

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114

PUBLIC HEARING
concerning
CEASE AND DESIST ORDER
for

**NAPA BERRYESSA RESORT IMPROVEMENT DISTRICT
WASTEWATER TREATMENT SYSTEM
NAPA COUNTY**

Napa Berryessa Resort Improvement District (Discharger) owns and operates a wastewater treatment facility that serves the Berryessa Highlands Subdivision and the Steele Park Resort located on the southeastern side of Lake Berryessa. The wastewater system provides secondary treatment of domestic wastewater using an extended aeration activated sludge plant and aeration basins, clarifiers, and synthetic lined holding basins. Disinfected wastewater is discharged to a spray irrigation system located above a tailwater pond.

The Discharger's wastewater system is regulated by Waste Discharge Requirements (WDRs) Order No. 95-173 for a monthly average discharge not to exceed 50,000 gallons per day. The Discharger's wastewater system has a history of capacity problems that have resulted in violations of the WDRs. Because the volume of influent exceeds the amount the Discharger's wastewater system is physically capable of treating and disposing, the proposed Cease and Desist (C&D) Order prohibits new connections to the sewage collection system. Upon adoption of the C&D Order, the connection prohibition will apply retroactively as specified in Title 23, California Code of Regulations, Section 2244.1(a).

Effective immediately, no new structures may connect to the collection system except those authorized by a building permit (or equivalent final local agency approval) issued prior to the date of this notice. Limited additional exceptions apply as described in the draft C&D Order.

The Regional Water Board will consider the adoption of the C&D Order containing steps to bring the system into long-term compliance.

A **formal** public hearing concerning this matter will be held during the Regional Board meeting that is scheduled for:

DATE: 26/27 October 2006
TIME: 8:30 a.m.
PLACE: Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670-6114

The designated parties for this hearing are as follows:

- Staff of the Central Valley Regional Water Quality Control Board
- Staff of Napa Berryessa Resort Improvement District

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or

her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Board no later than **29 September 2006**. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.

Persons wishing to comment on this noticed hearing item must submit testimony, evidence, if any, and/or comments in writing to the Regional Water Board no later than **29 September 2006**. Written evidence or comments submitted after **29 September 2006** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

All designated parties and interested persons may speak at the Regional Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross-examination will be limited in time by the Board Chair.

Anyone having questions on the proposed C&D Order should contact Guy Childs at (916) 464-4648. Interested parties may download the proposed Order and related documents from the Regional Water Board's Internet website at <http://www.waterboards.ca.gov/centralvalley/tentative/>. Copies of these documents can also be obtained by contacting or visiting the Regional Water Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m.

The procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing http://www.waterboards.ca.gov/water_laws/. Information on meeting and hearing procedures is also available on the Regional Water Board's website at http://www.waterboards.ca.gov/centralvalley/board_meetings/mtgprocd.html or by contacting any one of the Board's offices. Questions regarding such procedures should be directed to Ms. Janice Tanaka at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Janice Tanaka at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

Original Signed By

Jack E. Del Conte, Assistant Executive Officer

13 September 2006