

TO: James L. App, City Manager
FROM: Doug Monn, Public Works Director
SUBJECT: City Wastewater Salt Discharge Analysis
DATE: October 7, 2008

NEEDS: For the City Council to consider appropriating funding and authorizing a contract for a salt discharges analysis.

FACTS:

1. The Waste Water Treatment Plant is subject to discharge limits for sodium, chloride and total dissolved solids (TDS).
2. The City's ground water contains a high level of sodium when it's extracted. The sodium level is increased by industrial users and residential water softeners before it is passed along to the plant for treatment and disposal.
3. The increased salt concentration exceeds the City's discharge permit limit.
4. On July 1, 2008, the Regional Water Quality Control Board notified the City of fifteen (15) potential discharge violations for exceeding the discharge limits. The City may be required to pay approximately \$45,000 in fines and penalties.
5. Ten (10) of the violations were the result of exceeding the sodium limits provided under the permit. Two (2) were associated with coliforms and three (3) ammonia.
6. Templeton Community Services District had a similar problem two years ago. They engaged Fugro-West to prepare a water quality model of site specific conditions at their point of discharge. The model demonstrated that the salt plume dissipated before impacting to the next closest downstream user.
7. Based on the study findings, the RWQCB amended Templeton's permit to allow for higher salt concentrations in discharged waste water.
8. In as much as we currently experiencing salt level in excess of permit limits it is prudent to prepare water quality model similar to the one completed for Templeton.
9. Should the model demonstrate conditions similar to those found north of Templeton it could result in a similar adjustment to sodium discharge levels.

ANALYSIS &

CONCLUSION: The RWQCB will consider allowing higher discharge limits on sodium, chloride and TDS, to be incorporated into a new discharge permit, if the City can demonstrate that higher limits will not impact beneficial downstream uses of the Salinas River.

FISCAL IMPACT: The Fugro-West analysis will cost \$58,000 (\$53,000, plus a \$5,000 contingency) from the Wastewater Treatment Operating Fund. There is presently \$8,348,000 remaining in the fund.

OPTIONS:

- a. Adopt Resolution No. 08-xx appropriating \$58,000 from the Wastewater Treatment Operating Fund to Budget No. 601-910-5224-683 and authorize the City Manager to enter into a contract with Fugro-West Engineering in the amount of \$53,000 to provide environmental science study of salt discharge from the City wastewater treatment plant

- b. Amend, modify, or reject the above option.

Attachments (4)

- 1) Fugro –West proposal
- 2) Notice of Violation
- 3) Appeal by City
- 4) Resolution



FUGRO WEST, INC.

660 Clarion Court, Suite A
San Luis Obispo, California 93401
Tel: (805) 542-0797
Fax: (805) 542-9311

August 1, 2008
Project No. 2007.197

Cornerstone Engineering, Inc.
208 Oak Street
Bakersfield, California 93304

Attention: *Mr. Derrill W. Whitten, Jr., PE*
President

Work Plan and Fee Estimate
Water Quality Modeling in Support of the City of El Paso de Robles
Wastewater Treatment Plant

Dear Mr. Whitten:

Introduction and Project Understanding

Fugro is pleased to provide this work plan and fee estimate to develop a water quality model of the Salinas River alluvium system in the vicinity of and downstream of the City's wastewater treatment plant (WWTP). The ultimate purpose of the model is to assist the City in working with the Central Coast Regional Water Quality Control Board (RWQCB) for purposes of developing a new set of Waste Discharge Requirements (WDR) for the plant. To assist the Board in establishing a set of fair and reasonable WDR's, the City has decided to take a proactive approach by assessing the potential downstream impact of the WWTP facility through the development of a water quality model. The intent of such a model is to identify a water quality gradient, looking specifically at salinity, sodium, and chloride concentrations downstream of the ponds.

Our experience with other agencies on the Salinas River indicates that, without an analysis of the downstream impacts of the facility, the new standards would be at least as stringent, if not more so, as in the past. Thus, conceivably, the City may have difficulties meeting the new regulations. Thus, to assess the potential water quality gradient downstream of the facility, we propose to develop a water quality model to illustrate the possible degradation, decline, or dilution of the water quality constituents of concern with distance from the facility.

Scope of Work

We propose to include the following tasks in the evaluation of this issue:

1. Review historical water quality data from nearby wells. We are not fully aware of the entire data set available, but assume that historic water quality data exists for an upgradient well, a downgradient well(s), and the effluent stream. Other potential

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sources of data include the Ronconi and/or Thunderbird wells, the Wilhoit well(s), the Cagliero well(s), and possibly the San Miguel CSD wells.

2. Depending on the availability of water quality data from wells away from the facility, we may need to obtain water quality samples of some of the shallow alluvial wells in the vicinity and/or water quality samples of the stream surface waters. These data will be compared to other data and, if appropriate, used as additional data points and/or calibration points for the subsequent modeling.
3. Develop a groundwater flow model (MODFLOW), with a water quality component (MT3D), to analyze the potential concentration of key constituents (TDS, sodium, chloride) in groundwater down gradient of the facility. Typically, chloride is used as the primary analytical constituent, but it may prove necessary to conduct additional model runs if predictive values are needed for the other constituents.
4. The groundwater flow model boundaries/parameters will be adjusted (i.e., calibrated) to achieve a reasonable match between modeled groundwater elevations and available field-measured groundwater levels. The groundwater flow model aquifer properties will be based on available field data and calibration adjustments.
5. A solute transport model (MT3D) will be used in conjunction with the groundwater flow model to evaluate the concentration gradient of chloride. Available water quality data will be used for comparison to initial results obtained from the solute transport model, and adjustments to solute transport model parameters will be made as necessary to obtain a reasonable match between model results and field data. The solute transport model will then be used to evaluate the concentration gradient downstream of the facility.
6. Data acquired from the above tasks will be analyzed and presented in a report. The report will present the results of the data analysis and modeling tasks and posit the downstream distance of the water quality gradient. If appropriate, the report will include recommendations for new downgradient monitoring well(s) that more accurately represent and portray the filtering and treatment process of the aquifer, and that will assist the RWQCB in the development of new WDR's.

Assumptions

For purposes of estimating a project cost, several assumptions are necessary. We have tried to foresee the various issues that may arise, but it is important to understand that the success of this project is heavily dependent on the volume of available, reliable data. These assumptions include:

1. We assume that sufficient data is available from downstream wells to develop a numerical flow model and water quality fate and transport component with reasonable confidence. If insufficient data exists, we will advise you after the initial



- data compilation task, and suggest methods to collect additional data before proceeding with model development.
2. We have assumed that we will obtain an estimated five surface water samples at various reaches of the Salinas River and/or tributaries. The samples will be analyzed for TDS, sodium, and chloride.
 3. We have assumed that we will obtain two water quality samples from shallow alluvial wells downstream of the facility (perhaps Wilhoit and Cagliero? or other well(s) identified as part of this study).
 4. We assume that City staff will provide historic water quality data for the facility wells, and assist Fugro in contacting Mr. Wilhoit and the Caglieros. It is my understanding that Steve Tanaka is the District Engineer for San Miguel CSD and will provide us with relevant SMCSO water quality data.
 5. We assume that the model runs using chloride as the constituent of concern will be sufficient, and that the results of those runs can be used on other constituents by comparative analysis.
 6. We assume that Fugro will contract directly with the City of Paso Robles.

Fee and Schedule

We estimate that our fees to conduct the investigation as outlined above will be approximately \$53,000. We are prepared to begin within three weeks of a Notice to Proceed, and estimate a total project time schedule of four months.

Qualifications

Following this section is a brief description of Fugro and the services that the company can provide to the District. Our project manager is Paul Sorensen, who will service this project from our office in San Luis Obispo:

FUGRO WEST, INC.
660 Clarion Court
San Luis Obispo, CA 93401

Attention: Paul A. Sorensen

Tel. 805-542-0797, ext. 15

Fax. 805-542-9311

Email: psorensen@fugro.com

Individuals that will join Mr. Sorensen on the project all have had direct prior experience on local water quality modeling, analysis of the Salinas River alluvial environment, and percolation pond and infiltration studies. The same Fugro individuals that have conducted previous modeling efforts in the Paso Robles Basin will conduct this study.

David Gardner, Senior Vice President of Fugro and head of the Water Resources Group, will be actively involved throughout the project to provide technical oversight and guidance.



Peter Leffler, Associate Hydrogeologist and head of the modeling group, will oversee the modeling efforts. Dr. Nels Ruud, Project Hydrogeologist, will be our lead modeler. Messrs. Sorensen, Gardner, Leffler, and Ruud will be supported on this project by six full-time staff and two part-time staff in the San Luis Obispo office, and the full Water Resources group in Ventura, Oakland, and Sacramento.



We appreciate the opportunity to be of service to the City and look forward to being able to work with you. We would be more than happy to sit down with you to discuss any aspect of this proposal. Please contact us if you have questions or require additional information.

Sincerely,

FUGRO WEST, INC.

A handwritten signature in cursive script that reads "Paul A. Sorensen".

Paul A. Sorensen
Principal Hydrogeologist
California Professional Geologist
California Certified Hydrogeologist



FUGRO WEST INC., SAN LUIS OBISPO

Select a consultant based on the technical, professional, and administrative competence of principals and staff who will serve you.

Fugro has a qualified team of geologists, engineers, and technicians that can provide responsive professional and construction services for your project. The people within our organization will work with you to innovatively solve problems, collect data, and manage a variety of professional service needs. Fugro is a local hydrogeological and geotechnical firm that has had offices in San Luis Obispo for more than 15 years. Our office and laboratory are located at:

Fugro West, Inc.

660 Clarion Court, Suite A

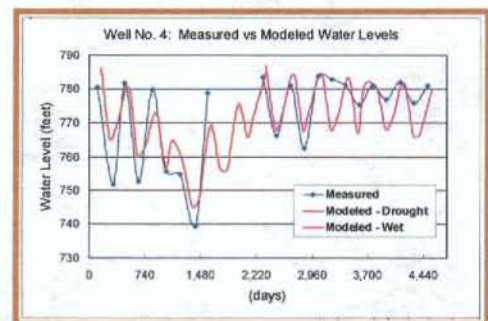
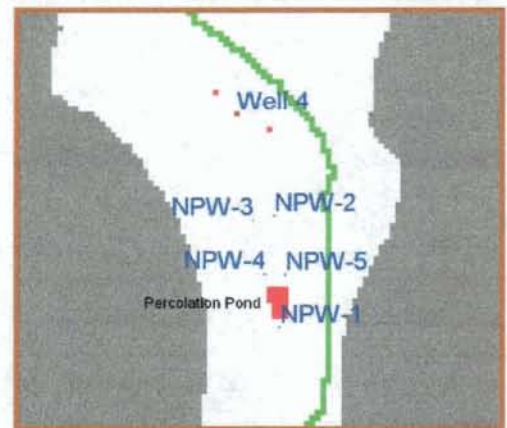
San Luis Obispo, California 93401-8177

Tel. (805) 542-0797

Fax. (805) 542-9311

Fugro's professional capabilities encompass water resources, geotechnical engineering, engineering geology, marine survey, environmental engineering, earthquake engineering, construction materials testing, construction management, pavement engineering, marine surveying, and geographic information systems. Our office is supported by the Fugro staff of over 180 personnel assigned to ten California offices.

This package provides a summarized presentation of our capability primarily within groundwater percolation pond and infiltration studies. If you would like more detailed information on our other capacities please contact us.



WATER RESOURCES

Water has become a highly precious resource, it needs to be managed wisely. When the well is dry, we know the worth of water....

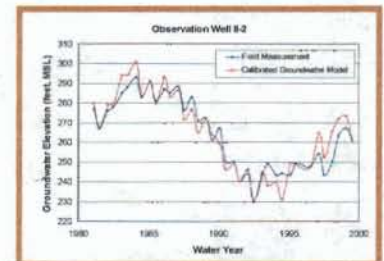
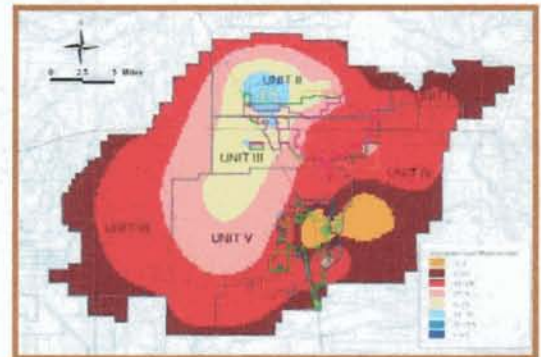
Water resource management requires a team of technical, legal, institutional, and financial experts. This team provides the knowledge to establish consensus between water users, purveyors, and environmental interests. The hydrogeologists, soil scientists, geophysicists, and regulatory specialists at Fugro offer a comprehensive approach to water resource management.

Our project experience includes the development and management of groundwater and surface water supplies and conjunctive use plans that integrate surface water and groundwater supplies. These projects have included basin safe-yield investigations, aquifer storage and recovery projects, groundwater modeling, basin management studies, individual well design, and well field development investigations. Additionally, we are experts in desalination project feasibility studies and seawater intake feasibility and design assessments.

We are a group focused on delivering a quality solution that matches your needs. This is made possible with both local presence and expertise, combined with the backing of the staff and resources of a global sized organization.

WATER RESOURCES SERVICES

- *Regional Groundwater Basin Analysis*
- *Water Well Design/Construction Monitoring*
- *Groundwater Studies and Modeling*
- *Groundwater Development*
- *Conjunctive Use Planning*
- *Aquifer Storage and Recovery*
- *Water Quality Assessment*
- *Geophysical Investigation*
- *Geographic Information Systems*
- *Expert Witness and Legal Support*



PERCOLATION POND AND INFILTRATION STUDIES

Percolation pond assessment requires the consideration of a significant number of factors for the successful implementation and sustainability of a program.

Fugro has extensive experience on the Central Coast supporting percolation pond assessment projects for wastewater infiltration and storage and recovery studies. Fugro prides itself in providing a rounded approach to this field of investigation and assessment, thereby ensuring your success upon implementation. Following are a couple case study examples of our involvement in local projects:

1. Wastewater Percolation Pond Water Quality Modeling, Templeton Community Services District.

Fugro provided assessment for the expansion of a wastewater percolation pond facility located upstream of a rural community. Discharge was to be increased from 90,000 to 600,000 gpd. The project included surface and groundwater quality assessment, flow and solute transport modeling to assess current and future impacts on groundwater quality, expansion of monitoring network and interaction with regional governing bodies. The project resulted in the development of new Waste Discharge Requirements (WDR) for the facility that met both the governing bodies and Districts goals.

2. Nacimiento Recharge and Recovery, Atascadero Mutual Water Co.

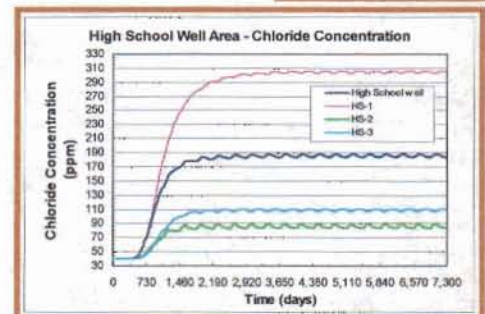
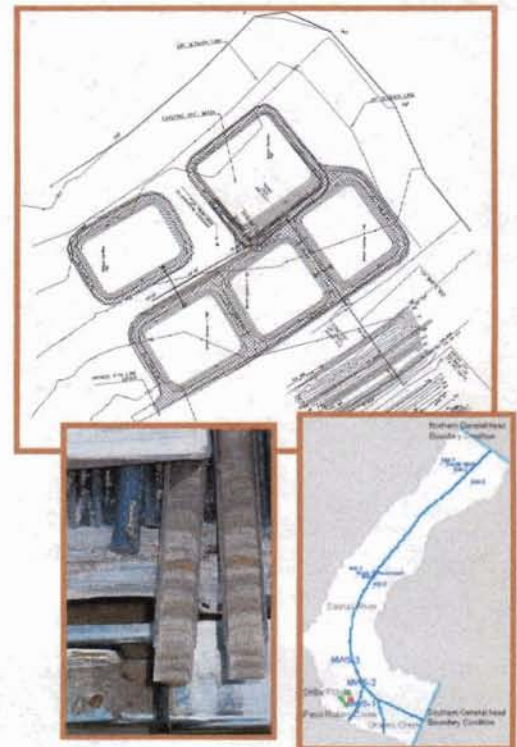
The hydrogeological aspects of a recharge and recovery project were assessed and evaluated by Fugro. The assessment included investigation of percolation potential, surface-groundwater aquifer interaction, well installation, aquifer parameter assessment, storage assessment and groundwater flow modeling. The project helped to assess the feasibility of the project in terms of aquifer capacity, site potential recharge and recovery wells and determine the potential recovery efficiency given different well configurations.

3. Additional Investigations Include

- Hydrogeological assessments for percolation pond feasibility and placement, City of Paso Robles.
- Groundwater banking assessment for the Paso Robles basin.
- Basin analysis and modeling studies for Tehachapi, Cummings and Paso Robles groundwater basins.

PERCOLATION POND ASSESSMENT

- Site Suitability
- Geological Investigation
- CPT Investigation
- Recharge and Recovery
- Wastewater Percolation Assessment
- Water Quality Assessment
- Groundwater Modeling
- Groundwater Impact Assessment
- Design and Planning



RESUME



Paul A. Sorensen, P.G, C.Hg.

Principal Hydrogeologist

EDUCATION:

M.A., Geology, University of California, Santa Barbara, 1980
B.S., Geological Sciences, University of Washington, Seattle, 1975

QUALIFICATIONS:

Professional Geologist, California
Certified Engineering Geologist, California
Certified Hydrogeologist, California

EXPERIENCE:

Mr. Sorensen has more than 24 years experience managing and directing projects related to hydrogeology, geology and engineering geology, with specific expertise in groundwater supply, basin analysis, and water resource management. His technical expertise includes regional groundwater basin analyses; perennial yield and basin water balance calculations; groundwater quality studies; aquifer test analyses; and water well, injection well, and monitoring well design and construction. Recent work has included serving as the responsible hydrogeologist for a variety of basin-wide water resource projects including basin analyses and basin-wide water balance and hydrologic budget conceptualization and calculations, and basin-wide numerical modeling.

SELECTED PROJECT EXPERIENCE:

Templeton Community Services District, Various Investigations

As District Hydrogeologist, Mr. Sorensen is involved in all water supply evaluation and development projects for the CSD. Investigations include evaluation of presence and distribution of Salinas River underflow to identify the District's legal rights to groundwater; groundwater flow modeling and calculation of basin yield; feasibility investigations of riparian water supplies; and design and construction management of new groundwater production wells.

Cambria Community Services District, Cambria Desalination Facility.

Performed hydrogeological feasibility studies of potential sites for the proposed desalination facility, and developed a detailed exploratory program for investigation of the beach environment at San Simeon Creek beach to evaluate depth, lithology, and hydrogeologic characteristics of the aquifer for the purpose of assessing the feasibility of utilizing beach wells, collector well systems, or slant well sea water intake facilities.

County Of San Luis Obispo, Paso Robles Groundwater Basin Study.

Conducted a basin analysis, safe yield study, numerical modeling, and simulation of potential basin-wide buildout scenarios of the Paso Robles Groundwater Basin. A hydrologic budget (water balance) for the basin was calculated using both the change in storage method and the inventory method, and the perennial yield was calculated. Development of the numerical model refined the calculated perennial yield figure, and simulated the impacts to the basin from several potential buildout scenarios.

District Geologist, Bear Valley Community Services District.

Long-term contract District geologist responsible for analysis of production and water quality history of 25-well production well field to provide options for increasing supplies. Prepared Water Supply Master Plan; technical analysis for feasibility investigation of proposed inter-basin water transfer arrangement between CSD and neighboring District, involving purchase and supply of imported water to local irrigators in lieu of groundwater pumping in exchange for groundwater production rights; feasibility analysis of artificial recharge surface infiltration ponds designed to recharge basin with up to 2,000 acre feet of imported surface water per year; and design and construction management of new groundwater production wells.

**David A. Gardner, C.Hg.**

Senior Vice President, Water Resources Manager

EDUCATION:

M.S. Geology, University of California, Los Angeles, 1973

B.S. Geology, University of California, Los Angeles, 1971

QUALIFICATIONS:

Registered Geologist, California No. 3384, 1977

Certified Hydrogeologist, California No. HG 122, 1995

Professional Hydrogeologist, American Institute of Hydrology

EXPERIENCE:

Mr. Gardner is the Senior Vice President of Fugro West, Inc., the western United States operating company of the Fugro group of companies. Prior to joining the firm, Mr. Gardner was a founding principal of the firm Staal, Gardner & Dunne, Inc. Mr. Gardner has more than 30 years of experience managing and directing projects involving groundwater resources and environmental engineering in California. He has served as the responsible hydrogeologist for a variety of water resource projects in California including basin groundwater management, safe yield studies, municipal well design, seawater intrusion abatement, desalination facilities, artificial recharge, and surface and groundwater quality monitoring. Mr. Gardner has provided attorney assistance and expert witness testimony involving groundwater litigation and conducted studies involving water rights, environmental impacts, and groundwater management.

SELECTED PROJECT EXPERIENCE:

Water Well Siting and Development. Project Principal for project planning, siting and construction of large diameter production wells in Los Angeles County, Gilroy and Soledad. Each of the studies evaluated the hydrogeology, water quality, water system constraints and included well testing.

Santa Clara Valley Water District San Tomas Injection Well Project. Technical and management oversight San Tomas Injection Well Project, examining the hydrogeologic feasibility of injection recharge of 1,000 acre-feet per year.

Kaweah Delta Conservation District Groundwater Management. Technical Consultant to Kaweah Delta Conservation District since 1996 evaluating issues that affect groundwater management, both regionally and locally.

Monterey County Water Resources Studies. Since 1986, Mr. Gardner has led 24 investigations of groundwater safe yield, water quality, conjunctive use, aquifer storage and recovery, and saline intake for desalination purposes. He was the principal investigator for and primary author of the "*Feasibility Study for Seaside Basin Injection/Recovery Project*" and the subsequent "*Summary of Operations Report for the Seaside Pilot Well Injection Well Project*," both important studies upon which alternative water supplies to replace Carmel River water are based.

Groundwater Management and Safe Yield Studies. Completed groundwater management and safe yield investigations of the Santa Barbara, Montecito, Carpinteria, and Ojai basins.

PUBLICATIONS:

Hydrogeologic Investigation of the Montecito Ground Water Basin; Impact of Urbanization of the Long-term Recharge of the Goleta Ground Water Basin; Hydrogeologic Assessment, Oilfield Waste Disposal Site; Effect of Nitrogen Loading and Irrigation Rate on Amount of Nitrogen Leached to Groundwater.

Peter M. Leffler, R.G., C.Hg.

Associate Hydrogeologist

EDUCATION: M.S. Hydrology/Hydrogeology, University of Nevada, Reno, 1989
B.S. Geology, University of Illinois, Champaign-Urbana, 1986

QUALIFICATIONS: Registered Geologist, California, No. 6475, 1996
Certified Hydrogeologist, California, No. 462, 1996

EXPERIENCE: Mr. Leffler has more than 15 years of experience performing hydrogeologic studies in California. His experience includes groundwater basin analysis and management; groundwater modeling, design and construction management for water wells, test wells, and monitoring wells; pumping tests and data analysis; evaluation of artificial recharge options, salt loading impacts analysis, salt water intrusion analysis, water resources planning, water quality, contaminant hydrogeology, and surface water-groundwater interaction. His responsibilities have included proposal preparation, project management, fieldwork, data analysis, report preparation, presentations, client contact, and interaction with regulatory agencies.

**SLELECTED
PROJECT
EXPERIENCE**

East Bay Municipal Utility District. Conducted a groundwater basin study in eastern Contra Costa and western San Joaquin counties. The study area encompassed approximately 250 square miles. The project included evaluation of the hydrogeology, a water balance study, a large-scale aquifer test involving 20 monitoring wells, and construction/calibration/application of a groundwater flow and solute transport model (MODFLOW/MT3D). The water balance study included evaluation of precipitation recharge, stream percolation, bedrock recharge, irrigation recharge, well pumping, and return flows. Key aspects of the model included the interaction between groundwater and the Bay-Delta system (rivers and sloughs), and potential changes to groundwater levels and total dissolved solids from proposed ASR operations. The project has also involved extensive contact and meetings with local water agencies and consultants to obtain data for the hydrogeology and water balance studies.

Tehachapi-Cummings County Water District. Completed a hydrogeologic conceptual model for the Cummings Groundwater Basin located near Tehachapi, California. The study involved a hydrogeologic characterization of the basin, a water balance study, groundwater quality analysis, and preparation of numerical model input files. The water balance study included evaluation of precipitation recharge, percolation of streamflow, groundwater inflow from bedrock, irrigation recharge, artificial recharge, treated wastewater percolation, well pumping, and groundwater outflow. The hydrogeologic conceptual model provided the basis for construction and calibration of a MODFLOW/MT3D groundwater flow and solute transport numerical model.

County of San Luis Obispo Public Works Department. Phase II of the Paso Robles Groundwater Basin Study involved construction and calibration of a numerical groundwater (MODFLOW/MT3D) model. Work on the project included evaluation of the hydrologic budget (water balance) from the Phase I study to construct numerical model input files for each recharge and discharge component. Recharge components included precipitation recharge, irrigation return flow, streambed percolation, wastewater discharge percolation, and bedrock groundwater inflow. Discharge components included phreatophyte water use, groundwater pumping, and subsurface outflow. Results were summarized in an interim report.

RESUME



Nels C. Ruud, Ph.D.

Project Hydrogeologist

EDUCATION:

Ph.D. Soil Science, University of California, Riverside, 1997
B.S. Statistics, University of California, Riverside, 1989

EXPERIENCE:

Dr. Ruud has more than 10 years of experience performing water resource studies in California. His experience includes numerical modeling of regional and local scale groundwater flow and solute transport problems, well hydraulics, aquifer characterization, hydrologic and crop water balance modeling, and agricultural water management. His responsibilities have included data collection & analysis, report preparation, project management, interaction with academic institutions and government agencies, and publishing in peer-reviewed journals.

SELECTED PROJECT EXPERIENCE

City of Visalia Groundwater Flow Model. Currently developing a groundwater flow model for the city of Visalia, California. The model will be used to evaluate the impacts on city groundwater resources of different future water supply and demand scenarios.

Atascadero Mutual Water Company. Developed a groundwater flow and solute transport model to evaluate the local impacts on unconfined and confined water levels of intentionally recharging water from Lake Nacimiento in percolation ponds in the vicinity of the Salinas River.

Templeton Community Services District. Developed a groundwater flow and solute transport model to evaluate the downstream water quality impacts on local water wells of discharging treated wastewater in percolation ponds given defined concentrations.

Plains Exploration and Production. Developed a groundwater flow model to simulate the surface and subsurface disposal of treated wastewater permeate in the vicinity of the Arroyo Grande Creek in San Luis Obispo County, California. The study included an analysis of thermal impacts on creek water and local groundwater temperatures.

Chowchilla Water District. Developed a GIS-based district-scale groundwater flow model for the Chowchilla Water District. The model was used to evaluate the impacts on district groundwater resources of different surface water and groundwater pumping pricing scenarios.

City of Long Beach Proposed Desalination Plant. Developed a groundwater flow to evaluate the water extraction potential at two different prospective sites located in and around the Long Beach Port area. The evaluation included a preliminary assessment of the amount of flow that could be obtained from either an infiltration gallery on the beach or pumping wells on a local pier.

Panoche Creek. Developed a stochastic model of salt transport for the Panoche Creek area located along the west side of the central San Joaquin Valley, California. The model includes a geostatistical model of the alluvial aquifer system, a groundwater flow model, and the application of a particle-tracking model for salt transport. This included the analysis and interpretation of well logs and soil survey maps.

PROFESSIONAL AFFILIATIONS:

National Ground Water Association
Groundwater Resources Association of California



Linda S. Adams
Secretary for
Environmental Protection

State Water Resources Control Board

Office of Enforcement

1001 I Street • Sacramento, California 95814 • (916) 341-5277
Mailing Address: P.O. Box 100 • Sacramento, California • 95812-0100
Fax (916) 341-5284 • <http://www.waterboards.ca.gov>



Arnold Schwarzenegger
Governor

SEPTEMBER 19, 2008

DOUGLAS MONN
DIRECTOR OF PUBLIC WORKS
CITY OF EL PASO DE ROBLES
3400 SULPHUR SPRINGS RD.
PASO ROBLES, CA 93446

RESPONSE TO REQUEST FOR ALLEGED VIOLATION REVIEW – PASO ROBLES WWTP (NPDES Permit No. R3-2004-0031, WDID No. 3 400105001)

Thank you for your letter dated July 14, 2008, responding to Offer to Participate in Expedited Payment Program No. SWB-2008-3-0011, which assessed mandatory minimum penalties (MMPs) for violations of effluent limitations. This letter addresses your comments in this regard.

First, the State Water Board has determined that the alleged violations 443180 and 439758 should be combined into a single violation, and that violation 493304 is not supported, based on the arguments provided in your letter.

Second, violation 566484 has been found to be supported, based on the enclosed April 2007 monitoring report submitted to the Regional Water Board by the PERMITTEE, which contains a reported value of 230 mg/L for effluent sodium.

These determinations have been verified with the Central Coast Regional Water Quality Control Board (Regional Water Board) and the invalid violations have been expunged from the CIWQS database. The enclosed Exhibit A – Notice of Violation has been amended to remove the invalid violations.

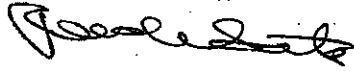
Since the PERMITTEE requested a review of these violations, the State Water Board has established new deadlines. If you intend to participate in the Expedited Payment Program, you must sign and return the previously sent Acceptance of Conditional Resolution and Waiver of Right to Hearing form by **OCTOBER 19, 2008**. By signing the Acceptance and Waiver, the PERMITTEE agrees to pay the penalty as indicated on the amended Exhibit A – Notice of Violation and waives the right to a hearing. If you do not elect to sign the Acceptance and Waiver, you will be contacted regarding a formal enforcement action that will be initiated with regard to the contested violations.

California Environmental Protection Agency



Thank you for your assistance in this matter. Should you have any questions, please contact Taryn Stokell at (916) 327-8039.

Sincerely,



REED SATO
Director, Office of Enforcement

Encl. -- Discharger Self Monitoring Report, April 2007
Exhibit A -- Notice of Violation (amended)

California Environmental Protection Agency



**CALIFORNIA STATE WATER RESOURCES CONTROL BOARD
DISCHARGER SELF MONITORING REPORT**

**CITY OF PASO ROBLES
3200 SULPHUR SPRINGS RD
PASO ROBLES, CA 93446**

MONTHLY REPORT

Apr-07

FACILITY ID# 3400108001
NPDES # 47953
WDR ORDER # R3-2004-0031
SAMPLE TYPE 24-HR COMP

DESCRIPTION	REPORTING PERIOD		EFFLUENT B	EFFLUENT B	EFFLUENT B	EFFLUENT B	EFFLUENT B	BEGINNING	4/1/2007	ENDING	4/30/2007
	DATE	UNITS									
NAME											
UNITS											
FREQUENCY											
DATE											
4/10/2007		1000		200		290					
4/10/2007		980		230		290					
				566-789							
AVG		990		216		290					
HIGH		1000		230		290					
LOW		980		200		290					
# READINGS		2		2		2					
REQ #1		MAX 1,100		MAX 225		MAX 310					
EXCEEDED											
REQ #2											
EXCEEDED											
REQ #3											
EXCEEDED											
% REMOVAL											
REMARKS :	TDS, CL, Na, SO4, RESULTS ARE										
	AVG. OF CREEK LAB AND CLINICAL LAB. OF SAN BERNARDINO										
	Name of Authorized Agent										
	Signature of Authorized Agent										

REPORT DATE 5/14/2007

DATE: 5/2/07

Exhibit "A"
City of Paso Robles
Paso Robles WWTP

NOTICE OF VIOLATIONS (1 January 2000 – 31 December 2007)
MANDATORY MINIMUM PENALTIES WITHOUT ENFORCEMENT

The following table lists this facility's alleged violations of subdivisions (h) and (i) of California Water Code section 13385, from January 1, 2000 through December 31, 2007, which have not received mandatory minimum penalty assessment by the Water Boards. Final calculation of MMP amounts owed, and descriptions of the abbreviations that appear in the table are also listed below. For additional information about the alleged violations listed in the table, please refer to the SWRCB Public Reports webpage http://www.waterboards.ca.gov/water_issues/programs/ciwqs/publicreports.shtml; choose the "MMP Report" link located under the "Enforcement Reports" category. Once in the Public Reports search page, enter the search criteria that correspond to your facility to access the list of violations.

Violation ID	Occurred Date	Type	MMP Type	Violation Description
428628	6/8/2006	CAT1	CHRON	Sodium violation; reported value of 230 mg/L, limit = 225 mg/L.
437809	8/3/2006	CAT1	CHRON	Non-compliant result was: 230 mg/L.
439163	8/16/2006	OEV	CHRON	Total coliform violation; permit limit of 2300 MPN/ 100 mL; reported value of 5000 MPN/ 100 mL.
439758	9/7/2006	CAT1	CHRON	Non-compliant result was: 230 mg/L.
493233	12/6/2006	CAT1	CHRON	Effluent sodium violation; permit limit of 225 mg/L; reported value of 240 mg/L.
566484	4/10/2007	CAT1	CHRON	Effluent sodium violation; permit limit of 225 mg/L; reported value of 230 mg/L.
566480	4/26/2007	OEV	CHRON	Effluent total coliform violation; permit limit of 2300 MPN/ 100 mL; reported value of 2800 MPN/ 100 mL.
634631	6/7/2007	CAT1	CHRON	Effluent sodium violation; permit limit of 225 mg/L; reported value of 230 mg/L.
634670	7/3/2007	CAT1	CHRON	Sodium violation; permit limit of 225 mg/L; reported value of 255 mg/L.
634668	7/11/2007	CAT1	CHRON	Bis (2- Ethylhexyl) Phthalate violation; permit limit of 5.0 ug/L; reported value of 5.3 ug/L.
694370	9/11/2007	CAT1	CHRON	Effluent sodium violation; permit limit of 225 mg/L; reported value of 255 mg/L.
711674	11/6/2007	CAT1	CHRON	Sodium violation; permit limit of 225 mg/L; reported value of 240 mg/L.
493237	1/9/2007	CAT2	SIG	Effluent unionized ammonia violation; permit limit of 0.025 mg/L; reported value of 0.078 mg/L.

Mandatory Minimum Penalty Amount Owed for Effluent Violations

(1 Serious Violation + 12 Chronic Violations) × \$3,000 = \$39,000 to the Cleanup & Abatement Account

Mandatory Minimum Penalty Amount Owed for Reporting Violations

(0 Late Reporting Violations + 0 Deficient Reporting Violations) × \$3,000 = \$0 to the Waste Discharge Permit Fund

Definition of Acronyms & Abbreviations

CIWQS	California Integrated Water Quality System database used by the Water Boards to manage violation and enforcement activities.
Violation ID	Identification number assigned to a violation in CIWQS.
Occurrence Date	Date that a violation actually occurred. For continuing violations, such as a monthly average, the last day of the reporting period is used. If the occurrence date is unknown, the date is entered as the day it was first discovered by staff, the Discharger, or a third party. For deficient or late reports, the occurrence date is the day after the report was due.
Type	Classification of a violation. Two types of violations relate to MMPs: 1) Late Reporting Violations (LREP, DREP) 2) Effluent Violations (ATOX, CTOX, CAT1, CAT2, OEV)
LREP	Late reporting violation. Every 30 days a report is late counts as one late reporting violation.
DREP	Deficient reporting violation. This will only result in an MMP if the report is so deficient as to make determination of compliance impossible for that reporting period.
ATOX	Violation of an acute toxicity effluent limitation.
CTOX	Violation of a chronic toxicity effluent limitation.
CAT1	Violation of an effluent limitation for a Group I pollutant by more than 40%.
CAT2	Violation of an effluent limitation for a Group II pollutant by more than 20%.
OEV	Violation of any constituent-specific effluent limitation not included in Group I or Group II.
MMP Type	Classification of the type of MMP violation.
CHRON	Chronic violation as defined by California Water Code section 13385 (i). To be counted as a chronic violation, there must be 3 preceding violations within a 180 day period. The fourth non-serious violation that occurs within the 180 period is an MMP violation.
SIG	Serious violation as defined by California Water Code section 13385 (h). Waste discharge exceeds the effluent limitation for a Group I pollutant by 40% or more (CAT1), or a Group II pollutant by 20% or more (CAT2). Also defined by California Water Code section 13385.1 as a failure to file a discharge monitoring report pursuant to Section 13383 for each 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.
Violation Description	Narrative description of the violation.
M	Effluent exceeds limit for monthly reporting period.
Q	Effluent exceeds limit for quarterly reporting period.
S	Effluent exceeds limit for semi-annual reporting period.
A	Effluent exceeds limit for annual reporting period.
IM	Effluent exceeds instantaneous maximum limitation.
DM	Effluent exceeds daily maximum limitation.
AW	Effluent exceeds average weekly limitation.
AM	Effluent exceeds average monthly limitation.



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

July 14, 2008

State Water Resources Control Board
Attention: Reed Sato – Office of Enforcement
P.O. Box 100
Sacramento, CA 95812-0100

RE: No. SWB-2008-3-0011 – Offer to participate in expedited payment program relating to violation of NPDES permit.

Mr. Sato:

In accordance with page 3 of the July 1, 2008 NOV, the City of Paso Robles is contesting three (3) of the fifteen (15) violations noted on the included Notice of Violation. Specific information would be as follows:

Violation ID:

- A. 443180 and 439758 – dated 9/7/2006. There appear to have been two (2) violations issued for the same issue on the same day under two (2) separate numbers. We believe only a single violation occurred.
- B. 493304 – dated 1/8/2007. The City's permit limit is 6.5 to 8.3 *not* 7 to 8.3. Additionally, the reported value was 7.2 *not* 6.9, therefore the City was within the parameters set forth under its permit.
- C. 566484 – dated 4/10/2007. Our records show the reported value as 225 mg/L *not* 230 and therefore not exceeding the permit limit.

The City acknowledges the remaining thirteen (13) violations and subject to a final determination with regards to the above noted exceptions agrees to participate in the Expedited Payment Program.

Sincerely,

Douglas Monn
Director of Public Works

cc: City Manager
Chris Slater, Waste Water Supervisor
Derrill Whitten, Cornerstone Engineering

1000 SPRING STREET • PASO ROBLES, CALIFORNIA 93446 • www.prcity.com

RESOLUTION NO. 08-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AWARDING A CONTRACT TO FUGRO-WEST FOR AN ENVIRONMENTAL SCIENCE
STUDY OF SALT DISCHARGE ASSOCIATED WITH WASTE WATER

WHEREAS, the City will be required to renew the permit associated with the discharge of waste water from its treatment plant, and;

WHEREAS, the permit sets specific limits for the constituents that the discharge water may contain including but not limited to sodium, and;

WHEREAS, it would be in the best interest of the City to examine the level of sodium contained in the discharged water and the potential downstream effects for the purpose of possibly adjusting the sodium limits that might be allowed under an amended permit, and;

WHEREAS, Fugro-West has performed similar work of this kind for neighboring agencies

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

SECTION 1. The City Council of the City of El Paso de Robles does hereby appropriate \$58,000 (\$53,000 in addition to a contingency of \$5,000) from the Wastewater Treatment Operating Fund to Budget No. 601-910-5224-683 and authorize the City Manager to enter into a contract with Fugro-West Engineering in the amount not to exceed \$58,000 (\$53,000 in addition to a \$5,000 contingency) to provide environmental science study of salt discharge from the City wastewater treatment plant.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 7th day of October 2008 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk