

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Myriam Zech)
MEETING DATE: January 23, 2007

ITEM: 7

SUBJECT: **City of Benicia, Wastewater Treatment Plant, Benicia, Solano County -**
Hearing to Consider Mandatory Minimum Penalty (MMP) for Discharge of
Partially Treated Wastewater to Waters of the State

CHRONOLOGY: Previous MMPs assessed in October 2001 and October 2003

DISCUSSION: From January 2003 to October 2006, the City violated its NPDES permit's effluent limits six times. These violations include two bioassay test failures, two cyanide effluent limit violations, one chlorine residual effluent limit violation, and one oil and grease monthly effluent violation. One of the cyanide violations and the chlorine residual violation are each subject to a \$3,000 MMP for a total of \$6,000.

Board staff believes that the minimum penalty for these violations is appropriate because the City was proactive in investigating the cause of each violation, and implemented measures to correct each. These violations are also infrequent and not uncommon to well-operated facilities.

The City has signed a waiver to a hearing (Appendix B), and proposes to use the full amount of the penalty for a supplemental environmental project to expand its Middle School Water Education Program. Board staff is currently reviewing the proposal to determine its acceptability.

RECOMMEN-
DATION: No action required.

File No.: 2129.2001 (MLZ)

Appendices: A. Complaint No. R2-2006-0072
B. Signed Waiver