

California Regional Water Quality Control Board
North Coast Region

Order No. 99-54
I.D. No. 1B84006ODN

Modifying Order No. 98-24
Requiring the City of Crescent City
To Cease and Desist from Discharging Waste Contrary to
Waste Discharge Requirements, Order No. 94-60
NPDES Permit No. CA0022756

Del Norte County

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

1. On June 23, 1994 the Regional Water Board adopted Order No. 94-60, National Pollutant Discharge Elimination System Permit (NPDES) No. CA0022756 for the City of Crescent City Municipal Wastewater Treatment Plant. Order No. 94-60 includes Effluent Limitations that must be met before treated wastewater from the treatment plant can be discharged to the Pacific Ocean.
2. Following a public hearing on February 27, 1997, the Regional Water Board adopted Cease and Desist Order No. 97-17 which documented violations of effluent limits contained in waste discharge requirements and directed the City of Crescent City to perform the following tasks by September 30, 1997:
 - a. Determine the existing capacity of the wastewater treatment plant both in terms of hydraulic and organic loading and submit a report to the Regional Water Board. The report should compare the existing capacity with existing loads and evaluate the performance of each unit process. Additionally the report should include capacity needs for an extended planning period (i.e. 20 years) to be determined by the city and county.
 - b. Provide the Regional Water Board a plan of action and a time schedule for bringing the wastewater treatment plant into compliance with waste discharge requirements. This plan should include short-term changes that will bring the plant into immediate compliance with Order No. 94-760 and long-term actions that will assure compliance during the selected planning period.
3. The required tasks were completed on schedule and a report was submitted to the Regional Water Board as required by the adopted time schedule.

The report shows that:

- a. The treatment plant is organically overloaded and unable to consistently meet waste discharge requirements at BOD influent concentrations of 275 mg/l or greater.
 - b. The plant is hydraulically overloaded during wet weather periods, sometimes for a month at a time.
 - c. The outfall is inadequate to handle the high winter flows necessitating the overflow of fully treated and disinfected wastewater directly to Crescent City Harbor through a storm drain to prevent flooding of the treatment plant.
 - d. The plant disinfection capacity is limited and manually controlled resulting in inadequately disinfected effluent.
 - e. Average dry season flows and the organic loading will continue to increase due to population and economic growth within the community
4. The recommended actions as described in the report are:
- a. Install equipment for flow-paced disinfection.
 - b. Request NPDES Permit modifications to the mass emission rate limitation during the wet weather high flow periods.
 - c. Request that the NPDES Permit acknowledge that bypasses of treated and disinfected effluent to the harbor will occur during high flow periods.
 - d. Initiate a pilot testing program to identify the preferred BOD-reduction project to be implemented as soon as practical.
 - e. Modify digester plumbing to allow series and parallel operations.
 - f. Pursue funding for the city's wastewater treatment facilities-planning process through the Bureau of Reclamation and other sources that may be available.
 - g. Initiate long-term facilities planning, permitting, and environmental review processes as soon as possible.
 - h. Adopt the recommended plan of action and develop an associated time schedule for submittal to the Regional Water Board in accordance with Cease and Desist Order No. 97-17. Formally request the recommended permit modifications in a cover letter to the Regional Water Board.

5. By letter dated September 30, 1997 the City of Crescent City transmitted the plant capacity study and included a time schedule for accomplishing the recommended actions. The schedule was:

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| a. | Request wet weather Permit modifications | Sept. 1997 |
| b. | Complete chlorination improvements | Nov. 1997 |
| c. | Perform BOD pilot testing | Oct. 1997 to April 1998 |
| d. | Select BOD reduction project | April 1998 |
| e. | Complete BOD reduction project | April to July 1998 |
| f. | Complete digester modifications | March 1998 |

in Early December 1998 with the execution of an agreement between the City and SHN Consulting Engineers and Geologists Inc. SHN has subcontracted with Montgomery Watson for technical support. Funding for the study is being provided through the U.S. Department of the Interior, Bureau of Reclamation under Title XVI of Public Law No. 102-575. Cease and Desist Order No. 98-24 requires submittal of task f. by May 30, 1999. This date has passed and was optimistic when selected. A more reasonable date, based on the amount of work necessary to determine the wastewater needs of the City is December of 1999.

9. By letter dated February 26, 1999 The City of Crescent City requested a limited relaxation of the connection restriction contained in item 3 of Cease and Desist Order No. 98-24. The request for 220 single-family equivalent connections is based upon:
 - a. The City's completion of the interim tasks described in Finding 6 above;
 - b. the commencement of the planning study for long-term improvements to the treatment facilities;
 - c. completion of a significant Inflow/Infiltration (I&I) rehabilitation project by the Del Norte County Service Area No. 1 (whose collection system discharges to the City system);
 - d. and the closure of a large fish processing plant that discharged high strength waste (BOD, Solids) to the treatment plant.

The addition of the equivalent of 220 single-family dwelling connections will increase flows to the plant by 85,800 gallons per day or 0.086 mgd. These flows are partially offset by the completion of the I&I project and the closure of the fish processing plant. The fish processor contributed an average of 50,000 gallons per day (gpd) of high strength wastewater to the plant from May to September and an average of 15,000 gpd during the remainder of the year. The I&I project has reduced winter flow to the plant which has reduced, but not eliminated, overflows of fully treated and disinfected wastewater to the bay.

10. A detailed review of the treatment plant monthly monitoring reports submitted by the City shows that, since adoption of Cease and Desist Order No. 98-24, no significant violations of effluent limits have occurred. Winter season high flow overflows of fully treated and disinfected wastewater to Crescent City Harbor have occurred during the months of November through March of 1999. Overflow of treated wastewater occurred a total of 29 times. The overflow occurs when the flow rate to the plant exceeds 2,778 gallons per minute (GPM) for a sustained period of time. Typically, the overflow is used for only part of the day (during peak flow periods from 8:00 a.m. to 4:00 p.m.). All overflow incidents were related to heavy rain events that caused increased flows in the collection system.
11. Completion of the Inflow/infiltration project by the Del Norte County Service Area No.1 appears to have significantly reduced peak flows to the plant. During the 1998 calendar year the highest total rainfall recorded since 1983 was measured at the plant. At the same time the total flow to the plant was the lowest recorded during the last four years.

12. Title 23, California Code of Regulations, 2244.3(b) states that: prohibitions or restrictions on additional discharges may be removed, at the discretion of the Board, if the Board finds (1) that consistent compliance with requirements can be achieved only by construction of a facility which will take a substantial period of time to complete, and (2) that the discharger has the capacity, authority, and financial resources to complete the corrective measures necessary to achieve compliance and is currently proceeding with such corrective measures, and (3) that the corrective measures necessary to achieve compliance with requirements will be placed into operation by the discharger in the shortest practicable time, and (4) that all practicable interim repairs and improvements to the treatment process of the discharges which can be made have been made, and (5) that during the interim period of time until compliance with requirements can be fully achieved the treatment process of the discharges will be so managed, operated, maintained and repaired as to reduce to a minimum the violations which resulted in the imposition of the prohibitions or restrictions, and such minimum violations for the interim period of time involved will not significantly impair water quality or beneficial uses.

Consistent compliance with waste discharge requirements can only be achieved by the construction of larger facilities which will handle existing high flows and anticipated growth in the city over the next 20 years. Planning, design and construction of such a facility will take several years to complete.

The City of Crescent City has the capacity, authority and can muster the financial resources to complete such a project. Currently the planning and CEQA phase of the project is proceeding as rapidly as possible. The City has contracted with SHN Consulting Engineers and Geologist and Montgomery Watson to provide the technical expertise necessary to complete the planning phase of the project. It is anticipated that the planning work CEQA documentation and development of an implementation schedule will be completed by December of 1999.

The city is committed to implementing the chosen alternative to increase treatment capacity and consistently comply with waste discharge requirements as quickly as possible.

All interim improvements required by Cease and Desist Order No. 98-24 have been completed at the existing plant. Maintenance continues to be a high priority at the facility. Monitoring reports show no significant violations of waste discharge requirements, with the exception of the high flow overflows of fully treated and disinfected effluent, since the adoption of Order No. 98-24. A significant construction project by the Del Norte County Service Area No. 1 to reduce Inflow and Infiltration (I&I) to the collection system has been completed and has reduced high winter flows. The city has an on going I&I program dedicated to reducing winter flows.

Routine maintenance and improvement to the existing treatment plant is a high priority with the city. Both the interim improvements and a high level of

operations and maintenance have resulted in good compliance with waste discharge requirements. The overflow to the Bay of fully treated, disinfected, and dechlorinated effluent should not significantly impair water quality or beneficial uses. The overflows only occur during the winter-wet season and only during high rainfall events.

13. Pursuant to Water Code Section 13389 and Title 14 of the California code of Regulations, Section 15301, this is an enforcement action for threatened violations of Waste Discharge Requirements and for the protection of the environment for an existing facility and as such is exempt from the requirements of the California Environmental Quality Act.
14. On July 22, 1999, after due notice to the discharger and all other affected persons, the Regional Water Board conducted a public hearing and evidence was received regarding this Cease and Desist Order modification.

THEREFORE IT IS HEREBY ORDERED that all provisions of Cease and Desist Order No. 98-24 remain in effect except as modified as follows:

1. The compliance date for Paragraph 1, Task f. is changed from May 30, 1999 to December 31, 1999.
2. Paragraph 3 is modified as follows:

The addition of new flows of wastewater to the wastewater treatment plant is limited to the equivalent of 220 single family dwellings or 86,000 gallons per day, whichever is less, from new residential, commercial or industrial facilities.
3. A new paragraph 4 is added: The City of Crescent City shall submit a report each month describing all connections added to the plant. The report shall include the type of connection and its equivalent flow contribution to the treatment plant as well as a running total of facilities connected and the flows remaining. The report may be submitted with the routine monthly discharge monitoring report.

Certification

I, Lee A. Michlin, 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, North Coast Region, on July 22, 1999.

Lee A. Michlin
Executive Officer

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