

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

CLEANUP AND ABATEMENT ORDER NO. 5-00-706

REQUIRING

THE CITY OF FOLSOM
AND
THE SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT
SACRAMENTO COUNTY

TO CLEANUP AND ABATE CONDITIONS OF WATER POLLUTION
CAUSED BY DISCHARGES OF RAW SEWAGE

The Executive Officer of the California Regional Water Quality Control Board, Central Valley Region, (hereafter Board) finds that:

1. The City of Folsom (hereafter City) provides wastewater collection services to domestic, commercial, and industrial facilities in the Folsom area. The wastewater is conveyed to the Sacramento Regional Wastewater Treatment Plant through regional interceptors operated and maintained by Sacramento Regional County Sanitation District (hereafter District). The City operates and maintains the sewers within its territorial jurisdiction pursuant to an Interagency Agreement between the City and the District.
2. On 8 February 2000, the District completed construction of the Folsom East Area Interceptor, Section 2 (FE2), which bypassed the City's Pump Station No. 1. The District plans to connect the FE2 interceptor with the future Folsom/Bradshaw interceptor, which has a scheduled completion date of September 2005. Until then, the City's flows will be conveyed through the FE2 interceptor to the District's existing interceptor system that passes near Folsom South Canal.
3. District records show the design peak wet weather capacity of the Folsom South Canal interceptor is 17 mgd. Flow measurements taken by the District have shown the City's peak wet weather sanitary sewer flows are in excess of 17 mgd.
4. On 14 February 2000, the District reported that, during heavy rainfall, approximately 6500 gallons of raw wastewater overflowed from its interceptor near Folsom South Canal. The wastewater entered the Canal, which is a drinking water source for Arden Cordova Water Service. The incident was attributed to an improperly secured manhole cover and storm water inflow and infiltration into the City's sewers. All wastewater from the City flows through the Folsom South Canal interceptor and will continue to do so

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until completion of the Folsom/Bradshaw interceptor in 2005. If the hydraulic capacity of any part of the City's or District's sewerage system is undersized for current or future flows, there is a continuing threat of overflowing sewage during periods of high wet weather flows.

5. Information provided by the City on 15 March 2000 gave further evidence of the City's infiltration/inflow problems. The following is a history of unauthorized discharges of raw wastewater during heavy rainfall episodes from the City's Pump Station No. 1 to surface waters at Willow Creek, a tributary of the American River. The American River is a municipal and domestic water supply source and is also used for body contact water recreation.

<u>Date</u>	<u>Raw Wastewater Volume, gallons</u>	<u>Cause</u>
1/10/95	84,000	Inflow and infiltration of storm water into the City's sewers
1/2/97	650,000	Inflow and infiltration of storm water into sewers
2/3/98	Unknown	Inflow and infiltration of storm water into the City's sewers
1/24-25/00	700,000	Inflow and infiltration of storm water into the City's sewers

6. Although the City has identified infiltration/inflow problems and implemented a partial corrective action program, the City has not repaired all storm water inflow and infiltration sources identified in Brown and Caldwell's 31 July 1987 report titled "*Infiltration/Inflow Control Study and Sewer System Evaluation Survey, City of Folsom*". The City has recently contracted with CH2MHill to identify current infiltration/inflow sources.
7. The District has contracted with Black and Veatch to prepare options to prevent future overflows from the Folsom South Canal pipeline.
8. On 14 February 2000, in a separate incident, during heavy rains, the City reported approximately 9750 gallons of raw wastewater from the City's Pump Station No. 3 spilled into the American River. The spill was a result of inadequate storm water drainage.
9. The discharge of raw sewage by the City and the District has caused and threatens to continue to cause or create a condition of pollution or nuisance.

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10. Section 13304(a) of the California Water Code provides that:

"Any person who has discharged or discharges waste into the waters of this state in violation of any waste discharge requirement or other order or prohibition issued by a regional board or the state board, or who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board cleanup such waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing cleanup and abatement efforts. Upon failure of any person to comply with the cleanup and abatement order, the Attorney General, at the request of the board, shall petition the superior court for that county for the issuance of an injunction requiring the person to comply with the order. In any such suit, the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the fact may warrant."

11. Section 13267(b) of the California Water Code provides that:

"In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of discharging, or is proposing to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of discharging, or who proposes to discharge, waste outside its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports."

12. The issuance of this Order is an enforcement action taken by a regulatory agency and is exempt from the provisions of the California Environmental Quality Act, pursuant to Section 15321(a)(2), Title 14, California Code of Regulations.
13. This Order in no way limits the authority of the Board, as contained in the California Water Code, to institute additional enforcement actions or to require additional investigation and cleanup pertinent to this project. This Order may be revised by the Executive Officer as additional information on this project becomes available. Upon request by the City or the District, and for good cause shown, the Executive Officer may delete or extend the date of compliance for any action required of the City or District under this Order.
14. Failure to comply with this Cleanup and Abatement Order may subject the City and the District to further administrative civil liability or referral to the Office of the Attorney General for civil actions.

IT IS HEREBY ORDERED that, pursuant to Sections 13267 and 13304 of the California Water Code, the City of Folsom and Sacramento Regional County Sanitation District shall comply with the following:

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1. Cleanup and abate the condition of surface water pollution and/or nuisance and threatened pollution and/or nuisance caused by the release of raw wastewater by implementing the following actions:

Compliance Date

- a. Submit a report for approval which identifies how flows through the Folsom South Canal interceptor will remain within design capacity during the upcoming 2000-2001 wet weather season. At a minimum, the report shall provide:
15 September 2000
 - (1) An evaluation of current wet and dry weather sewerage flows in the Folsom South Canal interceptor.
 - (2) An evaluation of the existing hydraulic capacities of the City's and District's sewerage facilities.
 - (3) A discussion of the impacts of increasing dry weather flow rates on system capacity from more connections within the City throughout the 2000-2001 storm season.
 - (4) Identification of system improvements and a time schedule for completion of projects which may eliminate or reduce the threat of sewage overflows during the 2000-2001 storm season.
- b. Complete corrections to the storm drainage in the vicinity of the City's Pump Station No. 3 to prevent inundation of the pump station dry well and control systems from storm water.
1 October 2000
- c. Submit, for approval, a report and workplan identifying improvements which will maintain sewerage flows in the Folsom South Canal interceptor within design capacity pending completion of the Folsom/Bradshaw Interceptor. At a minimum, the report shall provide:
1 March 2001
 - (1) Identification of system improvements which could eliminate or reduce the threat of sewage overflows prior to completion of the Folsom/Bradshaw interceptor.
 - (2) Discussion of the impact of increased infiltration/inflow from continual expansion of the City's sewer lines, and the impacts of increasing dry weather flow rates on system capacity from more connections within the City.

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- (3) A proposal for infiltration/inflow correction work on the City's sewerage system which shall, at a minimum, address the findings in Brown and Caldwell's 31 July 1987 report, "*Infiltration/Inflow Control Study and Sewer System Evaluation Survey, City of Folsom*".
 - (4) A proposed time schedule for completion of workplan activities.
2. By **15 September 2000**, and the 15th day following the end of each subsequent calendar quarter, submit quarterly progress reports detailing the work of the preceding quarter addressing the tasks listed above.


GARY M. CARLTON, Executive Officer

Dated: 24 July 2000