

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2005-0078

CEASE AND DESIST ORDER
REQUIRING
THE CITY OF DIXON
DIXON WASTEWATER TREATMENT FACILITY
SOLANO COUNTY

TO CEASE AND DESIST
FROM DISCHARGING CONTRARY TO REQUIREMENTS

The Regional Water Quality Control Board, Central Valley Region, (hereafter referred to as “Regional Board”) finds that:

1. The City of Dixon (hereafter Discharger) owns and operates a wastewater treatment facility (WWTF) in Dixon, Solano County.
2. The WWTF is regulated by Waste Discharge Requirements (WDRs) Order No. 94-187, which was adopted by the Regional Board on 24 June 1994.
3. The WWTF serves the City of Dixon, and comprises a headworks, thirteen unlined wastewater treatment/storage ponds covering approximately 140 acres (two of which are aerated), eight percolation/evaporation ponds on 160 acres, and 120 acres of additional flood irrigation disposal areas. The Discharger relies solely on percolation and evaporation to dispose of all wastewater.

Background

4. Between 1988 and 1994, monthly average influent flows were relatively constant at approximately 1.0 to 1.2 million gallons per day (mgd) throughout the year, indicating little or no infiltration and inflow (I/I). The current WDRs, adopted in 1994, allow an average daily dry weather discharge of 1.2 mgd. Beginning in about 1995, influent flows began to exhibit significant I/I increases, with average daily flows of 1.45 to 1.8 mgd during the months of March through July 1995.
5. The Discharger attributed the I/I problem to groundwater levels rising to well above the level of the city’s main trunk sewer and to sewer system damage. Because the WWTF did not have adequate effluent storage and disposal capacity to accommodate the excessive I/I, there were several serious violations of the WDRs, including:
 - a. Discharges of approximately 136 million gallons of wastewater to Dickson Creek in March and April 1995; and
 - b. A discharge of 2 million gallons of wastewater to Dickson Creek on 12 February 1996.

It is noted that the wastewater was disinfected and dechlorinated prior to discharge.

6. On 3 May 1996, the Regional Board adopted Cease and Desist (C&D) Order No. 96-152, which required that the Discharger construct capacity improvements and address the I/I problem in phases as follows:

- a. Phase 1 consisted of expansion to accommodate 1.35 mgd average daily dry weather flow as well as I/I flows. Phase 1 was required to be completed by 1 December 1996.
 - b. Phase 2 consisted of expansion to 1.5 mgd average daily dry weather flow. The Discharger was required to submit a Report of Waste Discharge for the expanded facility by 1 September 1996 and achieve full compliance with the WDRs by 1 January 1998.
 - c. Provide a plan and schedule for future expansions to provide adequate capacity for the 100-year 365-day precipitation event and eventual build out to 7.5 mgd¹ by 1 January 1998.
 - d. Evaluate infiltration/inflow by 1 October 1996.
7. The Phase 1 expansion, consisting of 160 acres of percolation/evaporation ponds, was completed in accordance with the schedule set forth in C&D Order No. 96-152. That expansion provided adequate capacity for 1.31 mgd average daily dry weather flow during the 100-year 365-day precipitation event. However, the 1996 average daily dry weather flow was 1.48 mgd, indicating that the WWTF did not have adequate capacity to accommodate current flows at the time.
 8. Staff's review of the Discharger's 8 October 1996 Report of Waste Discharge (RWD) for the Phase 2 expansion found that the proposed project would not provide adequate wastewater storage and disposal capacity. Staff was also concerned that the Discharger's groundwater monitoring data indicated that the facility had degraded groundwater quality. The Discharger subsequently withdrew the RWD for the Phase 2 project.
 9. On 19 September 1997, the Regional Board rescinded C&D Order No. 96-152 and adopted C&D Order No. 97-193, which required completion of the following tasks:
 - a. An evaluation of groundwater degradation and compliance with the Groundwater Limitations of the WDRs by 15 July 1998.
 - b. An evaluation of current and projected future dry weather influent flows by 15 July 1998.
 - c. Expansion of the WWTF to accommodate existing flows and at least five years of projected growth. The Discharger was also required to eliminate the migration of pollutants to groundwater by 1 December 2001 if completion of the first task showed that groundwater had been degraded.

Groundwater Degradation Evaluation

10. The Discharger's effluent is relatively saline due to a saline and hard water supply. The Discharger believes that many residences and businesses use water softeners, and that the discharge of brine from the water softeners accounts for most of the excess salinity in the effluent. Based on analytical data provided in Monthly Monitoring Reports between April 2004 and March 2005, the treated effluent discharged to the percolation/evaporation ponds and irrigation area is characterized as follows:

¹ Although the C&D Order requires expansion to 7.5 mgd by 1998, this is believed to be a typographical error. At that time, the Discharger was projecting average daily flows of 2.5 mgd by 2010.

Constituent/Parameter	Analytical Result (mg/L except as noted)		
	Minimum	Maximum	Mean
BOD	16	150	58
TDS	480	1,300	852
EC, umhos/cm	1,149	2,260	1,552
Sodium	140	330	221
Chloride	150	340	223
Nitrate (as N)	0.2	5.1	2.0
Total Kjeldahl nitrogen	4.9	32	14.7

11. The Groundwater Limitations of Order No. 94-187 state:

“The discharge shall not cause underlying groundwater to:

- 1. Contain waste constituents in concentrations statistically greater than receiving water limits, where specified below, or background groundwater quality where not specified.*
- 2. Contain chemicals, heavy metals, or trace elements in concentrations that adversely affect beneficial uses or exceed maximum contaminant levels specified in 22 CCR, Division 4, Chapter 15.*
- 3. Exceed a most probable number of total coliform organisms of 2.2/ 100 mL over any seven-day period.*
- 4. Exceed concentrations of radionuclides specified in 22 CCR, Division 4, Chapter 15.*
- 5. Contain taste or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses.*
- 6. Contain concentrations of chemical constituents in amounts that adversely affect beneficial uses.”*

12. On 16 July 1998, the Discharger submitted a technical report to comply with C&D Order No. 97-193. The report contained evaluations of groundwater degradation, current and projected influent flows, and sewer infiltration control measures. The report concluded that groundwater beneath the wastewater treatment ponds contained total dissolved solids at concentrations exceeding background groundwater quality.

13. On 29 April 1999, staff informed the Discharger that the groundwater degradation evaluation was inadequate, and requested that the Discharger submit a workplan for installation of additional monitoring wells and evaluation of groundwater quality beneath the facility. The Discharger submitted the workplan on 16 June 1999. The workplan was inadequate and staff transmitted specific comments on the workplan on 17 November 1999.

14. On 19 February 2002, the Discharger submitted a revised *Groundwater Degradation Assessment Report*. The report did not present a complete technical evaluation of groundwater quality as requested by staff, but restated the Discharger’s conclusion that groundwater beneath the WWTF

had been degraded. The report included an evaluation of several alternatives for reducing or controlling groundwater degradation. The recommended alternative did not include any improvements to the existing wastewater treatment facility, but instead involved purchasing existing irrigated farmland adjacent to the facility and removing it from cultivation. The report stated that the resulting decrease in salt loading from the farmland would mitigate continuing groundwater degradation from the wastewater treatment facility by mixing and dilution.

15. On 3 March 2004, staff informed the Discharger that its proposal for mitigating groundwater degradation by not making facility improvements but instead removing irrigated farmland from cultivation was not consistent with State Water Resources Control Board Resolution No. 68-16. Staff requested that the Discharger pursue proactive measures to control groundwater degradation and submit a Report of Waste Discharge (RWD) specifying a detailed plan and schedule of facility improvements.
16. The Discharger subsequently asked whether percolation ponds would be acceptable in areas where upgradient groundwater salinity is higher than effluent salinity. The Discharger’s consultant was informed that such an approach would generally be acceptable, but that staff would have to consider degradation from all constituents known to be present in the waste. In an 18 March 2004 letter, the Discharger indicated that it would begin investigating groundwater conditions beneath potential alternate effluent disposal sites, and requested an extension of time to complete the Report of Waste Discharge. The extension was granted, and the Discharger submitted the RWD on 30 September 2004. The content of the RWD is discussed in the “Current Proposal” section below.
17. Groundwater monitoring data for the facility show that groundwater quality has been degraded and, in some cases, polluted. Groundwater monitoring data for 2004 are summarized in the following table.

Constituent/Parameter	Concentration Range, mg/L except as noted		Water Quality Criterion ³
	Upgradient Wells ¹	Downgradient Wells ²	
TDS	340 to 790	800 to 1200	450
EC, umhos/cm	720 to 1250	1400 to 2130	700
Sodium	54 to 140	90 to 300	20
Chloride	9 to 50	190 to 370	106
Nitrate (as N)	4 to 18	<0.1 to 10	10
Total Kjeldahl nitrogen	<0.2 to 0.9	0.2 to 0.7	None

¹ Based four quarterly samples from wells TW-1 and NW-2.

² Based four quarterly samples from wells SE, MW-6, and MW-9, which are downgradient of the treatment ponds and effluent disposal areas. All other monitoring wells are cross gradient.

³ Initial criteria to implement the narrative water quality objectives set forth in the Basin Plan for protection of the beneficial uses of groundwater, as described in the Basin Plan’s Policy for Application of Water Quality Objectives. These values do not necessarily represent the final groundwater limitations for the facility, which must be selected based on consideration of both water quality objectives and background groundwater quality.

These data show that that the Discharger has failed to comply with the groundwater limitations of the WDRs and, therefore, has violated C&D Order No. 97-193.

Capacity Evaluation

18. Some time prior to 1995, the City of Dixon adopted an ordinance that limits residential growth to three percent per year. However, commercial and industrial growth is not limited by ordinance.
19. The Discharger has completed a timely evaluation of current and projected flows to comply with C&D Order No. 97-193, and has performed an I/I study to assess the causes of the excess I/I.
20. During a 23 January 2003 meeting, the Discharger reported that it had implemented several major I/I improvements, which combined with aeration (four 20-HP aerators), would increase the facility treatment, storage, and disposal capacity to 1.82 mgd (average daily dry weather flow). The Discharger stated that additional aerators would further increase the treatment, storage, and disposal capacity to 2.0 mgd (average daily dry weather flow). The Discharger has since completed additional I/I improvements, but has not installed the additional aerators.
21. On 24 February 2005, the Discharger submitted an electronic copy of the water balance provided in the September 2004 RWD pursuant to staff's request. The mathematical model was adequate, but some of the input data values and calculations were not adequately documented. However, because the model used some conservative assumptions, it appears that the model adequately reflects the hydraulic storage and disposal capacity of the existing facility. The model shows that the existing wastewater facility can accommodate average daily dry weather flows of at least 1.82 mgd plus 194 million gallons per year of I/I flows.
22. Average daily dry weather flows to the WWTF in 2004 were approximately 1.46 mgd, and total annual I/I flows ranged from 21 to 91 million gallons between 1999 and 2004. Therefore, based on the water balance certified by the Discharger's engineering consultant, the Discharger has fully complied with the capacity expansion requirements of C&D Order No. 97-193, and has sufficient excess capacity to accommodate three years of residential growth at the rate allowed by ordinance.
23. The City of Dixon plans to continue residential growth at the ordinance-limited rate of three percent per year and may approve commercial projects that will further increase daily influent flows by over 200,000 gpd. The largest of the projects, the Dixon Downs racetrack, is planned for completion as early as 2007 or 2008. If both residential and commercial growth continue as projected, average daily dry weather flows to the WWTF may exceed 2.0 mgd by mid-2008. As stated above, additional aerators and other improvements are needed to increase the total capacity to 2.0 mgd.
24. Therefore, the Discharger has complied with the intent of C&D Order No. 97-193 with respect to hydraulic capacity improvements and I/I control. However, the existing WWTF may not have sufficient treatment and disposal capacity to accommodate all projected residential, commercial, and industrial growth over the next three years.

Current Proposal

25. On 30 September 2004, the Discharger submitted a RWD, which proposed improvements in two phases:
- a. Phase 1 (the “Interim Improvements Project”) would consist of installing additional aerators in Ponds 1 and 2 to increase the treatment capacity to 1.69 mgd. The Discharger proposed to further increase the storage and disposal capacity by converting the existing 120-acre land application area to additional percolation ponds and ripping the treatment and storage ponds to enhance percolation. Accumulated biosolids would be removed from facultative Ponds 1 through 9. Secondary treatment ponds A through B would be used to capture excess storm water during the rainy season, percolation of which would partially dilute groundwater pollution beneath the wastewater treatment ponds.
 - b. Phase 2 (the “Stage 2 Project”) would consist of additional aeration capacity at the existing treatment facility and construction of new percolation ponds at an off-site location where underlying groundwater would not be degraded by the effluent discharge. The Discharger stated that it had completed preliminary screening of potential sites and will continue with site selection in 2005. The off-site percolation ponds would provide disposal only for “average year” influent flows, and treatment and disposal would continue in the existing unlined treatment ponds indefinitely. The Discharger also proposed to implement public outreach programs and/or seek a less saline water supply to reduce effluent salinity. However, no specific plan or schedule was provided, and the effect of the outreach program on groundwater quality was not determined.
26. Although the additional aeration proposed as part of the Phase 1 project would enhance BOD reduction, it would also increase evapoconcentration of wastewater in the treatment, storage, and disposal ponds. Pond ripping would increase percolation through the base of the ponds. The report did not include an analysis of the level of groundwater salinity reduction the project would achieve, but acknowledged that compliance with the Groundwater Limitations was not the primary purpose of the project. The Phase 1 project as proposed would allow the Discharger to continue degrading groundwater quality at the existing site in violation of the WDRs, and to continue expanding to accommodate growth while planning, designing, and implementing the Phase 2 project, which will address the groundwater pollution problem.
27. The entire Phase 2 project as proposed in the September 2004 RWD does not constitute best practicable treatment and control of the discharge. However, the portion of the Phase 2 project consisting of off-site discharge of treated wastewater should not cause groundwater degradation, and should satisfy the intent of State Board Resolution No. 68-16. It is therefore appropriate to require that the Discharger proceed with site selection, testing, design, and construction of those improvements.
28. The Discharger has long-standing plans to construct additional improvements to optimize conveyance capacity, including completing connection of a new main sewer trunk and headworks improvements, with completion expected in 2006. It is appropriate to require that the Discharger proceed with this work to prevent spills due to lack of capacity to convey peak flows.

29. On 11 April 2005, staff met with the Discharger to discuss the RWD, and informed them that the proposed plan for continued discharge of wastewater to the existing pond treatment, storage, and disposal system would not ensure compliance with the groundwater limitations, and therefore did not comply with the Basin Plan. . The Discharger verbally proposed modifying the Phase 2 project to include impermeable liners for all ponds containing wastewater with constituent concentrations higher than background groundwater concentrations. Additionally, the Discharger agreed that no unlined ponds would be used after completion of the Phase 2 project unless it could be shown that such use would not cause groundwater pollution.
30. In a 17 June 2005 meeting, the Discharger proposed to line the existing wastewater treatment and storage ponds during Phase 1, excluding those ponds used for percolation of treated wastewater and those that will be used to store only storm water.

Regulatory Considerations

31. As a result of the events and activities described in this Order, the Regional Board finds that the Discharger has caused or permitted waste to be discharged in such a manner that it has created, and continues to threaten to create, a condition of pollution or nuisance. The Regional Board also finds that the Discharger has discharged, and has the potential to discharge, waste in violation of WDRs No. 94-187.
32. Further, the Discharger has failed to comply with C&D Order No. 97-193 by failing to mitigate and control groundwater pollution at the facility. Therefore, it is appropriate to establish a new deadline for compliance with the Groundwater Limitations.
33. The Regional Board's Water Quality Control Plan for the Sacramento and San Joaquin River Basins (Basin Plan) designates beneficial uses, includes water quality objectives to protect the beneficial uses, and includes implementation plans to implement the water quality objectives.
34. Surface water drainage from the facility is to Cache Slough. The beneficial uses of the Cache Slough, as stated in the Basin Plan, are agricultural supply; water contact recreation; noncontact water recreation; warm freshwater habitat, cold freshwater habitat; migration of aquatic organisms; spawning, reproduction, and/or early development; and wildlife habitat.
35. The beneficial uses of underlying groundwater are municipal and domestic water supply, agricultural supply, industrial service supply, and industrial process supply.
36. Section 13301 of the California Water Code states in part: *"When a Regional Board finds that a discharge of waste is taking place or threatening to take place in violation of the requirements or discharge prohibitions prescribed by the regional board or the state board, the board may issue an order to cease and desist and direct that those persons not complying with the requirements or discharge prohibitions (a) comply forthwith, (b) comply in accordance with a time schedule set by the board, or (c) in the event of a threatened violation, take appropriate remedial or preventive action."*

37. Section 13267(b) of the California Water Code states: *“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.”*
38. The required technical reports are necessary to assure compliance with WDRs Order No. 94-187 and this Order, and to assure protection of public health and safety. The Discharger owns and operates the facility that discharges the waste subject to this Order.
39. The issuance of this Order is an enforcement action by a regulatory agency and is exempt from the provisions of the California Environmental Quality Act, pursuant to Section 15321(a)(2), Title 14, California Code of Regulations.
40. On 24 June 2005, in Rancho Cordova, California, after due notice to the Discharger and all other affected persons, the Regional Board conducted a public hearing at which evidence was received to consider a Cease and Desist Order.
41. Any person affected by this action of the Regional Board may petition the State Water Resources Control Board to review the action in accordance with Section 2050 through 2068, Title 23, California Code of Regulations. The petition must be received by the State Water Resources Control Board, Office of Chief Counsel, P.O. Box 100, Sacramento, CA, 95812-0100, within 30 days of the date on which the Regional Board action took place. Copies of the law and regulations applicable to filing petitions are available at www.swrcb.ca.gov/water_laws/index.html and also will be provided upon request.

IT IS HEREBY ORDERED that Cease and Desist Order No. 97-193 is rescinded and that, pursuant to Sections 13301 and 13267 of the California Water Code, the City of Dixon, its agents, successors, and assigns, shall in accordance with the following tasks and time schedule, implement the following measures and identify and implement all improvements required to ensure long-term compliance with WDRs No. 94-187 or any superceding permits or orders issued by the Regional Board.

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.”

1. Effective **immediately** and continuing unless and until otherwise approved in writing by the Executive Officer, the monthly average daily dry weather influent flow ² shall not exceed 1.82 mgd, and the total annual influent flow shall not exceed 880 million gallons per year (as measured from 1 July to 30 June each year).
2. Effective **upon the Executive Officer's written approval of the Phase I Improvements Completion Report** and continuing unless and until the Regional Board adopts revised Waste Discharge Requirements, the monthly average daily dry weather influent flow ² shall not exceed 2.0 mgd, and the total annual influent flow shall not exceed 880 million gallons per year (as measured from 1 July to 30 June each year).
3. Effective **30 October 2009**, the Discharger shall comply with the following Groundwater Limitation:
 - a. The discharge of waste from any treatment pond, storage pond, disposal pond, land disposal area, or land application area shall not cause the underlying groundwater to contain constituents in excess of background groundwater quality, or in excess of the applicable water quality objective, whichever is higher. Compliance with this limitation shall be measured by a groundwater monitoring well network approved by Regional Board staff.
4. By **1 September 2005**, the Discharger shall submit a *Hydrogeologic Investigation Workplan* describing the specific means and methods by which the Discharger plans to evaluate additional off-site percolation disposal areas.
5. By **30 December 2005**, the Discharger shall submit a *Wastewater Facilities and Financing Plan* for Phase 1 and 2 improvements as follows:
 - a. Phase 1 shall consist of all work and improvements needed to ensure adequate treatment, storage, and disposal capacity to comply with the flow limitations of this Order. Additionally, Phase 1 shall include lining systems for all wastewater treatment and storage ponds to ensure compliance with the groundwater limitations of this Order. Existing ponds used for percolation disposal and/or those that will be used to store only storm water are not subject to this requirement.
 - b. Phase 2 shall consist of all work and improvements needed to ensure compliance with the groundwater limitations of this Order and to provide adequate treatment, storage, and disposal capacity to accommodate all planned growth through 2014 ³.

The plan shall describe in detail the scope and schedule of all work required to comply with this Order, including improvements to existing facilities and construction of new facilities as needed. The plan shall also include a preliminary capital cost estimate and a financing plan showing how the improvement project(s) will be funded.

² The dry weather flow shall be based on the months of July through September.

³ Flow projections shall be based on reasonable I/I projections, the annual residential growth cap imposed by city ordinance, and any planned commercial industrial projects known to the Discharger as of the date of the report.

6. By **30 March 2006**, the Discharger shall submit a *Background Groundwater Quality Report* proposing numerical groundwater limitations that will implement the above narrative groundwater limitations at the existing WWTF site. For each groundwater monitoring parameter/constituent identified in Revised MRP No. 94-187, the report shall present a summary of all available monitoring data, calculation of the concentration in the background monitoring wells (TW-1 and NW-2), and comparison of background groundwater quality to that in wells used to monitor the facility. Determination of background quality shall be made using the methods described in Title 27, Section 20415(e)(10), and shall be based on data from at least eight consecutive groundwater monitoring events. For each monitoring parameter/constituent, the report shall compare measured concentrations for compliance monitoring wells with: (1) the calculated background concentration, and (2) the proposed numerical limitation.
7. By **30 June 2006**, the Discharger shall submit a *Phase 1 90% Design Report*, including plans, specifications, and a *Construction Quality Assurance Plan* for all Phase 1 improvements. The report shall demonstrate that the pond liners will ensure compliance with the Groundwater Limitations and describe how the project will be phased to ensure that adequate treatment, storage, and disposal capacity is maintained throughout the construction period. A completely documented water balance model shall be provided.
8. By **30 December 2006**, the Discharger shall certify that the construction contract for the Phase 1 project has been awarded.
9. By **30 April 2007**, the Discharger shall submit the Hydrogeologic Investigation and Disposal Site Evaluation Report that documents implementation of the approved workplan and demonstrates that discharge of treated effluent at the selected off-site disposal area will ensure compliance with the Groundwater Limitations.
10. By **30 June 2007**, the Discharger shall submit a *Phase 2 Pre-Design Report* certifying that it has purchased or leased sufficient land to accommodate all projected effluent disposal needs through 2014. The report shall identify the Assessor's parcel number, township/range/section, and owner contact information for each parcel.
11. By **30 October 2007**, the Discharger shall submit a *Headworks and Phase 1 Improvements Project Completion Report* certifying completion of the headworks improvements project, which shall include connecting the new 42-inch trunk sewer to the WWTF, and installation of additional aerators, and/or other improvements to increase the treatment capacity to at least 2.0 mgd and provide pond liners. The report shall include record drawings stamped and signed by the engineer of record. The report shall also include a *Construction Quality Assurance Report* documenting liner installation, testing, and repair.
12. By **30 October 2007**, the Discharger shall submit a *Phase 1 Completion Report* certifying completion of all improvements required to comply with the flow limitations of this Order. The report shall include record drawings stamped and signed by the engineer of record. If the project involves lining any ponds, the report shall also include a *Construction Quality Assurance Report* documenting liner installation, testing, and repair.

13. By **30 December 2007**, the Discharger shall submit a *Report of Waste Discharge (RWD)* to allow staff to prepare updated Waste Discharge Requirements for the WWTF. The RWD shall include a detailed description of all improvements and new facilities required to comply with this Order and control/prevent groundwater degradation, including those already implemented and those planned for future implementation. It shall include a *Phase 2 90% Design Report*, including plans, specifications, and a Construction Quality Assurance Plan (if appropriate) for all new facilities required to provide adequate treatment storage and disposal for projected influent flows through 2014.
14. By **30 June 2008**, the Discharger shall certify that the construction contract for the Phase 2 project has been awarded.
15. By **1 August 2008**, the Discharger shall certify that construction of the Phase 2 project has commenced.
16. By **30 October 2009**, the Discharger shall submit a *Phase 2 Completion Report* certifying completion of all facilities required to provide adequate treatment, storage, and disposal for projected influent flows through 2014. The report shall include record drawings stamped and signed by the engineer of record, and a Construction Quality Assurance Report for all pond liner systems.
17. **Beginning 1 August 2005**, and by the first day of the second month following each calendar quarter (**i.e., by 1 February, 1 May, 1 August, and 1 November each year**), the Discharger shall submit a progress report describing the work completed to date regarding each of the reporting requirements described above.

In addition to the above, the Discharger shall comply with all applicable provisions of the California Water Code that are not specifically referred to in this Order.

All technical reports required herein that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, sections 6735, 7835, and 7835.1. As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.

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 or may issue a complaint for administrative civil liability.

Failure to comply with this Order may result in the assessment of an Administrative Civil Liability up to \$1,000 or up to \$10,000 per day of violation, depending on the violation, pursuant to the California Water Code, including sections 13268, 13350, and 13385. The Regional Board reserves its right to take any enforcement actions authorized by law.

CEASE AND DESIST ORDER NO. R5-2005-0078
CITY OF DIXON
DIXON WASTEWATER TREATMENT FACILITY
SOLANO COUNTY

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I, THOMAS R. PINKOS, 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 24 June 2005.

THOMAS R. PINKOS, Executive Officer

ALO: 24 June 2005

AMENDED