



**California Regional Water Quality Control Board
North Coast Region**

**ORDER R1-2023-0031
MODIFYING TIME SCHEDULE ORDER No. R1-2017-0045
TO PROVIDE TIME SCHEDULES TO COMPLY WITH
THE STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS
FOR
SANITARY SEWER SYSTEMS (Order No. 2022-0103-DWQ)**

**CITY OF RIO DELL
WASTEWATER TREATMENT FACILITY
NPDES No. CA0022748**

**Humboldt County
WDID No. 1B83134OHUM**

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

1. The City of Rio Dell (Permittee) is the owner and operator of the Rio Dell Wastewater Treatment Facility (Facility), a publicly owned treatment works, which discharges secondary treated wastewater under Waste Discharge Requirements (WDRs) contained in Order No. R1-2017-0007 (2017 Permit), adopted by the Regional Water Board on August 17, 2017. The Permit also serves as a National Pollutant Discharge Elimination System (NPDES) permit (NPDES No. CA0022748).
2. The Permittee is also separately subject to the requirements of State Water Resources Control Board (State Water Board) Order No. 2006-0003-DWQ, Statewide General WDR for Sanitary Sewer Systems, as amended by Order No. WQ 2013-0058-EXEC, which will be replaced by State Water Board Order No. 2022-0103-DWQ on June 5, 2023 (Sanitary Sewer System General Order).
3. State Water Board Order No. 2006-0003-DWQ includes the following prohibitions:
 - a. **Discharge Prohibition C.1.** "Any SSO that results in a discharge of untreated or partially treated wastewater to waters of the United States is prohibited."
 - b. **Discharge Prohibition C.2.** "Any SSO that results in a discharge of untreated or partially treated wastewater that creates a nuisance as defined in California Water Code Section 13050(m) is prohibited."

HECTOR BEDOLLA, CHAIR | VALERIE QUINTO, EXECUTIVE OFFICER

- c. **Provision D.10.** “The Enrollee shall provide adequate capacity to convey base flows and peak flows, including flows related to wet weather events. Capacity shall meet or exceed the design criteria as defined in the Enrollee’s System Evaluation and Capacity Assurance Plan for all parts of the sanitary sewer system owned and operated by the Enrollee.”
 - d. **Provision D.13.** “The mandatory elements of the SSMP are specified below. However, if the Enrollee believes that any element of this section is not appropriate or applicable to the Enrollee’s sanitary sewer system, the SSMP program does not need to address that element. The Enrollee must justify why that element is not applicable.” This provision identifies the mandatory elements of the SSMP as: Goal; Organization; Legal Authority; Operation and Maintenance Program; Design and Performance Provisions; Overflow Emergency Response Plan; FOG Control Program; System Evaluation and Capacity Assurance Plan; Monitoring, Measurement, and Program Modifications; SSMP Program Audits; and Communication Program.
4. Time Schedule Order No. R1-2017-0045 required the Permittee to investigate and implement actions within the Permittee’s collection system to reduce excessive inflow and infiltration (I/I) in accordance with a time schedule that would be adjusted by the Regional Water Board Executive Officer upon the Permittee’s completion of certain implementation milestones.

NEED FOR TIME SCHEDULE ORDER

1. The Permittee was unable to comply with the compliance schedule set forth in Time Schedule Order No. R1-2017-0045 for actions to reduce excessive I/I within its collection system. The Permittee has made considerable progress toward meeting many tasks in the time schedule:
 - a. A work plan was submitted for Regional Water Board Executive Officer approval on December 2019 that identified specific tasks for conducting a sewer system evaluation survey (SSES) with the goal of reducing collection system overflows and I/I into the collection system.
 - b. Annual progress reports have been submitted on time beginning in 2018.
 - c. Grant funding has been secured for the SSES and the Permittee is currently working with GHD to survey and make recommendation to improve the collection system. In the meantime, the Permittee conducts routine cleaning of problematic areas weekly, inspects and replaces private sewer laterals during point of sale, and videotapes approximate 3,000 ft/year of sewer mains to identify and repair damaged or compromised infrastructure.
 - d. The Permittee identified the East Painter St. manhole as a weak point in the collection system because this point in the collection system receives

the flow from two lift stations that pump at maximum capacity during periods of sustained and/or heavy rainfall, and the pipe cannot convey the amount of sewage combined with infiltration and inflow that flows through it during these times.

- e. The Permittee submitted a work plan for Regional Water Board Executive Officer approval on December 2019, that identified specific tasks for conducting a sewer system evaluation survey (SSES) with the goal of reducing collection system overflows and I/I into the collection system. The work plan tasks include: Background Research; Updates to Collection System Mapping; Painter Street Line SSO Evaluation; Pump Station Evaluation; Field Data Collection; Right of Way Analysis; Hydraulic Modeling of Selected Collection System Segments; Consideration of I/I Reduction Strategies; Environmental Documentation; and Preparation of a SSES Report of Findings and Recommendations.
 - f. The Permittee applied for additional grant funding for the SSES and has contracted a consulting firm, GHD Group, to survey and make recommendation to improve the collection system. In the meantime, the Permittee conducts routine cleaning of problematic areas weekly, inspects and replaces private sewer laterals during point of sale, and videotapes approximate 3,000 ft/year of sewer mains to identify and repair damaged or compromised infrastructure.
2. The Permittee's collection system suffered severe damage as a result of the Magnitude 6.4 earthquake on December 20, 2022, which caused an increase in I/I. The damage assessment is not yet complete, but the damage caused by natural disaster will likely require a more extensive collection system upgrade and an amendment to the Permittee's grant award.
 3. Despite its diligent efforts to comply with the time schedule, the Permittee requires additional time to revise its grant application and complete actions to comply with tasks related to the Sanitary Sewer System General Order set forth in Time Schedule Order No. R1-2017-0045.

OTHER REGULATORY REQUIREMENTS

1. 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."

2. 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.
3. The compliance schedules established in this Order are intended to be as short as possible. 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.

IT IS HEREBY ORDERED, pursuant to California Water Code section 13300 and 13267, the Permittee shall comply with the following requirements and schedule of actions to comply with the Sanitary Sewer General Order:

1. The Permittee shall implement the tasks in the following compliance schedule in order to achieve compliance with **Discharge Prohibitions C.1. and C.2.** of the Sanitary Sewer System General Order at the earliest possible date, but no later than the compliance dates set forth in the following schedule:

Table 1: Sanitary Sewer Compliance Schedule

Task	Task Description	Compliance Date
1	Secure additional funding for sewer system evaluation survey (SESS) necessary to complete a full assessment of the City's collection system.	December 1, 2023
2	Submit SSES Final Report of findings and recommendations including: 2.1 Background research and photo-documentation of any observed cracks, breaks, malfunctions, and appropriate repairs. Photo-documentation shall include CCTV survey reports, including, pipe condition assessment/grading. 2.2 Pipe grading shall be based on the National Association of Sewer Services Companies Pipeline Assessment and Certification Program (a national industry-standard sewer pipe	May 1, 2024

	<p>condition assessment system or equivalent grading program).</p> <p>2.3 Update collection mapping and analysis.</p> <p>2.4 Painter Street line evaluation.</p> <p>2.5 Pump station evaluation.</p> <p>2.6 Develop and implement focused flow monitoring strategy.</p> <p>2.7 Right of way analysis.</p> <p>2.8 Evaluation of selected stormwater management issues contributing to I/I.</p> <p>2.9 Hydraulic modeling of selected collection system segments.</p> <p>2.10 Consideration of I/I reduction options and chosen strategy. Identify and prioritize collection system deficiencies, including cracks, breaks, improper manhole and lateral connections, unauthorized connections, undersized or underperforming pipeline sections, etc., utilizing smoke-testing, closed circuit television (CCTV) surveys, or other acceptable assessment methods.</p>	
3	Submit an annual progress on May 1 beginning 2024.	May 1, 2024
4	Submit for Regional Water Board Executive Officer approval, a report that contains a detailed description of tasks for repairing the collection system, source(s) of financing for construction, and anticipated dates of completion for the tasks outlined in the SSES final report.	May 1, 2025
5	Submit an annual progress on May 1 reports beginning 2024	May 1, 2025
6	Submit an annual progress on May 1 reports beginning 2024	May 1, 2026
7	Implement the short-term and long-term repairs identified in Task 4 , above.	October 1, 2027

1. In the interim period until the Permittee can achieve full compliance with the Sanitary Sewer System General Order, 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 the

Sanitary Sewer System General Order or any future waste discharge requirements issued for the Facility.

2. If the Permittee is unable to perform any activity or submit any documentation in compliance with the deadlines set forth in Requirements above, the Permittee may request, in writing, an extension of the compliance date deadline(s). The extension request shall include justification for the delay and shall be submitted at least thirty (30) days prior to the respective deadline to be considered complete and timely.
3. If the Executive Officer of the Regional Water Board finds that the Permittee fails to comply with the provisions of this Order, the 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 or 13350. The Regional Water Board reserves the right to take any enforcement actions authorized by law.

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., within 30 calendar days of the date of adoption of this Order at the following address, 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:

State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100, 1001 I Street
Sacramento, CA 95812-0100

Or by email at waterqualitypetitions@waterboards.ca.gov

For instructions on how to file a petition for review, see the [Water Quality Petitions Website](https://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.shtml)
(https://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.shtml)

Ordered by:

Valerie Quinto,
Executive Officer