 2006 and limitations of the Permittee's current treatment process for achieving complete conversion of ammonia to nitrate and nitrate to nitrogen gas (see further discussion in Finding 10, below).

5. The Permit implements provisions of the California Toxics Rule (CTR) and the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP) by requiring the Permittee to monitor its effluent for CTR constituents that may have reasonable potential to cause or contribute to an excursion above a water quality criterion or objective applicable to the receiving water.

6. Pursuant to federal regulations at section 122.44(d)(1)(i), title 40 of the Code of Federal Regulation (CFR), NPDES permit effluent limitations must control all pollutants which are or may be discharged at a level that will cause or have the reasonable potential to cause or contribute to an in-stream excursion above any State water quality standard, including any narrative water quality criteria. Beneficial uses, together with their corresponding water quality objectives or promulgated water quality criteria, can be defined per federal regulations as water quality standards.

7. The Regional Water Board adopted the *Water Quality Control Plan for the North Coast Region* (hereinafter Basin Plan), which designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the Basin Plan. The Basin Plan identifies present and potential beneficial uses for the Russian River.

8. The Permit implements provisions of the Basin Plan by requiring the Permittee to monitor its effluent for certain CTR and certain non-CTR constituents that may have reasonable potential to cause or contribute to an excursion above a water quality criterion or objective applicable to the receiving water. In particular, the Permit includes final effluent limitations for the CTR pollutants DCBM and CDBM and the non-CTR pollutants ammonia and nitrate. The Basin Plan also includes a narrative toxicity objective that requires all waters to be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life. This Basin Plan objective is applicable because ammonia is toxic to aquatic life and must be controlled in order to prevent toxicity.

9. The Permittee is violating or threatening to violate, the following terms in Order Number R1-2018-0035:

IV. EFFLUENT LIMITATIONS AND DISCHARGE PROHIBITIONS

A. Effluent Limitation – Discharge Points 001 and 002

1. Final Effluent Limitations – Discharge Point 002

a. The discharge of treated wastewater shall maintain compliance with the following limitations at Discharge Point 001, with compliance measured at Monitoring Location EFF-001B as described in the Monitoring and Reporting Program (MRP) (Attachment E). The advanced treated wastewater shall be adequately oxidized, filtered, and disinfected as defined in title 22, division 4, chapter 3, of the CCR.

Table 4. Effluent Limitations – Discharge Point 001 (Monitoring Location EFF-001B)

Parameter	Units	Effluent Limitations[1]				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Dichlorobromomethane	µg/L	0.56	--	1.7	--	--
Chlorodibromomethane	µg/L	0.40	--	0.80		
Ammonia Nitrogen	mg/L	2.5	--	5.6	--	--
Nitrate Nitrogen, Total (as N)	mg/L	10	--	--	--	--

10. Untreated domestic wastewater contains ammonia. Nitrification is a biological process that converts ammonia to nitrite and nitrate. Denitrification is a process that converts nitrate to nitrite or nitric oxide and then to nitrous oxide or nitrogen gas, which is then released to the atmosphere. Depending on the degree of nitrification and/or denitrification in a wastewater treatment process, there can be varying levels of ammonia and nitrate. There can also be concentrations of nitrite and organic nitrogen, however, these are usually found at lower concentrations than nitrate or ammonia. Inadequate or incomplete denitrification may result in the discharge of ammonia to the receiving stream. Ammonia is known to cause toxicity to aquatic organisms in surface waters. Discharges of ammonia would violate the Basin Plan narrative toxicity objective and numeric water quality objectives published in U.S. EPA's Aquatic Life Ambient Water Quality Criteria for Ammonia – Freshwater published in 2013. The discharge also contains concentrations of nitrate that exceed the primary drinking water maximum contaminant level of 10 mg/L established by the State Water Board, Division of Drinking Water for the protection of human health.

11. Chlorinated effluent may cause the production of chlorine disinfection by-products, including, but not limited to DCBM, CDBM, chloroform, and bromoform, when chlorine comes in contact with organic material in the effluent. The CTR establishes a water quality objective for the protection of human health for DCBM of 0.56 µg/L and for CDBM of 0.41 µg/L. The Permittee's discharge contains concentrations of DCBM and CDBM that exceed these water quality objectives.

12. Data collected between October 2012 and December 2016 demonstrated reasonable potential for ammonia based on 67 of 112 sample results exceeding the lowest water quality objective for ammonia of 2.93 mg/L (that is based on temperature and pH at the time of sample collection), for nitrate based on 40 of 115 sample results exceeding the water quality objective of 10 mg/L, for DCBM based on 13 of 35 sample results exceeding the water quality objective of 0.56 µg/L, and for CDBM based on 3 of 35 sample results exceeding the water quality objective of 0.41 µg/L. The maximum effluent concentrations for ammonia, nitrate, DCBM, and CDBM, are 12 mg/L, 18 mg/L, 9.9 µg /L and 4.3 µg/L, respectively. Based on the results of the reasonable potential analysis, Order No. R1-2018-0035 establishes new effluent limitations for chlorodibromomethane, more stringent effluent limitations for ammonia, and retains effluent limitations for nitrate and DCBM from the previous permit.

13. On March 26, 2018, the Permittee submitted a letter that contains an analysis of the Permittee's inability to immediately comply with ammonia, nitrate, DCBM, and CDBM effluent limitations, requests for a compliance schedule, interim limitations, and protection from mandatory minimum penalties, and includes a schedule of proposed actions and time frames to achieve compliance with ammonia, nitrate, DCBM, and CDBM effluent limitations identified in Finding 9, above.

14. The Permittee's letter includes a proposal to address the ammonia and nitrate effluent limitation exceedances systematically, in accordance with the compliance schedule included in Requirement 2 of this Order. The Permittee proposes to first implement a recycled water program that will reduce discharges to the Russian River. The Permittee is currently constructing Phases 1 through 3 of a 4-phase project. Upon implementation of the first 3 phases of the recycled water project, the Permittee expects to reduce discharges to the Russian River by 60 percent. Upon completion of Phase 4 of the recycled water project, the Permittee expects to reduce discharges to the Russian River by 80 percent. Once the recycled water system is fully operational, the Permittee will evaluate nutrient treatment options to remove ammonia and nitrate for the smaller volume of effluent that will need to be discharged to the Russian River. Scaling a nutrient treatment system down for the significantly lower flow rate is the most cost effective and efficient approach for the Permittee.

15. In accordance with Water Code section 13385(j)(3), the Regional Water Board finds that the Permittee will not be able to immediately comply with the final effluent limitations for ammonia and nitrate. The effluent limitations for ammonia in Order No. R1-2018-0035 are more stringent than the effluent limitations in Order No. R1-2012-0068 and new or modified control measures that cannot be designed, installed, and put into operation within 30 calendar days are necessary in order to comply with the limitation. Although effluent limitations for nitrate are retained from Order No. R1-2012-0068, the Regional Water Board finds that it is appropriate to extend the compliance schedule for compliance with nitrate because any measures the Permittee takes to reduce the ammonia concentration in the effluent will also affect the concentration of nitrate.

16. The Permittee's March 26, 2018, letter also includes a proposal to address effluent limit exceedances for DCBM and CDBM systematically, in accordance with the compliance schedule included in Requirement 3 of this Order. The Permittee proposes to complete an upgrade of its tertiary chlorine contact basins as part of its recycled water project, then carefully determine the dose of sodium hypochlorite disinfectant that will ensure compliance with recycled water requirements while minimizing the formation of chlorine disinfection byproducts. If the Permittee is unable to achieve compliance with effluent limitations for chlorine disinfection byproducts upon completion and testing of the new chlorine disinfection system, the Permittee proposes to conduct a mixing zone study with a plan to request dilution credits for compliance with effluent limitations for DCBM and CDBM, as allowed in the SIP.

17. Regional Water Board staff reviewed the Permittee's March 26, 2018, letter and concurs with the Permittee's assessment that it is infeasible to comply with final effluent limitations for ammonia, nitrate, DCBM, and CDBM, and that the Permittee's proposed schedule (with some minor modifications proposed by Regional Water Board staff) is designed to bring the waste discharge into compliance with final

effluent limitations for ammonia, nitrate, DCBM, and CDBM in the shortest time frame possible.

18. Regional Water Board staff modified the Permittee's proposal for compliance with ammonia and nitrate effluent limitations by adding requirements for the Permittee to (1) complete a feasibility study and submit a feasibility study report to select the treatment system to achieve compliance and (2) complete and submit the preliminary design of the selected treatment system. In addition, Regional Water Board staff modified the Permittee's proposal for compliance with DCBM and CDBM effluent limitations by providing an extra year to recognize the need to bring a modified permit to the Regional Water Board for adoption if effluent limitations need to be modified in light of mixing zone study results.

19. California Water Code section 13300 states:

"Whenever a regional board finds that a discharge of waste is taking place or threatening to take place that violates or will violate requirements prescribed by the regional board, or the state board, or that the waste collection, treatment, or disposal facilities of a discharger are approaching capacity, the board may require the discharger to submit for approval of the board, with such modifications as it may deem necessary, a detailed time schedule of specific actions the discharger shall take in order to correct or prevent a violation of requirements."

20. This Order provides compliance schedules for the Permittee to develop, submit, and implement methods of compliance, including developing and implementing pollution prevention activities or constructing necessary treatment facilities to meet the new effluent limitations for CDBM, more stringent effluent limitations for ammonia and the retained effluent limitations for nitrate and DCBM.

21. Water Code section 13267, subdivision (a) provides that the Regional Water Board may investigate the quality of any waters of the state within its region in connection with any action relating to the Basin Plan. Water Code section 13267, subdivision (b) provides that the Regional Water Board, in conducting an investigation, may require a discharger to furnish, under penalty of perjury, technical or monitoring program reports. The reports required by this Order, pursuant to Water Code section 13267, are necessary to ensure that the future threat to water quality created by activities at the Facility are properly assessed and controlled. Due to the importance of protecting water resources as explained herein, the costs associated with developing the required reports and work plans bear a reasonable relationship to the benefits that will be obtained from having the necessary information for the Regional Water Board to properly regulate and monitor the Facility.

22. Water Code section 13383, subdivision (a) provides the Regional Water Board may establish monitoring, inspection, entry reporting, and record keeping requirements,

as authorized by section 13160, 13376, or 13377 for any person who discharges, or proposes to discharge to navigable waters. Subdivision (b) provides that the Regional Water Board may require any person subject to this section to establish and maintain monitoring equipment or methods, including, where appropriate, biological monitoring methods, sample effluent as prescribed, and provide other information as may be reasonably required.

23. Pursuant to Water Code section 13385(j)(3), mandatory minimum penalties (MMPs) will not apply to future violations of final effluent limitations for ammonia, nitrate, DCBM, and CDBM if:

a. A time schedule order is issued on or after July 1, 2000, and specifies the actions that the discharger is required to take in order to correct the violations that would otherwise be subject to MMPs;

b. The Regional Water Board finds that the discharger is not able to consistently comply with one or more of the effluent limitations established in the waste discharge requirements applicable to the waste discharge because the effluent limitation is a new or more stringent regulatory requirement that has become applicable to the waste discharge after the effective date of the waste discharge requirements and after July 1, 2000, new or modified control measures are necessary in order to comply with the effluent limitation, and the new or modified control measures cannot be designed, installed, and put into operation within 30 calendar days;

c. The Regional Water Board establishes a time schedule for bringing the waste discharge into compliance with the effluent limitations that is as short as possible, taking into account the technological, operational, and economic factors that affect the design, development, and implementation of the control measures that are necessary to comply with the effluent limitations, and where the time schedule exceeds one year, the time schedule includes interim requirements and actions and milestones leading to compliance;

d. The Regional Water Board may extend the time schedule for an additional five years in length, if the discharger demonstrates that the additional time is necessary to comply with the effluent limitation; and

e. The discharger has prepared and is implementing in a timely and proper manner, or is required by the regional board to prepare and implement, a pollution prevention plan pursuant to Water Code section 13263.3.

24. Because this Order establishes compliance schedules to address anticipated future violations of final effluent limitations for ammonia, nitrate, DCBM, and CDBM, after making specific findings and setting interim effluent limitations, in accordance with the Water Code section 13385(j)(3) and the terms of this Order, MMPs will not be assessed for violations of the final effluent limitations for ammonia, nitrate, DCBM,

and CDBM as stipulated in Finding 25, below. Specifically, the Regional Water Board finds that:

a. The time schedule order is being issued after July 1, 2000 and specifies the actions the Permittee is required to take to correct the violations of the final effluent limitations for ammonia, nitrate, and CDBM in section IV.A.1.a of Order No. R1-2018-0035, as set out in Finding 9, above.

b. The final effluent limitations for ammonia and CDBM, established in Order No. R1-2018-0035 are more stringent than those required pursuant to Order No. R1-2012-0068 and compliance with the effluent limitations for nitrate and DCBM that are retained from Order No. R1-2012-0068 is intricately linked to compliance with final effluent limitations for ammonia and CDBM. The Permittee will not be able to consistently comply with final effluent limitations for ammonia, nitrate, DCBM, or CDBM because new or modified control measures will be needed for the Permittee to comply, and the new or modified control measures are dependent on the completion of actions that will take more than 30 calendar days to complete.

c. This Order provides protection from MMPs for ammonia and nitrate through September 30, 2022 to allow the maximum of 10 years allowed by the Water Code. The Permittee's original compliance schedule was provided through CDO No. R1-2012-0069 beginning October 1, 2012.

d. This Order provides protection from MMPs for DCBM and CDBM through September 30, 2021 as requested by the Permittee. The Permittee's original compliance schedule for DCBM was provided through WDR Order No. R1-2006-0049 and extended through the entire permit term which terminated on September 30, 2012. During the term of WDR Order No. R1-2012-0068 (October 1, 2012 through October 31, 2018) there was no compliance schedule, interim limits, nor MMP protection for DCBM because it appeared that the Permittee had achieved compliance during the term of Order No. R1-2006-0049 through operational controls. However, during the term of Order No. R1-2012-0068, the Permittee intermittently violated both the AMEL and MDEL DCBM effluent limitations. Penalties were assessed for these violations through Administrative Civil Liability Order Nos. R1-2015-0069 and R1-2018-0024. Since the Permittee was previously granted MMP protection for a period of 5 years and 11 months, the Water Code allows a potential extension of 4 years and one month.

e. This Order establishes interim effluent limitations for ammonia, nitrate, DCBM, and CDBM in Requirement 1 and establishes compliance schedules for bringing the Facility into compliance with final effluent limitations for ammonia, nitrate, DCBM, and CDBM (Requirements 2 and 3) in the Permit that are as short as possible.

f. This Order requires the Permittee to prepare and implement a pollution prevention plan in order to reduce the impacts when the discharge exceeds the

final effluent limitations for ammonia, nitrate, DCBM, and CDBM during the compliance period.

25. Accordingly, the Regional Water Board finds that MMPs for violations of final effluent limitations when discharging to the Russian River at Monitoring Location EFF-001B as specified in Effluent Limitations section IV.A.1.a of Order No. R1-2018-0035 do not apply for ammonia and nitrate through September 30, 2022, and for DCBM and CDBM through September 30, 2021, as long as the Permittee complies with the interim effluent limitations contained in Requirement 1, and the compliance schedules contained in Requirements 2 and 3 of this Order. If an interim effluent limit contained in this Order is exceeded, then the Permittee is subject to MMPs for that particular exceedance as it will no longer meet the exception in Water Code section 13385 (j)(3)(B)(i)(ii).

26. The compliance schedules established in this Order are intended to be as short as possible.

The compliance schedule for DCBM and CDBM accounts for the interrelationship between DCBM and CDBM, the time necessary to complete construction of the Permittee's new chlorine contact basins, to perform testing to assess compliance, and to potentially propose and conduct a mixing zone study, prepare a final report, and receive authorization for dilution credits for compliance with final DCBM and CDBM effluent limitations which would also require modification of the Permittee's current NPDES permit.

The compliance schedule for ammonia and nitrate accounts for the interrelationship between ammonia and nitrate, the time necessary to complete construction of the Permittee's recycled water project and implement water recycling, then to evaluate options for ammonia and nitrate removal for the smaller volume of effluent to be discharged.

The Regional Water Board recommends that the Permittee continue to evaluate resources to identify a means to shorten the time frame for achieving compliance with effluent limitations for these pollutants.

27. This Order requires the Permittee to comply with interim effluent limitations for ammonia, nitrate, DCBM, and CDBM. The SIP requires that interim limitations for CTR pollutants be based on past performance or limits in previous orders, whichever is more stringent. It is appropriate to apply this approach for establishing interim effluent limitations for non-CTR pollutants as well. Interim effluent limitations for ammonia, nitrate, DCBM, and CDBM established in Requirement 1 of this Order were derived based on Facility performance using available effluent monitoring data at Monitoring Location EFF-001B, the point of discharge to the Russian River. These performance based interim effluent limitations were calculated using statistical

methodology described in the U.S. EPA *Technical Support Document for Water Quality-based Toxics Control* (TSD) and a statistical tool, RPCalc, developed by State Water Resources Control Board staff to assist State and Regional Water Board staff in the development of interim effluent limitations. The 95th percentile concentrations of each pollutant were calculated at the 95 percent confidence level to determine the interim AMELs. The calculated interim AMELs were rounded to the nearest whole number and are compared to the maximum single sample and AMEL results for data collected during the term of Order No. R1-2012-0068 (October 2012 through May 2018) in the following table.

Constituent	**Calculated 95th Percentile (AMEL)**	**Maximum Sample Result**	**Maximum AMEL Result**
Ammonia	10	12	10.2
Nitrate	14	18	16
Dichlorobromomethane	11	9.9	9.9
Chlorodibromomethane	5	4.31	4.31

For DCBM and CDBM, the maximum single sample and AMEL results are less than the calculated 95th percentile concentrations while the maximum single sample and AMEL ammonia and nitrate sample results are greater than the calculated 95th percentile concentrations. If Facility performance were to remain unchanged from the Permittee's performance over the last 5 years, the Permittee would not violate the interim AMEL for DCBM and CDBM but would violate the interim AMEL for nitrate on average once each discharge season and the interim AMEL for ammonia once during the permit term. The interim limitations in this Order are intended to ensure that the Permittee maintains at least its existing performance while implementing pollution prevention measures to improve performance to the extent possible and completing all tasks required by the compliance schedules.

28. The Regional Water Board has notified the Permittee, interested agencies and persons, of its intent to issue a Time Schedule Order in accordance with Water Code section 13167.5.

29. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) ("CEQA") pursuant to CWC section 13389, since the adoption or modification of a NPDES permit for an existing source is statutorily exempt and this Order only serves to implement a NPDES permit. (Pacific Water Conditioning Ass'n, Inc. v. City Council of City of Riverside (1977) 73 Cal.App.3d 546, 555-556.).

IT IS HEREBY ORDERED, pursuant to California Water Code section 13300, 13267 and 13383, the Permittee shall comply with the following requirements to prevent violations of Order No. R1-2018-0002:

1. The Permittee shall comply with the following interim effluent limitations in the interim period established by this Order for the Permittee to achieve compliance with final effluent limitations set forth in Effluent Limitation IV.A.1 of Order No. R1-2018-0035:

Parameter	Units	Average Monthly Effluent Limitation
Ammonia	mg/L	10
Nitrate	mg/L	14
Dichlorobromomethane	µg/L	11
Chlorodibromomethane	µg/L	5

2. The Permittee shall implement the tasks in the following compliance schedule in order to achieve compliance with final effluent limitations for ammonia and nitrate in Effluent Limitation IV.A.1.a of Order No. R1-2018-0035 at the earliest possible date in accordance with the following schedule:

Task	Task Description	Compliance Date
A	Submit annual progress reports.	**March 1 of each year beginning March 1, 2019**
B	Submit a pollution prevention plan (PPP) that includes a schedule of implementation, for Regional Water Board Executive Officer review and approval, that meets the requirements of Water Code section 13263.3(d)(3). The PPP shall describe a plan to identify and control pollution at the Facility by implementing pollution control actions identified in the PPP per the schedule of implementation during the interim period of time until the Facility achieves full compliance with final effluent limitations for ammonia and nitrate.[2]	**May 1, 2019**
C	Construct Phases 1 to 3 of the Recycled Water System.	**June 1, 2019**
D	Secure project funding for Phase 4 of the Recycled Water System.	**March 1, 2021**

[2] The Permittee may, at its discretion, submit a single report to address the pollution prevention plan requirements for ammonia/nitrate and DCBM/CDBM.

Task	Task Description	Compliance Date
E	Complete Construction of Phase 4 of the Recycled Water System.	**September 1, 2022**
F	Complete a feasibility study and submit a feasibility study report for Executive Officer review and approval identifying the recommended treatment system to achieve compliance with final effluent limitations for ammonia and nitrate.	**January 1, 2023**
G	Complete preliminary design of the selected treatment system to achieve compliance with final effluent limitations for ammonia and nitrate.	**June 1, 2023**
H	Complete and submit CEQA documentation and construction contract documents for the recommended treatment alternative.	**August 1, 2023**
I	Award construction contract.	**November 1, 2023**
J	Complete construction of the recommended treatment alternative.	**August 1, 2024**
K	Achieve full compliance with final effluent limitations for ammonia and nitrate.	**January 1, 2025**

3. The Permittee shall implement the tasks in the following compliance schedule in order to achieve compliance with final effluent limitations for DCBM and CDBM in Effluent Limitation IV.A.1.a of Order No. R1-2018-0035 at the earliest possible date in accordance with the following schedule:

Task	Task Description	Compliance Date
A	Evaluate operation of the new chlorine contact basins to be completed in October 2018, and modify the sodium hypochlorite dose to comply with NPDES and recycled water permit requirements while minimizing the formation of chlorine disinfection byproducts, including DCBM and CDBM.	**March 1, 2019**
B	Submit a pollution prevention plan (PPP) that includes a schedule of implementation, for Regional Water Board Executive Officer review and approval, that meets the requirements of Water Code section 13263.3(d)(3). The PPP shall describe a plan to identify and control pollution at the Facility by implementing pollution control actions identified in the PPP per the schedule of implementation during the interim period of time until	**May 1, 2019**

Task	Task Description	Compliance Date
	the Facility achieves full compliance with final effluent limitations for DCBM and CDBM.[1]	
C	If compliance with final DCBM and CDBM effluent limitations is not achieved after completion of Tasks A and B, above, submit a mixing zone study work plan for Regional Water Board Executive Officer approval.	**June 1, 2019**
D	If necessary, conduct mixing zone study during the 2019-2020 discharge season.	**May 14, 2020**
E	If necessary, submit mixing zone study report for Regional Water Board Executive Officer review and approval.	**October 1, 2020**
F	Achieve compliance with final effluent limitations for DCBM and CDBM. Final effluent limits will be calculated using a dilution credit if Regional Water Board Executive Officer approves such credit per Task E.	**October 1, 2021**

4. Pursuant to Water Code section 13385 (j)(3)(C)(i), for the purposes of mandatory minimum penalty protection, the Regional Water Board may grant a time schedule to bring a waste discharge into compliance with permit effluent limitations that does not exceed five years. As reflected by the task descriptions and completion dates specified in Requirement 2, above, projects to bring the discharge into compliance with effluent limitations are anticipated to take longer than five years to implement. While this Order requires completion of the tasks by the dates specified, this Order does not provide protection from mandatory minimum penalties for violations of final effluent limitations for DCBM and CDBM that occur after October 1, 2021, and for any ammonia or nitrate effluent limitation violations that occur after September 30, 2022.

The Regional Water Board may, however, pursuant to Water Code section 13385 (j)(3)(C)(ii)(II), provide additional protection from mandatory minimum penalties and extend the time schedule for an additional time not to exceed a total of 10 years for DCBM and CDBM. The Regional Water Board may grant any requested extension following a public hearing and a showing that the discharger is making diligent progress toward bringing the discharge into compliance and the discharger demonstrates that additional time is necessary to comply with the final effluent limitations for DCBM and CDBM. For purposes of protection from mandatory minimum penalties, it is the Permittee's responsibility to submit a request for a time schedule extension to the Regional Water Board Executive Officer. To ensure that the Regional Water Board has adequate time to consider the request and hold a public hearing on the matter, the request must be submitted with adequate documentation to support it no later than 120 days before the five-year mandatory minimum penalty period expires under this Order.

5. In the interim period until the Permittee can achieve full compliance with Order No. R1-2018-0035, the Permittee shall operate and maintain, as efficiently as possible, all facilities and systems necessary to comply with all prohibitions, effluent limitations and requirements identified in Order No. R1-2018-0035 or any future waste discharge requirements issued for the Facility.

6. If the Permittee is unable to perform any activity or submit any documentation in compliance with the deadlines set forth in Requirements 2 and 3, above, the Permittee may request, in writing, an extension of the time. The extension request shall include justification for the delay and shall be submitted at least thirty days prior to the respective deadline to be considered complete and timely.

7. If the Regional Water Board Executive Officer finds that the Permittee fails to comply with the provisions of this Order, the Regional Water Board Executive Officer may take all actions authorized by law, including referring the matter to the Attorney General for judicial enforcement or issuing a complaint for administrative civil liability pursuant to Water Code sections 13268, 13350 and 13385. The Regional Water Board reserves the right to take any enforcement actions authorized by law.

8. Any person aggrieved by this action of the North Coast Regional Water Board may petition the State Water Board to review the action in accordance with CWC 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 this 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: https://www.waterboards.ca.gov/public_notices/petitions/water_quality/ or will be provided upon request.

Ordered by: _____
Matthias St. John
Executive Officer

Digitally signed by Matthias St.John
Date: 2018.10.31 15:19:17 -07'00'