

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

In the Matter of Review of Action)
of the California Regional Water)
Quality Control Board, Central)
Valley Region, Regarding Discharge)
of Raw Sewage to the Sacramento)
River by the City of Red Bluff.)
File No. A-134.)

Order No. WQ 78-15

BY THE BOARD:

On February 27, 1976, the California Regional Water Quality Control Board, Central Valley Region (Regional Board), held a public hearing to determine whether civil and criminal monetary remedies should be sought from the City of Red Bluff (City) for the bypass or overflow of untreated sewage to the Sacramento River. While the Regional Board failed to adopt a resolution to seek civil or criminal monetary remedies, Cease and Desist Order No. 76-57 was adopted. On April 15, 1976, the State Board adopted Resolution No. 76-29 which resolved to review on its own motion the Regional Board action.

The City owns and operates a sewage treatment plant located near the west bank of the Sacramento River about one mile upstream of the Red Bluff Diversion Dam. This facility provides secondary treatment and discharges wastewater to the

Sacramento River. The City's facilities include the Riverside Pumping Station which pumps raw sewage influent from a residential and commercial area to the plant headworks. This facility is regulated pursuant to waste discharge requirements contained in Order No. 74-304, NPDES No. CA0078891. The requirements prohibit the bypass or overflow of untreated or partially treated waste and specify that the Regional Board Executive Officer shall be notified of non-compliance with requirements.

Our review of the record indicates that on several occasions from July 1975, to January 1976, direct discharges of raw sewage occurred from the Riverside Pumping Station. The Regional Board staff was unable to ascertain the volume or exact frequency of these discharges; however, they concluded that said discharges occurred at several separate times. The discharges are clearly in violation of Order No. 74-304.

The discharges resulted from malfunctions of the Riverside Pumping Station. These malfunctions caused raw sewage to overflow to the Sacramento River. The malfunctions and resulting bypasses were known to City personnel for a considerable period of time although communication and coordination among City staff regarding this matter was poor. While the City testified that efforts were made to correct the malfunctions, we find that the City was not reasonably diligent in its efforts to correct this problem.

As was noted previously, the Regional Board upon the conclusion of its hearing adopted Cease and Desist Order No. 76-57. This order required the City to cease and desist the discharge of untreated sewage forthwith and imposed additional surveillance and

reporting requirements upon the City.^{1/} Subsequent to adoption of Order No. 76-57, the City has initiated and/or completed several tasks to prevent bypass or overflow of untreated sewage from their collection system as follows: Permanently plugged the bypass pipe from the Riverside Pump Station; initiated 24-hour monitoring of the Riverside Pump Station; televised and repaired sections of the collection system where flooding occurred; completed overhaul of pumps in the Reeds Creek Pump Station; raised several manholes throughout the collection system; and completed the alarm network for all pump stations. In addition to these accomplishments, a Step 3 Clean Water Grant was approved in September 1977, for the City which includes funds for the replacement of the Riverside Pump Station. The new pump station is currently under construction.

Since the adoption of Order No. 76-57, no further bypasses of untreated sewage have occurred from the Riverside Pump Station although four minor bypasses have occurred from other points in the collection system. These minor bypasses were of brief duration and the City has taken appropriate action to prevent their recurrence.

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1. Provisions 2 through 4 of Order No. 76-57 read as follows:

"The City of Red Bluff provide to the Board by 1 April 1976 a report, under the penalty of perjury, which identifies locations in the sewage collection or treatment system where the bypass or overflow of untreated or partially treated waste is likely to occur. The report shall detail the corrections made or in progress toward preventing such bypass or overflow.

The City of Red Bluff provide progress reports to the Board by the first of each month on corrective measures taken to prevent bypass or overflow.

The City of Red Bluff commence monitoring of potential bypass or overflow locations at frequencies sufficient to prevent discharge and provide monthly monitoring reports to the Board."

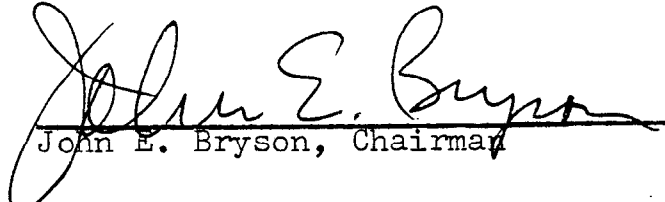
The Regional Board by adoption of Order No. 77-70 has rescinded Order No. 76-57 (its cease and desist order) based upon the City's consistent compliance with the waste discharge requirements and cease and desist order.

In view of the facts concerning the discharge, the adoption by the Regional Board of Cease and Desist Order No. 76-57 and the subsequent accomplishments by the City, we conclude that the Regional Board appropriately exercised their discretion in not referring this matter to the Attorney General to seek civil monetary remedies.

ORDER


IT IS HEREBY ORDERED that this matter is dismissed.


Dated: AUG 21 1978


John E. Bryson, Chairman


W. Don Maughan, Vice Chairman


W. W. Adams, Member


William J. Miller, Member


L. L. Mitchell, Member