

**CALIFORNIA REGIONAL WATER QUALITY CONTROL
BOARD COLORADO RIVER BASIN REGION**

**CEASE AND DESIST ORDER R7-2019-0017
REQUIRING**

**MT. SAN JACINTO WINTER PARK AUTHORITY
PALM SPRINGS AERIAL TRAMWAY
VALLEY STATION WASTEWATER
TREATMENT AND DISPOSAL SYSTEM
RIVERSIDE COUNTY**

**TO CEASE AND DESIST FROM DISCHARGING
WASTE CONTRARY TO REQUIREMENTS**

The Regional Water Quality Control Board, Colorado River Basin Region (Regional Water Board) finds that:

1. Mt. San Jacinto Winter Park Authority, also known as the Palm Springs Aerial Tramway (Discharger), owns and operates a septic tank-based wastewater treatment and disposal system (Valley Station WWTF) used to treat restaurant and restroom wastewater generated by the Aerial Tramway Valley Station, located at One Tramway Road, Palm Springs, California
2. The Valley Station WWTF is within the Coachella Hydrologic Subunit. The Valley Station receives water from an upgradient onsite well. The well provides all water used at the Valley Station.
3. The Regional Board's Water Quality Control Plan, last amended in 2017, designates beneficial uses for groundwater in the Coachella Hydrologic Subunit as Municipal and Domestic Supply (MUN)¹, Industrial Service Supply (IND)², and Agricultural supply (AGR)³.
4. On March 21, 2009, the Regional Board adopted Waste Discharge Requirements (WDRs) Order No. R7-2009-0026 to regulate discharges of treated wastewater from the Valley Station WWTF. The WDRs specify effluent limitations, prohibitions, specifications and provisions necessary to protect the beneficial uses of groundwater in the Coachella Hydrologic Subunit and to prevent nuisance conditions.

¹ Municipal and Domestic Supply (MUN): Uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply.

² Industrial Service Supply (IND): Uses of water for industrial activities that do not depend primarily on water quality including, but not limited to, mining, cooling water supply, hydraulic conveyance, gravel washing, fire protection, and oil well repressurization.

³ Uses of water for farming, horticulture, or ranching including, but not limited to, irrigation, stock watering, or support of vegetation for range grazing.

Wastewater Treatment Facility and Site Conditions

5. The Valley Station WWTF consists of a 4,000 gallon grease interceptor, two 7,500 gallon septic tanks, an AdvanTex secondary treatment system with a 1,400 gallon recirculation tank and two AX100 pods for secondary treatment, as well as a 1,500 gallon denitrification/dosing tank with carbon supplementation. Effluent from the Valley Station WWTF is sent to the leach field via pressure distribution. The Valley Station WWTF is currently permitted to discharge a 30-day average of 1,750 gallons per day. The leach field serving the Valley Station WWTF is located under an asphalt parking lot, and is approximately 50 feet west of Chino Creek.

Relevant Provisions of WDRs Order No. R7-2009-0026

6. WDRs Order No. R7-2009-0026 states, in relevant part, that:

“[B.1] The 30-day monthly average daily discharge flow from the Valley Station WWTF shall not exceed 1,750 gpd. The flow limit shall be applied to the flow leaving the WWTF.

“[B.7] Effluent from the WWTF shall not exceed the following effluent limits:

<u>Constituents</u>	<u>Units</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Daily Maximum</u>
Total Suspended Solids	mg/L	30	45	65
Nitrogen (as Total Nitrogen)	mg/L	10	15	20
Total Dissolved Solids (TDS)	mg/L	tbd ⁴	--	--

7. “[E.1] The Discharger shall comply with Monitoring and Reporting Program (MRP) No. R7- 2009-0026, and future revisions thereto, as specified by the Regional Board's Executive Officer.

8. “[E.8] The Discharger shall comply with all of the conditions of this Board Order. Any noncompliance with this Board Order constitutes a violation of Porter-Cologne Water Quality Control Act (Cal. Water Code Section §13000 et seq.), and is grounds for enforcement action.

9. “[E.13] The Discharger shall at all times properly operate and maintain all systems

⁴ Appropriate TDS limits to be determined (tbd) after studies of source control and management practices have been completed.

and components of collection, treatment and control, installed or used by the Discharger to achieve compliance with the conditions of this Board Order. Proper operation and maintenance includes effective performance, adequate process controls, and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of this Board Order. All systems in service or reserved shall be inspected and maintained on a regular basis. Records of inspection results and maintenance performed shall be kept and made available to the Executive Officer upon demand.”

10. Monitoring and reporting Program No. R7-2009-0026, under “Water Supply to the Facility” states that:

“The Discharger shall monitor influent to the WWTF according to the following schedule:

Constituents	Units	Sampling Frequency
TDS	mg/L	Monthly
pH	pH units	Monthly
Standard Minerals ⁵	mg/L	Annually

11. Monitoring and reporting Program No. R7-2009-0026, under “Secondary Effluent Monitoring for Valley Station WWTF” states that:

“A sampling station shall be established at the point of discharge from the WWTF and the effluent shall be sampled as follows:

Constituents	Units	Type of Sample	Sampling Frequency ⁶	Reporting Frequency
Flow	gpd ⁷	Calculation ⁸	Weekly	Monthly
pH	pH units	Grab	Monthly	Monthly
20°C BOD5	mg/L	Grab	Monthly	Monthly
Suspended	mg/L	Grab	Monthly	Monthly

⁵ Standard Minerals shall include, at a minimum, the following elements/compounds: Barium, Calcium, Magnesium, Nitrogen, Potassium, Sulfate, Total Alkalinity (including alkalinity series), and Hardness

⁶ When analysis show noncompliance with the limitations prescribed by Discharge Specification No. B.7, the Discharger shall increase the sampling frequency, for the constituents that are in noncompliance, to one (1) sample per week, and continue sampling at that minimum frequency until either (a) the sampling shows compliance for two consecutive months or (b) it is notified by the Executive Officer that it can resume the normal sampling schedule.

⁷ Gallons per day

⁸ Average daily flow calculated from weekly meter readings.

Solids				
Total Nitrogen	mg/L	Grab	Monthly	Monthly
Total Dissolved Solids	mg/L	Grab	Monthly	Monthly
VOCs	mg/L	Grab	Annually	Annually

Alleged Violations of WDRs Order No. R7-2009-0026

12. Self-monitoring reports submitted by the Discharger show that since March 22, 2009, the Discharger had a significant number of alleged violations of effluent limits and reporting requirements. Appendices A through F, attached hereto and made part of this Order, detail these alleged violations.

13. In addition, Regional Board staff conducted an inspection of the Valley Station on March 16, 2016. The Inspection Report indicated the following violations:
 - a. Secondary treatment unit spray nozzles were clogged.
 - b. The Plant Operator indicated that the OWTS was unable to maintain an anoxic zone preventing the nitrification and denitrification process.
 - c. Chronic violations of effluent limits for Total Nitrogen.
 - d. Missing, late, and incomplete monitoring reports.

14. As a follow up to the initial inspection, State Water Board staff from the Office of Enforcement also conducted an inspection of the Valley Station on March 13, 2018 and indicated the following violations in their Inspection Report.
 - a. Chronic violations of discharge specifications (excessive flows, effluent violations) and non-discharge violations.
 - b. Inadequate maintenance of Advantex wastewater systems because manufacturer specifications for maintenance schedules were not being followed.
 - c. Backup generator for Advantex treatment system failed to start during simulated power outage test.
 - d. Failure to utilize carbon dosing tank as the required treatment process described in the permit.
 - e. Failure to inspect leach field under parking lot.
 - f. Significant buildup of solids and corrosion of concrete in Valley Station septic tanks.
 - g. Failure to inspect or clean sewer influent pipe to Advantex treatment system.
 - h. Significant buildup of solids in Valley Station Advantex cartridge medium.

- i. Significant buildup of solids in the grease interceptor.
- j. Non-uniform sprayers in Advantex treatment system.

Legal, Technical, and Other Considerations

15. The Discharger has been in violation of the effluent limits specified by WDRs Order No. R7-2009-0026. The Discharger has made and continues to make alterations to the system to try and maintain compliance and reduce or correct the magnitude and frequency of the violations, detailed in Appendix F. While the alterations have not eliminated non-compliant discharges, the number of exceedances has been reduced over time.

16. Section 13301 of the Water Code states, in relevant part, that:

“When a regional board finds that a discharge of waste is taking place, or threatening to take place, in violation of 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...Cease and desist orders may be issued directly by a board, after notice and hearing.”

17. Section 13267 of the Water Code states, in part, that:

“(a) A regional board, in establishing or reviewing any water quality control plan or waste discharge requirements, or in connection with any action relating to any plan or requirement or authorized by this division, may investigate the quality of any waters of the state within this region.”

“(b)(1) In conducting an investigation specified in subdivision (a), the regional board may require that any ... citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, ... or who proposes to discharge wastes within 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.”

18. The technical reports required by this Order are necessary to assure compliance with

this Cease and Desist Order and WDRs Order R7-2009-0026. The Discharger owns the facility that discharges the waste subject to this Order and Order R7-2009-0026.

19. Section 13320(a) of the Water Code states:

“Within 30 days of any action or failure to act by a regional board under subdivision (c) of Section 13225, any aggrieved person may petition the state board to review that action or failure to act. In case of a failure to act, the 30-day period shall commence upon the refusal of the regional board to act, or 60 days after request has been made to the regional board to act. The state board may, on its own motion, at any time, review the regional board’s action or failure to act.”

Public Participation and Compliance with CEQA

20. The Regional Board has notified the Discharger and all known interested agencies and persons of its intent to issue this Order and has provided it with an opportunity to submit comments.
21. The Regional Board, in a public meeting, heard and considered all comments pertaining to this Order.
22. This enforcement action is exempt from the provisions of CEQA, pursuant to section 15321 (Enforcement Actions by Regulatory Agencies), article 19, chapter 3, division 6, title 14 of the California Code of Regulations.

IT IS HEREBY ORDERED, that, pursuant to Water Code sections 13301 and 13267, the Discharger shall:

1. Cease and desist discharging wastes in violation of WDRs Order No. R7-2009-0026 by implementing corrective actions in accordance with the tasks and time schedules specified in Item 2, below.
2. Investigate non-compliance, its potential adverse impacts on water quality, and modify/upgrade the WWTF to bring its discharge into compliance with WDRs Order No. R7- 2009-0026:
 - a. **By July 13, 2019**, the Discharger shall submit a technical report in the form of a work plan to the Executive Officer (EO) of the Regional Board for review and approval to identify WWTF deficiencies, including but not limited to construction and O&M deficiencies, which are causing and/or contributing to violations and threatened violations of Discharge Specification No. B.7 of WDRs Order No. R7-2009-0026. The work plan shall contain a description of the key tasks, milestones, and deadlines to complete this investigation by September 30, 2019;

- b. **By September 30, 2019**, the Discharger shall submit a technical report in the form of a work plan for review and approval by the Executive Officer to correct the deficiencies and bring the discharge from the WWTF in full compliance with WDRs Order No. R7-2009-0026. The technical report will also include an analysis of daily discharge volume data and projections to inform potential revisions to the flow limits in future WDRs. This work plan shall contain a description of the key tasks, milestones, and deadlines to complete the required WWTF operational changes and/or upgrades based on the results of the investigation conducted pursuant to Item 2.a, above; and shall be based on bringing the discharge from the WWTF in full compliance with WDRs Order No. R7-2009-0026 by September 30, 2020.

- c. **By October 15, 2020**, the Discharger shall submit a technical report in the form of a revised Operation and Maintenance Manual (OMM) for its WWTF that reflects the operational changes and upgrades implemented pursuant to Item 2.b, above. The OMM shall include a flow diagram for all critical unit treatment and disposal components and:
 - i. A written work order system that tracks all corrective maintenance;
 - ii. An equipment history file for each major piece of equipment such as pumps, motors, generators, etc.;
 - iii. A written schedule of preventive maintenance broken down into weekly, monthly and annual inspections;
 - iv. A written schedule of the prescribed monitoring and reporting requirements of WDRs Order No. R7-2009-0026;
 - v. A written summary or check sheet documenting at least the date and type of preventive maintenance work actually performed;
 - vi. A calibration schedule and records for all instruments and flow measuring devices;
 - vii. Written emergency response guidelines;
 - viii. A logbook for the operators and maintenance workers in which to document both the routine tasks and any unusual observations;
 - ix. A system to track the time and cost for major repairs;
 - x. A list of backlogged work orders; and
 - xi. Periodic specialized tests or analyses performed on the critical or expensive pieces of WWTF equipment/components; and

- d. **By July 31, 2019**, the Discharger shall submit a technical report in the form of a work plan for review and approval by the Executive Officer for the design, installation, development, and operation of a groundwater monitoring well network to assess the groundwater quality impacts from its disposal operations. The work plan shall:
 - i. Ensure that the network consist of a minimum one upgradient and two downgradient wells, with the upgradient well located far enough away from the discharge area to not be within the area of influence of the discharged water;

- ii. Specify the proposed drilling and well development methods for and construction features of the groundwater monitoring wells, including soil sampling methods and intervals, laboratory testing procedures (if any), and documentation methods;
 - iii. Specify and describe the rationale for the proposed location of the monitoring wells, and include a map to scale (1 inch = 200 feet or better) showing their location;
 - iv. Include a diagram showing the key construction features of the groundwater monitoring wells, including screened interval, sanitary seals, etc;
 - v. Describe the contents of the report to be prepared to document well installation activities;
 - vi. Propose a monitoring and reporting schedule for constituents of concern, including pathogen-indicator bacteria, nitrates, TDS and 'general minerals' (including pH, calcium, magnesium, sodium, potassium, bicarbonate/carbonate, sulfate and chloride), and describe the contents of monitoring reports;
 - vii. Include methods to monitor the depth to groundwater and evaluate the groundwater gradient during each monitoring episode;
 - viii. Ensure the monitoring network is designed to assess the threat to water quality of upper most groundwater in the area of the discharge; and
 - ix. Include a description of the key tasks and milestones to ensure the groundwater monitoring network is operational by **December 31, 2019**.
 - e. **By October 15, 2019**, the Discharger shall submit to the Regional Board the first quarterly report of quarterly progress reports regarding its status of compliance with Items 2.a through 2.d, as applicable, above. The reports shall describe overall progress and key milestones achieved/implemented. Subsequent quarterly reports shall be due on the 15th day of January 2020, April 2020, July 2020, and October 2020, unless the 15th falls on a weekend or a holiday, in which case the quarterly report will be due on the next business day.
3. Submit all technical reports certified by the licensed professionals. In accordance with 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 California registered professionals (i.e., civil engineer, engineering geologist, geologist, etc.) competent and proficient in the fields pertinent to the required activities. All technical

reports specified herein that contain work plans, 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 a statement of qualifications of the responsible licensed professional(s) as well as the professional's signature and/or stamp of the seal.

4. The Discharger's obligation to implement the corrective actions in accordance with the time schedule specified in Item 2 above shall be excused or deferred if compliance, or a delay in compliance, is caused by an event or circumstance beyond the reasonable control of Discharger, and which event or circumstance could not have been reasonably foreseen and prevented by the exercise of due diligence by Discharger. This shall include, but not be limited to, any inability or failure to obtain required regulatory permits or approvals, compliance with the California Environmental Quality Act, court orders, or other laws, regulations or procedures governing discretionary actions by Discharger. Where implementation of an action required by this Order within the deadlines prescribed becomes unachievable, despite timely good faith effort, Discharger shall notify the executive officer in writing within thirty (30) days of the date that the District obtains knowledge of the events or circumstance precluding compliance.

If in the opinion of the Executive Officer, the Discharger violates this Order, allows the magnitude or frequency of violations to increase, or fails to timely implement corrective measures as specified herein, the Executive Officer may refer this matter to the Attorney General for judicial enforcement or may issue a complaint for administrative civil liability.

I, Paula Rasmussen, 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, Colorado River Basin Region, on June 13, 2019.

Original signed by
Paula Rasmussen
Executive Officer

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

In the matter of:)	
)	
CEASE AND DESIST ORDER)	
R7-2019-0017 (PROPOSED))	
REQUIRING PALM SPRINGS AERIAL)	STIPULATION FOR ENTRY OF CEASE
TRAMWAY VALLEY STATION)	AND DESIST ORDER
RIVERSIDE COUNTY)	R7-2019-0017A (PROPOSED)
TO CEASE AND DESIST FROM)	
DISCHARGING WASTE CONTRARY TO)	
REQUIREMENTS)	
)	
)	
)	

Section I: INTRODUCTION

This Stipulation for Entry of Cease and Desist Order R7-2019-0017A (PROPOSED) (“Stipulation”) and Cease and Desist Order R7-2019-0017 (PROPOSED) (“Proposed CDO”) is entered into by and between the Assistant Executive Officer of the Regional Water Quality Control Board, Colorado River Basin Region (“Regional Water Board”), on behalf of the Regional Water Board Prosecution Team (“Prosecution Team”) and Palm Springs Aerial Tramway (“Palm Springs Aerial Tramway” or “Discharger”) (collectively “Parties”).

Section II: RECITALS

1. Mt. San Jacinto Winter Park Authority, also known as the Palm Springs Aerial Tramway (Discharger), owns and operates a wastewater treatment and disposal system (WWTF) used to treat restaurant and restroom wastewater generated by the Aerial Tramway Valley Station, located at One Tramway Road, Palm Springs, California. The Discharger is regulated by Waste Discharge Requirements (WDRs) Order No. R7-2009-0026.
2. Palm Springs Aerial Tramway is alleged to have violated the effluent limits specified by WDRs Order No. R7-2009-0026. The specific alleged violations are described in the Proposed CDO, which is attached hereto and incorporated by reference.
3. Section 13301 of the Water Code states, in relevant part, that: “When a regional board finds that a discharge of waste is taking place, or threatening to take place, in violation of 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...Cease and Desist Orders may be issued directly by a board, after notice and hearing.”

4. The Parties have engaged in settlement negotiations and agree to present this Stipulation and Proposed CDO to the Regional Water Board for adoption as decision by settlement, pursuant to Government Code section 11415.60.

Section III: STIPULATIONS

The Parties stipulate to the following:

1. **Jurisdiction:** The Parties agree that the Regional Water Board has subject matter jurisdiction over the matters alleged in this action and personal jurisdiction over the Parties to this Stipulation.
2. **Waiver of Hearing:** The Discharger has been informed of the rights provided by Water Code section 13301, and hereby waives its right to a hearing before the Regional Water Board.
3. **Attorney’s Fees and Costs:** Each Party shall bear all attorneys’ fees and costs arising from the Party’s own counsel in connection with the matters set forth herein.
4. **Interpretation:** This Stipulation and Proposed CDO shall be construed as if the Parties prepared each jointly. Any uncertainty or ambiguity shall not be interpreted against any one Party. The Discharger is represented by counsel in this matter.
5. **Advocating for Adoption of the Proposed CDO:** The Parties expect the Regional Water Board to consider adoption of the Proposed CDO within 90 days of execution of this Stipulation. The Parties agree to advocate in support of the Proposed CDO to the Regional Water Board by having a representative appear in person before the Regional Water Board at the public meeting to consider adoption of the Proposed CDO, and to speak in support of the Proposed CDO, as allowed.
6. **Matters Covered:** This Stipulation and Proposed CDO resolves only the issuance of a Cease and Desist Order pursuant to Water Code section 13301. This Stipulation and Proposed CDO does not preclude the Regional Water Board or any other state, local or federal agency from seeking to impose civil liability for any of the violations alleged in the proposed CDO or any future violations. In addition, this Stipulation and Proposed CDO does not preclude the Regional Water Board or any other state, local or federal agency from requiring cleanup pursuant to Water Code section 13304, or from taking any other action to abate the effects of the discharge, as allowed by law.

7. **Modification:** This Stipulation shall not be modified by any of the Parties by oral representation made before or after its execution. All modifications must be in writing, and signed by all Parties. The Parties acknowledge that the Regional Water Board may make minor, non-substantive amendments to the Proposed CDO prior to adoption and without approval by the Parties, including assignment of a final order number. The Parties agree that any substantive revisions to the Proposed CDO must be agreed to by all Parties and approved by the Regional Water Board.
8. **If the Proposed CDO Does Not Take Effect:** In the event that the Proposed CDO does not take effect because it is not approved by the Regional Water Board, or is vacated in whole or in part by the State Water Board or a court, the Parties agree that this Stipulation will be void and acknowledge that they expect to proceed to a contested evidentiary hearing before the Regional Water Board to determine whether to issue a Cease and Desist Order, unless the Parties agree otherwise. The Parties agree that all oral and written statements and agreements made during the course of settlement discussions will not be admissible as evidence in the hearing. The Parties agree to waive any and all objections based on settlement communications in this matter, including, but not limited to:
- a. Objections related to prejudice or bias of any of the Regional Water Board members or their advisors and any other objections that are premised in whole or in part on the fact that the Regional Water Board members or their advisors were exposed to some of the material facts and the Parties' settlement positions, and therefore may have formed impressions or conclusions, prior to conducting any contested evidentiary hearing in this matter, except that Discharger may object to members of the Prosecution Team serving as advisors to the Regional Water Board in any such subsequent administrative or judicial proceeding or hearing and may object to the Regional Water Board members or their advisors participation in contested evidentiary hearing on grounds not related to the settlement process addressed in this paragraph, or;
 - b. Laches or delay or other equitable defenses based on the time-period for administrative or judicial review to the extent this period has been extended by these settlement proceedings.
9. **Waiver of Right to Petition:** The Discharger hereby waives its right to petition the Regional Water Board's adoption of the Proposed CDO for review by the State Water Board, and further waives its rights, if any, to appeal the same to a California Superior Court and/or any California appellate level court.
10. **The Discharger's Covenant Not to Sue:** The Discharger covenants not to sue or pursue any administrative or civil claim(s) against any State Agency or the State of California, their officers, Board Members, employees, representatives, agents,

or attorneys arising out of or relating to any matter expressly addressed by this Stipulation or Proposed CDO.

11. **Authority to Bind:** Each person executing this Stipulation in a representative capacity represents and warrants that he or she is authorized to execute this Stipulation on behalf of and to bind the entity on whose behalf he or she executes the Stipulation.
12. **Counterpart Signatures; Facsimile and Electronic Signature:** This Stipulation may be executed and delivered in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, but such counterparts shall together constitute one document. Further, this Stipulation may be executed by facsimile or electronic signature, and any such facsimile or electronic signature by any Party hereto shall be deemed to be an original signature and shall be binding on such Party to the same extent as if such facsimile or electronic signature were an original signature.
13. **Effective Date:** This Stipulation is effective and binding on the Parties upon execution. The Proposed CDO, as may be modified in accordance with Paragraph 9, shall be effective upon issuance by the Regional Water Board.

IT IS SO STIPULATED:

**California Regional Water Quality Control Board,
Colorado River Basin Region Prosecution Team**

Date: 4/30/2019

By: *Original signed by Abdi Haile for*
Frank Gonzalez
Assistant Executive Officer

Palm Springs Aerial Tramway

Date: 4/30/2019

By: *Original signed by*
Nancy Nichols
General Manager

Appendix A: WWTP Effluent Total Nitrogen Violations for 2009-2018

Year (Total Violations)	Month	WWTP Effluent Total Nitrogen			
		Monthly Avg. Limit=30 mg/L	Weekly Avg. Limit=45 mg/L	Daily Max. Limit=6 5 mg/L	Date Violation Occurred
2009 (15)	July	51	51	51	7/1/09
	August	51	51	51	8/12/09
	September	53	53	53	9/10/09
	October	47	47	47	10/14/09
	November	42	42	42	11/11/09
2010 (33)	January	50	50	50	1/3/10
	February	51	51	51	2/10/10
	March	76	76	76	3/17/10
	April	57	57	57	4/14/10
	May	34	34	34	5/12/10
	June	50	50	50	6/10/10
	July	40	40	40	7/4/10
	August	63	63	63	8/11/10
	October	54	54	54	10/31/10
	November	88	88	88	11/29/10
2011 (30)	December	140	140	140	12/30/10
	January	107	107	107	1/20/11
	March	121	121	121	3/31/11
	April	130	130	130	4/30/11
	May	150	150	150	5/12/11
	June	123	123	123	6/30/11
	July	150	150	150	7/31/11
	August	54	54	54	8/22/11
	September	67	67	67	9/28/11
2012 (36)	November	73	73	73	11/30/11
	December	67	67	67	12/22/11
	January	70	70	70	1/31/12
	February	59	59	59	2/29/12
	March	33	33	33	3/29/12
	April	75	75	75	4/30/12
	May	109	109	109	5/29/12
	June	104	104	104	6/27/12
	July	71	71	71	7/31/12
	August	60	60	60	8/23/12
September	74	74	74	9/30/12	
October	111	111	111	10/30/12	
November	143	143	143	11/27/12	

	December	170	170	170	12/30/12
2013 (33)	February	127	127	127	2/25/13
	March	145	145	145	3/28/13
	April	119	119	119	4/29/13
	May	141	141	141	5/29/13
	June	69	69	69	6/30/13
	July	95	95	95	7/31/13
	August	70	70	70	8/31/13
	September	92	92	92	9/30/13
	October	109	109	109	10/27/13
	November	58	58	58	11/24/13
	December	134	134	134	12/31/13
2014 (36)	January	94	94	94	1/26/14
	February	118	118	118	2/26/14
	March	144	144	144	3/31/14
	April	104	104	104	4/30/14
	May	130	130	130	5/28/14
	June	227	227	227	6/29/14
	July	97	97	97	7/31/14
	August	102	102	102	8/29/14
	September	69	69	69	9/30/14
	October	105	105	105	10/29/14
	November	132	132	132	11/25/14
	December	179	179	179	12/30/14
2015 (33)	January	111	111	111	1/25/15
	February	95	95	95	2/26/15
	March	129	129	129	3/29/15
	April	106	106	106	4/27/15
	May	111	111	111	5/31/15
	June	100	100	100	6/30/15
	July	115	115	115	7/29/15
	August	29	29	29	8/31/15
	September	125	125	125	9/30/15
	October	125	125	125	10/29/15
	November	168	168	168	11/30/15
2016 (33)	January	156	156	156	1/28/16
	February	149	149	149	2/28/16
	March	103	103	103	3/29/16
	April	78	78	78	4/27/16
	May	104	104	104	5/31/16
	July	99	99	99	7/28/16
	August	109	109	109	8/31/16
	September	93	93	93	9/11/16
	October	120	120	120	10/31/16
	November	133	133	133	11/30/16

	December	109	109	109	12/12/16
2017 (36)	January	135	135	135	1/31/17
	February	99	99	99	2/27/17
	March	65	65	65	3/31/17
	April	98	98	98	4/30/17
	May	97	97	97	5/31/17
	June	52	52	52	6/30/17
	July	102	102	102	7/5/17
	August	75	75	75	8/29/17
	September	71	71	71	9/16/17
	October	114	114	114	10/4/17
	November	130	130	130	11/20/17
	December	148	148	148	12/20/17
2018 (24)	January	96.2	96.2	96.2	1/12/18
	February	155	155	155	02/2018
	March	129	129	129	3/2/18
	April	150	150	150	4/6/18
	May	138	138	138	5/11/18
	June	126	126	126	6/8/18
	July	77.8	77.8	77.8	7/6/18
	August	54	54	54	8/3/18

Appendix B: Total Suspended Solids Violation for 2009-2018

Year (Total Violations)	Month	WWTP Effluent TSS			Date Violation Occurred
		Monthly Avg. Limit=30 mg/L	Weekly Avg. Limit=45 mg/L	Daily Max. Limit=65 mg/L	
2010 (4)	February	41	-- ¹	--	2/10/10
	March	37	--	--	3/17/10
	December	47	47	--	12/30/10
2011 (2)	January	48	48	--	1/20/11
2012 (3)	December	68	68	68	12/30/12
2013 (3)	March	33	--	--	3/28/13
	June	50	50	--	6/30/13
2014 (2)	December	48	48	--	12/30/14
2015 (1)	April	32	--	--	4/27/15
2016 (1)	September	44	--	--	9/11/16
2017 (4)	January	74	74	74	1/31/17
	February	31	--	--	2/27/17
2018 (9)	March	79	79	79	3/2/18
	April	348	348	348	4/6/18
	August	105	105	105	8/3/18

¹ Note that "--" represents a compliant value reported, not a missing data value.

Appendix C: Effluent Flow Violation for 2009-2018

Year (Total Violations)	Month	WWTP Effluent Flow
		Monthly Avg. Limit=1750 GPD
2010 (7)	May	3824
	June	2685
	July	1772
	August	2462
	October	2683
	November	2813
	December	3090
2011 (9)	January	2885
	May	2070
	June	2827
	July	3403
	August	4658
	September	2794
	October	3110
	November	2780
	December	3847
2012 (9)	January	3316
	February	3453
	March	3980
	April	2227
	May	2181
	June	2441
	July	2824
	August	2388
	December	2481
2013 (6)	February	2061
	March	2160
	April	2288
	May	4037
	June	4326
	July	3189
2014 (9)	February	2064
	March	1789
	April	1777
	July	2413
	August	1952
	September	1794
	October	1901
	November	1899
December	2520	

2015 (8)	January	2666
	February	2143
	March	2192
	April	2218
	May	2188
	June	1954
	July	1971
	December	2312
2016 (9)	January	2913
	February	2211
	March	2710
	April	1839
	May	2034
	July	2139
	August	1883
	November	1768
	December	2270
2017 (10)	January	3285
	February	2818
	March	2534
	April	2719
	May	2112
	June	2390
	July	2561
	October	1864
	November	2313
	December	2533
2018 (5)	January	2919
	February	2234
	March	2107
	April	2030
	May	1965

Appendix D: Missing Report Violation for 2009-2018

Year	Due item	Due date	Status
2009 (2)	June SMR	7/15/2009	Not submitted
	Dec SMR	1/15/2010	Not submitted
2010 (1)	Sep SMR	10/15/2010	Not submitted
2011 (1)	Feb SMR	3/15/11	Not submitted
2016 (1)	June SMR	7/15/16	Not submitted

Appendix E: Incomplete Report Violation for 2009-2018

Year	Month	Missing Constituent
2010 (4)	January	Effluent Flow
	February	Effluent Flow
	March	Effluent Flow
	April	Effluent Flow
2011 (3)	April	Effluent Flow
	October	Effluent pH, BOD, TSS, T. Nitrogen
	December	Water supply TDS and pH
2012 (12)	January	Effluent pH, Water supply pH
	February	Effluent pH, Water supply pH
	March	Effluent pH, Water supply pH
	April	Effluent pH, Water supply pH
	May	Effluent pH, Water supply pH
	June	Effluent pH, Water supply pH
	July	Effluent pH, Water supply pH
	August	Effluent pH, Water supply pH
	September	Effluent pH, Water supply pH
	October	Effluent pH, Water supply pH and TDS
	November	Effluent pH, Water supply pH
	December	Effluent pH, Water supply pH
2013 (12)	February	Water supply pH
	March	Effluent pH, Water supply pH
	April	Effluent pH, Water supply pH
	May	Effluent pH, Water supply pH
	June	Effluent pH, Water supply pH
	July	Effluent pH, Water supply pH
	August	Effluent pH, Water supply pH
	September	Effluent pH, Water supply pH
	October	Effluent pH, Water supply pH and TDS
	November	Effluent pH, Water supply pH
December	Effluent pH, Water supply pH	
2014 (11)	January	Effluent Flow and pH, Water supply pH
	February	Effluent pH, Water supply pH
	March	Effluent pH, Water supply pH
	April	Effluent pH, Water supply pH
	May	Effluent pH, Water supply pH
	June	Effluent pH, Water supply pH
	July	Effluent pH, Water supply pH
	August	Water supply pH
	September	Effluent pH, Water supply pH
	October	Effluent pH, Water supply pH and TDS
	November	Effluent pH, Water supply pH

2015(12)	January	Effluent pH, Water supply pH
	February	Water supply pH
	March	Effluent pH, Water supply pH
	April	Water supply pH
	May	Effluent pH, Water supply pH
	June	Effluent pH, Water supply pH
	July	Effluent pH, Water supply pH
	August	Effluent pH, Water supply pH
	September	Effluent pH, Water supply pH
	October	Effluent pH, Water supply pH and TDS
	November	Effluent pH, Water supply pH
	December	Effluent pH, BOD, TSS, T. Nitrogen, Water supply pH and TDS
2016(11)	March	Effluent pH and Water supply pH
	April	Water supply pH
	May	Water supply pH and TDS
	July	Water supply pH and TDS
	August	Water supply pH and TDS
	September	Water supply pH
	October	Water supply pH
	November	Water supply pH
2017 (6)	January	Water supply pH
	February	Water supply pH
	March	Water supply pH
	April	Water supply pH
	May	Water supply pH
	June	Water supply pH

Appendix F: Late Report Violation for 2009-2018

Year	Due item	Due date	Date Submitted
2009 (3)	Aug SMR	9/15/2009	10/12/2009
	Sep SMR	10/15/2009	11/25/2009
	Oct SMR	11/15/2009	12/1/2009
2010 (8)	Feb SMR	3/15/2010	3/18/2010
	Mar SMR	4/15/2010	4/19/2010
	May SMR	6/15/2010	6/17/2010
	July SMR	8/15/2010	8/17/2010
	Aug SMR	9/15/2010	9/29/2010
	Oct SMR	11/15/2010	3/14/2011

	Nov SMR	12/15/2010	3/14/2011
	Dec SMR	1/15/2011	3/14/2011
2011(11)	Jan SMR	2/15/2011	3/14/2011
	March SMR	4/15/2011	1/17/2012
	April SMR	5/15/2011	1/17/2012
	May SMR	6/15/2011	1/17/2012
	June SMR	7/15/2011	1/17/2012
	July SMR	8/15/2011	1/17/2012
	August SMR	9/15/2011	1/17/2012
	September SMR	10/15/2011	1/17/2012
	October SMR	11/15/2011	1/17/2012
	November SMR	12/15/2011	1/17/2012
	December SMR	1/15/2012	1/17/2012
2012(12)	Jan SMR	2/15/2012	2/4/2013
	February SMR	3/15/2012	2/4/2013
	March SMR	4/15/2012	2/4/2013
	April SMR	5/15/2012	2/4/2013
	May SMR	6/15/2012	2/4/2013
	June SMR	7/15/2012	2/4/2013
	July SMR	8/15/2012	2/4/2013
	August SMR	9/15/2012	2/4/2013
	September SMR	10/15/2012	2/4/2013
	October SMR	11/15/2012	2/4/2013
	November SMR	12/15/2012	2/4/2013
	December SMR	1/15/2013	2/4/2013
2013 (11)	February SMR	3/15/2013	3/4/2016
	March SMR	4/15/2013	3/4/2016
	April SMR	5/15/2013	3/4/2016
	May SMR	6/15/2013	3/4/2016
	June SMR	7/15/2013	3/4/2016
	July SMR	8/15/2013	3/4/2016
	August SMR	9/15/2013	3/4/2016
	September SMR	10/15/2013	3/4/2016
	October SMR	11/15/2013	3/4/2016
	November SMR	12/15/2013	3/4/2016
	December SMR	1/15/2014	3/4/2016
2014(12)	Jan SMR	2/15/2014	3/4/2016
	February SMR	3/15/2014	3/4/2016
	March SMR	4/15/2014	3/4/2016
	April SMR	5/15/2014	3/4/2016
	May SMR	6/15/2014	3/4/2016
	June SMR	7/15/2014	3/4/2016
	July SMR	8/15/2014	3/4/2016
	August SMR	9/15/2014	3/4/2016
	September SMR	10/15/2014	3/4/2016

	October SMR	11/15/2014	3/4/2016
	November SMR	12/15/2014	3/4/2016
	December SMR	1/15/2015	3/4/2016
2015(12)	Jan SMR	2/15/2015	3/4/2016
	February SMR	3/15/2015	3/4/2016
	March SMR	4/15/2015	3/4/2016
	April SMR	5/15/2015	3/4/2016
	May SMR	6/15/2015	3/4/2016
	June SMR	7/15/2015	3/4/2016
	July SMR	8/15/2015	3/4/2016
	August SMR	9/15/2015	3/4/2016
	September SMR	10/15/2015	3/4/2016
	October SMR	11/15/2015	3/4/2016
	November SMR	12/15/2015	3/4/2016
	December SMR	1/15/2016	3/4/2016
2016 (12)	January SMR	2/15/2016	3/4/2016
	February SMR	3/15/2016	3/17/2016
	March SMR	4/15/2016	4/19/2016
	April SMR	5/15/2016	5/25/2016
	May SMR	6/15/2016	7/14/2016
	July SMR	8/15/2016	8/16/2016
	August SMR	9/15/2016	9/20/2016
	September SMR	10/15/2016	10/17/2016
	October SMR	11/15/2016	11/29/2016
	November SMR	12/15/2016	12/29/2016
	December SMR	1/15/2017	1/31/2017
	2017 (9)	January SMR	2/15/2017
February SMR		3/15/2017	4/3/2017
March SMR		4/15/2017	4/30/2017
April SMR		5/15/2017	5/31/2017
May SMR		6/15/2017	7/18/2017
June SMR		7/15/2017	8/3/2017
August SMR		9/15/2017	9/30/2017
September SMR		10/15/2017	10/31/2017
October SMR		11/15/2017	11/30/2017

Appendix G: Alterations and Corrective Actions Taken By Discharger

February 2013

Discharger made changes to the timers in the Orenco system to address the Total Nitrogen Violation.

March 2013

Discharger adjusted splitter basin flow path to address the Total Nitrogen Violation. July 2013

Discharger started the carbon source injection system to address the Total Nitrogen Violation. November 2013

Discharger enabled the anoxic loop in the splitter basin. April 2014

Discharger cleaned all nozzles to help with O₂ transfer. October 2014

Discharger cleaned all nozzles to help with O₂ transfer. February 2016

All tanks (septic, recirculation and dose tank) were pumped out on March 7 to remove accumulated bio-solids from them.

September 2016

All tanks were pumped out again in September to remove accumulated bio-solids. June 2017

Recirculation and dosing tanks were pumped out to remove any bio-solids.

August 2017

septic tanks upstream are pumped out and cleaned.

September 2017

All septic tanks have been or are currently being pumped out and inspected. All old, leaking, worn, failed, and (incorrectly) modified plumbing was replaced with new pipes that meet or exceed all code standards and (original) engineering drawings.

April 2018

installed regenerative blower (republic manufacturing HRC 301) into tank

ST3(2000 gallon septic tank) and a wire mesh diffuser to freshen the wastewater and aid in treatment.

July 2018

design-build contract between Mount San Jacinto Winter Park Authority and Geosyntec Consultants, Inc. had been established to design and construct new WWTF to address non- compliance issues.