

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

STAFF SUMMARY REPORT (John Madigan)
MEETING DATE: November 12, 2014

ITEM: 9

SUBJECT: **City of Calistoga, Dunaweal Wastewater Treatment Plant, Calistoga, Napa County** – Adoption of Cease and Desist Order

CHRONOLOGY: January 1996 – Adopted General Water Reuse Order (General Reuse Order)
September 2010 – Reissued NPDES Permit (Permit)

DISCUSSION: The attached Revised Tentative Cease and Desist Order, or Revised CDO (Appendix A), would require correction of (1) threatened violations of a prohibition against unauthorized discharges, a prohibition on discharge without adequate dilution, and antimony discharge limits in the Permit; and (2) violations of a prohibition against irrigation runoff in the General Reuse Order.

The City discharges tertiary-treated wastewater to the Napa River or recycles it for landscape irrigation. In the Permit, the Board prohibited discharge to the river except during the wet season when river flows provide at least 10 to 1 dilution. Otherwise, the City either recycles its treated wastewater under the General Reuse Order or stores it in storage ponds for future discharge or use.

Since November 2011, low Napa River flows have caused the City on three separate occasions to exhaust its storage and to discharge to over-irrigated City-owned fields until increased seasonal demand for recycled water made it unnecessary. This over-irrigation has resulted in runoff to the river, which violates the General Reuse Order. Runoff from over-irrigation would also violate the Permit because that runoff does not receive 10 to 1 dilution.

Since December 2011, the concentration of antimony in wastewater has also risen, resulting in violations of Permit limits. We suspect the source to be wastewater from local geothermal spas, which, due to the current drought, has been less diluted with other sources containing little or no antimony.

On December 10, 2013, the Discharger reported that about 5,000 gallons per day of treated wastewater seeps to groundwater and possibly to the Napa River from its riverside ponds. These riverside ponds serve as final polishing of treated effluent prior to its permitted discharge to the river. The Permit does not authorize discharge through seepage.

The Revised CDO would require the City to construct additional storage, increase recycling through increasing irrigation areas, reduce inflows from geothermal sources, investigate alternatives for rehabilitating the riverside ponds, and take any additional actions needed to meet wastewater disposal demands. The Revised CDO would also require the City to correct antimony violations by source control and, if needed, additional treatment. The Revised CDO would require the City to comply with all prohibitions by January 2018 and antimony limits by October 2019.

We received a large number of comments (Appendix B) on a tentative CDO circulated for public comment and have made revisions where appropriate. Our responses to each comment are in Appendix C. The most significant comments opposed planned resort and geothermal spa developments and requested that the Board prohibit construction of these facilities until the City is in full compliance.

The Regional Water Board is not a land use agency and does not regulate zoning. To the extent the Board can control such development by issuing a sewer connection ban pursuant to the Water Code, we do not recommend that the Board issue a connection ban at this time. While the City's violations are serious, the Revised CDO's requirements are appropriate for the threat the violations pose. These violations consist of only three discharges (since 2011) without adequate dilution from river flow and of exceedances of antimony limits based on a drinking water standard set to protect against a lifetime of exposure. The Napa River remains safe for human contact recreation and safe for aquatic life. The Water Code allows the Board to issue a connection ban to prevent an increase in the frequency or likelihood of violations. We recommend that the Board reserve its option to ban new sewer connections until needed in the future, such as if the City becomes recalcitrant or when there is evidence of ongoing, imminent, and/or severe threats to water quality.

Among other concerns expressed were objections to increased recycling and requests to charge for geothermal discharges to the sewers. The Revised CDO reflects changes we made in response to these comments and concerns. We anticipate significant public interest on this item.

**RECOMMEN-
DATIONS:**

Adopt the Revised Tentative Cease and Desist Order

CIWQS:

Place ID 212750

APPENDICES:

- A. Revised Tentative Cease and Desist Order
- B. Comment Letters
- C. Response to Comments