

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2013-0082

RESCISSION OF

CEASE AND DESIST ORDER R5-2008-0075
FOR
THE CITY OF MCFARLAND
WASTEWATER TREATMENT FACILITY
KERN COUNTY

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

1. The City of McFarland (hereafter Discharger) owns and operates a wastewater treatment facility (WWTF) for the treatment of domestic and industrial wastewater. The Discharger is regulated under Waste Discharge Requirements (WDR) Order R5-2008-0072.
2. On 25 April 2008, the Central Valley Water Board issued Cease and Desist Order (CDO) R5-2008-0075 to compel the Discharger to comply with a time schedule to cease discharge of undisinfected secondary effluent from its WWTF to a 160-acre grape vineyard.
3. WDR Order R5-2008-0072 specifies, in part, the following:

* * *

“D. Recycling Specifications:

2. Use of recycled water shall be limited to flood irrigation of fodder, fiber, seed crops not eaten by humans or for grazing of non-milking cattle and shall comply with the provisions of Title 22.

* * *

4. CDO Order R5-2008-0075 required, in part, the following tasks to be completed:

* * *

1. Cease and desist discharging wastes in violation and threatened violation of WDRs Order No. R5-2008-0072. No term or condition of WDRs Order No. R5-2008-0072, referenced above, is superseded or stayed by this Cease and Desist Order except as provided for below.
2. Implement long-term measures to secure adequate treatment and disposal capacity for the volume, type, and concentrations of wastes that are projected to be discharged into the collection system. Compliance with this item shall be achieved in accordance with the following tasks and time schedule:

<u>Task</u>	<u>Compliance Date</u>	<u>Report Due</u>
1. Certify that recycled water is only used for fodder, fiber, seed crops not eaten by humans or for grazing of non-milking cattle.	1 January 2009	31 January 2009
5. On 3 June 2011, the City of McFarland submitted a letter certifying that recycled water was no longer being used to irrigate the vineyard. As no application of wastewater is occurring to the vineyard, it is appropriate to rescind CDO R5-2008-0075.		
6. The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to rescind CDO R5-2008-0075 and has provided them with an opportunity for a public hearing and an opportunity for them to submit their written views and recommendations.		
7. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.) in accordance with California Code of Regulations, title 14, section 15321(a) (2).		
8. The Central Valley Water Board, in a public meeting, heard and considered all comments and evidence pertaining to this matter.		

IT IS HEREBY ORDERED that Cease and Desist Order R5-2008-0075 is rescinded.

I, PAMELA 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 31 May 2013.

Original signed by:

PAMELA CREEDON, Executive Officer