



**Central Valley Regional Water Quality Control Board**

30 August 2012

**NOTICE OF VIOLATION**

Peter Rei, Director  
Mariposa County Public Works  
4639 Ben Hur Road  
Mariposa, CA 95338

**VIOLATION OF WASTE DISCHARGE REQUIREMENTS ORDER 99-004, MARIPOSA COUNTY DEPARTMENT OF PUBLIC WORKS, YOSEMITE WEST MAINTENANCE DISTRICT WASTEWATER TREATMENT FACILITY (WDID 5C221002001, RM 387091, MARIPOSA COUNTY**

Waste Discharge Requirements Order 99-004 (WDRs) for the Mariposa County Department of Public Works Yosemite West Maintenance District Wastewater Treatment Facility (Facility) regulates the monthly average daily discharge of up to 0.06 million gallons per day of undisinfected secondary treated wastewater to land. The Order incorporates Monitoring and Reporting Program Order 99-004 and Standard Provisions and Reporting Requirements for Waste Discharge Requirements dated 1 March 1991 (Standard Provisions). Cease and Desist Order R5-2003-0070 (Order) required the County complete various tasks to ensure compliance with the WDRs.

On 30 May 2012, Central Valley Water Board staff conducted an inspection of the Facility to determine its level of compliance with its WDRs. At the time of the inspection, staff found the County in violation of Item 1 of the Order, which requires the County cease and desist discharging waste in violation or threatened violation of the WDRs. The County is in violation of its WDRs as follows:

1. Discharge Specification B.4 for allowing effluent to surface in the leachfield,
2. Standard Provision A.7 for not maintaining in good working order or operating as efficiently as possible the flow meter, Biolac® aeration system, and clarifier;
3. Standard Provision B.2 for not maintaining a spill prevention and control plan, and
4. Standard Provision C.5 for not maintaining a written sampling plan.

As part of the inspection effort, staff also reviewed the County's self-monitoring reports for the period 1 January 2006 through 30 June 2012 and violation data pertaining to the

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

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discharge entered by Board staff into the California Integrated Water Quality System database. During this period the County violated its WDRs as follows:

1. Discharge Specification B.2 for exceeding the monthly average and daily maximum effluent biochemical oxygen demand and total suspended solids limits, and
2. Provision E.1 for not complying with the Monitoring and Reporting Program by failing to submit reports, submitting late and incomplete reports, and submitting reports with the incorrect certification statement.

The enclosed Facilities Inspection Report documents these violations.

By **1 October 2012** submit the following

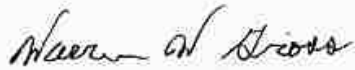
1. A spill prevention and control plan in compliance with Standard Provision B.2.
2. A written sampling program in compliance with Standard Provision C.5.
3. Written certification that all key personnel responsible for compliance with the WDRs have reviewed the WDRs, including its Monitoring and Reporting Program and Standard Provisions, and that the County will implement measures to ensure it submits timely and complete self-monitoring reports.

By **1 November 2012** submit the following:

1. A technical report describing a study of the leachfield and subsurface drip irrigation system to include proposed modifications to preclude future surfacing effluent and compliance with the Waste Discharge Requirements, and
2. A technical report describing a study of the current monitoring well network to determine if it is usable, and if necessary, proposing a work plan and implementation schedule (no longer than 120 days from report submittal) for the installation of replacement groundwater monitoring wells.
3. A written report and implementation schedule not to exceed 60 days for repair or replacement of the failed flow meter, repairs to the Biolac® aeration system, and a plan to operate the clarifier as efficiently as possible.
4. A written report describing actions taken or planned to comply with the effluent biochemical oxygen demand and total suspended solids limits.

For enforcement purposes, these dates do not extend any due dates in the Waste Discharge Requirements or Cease and Desist Order R5-2003-0070, which the County may have violated.

If you have any question regarding this matter or require additional time to comply, please contact Daniel Benas at 559-445-5500 or at [dbenas@waterboards.ca.gov](mailto:dbenas@waterboards.ca.gov).



WARREN W. GROSS  
Senior Engineering Geologist  
CEG 1528, CHG 681

Enclosure: Facilities Inspection Report

cc: YWPHI, 7585 Hennes Ridge Road, Yosemite National Park, CA 95389

5C221002001      99-004      **FACILITIES INSPECTION REPORT**      145594      1/7  
 WQID      ORDER NO.      REG MEASURE ID      PAGE NO.  
 N15           27813      274513  
 PROGRAM      NPDES PERMIT NO.      PARTY ID      PLACE ID

MARIPOSA CO DPW      YOSEMITE WEST MD WWTF  
 DISCHARGER NAME      FACILITY NAME  
 4639 Ben Hur Road           STREET ADDRESS      STREET ADDRESS  
 Mariposa, CA 95338      Yosemite West, CA      CITY, STATE, ZIP CODE      CITY, STATE, ZIP CODE  
 Gary Taylor, Assistant Director      Darryl Nielsen, Plant Operator Technician  
 DISCHARGER CONTACT PERSON      FACILITY CONTACT PERSON  
 209-966-5356      gtaylor@mariposa.org      209-966-5356      gtaylor@mariposa.org  
 TELEPHONE NO      E-MAIL ADDRESS      TELEPHONE NO      E-MAIL ADDRESS

**GENERAL INSPECTION INFORMATION**

Inspection Type: Type B      Lead Inspector: Daniel Benas  
 5/30/2012 to 5/30/2012      10AM      80's no wind  
 INSPECTION DATE(S)      INSPECTION TIME      GENERAL WEATHER CONDITIONS:

**INSPECTION ATTENDEE(S)**

Daniel Benas	CVRWQCB	559-445-5500	dbenas@waterboards.ca.gov
NAME	COMPANY/AGENCY	TELEPHONE NO	E-MAIL ADDRESS
Gary Taylor	Mariposa County	209-966-5356	gtaylor@mariposa.org
NAME	COMPANY/AGENCY	TELEPHONE NO	E-MAIL ADDRESS
Darryl Nielsen	Mariposa County	209-966-5356	dnielsen@mariposa.org
NAME	COMPANY/AGENCY	TELEPHONE NO	E-MAIL ADDRESS

**INSPECTION SUMMARY (for CIWQS entry – 500 character maximum)**

Facility discharges about 0.06 mgd of undisinfected secondary treated wastewater to leachfields. Flow meter not operational, fine bubble diffusers need replacement, clarifier has excessive scum/algae on weirs, leachfield is surfacing, no spill prevention and control plan, and no written sampling plan.

**INSPECTION VIOLATIONS SUMMARY (if applicable)**

Identify VIOLATIONS noted during inspection in table below. For each violation documented entered into CIWQS, identify Violation ID and Violation Type, describe violation, and identify section of the WDRs or Water Code violated. Identify additional violations in Inspection Observations & Findings.

Label	Violation ID	Violation Type	Violation Description	Section of the WDRs Violated
V1	935352	Order Condition	Flow meter not maintained in good working order.	Standard Provision A.7
V2	935353	Order Condition	Biolac® diffusers not maintained in good working order.	Standard Provision A.7
V3	935354	Order Condition	Clarifier not maintained in good working order.	Standard Provision A.7
V4	935355	Order Condition	Failure to maintain leachfield area brush free	Discharge Specification B.17
V5	935356	Order Condition	Surfacing effluent in leachfield	Discharge Specification B.4
V6	935358	Order Condition	Spill prevention and control plan not maintained onsite.	Standard Provision B.2
V7	935359	Order Condition	Written Sampling Plan not maintained onsite.	Standard Provision C.5

**OTHER VIOLATIONS (if applicable)**

SMR violations?  Yes  No  Not Evaluated      See SELF-MONITORING REPORT REVIEW SUMMARY Section  
 File Review violations?  Yes  No  Not Evaluated      See FILE REVIEW SUMMARY Section

Lead Inspector ID: 454439      Signature: [Signature]      Date: 5/30/12  
 Inspection Tracking Information      Reviewed by: (1) [Signature]      (2) [Signature]      (3) \_\_\_\_\_  
 Filename: dbb Yosemite West.IR      CIWQS Entry Date: \_\_\_\_\_      CIWQS Inspection ID: 8537292

**FACILITY INFORMATION**

POTW	0.06 mgd
FACILITY DESCRIPTION	DISCHARGE FLOW LIMIT(S)
Aerated ponds	II
TREATMENT DESCRIPTION	FACILITY CLASSIFICATION (POTW Only)
Leachfields	
DISPOSAL DESCRIPTION (e.g., disposal ponds, spreading basins, leachfields, land application area, etc.)	
SLUDGE HANDLING AND STORAGE DESCRIPTION	

**BACKGROUND**

Waste Discharge Requirements Order 99-004 (Order) for Mariposa County Yosemite West Maintenance District wastewater treatment facility regulates the discharge of up to 0.06 million gallons per day of undisinfectied secondary treated wastewater to land. The Order incorporates Monitoring and Reporting Program 99-004 and Standard Provisions and Reporting Requirements for Waste Discharge Requirements dated 1 March 1991.

Cease and Desist Order R5-2003-0070 requires the Discharger to Cease and desist discharging waste in violation or threatened violation of its Order. Details are provided in the File Review Summary.

**WASTEWATER TREATMENT PLANT OPERATOR INFORMATION**

Darryl Nielsen	II	none
CHIEF PLANT OPERATOR	OPERATOR GRADE	IDENTIFY NUMBER OF OTHER OPERATORS PER GRADE

**INSPECTION OBSERVATIONS AND FINDINGS**

Describe observations and findings and identify those that document and reference each violation listed in the Inspection Violations Summary table by identifying the cited violation number within parentheses following the observation/finding (e.g., Available freeboard in Pond 1 was < two feet (V1)).

I arrived onsite and met with Mr. Darryl Nielsen, Plant Operator, and Mr. Gary Taylor, Assistant Director Public Works, and explained I was onsite to conduct a compliance inspection.

I inspected the wastewater treatment facility. The Facility consists of a headworks equipped with a manual screen (bypassed) and a grinder (Photo 1), two unlined aerated ponds equipped with Biolac® aeration systems (Photos 2-4), one clarifier (Photos 5-6), three filters/strainers (Photo 7), multiple leachfields (Photos 8-11), and a subsurface drip irrigation system. The influent channel with the manual bar screen was blocked off and all influent was directed through a grinder. Mr. Nielsen stated that the flow meter has been offline since December 2012, a violation of Standard Provision A.7 (V.1).

I inspected the unlined aerated ponds. Two aerated ponds operated in series. The lower pond receives wastewater from the headworks. Wastewater is then pumped to the upper pond. Both ponds are equipped with Biolac® aeration systems; it appeared that several diffusers were in need of repair, evidenced by the surfacing of coarse bubbles where there should have been fine bubbles, a violation of Standard Provision A.7 (V2). Mr. Nielsen was not able to provide a tentative date for diffuser replacement.

I inspected the clarifier. I observed floc carryover in the clarifier and excessive algae growth and scum buildup on the clarifier weirs, a violation of Standard Provision A.7 (V3). Mr. Nielsen explained that the clarifier freezes in winter and a heater must be installed to keep the clarifier from freezing solid.

I inspected the filters/strainers for the subsurface drip irrigation system. Mr. Nielsen stated that the filters clogged easily with particulate matter or with ice during the winter months, and that all effluent is discharged to the leachfields because without the filters/strainers the subsurface drip irrigation system is unusable. He explained that he has unsuccessfully attempted to keep the filters from clogging and freezing by installing heat tape, insulation, and an electrical heater in the filter vaults.

I inspected the leachfields and subsurface drip irrigation area. The leachfields are numbered 1, 2, 3a, 3b, 4, 5, and 6.

Leachfields 1, 2, 3a, 3b, and 6 were in use. The leachfields are terraced and are overgrown with trees, brush, and weeds, a violation of Discharge Specification B.17 (V4). I observed an abundance of mounds and holes, evidence of burrowing animals in the leachfield area. I also observed erosion, wet soil, and detected a wastewater odor where effluent had surfaced on leachfield 6, in violation of Discharge Specification B.4 (V5). Mr. Nielsen pointed out where leachfield 5 had surfaced and explained that leachfield 5 had been taken offline when the failure was discovered. I instructed Mr. Nielsen to take leachfield 6 offline until repairs had been made. I also inspected the inactive subsurface drip irrigation area; I did not observe any signs of surfacing effluent. Mr. Nielsen explained that the subsurface drip irrigation area had not been used for some time. I also observed the remains of a spray irrigation system over some of the leachfield area; Mr. Nielsen stated that the spray field is not in use and was unable to provide an estimate for when the spray field was last used.

I asked to see the Order, Monitoring and Reporting Program, Standard Provisions, spill prevention and control plan, a written sampling program, flow meter calibration records. Mr. Nielsen was able to provide a copy of the Order, Monitoring and Reporting Program, Standard Provisions, but not of a spill prevention and control plan (in violation of Standard Provision B.2 (V6)), or a written sampling program (in violation of Standard Provisions C.5 (V7)).

### SAMPLING INFORMATION AND OBSERVATIONS

Were samples collected during the inspection?  Yes  No      Are sample results included in report?  Yes  No  
Did discharger collect split samples?  Yes  No

### SELF-MONITORING REPORT REVIEW SUMMARY

Summarize SMR review results below.

A query of violation data entered for the discharge by Central Valley Water Board staff into the California Integrated Water Quality System (CIWQS) database from 1 January 2006 through 30 June 2012 revealed 229 violations. The violations were linked to the Notice of Violation (Regulatory Measure 387091) created as a result of this inspection.

The 229 violations consist of:

1. 69 violations for Discharge Specification B.2 (Effluent Limits). The 69 violations consists of the following:
  - a. 29 for exceeding the monthly average effluent BOD limit of 40 mg/L.
  - b. 11 for exceeding the daily maximum effluent BOD limit of 80 mg/L.
  - c. 24 for exceeding the monthly average effluent total suspended solids limit of 40 mg/L.
  - d. 5 for exceeding the daily maximum effluent total suspended solids limit of 80 mg/L.
2. 152 violations of Provision E.1 for not complying with the MRP. Non-compliance consists of submitting monthly self-monitoring reports with the incorrect certification statement (Standard Provision B.3) and missing, late, and incomplete reports. Groundwater monitoring wells have been reported as dry since the November 2007 report, prior to November 2007 groundwater monitoring data was not submitted.

Violation details can be viewed at the link below by selecting "Interactive Violation Reports":  
[http://www.waterboards.ca.gov/water\\_issues/programs/ciwqs/publicreports.shtml#violations](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/publicreports.shtml#violations)

### FILE REVIEW SUMMARY

Was a facility file review part of inspection effort?

Yes  No

If not, is facility file review recommended?

Yes  No

Summarize file review results below.

I conducted a review of the case file to determine the Dischargers level of compliance with its Cease and Desist Order.

Cease and Desist Order R5-2003-0070 requires the Discharger to:

1. Cease and desist discharging waste in violation or threatened violation of it Order,
2. Ensure appropriate discharge flow monitoring at the WWTF,
3. Provide interim WWTF capacity of the existing 112 developed lots and ensure compliance with Item 1 above,
4. Implement the approved workplan for groundwater monitoring,
5. Provide long-term wastewater treatment and disposal capacity for the subdivision at projected 15-year flows and full build-out flows,
6. Submit written progress reports by the 1<sup>st</sup> day of the second month following the end of each calendar quarter beginning with the third quarter of 2003, and
7. Submit a written report within 30 days granting any exemption to the connection ban, and written notification at least 60 days preceding any proposed actions by the Discharger to remove or modify the ban.

A 24 February 2006 Mariposa County letter signed and stamped by Dana S. Hertfelder, P.E. No C56601, certifies that the County of Mariposa has completed improvements to the Yosemite West Wastewater Treatment Facility. The letter states the following:

Improvements include:

1. Repair to the collection system as identified in the Final I/I Report dated 28 June 2000.
2. Construction of a headworks station with a comminuter to grind up solids.
3. Installation of a Biolac® enhanced aeration system in both ponds.
4. Construction of three drip irrigation fields totaling approximately 55,000 linear feet of drip irrigation lines
5. Certification that the improvements were con
6. structed in accordance with the plans and specification developed by Psomas Engineering and are designed to treat and dispose of an average daily flow of 100,000 gallons and provide for full build-out of the Yosemite West subdivision.
7. Certification that the system is capable of treating and disposing of an average daily flow of 100,000 gallons.

The letter also states that the County is considering passage of a resolution removing the existing building moratorium, and that a written technical report describing the completed improvements in regard to the requirements of the Cease and Desist Order will be submitted within 30 days.

I was not able to find documentation that the promised technical report was ever received.

It appears that, while the County attempted to comply with the intent of the Cease and Desist Order, violation of the WDRs continued after certifying that the Facility could adequately treat and dispose of an average daily flow of 100,000 gallons.

### RECOMMENDATIONS

Issue a Notice of Violation for violation of Standard Provisions A.7, B.2, and C.5; Discharge Specifications B.2, B.4 and B.17; and Provision E.1.

PHOTOGRAPHS

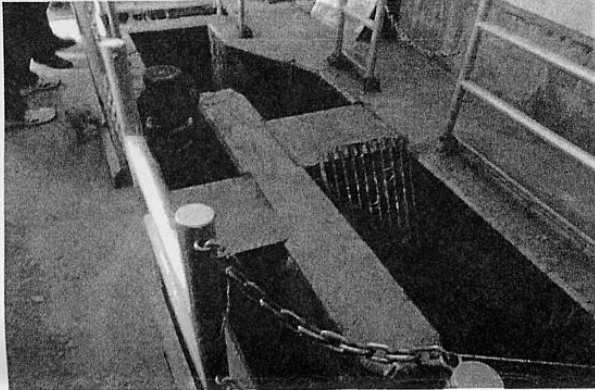


Photo 1. Headworks

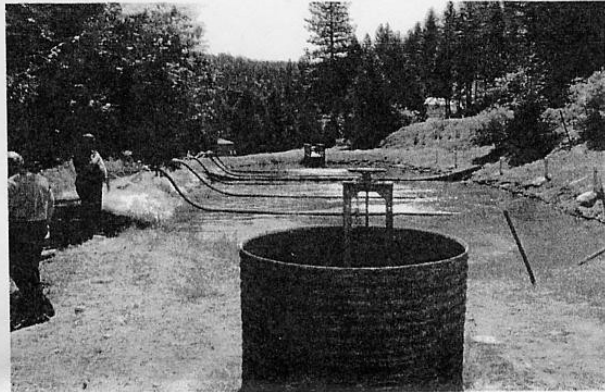


Photo 2. Lower aeration pond

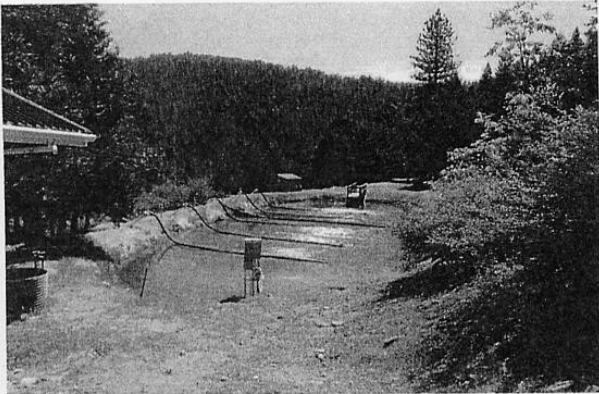


Photo 3. Lower aeration pond alternate view

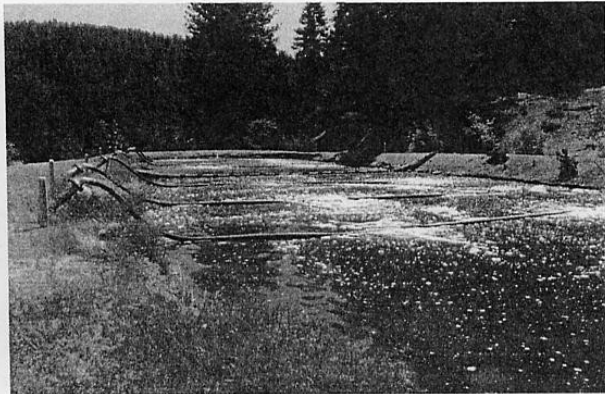


Photo 4. Upper aeration pond

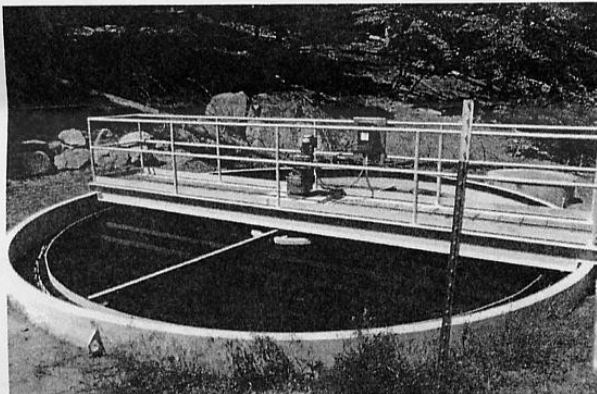


Photo 5. Clarifier

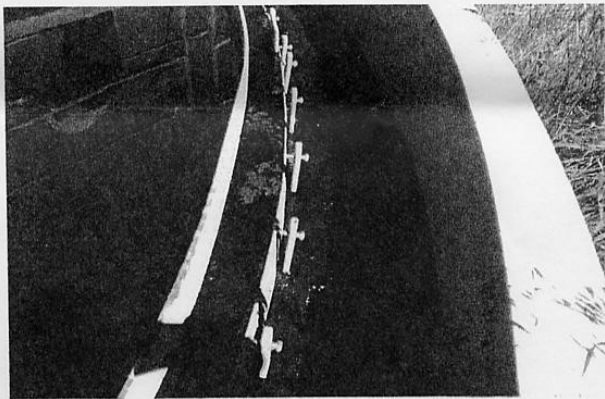


Photo 6. Clarifier weir – note excessive scum and algae



PHOTOGRAPHS

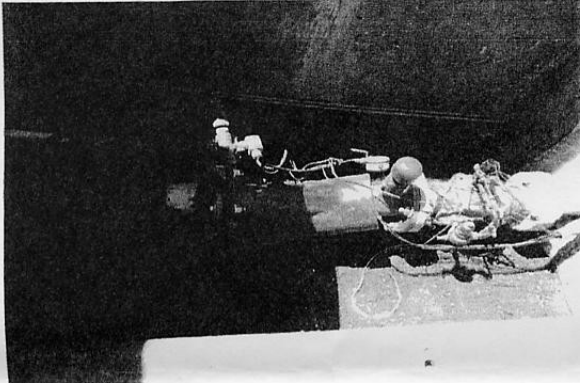


Photo 7. Filter/strainer



Photo 8. Leachfield area

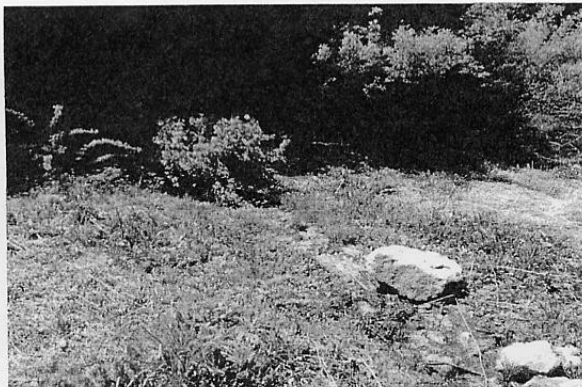


Photo 9. Leachfield area – note erosion from surfacing effluent

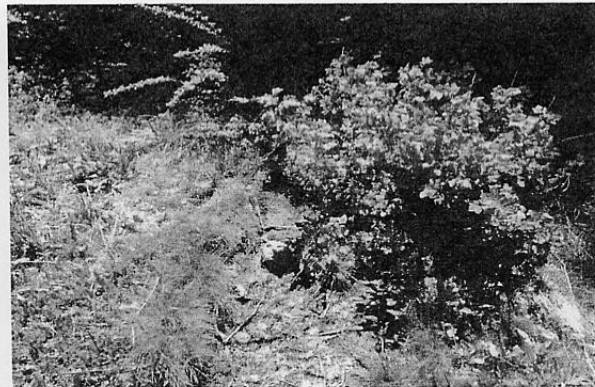


Photo 10. Leachfield area – note erosion from surfacing effluent

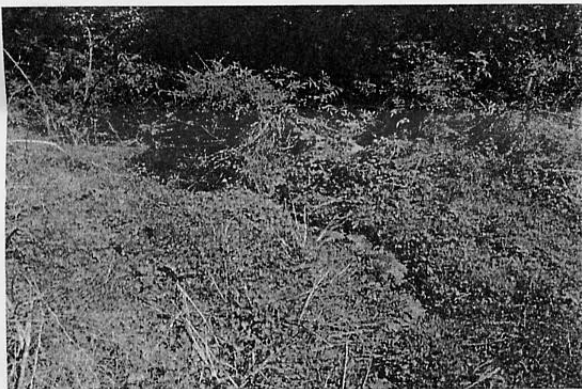
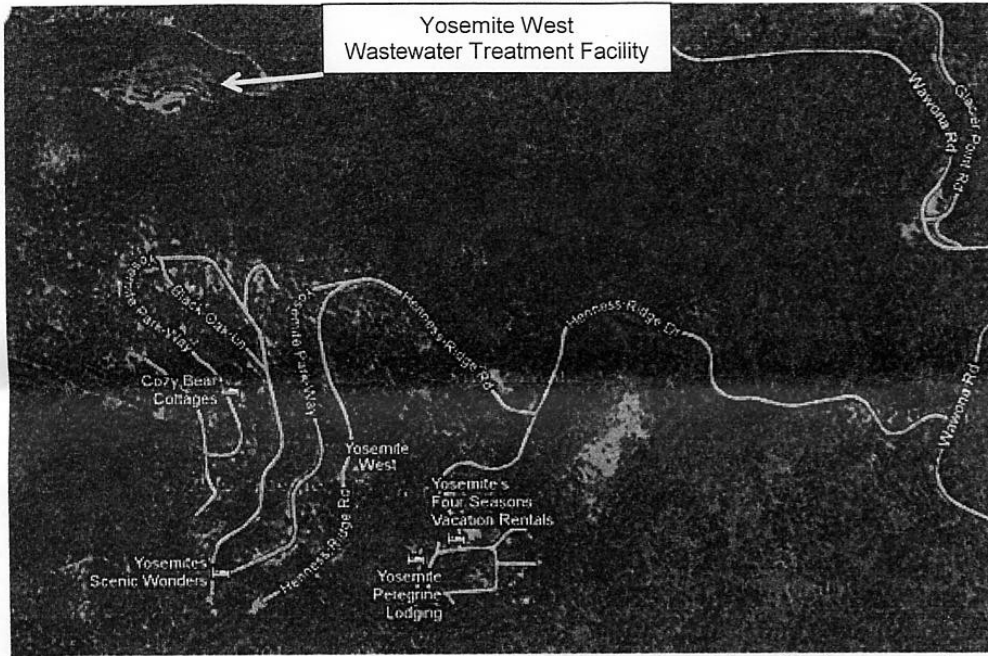


Photo 11. Leachfield area – note erosion from surfacing effluent

PHOTOGRAPHS



Aerial photograph adapted from <http://maps.google.com>

