



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, CA 94105-3901

CERTIFIED MAIL 7000 0520 0021 6108 9922  
RETURN RECEIPT REQUESTED

JUL 1 9 2004

In Reply Refer To: CWA-307-9-04-029

John Wright, Director  
City of Yuba City, Public Works Department  
1201 Civic Center Blvd  
Yuba City, California 95993

Dear Mr. Wright:

The enclosed Administrative Order sets a 12-month time schedule to resubmit the approved pretreatment program for Yuba City. The details of the work that this Order requires were first discussed with your staff during our pretreatment performance evaluation last year, and were transmitted this May in the inspection report. Yuba City should be able to satisfy some but not all aspects of this Order by submitting work already prepared in response to the compliance time schedule in the current NPDES permit for the Yuba City Wastewater Treatment Facility. The key dates are as follows:

KEY DATES	ADMINISTRATIVE ORDER CWA-307-9-04-029
08/01/04	1-4. Begin 17 months of added monthly self-monitoring of the influent, effluent, and receiving water.
07/30/04	5. Submit a response to the attached inspection report.
06/30/05	6. Submit a written description of the pretreatment program for approval
* * *	7. Adopt local limits and ordinance within 60 days of obtaining approval
* * *	8. Issue all pending permits within 180 days of obtaining approval
* * *	9. Self-monitoring reports are due on the 28th day of each month for the samples collected during the previous calendar month.
09/30/04 12/30/04 03/30/05	10. Submit quarterly progress reports

The enclosed Finding of Violation and Administrative Order is issued pursuant to Sections 308(a) and 309(a)(3), (a)(4) and (a)(5)(A) of the Clean Water Act ("the Act") as amended [33 U.S.C. Sections 1318(a) and 1319(a)(3), (a)(4) and (a)(5)(A)]. Any violation of the

terms of this Administrative Order could subject Yuba City to a civil action for appropriate relief pursuant to Section 309(b) of the Act [33 U.S.C. Section 1319(b)] and/or penalties under Section 309(d) of the Act [33 U.S.C. Section 1319(d)] of up to \$31,500 per day of violation. In addition, under, Section 309(g) of the Act [33 U.S.C. Section 1319(g)], any violation of the requirements in the NPDES permits could also subject Yuba City to an administrative penalty action of up to \$12,000 per day of violation not to exceed \$157,500. Sections 309(c)(1), (c)(2) and (c)(4) of the Act [33 U.S.C. Section 1319(c)(1), (c)(2) and (c)(4)] also provide penalties for negligent violations, knowing violations and knowingly making false statements.

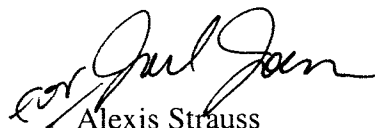
The Finding of Violation is based on our April 2004 pretreatment performance evaluation. The evaluation involved inspections and sampling of the wastewater treatment plant and the significant industrial users, as well as our review of Yuba City's self-monitoring and pretreatment records. The inspection report is attached and is by reference made a part of this Finding of Violation and Administrative Order.

The request for information included in this Administrative Order is not subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act because it is not an "information collection request" within the meaning of 44 U.S.C. Sections 3502(4), 3502(11), 3507, 3512, and 3518. Furthermore, it is exempt from OMB review under the Paperwork Reduction Act because it is directed to fewer than ten persons [44 U.S.C. Section 3502(4), 3502(11) and 5 CFR Section 1320.5(a)].

EPA has promulgated regulations to protect the confidentiality of the business information it receives. These regulations are set forth in 40 CFR Part 2, Subpart B and in the Federal Register at 41 F.R. 36902 (September 1, 1976) and 43 F.R. 40000 (September 8, 1978). A claim of business confidentiality may be asserted in the manner specified by 40 CFR Section 2.203(b) for part or all of the information requested. EPA will disclose business information covered by such a claim only as authorized under 40 CFR Part 2, Subpart B. If no claim accompanies the business information at the time EPA receives it, EPA may make it available to the public without further notice. Yuba City may not withhold from EPA any information on the grounds that it is confidential.

If you have any questions regarding this matter, please contact Greg V. Arthur of my staff at (415) 972-3504 or at [arthur.greg@epa.gov](mailto:arthur.greg@epa.gov).

Sincerely,



Alexis Strauss  
Director, Water Division

17 July 2004

Enclosure

cc: Mike Paulucci, Yuba City  
Melissa Hall, RWQCB-Sacramento

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 9

In the Matter of	)	
	)	
The City of Yuba City	)	
Wastewater Treatment Facility	)	FINDING OF VIOLATION
Pretreatment Program	)	
	)	AND ORDER
Proceedings under Section 308(a) and 309(a)(3),	)	
(a)(4) and (a)(5)(A) of the Clean Water Act, as	)	Docket No. CWA-307-9-04-029
amended, 33 U.S.C. Section 1318(a) and	)	
1319(a)(3), (a)(4) and (a)(5)(A)	)	

**STATUTORY AUTHORITY**

The following Finding of Violation and Order (Docket No. CWA-307-9-04-029) is issued under the authority vested in the Administrator of the U.S. Environmental Protection Agency (EPA) pursuant to Sections 308(a) and 309(a)(3), (a)(4) and (a)(5)(A) of the Clean Water Act [33 U.S.C. Sections 1318(a) and 1319(a)(3), (a)(4) and (a)(5)(A)] (hereinafter the Act). This authority has been delegated by the Administrator and Regional Administrator of EPA Region 9 to the Director of the Water Division of EPA Region 9.

**FINDING OF VIOLATION**

The Director of the Water Division of EPA Region 9 finds that Yuba City is in violation of the permit conditions in the National Pollutant Discharge Elimination System (NPDES) permit issued to Yuba City. This Finding is made on the basis of the following facts:

1. The California Regional Water Quality Control Board, Central Valley Region (RWQCB), under the authority of Section 402(b) of the Act, as amended [33 U.S.C. Section 1342(b)], issued NPDES permit No. CA0079260 in its Waste Discharge Requirements Order No. R5-2003-0085 (the WDRs) to Yuba City on June 6, 2003 to become effective on that date, and set to expire on June 1, 2008. The RWQCB also concurrently issued Cease and Desist Order, No. R5-2003-0086 (the CDO), to Yuba City.

The RWQCB issued a previous version of the NPDES permit in its WDRs on August 8, 1997 to become effective on that date and set to expire on August 1, 2002. The previous version of the NPDES permit was considered to be administratively extended and in effect through the issuance of the current version of the NPDES permit because Yuba City submitted its application for renewal in advance of the permit application deadline. The NPDES permit authorizes and has authorized the discharge of treated domestic wastewater from the Yuba City Wastewater Treatment Facility into the Feather River and into percolation ponds located along the Feather River.

2. The Feather River is a water of the United States as defined by the Act and its implementing regulations [33 U.S.C. Section 1362(7); 40 CFR 122.2].
3. Under Section 402(a) of the Act [33 U.S.C. Section 1342(a)], EPA promulgated the NPDES permit regulations in 40 CFR 122 that apply to owners or operators of point sources that discharge pollutants into waters of the United States. Yuba City is the owner and operator of the Yuba City Wastewater Treatment Facility, and thus qualifies as a discharger of pollutants from a point source into waters of the United States.
4. Under Section 307(b) of the Act [33 U.S.C. Section 1317(b)], EPA promulgated the general pretreatment regulations in 40 CFR 403 that apply to Publicly Owned Treatment Works (POTWs) as well as to the industrial users that discharge their non-domestic wastewaters into the POTWs. The sewer collection system and wastewater treatment plant serving Yuba City qualify Yuba City as a POTW within the meaning of Section 307(b) of the Act [33 U.S.C. Section 1317(b)] and the Federal pretreatment regulations in 40 CFR 403.3(o).
5. Condition 15 of the WDRs as issued on June 6, 2003 required Yuba City to implement the legal authorities, programs, and controls necessary to ensure that indirect discharges do not introduce pollutants that either flow through the sewerage system to the receiving

waters, or inhibit or disrupt the treatment works.

6. Condition 16 of the WDRs as issued on June 6, 2003 and condition 7 of the WDRs as issued on August 8, 1997 required Yuba City to perform the pretreatment functions set forth in the Federal general pretreatment regulations in 40 CFR 403. These pretreatment functions include, but are not limited to, the following:
  - a. The implementation of the general and specific national prohibitions in 40 CFR 403.5 for industrial users against the introduction of incompatible wastewaters;
  - b. The requirement in 40 CFR 403.8(f)(4) to develop, as set forth in 40 CFR 403.5(c), the local limits necessary to protect the treatment works from potential adverse impacts, such as operational interference, worker health and safety risks, the pass-through of pollutants to the receiving waters, and sludge contamination;
  - c. The implementation and adoption of the necessary legal authorities as provided in 40 CFR 403.8(f)(1);
  - d. The requirement in 40 CFR 403.8 that pretreatment programs be administered to ensure industrial user compliance, which necessarily involves at least the following:
    1. Developing and maintaining a complete inventory of industrial users as required in 40 CFR 403.8(f)(1)(iii) and (f)(2)(i);
    2. Ensuring that all self-monitoring performed by the industrial users and all sampling performed by Yuba City of the industrial users is representative of all non-domestic wastewater discharges over the reporting period as required in 40 CFR 403.12(g)(3);
    3. The sampling by Yuba City at least once per year of all non-domestic wastewater discharges to the sewers from the significant industrial users that self-monitor as required in 40 CFR 403.8(f)(2)(v) and 40 CFR

- 403.12(i)(2), (e)(1), and (g)(10);
4. Enforcing the Federal categorical standards as required in 40 CFR 403.6, including the prohibition against dilution as a substitute for treatment set forth in 40 CFR 403.6(d);
  5. Developing an enforcement response plan and enforcing the pretreatment requirements following the plan as required in 40 CFR 403.8(b), (f)(1)(ii), and (f)(2)(vii).
7. On April 30, 2004, EPA completed a pretreatment performance evaluation of the Yuba City pretreatment program to control non-domestic wastewater discharges into the Yuba City sewers. This evaluation consisted of the following:
- a. On August 5, 2003, a compliance evaluation inspection of the Yuba City Wastewater Treatment Facility;
  - b. On August 27, 2003, the sampling of the influent, effluent, and sludge from the Yuba City Wastewater Treatment Facility;
  - c. On August 5, and August 20, 2003, compliance sampling inspections of three significant industrial users (Custom Chrome and Bumper, Susweet Growers, and Calpine Greenleaf Unit 2);
  - d. A review of the sampling record for the Yuba City wastewater treatment plant for conventional pollutants in 2003-2004 and for toxic pollutants in the influent, effluent discharge and sludge in 2000-2004;
  - e. On-site interviews with representatives of Yuba City and the review of the pretreatment program documentation.
8. Yuba City violated Condition 16 of the WDRs as issued on June 6, 2003 and condition 7 of the WDRs as issued on August 8, 1997 in that, Yuba City has not implemented and adopted the necessary legal authorities as provided in 40 CFR 403.8(f)(1). This

determination is based on the following findings that were established in the April 2004 EPA evaluation of the Yuba City pretreatment program:

- a. Yuba City operates under the authority of Public Works Title 6, Wastewater Collection and Treatment Chapter 5 of its municipal code as adopted in 1976;
  - b. Yuba City began the process of revising its ordinance to be in accordance with the requirements of 40 CFR 403 and submitted a draft ordinance for review in 1990;
  - c. EPA and the RWQCB provided a number of reviews of the ordinance culminating in an approval letter from the RWQCB issued on November 29, 1995;
  - d. Yuba City has not adopted the revised ordinance which means the local limits and regulatory provisions still in effect in Yuba City are those in the 1976 ordinance;
  - e. WDRs issued by the RWQCB prior to 1997 have imposed pretreatment provisions that require implementation of the regulatory controls necessary to enact all of 40 CFR 403.
9. Yuba City violated Conditions 15 and 16 of the WDRs as issued on June 6, 2003 and condition 7 of the WDRs as issued on August 8, 1997 in that, the Yuba City local limits in its sewer use ordinance were not protective of the wastewater treatment works from the adverse impacts from non-domestic wastewater discharges. This determination is based on the following findings that were established in the April 2004 EPA evaluation of the Yuba City pretreatment program:
- a. The local limits now in effect were adopted in 1976;
  - b. The local limits now in effect are not technically based on the protection of the Yuba City wastewater treatment works as it exists now nor on the requirements of the NPDES permit issued on June 6, 2003 or the previous version of the permit issued on August 8, 1997;
  - c. The sampling record indicates that the discharge from the Yuba City Wastewater

Treatment Facility would be expected to exceed the limits in the current NPDES permit limits for aluminum, arsenic, copper, iron, manganese, molybdenum, and zinc.

10. Yuba City violated Conditions 16 of the WDRs as issued on June 6, 2003 and condition 7 of the WDRs as issued on August 8, 1997 in that, Yuba City incorrectly applied Federal categorical pretreatment standards to five significant industrial users. This determination is based on the following findings that were established in the April 2004 EPA evaluation of the Yuba City pretreatment program:
  - a. For Custom Chrome and Bumper:
    1. Yuba City did not issue any permit conditions nor any enforcement actions to Custom Chrome and Bumper that prohibited dilution as a substitute for treatment as required in 40 CFR 403.6(e) in order to ensure its compliance with the Federal job-shop electroplating standards in 40 CFR 413;
    2. EPA found rinsing practices and the lack of treatment at Custom Chrome and Bumper that qualifies as dilution as a substitute for treatment;
  - b. For Calpine Greenleaf Unit 2, Calpine Feather River Energy Center, Calpine Yuba City Energy Center, and Yuba City Cogeneration:
    1. The Yuba City permits to these four power plants incorrectly applied the Federal steam electric power generating station standards in 40 CFR 423;
    2. EPA found that these four power plants do not generate power through steam-driven turbines and thus do not qualify for regulation under Federal steam electric power generating station standards in 40 CFR 423.
11. Yuba City violated Conditions 16 of the WDRs as issued on June 6, 2003 and Condition 7 of the WDRs as issued on August 8, 1997 in that, Yuba City did not ensure that self-



monitoring performed by the industrial users and sampling performed by Yuba City of its significant industrial users are usable to determine compliance with pretreatment standards. This determination is based on the following findings that were established in the April 2004 EPA evaluation of the Yuba City pretreatment program:

- a. The self-monitoring frequencies required by the Yuba City permits to Sunsweet Growers, Custom Chrome and Bumper, and Calpine Greenleaf Unit 2 did not ensure representative sampling over the reporting period because significant slug, batch and variable discharges, such as spent solutions, blowdowns and regenerants, are not specifically required by the permits to be self-monitored;
  - b. Franklin Circle K was not sampled by Yuba City at least once per year;
  - c. The rinsing practices and the lack of treatment in-place at Custom Chrome and Bumper qualifies as dilution as a substitute for treatment and results in diluted samples unusable for determining compliance with the Federal job-shop electroplating standards in 40 CFR 413.
12. The April 30, 2004 EPA report of the April 2004 performance evaluation of the Yuba City pretreatment program is by reference made part of this Finding of Violation and Administrative Order.

### **ADMINISTRATIVE ORDER**

Taking these Findings into consideration and considering the potential environmental and human health effects of the violations and all good faith efforts to comply, EPA has determined that compliance in accordance with the following requirements is reasonable. Pursuant to Section 308(a) and 309(a)(3), (a)(4) and (a)(5)(A) of the Act [33 U.S.C. Section 1318(a) and 1319(a)(3), (a)(4) and (a)(5)(A)], IT IS HEREBY ORDERED that Yuba City comply with the following requirements:

#### *Self-Monitoring*

1. Yuba City shall self-monitor the Yuba City wastewater treatment plant for 17 months from August 1, 2004 through December 31, 2005, in accordance with the following schedule:
  - a. **ONCE EACH MONTH**, Yuba City shall self-monitor for the following pollutants and parameters at the following sample points:
    1. The influent @ IWD-YC1 for aluminum, arsenic, copper, iron, lead, manganese, mercury, molybdenum, selenium, zinc, and the sampling day's flow rate;
    2. The effluent discharge to the Feather River or the percolation ponds along the river @ IWD-YC2 for aluminum, arsenic, copper, iron, lead, manganese, mercury, molybdenum, selenium, zinc, and the sampling day's flow rate;
    3. The receiving waters upstream @ Station R-1 for hardness, temperature, and pH;
    4. The receiving waters downstream @ Station R-2 for hardness, temperature, and pH;

The sample points are as designated in the April 30, 2004 EPA inspection report and in the June 6, 2003 NPDES permit.

b. **ONCE EVERY SIX MONTHS**, Yuba City shall self-monitor the following pollutants and parameters at the following sample points:

1. The influent @ IWD-YC1 for MTBE, diazinon, chloroform, and tetrachloroethylene;
2. The effluent for discharge to the Feather River or the percolation ponds along the river @ IWD-PC2 for MTBE, diazinon, chloroform, and tetrachloroethylene;

2. Yuba City shall self-monitor and analyze using the sampling protocols and EPA approved analytical methods (or equivalent) to achieve the listed detection limits indicated below:

Parameter	Sampling Protocol <u>a/</u>	Detection Limit
flow rate	flow meter	-
total aluminum	24-hour flow-weighted composite	1 ug/l
total arsenic	24-hour flow-weighted composite	1 ug/l
total copper	24-hour flow-weighted composite	0.2 ug/l
total iron	24-hour flow-weighted composite	1 ug/l
total lead	24-hour flow-weighted composite	0.2 ug/l
total manganese	24-hour flow-weighted composite	1 ug/l
total mercury	24-hour flow-weighted composite	0.02 ug/l
total molybdenum	24-hour flow-weighted composite	1 ug/l
total selenium	24-hour flow-weighted composite	1 ug/l
total zinc	24-hour flow-weighted composite	1 ug/l
MTBE	grab	0.1 ug/l
diazinon	grab	1 ug/l
chloroform	grab	1 ug/l
tetrachloroethylene	grab	1 ug/l

a/ Grab samples may be collected from the receiving waters.

3. Samples collected as required by the self-monitoring provisions of the NPDES permit

may take the place of samples required by this Order as long as they are equivalent to the requirements in this Order in sample location, sampling protocol (24-hour composite or grab), and analytical detection limit.

4. For each sample, Yuba City shall record the sample results, the EPA analytical methods used, the date, time and sample location, sampling protocol (24-hour composite or grab), and the name of the laboratory used.

#### *Pretreatment Program Approval*

5. By **JULY 30, 2004**, Yuba City shall submit a response to each of the numbered Sections 2.0 through 8.0 of the April 30, 2004 EPA inspection report.
6. By **JUNE 30, 2005**, Yuba City shall submit for review a written description of the pretreatment program. The written description of the pretreatment program shall consist of the following chapters:

- a. **Chapter 1 - Organization and Multi-jurisdiction Implementation**

This chapter would describe the overall program structure as well as contain descriptions of the treatment plant, collection system, reclaim systems (if any) and the service area including political boundaries. This chapter also should describe the changes in the treatment plant configurations expected in order to comply with the Waste Discharge Requirements for ammonia and nitrates.

- b. **Chapter 2 - Legal Authority**

This chapter would contain a revised sewer use ordinance and all multi-jurisdictional agreements. The sewer use ordinance would necessarily be submitted as a final draft ready for adoption and implementation pending approval of the local limits by either EPA or the RWQCB.

c. **Chapter 3 - Local Limits**

This chapter would contain the technical basis for the local limits. This would include the analyses necessary to determine the maximum headworks loadings for the wastewater treatment plant and the maximum pollutant levels protective of the collection system, as well as the method of allocating allowable loadings to the users, a schedule of public hearings and outreach, and the ordinance adoption procedures. This chapter must contain a survey quantifying the aluminum, arsenic, copper, iron, manganese, molybdenum, and zinc sources, both domestic and non-domestic, and an overall control strategy for minimizing each of their loadings into the wastewater treatment plant. This chapter must also contain any additional self-monitoring necessary to determine whether diazinon, chloroform, and tetrachloroethylene are present at levels over their detection limits. The local limits can be numerical concentrations, loading limits, prohibitions, best management practices, or control strategies.

d. **Chapter 4 - Identification of Non-domestic Users**

This chapter would contain the procedures used in an initial industrial user survey as well as the procedures to be used for on-going updates. This chapter would also include the results of an initial inventory of industrial users, by non-domestic sewer connection, and of the zero-discharging categorical industrial users who comply with their Federal standards by not discharging process wastewaters. The inventory must indicate the following for each industrial user and zero-discharging categorical industrial user:

1. Whether it qualifies as a significant industrial user;
2. The average and peak flow rates;
3. The SIC code;

4. The pretreatment-in-place, and;
5. The local permit status.

e. **Chapter 5 - Permits and Fact Sheets**

This chapter would describe the permitting procedures and include, for each significant industrial user, a fact sheet and final draft permit to be issued upon approval of the local limits and revised ordinance by EPA or the RWQCB. The fact sheets must indicate the following for each significant industrial user and zero-discharging categorical industrial user:

1. The industry name, address, owner or plant manager;
2. The permit expiration date (not to exceed five years in duration);
3. A description of the facility including the products made or services provided, building names, the process in each building, and when current operations began;
4. The identification of each sewer connection;
5. A description of the contributing waste streams that comprise each identified non-domestic discharge into the sewers;
6. The pretreatment-in-place for each identified non-domestic discharge to the sewers;
7. The classification by Federal point source category and the reasons justifying this classification;
8. The applicable Federal categorical pretreatment standards (adjusted if necessary to account for dilution), supporting production and flow data (if necessary), and the compliance sampling point(s) where the standards apply;
9. The pollutants of concern and the compliance sampling point(s) where the

local limits apply;

10. A site map indicating the locations of all compliance sampling point(s), sewer connections, and sewer laterals;
11. The sampling frequency by regulated pollutant for each compliance sampling point, and the supporting statistical rationale, to ensure that the sampling is representative of the wastewater discharge variabilities over the reporting period;
12. The sampling protocol by regulated pollutant for each compliance sampling point to ensure that the samples collected to determine compliance with Federal standards are representative of the sampling day's discharge.

f. **Chapter 6 - Compliance Monitoring**

This chapter would describe the industrial user self-monitoring program and Yuba City's oversight monitoring program. The compliance monitoring program must ensure that all sampling is representative over the reporting period and that each sample collected to determine compliance with Federal standards is representative of the sampling day's discharge. The compliance monitoring program must also set analytical detection limits that are sufficiently below Federal standards and local limits to allow the determination of non-compliance.

g. **Chapter 7 - Enforcement**

This chapter would establish the enforcement response plan to be used to address, at a minimum, each of the following types of violations:

1. Violations of permit effluent limits that result in any adverse impacts upon the treatment works such as pass-through, interference, sludge contamina-

tion, sewer line degradation, explosive or inflammability risks, or worker health and safety risks;

2. Isolated and chronic violations of permit effluent limits;
3. The bypassing of pretreatment necessary to comply with permit effluent limits;
4. Dilution as a substitute for treatment necessary to comply with Federal categorical pretreatment standards;
5. The bypassing of compliance sampling or the tampering with sampling equipment;
6. Failure to perform best management practices necessary to comply with permit limits;
7. Failure to monitor or report;
8. Willful or negligent violations.

h. **Chapter 8 - Resources**

This chapter would cover the budget, staffing and equipment needs of the pretreatment program.

i. **Chapter 9 - Public Participation and Confidentiality**

This chapter would describe the administrative procedures required under 40 CFR 403.8(f)(1)(vii) and 403.8(f)(2)(vii).

The requirements outlined above in items 6(a) through 6(i) are explained in more detail in the April 30, 2004 EPA inspection report for Yuba City.

7. **SIXTY DAYS AFTER RECEIVING APPROVAL** of its ordinance and local limits, Yuba City shall adopt and implement its ordinance.
8. **ONE HUNDRED AND EIGHTY DAYS AFTER RECEIVING APPROVAL** of its ordinance and local limits, Yuba City shall issue all pending permits to its significant



industrial users.

*Submissions*

9. By the **TWENTY-EIGHTH (28<sup>th</sup>) DAY OF EACH MONTH**, Yuba City shall submit all self-monitoring results required by this Order for the previous month. The first monthly report is due on September 28, 2004 for the August 2004 self-monitoring. The 17th-and-last monthly report is due on January 28, 2006 for the December 2005 self-monitoring.
10. By **SEPTEMBER 30, 2004, DECEMBER 30, 2004, and MARCH 30, 2005**, Yuba City shall submit a quarterly progress report that outlines the actions that have been completed in preparing for submission the written description of the pretreatment program as required by Item 6 of this Order.
11. All reports submitted pursuant to this Order shall be signed by a principal executive officer of Yuba City and shall include the following self-certifying statement:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I certify that all wastewater samples analyzed and reported herein are representative of the ordinary process wastewater flow from this facility. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.
12. This Order is not and shall not be interpreted to be an NPDES permit under Section 402 of the Act [33 U.S.C. Section 1342], nor shall it in any way relieve Yuba City of obligations imposed by the Act, or any other Federal or State law. The request for information included in this Order is not subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act because it is not an “information collection request” within the meaning of 44 U.S.C. Sections 3502(4), 3502(11), 3507,

3512, and 3518. Furthermore, it is exempt from OMB review under the Paperwork Reduction Act because it is directed to fewer than ten persons [44 U.S.C. Sections 3502(4) and 3502 (11) and 5 CFR Section 1320.5(a)].

13. All submissions shall be mailed to the following addresses:

U.S. ENVIRONMENTAL PROTECTION AGENCY  
75 Hawthorne Street  
San Francisco, California 94105  
Attn: Greg V. Arthur (WTR-7)

REGIONAL WATER QUALITY CONTROL BOARD  
11020 Sun Center Drive, No.200  
Rancho Cordova, California 95670  
Attn: Melissa Hall

14. This Order takes effect upon signature.

*Original Signed By:*

July 19, 2004

Alexis Strauss  
Director, Water Division

Dated