



Lahontan Regional Water Quality Control Board

May 14, 2019

TO: ATTACHED MAILING LIST

Rescission of Cease and Desist Order No. R6V-2004-0029 for The City of Barstow, Barstow Wastewater Treatment Plant, San Bernardino County

Enclosed is the tentative Rescission of Cease and Desist Order for the City of Barstow. The Lahontan Regional Water Quality Control Board (Water Board) requests that you review the enclosed documents and provide us with your written comments no later than **May 28, 2019**. Please send your comments to the Water Board's email address at Lahontan@waterboards.ca.gov and include **Rescission of Cease and Desist Order No. R6V-2004-0029 for The City of Barstow , WDID No. 6B360101001 Comments** in the subject line text. If you do not have access to the internet, you may mail your comments to the Water Board's Victorville office at the address shown on this letter, to the attention of Woonhoe Kim.

The Water Board will consider rescinding the Cease and Desist Order No. R6V-2004-0029. You can view the Water Board's meeting agenda 10 days before the meeting on our web site at: www.waterboards.ca.gov/lahontan (click on Agenda). If you need further information regarding this meeting, please contact our office at (760) 241-6583.

If you have any questions regarding this letter or the enclosed documents, please contact Woonhoe Kim, Water Resource Control Engineer at (760) 241-3408, email woonhoe.kim@waterboards.ca.gov, or Jay Cass, Senior Water Resource Control Engineer at (760) 241-2434, email jehiel.cass@waterboards.ca.gov.

Sandra Lopez
Associate Governmental Program Analyst

cc: mailing list

Enc: Tentative Rescission of Cease and Desist Order No. R6V-2004-0029 for The City of Barstow, Barstow Wastewater Treatment Plant, San Bernardino County

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

**BOARD ORDER NO. R6V-2019-TENTATIVE
WDID NO. 6B360101001**

**RESCISSION OF CEASE AND DESIST ORDER NO. R6V-2004-0029
FOR**

**CITY OF BARSTOW
BARSTOW WASTEWATER TREATMENT PLANT**

San Bernardino County

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

1. Discharger

The City of Barstow (hereinafter "Discharger") owns and operates a wastewater collection, treatment, and disposal facility within the City of Barstow. The Discharger's wastewater treatment facility is currently permitted to discharge up to 4.5 million gallons per day of treated wastewater.

2. Facility

The Barstow Wastewater Treatment Plant (hereinafter "Facility") currently discharges undisinfected secondary treated, denitrified, domestic sewage and industrial wastewater from the City of Barstow to onsite percolation ponds and recycled water applied to irrigated crop land adjacent to the south side of the Mojave River.

Historically, the Facility discharged undisinfected secondary treated, nitrified, domestic sewage to onsite percolation ponds, and recycled water and sewage sludge biosolids to irrigated crop land adjacent to the north side and south side of the Mojave River. This practice caused groundwater pollution subject to a separate Cleanup and Abatement Order (R6V-2013-0045 and four amendments).

3. Order History

Board Order No. 6-94-26, revised waste discharge requirements (WDRs) for the Facility, was adopted on February 10, 1994.

Cease and Desist Order (CDO) No. R6V-2004-0029 was adopted on July 27, 2004, requiring the Discharger to cease and desist from discharging waste in violation of

Board Order No. 6-94-26. The Facility discharged effluent containing total nitrogen at concentrations of more than 30 milligrams per liter (mg/L) as nitrogen. The CDO required the Discharger to improve effluent quality immediately and submit a Long-Term Action Plan and Final Compliance Plan to achieve compliance with WDRs. CDO No. R6V-2004-0029 required the following actions.

a. Interim Actions

- i. Effective immediately, the Facility effluent discharged to the percolation ponds and irrigation sites must not contain total nitrogen in excess of 26 mg/L as nitrogen.
- ii. Effective immediately, Biosolids must not be applied at the irrigation fields.
- iii. By December 31, 2004, a Facilities Improvement Report, including information on interim actions, must have been submitted.

b. Long-Term Corrective Action

- i. By November 12, 2004, submit a Long-Term Action Plan describing options to achieve compliance with WDRs.
- ii. By August 4, 2006 submit a Final Compliance Plan to describe how the Discharger's proposal will achieve compliance with WDRs and include 1) a detailed description of proposal, 2) conceptual design plans, 3) discussion of permitting, financing, and land acquisition processes, 4) expected treatment capacity and level of wastewater treatment needed to achieve compliance, and 5) a detailed implementation schedule.
- iii. By July 30, 2009, the discharger must achieve final compliance with WDRs.

c. Reporting

- i. By December 31, 2004, submit Farm Management Plan to include farming methods and nitrogen uptake and utilization by crops. The plan must provide the following information: 1) type and frequency of crop grown, 2) nutrient needs of the crops in pounds of total nitrogen per acre a year, 3) nitrogen loading at the irrigation sites, 4) amount of crop that can be grown, 5) amount of total nitrogen to be harvested, and 6) amount of total nitrogen discharged to the irrigation sites.
- ii. By October 15, 2004 and quarterly thereafter, submit a Quarterly Status Report that discusses the status of compliance with the CDO, and the status of achieving compliance with WDRs until final compliance is achieved.

4. Basis for Rescission

- a. The Discharger has complied with all conditions prescribed in Cease and Desist Order No. R6V-2004-0029.
- b. The Discharger immediately discharged the effluent containing total nitrogen less than 26 mg/L. The Discharger operates the upgraded Facility and discharges improved effluent quality, averaging approximately 7 mg/L of total nitrogen.
- c. The Discharger immediately ceased sludge biosolids disposal to the irrigation fields.
- d. The Discharger submitted a Facility Improvement Report and constructed the necessary treatment process improvements to discharge improved effluent quality in compliance with WDRs.
- e. The Discharger submitted a Farm Management Plan to provide a required nitrogen uptake by alfalfa crops.
- f. The Discharger presented a Final Compliance Plan according to the Discharger's Long-Term Action Plan. Based on the Discharger's quarterly status reports, the Discharger achieved final compliance with WDRs.
- g. The Discharger submitted Quarterly Status Reports by the due dates starting October 15, 2004.
- h. The Discharger submitted a revised Report of Waste Discharge on November 29, 2018, for an upgraded facility that adequately treats and disposes all wastewater. Water Board staff prepared revised WDRs, which was adopted by the Water Board on July 10, 2019.
- i. CDO No. R6V-2004-0029 is no longer necessary.

5. Conclusion

The Discharger has complied with CDO No. R6V-2004-0029 to cease discharges of effluent and biosolids with elevated total nitrogen concentrations and upgrade the Facility for full compliance of WDRs.

6. California Environmental Quality Act

Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et Seq.), in accordance with California Code of Regulations, title 14, section 15321,

Enforcement Actions by Regulatory Agencies. This Order does not require the Discharger to engage in any activity that may significantly alter the environment.

7. Notification of Interested Parties

The Water Board has notified the Discharger and interested persons of its intent to rescind CDO No. R6V-2004-0029.

8. Public Meeting

The Water Board, in a public hearing, heard and considered all comments pertaining to this Rescission Order.

IT IS HEREBY ORDERED that Cease and Desist Order No. R6V-2004-0029 is hereby rescinded, except for enforcement purposes.

I, Patty Z. Kouyoumdjian, 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, Lahontan Region, on July 10, 2019.

PATTY Z. KOUYOUMDJIAN
EXECUTIVE OFFICER