

Regional Water Quality Control Board  
North Coast Region

Executive Officer's Summary Report  
Thursday, June 16, 2016  
Regional Water Quality Control Board  
Santa Rosa, California

- ITEM: 12
- SUBJECT: Public Hearing to consider adoption of Order No. R1-2016-0012, requiring the City of Eureka to cease and desist from discharging or threatening to discharge effluent in violation of Waste Discharge Requirements Order No. R1-2016-0001 for the City of Eureka Wastewater Treatment Plant, WDID No. 1B82151OHUM, NPDES No. CA0024449. (Lisa Bernard)
- BOARD ACTION: The Board will consider adoption of Cease and Desist Order No. R1-2016-0012. The proposed Cease and Desist Order (Proposed CDO) contains a time schedule for the City of Eureka (City) to evaluate methods for long-term compliance, complete the California Environmental Quality Act process if necessary, and complete preferred alternatives for compliance with waste discharge requirements by July 2030.
- BACKGROUND: Concurrent with the adoption of this Proposed CDO, the Regional Water Board will consider adoption of Waste Discharge Requirements Order No. R1-2016-0001 (Proposed Permit), which will serve as a National Pollutant Discharge Elimination System permit for waste discharges to surface water. The Executive Officer's Summary Report for the Proposed Permit under Item 11 describes the City's wastewater treatment plant (Facility). The Proposed Permit prohibits discharges not compliant with the State Water Board adopted Resolution 74-43, Water Quality Control Policy for the Enclosed Bays and Estuaries of California (Enclosed Bays and Estuaries Policy); and prohibits the bypass of secondary treatment. Both prohibitions will require major Facility upgrades that can take multiple years to accomplish. The Proposed CDO establishes tasks and compliance schedules for the City to comply with the Proposed Permit.
- ISSUES: In cooperation with the City, staff developed the draft CDO with tasks and deadlines to allow a total of 14 years for the City to evaluate and implement alternatives to comply with the Enclosed Bays and Estuaries Policy and to eliminate the routine bypass of secondary treatment. Specifically, the Proposed CDO requires the City to analyze feasible options for complying with the Enclosed Bays and Estuaries Policy. Such options could include but are not

limited to Facility system configuration, Facility upgrade, and environmental enhancements. Once the City has selected and the Executive Officer has approved an appropriate compliance option(s), the Proposed CDO requires the City to complete the California Environmental Quality Act (CEQA) process, obtain necessary permits, and complete the preferred alternative(s) by July 1, 2030.

The Proposed CDO also requires the City to simultaneously prepare and submit a comprehensive Wet Weather Improvement Plan to reduce and ultimately eliminate the bypass of treatment components at the Facility. The Proposed CDO requires the City to identify a range of alternatives for Facility improvements, upgrades, configuration, and private sewer lateral programs. The Proposed CDO requires the City to eliminate bypass of secondary treatment as soon as possible and provides a final deadline of July 1, 2028.

No comments were submitted during the public comment period on the draft CDO, thus no changes were made to the Proposed CDO. A full explanation of related comments and responses on the companion Proposed Permit is provided under Item 11, considering adoption of Order No. R1-2016-0001 Waste Discharge Requirements for City of Eureka Wastewater Treatment Plant, WDID No. 1B82151OHUM, NPDES No. CA0024449.

**RECOMMENDATION:** Adopt Order No. R1-2016-0012, as proposed.

**SUPPORTING  
DOCUMENTS:**

1. Proposed Order No. R1-2016-0012
2. Public Notice