
North Coast Regional Water Quality Control Board

**California Regional Water Quality Control Board
North Coast Region
Order No. R1-2023-0021
Rescission of Cease and Desist Order No. R1-2016-0012 as
modified by Order No. R1-2020-0020
for the
CITY OF EUREKA ELK RIVER
WASTEWATER TREATMENT PLANT
NPDES NO. CA0024449
WDID NO. 1B82151OHUM
Humboldt County**

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

1. The City of Eureka (Permittee) owns and operates the Elk River Wastewater Treatment Plant (Facility), a publicly owned treatment works (POTW). The Facility has an average dry weather treatment capacity of 5.24 mgd, a peak dry weather treatment capacity of 8.6 mgd, and a peak wet weather secondary treatment capacity of 12 mgd. Wastewater entering the facility undergoes primary treatment with mechanical bar screens, grit removal, and primary clarification. Biological secondary treatment is accomplished using two trickling filters, followed by secondary clarification, and chlorine disinfection. The chlorinated effluent is stored in a holding pond then dechlorinated and discharged at Discharge Point 001 to Humboldt Bay in conjunction with ebb tide cycles.
2. On June 16, 2016, the Regional Water Board adopted WDR Order No. R1-2016-0001, NPDES Permit No. CA0024449 (2016 NPDES Permit) for the Permittee.
3. Concurrently with this Cease and Desist Order rescission, the Regional Water Board will consider adoption of a renewed NPDES Permit, Order No. R1-2023-0016 (2023 NPDES Permit).
4. On June 20, 2016, the Regional Water Board adopted Cease and Desist Order (CDO) No. R1-2016-0012, which established compliance schedules, and specific actions and milestones that lead to future compliance with Discharge Prohibitions III.A. and III.E. in the 2016 NPDES Permit. Specifically, the CDO required the Permittee to implement specific actions to come into compliance with the *Enclosed Bays and Estuaries Plan* (EBEP) discharge prohibition and the

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discharge of untreated or partially treated waste (Bypass Prohibition). On June 18, 2020, the Regional Water Board adopted Order No. R1-2020-0020 modifying the CDO to extend certain compliance dates.

5. The Regional Water Board proposes to establish compliance schedules in the 2023 NPDES Permit. The 2023 NPDES Permit will effectively replace the CDO, carrying forward certain existing tasks in the CDO, while incorporating updated tasks and new dates, where appropriate.
6. Regional Water Board action to rescind Cease and Desist Order No. R1-2016-0012 as modified by Order No. R1-2020-0020 is exempt from provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) in accordance with Title 14, California Code of Regulations, Sections 15061(b)(3) and 15301.

THEREFORE, IT IS HEREBY ORDERED that Cease and Desist Order No. R1-2016-0012 as amended by Order No. R1-2020-0020 is rescinded.

Ordered by _____
Valerie M. Quinto
Executive Officer