

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

TIME SCHEDULE ORDER R5-2017-0105  
REQUIRING  
MARIPOSA PUBLIC UTILITY DISTRICT  
MARIPOSA WASTEWATER TREATMENT FACILITY  
MARIPOSA COUNTY

TO COMPLY WITH REQUIREMENTS PRESCRIBED IN ORDER R5-2014-0042  
(NPDES PERMIT NO. CA0079430)

The California Regional Water Quality Control Board, Central Valley Region, (hereinafter Central Valley Water Board) finds that:

1. On 6 December 2007, the Central Valley Water Board adopted Waste Discharge Requirements (WDR) Order R5-2007-0171, NPDES Permit No. CA0079430, prescribing WDRs for the Mariposa Public Utility District (Discharger), Mariposa Wastewater Treatment Facility (Facility) in Mariposa County.
2. WDRs Order R5-2007-0171, Provision IV.A.1 included, in part, final effluent limitations for dichlorobromomethane, nitrate (as N), biochemical oxygen demand (5-day @ 20°C) (BOD<sub>5</sub>), total suspended solids (TSS), and total coliforms. Finding that the Discharger could not comply with the final effluent limitations, the Central Valley Water Board granted the Discharger compliance schedules in the WDRs. The Discharger was required to comply with final effluent limitations for dichlorobromomethane by 18 May 2010, and final effluent limitations for nitrate (as N), BOD<sub>5</sub>, TSS, and total coliforms by 4 December 2017.
3. On 7 January 2011, the Discharger submitted a report entitled *Facility Plan* prepared by Carollo Engineers on behalf of the Discharger. The *Facility Plan* evaluates alternatives for meeting final effluent limitations and for implementing tertiary treatment requirements in WDRs Order R5-2007-0171. The *Facility Plan* recommends the addition of a new anoxic/flow equalization basin, tertiary filtration, and ultraviolet light (UV) disinfection and estimates the cost of the upgrades to be approximately \$7,300,000. The cover letter accompanying the *Facility Plan* includes an updated implementation schedule, indicating the Discharger's intent to comply with the final effluent limitations for dichlorobromomethane by 4 December 2017.
4. In the cover letter to the *Facility Plan*, the Discharger requested additional time beyond the dichlorobromomethane compliance date in WDRs Order R5-2007-0171 to complete Facility upgrades and requested that the Central Valley Water Board provide it with protection from mandatory minimum penalties (MMPs) by issuing a Time Schedule Order (TSO) pursuant to Water Code section 13300 through 3 December 2017. Water Code section 13385(j)(3)(C)(i) does not allow the Central Valley Water Board to issue time schedules for complying with final effluent limitations that exceed 5 years in length. Thus, on 13 July 2011, the Central Valley Water Board Executive Officer issued TSO R5-2011-0905, establishing a time schedule to complete tasks necessary to ensure compliance with the final dichlorobromomethane effluent limitations by 18 May 2015, exactly 5 years from the limitation effective date.
5. On 28 March 2014, the Central Valley Water Board adopted WDRs Order R5-2014-0042, rescinding WDRs Order R5-2007-0171 and prescribing renewed WDRs for the Facility. WDRs Order R5-2014-0042, section IV.A.1 impose, in part, the following final effluent limitations at Discharge Point 001:

**Table 4. Final Effluent Limitations**

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Dichlorobromomethane	µg/L	0.56	--	1.3	--	--
Chlorodibromomethane	µg/L	0.41	--	0.82	--	--
Total Trihalomethanes	µg/L	80	--	--	--	--
Nitrate plus Nitrite (as N)	mg/L	10.	--	--	--	--
Biochemical Oxygen Demand (5-day @ 20° C)	mg/L	10	15	20	--	--
	lbs/day	51	76	102	--	--
Total Suspended Solids	mg/L	10	15	20	--	--
	lbs/day	51	76	102	--	--

6. WDRs Order R5-2014-0042, Section IV.A.1 also includes the following effluent limitation at Discharge Point 001:

f. **Total Coliform.** Effluent total coliform shall not exceed:

- i. 2.2 most probable number (MPN) per 100 mL, as a 7-day median;
- ii. 23 MPN/100 mL, more than once in any 30-day period;
- iii. 240 MPN/100 mL, at any time.

7. On 20 October 2017, the Central Valley Water Board adopted Amendment Order R5-2017-0104, amending WDRs Order R5-2014-0042. Amended WDRs Order R5-2014-0042-01 includes an updated schedule to comply with equivalent to Title 22 tertiary treatment standards and related monitoring until 17 May 2020, the anticipated final completion date for the *Facility Plan* upgrades.

**NEED FOR TIME SCHEDULE EXTENSION AND LEGAL BASIS**

8. On 17 December 2013, the Discharger submitted a request and justification for a time schedule for chlorodibromomethane, nitrate plus nitrite (as N), and total trihalomethanes and provided detailed information supporting the infeasibility to immediately comply with the new effluent limitations for these parameters. As with dichlorobromomethane compliance, compliance with these parameters requires completion of Facility upgrades.

9. The Central Valley Water Board rescinded TSO-R5-2011-0905 and adopted TSO R5-2014-0043 to require compliance with the effluent limitations in WDRs Order R5-2014-0042 for dichlorobromomethane by 18 May 2015 and for chlorodibromomethane, total trihalomethanes, and nitrate plus nitrite (as N) by 4 December 2017.

10. On 17 April 2015, the Discharger was granted an extension to comply with dichlorobromomethane by 18 May 2020, as described in Amendment Order R5-2015-0041 and amended TSO R5-2014-0043-01. The Discharger had demonstrated it was making diligent progress towards complying with the effluent limitations for dichlorobromomethane, in accordance with Water Code section 13385(j)(3)(C)(ii).

11. The Discharger submitted progress reports on 2 June 2014, 17 November 2014, 4 June 2015, 10 December 2015, 31 May 2016, 30 November 2016, and 23 May 2017, as required by WDRs Order R5-2014-0042 and TSO R5-2014-0043-01. The progress reports note the Discharger

completed a cultural resources study and contracted with an engineering firm to prepare Facility upgrade plans and specifications, provide additional review of disinfection alternatives, assist with funding applications, and assist with estimating greenhouse gas emissions. On 29 October 2014, the Discharger submitted a draft mitigated negative declaration to the State Clearinghouse. The Discharger is the lead agency for the purposes of satisfying the California Environmental Quality Act (CEQA). The negative declaration was adopted at a meeting of the Mariposa Public Utility District Board of Directors on 2 December 2014. The progress reports also note that the Discharger completed the sewer rate study and held a hearing for adoption of new sewer rates, which went into effect on 15 October 2014. The Discharger applied for funding through the State Water Resources Control Board, Small Community Wastewater Grant Program (State Revolving Fund Project 8089-110). On 17 April 2017, the funding agreement was executed, providing a \$6,000,000 grant and a \$2,529,550 loan for the Facility upgrades.

12. As part of the funding agreement process, the State Water Resources Control Board analyzed the Discharger's service area size, median household income, residential sewer rates, and other factors in a Credit Review Checklist (approved 26 January 2017), determining, among other things, that the Facility served a small, severely disadvantaged community.
13. On 13 February 2015, a Citizen Enforcement Suit was filed under Clean Water Act section 505 against the Discharger for violations of WDRs Order R5-2007-0171 and WDRs Order R5-2014-0042. The Discharger settled the lawsuit on 4 October 2016. Progress reports state that the costs to defend the lawsuit and carry out the agreements of the settlement have significantly stressed the Discharger's resources.
14. On 14 March 2017, the Discharger requested extensions of time schedules for complying with the final effluent limitations for chlorodibromomethane, total trihalomethanes, nitrate plus nitrite (as N), BOD<sub>5</sub>, TSS, and total coliforms to 17 May 2020. As of 14 March 2017, the Discharger estimated that the planning and design phase of Facility upgrades is 90% complete. The extension request stated that on 17 February 2017, the State Water Resources Control Board, Division of Financial Assistance notified the Discharger of the funding approval for Facility improvements through the Clean Water State Revolving Fund. With funding in place and upgrade designs nearing completion, the Discharger expects compliance with the final effluent limitations by 18 May 2020, when *Facility Plan* upgrades are anticipated to be completed.

#### **MANDATORY MINIMUM PENALTIES**

15. Water Code sections 13385(h) and (i) require the Central Valley Water Board to impose mandatory minimum penalties (MMPs) upon dischargers that violate certain effluent limitations. Water Code section 13385(j)(3) exempts the discharge from mandatory minimum penalties *"where the waste discharge is in compliance with either a cease and desist order issued pursuant to Section 13301 or a time schedule order issued pursuant to Section 13300 or 13308, if all the [specified] requirements are met...for the purposes of this subdivision, the time schedule may not exceed five years in length..."*.
16. Per the requirements of Water Code section 13385(j)(3):
  - a. This Order specifies the actions that the Discharger is required to take in order to correct the violations that would otherwise be subject to Water Code sections 13385(h) and (i).

- b. The Discharger has stated that additional time is necessary to allow for completion of treatment plant upgrades for compliance with the final chlorodibromomethane, dichlorobromomethane, nitrate plus nitrite (as N), total trihalomethanes, BOD<sub>5</sub>, TSS, and total coliforms effluent limitations.
  - c. The final effluent limitations for dichlorobromomethane are new, more stringent regulatory requirements that became applicable to the waste discharge on 18 May 2010 under WDRs Order R5-2007-0171, and after 1 July 2000. The final effluent limitations for chlorodibromomethane, nitrate plus nitrite (as N), and total trihalomethanes are new, more stringent, or modified regulatory requirements that became applicable to the waste discharge on the effective date of Order R5-2014-0042 and after 1 July 2000. The final effluent limitations for BOD<sub>5</sub>, TSS, and total coliforms are more stringent regulatory requirements that will become applicable to the waste discharge under WDRs Order R5-2014-0042 on 4 December 2017 and after 1 July 2000. New or modified control measures are necessary in order to comply with the final effluent limitations for dichlorobromomethane, chlorodibromomethane, total trihalomethanes, nitrate plus nitrite (as N), BOD<sub>5</sub>, TSS, and total coliforms. The new or modified control measures cannot be designed, installed, and put into operation within 30 calendar days.
  - d. This Order establishes a time schedule to bring the waste discharge into compliance with the effluent limitations that is as short as possible, taking into account the technological, operational, and economic factors that affect the design, development, and implementation of the control measures that are necessary to comply with the effluent limitations.
  - e. The Discharger has demonstrated that time schedule extensions for chlorodibromomethane, total trihalomethanes, and nitrate plus nitrite (as N) are necessary to comply with the final effluent limitations in WDRs Order R5-2014-0042 and that it is making diligent progress toward complying with the final effluent limitations in WDRs Order R5-2014-0042 as required by California Water Code section 13385(j)(3)(C)(ii)(II).
  - f. The Discharger has prepared and is implementing in a timely and proper manner, a pollution prevention plan pursuant to Water Code section 13263.3 for dichlorobromomethane, chlorodibromomethane, total trihalomethanes, and nitrate plus nitrite (as N). BOD<sub>5</sub>, TSS, and total coliforms are components of human sewage and are not feasible to reduce by pollution prevention. Thus, no additional pollution prevention measures are necessary for BOD<sub>5</sub>, TSS, and total coliforms.
17. Compliance with this TSO provides protection for the Discharger from MMPs as follows:
- a. Dichlorobromomethane: WDRs Order R5-2007-0171 imposed new final effluent limitations for dichlorobromomethane that became effective 18 May 2010; these limits were carried forward as final effluent limitations by WDRs Order R5-2014-0042. TSO R5-2011-0905 provided MMP protection for dichlorobromomethane violations from 13 July 2011 through 17 May 2015. TSO R5-2014-0043 carried over the MMP protection for dichlorobromomethane until 17 May 2015. Amended TSO R5-2014-0043-01 extended MMP protection for dichlorobromomethane until 17 May 2020. In accordance with California Water Code section 13385(j)(3)(C)(ii)(II), the extension provided in TSO R5-2014-0043-01 did not exceed 5 years in length. This TSO retains the compliance milestone and MMP protection for dichlorobromomethane until 17 May 2020.

- b. Chlorodibromomethane and total trihalomethanes (the sum of bromoform, chloroform, chlorodibromomethane, and dichlorobromomethane): WDRs Order R5-2014-0042 imposed new final effluent limitations for chlorodibromomethane and total trihalomethanes that went into effect on 1 May 2014. TSO R5-2014-0043 provided the Discharger with MMP protection for chlorodibromomethane and total trihalomethanes violations from 1 May 2014 through 3 December 2017. This TSO extends MMP protection for chlorodibromomethane and total trihalomethanes until 17 May 2020, the anticipated final completion date for the *Facility Plan* upgrades. In accordance with California Water Code section 13385(j)(3)(C)(ii)(II), the Discharger has shown that it is making diligent progress toward bringing the waste discharge into compliance with these effluent limitations and that additional time is necessary to comply with the effluent limitations, and the time schedule extension is as short as possible and does not exceed 5 years in length.
  - c. Nitrate plus nitrite: WDRs Order R5-2007-0171 contained a new final effluent limitation for nitrate (as N) with a compliance date of 4 December 2017, based on the California Primary MCL. WDRs Order R5-2014-0042 imposed a revised final effluent limitation for nitrate plus nitrite (as N) effective 1 May 2014. TSO R5-2014-0043 provided the Discharger with MMP protection for nitrate plus nitrite (as N) from 1 May 2014 through 3 December 2017. This TSO extends MMP protection for nitrate plus nitrite (as N) until 17 May 2020, the anticipated final completion date for the *Facility Plan* upgrades. In accordance with California Water Code section 13385(j)(3)(C)(ii)(II), the Discharger has shown that it is making diligent progress toward bringing the waste discharge into compliance with the effluent limitation and that additional time is necessary to comply with the effluent limitation and the time schedule extension is as short as possible and does not exceed 5 years in length.
  - d. BOD<sub>5</sub>, TSS, and total coliforms: WDRs Order R5-2007-0171 prescribed final effluent limitations for BOD<sub>5</sub>, TSS, and total coliforms, which were more stringent than previously required. Compliance with the new effluent limitations is required by 4 December 2017. WDRs Order R5-2014-0042 carried over the final effluent limitations and compliance schedule. The Discharger has not previously been issued a TSO protecting it from MMPs for violations of BOD<sub>5</sub>, TSS, and total coliforms effluent limitations. This TSO provides MMP protection for BOD<sub>5</sub>, TSS, and total coliforms from 4 December 2017 until 17 May 2020, the anticipated final completion date for the *Facility Plan* upgrades. In accordance with California Water Code section 13385(j)(3)(C)(i), the time schedule is as short as possible and does not exceed 5 years in length.
18. This Order provides time schedules for completing the actions necessary to ensure compliance with the final effluent limitations for dichlorobromomethane, chlorodibromomethane, total trihalomethanes, nitrate plus nitrite (as N), BOD<sub>5</sub>, TSS, and total coliforms contained in WDRs Order R5-2014-0042-01. Since the time schedule for completion of actions necessary to bring the waste discharge into compliance exceeds one year, this Order includes interim effluent limitations and interim requirements and dates for compliance achievement.
19. This Order includes updated performance-based interim effluent limitations for dichlorobromomethane, chlorodibromomethane, nitrate plus nitrite (as N), and total trihalomethanes. The interim limitations are based on the current treatment plant performance.

The interim effluent limitations consist of statistically calculated performance-based average monthly and maximum daily effluent limitations derived using sample data provided by the Discharger. The interim effluent limitations were developed using the statistical based approach

provided in USEPA's *Technical Support Document for Water Quality-Based Toxics Control* (TSD). The TSD provides guidance on estimating the projected maximum effluent concentration using a lognormal distribution of the observed effluent concentrations at a desired confidence level, as detailed in Section 3.3 of the TSD. The multipliers in Table 3-1 of the TSD were used to calculate the 99th percent confidence level and 99th percentile of the data set based on the number of effluent samples and the coefficient of variation. The multipliers from the table were multiplied by the highest observed effluent concentration (MEC) to estimate the maximum expected effluent concentration; this value was used as the interim effluent limitation for the average monthly effluent limitation (AMEL). The interim performance-based maximum daily effluent limitations (MDELs) were established in accordance with section 1.4 and Table 2 of the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (SIP), by multiplying the interim AMEL by the MDEL/AMEL multiplier.

Effluent data from March 2012 through February 2017 were used to calculate the interim effluent limitations. The following table summarizes the calculations of the daily maximum and average monthly interim effluent limitations for these constituents:

Parameter	Units	MEC	No. of Observations	Mean	Standard Deviation	CV	Interim AMEL <sup>1</sup>	Interim MDEL <sup>2</sup>
Chlorodibromomethane	µg/L	0.69	59	-- <sup>3</sup>	-- <sup>3</sup>	0.6 <sup>3</sup>	1.1	2.3
Dichlorobromomethane	µg/L	7.7	61	3.6	1.75	0.49	11	21
Nitrate plus Nitrite (as N)	mg/L	32	61	15.2	8.61	0.57	51	--
Total Trihalomethanes	µg/L	96	59	57.4	19.2	0.33	128	--

- <sup>1</sup> Projected 99th percentile effluent concentration value for an assumed lognormal distribution at a 99 percent confidence upper bound. Calculated per Section 3.3.2 of the TSD.
- <sup>2</sup> Interim MDEL calculated using MDEL/AMEL multiplier from Section 1.4 of the SIP.
- <sup>3</sup> 97 percent of chlorodibromomethane samples were recorded as non-detects or detected, but not quantified. Since the proportion of censored values in the data set exceeded 80 percent, the CV was assumed to be 0.6.

20. This Order includes the interim effluent limitations for BOD<sub>5</sub>, TSS, and total coliforms established in WDRs Order R5-2014-0042-01, which were based on secondary treatment final effluent limitations previously applicable to the Discharger in Order 5-00-122.
21. The Central Valley Water Board finds that the Discharger can maintain compliance with the interim effluent limitations included in this Order. Interim effluent limitations are established when compliance with the final effluent limitations cannot be achieved by the existing Facility. Discharge of constituents in concentrations in excess of the final effluent limitations, but in compliance with the interim effluent limitations, can significantly degrade water quality and adversely affect the beneficial uses of the receiving stream on a long-term basis. The interim effluent limitations, however, establish an enforceable ceiling concentration until compliance with the final effluent limitations can be achieved.
22. If an interim effluent limitation contained in this Order is exceeded, then the Discharger is subject to MMPs for that particular exceedance as it will no longer meet the exemption in Water Code 13385(j)(3). It is the intent of the Central Valley Water Board that a violation of an interim average monthly effluent limitation subjects the Discharger to only one MMP for that monthly averaging period. In addition, a violation of an interim daily maximum effluent limitation subjects the Discharger to one MMP for the day in which the sample was collected.

### OTHER REGULATORY REQUIREMENTS

23. 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.”*
24. Water Code section 13267 states in part: *In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.*
25. The Discharger owns and operates the wastewater treatment facility that is subject to this Order. The technical and monitoring reports required by this Order are necessary to determine compliance with the WDRs Order R5-2014-0042-01 and with this Order.
26. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) (“CEQA”) pursuant to Water Code section 13389, since the adoption or modification of a NPDES permit for an existing source is statutorily exempt and this Order only serves to implement a NPDES permit. (*Pacific Water Conditioning Ass’n, Inc. v. City Council of City of Riverside* (1977) 73 Cal.App.3d 546, 555-556.). Issuance of this Order is also exempt from CEQA pursuant to California Code of Regulations, title 14, section 15321, subdivision (a)(2).
27. On 20 October 2017 in Redding, California, after due notice to the Discharger and all other affected persons, the Central Valley Water Board conducted a public hearing at which evidence was received to consider this Time Schedule Order under Water Code section 13300 to establish a time schedule to achieve compliance with waste discharge requirements.

**IT IS HEREBY ORDERED THAT** Order R5-2014-0043 and amendment Order R5-2015-0041 are rescinded upon the adoption date of this Order, except for enforcement purposes, and pursuant to sections 13300 and 13267 of the Water Code, that:

1. The Discharger shall comply with the following time schedule to ensure compliance with WDRs Order R5-2014-0042 for the final effluent limitations for chlorodibromomethane, dichlorobromomethane, nitrate plus nitrite (as N), total trihalomethanes, BOD<sub>5</sub>, TSS, and total coliforms in Section IV.A.1:

Task	Compliance Date
Progress Reports <sup>1</sup>	1 June and 1 December, semi-annually, until final compliance
Submit documentation that construction has initiated	1 December 2017
Full compliance with the final effluent limitations for chlorodibromomethane, dichlorobromomethane, nitrate plus nitrite (as N), total trihalomethanes, BOD <sub>5</sub> , TSS, and total coliforms	18 May 2020

- <sup>1</sup> The progress reports shall detail what steps have been implemented towards achieving compliance with waste discharge requirements, including studies, construction progress, evaluation of measures implemented, and recommendations for additional measures as necessary to achieve full compliance by the final date.
2. The following interim effluent limitations for dichlorobromomethane, chlorodibromomethane, nitrate plus nitrite (as N), and total trihalomethanes at Discharge Point 001 shall be effective from 20 October 2017 to 17 May 2020.

Parameter	Units	Interim Average Monthly Effluent Limit	Interim Maximum Daily Effluent Limit
Chlorodibromomethane	µg/L	1.1	2.3
Dichlorobromomethane	µg/L	11	21
Nitrate plus Nitrite (as N)	mg/L	51	--
Total Trihalomethanes	µg/L	128	--

3. The following interim effluent limitations for BOD<sub>5</sub>, TSS, and total coliforms at Discharge Point 001 shall be effective from 4 December 2017 to 17 May 2020.

Parameter	Units	Interim Average Monthly Effluent Limit	Interim Average Weekly Effluent Limit	Interim Maximum Daily Effluent Limit	Interim 7-Day Median Effluent Limit	Interim Instantaneous Maximum Limit
BOD <sub>5</sub>	mg/L	30	45	60	--	--
	lbs/day	153	229	458	--	--
TSS	mg/L	30	45	60	--	--
	lbs/day	153	229	458	--	--
Total Coliforms	MPN/100 mL	--	--	--	23	240

4. Any person signing a document submitted under this Order shall make the following certification:
- “I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my knowledge and on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.”*
5. In accordance with California Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. All technical reports specified herein that contain work plans for, that describe the conduct of

investigations and studies, or that contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), even if not explicitly stated. Each technical report submitted by the Discharger shall contain the professional's signature and/or stamp of the seal.

6. For the time schedules required by this Order, the Discharger shall submit to the Central Valley Water Board on or before each report due date, the specified document or, if appropriate, a written report detailing compliance or noncompliance with the specific schedule date and task. If noncompliance is being reported, the reasons for such noncompliance shall be stated, and shall include an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Central Valley Water Board by letter when it returns to compliance with the time schedule.

If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order or with the WDRs may result in the assessment of Administrative Civil Liability of up to \$10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350 and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control 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 Resources Control 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 Resources Control 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 at:

[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)

or will be provided upon request.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 20 October 2017.

*Original signed by*

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PAMELA C. CREEDON, Executive Officer