

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

**Order No. R1-2018-0047**

**Rescission of National Pollutant Discharge Elimination System  
Order No. R1-2012-0101**

**and**

**Cease and Desist Order No. R1-2012-0102  
Modified by Order No. R1-2018-0007**

**for the**

**Occidental County Sanitation District Wastewater Treatment Facility  
NPDES Permit No. CA0023051  
WDID No. 1B830010SON**

**Sonoma County**

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

1. The Occidental County Sanitation District and the Sonoma County Water Agency (hereinafter Permittee) have operated the Occidental County Sanitation District Wastewater Treatment Facility (hereinafter Facility) under Waste Discharge Requirements (WDR) Order No. R1-2012-0101 and National Pollutant Elimination System (NPDES) Permit No. CA0023051 (hereinafter Order No. R1-2012-0101), and Cease and Desist Order (CDO) No. R1-2012-0102, both adopted on December 6, 2012. On February 8, 2018, CDO No. R1-2012-0102 was modified by Order No. R1-2018-0007.
2. The Permittee discharged disinfected secondary effluent year-round to Graham's Pond, a 10-million-gallon storage reservoir and released stored effluent from Graham's Pond to Dutch Bill Creek, a tributary of the Russian River between October 1 and May 14 through April 2018. Graham's Pond, Dutch Bill Creek, and the Russian River are all waters of the United States. During the dry season, effluent from Graham's Pond was utilized for pasture irrigation through September 2016.
3. Among other requirements, Order No. R1-2012-0101 required the Permittee comply with the Water Quality Control Plan for the North Coast Region (Basin Plan) requirement that, 1) discharges of municipal wastewater to surface waters meet advanced wastewater treatment requirements and, 2) discharges to surface waters

between October 1 and May 14 are prohibited (Basin Plan seasonal discharge prohibition).

4. Order No. R1-2012-0101 also established final effluent limitations for technology-based effluent limitations in accordance with the Code of Federal Regulations (40 CFR) Part 133 and toxic wastewater pollutants in accordance with the California Toxics Rule and procedures set forth in the State Water Resources Control Board (State Water Board) *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays and Estuaries of California* (State Implementation Policy or SIP).
5. Historically, the Permittee has been unable to consistently comply with final effluent limitations for biochemical oxygen demand (BOD<sub>5</sub>), total suspended solids (TSS), copper, lead, silver, cyanide, DCBM, CDBM, bis(2-ethylhexyl) phthalate, total coliform, and ammonia as established within Order No. R1-2012-0101, and previous WDRs. As a result, the CDO established interim effluent limitations, and a compliance schedule for the Permittee to complete a capital improvement project (CIP) to achieve compliance with final effluent limitations for these pollutants and the Basin Plan seasonal discharge prohibition by January 31, 2018, or to cease discharges to surface waters completely. The CDO also provided protection from mandatory minimum penalties (MMPs) provided the Permittee complied with interim effluent limitations established in the CDO.
6. In accordance with the compliance schedule in the CDO, in February 2013, the Permittee initially submitted a conceptual plan for a CIP involving recycled water storage and irrigation on the Loades property. However, in response to public concerns, the conceptual CIP mentioned above was modified by early 2014 to include a proposal for trucking disinfected secondary recycled water to local agricultural sites for irrigation use and/or trucking raw wastewater to another treatment plant on a short-term basis.
7. By the end of 2016, the Permittee's proposed CIP changed into a project to truck raw sewage from the Facility to the Russian River County Sanitation District (CSD) Wastewater Treatment Facility (WWTF) for treatment as a longer term project. The Permittee expected this project to result in compliance with all waste discharge requirements by January 31, 2018, by ceasing discharges to surface waters. The Permittee developed a California Environmental Quality Act (CEQA) document for this project, however, the project was rejected by the Russian River CSD rate-payers in early 2017. Consequently, the Permittee's April 2017 progress report stated that the trucking proposal had been altered to change the location for trucking the raw sewage to the Airport-Larkfield-Wikiup WWTF and that additional time would be needed to complete the new environmental documents for the altered project.

8. On December 8, 2017, the Permittee submitted a letter to Regional Water Board staff providing a late semi-annual progress report, and requesting additional time to complete the CIP required by Order No. R1-2012-0102. The December 8, 2017, letter also requested continued protection from MMPs. The letter stated that the Permittee would not be able to meet the January 31, 2018, CDO deadline, but intended to minimize discharges to Graham's Pond by that date. The letter further stated that complete cessation of discharges to Graham's Pond and compliance with all requirements in Order No. R1-2012-0101 would occur by July 31, 2018. The letter further stated that the Permittee was making a strong effort to begin trucking raw sewage to the Airport-Larkfield-Wikiup WWTF by January 31, 2018. A disclaimer within the letter stated that early trucking efforts could not ensure that discharges to Graham's Pond would not occur if significant wet weather events were to occur between February 1, 2018, and July 31, 2018.
9. On February 2, 2018, the Regional Water Board adopted Order R1-2018-0007 which modified CDO No. R1-2012-0102 by extending the date for the Permittee to complete with all requirements established in Order No. R1-2012-0101 from January 31, 2018, to July 31, 2018. In addition, the revised CDO provided the Permittee with an extension on the deadline for completion of a CIP from December 1, 2017, to October 31, 2018.
10. On February 1, 2018, the Permittee began operating its trucking program to transport untreated wastewater from the Facility's lift station to the Airport-Larkfield-Wikiup WWTF in an effort to minimize discharges to Graham's pond during the winter of 2018. Discharges to Graham's Pond only occurred during wet-weather periods that occurred from March 20, 2018, through March 24, 2018, and April 6, 2016 through April 8, 2018. All discharges of wastewater to Graham's Pond ceased after April 8, 2018.
11. In accordance with Task 13 of the revised CDO, the Permittee achieved full compliance with applicable WDRs, including all effluent limitations and Basin Plan prohibitions and requirements through full implementation of the trucking program.
12. On October 1, 2018, in accordance with Task 14 of the revised CDO, the Permittee submitted a written report to the Regional Board documenting that all upgrades to the Occidental CSD WWTF as well as the Airport-Larkfield-Wikiup WWTF have been completed successfully.
13. The Regional Water Board's action to rescind NPDES Order No. R1-2012-0101 and CDO No. R1-2012-0102 (Revised on February 8, 2018, by Order No. R1-2018-0007) 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 NPDES Order No. R1-2012-0101 and CDO No. R1-2012-0102 (Revised on February 8, 2018, by Modification Order No. R1-2018-0007) be rescinded.

**CERTIFICATION**

I, Matthias St. John, 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 November 14, 2018.

Ordered by \_\_\_\_\_  
Matthias St. John  
Executive Officer