

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

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**CEASE AND DESIST ORDER NO. R4-2013-0098-A01
FILE NO. 54-008**

**REQUIRING SATICOY SANITARY DISTRICT
TO UNDERTAKE ACTIONS
TOWARD COMPLIANCE WITH WASTE DISCHARGE REQUIREMENTS CONTAINED IN
THE WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES FROM THE JOSE
FLORES WASTEWATER TREATMENT PLANT**

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The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) finds:

BACKGROUND

1. The Saticoy Sanitary District (SSD, hereinafter Discharger) owns the Jose Flores Wastewater Treatment Plant (Jose Flores WWTP) which is located at 1419.5 Lirio Street, Saticoy, California. SSD contracts with the Ventura Regional Sanitation District (VRSD) for management, operation, and maintenance of the Jose Flores WWTP.
2. Saticoy is a small community located within an unincorporated area of Ventura County, California. In the late 1950s, SSD installed a wastewater collection system and a centralized septic system to provide wastewater treatment service for Saticoy community.
3. In 2002, SSD completed the upgraded Jose Flores WWTP and a new collection system for all the existing industrial area providing wastewater treatment service to the entire Saticoy community.
4. Presently, SSD provides sewage collection and treatment to approximately 271 connections, including 177 residential and 94 commercial/industrial connections, with an estimated population of 1,130 persons in the Saticoy community.
5. The Jose Flores WWTP has a design capacity of 250,000 gallons per day (gpd). Present average dry weather flow is 100,000 gpd and the peak flow during rainy season is up to 200,000 gpd.
6. The Jose Flores WWTP is a secondary wastewater treatment plant. The treatment process starts at the headworks where wastewater is passed through an auger monster to remove trash. Wastewater is then pumped to the sequencing batch reactors for biological treatment. The treated effluent is discharged to evaporation/percolation ponds located along the north bank of the Santa Clara River.
7. After Jose Flores WWTP was upgraded in 2002, SSD continued to have intermittent effluent exceedances for total dissolved solids (TDS) and sulfate. Therefore, SSD has conducted smoke testing, CCTV inspection and groundwater investigation since 2010

- and concluded that effluent quality is being deteriorated by inflow and infiltration within the older northerly portions of the SSD residential sewer collection system on January 2013.
8. Based on groundwater data collected from a remediation site located in the Saticoy service area (within 1,000 feet to the north of the evaporation/percolation ponds), sulfate concentrations in groundwater increased from 510 milligrams per liter (mg/L) in 2004 to 1,220 mg/L in 2011.
 9. On June 6, 2013, the Regional Board adopted Waste Discharge Requirements (WDRs) Order No. R4-2013-0092, specifying requirements for the Jose Flores WWTP. SSD cannot achieve immediate compliance with the requirements listed in the WDRs. Therefore, a Cease and Desist Order (CDO) No. R4-2013-0098 was adopted to provide a specified time frame for the Discharger to complete corrective and preventative actions to achieve full compliance with the WDRs.
 10. The CDO No. R4-2013-0098 required the Discharger to immediately comply with the effluent and receiving water limits in the WDRs except TDS and sulfate, and immediately comply with the interim effluent limits for TDS and sulfate in the CDO.
 11. The CDO No. R4-2013-0098 also required the Discharger to:
 - a. Complete an internal program audit of its Sewer System Management Plan (SSMP) by July 8, 2013,
 - b. Complete replacement of the seven reaches of main sewer lines by March 6, 2014,
 - c. Submit a work plan including additional measures for compliance with effluent limits for TDS and sulfate by September 8, 2014,
 - d. Complete inspection of lateral sewer lines and submit a lateral sewer replacement/repair work plan by September 8, 2014,
 - e. Complete replacement/repair of all lateral sewer lines and achieve full compliance with the WDRs by June 8, 2015.

COMPLIANCE HISTORY

12. Since the CDO No. R4-2013-0098 was adopted, self-monitoring reports showed that SSD has complied with the interim effluent limits for TDS at 2,735 mg/L and Sulfate at 1,577 mg/L specified in the CDO. Effluent TDS varied from 1,200 to 2,300 mg/L, and effluent sulfate varied from 500 to 1,300 mg/L during the period from 3rd Quarter 2013 to 4th Quarter 2014.
13. On October 10, 2014, the Regional Board issued a Notice of Violation to SSD for the following violations covering from the 3rd Quarter 2013 to the 2nd Quarter 2014:
 - a. One (1) effluent limit exceedance for boron
 - b. Thirteen (13) groundwater limit exceedance for TDS, ranging from 1,300 to 2,200 mg/L

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- c. Eleven (11) groundwater limit exceedance for sulfate, ranging from 680 to 1,200 mg/L
 - d. Two (2) groundwater limit exceedance for total coliform.
14. Monitoring reports submitted for the 3rd Quarter 2014 and 4th Quarter 2014 showed groundwater limit exceedance for TDS, sulfate and total coliform.
15. On July 5, 2013, VRSD reported that the internal program audit of the SSMP has completed and the SSMP was corrected per the findings of the audit.
16. SSD has completed the replacement of the upper seven reaches of the collection system and reported in the 4th quarter 2013 monitoring report submitted on January 15, 2014. The replacement included the installation of: 1,970 linear feet of new 8 inch sewer main, 39 service laterals to property lines and 9 new manholes.
17. VRSD submitted a work plan, "Compliance with Effluent Limits for Total Dissolved Solids and Sulfate", on September 8, 2014. Three additional measures proposed to meet the effluent limits in WDR No. R4-2013-0092 are to :
 - a. Complete the minor system repairs throughout the collection system
 - b. Continue supply (potable) water monitoring of TDS and Sulfate and conduct a time sensitive (hydraulically based) sampling investigation of the constituents of concern in potable source water and effluent.
 - c. Reference and compile current groundwater basin water quality data for evaluation of regional background level.
18. On September 8, 2014, VRSD reported the completion of inspection of internal sewer lines, and submitted a work plan identifying the lateral segments to be considered for replacement/repair.
19. SSD was able to inspect 74 laterals to some degree and 68 were not able to be inspected due to no access point and the size of mainline. SSD has found that nearly all of the laterals in the residential area would require replacement or repair. No issues were found with the lateral in the industrial area.
20. SSD conducted a public workshop on August 12, 2014 to inform homeowners their responsibility to make the necessary lateral repairs. Saticoy is a financially challenged community. Many of the homeowners served by SSD are low-wage earners. Lacking of financial resources, SSD and the homeowners took time to seek funding for the lateral repairs.
21. In September 2014, SSD worked with the homeowners to facilitate the encroachment permit with the County of Ventura. Additional \$600,000 increases in the cost of the project due to the moratorium status of the Saticoy streets which requires the restoration of street pavements. The County didn't issue individual permits to homeowners because the SSD was unable to fund the paving portion at that time.

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22. On September 17, 2014, SSD requested that the compliance schedule included in the CDO No. R4-2013-0098 be extended from June 8, 2015 to December 31, 2015. A follow-up letter for this time extension request dated March 11, 2015 provided a detailed plan and new time frame to achieve full compliance.
23. SSD and the homeowners continued the repairs of lateral sewer lines on the private property side. A standardized project documentation packet for individual sewer lateral repair was to prepare by hiring the PRD Group, Inc. in October 2014.
24. SSD applied for the Community Development Block Grant (CDBG) funds on November 2014 to fund the \$ 400, 000 estimated cost for the 190 private sewer lateral replacements within the public right-of-way and alleviate the burden on the individual homeowners. The CDBG contract with SSD was approved by the Ventura County Board of Supervisors on January 13, 2015.
25. To fund the remaining project costs, SSD is currently securing a \$750,000 loan by initiating a Proposition 218 process for a tiered 25%/10%/10% rate increase over the next 3 years. The loan will be primarily used to fund the \$600, 000 street paving restoration.
26. SSD has directed the PRD Group, Inc. to develop two project packages for bid regarding the lateral project. The primary package would be the rehabilitation of the sewer laterals within the public right-of-way and the sewer mainline replacement. The second package would be the street paving restoration required by the County's encroachment permit. SSD will award construction contract on May 26, 2015.
27. According to the revised construction schedule provided by SSD, SSD will
 - 1) Award construction contract for lateral project by May 26, 2015
 - 2) Issue Notice to Proceed to contractor by June 9, 2015
 - 3) Complete the replacement of 190 lateral sewer lines and 500 feet of 8 inches sewer mainline on Nardo Street by September 21, 2015
 - 4) Achieve full compliance with all the requirements contained in WDR Order No. R4-2013-0092 by December 31, 2015.
28. The CDO No. R4-2013-0098 required the Discharger to complete replacement/repair of all lateral sewer lines and achieves full compliance with the WDR Order No. R4-2013-0092 by June 8, 2015. However, SSD would not be able to fulfill the time schedule due to the financial deficiency and the additional cost and time for street paving restoration which was not considered in the CDO No. R4-2013-0098.
29. California Water Code (CWC) section 13301 provides in pertinent part "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."

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CALIFORNIA ENVIRONMENTAL QUALITY ACT AND NOTIFICATION

30. This project involves the enforcement of WDRs for an existing facility, as such, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, section 2100 et seq.) in accordance with California Code of Regulations (CCR), title 14, Chapter 3, section 15301.
31. The Regional Board has notified the Discharger and interested agencies and persons of the intent to issue WDRs for this discharge, and has provided them with an opportunity to submit written comments. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the tentative requirements.
32. Any person aggrieved by this action of the Regional Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The petition must be received by the State Water Board at P.O. Box 100, Sacramento, California, 95812, by 5:00 p.m., within 30 days of the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:
http://www.waterboards.ca.gov/public_notices/petitions/water_quality
or will be provided upon request.

IT IS HEREBY ORDERED that, pursuant to the CWC section 13301, the Discharger, Saticoy Sanitary District, as the owner of the Jose Flores WWTP that discharges effluent to evaporation/percolation ponds shall cease and desist discharging waste in violation of CDO No. R4-2013-0098-A01, by complying with the following:

1. The Discharger shall immediately comply with the effluent limitations prescribed in WDR Order No. R4-2013-0092 except TDS and sulfate.
2. The Discharger shall immediately comply with the following interim effluent limitations for TDS and sulfate based on current conditions:

INTERIM EFFLUENT LIMITATIONS

Constituent	Units¹	Daily Maximum	Monthly Average
Total Dissolved Solids	mg/L	2,735*	2,474*
Sulfate	mg/L	1,577*	1,470*

¹mg/L: milligrams per liter

*Interim effluent limits are derived statistically at the 99/95 percentile of monitoring data collected from April 2011 through March 2013.

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3. By **September 21, 2015**, the Discharger shall complete replacement/repair of all sewer lines within the areas as specified in the Finding 27.
4. By **December 31, 2015**, the Discharger shall achieve full compliance with all requirements contained in WDR Order No. R4-2013-0092. In addition, the Discharger must submit a report to demonstrate that the effluent from the Jose Flores WWTP does not contribute to the deterioration of the groundwater, if the groundwater quality continues to exceed Basin Plan Objectives due to existing high upgradient background concentrations.
5. The Discharger shall submit quarterly progress reports on the status of implementation of collection system replacement according to the following schedule with the first report due on **July 15, 2015**:

<u>Reporting Period</u>	<u>Report Due</u>
January - March	April 15
April - June	July 15
July - September	October 15
October - December	January 15

6. If, in the opinion of the Regional Board or its delegate, the Dischargers fail to comply with the provisions of this Order, the Regional Board may pursue further enforcement action. The Executive Officer or Assistant Executive Officer or other delegate may issue a complaint for administrative civil liability, or take any other applicable enforcement action. Failure to comply with this Order may result in the assessment of an administrative civil liability up to \$1,000 per violation per day, pursuant to CWC section 13268; and/or \$5,000 per violation per day, pursuant to CWC section 13350. Any discharge to waters of the United States may result in an administrative civil liability up to \$10,000 per discharge violation per day pursuant to CWC section 13385. The Regional Board may refer this matter to the Attorney General for judicial enforcement. The Regional Board reserves its right to take any enforcement actions authorized by law.

ELECTRONIC SUBMITTAL OF INFORMATION

Dischargers are directed to submit all reports required under this CDO adopted by the Regional Board, including groundwater monitoring data in Electronic Data Format, discharge location data, and searchable Portable Document Format of reports and correspondence, to the State Water Resources Control Board GeoTracker database under Global ID WDR100000104.

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I, Samuel Unger, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on June 11, 2015.

Samuel Unger, P.E.
Executive Officer

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