

Regional Water Quality Control Board
North Coast Region

Executive Officer's Summary Report
April 16, 2020
Regional Water Board Office
Santa Rosa, California

Item: 4

SUBJECT: Public Hearing on Order No. R1-2020-0004 (Rescission Order) to consider rescission of Cease and Desist Order No. R1-2015-0008 for the Loleta Community Services District Wastewater Treatment Facility, WDID No. 1B80081OHUM, NPDES No. CA0023671 (Justin McSmith)

BOARD ACTION: The Board will consider rescission of Cease and Desist Order No. R1-2015-0008 (2015 CDO).

BACKGROUND: The Loleta Community Services District (CSD) (Permittee) owns the Loleta CSD Wastewater Treatment Facility (Facility), a publicly owned treatment works. The Facility is currently designed to provide secondary wastewater treatment for an average dry weather flow of 0.081 million gallons per day (mgd) and an average wet weather flow of 0.143 mgd. The Facility consists of a gravity collection system, an aeration basin, clarifier, chlorine contact chamber, and chlorine and sulfur dioxide flow-proportioning equipment. Treated effluent is currently discharged year-round at Discharge Point 001 to a wetland tributary of the Eel River. The Facility is currently regulated under Waste Discharge Requirements Order No. R1-2014-0013 (2014 Permit) for discharges of secondary treated wastewater to the Eel River. The 2014 Permit also served as an NPDES Permit.

Because the Permittee demonstrated that it was unable to immediately comply with final effluent limitations in the 2014 Permit for copper, carbon tetrachloride, chlorodibromomethane, dichlorobromomethane, and nitrate and the summertime prohibition of discharge to the Eel River, the Regional Water Board adopted the 2015 CDO. The 2015 CDO established interim effluent limitations and a compliance schedule requiring the Permittee to complete specific tasks to achieve compliance with these permit requirements.

The Permittee completed Tasks A through H of the 2015 CDO that consisted of:

- A. Development of a Pollutant Minimization Program and Source Control Measures
- B. Development of a Facilities Plan Report to help identify a Preferred Alternative
- C. Submittal of a preliminary Report of Waste Discharge based on the selected Preferred Alternative
- D. Submittal of a Sanitary Sewer Evaluation Survey
- E. Submittal of documentation to complete the California Environmental Quality Act process

- F. Submittal of a progress report and completion dates for additional agency permits
- G. Submittal of proof of land acquisition for summertime discharge
- H. Submittal of documentation showing funding has been secured for the Preferred Alternative

The Permittee submitted a letter on April 5, 2018, requesting an extension for completion of the final two tasks, Tasks I and J, listed in the 2015 CDO. Task I required the Permittee to submit the final plans and specification for the Preferred Alternative. Task J required the Permittee to complete construction of the Preferred Alternative. The letter stated that the Permittee experienced setbacks in securing a long-term lease for the summertime location for recycled water use. This caused a delay in completing design plans and specifications and completing construction of the Preferred Alternative.

To account for the delays, the Permittee requested, in the April 5, 2018 letter, an extension for submitting final plans and specifications (Task I) for the Preferred Alternative from April 1, 2018 to January 1, 2020 and an extension for completing construction of the Preferred Alternative from December 31, 2019 to December 31, 2021. Regional Water Board staff concurred with both extension requests.

DISCUSSION: The 2015 CDO is being rescinded and will be replaced by Time Schedule Order No. R1-2020-0003 (TSO), which is carrying forward the requirements to complete Task I and J and granting extensions requested by the Permittee. The TSO also includes interim Water Quality Based Effluent Limitations for copper, carbon tetrachloride, dichlorobromomethane, chlorodibromomethane, total dissolved solids and nitrate as required by the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy or SIP). The TSO will be issued under Regional Waterboard Executive Officer approval concurrent with adoption of the Rescission Order.

A copy of the Rescission Order and the TSO that will replace the 2015 CDO were posted on the Regional Water Board website and made available for public comment from November 5, 2019 through December 5, 2019. The Permittee submitted comments on the TSO during the public comment period; no public comments were received on the Rescission Order. The Permittee's comments requested phasing of the compliance schedule to separate the Sanitary Sewer Project from the Proposed Upgrade Project. The comments also requested a further extension for Task I from January 1, 2020, to July 1, 2021 and an extension for Task J from December 31, 2019, to October 31, 2023. Regional Water Board staff agree with the requested changes. A full explanation of the comments and responses is provided in the attached Response to Comments document.

No public comments were received on the Rescission Order. Staff anticipates that the Rescission Order will be uncontested.

RECOMMENDATIONS: Adopt Rescission Order No. R1-2020-0004, as proposed.

SUPPORTING DOCUMENTS:

1. Proposed Order No. R1-2020-0004
2. Time Schedule Order No. R1-2020-0003
3. Comments Provided on TSO No. R1-2020-0003
4. Staff Response to Written Comments
5. Public Notice