



California Regional Water Quality Control Board Central Valley Region

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Arnold
Schwarzenegger
Governor

21 December 2009

Mr. Mark Miller
Nevada County Sanitation District No. 1
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Nevada City, CA 95959-8617

APPROVAL OF TIME EXTENSION FOR ACLO R5-2008-0554, CASCADE SHORES WASTEWATER TREATMENT PLANT, NEVADA COUNTY

On 19 October 2009, I extended the time period in Administrative Civil Liability (ACL) Order R5-2008-0554, which allows the Nevada County Sanitation District No. 1 to apply \$450,000 in mandatory minimum penalties toward a new wastewater treatment plant, as long as work is completed in accordance with the time schedule contained in the ACL Order. Nevada County Sanitation District has recently requested an extension of the construction completion date contained in the Order. The District states that although the new plant began operation on 30 June 2009 and is in compliance with the interim effluent limitations in Cease and Desist Order R5-2006-0035, there are still a number of tasks to be accomplished before the new treatment plant can be considered fully constructed.

Item No. 4 of the ACL Order allows the Executive Officer to extend the deadlines, as long as the project will still be completed within five years of issuance of the ACL Order. While Nevada County has asked that the two interim deadlines be extended, it stated that it expect to meet the final deadline to "achieve full compliance" by 18 May 2010.

Based on the above, this letter formally approves the extension of the following deadlines contained in Administrative Civil Liability Order No. R5-2008-0554:

Task	New Compliance Date
Complete construction of the new wastewater treatment plant	15 April 2010
Submit final documentation of Compliance Project costs	1 June 2010
Achieve Full Compliance	18 May 2010 (no change)

This second time extension to ACLO R5-2008-0554 has also been incorporated into ACLO R5-2009-0578. Water Board staff understand that Nevada County has informed its contractor that it will be held responsible for full payment of all accrued Mandatory Minimum Penalties if it fails to construct the treatment plant in time to meet the 18 May 2010 Deadline for full compliance. Therefore I do not anticipate agreeing to any further schedule extensions.

California Environmental Protection Agency



Please be aware that failure to comply with these new compliance dates will require payment of the \$483,000 in Mandatory Minimum Penalties.

As described in the ACL Order, please submit a progress report concerning each of the above tasks prior to the compliance date. These reports should be submitted to Barry Hilton of this office. Also, please continue submitting the quarterly progress reports required under the Cease and Desist Order; those reports should go to Spencer Joplin of this office. If you have any questions about this letter, please contact the unit supervisor, Victor Vasquez at (916) 464-4623.

Original signed by

PAMELA C. CREEDON
Executive Officer

cc: Kenneth Landau, Central Valley Water Board, Rancho Cordova
Kenneth Greenberg, USEPA, Region 9, San Francisco
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