
North Coast Regional Water Quality Control Board

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

AMENDMENT ORDER No. R1-2019-0054

**AMENDING COMPLIANCE DATES IN
CEASE AND DESIST ORDER No. R1-2015-0008**

For

**LOLETA COMMUNITY SERVICES DISTRICT WASTEWATER
TREATMENT FACILITY
NPDES No. CA0023671**

**Humboldt County
WDID No. 1B80081OHUM**

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

1. The Loleta Community Services District (Permittee) is the owner and operator of the Loleta Wastewater Treatment Facility (Facility) located in Loleta, Humboldt County. The Facility is a publicly owned treatment works, which discharges secondary treated wastewater under Waste Discharge Requirements (WDRs) contained in Order No. R1-2014-0013 (2014 Permit), adopted by the Regional Water Board on May 8, 2014. The 2014 Permit also serves as the National Pollutant Discharge Elimination System (NPDES) permit (NPDES No. CA0023671). The 2014 Permit contains discharge prohibitions, effluent and receiving water limitations, compliance provisions and monitoring and reporting requirements.
2. The Facility provides secondary treatment and consists of a gravity collection system, an aeration basin, clarifier, chlorine contact chamber, and chlorine and sulfur dioxide flow-proportioning equipment. The Facility has an average dry weather design treatment capacity of 0.081 million gallons per day (mgd) and an average wet weather treatment capacity of 0.143 mgd. Effluent is discharged, via a subsurface pipe at Discharge Point 001, to a wetland located approximately

0.66 miles southwest and downgradient from the Facility. The wetland is tributary to Ropers Slough, a slough that discharges directly to the Eel River during wet weather conditions.

3. On March 12, 2015, the Permittee was issued Cease and Desist Order No. R1-2015-0008 (2015 CDO) to establish a compliance schedule requiring the Permittee to complete specific tasks to achieve compliance with discharge prohibitions and final effluent limitations for copper, carbon tetrachloride, chlorodibromomethane, dichlorobromomethane, and nitrate as required by the 2014 Permit.

The 2015 CDO required the Permittee to complete the following tasks:

- a) Implement a pollution minimization program and source control measures,
 - b) Develop a Facilities Plan to identify a Preferred Alternative to treat the pollutants listed above,
 - c) Submit a preliminary Report of Waste Discharge (ROWD),
 - d) Complete a sanitary sewer evaluation survey to identify collection system deficiencies,
 - e) Submit an Environmental Impact Report or documentation necessary to complete the California Environmental Quality Act (process),
 - f) Submit a progress report indicating progress and anticipated completion dates for funding, agency permits and acquisition of land,
 - g) Secure funding for the Preferred Alternative,
 - h) Acquire a long-term lease for land necessary for recycled water application,
 - i) Develop and submit design plans for a Preferred Alternative to upgrade the current Facility, and
 - j) Construct the Preferred Alternative and fully comply with final effluent limitations and discharge prohibitions in the 2014 Permit.
4. The Permittee completed tasks (a) through (h) on time, listed above, during the term of the 2015 CDO.
 5. "On April 5, 2018, the Permittee submitted a request for an extension of tasks (i) and (j) of the 2015 CDO for final compliance with Discharge Prohibition III.I and final effluent limitations of the 2014 Permit. The extension was requested to modify the deadlines for task (i) from April 1, 2018 to January 1, 2020 and task (j) from December 31, 2019, to December 31, 2021. The Permittee requested the extension due to setbacks in securing a summertime location to apply recycled water to meet the summertime discharge prohibition of the 2014 Permit. The Permittee has since been successful in attaining a 10-year lease with a landowner to use the property as the Recycled Water Use Site. However, the delay in gaining the long-term lease affected the Permittee's ability to move forward with necessary permit applications and securing of grant funding

necessary to complete the facility improvements identified in the Preferred Alternative. The Permittee requested an additional extension for Task I in a phone call with Regional Water Board staff during development of this Order. The original extension date of January 1, 2020, has been amended to May 1, 2020.”

6. This Amendment Order modifies the final compliance date of the 2015 CDO, as shown in Table 4 below, to provide MMP protection to be in effect through the continued use of interim effluent limitations listed in the 2015 CDO. The 2015 CDO is proposed to be rescinded at the February 2020 Regional Water Board Meeting along with adoption of a new facility NPDES Permit and issuance of a new accompanying Time Schedule Order.
7. This Amendment Order supersedes only the tasks and final compliance dates specified in Task J of the 2015 CDO. This Order incorporates all findings, determinations, and additional requirements established in the 2015 CDO.

IT IS HEREBY ORDERED, pursuant to Water Code section 13301, 13267 and 13383, the Permittee shall comply with the following requirements and schedule of actions to comply with the 2014 Permit:

1. The Permittee shall implement the tasks in the following compliance schedule in order to achieve compliance with the final effluent limitations for copper, chlorodibromomethane, dichlorobromomethane, carbon tetrachloride and nitrate in section IV.A.1.a of the 2014 Permit at the earliest possible date in accordance with the following schedule:

Table 1: Compliance Schedule, Tasks and Dates to Achieve Compliance with the 2014 Permit

Task	Task Description	Compliance Date
I	Submit complete design plans and specifications for construction of the Preferred Alternative	May 1, 2020
J	The Permittee shall complete construction of the Preferred Alternative and achieve compliance with all Regional Water Board waste discharge requirements including Discharge Prohibitions and Final Effluent Limitations for copper, carbon tetrachloride, chlorodibromomethane, dichlorobromomethane, and nitrate.	December 31, 2021

2. Until the Permittee can achieve full compliance with the 2014 Permit, 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 2014 Permit or any future waste discharge requirements issued for the Facility.

3. If the Permittee is unable to perform any activity or submit any documentation in compliance with the deadlines set forth in this Order the Permittee may request, in writing, that the Executive Officer grant an extension of the time. The extension request shall include justification for the delay and shall be submitted at least seven days prior to the respective deadline to be considered timely. A minor extension may be granted by the Regional Water Board Executive Officer for good cause.
4. If the Regional Water Board finds that the Permittee fails to comply with the provisions of this Order, the Regional Water Board 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 13350 and 13385. The Regional Water Board reserves the right to take any enforcement actions authorized by law.
5. Any person aggrieved by this action of the North Coast Regional Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, 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. Copies of the law and regulations applicable to filing petitions may be found on the [Internet](https://www.waterboards.ca.gov/public_notices/petitions/water_quality/) (https://www.waterboards.ca.gov/public_notices/petitions/water_quality/) or will be provided upon request.

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 December 19, 2019.

Ordered by: _____
Matthias St. John
Executive Officer