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16 August 2010

NOTICE OF VIOLATION

Russ Holcomb, General Manager
Malaga County Water District
3580 South Frank Street
Fresno, CA 93725

**REPORT OF RECENT INSPECTION, MALAGA COUNTY WATER DISTRICT,
MALAGA WASTEWATER TREATMENT FACILITY (NPDES CA0084239, RM 344803),
FRESNO COUNTY**

On 12 April 2010, PG Environmental, LLC and Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff inspected the Malaga County Water District (District) Wastewater Treatment Facility (Facility) to determine compliance with Waste Discharge Requirements Order R5-2008-0033 (NPDES Permit No. CA0084239). As documented in the enclosed Compliance Evaluation Inspection (CEI) Report, several items were deemed unsatisfactory or marginal and violations were discovered.

In a Notice of Violation issued to the District, dated 11 August 2009, Central Valley Water Board staff requested the District to submit a detailed written description of how and by when it would resolve all items found to be unsatisfactory and marginal during a 17 March 2009 compliance inspection. The District failed to provide a formal response to the Notice of Violation. The 12 April 2010 inspection revealed many of the items deemed unsatisfactory or marginal during the 17 March 2009 inspection remain unsatisfactory or marginal.

Cease and Desist Order R5-2008-0032 (CDO), adopted 14 March 2008, requires the District to submit a work plan and time schedule to implement short-term and long-term measures to ensure compliance with waste discharge requirements. On 28 July 2008, the District submitted the *Study Evaluating Treatment and Disposal Facilities* (Study) to fulfill the requirements in the CDO. The Study indicates the Discharger intends to replace the barminutor and repair the DAF clarifier, the secondary clarifiers, and the sludge thickener as part of its short-term measures. The Study states the barminutor will be replaced August 2008, the DAF clarifier will be returned to service by January 2009, the sludge thickener will be repaired by September 2008, work to install necessary components for one of the secondary clarifiers will be initiated by September 2008, and mechanical components for the other secondary clarifier will be constructed by June 2009.

California Environmental Protection Agency

APPROVED

Supervising Engineer

Central Valley Water Board staff reviewed the Study and provided its findings to the District in a letter dated 24 September 2009. The 24 September 2009 letter states that the District's short-term measures are adequate, provided that the repairs are actually completed, and requires the District to submit an updated work plan and time schedule for implementation of short-term and long-term measures to ensure compliance with waste discharge requirements. The review memorandum states that the District's consultant provided a new date for repairs of the DAF clarifier and the secondary clarifiers of 30 September 2009. In a letter dated 27 October 2009, the District responded to the request to re-submit the study evaluating treatment and disposal capabilities by stating it intended to re-submit the study in several parts. Central Valley Water Board staff did not respond to the District's 27 October 2009 letter and have not received an updated work plan and implementation schedule.

The Discharger submitted a letter on 16 February 2010 providing the status of the repairs and upgrades to the Facility. The letter does not provide any dates for completing repairs and only states that repair activities are underway or planned. The letter states the repairs to the DAF clarifier and the secondary clarifiers have been contracted out to the Kaweah Construction Company, and the sludge thickener is "being repaired by [District] staff." As of the date of the inspection, repairs to the three treatment units had not commenced. Failure to repair significant treatment units not only indicates the District continues to be in violation or threatened violation of Waste Discharge Requirements Order R5-2008-0033, but places the District in threatened violation of CDO, Task 3.

By **15 September 2010**, submit a technical report that addresses the following items:

1. A schedule of repairs to the following treatment units:
 - a. Barminutor
 - b. Flocculation tank
 - c. Dissolved air floatation clarifier
 - d. Secondary clarifiers
 - e. Sludge thickening tank
2. A schedule for installing and using a continuous flow meter to monitor secondary effluent flow at monitoring location M-002.
3. A date by when the District will update its Operations and Maintenance manual, which was last updated in July 2002.
4. Status on the ultraviolet light disinfection system and all meters pertaining to its proper operation.
5. List of treatment processes and units included in the dial-out alarm system.
6. A description of how the District will address the following items deemed unsatisfactory or marginal in the enclosed 12 April 2010 CEI Report:
 - a. "J"-flag results are not identified as such in the self-monitoring reports.
 - b. Non-detect BOD results are reported as 1.0 mg/L in the self-monitoring reports.
 - c. According to Facility staff, influent samples are time-weighted composite samples. Waste Discharge Requirements Order R5-2008-0033 requires that influent samples be collected as 24-hour flow-proportioned composite samples.
 - d. A comparison of the self-monitoring reports and the raw data sheets revealed transcription errors.

- e. Secondary containment was not provided for the sodium thiosulfate containers stored on-site at the time of the inspection.
- f. Maintenance records were not readily available at the time of the inspection.
- g. A review of the self-monitoring reports showed exceedances of effluent limitations.
- h. According to Facility staff, pH samples are not analyzed within 15 minutes of sample collection, as required by Title 40, Code of Federal Regulations, Part 136. No records of sample collection or sample analyses times were available.

This request does not modify the due dates of the CDO, but is necessary to expedite staff's determination of the District's compliance with Waste Discharge Requirements Order R5-2008-0033 and the CDO.

If you have any questions regarding this matter or are unable to comply with the deadline specified above, please contact Aide Ortiz at (559) 445-6083.



LONNIE M. WASS
Supervising Engineer

Enclosure – Facilities Inspection Form
Compliance Evaluation Inspection Report

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