

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

ORDER NO. 77-40

ENFORCEMENT ORDER FOR ISSUANCE OF A TIME SCHEDULE
FOR
CITY OF PALM SPRINGS
Riverside County

ORDER DIRECTING CITY OF PALM SPRINGS TO COMPLY WITH REQUIREMENTS
PRESCRIBED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL
BOARD, COLORADO RIVER BASIN REGION, IN ORDER NO. 74-22 (NPDES*
PERMIT NO. CA0104574).

The California Regional Water Quality Control Board, Colorado River
Basin Region, finds that:

1. This Board on October 17, 1974 adopted Order No. 74-22 (NPDES Permit No. CA0104574) prescribing waste discharge requirements including a compliance time schedule for the City of Palm Springs in accordance with the statutory requirements of the Federal Water Pollution Control Act and the California Water Code. The NPDES permit contains a compliance date of July 1, 1977, for achieving the effluent limitations as required by the Federal Act.
2. Evidence has been submitted which documents that the requirements contained in Order No. 74-22 cannot be achieved for the following major reasons:
 - a. There was eight months delay in awarding the construction contract due to rejection of all construction bids which came in first time.
 - b. Change Order No.1, approved by the State Water Resources Control Board, extends the construction contract for wastewater treatment facilities, now under construction, to January 18, 1978.
3. City of Palm Springs has submitted a new time schedule to achieve the requirements contained in Order No. 74-22.
4. This Board has notified City of Palm Springs and interested agencies and persons of its intent to adopt a new time schedule for compliance by the City of Palm Springs.

*NPDES means National Pollutant Discharge Elimination System

*Expired
7/15/76*

5. This Board in a public hearing heard and considered all comments pertaining to City of Palm Springs' ability to achieve compliance.

IT IS HEREBY ORDERED, that in accordance with California Water Code, Section 13300, City of Palm Springs shall comply with the following time schedule:

| <u>Task</u> | <u>Compliance Date</u> | <u>Report of Compliance Date</u> |
|---|------------------------|----------------------------------|
| Complete 50% construction | November 1, 1977 | November 15, 1977 |
| Complete 100% construction | May 30, 1978 | June 15, 1978 |
| Achieve full compliance with requirements | June 30, 1978 | July 15, 1978 |

This Order expires on July 15, 1978.

This Board declares that it does not intend to undertake further enforcement action to bring City of Palm Springs into compliance with final effluent limitations by July 1, 1977, as contained in Order No. 74-22 provided:

1. City of Palm Springs complies fully with all of the terms of this Order and the time schedule contained in this Order;
2. City of Palm Springs complies fully with all of the terms of Order No. 74-22, except as affected by the provisions of this Order;
3. Circumstances do not occur which would warrant modifications of Order No. 74-22 or of the time schedule; and
4. Circumstances do not occur which would warrant an action under Section 504 of the Federal Water Pollution Control Act.

The action taken by this Board pertaining to the time schedule does not preclude the possibility of actions to enforce the permit by third parties pursuant to Section 505 of the Federal Water Pollution Control Act.

This Order shall become effective 10 days after date of its adoption provided the Regional Administrator, Environmental Protection Agency, has no objections. If the Regional Administrator objects to its issuance, this Order shall not become effective until such objection is withdrawn.

I, Arthur Swajian, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region on May 18, 1977.

Arthur Swajian

Executive Officer