

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
NORTH COAST REGION**

**ADMINISTRATIVE CIVIL LIABILITY COMPLAINT NO. R1-2023-0056**

**IN THE MATTER OF  
THE LOLETA WASTEWATER TREATMENT FACILITY  
LOLETA, HUMBOLDT COUNTY**

This Administrative Civil Liability Complaint (Complaint) is issued by the Assistant Executive Officer of the North Coast Regional Water Quality Control Board (Regional Water Board) to the Loleta Community Services District (Discharger) for violations of effluent limitations contained in Waste Discharge Requirements (WDRs) Orders No. R1-2014-0013 and R1-2020-0002, National Pollutant Discharge Elimination System (NPDES) Permit No. CA0023671, for which the Regional Water Board may impose civil liability pursuant to Water Code section 13385. The Regional Water Board's Executive Officer has delegated their authority under Water Code section 13323 to issue this Complaint to the Assistant Executive Officer.

1. The Discharger owns and operates the Loleta Wastewater Treatment Facility (Facility) located at 2656 Eel River Drive, Loleta, California, in Humboldt County. Primary wastewater treatment consists of a headworks with a manual coarse screen, a 78,000-gallon concrete aeration basin, a 43,000-gallon secondary clarifier, a chlorine contact chamber, and chlorine gas and sulfur dioxide flow-proportioning equipment. Effluent is discharged, via a subsurface pipe at Discharge Point 001, to a wetland located approximately 0.66 miles southwest and downgradient from the Facility. The wetland is tributary to Ropers Slough, a slough that discharges directly to the Eel River during wet weather conditions.
2. The Regional Water Board adopted WDRs Order No. R1-2014-0013 (2014 NPDES Permit) on May 8, 2014, and it became effective on June 1, 2014. The 2014 NPDES Permit requires, among other things, compliance with effluent limitations at Discharge Point 001.
3. Section IV.A.1 of the 2014 NPDES Permit contains, in part, the following effluent limitations for Biochemical Oxygen Demand (BOD), Total Suspended Solids (TSS), pH, Settleable Solids, Coliform (Total Bacteria), Chlorine (Total Residual), Copper (Total Recoverable), Chlorodibromomethane (CDBM), Dichlorobromomethane (DCBM), and Nitrate with which the Discharger is required to maintain compliance at Discharge Point 001:

<b>Order No.</b>	<b>Parameter</b>	<b>Units</b>	<b>Instantaneous Minimum</b>	<b>Instantaneous Maximum</b>
R1-2014-0013	pH	Standard Units	6.5	8.5
R1-2014-0013	Chlorine	mg/L	--	< 0.1

Order No.	Parameter	Units	Average Monthly	Average Weekly	Maximum Daily
R1-2014-0013	BOD	mg/L	30	45	--
R1-2014-0013	TSS	mg/L	30	45	--
R1-2014-0013	Settleable Solids	ml/L	0.10	--	0.20
R1-2014-0013	Coliform	MPN/100 mL	23	--	230
R1-2014-0013	Copper	µg/L	7.6	--	15.3
R1-2014-0013	CDBM	µg/L	0.40	--	0.80
R1-2014-0013	DCBM	µg/L	0.56	--	1.12
R1-2014-0013	Nitrate	mg/L	10	--	20.1

4. The Regional Water Board adopted Cease and Desist Order No. R1-2015-0008 (CDO R1-2015-0008) on March 12, 2015, and it became effective immediately. In part, CDO R1-2015-0008 granted Loleta Community Services District (Loleta CSD) interim effluent limitations with which the Discharger is required to maintain compliance at Discharge Point 001 (shown in the table below). The Interim effluent limitations set forth in CDO R1-2015-0008 only require an Average Monthly analysis for the parameters listed in the table below (all Daily Maximum and Average Weekly violations are considered exempt).

Order No.	Parameter	Units	Average Monthly
R1-2015-0008	Copper	µg/L	18.4
R1-2015-0008	CDBM	µg/L	4.22
R1-2015-0008	DCBM	µg/L	20.8
R1-2015-0008	Nitrate	mg/L	32.6

5. The Regional Water Board adopted WDRs Order No. R1-2020-0002 (2020 NPDES Permit) on April 16, 2020, and it became effective on June 1, 2020. The 2020 NPDES Permit requires, among other things, compliance with effluent limitations at Discharge Point 001 and monitoring and reporting requirements.
6. The Monitoring and Reporting Program, Attachment E, Section X, Table E-10 of the 2020 NPDES Permit contains, in part, the following monitoring periods and reporting schedule with which the Discharger is required to maintain compliance:

<b>Sampling Frequency</b>	<b>Monitoring Period Begins On...</b>	<b>Monitoring Period</b>	<b>SMR Due Date</b>
Weekly	Sunday following permit effective date or on permit effective date if on a Sunday	Sunday through Saturday	First day of second calendar month following the end of each quarter (February 1, May 1, August 1, November 1)
Monthly	First day of calendar month following permit effective date if that date is first day of the month	First day of calendar month through last day of calendar month	First day of second calendar month following the end of each quarter (February 1, May 1, August 1, November 1)
Once per Permit Term	Permit effective date	All	March 1 following the year that monitoring is completed (with Annual Report) and at least 180 days prior to permit expiration
Twice per Permit Term	Permit effective date	All	March 1 following the year that monitoring is completed (with Annual Report) and at least 180 days prior to permit expiration

**Table Note:**

1. Quarterly monitoring periods are as follows: January 1 through March 31; April 1 through June 30; July 1 through September 30; and October 1 through December 31.

7. Section IV.A.1 of the 2020 NPDES Permit contains, in part, the following effluent limitations for BOD, pH, TSS, Settleable Solids, Chlorine (Total Residual), Copper (Total Recoverable), CDBM, DCBM, Ammonia Impact Ratio, Nitrate Nitrogen (Total), and Total Dissolved Solids (TDS) with which the Discharger is required to maintain compliance at Discharge Point 001:

<b>Order No.</b>	<b>Parameter</b>	<b>Units</b>	<b>Instantaneous Minimum</b>	<b>Instantaneous Maximum</b>
R1-2020-0002	pH	Standard Units	6.5	8.5

Order No.	Parameter	Units	Average Monthly	Average Weekly	Daily Maximum
R1-2020-0002	BOD	mg/L	30	45	--
R1-2020-0002	TSS	mg/L	30	45	--
R1-2020-0002	Settleable Solids	ml/L	0.10	--	0.20
R1-2020-0002	Chlorine	mg/L	0.01	--	0.02
R1-2020-0002	Copper	µg/L	8.9	--	14
R1-2020-0002	CDBM	µg/L	0.40	--	1.0
R1-2020-0002	DCBM	µg/L	0.56	--	1.3
R1-2020-0002	Ammonia Impact Ratio	%	1	--	1
R1-2020-0002	Nitrate	mg/L	10	--	--
R1-2020-0002	Total Dissolved Solids	mg/L	500	--	--

8. The Regional Water Board adopted Time Schedule Order No. R1-2020-0003 (TSO R1-2020-0003) on April 29, 2020, and it became effective on June 1, 2020. In part, TSO R1-2020-0003 granted Loleta CSD interim effluent limitations with which the Discharger is required to maintain compliance at Discharge Point 001 (shown in the table below). The Interim effluent limitations set forth in the TSO R1-2020-0003 only require an Average Monthly analysis for the parameters listed in the table below (interim limits are expressed as Average Monthly limits, while all Daily Maximum and Average Weekly violations are considered not applicable during the term of TSO R1-2020-0003).

Order No.	Parameter	Units	Average Monthly
R1-2020-0003	Copper	µg/L	23.0
R1-2020-0003	CDBM	µg/L	5.90
R1-2020-0003	DCBM	µg/L	31.0
R1-2020-0003	Nitrate	mg/L	54.0
R1-2020-0003	TDS	mg/L	878

**ALLEGATIONS:**

9. Self-monitoring reports submitted by the Discharger show that the Discharger violated the above-referenced effluent limitations set forth in the 2014 NPDES Permit, the 2015 CDO, the 2020 TSO, and the 2020 NPDES Permit on one hundred and forty-two (142) occasions between March 15, 2018, through June 30, 2023, as identified in Exhibit A. Additionally, the Discharger failed to file seven (7) discharge monitoring reports within thirty (30) days of the deadline as

specified in the 2020 NPDES Permit and identified in Exhibit B. Each of the seven (7) late reports were submitted between 21 and 372 days late, which subjects the Discharger to a Mandatory Minimum Penalty (MMP) of \$3,000 per each period of thirty (30) days, pursuant to Water Code section 13385.1, subdivision (a)(1). Exhibits A and B are attached hereto and are incorporated herein by this reference. This Complaint only addresses administrative civil liability for the violations specifically identified in Exhibits A and B, which are subject to MMPs under Water Code section 13385, subdivisions (h) and/or (i) as well as Water Code section 13385.1 subdivision (a)(1).

**LEGAL FRAMEWORK FOR DETERMINATION OF LIABILITY:**

10. Water Code section 13376 prohibits the discharge of pollutants in violation of effluent limitations set forth in WDRs.
11. Water Code section 13385, subdivision (h)(1), requires the Regional Water Board to assess an MMP of three thousand dollars (\$3,000) for each serious violation.
12. Water Code section 13385, subdivision (h)(2), defines a “serious violation” as “any waste discharge that violates the effluent limitations contained in the applicable [WDRs] for a Group II pollutant, as specified in Appendix A to Section 123.45 of Title 40 of the Code of Federal Regulations, by 20 percent or more or for a Group I pollutant, as specified in Appendix A to Section 123.45 of Title 40 of the Code of Federal Regulations, by 40 percent or more.”
13. Water Code section 13385, subdivision (i)(1), also requires the Regional Water Board to assess an MMP of three thousand dollars (\$3,000) for each violation, not counting the first three violations, if the Discharger does any of the following four or more times in a period of six consecutive months:
  - a. Violates a waste discharge requirement effluent limitation;
  - b. Fails to file a report pursuant to section 13260;
  - c. Files an incomplete report pursuant to section 13260; or
  - d. Violates a toxicity effluent limitation contained in the applicable WDRs where the WDRs do not contain pollutant-specific effluent limitations for toxic pollutants.
14. Water Code section 13385, subdivision (i)(2), defines a “period of six consecutive months” to mean “the period commencing on the date that one of the violations described in this subdivision occurs and ending 180 days after that date.”

**PROPOSED ADMINISTRATIVE CIVIL LIABILITY ASSESSMENT:**

15. The Assistant Executive Officer proposes that the Discharger be assessed a MMP of **five hundred and fifty-five thousand dollars (\$555,000)** for exceeding the effluent limitations set forth in the 2014 and 2020 NPDES Permits and late submissions of discharge monitoring reports as identified in Exhibits A and B.

**THE DISCHARGER IS HEREBY GIVEN NOTICE THAT:**

16. The Assistant Executive Officer of the Regional Water Board proposes a total administrative civil liability amount of **\$555,000** based on the violations in Exhibits A and B.
17. The Regional Water Board will hold a hearing on this Complaint during the Board meeting scheduled on December 12 & 13, 2023. The meeting is tentatively scheduled to take place in the City of Santa Rosa in Sonoma County, California, at a location to be announced, or at a location posted on the [Regional Water Board's website](#), unless the Discharger does one of the following by the deadline to submit the Waiver Form, which will be specified in the Notice of Public Hearing and Hearing Procedures that will subsequently be issued by the Advisory Team:
  - a. Waive the right to a hearing before the Regional Water Board and pay the proposed MMP of **\$555,000** in full;
  - b. Waive the right to a hearing before the Regional Water Board within 90 days after service of this Complaint to engage the Regional Water Board Prosecution Team in settlement negotiations; or
  - c. Waive the right to a hearing before the Regional Water Board within 90 days after service of this Complaint to extend the hearing date and/or hearing deadlines and allow additional time to prepare for hearing.
18. To select one of the waiver options identified above, the Discharger must complete the enclosed Waiver Form and submit it to the Regional Water Board Advisory Team. If the Discharger has questions about the Waiver Form or wishes to request an extension, it should contact the Regional Water Board Advisory Team.
19. If a hearing is held, it will be governed by the Notice of Public Hearing and Hearing Procedures that will be provided by the Regional Water Board Advisory Team.
20. During the hearing, the Regional Water Board will hear testimony and arguments and affirm, reject, or modify the proposed MMP amount, or determine whether to refer the matter to the Attorney General for recovery of judicial civil liability.
21. Issuance of this Complaint is an enforcement action and is, therefore, exempt from the California Environmental Quality Act (Pub. Resources and Code section 21000 et seq.), pursuant to California Code of Regulations, title 14, section 15321, subdivision (a)(2).

Loleta Wastewater Treatment Facility  
Administrative Civil Liability Complaint No. R1-2023-0056

 Digitally signed by  
Claudia E. Villacorta  
Date: 2023.10.25  
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Water Boards

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Claudia E. Villacorta, P.E.  
Assistant Executive Officer

Attachments:

1. Exhibit A: List of Violations Requiring Mandatory Minimum Penalties (Effluent Limitations)
2. Exhibit B: List of Violations Requiring Mandatory Minimum Penalties (Discharge Monitoring Reports)
3. Exhibit C: Compliance Project Eligibility Memorandum







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1 - Violation occurs on sample date or last date of averaging period.

2 - For Group I pollutants, a violation is serious when the limit is exceeded by 40% or more

- For Group II pollutants, a violation is serious when the limit is exceeded by 20% or more

3 - When a serious violation occurs on the same day as a chronic, the serious violation is only assessed an MMP once and is counted last for the day when determining the number of chronic violations to be assessed a penalty.

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**Violation Period Between February 14, 2018 and June 30, 2023**

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Group I Violations Assessed MMP:	78
Group II Violations Assessed MMP:	25
Other Effluent Violations Assessed MMP:	39
Violations Exempt from MMP:	4
Total Violations Assessed MMP:	142

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**Mandatory Minimum Penalty = (60 Serious Violations + 82 Non-Serious Violations) x \$3,000 = \$426,000**

Mandatory Penalty Administrative Civil Liability

Loleta Community Services District

Loleta Wastewater Treatment Facility

WDID No. 1B80081OHUM

NPDES No. CA0023671

EXHIBIT "B"

**Effluent Limitations Violations Requiring Mandatory Minimum Penalties**

Number	Violation No.	Violation Date	Constituent/ Description	Due Date	Date Submitted	Exempt from MMP?	Exemption Reason	Days Past Due	No. of Serious Violations	Date 180 Days Prior	Serious, Chronic, or Exempt Violation?	Mandatory Fine?	Water Code	Penalty
1	1102120	03/02/2022	Annual Report for Calendar Year 2021 past due, submitted on February 6, 2023	03/01/2022	02/06/2023	N	N (b)	341	11 (a)	09/03/2021	S	Y	13385.1	\$ 33,000
2	1104124	05/02/2022	Q1 2022 Report past due, submitted on May 9, 2023	05/01/2022	05/09/2023	N	N (b)	372	12 (a)	11/03/2021	S	Y	13385.1	\$ 36,000
3	1107113	08/02/2022	Q2 2022 Report past due, submitted on May 11, 2023	08/01/2022	05/11/2023	N	N (b)	282	9 (a)	02/03/2022	S	Y	13385.1	\$ 27,000
4	1110036	11/02/2022	Q3 2022 Report past due, submitted on May 11, 2023	11/01/2022	05/11/2023	N	N (b)	190	6 (a)	05/06/2022	S	Y	13385.1	\$ 18,000
5	1113397	02/02/2023	Q4 2022 Report past due, submitted on May 24, 2023	02/01/2023	05/24/2023	N	N (b)	111	3 (a)	08/06/2022	S	Y	13385.1	\$ 9,000
6	1114585	03/02/2023	Annual Report for Calendar Year 2022 past due, submitted on May 25, 2023	03/01/2023	05/25/2023	N	N (b)	84	2 (a)	09/03/2022	S	Y	13385.1	\$ 6,000
7	1116745	05/02/2023	Q1 2023 Report past due, submitted on May 24, 2023	05/01/2023	05/24/2023	Y	b	21	0 (a)	11/03/2022	E	N		\$ 0

**Total Penalty: \$ 129,000**

**Legend of Table**

- a. Water Code section 13385.1. [Definitions of "serious violation" and "effluent limitation"] (a) (1) For the purposes of subdivision (h) of Section 13385, a "serious violation" also means a failure to file a discharge monitoring report required pursuant to Section 13383 for **each complete period of 30 days** following the deadline for submitting the report, if the report is designed to ensure compliance with limitations contained in waste discharge requirements that contain effluent limitations.
- b. Water Code sections 13385.1(a)(2) and (b) specify conditions where violations associated with a report more than 30 days past due will not be considered "serious," and subject to Mandatory Minimum Penalties. Applicable conditions have not been met for any of the violations cited herein.

Ct. Count – The number that follows represents the number of exceedances in the past 180 days. A count > than Ct. 3 means that a penalty under Water Code Section 13385 (i) applies.

1 - Violation occurs on sample date or last date of averaging period.

2 - For Group I pollutants, a violation is serious when the limit is exceeded by 40% or more

- For Group II pollutants, a violation is serious when the limit is exceeded by 20% or more

3 - When a serious violation occurs on the same day as a chronic, the serious violation is only assessed an MMP once and is counted last for the day when determining the number of chronic violations to be assessed a penalty.

**Violation Period Between March 1, 2022 to May 1, 2023**

Group I Violations Assessed MMP:	0
Group II Violations Assessed MMP:	0
Other Effluent Violations Assessed MMP:	0
Late Reporting Violations Assessed MMP:	43
Violations Exempt from MMP:	0
Total Violations Assessed MMP:	43

**Mandatory Minimum Penalty = (43 Serious Violations + 0 Non-Serious Violations) x \$3,000 = \$129,000**

## North Coast Regional Water Quality Control Board

State of California  
North Coast Water Quality Control Board  
Interoffice Memorandum

**TO:** Jeremiah Puget  
**FROM:** Zane Stromberg  
**DATE:** October 11, 2023

**SUBJECT: LOLETA COMMUNITY SERVICES DISTRICT, WASTEWATER TREATMENT FACILITY (LOLETA WWTF), DETERMINATION OF ELIGIBILITY FOR COMPLIANCE PROJECT AS A PUBLICLY OWNED TREATMENT WORKS (POTW) SERVING A SMALL COMMUNITY WITH A FINANCIAL HARDSHIP**

### Background and Summary

Loleta WWTF has accrued \$561,000 in mandatory minimum penalties (MMPs) for the period of February 14, 2018 through June 30, 2023. The analysis described below suggests Loleta WWTF is currently eligible to complete a Compliance Project.

### Analysis

Water Code section 13385, subdivision (k), provides that the State Water Resources Control Board (State Water Board) or Regional Water Board may, contingent upon certain findings, require a POTW serving a small community to spend an amount of money equivalent to the MMP amount toward the completion of a compliance project proposed by the POTW, in lieu of paying the penalty amount to the State Water Board's Cleanup and Abatement Account. Water Code section 13385, subdivision (k)(2), defines a POTW "serving a small community" as:

"[A] publicly owned treatment works serving a population of 20,000 persons or fewer or a rural county, with a financial hardship as determined by the state board after considering such factors as median income of the residents, rate of unemployment, or low population density in the service area of the publicly owned treatment works."

Determining whether a POTW is "serving a small community" entails two separate determinations, whether: (1) the POTW is either situated within a rural county or has a

HECTOR BEDOLLA, CHAIR | VALERIE QUINTO, EXECUTIVE OFFICER

population of 20,000 or less; and (2) the POTW's service area has a "financial hardship."

### Rural County/Population Cap

Consistent with Water Code section 13385, subdivision (k)(2), the State Water Resources Control Board's 2017 *Enforcement Policy*<sup>1</sup>, at page 26, identifies a "rural county" as a county classified by the Economic Research Service (ERS), United States Department of Agriculture (USDA), with a rural-urban continuum code of four through nine.

The Loleta WWTF is a POTW located in Humboldt County. According to the 2013 Rural Urban Continuum Codes file updated on May 10, 2013<sup>2</sup>, Humboldt County has a rural-urban continuum code of five (Nonmetro - Urban population of 20,000 or more, not adjacent to a metro area) and therefore, falls within the "rural county" classification. Furthermore, based on United States Census Bureau data discussed below, the block groups approximating the services area for the Loleta WWTF have a total population of 1,095. By either criterion, the community served by the Loleta WWTF meets the definition of "small."

### Financial Hardship

Consistent with Water Code section 13385, subdivision (k)(2), the *Enforcement Policy*, at page 26, defines "financial hardship" in terms of median household income (MHI), unemployment rate and poverty level.<sup>3</sup> Specifically, the *Enforcement Policy* defines "financial hardship" as meaning that the community served by the POTW meets one of the following criteria:

- *Median household income<sup>4</sup> for the community is less than 80 percent of the California median household income;*

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<sup>1</sup> A copy of the State Water Board's Water Quality Enforcement Policy is available at [http://www.waterboards.ca.gov/water\\_issues/programs/enforcement/docs/enf\\_policy\\_fin111709.pdf](http://www.waterboards.ca.gov/water_issues/programs/enforcement/docs/enf_policy_fin111709.pdf)

<sup>2</sup> <http://www.ers.usda.gov/data-products/rural-urban-continuum-codes.aspx>, accessed September 16, 2021.

<sup>3</sup> Median household income, unemployment rate, and poverty level of the population served by the POTW are based on the most recent U.S. Census block group data or a local survey approved by the Regional Water Board in consultation with the State Water Board.

<sup>4</sup> **Median household income**[.] The median income divides the income distribution into two equal groups, one having incomes above the median and the other having incomes below the median.

- *The community has an unemployment rate<sup>5</sup> of 10 percent or greater;*  
*or*
- *Twenty percent of the population is below the poverty<sup>6</sup> level.*

Figure 1, below, shows the service area covered by the Loleta WWTF, and identifies the United States Census Bureau census tracts and block groups<sup>7</sup> included within the service area, including Humboldt County Tract 108, Block group 1.

In order to conduct the analysis to determine financial hardship, staff reviewed datasets available through the Census.gov portal at: <https://data.census.gov/cedsci/>. At the time of this review, the most recent available economic data are from the United States Census Bureau's ongoing 5-year estimates, and the most recent available 5-year estimate with block group data is that for 2021. Datasets staff reviewed to determine financial hardship included those for Total Population (B01003); Number of Households (B19001); Median Household Income weighted by number of households (B19013); Employment Status (B23025); and Ratio of Individuals Below the Poverty Line (C17002).

Accessing the Census.gov link above, staff entered individual dataset numbers into the search window, then filtered the results for each dataset, filtering Geography to: Block Group/California/Humboldt County/All Block Groups within Humboldt County; filtering Years to 2019; and filtering Surveys to ACS 5-Year Estimates Detailed Tables. Table 1, below, shows the results of staff's analysis.

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<sup>5</sup> **Unemployed**[.] *All civilians, 16 years and older, are classified as unemployed if they (1) were neither "at work" nor "with a job but not at work" during the reference week, (2) were actively looking for work during the last 4 weeks, and (3) were available to accept a job. Also included as unemployed are civilians who (1) did not work at all during the reference week, (2) were waiting to be called back to a job from which they had been laid off, and (3) were available for work except for temporary illness.*

<sup>6</sup> **Poverty**[.] *Following the Office of Management and Budget's Directive 14, the Census Bureau uses a set of income thresholds that vary by family size and composition to detect who is poor. If the total income for a family or unrelated individual falls below the relevant poverty threshold, then the family or unrelated individual is classified as being "below the poverty level."*

<sup>7</sup> **Block group**[.] *A subdivision of a census tract (or, prior to 2000, a block numbering area). A block group is the smallest geographic unit for which the Census Bureau tabulates sample data. A block group consists of all the blocks within a census tract beginning with the same number. Example: block group 3 consists of all blocks within a 2000 census tract numbering from 3000 to 3999. In 1990, block group 3 consisted of all blocks numbered from 301 to 399Z."*

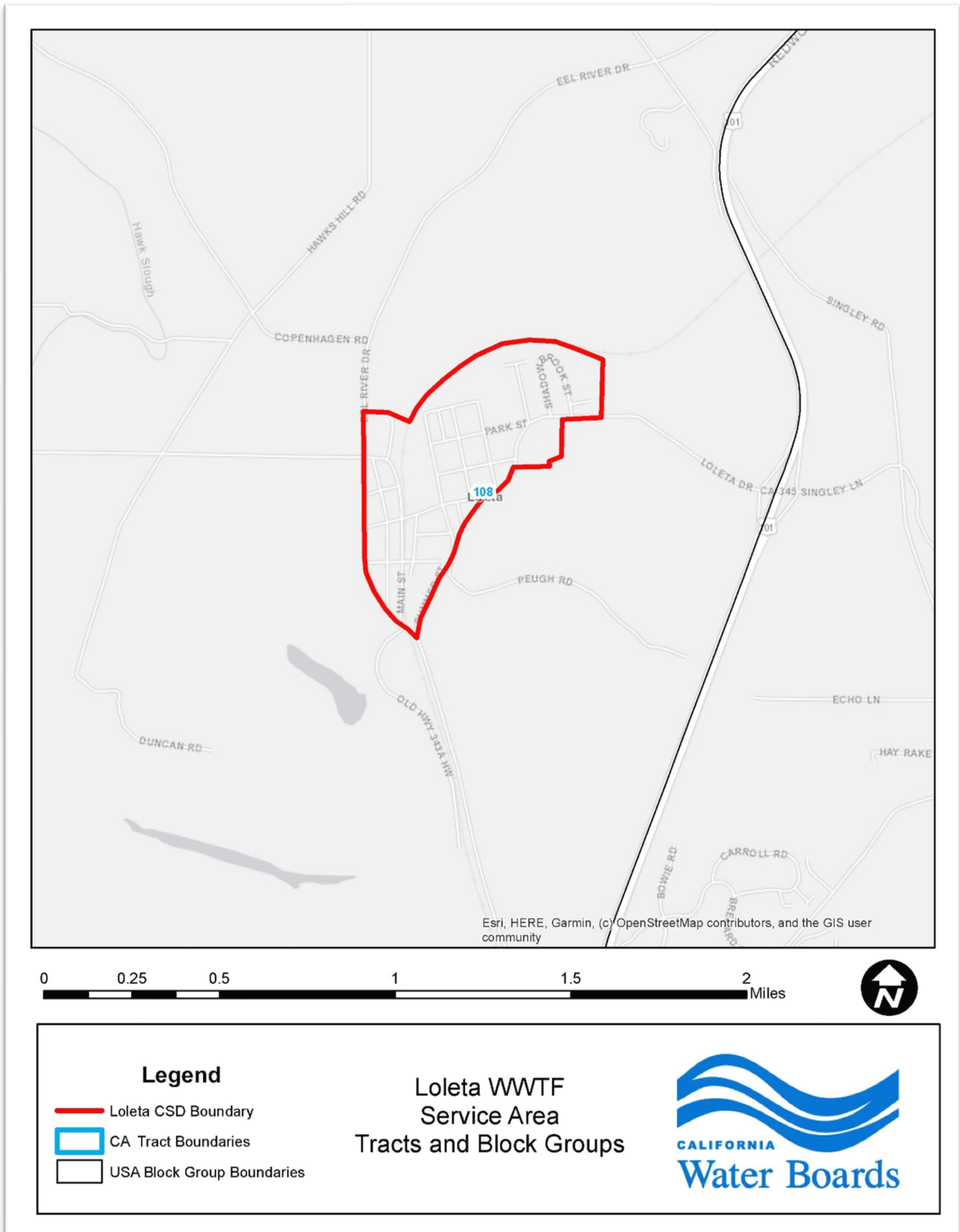


Figure 1

*Table 1 – Summary of Census Data and Hardship Analysis*

Dataset #	Table description	Tract 108 Block Group 1 2019 5-Year	Combined Block group Data	Financial Hardship Criterion
B01003	Total Population	<b>1,095</b> people	<b>1,095</b> people	Population <20,000  <b><i>Criterion Met</i></b>
B19013	Median Household Income weighted by number of households	<b>\$63,158</b>	<b>\$63,158</b>	MHI less than 80% of CA MHI  80% CA MHI 2021 = <b>\$67,278</b>  <b><i>Criterion Met</i></b>
B23025	Employment Status	616 in labor force. Of those, 55 unemployed. <b>8.93%</b> unemployed	616 in labor force. Of those, 55 unemployed. <b>8.93%</b> unemployed	Unemployment rate 10% or greater  <b><i>Criterion NOT Met</i></b>



Dataset #	Table description	Tract 108 Block Group 1 2019 5-Year	Combined Block group Data	Financial Hardship Criterion
C17002	Ratio of individuals below the Poverty Level	<b>4.78%</b> below poverty level	<b>4.78%</b> below poverty level	20% below poverty level  <b><i>Criterion NOT Met</i></b>

Based on the Enforcement Policy's criteria and the most recent U.S. Census block group data, Loleta WWTF does qualify as a publicly owned treatment works serving a small community with a financial hardship. The total population of Loleta is less than 20,000 people, and the median household income weighted by the number of households is less than 80 percent of the California median household income. Based on these criteria, the town of Loleta does qualify as a small community with financial hardship.

If the Discharger believes that the U.S. Census data used in this determination do not accurately represent the population served by the Loleta WWTF, the Enforcement Policy provides for the possibility of a local survey approved by the Regional Water Board in consultation with the State Water Board and a procedure by which the Discharger may present an alternative justification to the Regional Water Board for designation as a "POTW serving a small community (p. 27)." Pursuant to the Enforcement Policy, the Regional Water Board must consult with the State Water Board when making such determinations.