

**27-28 APRIL 2023 BOARD MEETING
CONTESTED AGENDA ITEM**

AGENDA ITEM: 23

SUBJECT:

City of Arvin, Arvin Wastewater Treatment Facility, Kern County

BOARD ACTION:

Consideration of a Cease and Desist Order

SUMMARY:

The Prosecution Team is proposing a Cease and Desist Order (Tentative CDO) to the City of Arvin (City) for the Central Valley Regional Water Quality Control Board's (Central Valley Water Board's) adoption pursuant to Water Code sections 13301 and 13260. The Prosecution Team alleges that there is an existing and threatened violation of the City's Waste Discharge Requirements (WDRs) for the City's wastewater treatment facility (WWTF). The WWTF is currently regulated under WDR Order R5-00-093 (WDR Order). The Tentative CDO describes the violations of the WDR Order and proposes actions, including a restriction on new connections to the City's sewer collection system, and a time schedule to bring it back into compliance with its WDR Order.

The Tentative CDO alleges that the City violated the WDR Order because its WWTF does not have adequate storage and disposal capacity necessary to comply with the WDR Order. The WDR Order authorizes a monthly average discharge of up to 2.0 million gallons per day of secondary-treated and undisinfected wastewater to the WWTF's effluent storage reservoirs and then to land application areas (LAAs). Due to problems with the largest storage reservoir, the City's storage capacity is currently significantly reduced. The Tentative CDO also states that the City's LAAs are also inadequate and potential LAAs proposed by the City fall outside the areas permitted by the WDR Order. Based on the inadequate storage and disposal capacity, the Tentative CDO finds that a connection ban is necessary to prevent violations of the WDRs.

If adopted by the Board, the Tentative CDO requires the City to comply with the WDR Order within 2 years. It also requires the City to develop a technical report and proposed time schedule for bringing the WWTF back into compliance in both the short and long term. The Tentative CDO would also institute a connection ban that would prohibit any new connections to the City's sewage collection system until the ban is removed by the Central Valley Water Board.

REVIEWS:

Management Review:	
Legal Review:	JMJ 04/06/2023

BOARD MEETING LOCATION:

Kern County Board of Supervisors Chambers
1115 Truxtun Avenue
Bakersfield, CA 93301

Hybrid Internet Zoom Meeting