

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

CEASE AND DESIST ORDER NO. R2-2010-00XX

**REQUIRING THE TOWN OF YOUNTVILLE AND THE CALIFORNIA VETERANS
HOME TO CEASE AND DESIST DISCHARGING PARTIALLY-TREATED
WASTEWATER TO WATERS OF THE STATE**

WHEREAS the California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter “Regional Water Board”), finds that:

1. The Town of Yountville (hereinafter, the Discharger) owns and operates a wastewater treatment plant located at 7501 Solano Avenue, Yountville, Napa County. The plant treats domestic wastewater from the Town of Yountville, the California Veterans Home, and the surrounding area.
2. The wastewater discharge has been regulated by waste discharge requirements in Order No. R2-2004-0017 (NPDES No. CA0038121).
3. Concurrent with the adoption of this Cease and Desist Order, the Regional Water Board adopted Order No R2-2010-00XX (hereinafter “Permit”), reissuing waste discharge requirements for the Discharger. The Permit contains prohibitions, limitations, and provisions regulating the discharge. The limitations include those listed in Table 1 below, among others.

Table 1. Effluent Limitations for Toxic Pollutants

Pollutant	Units	Final Effluent Limitations	
		Average Monthly	Maximum Daily
Copper	µg/L	7.4	15
Zinc	µg/L	63	130
Cyanide	µg/L	4.3	8.5
Dichlorobromomethane	µg/L	0.6	1.1
Total Ammonia	mg/L N	0.96	1.9

4. Effluent monitoring indicates that it is infeasible for the Discharger to comply with the effluent limits in Table 1 because, for all of the listed pollutants, the maximum effluent concentrations were greater than the average monthly limit and/or the maximum daily limit.
5. California Water Code section 13301 authorizes the Regional Water Board to issue a Cease and Desist Order when it finds that a waste discharge is taking place, or threatening to take place, in violation of Regional Water Board requirements.
6. Because the Discharger will violate or threatens to violate required effluent limits, this Order is necessary to ensure that the Discharger achieves compliance. This Order establishes time schedules for the Discharger to complete necessary investigative, preventive, and remedial

actions to address its imminent and threatened violations.

7. The time schedules in this Order are parameter-specific and intended to be as short as possible. They account for the considerable uncertainty in determining effective measures (e.g., pollution prevention and treatment plant upgrades) necessary to achieve compliance. This Order allows some time to first explore source control measures before requiring further actions, such as treatment plant upgrades, which are likely to be much more costly. The time schedules are based on reasonably expected times needed to implement source identification and upstream source control, evaluate success, identify on-site treatment alternatives if necessary, test and select from among alternatives, and construct plant upgrades. The Regional Water Board may wish to revisit these assumptions as more information becomes available.
8. As part of the time schedule to achieve compliance, this Order requires the Discharger to comply with interim limits. These interim limits are intended to ensure that the Discharger maintains at least its existing performance while completing all tasks required during the time schedule. The interim limits are based on past performance or limits in previous orders, whichever are more stringent. If based on past performance, the interim limit represents the 99.87th percentile of actual measured discharge concentrations (three standard deviations from the mean).
9. The Discharger does not have a diffuser on its outfall to the Napa River, nor has it performed a mixing zone study to evaluate the impact of the discharge to the river. Therefore, no dilution credit was allowed for determining the effluent limits in Table 1. If the Discharger can demonstrate complete mixing by installing a diffuser or performing a mixing zone study, dilution credits may be appropriate. Even if complete mixing is not achieved, the Discharger may propose a mixing zone for the discharge based on a mixing zone study, and dilution credits may be appropriate. If dilution credits were granted and the effluent limits were recalculated, the Discharger may be able to comply with some or all of the limits.
10. The Discharger recycles most of its wastewater, achieving a recycling rate of 85% for the 2008/2009 water year. Furthermore, it plans to increase this rate so that all of its wastewater is recycled except when storms cause influent to the plant to exceed the capacity of the recycled water storage and distribution system. The Discharger will also be installing additional filters to produce Title 22 tertiary-quality recycled water during the next permit cycle.
11. This Order is an enforcement action and, as such, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code § 21000 et seq.) in accordance with 14 CCR § 15321.
12. The Regional Water Board notified the Discharger and interested persons of its intent to consider adoption of this Cease and Desist Order, and provided an opportunity to submit written comments and appear at a public hearing. The Regional Water Board, in a public hearing, heard and considered all comments.

IT IS HEREBY ORDERED, in accordance with Water Code § 13301, that the Discharger shall cease and desist from discharging and threatening to discharge wastes in violation of its Permit by complying with the following provisions:

1. Prescribed Actions. The Discharger shall comply with the required actions in Table 2 in accordance with the time schedules provided therein to comply with all effluent limits contained in the Permit. All deliverables listed in Table 2 shall be acceptable to the Executive Officer, who will review them for adequacy and compliance with the Table 2 requirements. The Discharger shall further implement all actions set forth in each deliverable, unless the Executive Officer finds the deliverable to be unacceptable.
2. Reporting Delays. If the Discharger is delayed, interrupted, or prevented from meeting one or more of the time schedules in Table 3 due to circumstances beyond its reasonable control, the Discharger shall promptly notify the Executive Officer, provide the reasons and justification for the delay, and propose time schedules for resolving the delay.
3. Effective Date. This Order shall become effective on the effective date of the Permit.

Table 2. Time Schedule and Prescribed Actions

Action	Deadline
a. Comply with the following interim effluent limits at Monitoring Station E-001: <i>Copper</i> : 36 µg/L maximum daily effluent limit. <i>Zinc</i> : 290 µg/L maximum daily effluent limit. <i>Cyanide</i> : 11 µg/L maximum daily effluent limit. <i>Dichlorobromomethane</i> : 2.4 µg/L maximum daily effluent limit. <i>Total Ammonia</i> : 12 mg/L maximum daily effluent limit.	Upon the effective date of this Order
b. Submit a plan to achieve compliance with final effluent limits in Table 1. The plan shall identify tasks and a schedule towards completion of one or a combination of the following remedial measures: <ol style="list-style-type: none"> 1. Install a diffuser that will achieve complete mixing in the Napa River as defined in the State Implementation Policy (SIP). 2. Justify a mixing zone based on a mixing zone study. The mixing zone shall be as small as practicable and shall comply with the conditions in SIP section 1.4.2.2. 3. Eliminate the discharge completely by recycling all wastewater. 4. Install additional treatment. 5. Evaluate the source(s) of the pollutant(s) and implement pollution prevention measure(s). 	March 1, 2011
c. Initiate work in accordance with the plan and schedule required in Task b, above, with any amendments that may be specified by the Executive Officer.	May 1, 2011

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Action	Deadline
d. Submit annual status reports describing the progress of completion of work described in Task b above. Any changes the tasks or delays in schedule describe must be identified along with a description of measures to be taken to ensure timely compliance.	Annually on Feb 1 with the Annual Self-Monitoring Report starting with the report due in 2012
e. Achieve full compliance with the Final Effluent Limitations specified in IV.B.a., Table 7 of Order No. R2-2010-00xx for Copper, Zinc, Cyanide, Dichlorobromomethane, and Ammonia. Should the Discharger fail to achieve full compliance with the effluent limitations by the deadline, the Discharger shall submit by the deadline a report addressing why compliance was not achieved and provide a plan and time schedule for achieving compliance as soon as possible.	March 1, 2014

I, Bruce H. Wolfe, 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, San Francisco Bay Region, on February 10, 2010.

BRUCE H. WOLFE
 Executive Officer