California Regional Water Quality Control Board
Central Coast Region

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Arnold Schwarzenegger
Governor

ORDER NO. R3-2009-0020
NPDES NO. CA0049417

WASTE DISCHARGE REQUIREMENTS FOR THE RAGGED POINT INN WASTEWATER TREATMENT FACILITY

The following Discharger is subject to waste discharge requirements as set forth in this Order:

Table 1. Discharger Information

Discharger	**Ragged Point Inn, LP**
Name of Facility	**Ragged Point Inn Wastewater Treatment Facility**
Facility Address	**19019 Highway 1**
	Ragged Point, CA 93452
	San Luis Obispo County
The U.S. Environmental Protection Agency (USEPA) and the Regional Water Quality Control Board have classified this discharge as a minor discharge.	

The discharge by the Ragged Point Inn Wastewater Treatment Facility from the discharge point identified below is subject to waste discharge requirements as set forth in this Order:

Table 2. Discharge Location

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
001	Secondary-treated Domestic Wastewater	35°, 45', 30" N	120°, 19', 30" W	Pacific Ocean[1]
002	Tertiary-treated Domestic Wastewater	---	---	Discharge to Land

[1] Discharge location is with the Monterey Bay National Marine Sanctuary

Table 3. Administrative Information

This Order was adopted by the Regional Water Quality Control Board on:	**May 8, 2008**
This Order shall become effective on:	**June 1, 2009**
This Order shall expire on:	**June 1, 2014**
The Discharger shall file a Report of Waste Discharge in accordance with title 23, California Code of Regulations, as application for issuance of new waste discharge requirements no later than:	**180 days prior to the Order expiration date**

IT IS HEREBY ORDERED, that Order No. R3-2003-0051 is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the California Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the federal Clean Water Act (CWA) and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order.

Roger W. Briggs, Executive Officer

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I. FACILITY INFORMATION

The following Discharger is subject to waste discharge requirements as set forth in this Order:

Table 4. Facility Information

Discharger	Ragged Point Inn, LP
Name of Facility	Ragged Point Inn Wastewater Treatment Facility
Facility Address	19019 Highway 1
	Ragged Point, CA 93452
	San Luis Obispo County
Facility Contact, Title, and Phone	Jim Ramey, General Manager, 805-927-4502
Mailing Address	Same as Facility Address
Facility Operator	Ron Head, 805-434-3799
Mailing Address (Operator)	4550 Santa Rita Ranch Road Templeton,CA 93465
Type of Facility	Privately Owned Treatment Works
Facility Design Flow	0.015 Million Gallons per Day (MGD) Design Capacity

II. FINDINGS

The California Regional Water Quality Control Board, Central Coast Region (hereinafter the Regional Water Board), finds:

A. Background. Ragged Point Inn, LP (hereinafter the Discharger) is currently discharging to the Pacific Ocean and portions of the Monterey Bay National Marine Sanctuary pursuant to Order No. R3-2003-0051 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0049417. The Discharger submitted a letter dated April 18, 2008, stating there were no changes in the quantity or character of the discharge and requested continued NPDES permit coverage for the discharge up to 0.015 MGD of treated wastewater from the Ragged Point Inn Wastewater Treatment Facility to the Pacific Ocean. The letter was accepted as a complete Report of Waste Discharge and was deemed complete on April 23, 2008.

For the purposes of this Order, references to the "discharger" or "permittee" in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

B. Facility Description. The Discharger owns and operates a private wastewater treatment facility serving a resort that consists of a hotel, a restaurant, a gas station with public restrooms and a small retail shopping area, as well as employee housing. Wastewater flow varies depending on the number of guests at the hotel and customers of the restaurant, gas station and shops.

The treatment system consists of a comminutor (grinder/macerator), a flow equalization tank, extended aeration package treatment plant with secondary clarification and a tertiary treatment system consisting of filtration followed by ozone disinfection. The design flow capacities of the package plant and tertiary treatment system are 0.015 MGD. Disinfected tertiary effluent is discharged to the Pacific Ocean via a discharge to the cliff face (Discharge Point 001) and to land via a surface drip irrigation system (Discharge Point 002). The discharge of undisinfected secondary treated wastewater to land via the surface drip irrigation system is also allowable under this permit.

A positive displacement blower is used for mixing and aeration within the equalization and aeration tanks. Air lift pumps recycle sludge from the clarification tank to the aeration tank. Sludge wasted from the clarification tank is pumped to a sludge bagger unit for drying prior to offsite disposal at a landfill. The tertiary system consists of a wet well containing a media filter and duplex effluent pumps tributary to a skid-mounted ozone disinfection system with a prefilter. The filtered and disinfected effluent can be diverted to either the ocean outfall or storage prior to reuse via the surface drip irrigation system. Tertiary effluent is stored in a 5,000-gallon underground concrete wet well prior to disposal via approximately 1,875 feet of surface drip irrigation tubing along the vegetated bluff overlooking the Pacific Ocean (Discharge Point 002). The bluff drip irrigation system is designed to dispose of approximately 15,000 gallon per day (gpd).

The tertiary treatment and drip irrigation system has been operational since December 2008 as approved under the former permit. Under normal operating conditions the facility

is designed to divert all wastewater flow to the tertiary treatment and drip irrigation system for metered disposal at night. During maintenance activities and wet weather when irrigation is not necessary or feasible, all or a portion of the effluent will continue to be discharged to the Pacific Ocean via Discharge Point 001. Due to the infrequency of wet weather in this area, land application via the drip irrigation system is intended to be the primary disposal alternative.

Consistent with the former permit, the irrigation of a 3500-square foot flower garden is also allowable under this permit. Discharges of tertiary effluent to the flower garden have not been implemented to date, but may be implemented as needed if additional reuse areas are required to avoid ocean discharges. Discharges to the flower garden are subject to the uniform statewide reclamation criteria contained within Title 22 of the California Code of Regulations. The bluff drip irrigation areas are fenced off and signed to prevent public access and are therefore not specifically subject to the uniform statewide reclamation criteria. This permit contains conditions consistent with Title 22 for the irrigation of ornamental nursery stock with undisinfected secondary wastewater. Although the permit allows for the discharge of undisinfected secondary effluent to the surface drip irrigation areas, the Discharger has elected to implement tertiary treatment for this disposal/reuse alternative.

Attachment B provides a map showing the location of the facility and an area map showing the site layout and disposal points. Attachment C provides a flow schematic for the treatment system.

C. **Legal Authorities.** This Order is issued pursuant to CWA section 402 and implementing regulations adopted by the USEPA and chapter 5.5, division 7 of the California Water Code (commencing with section 13370). It shall serve as an NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260).

D. **Background and Rationale for Requirements.** The Regional Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for Order requirements, is hereby incorporated into this Order and constitutes part of the Findings for this Order. Attachments A through E are also incorporated into this Order.

E. **California Environmental Quality Act (CEQA).** With the respect to the discharge to waters of the United States, pursuant to Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of the CEQA, Public Resources Code sections 21100-21177. With respect to application to land, this action is exempt from CEQA pursuant to California Code of Regulations Title 14 section 15301, as it is an existing facility with no expansion of use beyond that allowed in the prior permit.

F. **Technology-Based Effluent Limitations.** CWA Section 301(b) and USEPA's NPDES regulations at 40 CFR 122.44 require that permits include, at a minimum, conditions meeting applicable technology-based requirements and any more stringent effluent

limitations necessary to meet applicable water quality standards. Discharges authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards established at 40 CFR Part 133 and/or Best Professional Judgment (BPJ) in accordance with 40 CFR 125.3. A detailed discussion of development of technology-based effluent limitations is included in the Fact Sheet (Attachment F).

G. **Water Quality-Based Effluent Limitations.** CWA Section 301 (b) and NPDES regulations at 40 CFR 122.44 (d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

NPDES regulations at 40 CFR 122.44 (d)(1)(i) mandate that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential is established for a pollutant, but there is no numeric criterion or objective for the pollutant, water quality-based effluent limitations (WQBELs) must be established using: (1) USEPA criteria guidance under CWA section 304 (a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided at 40 CFR 122.44 (d)(1)(vi).

H. **Water Quality Control Plans.** The Regional Water Board has adopted the *Water Quality Control Plan for the Central Coast Region* (the Basin Plan), which designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for receiving waters within the Region. To address ocean waters, the Basin Plan incorporates by reference the *Water Quality Control Plan for Ocean Waters of California* (the Ocean Plan).

Beneficial uses established by the Basin Plan for coastal waters between Pt. Pinos and Pt. Piedras Blancas are presented in Table 5, below.

Table 5. Basin Plan Beneficial Uses for the Pacific Ocean

Discharge Point	Receiving Water	Beneficial Uses
001	Pacific Ocean	• Water Contact (REC-1) and Non-Contact Recreation (REC-2) • Navigation (NAV) • Marine Habitat (MAR) • Rare, Threatened, or Endangered Species (RARE) • Wildlife Habitat (WILD)

In order to protect the beneficial uses, the Basin Plan establishes water quality objectives and a program of implementation. Requirements of this Order implement the Basin Plan.

I. **California Ocean Plan**

The State Water Board adopted the *Water Quality Control Plan for the Ocean Waters of California, California Ocean Plan* (Ocean Plan) in 1972 and amended it in 1978, 1983,

1988, 1990, 1997, 2000, and 2005. The State Water Board adopted the latest amendment on April 21, 2005, and it became effective on February 14, 2006. The Ocean Plan is applicable, in its entirety, to point source discharges to the ocean. The Ocean Plan identifies the following beneficial uses of ocean waters of the State.

Table 6. Ocean Plan Beneficial Uses

Discharge Point	Receiving Water	Beneficial Uses
001	Pacific Ocean	• Industrial Water Supply • Water Contact and Non-Contact Recreation, including Aesthetic Enjoyment • Navigation • Commercial and Sport Fishing • Mariculture • Preservation and Enhancement of Designated Areas of Special Biological Significance (ASBS) • Rare and Endangered Species • Marine Habitat • Fish Migration • Fish Spawning and Shellfish Harvesting

In order to protect beneficial uses the Ocean Plan establishes water quality objectives and programs of implementation to achieve and maintain those objectives. Requirements of this Order implement the Ocean Plan.

J. **Alaska Rule.** On March 30, 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards become effective for CWA purposes. [65 Fed. Reg. 24641 (April 27, 2000), codified at 40 CFR 131.21] Under the revised regulation (also known as the Alaska Rule), new and revised standards submitted to USEPA after May 30, 2000 must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000, may be used for CWA purposes, whether or not approved by USEPA.

K. **Stringency of Requirements for Individual Pollutants.** This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. As discussed in section IV. B of the Fact Sheet, the Order establishes technology-based effluent limitations for biochemical oxygen demand (BOD_5), total suspended solids (TSS), settleable solids, oil and grease, turbidity, and pH for Discharge Point 001. These technology-based limitations implement the minimum, applicable federal technology-based requirements. The Order also contains effluent limitations in addition to the minimum, federal technology-based requirements, necessary to meet applicable water quality standards. These limitations are not more stringent than required by the CWA.

WQBELs have been scientifically derived to implement water quality objectives that protect beneficial uses. The water quality objectives and beneficial uses implemented by this Order are contained in the Basin Plan and the 2005 Ocean Plan, which was approved by USEPA on February 14, 2006. These water quality objectives and beneficial uses are the applicable water quality standards pursuant to 40 CFR 131.21 (c) (1) and have been

approved pursuant to federal law. WQBELs for toxic pollutants are derived using procedures established by the Ocean Plan.

All beneficial uses and water quality objectives contained in the Basin Plan and Ocean Plan were approved under State law and submitted to and approved by USEPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to USEPA prior to May 30, 2000, but not approved by USEPA before that date, are nonetheless "applicable water quality standards for purposes of the CWA" pursuant to 40 CFR 131.21 (c) (1). Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

L. **Antidegradation Policy.** NPDES regulations at 40 CFR 131.12 require that State water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16, which incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that the existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements and incorporates by reference both the State and federal antidegradation policies. As discussed in detail in the Fact Sheet, the permitted discharge is consistent with the antidegradation provisions of 40 CFR 131.12 and State Water Board Resolution No. 68-16.

M. **Anti-Backsliding Requirements.** CWA Sections 402(o)(2) and 303(d)(4) and NPDES regulations at 40 CFR 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. As discussed in the Fact Sheet, effluent limitations and other requirements established by this Order satisfy applicable anti-backsliding provisions of the CWA and NPDES regulations.

N. **Endangered Species Act.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the State. The Discharger is responsible for meeting all requirements of State and federal law regarding threatened and endangered species.

O. **Monitoring and Reporting.** NPDES regulations at 40 CFR 122.48 require that all NPDES permits specify requirements for recording and reporting monitoring results. California Water Code sections 13267 and 13383 authorize the Regional Water Board to require technical and monitoring reports. The Monitoring and Reporting Program (MRP) (Attachment E) establishes monitoring and reporting requirements to implement federal and State requirements.

P. **Standard and Special Provisions.** Standard Provisions, which apply to all NPDES permits in accordance with NPDES regulations at 40 CFR 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR 122.42,

are provided in Attachment D. The Regional Water Board has also included in this Order special provisions applicable to the Discharger. A rationale for the special provisions contained in this Order is provided in the attached Fact Sheet.

Q. Provisions and Requirements Implementing State Law. The provisions/requirements in subsections IV.B, IV.C, and V.B of this Order are included to implement State law only. These provisions/requirements are not required or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.

R. Notification of Interested Parties. The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of notification are provided in the Fact Sheet accompanying this Order.

S. Consideration of Public Comment. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet of this Order.

III. DISCHARGE PROHIBITIONS

A. Discharge of treated wastewater to the Pacific Ocean at a location other than as described by this Order [Discharge Point 001] at 35° 45' 30" N. Latitude, 120° 19' 30" W. Longitude is prohibited.

B. Discharges of any waste in any manner other than as described by this Order is prohibited.

C. The discharge of any radiological, chemical, or biological warfare agent or high-level radioactive waste into the ocean is prohibited.

D. Federal law prohibits the discharge of sludge by pipeline to the Pacific Ocean. The discharge of municipal or industrial waste sludge directly to the Ocean or into a waste stream that discharges to the Ocean is prohibited. The discharge of sludge, digested or undigested, directly to the Ocean or to a waste stream that discharges to the Ocean, is prohibited.

E. The overflow or bypass of wastewater from the Discharger's collection, treatment, or disposal facilities and the subsequent discharge of untreated or partially treated wastewater, except as provided for in Attachment D, Standard Provision I. G (Bypass), is prohibited.

F. Land Discharges [reclamation] of treated wastewater to areas other than the surface drip irrigation areas as described by this Order [Discharge Point 002] are prohibited.

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Ocean Discharge Specifications and Effluent Limitations – Discharge Point 001

1. Discharge Specifications – Discharge Point 001

a. Disinfection. The effluent discharged to the Pacific Ocean shall be sufficiently disinfected such that discharges do not cause exceedances of the water contact standards for bacteria in the receiving water (see Sections V.A and VI.C.2.b). The use of the existing ozone disinfection system is preferred over conventional methodologies implementing chlorine based disinfection process which would require dechlorination prior to ocean discharges.

2. Final Effluent Limitations – Discharge Point 001

a. Conventional and Non-conventional Pollutants. The Discharger shall maintain compliance with the following effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location EFF-001, as described in the attached MRP.

Table 7. Effluent Limitations for Conventional and Non-conventional Pollutants

Parameter	Units	Effluent Limitations		
		Average Monthly	Average Weekly	Maximum Daily
BOD_5	mg/L	30	45	90
	lb/day	3.8	5.6	11
TSS	mg/L	30	45	90
	lb/day	3.8	5.6	11
Oil & Grease	mg/L	25	40	75
	lb/day	3.1	5.0	9.4
Settleable Solids	mL/L/hr	1.0	1.5	3.0
Turbidity	NTU	75	100	225
Total Coliform Bacteria	See Water Contact Standards (Section V.A.) and Triggered Effluent Monitoring for Bacterial Characteristic (Section VI.C.2.b)			
pH	pH units	Within 6.0 and 9.0 at all times		

b. Toxic Pollutants. The Discharger shall maintain compliance with the following effluent limitations for toxic pollutants at Discharge Point 001, with compliance measured at Monitoring Location EFF-001, as described in the attached MRP. Effluent limitations for toxic pollutants are based on a minimum initial dilution of 5 to 1 (seawater to effluent) and water quality objectives contained within Table B of the 2005 Ocean Plan.

Table 8. Effluent Limitations for the Protection of Marine Aquatic Life

Pollutant	Unit[4]	6-Month Median[1]	Daily Maximum[2]	Instantaneous Maximum[3]
Arsenic	µg/L	33	177	465
	lbs/day	0.0041	0.022	0.058
Cadmium	µg/L	6	24	60
	lbs/day	0.0008	0.0030	0.0075
Chromium (+6)[5]	µg/L	12	48	120
	lbs/day	0.0015	0.0060	0.0150
Copper	µg/L	8	62	170
	lbs/day	0.0010	0.0078	0.021
Lead	µg/L	12	48	120
	lbs/day	0.0015	0.0060	0.015
Mercury	µg/L	0.24	0.96	2.40
	lbs/day	0.00003	0.00012	0.00030
Nickel	µg/L	30	120	300
	lbs/day	0.0038	0.015	0.038
Selenium	µg/L	90	360	900
	lbs/day	0.011	0.045	0.113
Silver	µg/L	3.4	16	41.2
	lbs/day	0.0004	0.0020	0.0052
Zinc	µg/L	80	440	1160
	lbs/day	0.010	0.055	0.145
Cyanide[6]	µg/L	6	24	60
	lbs/day	0.0008	0.0030	0.0075
Total Chlorine Residual [7][8]	µg/L	12	48	360
	lbs/day	0.002	0.006	0.045
Ammonia (as N)	µg/L	3600	14400	36000
	lbs/day	0.45	1.80	4.50
Acute Toxicity[9][10][11]	TUa	-------	0.3	-------
Chronic Toxicity[10][12]	TUc	-------	1	-------
Non-chlorinated Phenolics	µg/L	180	720	1800
	lbs/day	0.023	0.090	0.225
Chlorinated Phenolics	µg/L	6	24	60
	lbs/day	0.0008	0.0030	0.0075
Endosulfan	µg/L	0.054	0.108	0.162
	lbs/day	0.000007	0.000014	0.000020
Endrin	µg/L	0.012	0.024	0.036
	lbs/day	0.0000015	0.0000030	0.0000045
HCH[13]	µg/L	0.024	0.048	0.072
	lbs/day	0.0000030	0.0000060	0.0000090
Radioactivity	Not to exceed limits specified in Title 17, Division 1, Chapter 5, Subchapter 4, Group 3, Article 3, Section 30253 of the California Code of Regulations. Reference to Section 30253 is prospective, including future changes to any incorporated provisions of federal law, as the changes take effect.			

[1] The six-month median shall apply as a moving median of daily values for any 180-day period in which daily values represent flow-weighted average concentrations within a 24-hour period. For intermittent discharges, the daily value shall be considered to equal zero for days on which no discharge occurred. The six-month median limit on daily mass emissions shall be determined using the six-month median effluent concentration as Ce and the observed flow rate Q in millions of gallons per day (each variable referring to Equation 3 of the Ocean Plan).

[2] The daily maximum shall apply to flow-weighted 24-hour composite samples. The daily maximum mass emission shall be determined using the daily maximum effluent concentration limit as Ce and the observed flow rate Q in millions of gallons per day (each variable referring to Equation 3 of the Ocean Plan).

[3] The instantaneous maximum shall apply to grab sample determinations.

[4] The mass-based (lbs/day) effluent limitations in this table are based on the average dry weather flow design capacity of 0.015 MGD for the treatment facility and are therefore only good up to this flow. For flows above 0.015 MGD, mass-based effluent limitations shall be calculated individually using the concentration-based effluent limitations and the observed flow at the time of sampling per the following equation:

$$lbs/day = 0.00834 \times Ce \times Q$$

where:
Ce = the effluent concentration limit in µg/L
Q = observed flow rate in MGD

[5] The Discharger may, at its option, meet this limitation as total chromium.

[6] If a Discharger can demonstrate to the satisfaction of the Regional water Board (subject to USEPA approval) that an analytical method is available to reliably distinguish between strongly and weakly complexed cyanide, effluent limitations for cyanide may be met by the combined measurement of free cyanide, simple alkali metal cyanides, and weakly complexed organometallic cyanide complexes. In order for the analytical method to be acceptable, the recovery of free cyanide from metal complexes must be comparable to that achieved by the approved method in 40 CFR Part 136, as revised May 14, 1999.

[7] Regular monitoring for chlorine residual is only required if chlorine-based disinfection processes are employed. Otherwise chlorine residual sampling is only required once during the permit term pursuant to effluent monitoring requirements contained within Table E-3 for Remaining Ocean Plan Table B pollutants.

[8] Water quality objectives for total chlorine residual applying to intermittent discharges not exceeding two hours shall be determined through the use of the following equation:

$$\log y = -0.43 (\log x) + 1.8$$

where: y = the water quality objective (in ug/l) to apply when chlorine is being discharged;
x = the duration of uninterrupted chlorine discharge in minutes.

[9] If the acute toxicity effluent limit and monitoring requirements become applicable (see footnote 10 below), the mixing zone for the Ocean Plan's Table B acute toxicity objective shall be ten percent (10%) of the distance from the edge of the outfall structure to the edge of the chronic mixing zone (zone of initial dilution). There is no vertical limitation on this zone. This acute toxicity effluent limitation takes this requirement into consideration and was derived using Equation No. 2 of the Ocean Plan.

[10] The Discharger shall conduct chronic toxicity testing if the minimum initial dilution of the effluent falls below 100:1 at the edge of the mixing zone. As the minimum initial dilution for the Ragged Point Inn Wastewater Treatment Facility Ocean Outfall is 5, only chronic toxicity testing is required at this time. The acute toxicity effluent limit and monitoring requirements may become applicable if the outfall's minimum initial dilution is calculated to exceed 100:1, or if required by the Executive Officer to protect the beneficial uses of ocean waters.

[11] Acute Toxicity - Expressed in Toxic Units Acute (TUa)

$$TUa = \frac{100}{96\text{-hr LC } 50\%}$$

Lethal Concentration 50% (LC 50) - LC 50 (percent waste giving 50% survival of test organisms) shall be determined by static or continuous flow bioassay techniques using standard marine test species as specified in Appendix III, Chapter II. If specific identifiable substances in wastewater can be

demonstrated by the discharger as being rapidly rendered harmless upon discharge to the marine environment, but not as a result of dilution, the LC 50 may be determined after the test samples are adjusted to remove the influence of those substances.

When it is not possible to measure the 96-hour LC 50 due to greater than 50 percent survival of the test species in 100 percent waste, the toxicity concentration shall be calculated by the expression:

$$TUa = \frac{\log (100 - S)}{1.7}$$

where:

S = percentage survival in 100% waste. If S > 99, TUa shall be reported as zero.

[12] This parameter shall be used to measure the acceptability of waters for supporting a healthy marine biota until improved methods are developed to evaluate biological response.

Chronic Toxicity - Expressed as Toxic Units Chronic (TUc)

$$TUc = \frac{100}{NOEL}$$

No Observed Effect Level (NOEL) - The NOEL is expressed as the maximum percent effluent or receiving water that causes no observable effect on a test organism, as determined by the result of a critical life stage toxicity test listed in Appendix II.

[13] HCH shall mean the sum of the alpha, beta, gamma (lindane) and delta isomers of hexachlorocyclohexane.

Table 9. Effluent Limitations for the Protection of Human Health - (Non-Carcinogens)

Pollutant	Unit	30-day Average
Acrolein	µg/L	1320
	lbs/day	0.165
Antimony	µg/L	7200
	lbs/day	0.90
Bis(2-Chloroethoxy)Methane	µg/L	26.4
	lbs/day	0.0033
Bis(2-Chloroisopropyl)ether	µg/L	7200
	lbs/day	0.90
Chlorobenzene	µg/L	3420
	lbs/day	0.428
Chromium (+3)	µg/L	1140000
	lbs/day	143
Di-n-Butyl Phthalate	µg/L	21000
	lbs/day	2.63
Dichlorobenzenes[1]	µg/L	30600
	lbs/day	3.83
Diethyl Phthalate	µg/L	198000
	lbs/day	24.8
Dimethyl Phthalate	µg/L	4920000
	lbs/day	615.5
2-Methyl-4,6-Dinitrophenol	µg/L	1320
	lbs/day	0.17

Pollutant	Unit	30-day Average
2,4-Dinitrophenol	µg/L	24
	lbs/day	0.0030
Ethylbenzene	µg/L	24600
	lbs/day	3.08
Fluoranthene	µg/L	90
	lbs/day	0.0113
Hexachlorocyclopentadiene	µg/L	348
	lbs/day	0.0435
Nitrobenzene	µg/L	29.4
	lbs/day	0.0037
Thallium	µg/L	12
	lbs/day	0.0015
Toluene	µg/L	510000
	lbs/day	63.8
Tributyltin	µg/L	0.0084
	lbs/day	0.0000011
1,1,1-Trichloroethane	µg/L	3240000
	lbs/day	405

[1] Dichlrobenzenes shall mean the sum of 1,2- and 1,3-dichlorobenzene.

Table 10. Effluent Limitations for the Protection of Human Health - (Carcinogens)

Pollutant	Unit	30-day Average
Acrylonitrile	µg/L	0.6
	lbs/day	0.0001
Aldrin	µg/L	0.00013
	lbs/day	0.000000017
Benzene	µg/L	35.4
	lbs/day	0.0044
Benzidine	µg/L	0.00041
	lbs/day	0.000000052
Beryllium	µg/L	0.20
	lbs/day	0.000025
Bis(2-chloroethyl) ether	µg/L	0.27
	lbs/day	0.000034
Bis(2-ethylhexyl) phthalate	µg/L	21
	lbs/day	0.0026
Carbon Tetrachloride	µg/L	5.4
	lbs/day	0.00068
Chlordane[2]	µg/L	0.00014
	lbs/day	0.000000017
Chlorodibromomethane	µg/L	51.6
	lbs/day	0.0065

Pollutant	Unit	30-day Average
Chloroform	µg/L	780
	lbs/day	0.098
DDT[3]	µg/L	0.0010
	lbs/day	0.00000013
1,4-Dichlorobenzene	µg/L	108
	lbs/day	0.014
3,3-Dichlorobenzidine	µg/L	0.0486
	lbs/day	0.0000
1,2-Dichloroethane	µg/L	168
	lbs/day	0.021
1,1-Dichloroethylene	µg/L	5.4
	lbs/day	0.0007
Dichlorobromomethane	µg/L	37.2
	lbs/day	0.0047
Dichloromethane	µg/L	2700
	lbs/day	0.3378
1,3-Dichloropropene	µg/L	53.4
	lbs/day	0.0067
Dieldrin	µg/L	0.0002
	lbs/day	0.00000003
2,4-Dinitrotoluene	µg/L	15.6
	lbs/day	0.0020
1,2-Diphenylhydrazine	µg/L	0.96
	lbs/day	0.00012
Halomethanes[4]	µg/L	780
	lbs/day	0.098
Heptachlor	µg/L	0.0003
	lbs/day	0.00000004
Heptachlor Epoxide	µg/L	0.0001
	lbs/day	0.00000002
Hexachlorobenzene	µg/L	0.0013
	lbs/day	0.00000016
Hexachlorobutadiene	µg/L	84
	lbs/day	0.0105
Hexachloroethane	µg/L	15
	lbs/day	0.0019
Isophorone	µg/L	4380
	lbs/day	0.548
N-nitrosodimethylamine	µg/L	43.8
	lbs/day	0.0055
N-nitrosdi-N-propylamine	µg/L	2.28
	lbs/day	0.00029
N-nitrosodiphenylamine	µg/L	15
	lbs/day	0.0019

Pollutant	Unit	30-day Average
PAHs[5]	µg/L	0.053
	lbs/day	0.0000066
PCBs[6]	µg/L	0.00011
	lbs/day	0.000000014
TCDD Equivalents[7]	µg/L	0.000000023
	lbs/day	0.0000000000029
1,1,2,2-Tetrachloroethane	µg/L	13.8
	lbs/day	0.0017
Tetrachloroethylene	µg/L	12
	lbs/day	0.0015
Toxaphene	µg/L	0.0013
	lbs/day	0.00000016
Trichloroethylene	µg/L	162
	lbs/day	0.0203
1,1,2-Trichloroethane	µg/L	56.4
	lbs/day	0.0071
2,4,6-Trichlorophenol	µg/L	1.74
	lbs/day	0.0002
Vinyl Chloride	µg/L	216
	lbs/day	0.0270

[1] Dichlorobenzenes shall mean the sum of 1,2- and 1,3-dichlorobenzene

[2] Chlordane shall mean the sum of chlordane-alpha, chlordane-gamma, chlordene-alpha, chlordene-gamma, nonachlor-alpha, nonachlor-gamma, and oxychlordane.

[3] DDT shall mean the sum of 4,4'DDT, 2,4'DDT, 4,4'DDE, 2,4'DDE, 4,4'DDD, and 2,4'DDD.

[4] Halomethanes shall mean the sum of bromoform, bromomethane (methyl bromide) and chloromethane (methyl chloride).

[5] PAHs (polynuclear aromatic hydrocarbons) shall mean the sum of acenaphthylene, anthracene, 1,2-benzanthracene, 3,4-benzofluoranthene, benzo[k]fluoranthene, 1,12-benzoperylene, benzo[a]pyrene, chrysene, dibenzo[ah]anthracene, fluorene, indeno[1,2,3-cd]pyrene, phenanthrene and pyrene.

[6] PCBs (polychlorinated biphenyls) shall mean the sum of chlorinated biphenyls whose analytical characteristics resemble those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254 and Aroclor-1260.

[7] TCDD equivalents shall mean the sum of the concentrations of chlorinated dibenzodioxins (2,3,7,8-CDDs) and chlorinated dibenzofurans (2,3,7,8-CDFs) multiplied by their respective toxicity factors, as shown in the table below.

Isomer Group	Toxicity Equivalence Factor
2,3,7,8-tetra CDD	1.0
2,3,7,8-penta CDD	0.5
2,3,7,8-hexa CDDs	0.1
2,3,7,8-hepta CDD	0.01
octa CDD	0.001
2,3,7,8 tetra CDF	0.1
1,2,3,7,8 penta CDF	0.05
2,3,4,7,8 penta CDF	0.5
2,3,7,8 hexa CDFs	0.1
2,3,7,8 hepta CDFs	0.01
octa CDF	0.001

c. **Percent Removal.** The average monthly percent removal of BOD_5 and TSS shall not be less than 85 percent.

d. **Bacteria.** Effluent samples collected for bacterial analyses shall not exceed the following 30-day geometric mean objectives [based on receiving water contact standards contained within section V.A.1 of this Order]:

(1) Total coliform density shall not exceed 1,000 per 100 mL;

(2) Fecal coliform density shall not exceed 200 per 100 mL; and

(3) Enterococcus density shall not exceed 35 per 100 mL.

(Note: If any individual effluent grab sample exceeds the total coliform single sample maximum objective of 10,000 per 100 mL, repeat effluent sampling is required pursuant to section VI.C.2.b. of this permit to evaluate compliance with the above noted 30-day geometric mean objectives).

e. **Flow Rate of Discharge.** Maximum daily effluent flow shall not exceed 15,000 gallons per day (0.015 million gallons per day).

f. **General Requirements for Management of Waste Discharge to the Ocean.** Effluent discharged to the ocean shall be essentially free of materials and substances that:

(1) float or become floatable upon discharge;

(2) may form sediments which degrade benthic communities or other aquatic life;

(3) accumulate to toxic levels in marine waters, sediments, or biota;

(4) decrease the natural light to benthic communities and other marine life; and

(5) result in aesthetically undesirable discoloration of the ocean surface.

3. Interim Effluent Limitations

This section of the standardized permit is not applicable to this facility.

B. Land Discharge Specifications

This section of the standardized permit is not applicable to this facility.

C. Reclamation Specifications & Effluent Limitations – Discharge Point 002

1. The Discharger shall implement water recycling in conformance with recycled water criteria pursuant to Title 22, Division 4, Chapter 3 of the California Code of Regulations.

2. The Discharger shall maintain compliance with the same limitations at Discharge Point 002 as outlined in Table 7 above for Discharge Point 001. Compliance shall be measured at Monitoring Location EFF-001 as described in the attached MRP.

2. **Percent Removal.** The average monthly percent removal of BOD_5 and TSS shall not be less than 85 percent.

3. **Flow Rate of Discharge.** Maximum daily rate of recycled water flow shall not exceed 15,000 gallons per day (0.015 million gallons per day) or the reuse area design flow if determined to be greater as approved by the Executive Officer.

4. **Design Requirements:**

   (a) All recycled water shall be at least "undisinfected secondary water," which is wastewater that has been oxidized such that organic matter is stabilized, is nonputrescible, and contains dissolved oxygen. Filtration followed by disinfection is preferred as a precautionary measure.

   (b) The treatment plant shall be provided with a stand-by power source.

   (c) Alarm devices shall be installed to provide warning of loss of power from the normal power supply. Alarm devices shall be independent if the normal power supply of the plant.

   (d) Valves in the recycled water irrigation system shall be designed and constructed such that unauthorized persons cannot open them.

   (e) Proper backflow and cross-connection protection for the potable water supply and irrigation wells shall be provided.

   (f) Hose bibbs or other types of hose connections installed in the recycled water irrigation system shall be of different sizes or have other measures incorporated to preclude interchange of hoses between domestic supply and recycled water irrigation systems.

(g) The recycled water irrigation system shall be properly labeled and regularly inspected to ensure proper operation, absence of leaks, and absence of illegal connections.

5. **Use Requirements:**

(h) Recycled water use areas shall be fenced to prevent public access. The downhill boundaries of the bluff top use areas are not required to be fenced if inaccessible to the public.

(i) The application of recycled water shall be confined to the approved recycled water use areas, shown in Attachment B.

(j) The application of recycled water shall occur at a time and in a manner to prevent or minimize public contact with the effluent.

(k) Spray irrigation shall not be utilized for the application of recycled water.

(l) Recycled water shall be applied in a manner to minimize ponding within or runoff from the drip irrigation areas.

(m)Recycled water application shall not occur during periods of extended rainfall and/or runoff.

(n) Land application of recycled water shall not occur within 150 feet of any domestic supply water well.

(o) Recycled water use areas shall be posted (in English and Spanish) with signs that are visible to entrants into the area, in a size no less than 4 inches high by 8 inches wide, that include the wording: "NON-POTABLE WATER – DO NOT DRINK." Each sign shall display the international symbol for non-potable water.

(p) Personnel involved in producing, transporting, or using recycled water shall be informed of possible health hazards that may result from contact and use of recycled water.

(q) Irrigation of the flower garden with recycled water is prohibited within 14 days prior to harvesting of flowers for retail sale or onsite use within restaurant and inn units, or allowing access by the general public to the flower garden.

V. RECEIVING WATER LIMITATIONS

A. Surface Water Limitation

The discharge shall not cause a violation of the following receiving water limitations, which are based on water quality objectives contained in the Ocean Plan. Compliance with these limitations shall be determined from effluent sampling showing compliance with comparable effluent standards and limitations. Excursions of the following receiving water limitations are not anticipated given the indirect discharge of effluent to

the vegetated cliff face approximately 200 feet above the mean high tide line (i.e., the discharge surface flows down the cliff, filtering through soil, rock and vegetation prior to entering the ocean; see section VI.E.1 of Attachment F – Fact Sheet for more information).

Water-Contact Standards

1. Within a zone bounded by the shoreline and a distance of 1,000 feet from the shoreline or the 30-foot depth contour, whichever is further from the shoreline, and in areas outside this zone used for water contact sports, as determined by the Regional Water Board, but including all kelp beds, the following bacteriological objectives shall be maintained throughout the water column.

   30-Day Geometric Mean – The following standards are based on the geometric mean of the five most recent samples from each receiving water monitoring location.

   a. Total coliform density shall not exceed 1,000 per 100 mL; and

   b. Fecal coliform density shall not exceed 200 per 100 mL; and

   c. Enterococcus density shall not exceed 35 per 100 mL.

   Single Sample maximum;

   a. Total coliform density shall not exceed 10,000 per 100 ml; and

   b. Fecal coliform density shall not exceed 400 per 100 mL; and

   c. Enterococcus density shall not exceed 104 per 100 mL; and

   d. Total coliform density shall not exceed 1,000 per 100 mL when the fecal coliform to total coliform ratio exceeds 0.1.

Shellfish Harvesting Standards[1]

2. At all areas where shellfish may be harvested for human consumption, as determined by the Regional Water Board, the following bacteriological objectives shall be maintained throughout the water column:

   a. The median total coliform density shall not exceed 70 organisms per 100 mL, and in not more than 10 percent of samples shall coliform density exceed 230 organisms per 100 mL.

Physical Characteristics

3. Floating particulates and grease and oil shall not be visible.

[1] The area around the discharge point is not a known shellfish harvesting area.

4. The discharge of waste shall not cause aesthetically undesirable discoloration of the ocean surface.

5. Natural light shall not be significantly reduced at any point outside the initial dilution zone as the result of the discharge of waste.

6. The rate of deposition of inert solids and the characteristics of inert solids in ocean sediments shall not be changed such that benthic communities are degraded.

7. Temperature of the receiving water shall not be altered to adversely affect beneficial uses.

Chemical Characteristics

8. The dissolved oxygen concentration shall not at any time be depressed more than 10 percent from that which occurs naturally, or fall below 5.0 mg/L, as a result of the discharge of oxygen demanding waste material.

9. The pH shall not be changed at any time more than 0.2 units from that which occurs naturally, and shall be within the range of 7.0 to 8.3 at all times.

10. The dissolved sulfide concentration of waters in and near sediments shall not be significantly increased above that present under natural conditions.

11. The concentration of substances set forth in Chapter IV, Table B of the Ocean Plan in marine sediments shall not be increased to levels that would degrade indigenous biota.

12. The concentration of organic materials in marine sediments shall not be increased to levels that would degrade marine life.

13. Nutrient levels shall not cause objectionable aquatic growths or degrade indigenous biota.

14. Discharges shall not cause exceedances of water quality objectives for ocean waters of the State established in Table B of the Ocean Plan.

15. Marine communities, including vertebrate, invertebrate and plant species, shall not be degraded.

16. The natural taste, odor, and color of fish, shellfish, or other marine resources used for human consumption shall not be altered.

17. The concentration of organic materials in fish, shellfish, or other marine resources used for human consumption shall not bioaccumulate to levels that are harmful to human health.

18. Discharge of radioactive waste shall not degrade marine life.

B. Ground Water Limitations

Activities at the facility shall not cause exceedance/deviation from the following water quality objectives for groundwater established by the Basin Plan.

1. Groundwater shall not contain taste or odor producing substances in concentrations that adversely affect beneficial uses.

2. Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life; or result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life.

VI. PROVISIONS

A. Standard Provisions

1. **Federal Standard Provisions.** The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.

2. **Central Coast Water Board Standard Provisions.** The Discharger shall comply with all Central Coast Water Board Standard Provisions included in Attachment D of this Order.

B. Monitoring and Reporting Program (MRP) Requirements

The Discharger shall comply with the Monitoring and Reporting Program, and future revisions thereto, in Attachment E of this Order. All monitoring shall be conducted according to 40 CFR Part 136, *Guidelines Establishing Test Procedures for Analysis of Pollutants.*

C. Special Provisions

1. Reopener Provisions

This permit may be reopened and modified in accordance with NPDES regulations at 40 CFR 122 and 124, as necessary, to include additional conditions or limitations based on newly available information or to implement any USEPA approved, new, State water quality objective. As effluent is further characterized through additional monitoring, and if a need for additional effluent limitations becomes apparent after additional effluent characterization, the Order will be reopened to incorporate such limitations. This provision contemplates, without limitation, effluent limitations that are necessary because monitoring establishes that the discharge causes, has the reasonable potential to cause, or contributes to an excursion above a water quality objective in Table B of the Ocean Plan.

2. Special Studies, Technical Reports and Additional Monitoring Requirements

a. Toxicity Reduction Requirements

If the discharge consistently exceeds an effluent limitation for toxicity specified by Section IV of this Order, the Discharger shall conduct a Toxicity Reduction Evaluation (TRE) in accordance with the Discharger's TRE Workplan.

A TRE is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases - characterization, identification, and confirmation using aquatic organism toxicity tests. The TRE shall include all reasonable steps to identify the source of toxicity. The Discharger shall take all reasonable steps to reduce toxicity to the required level once the source of toxicity is identified.

The Discharger shall maintain a Toxicity Reduction Evaluation (TRE) Workplan, which describes steps that the Discharger intends to follow in the event that a toxicity effluent limitation established by this Order is exceeded in the discharge. The workplan shall be prepared in accordance with current technical guidance and reference material, including EPA/600/2-88-070 (for industrial discharges) or EPA/600/2-88/062 (for municipal discharges), and shall include, at a minimum:

(1) Actions that will be taken to investigate/identify the causes/sources of toxicity,

(2) Actions that will be evaluated to mitigate the impact of the discharge, to correct the non-compliance, and/or to prevent the recurrence of acute or chronic toxicity (this list of action steps may be expanded, if a TRE is undertaken), and

(3) A schedule under which these actions will be implemented.

When monitoring measures toxicity in the effluent above a limitation established by this Order, the Discharger shall resample immediately, if the discharge is continuing, and retest for whole effluent toxicity. Results of an initial failed test and results of subsequent monitoring shall be reported to the Executive Officer (EO) as soon as possible following receipt of monitoring results. The EO will determine whether to initiate enforcement action, whether to require the Discharger to implement a Toxicity Reduction Evaluation, or to implement other measures. The Discharger shall conduct a TRE giving due consideration to guidance provided by the U.S. EPA's Toxicity Reduction Evaluation Procedures, Phases 1, 2, and 3 (EPA document nos. EPA 600/3-88/034, 600/3-88/035, and 600/3-88/036, respectively). A TRE, if necessary, shall be conducted in accordance with the following schedule.

Table 11. Toxicity Reduction Evaluation—Schedule

Action Step	When Required
Take all reasonable measures necessary to immediately reduce toxicity, where the source is known.	Within 24 hours of identification of noncompliance.
Initiate the TRE in accordance to the Workplan.	Within 7 days of notification by the EO
Conduct the TRE following the procedures in the Workplan.	Within the period specified in the Workplan (not to exceed one year, without an approved Workplan)
Submit the results of the TRE, including summary of findings, required corrective action, and all results and data.	Within 60 days of completion of the TRE
Implement corrective actions to meet Permit limits and conditions.	To be determined by the EO

b. Triggered Effluent Monitoring for Bacterial Characteristic

The Discharger shall implement the following to verify compliance with the 30-day geometric mean bacterial objectives contained within section IV.A.2.d of this Order if a single effluent grab sample exceeds the total coliform single sample maximum objective of 10,000 per 100 mL:

(1) Notify the EO within 24 hours of receiving the analytical result

(2) Conduct repeat effluent sampling within 24 hours of receiving the analytical results or upon restarting the disinfection system if it is shutdown and effluent is diverted to the recycled water irrigation system. Repeat sampling shall be for the analysis of total coliform, fecal coliform and enterococcus on a frequency of every other day or as directed by the EO. Repeat sampling shall be continued until all of the following conditions have been met:

   a. at least five samples are available for calculation of the 30-day geometric mean,

   b. the last two concurrent samples are below the applicable single sample maximum receiving water objectives for total coliform, fecal coliform and enterococcus contained within section V.A.1 and,

   c. the EO approves the cessation of repeat sampling.

(3) An investigation is conducted to determine the potential cause of the exceedence and any necessary repairs or changes in operations and maintenance activities are implemented to bring the system into compliance.

(4) The Discharger submits a technical report to the EO documenting the completion of items 2 and 3 above within 30 days of the receipt of the analytical result for the last repeat sample. An additional copy of the technical

report shall also be attached to the monitoring report for the sampling period during which the repeat sampling occurred.

The Discharger may divert effluent flows to the recycled water storage tank and reuse irrigation areas immediately following receipt of the analytical results showing an exceedance of the total coliform single sample maximum objective. Diversion of undisinfected secondary effluent to the recycled water irrigation system during rainfall events is subject to prior approval by the EO. This will allow the Discharger to shut down the disinfection system for needed repairs as necessary. However, this does not exempt the Discharger from conducting the above required sampling and investigation activities to ensure the disinfection system is functioning properly prior to or during any subsequent ocean discharges.

When repeat sampling is required because of an exceedance of the total coliform single sample bacterial objective, values from all samples collected during the 30-day period following and including the sample event triggering repeat sampling will be used to calculate the geometric mean. The sample resulting in the exceedance of the single sample maximum need not be utilized in calculating the geometric mean if it does not fall within the 30-day time period of the repeat sampling as a result of the disinfection system being shutdown for an extended time period. Only effluent samples collected during ocean discharges will be used to determine a violation of the effluent limitations contained within section IV.A.2.d of this Order.

(This requirement is also footnoted in Table E-3 of section IV.A.1 of Monitoring and Reporting Program No. R3-2009-0020)

3. Best Management Practices and Pollution Prevention

a. Pollutant Minimization Goal

The goal of the Pollutant Minimization Program is to reduce potential sources of Ocean Plan Table B toxic pollutants through pollutant minimization (control) strategies, including pollution prevention measures, to maintain effluent concentrations at or below the effluent limitation.

b. Determining the Need for a Pollutant Minimization Program

(1) The Discharger shall develop and implement a Pollutant Minimization Program if:

(a) A calculated effluent limitation is less than the reported Minimum Level,

(b) The concentration of the pollutant is reported as DNQ, and

(c) There is evidence showing that the pollutant is present in the effluent above the calculated effluent limitation. Such evidence may include: health advisories for fish consumption; presence of whole effluent toxicity;

results of benthic or aquatic organism tissue sampling; sample results from analytical methods more sensitive than methods included in the permit; and the concentration of the pollutant is reported as DNQ and the effluent limitation is less than the MDL.

(2) Alternatively, the Discharger shall develop and implement a Pollutant Minimization Program if:

(a) A calculated effluent limitation is less than the Method Detection Limit (MDL),

(b) The concentration of the pollutant is reported as ND, and

(c) There is evidence showing that the pollutant is present in the effluent above the calculated effluent limitation. Such evidence may include: health advisories for fish consumption; presence of whole effluent toxicity; results of benthic or aquatic organism tissue sampling; sample results from analytical methods more sensitive than methods included in the permit; and the concentration of the pollutant is reported as DNQ and the effluent limitation is less than the MDL.

c. Elements of a Pollutant Minimization Program

A Pollutant Minimization Program shall include actions and submittals acceptable to the Regional Water Board including, but not limited to, the following.

(1) An annual review and semiannual monitoring of potential sources of the reportable pollutant, which may include fish tissue monitoring and other bio-uptake sampling;

(2) Quarterly monitoring for the reportable pollutant in influent to the wastewater treatment system;

(3) Submittal of a control strategy designed to proceed toward the goal of maintaining concentrations of the reportable priority pollutant in the effluent at or below the calculated effluent limitation;

(4) Implementation of appropriate cost-effective control measures for the pollutant, consistent with the control strategy;

(5) An annual status report that shall be sent to the Executive Officer that includes:

(i) All Pollutant Minimization Program monitoring results for the previous year;

(ii) A list of potential sources of the reportable pollutant;

(iii) A summary of all actions taken in accordance with the control strategy; and

(iv) A description of actions to be taken in the following year.

4. Construction, Operation and Maintenance Specifications

This section of the standardized permit is not applicable to this facility.

5. Special Provisions for Municipal Facilities (POTWs Only)

This section of the standardized permit is not applicable to this facility.

6. Other Special Provisions

a. **Discharges of Storm Water**. For the control of storm water discharged from the site of the wastewater treatment and disposal facilities, if applicable, the Discharger shall seek authorization to discharge under and meet the requirements of the State Water Resources Control Board's Water Quality Order 97-03-DWQ, NPDES General Permit No. CAS000001, *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities*.

b. **Certified Wastewater Treatment Plant Operator.** A qualified and appropriately certified wastewater treatment operator shall oversee operation and maintenance of the wastewater treatment facility. The certified operator shall visit the treatment facility at least twice weekly: once during the week and once on the weekend, at a minimum. Daily effluent flow recordings, settleable solids testing, and general housekeeping may be performed by properly trained, on-site maintenance personnel under remote supervision of the certified operator. The name, grade, and certificate number of the certified operator shall be submitted with each monitoring report required within the attached MRP (Attachment E).

c. **Biosolids Management**. If applicable, the handling, management, and disposal of sludge and solids derived from wastewater treatment must comply with all applicable provisions of USEPA regulations at 40 CFR 257, 258, 501, and 503, including all monitoring, record keeping, and reporting requirements.

Solids and sludge treatment, storage, and disposal or reuse shall not create a nuisance, such as objectionable odors or flies, and shall not result in groundwater contamination. Sites for solids and sludge treatment and storage shall have adequate facilities to divert surface water runoff from adjacent areas to protect the boundaries of such sites from erosion, and to prevent drainage from treatment and storage sites.

The treatment, storage, disposal, or reuse of sewage sludge and solids shall not cause waste material to be in a position where it is, or can be, conveyed from the treatment and storage sites and deposited into waters of the State. The Discharger is responsible for assuring that all biosolids produced at its facility are

used or disposed of in accordance with the above rules, whether the Discharger uses or disposes of the biosolids itself, or transfers them to another party for further treatment, use, or disposal. The Discharger is responsible for informing subsequent preparers, appliers, and disposers of the requirements that they must adhere to under these rules.

7. Compliance Schedules

This section of the standardized permit is not applicable to this facility.

VII. COMPLIANCE DETERMINATION

Compliance with the effluent limitations contained in Section IV of this Order will be determined as specified below:

A. General.

Compliance with effluent limitations for reportable pollutants shall be determined using sample reporting protocols defined in the MRP and Attachment A of this Order. For purposes of reporting and administrative enforcement by the Regional and State Water Boards, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the reportable pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported Minimum Level (ML).

B. Multiple Sample Data.

When determining compliance with a measure of central tendency (arithmetic mean, geometric mean, median, etc.) of multiple sample analyses and the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND), the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

1. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ-determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.

2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

ATTACHMENT A – DEFINITIONS

Acute Toxicity:

a. Acute Toxicity (TUa)

Expressed in Toxic Units Acute (TUa)

$$TUa = \frac{100}{\text{96-hr LC}_{50\%}}$$

b. Lethal Concentration 50% (LC 50)

LC 50 (percent waste giving 50% survival of test organisms) shall be determined by static or continuous flow bioassay techniques using standard marine test species as specified in Ocean Plan Appendix III. If specific identifiable substances in wastewater can be demonstrated by the discharger as being rapidly rendered harmless upon discharge to the marine environment, but not as a result of dilution, the LC 50 may be determined after the test samples are adjusted to remove the influence of those substances.

When it is not possible to measure the 96-hour LC 50 due to greater than 50 percent survival of the test species in 100 percent waste, the toxicity concentration shall be calculated by the expression:

$$TUa = \frac{\log (100 - S)}{1.7}$$

where: S = percentage survival in 100% waste. If S > 99, TUa shall be reported as zero.

Areas of Special Biological Significance (ASBS): are those areas designated by the State Water Board as ocean areas requiring protection of species or biological communities to the extent that alteration of natural water quality is undesirable. All Areas of Special Biological Significance are also classified as a subset of STATE WATER QUALITY PROTECTION AREAS.

Average Monthly Effluent Limitation (AMEL): the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Effluent Limitation (AWEL): the highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges **measured during that week.**

Chlordane shall mean the sum of chlordane-alpha, chlordane-gamma, chlordene-alpha, chlordene-gamma, nonachlor-alpha, nonachlor-gamma, and oxychlordane.

Chronic Toxicity: This parameter shall be used to measure the acceptability of waters for supporting a healthy marine biota until improved methods are developed to evaluate biological response.

a. Chronic Toxicity (TUc)

Expressed as Toxic Units Chronic (TUc)

$$TUc = \frac{100}{NOEL}$$

b. No Observed Effect Level (NOEL)

The NOEL is expressed as the maximum percent effluent or receiving water that causes no observable effect on a test organism, as determined by the result of a critical life stage toxicity test listed in Ocean Plan Appendix II.

Daily Discharge: Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that reasonably represents a calendar day for purposes of sampling (as specified in the permit), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.

DDT shall mean the sum of 4,4'DDT, 2,4'DDT, 4,4'DDE, 2,4'DDE, 4,4'DDD, and 2,4'DDD.

Degrade: Degradation shall be determined by comparison of the waste field and reference site(s) for characteristic species diversity, population density, contamination, growth anomalies, debility, or supplanting of normal species by undesirable plant and animal species. Degradation occurs if there are significant differences in any of three major biotic groups, namely, demersal fish, benthic invertebrates, or attached algae. Other groups may be evaluated where benthic species are not affected, or are not the only ones affected.

Detected, but Not Quantified (DNQ) are those sample results less than the reported Minimum Level, but greater than or equal to the laboratory's MDL.

Dichlorobenzenes shall mean the sum of 1,2- and 1,3-dichlorobenzene.

Downstream Ocean Waters shall mean waters downstream with respect to ocean currents.

Dredged Material: Any material excavated or dredged from the navigable waters of the United States, including material otherwise referred to as "spoil".

Enclosed Bays are indentations along the coast that enclose an area of oceanic water within distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. This definition includes but is not limited to: Humboldt Bay, Bodega Harbor, Tomales Bay, Drakes Estero, San Francisco Bay, Morro Bay, Los Angeles Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay.

Endosulfan shall mean the sum of endosulfan-alpha and -beta and endosulfan sulfate.

Estuaries and Coastal Lagoons are waters at the mouths of streams that serve as mixing zones for fresh and ocean waters during a major portion of the year. Mouths of streams that are temporarily separated from the ocean by sandbars shall be considered as estuaries. Estuarine waters will generally be considered to extend from a bay or the open ocean to the upstream limit of tidal action but may be considered to extend seaward if significant mixing of fresh and salt water occurs in the open coastal waters. The waters described by this definition include but are not limited to the Sacramento-San Joaquin Delta as defined by Section 12220 of the California Water Code, Suisun Bay, Carquinez Strait downstream to Carquinez Bridge, and appropriate areas of the Smith, Klamath, Mad, Eel, Noyo, and Russian Rivers.

Halomethanes shall mean the sum of bromoform, bromomethane (methyl bromide) and chloromethane (methyl chloride).

HCH shall mean the sum of the alpha, beta, gamma (lindane) and delta isomers of hexachlorocyclohexane.

Initial Dilution is the process that results in the rapid and irreversible turbulent mixing of wastewater with ocean water around the point of discharge.

For a submerged buoyant discharge, characteristic of most municipal and industrial wastes that are released from the submarine outfalls, the momentum of the discharge and its initial buoyancy act together to produce turbulent mixing. Initial dilution in this case is completed when the diluting wastewater ceases to rise in the water column and first begins to spread horizontally.

For shallow water submerged discharges, surface discharges, and non-buoyant discharges, characteristic of cooling water wastes and some individual discharges, turbulent mixing results primarily from the momentum of discharge. Initial dilution, in these cases, is considered to be completed when the momentum induced velocity of the discharge ceases to produce significant mixing of the waste, or the diluting plume reaches a fixed distance from the discharge to be specified by the Regional Water Board, whichever results in the lower estimate for initial dilution.

Instantaneous Maximum Effluent Limitation: the highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

Instantaneous Minimum Effluent Limitation: the lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

Kelp Beds, for purposes of the bacteriological standards of the Ocean Plan, are significant aggregations of marine algae of the genera Macrocystis and Nereocystis. Kelp beds include the total foliage canopy of Macrocystis and Nereocystis plants throughout the water column.

Mariculture is the culture of plants and animals in marine waters independent of any pollution source.

Material: (a) In common usage: (1) the substance or substances of which a thing is made or composed (2) substantial; (b) For purposes of the Ocean Plan relating to waste disposal, dredging and the disposal of dredged material and fill, MATERIAL means matter of any kind or description which is subject to regulation as waste, or any material dredged from the navigable waters of the United States. See also, DREDGED MATERIAL.

Maximum Daily Effluent Limitation (MDEL): the highest allowable daily discharge of a pollutant.

MDL (Method Detection Limit) is the minimum concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is greater than zero, as defined in title 40 of the Code of Federal Regulations, PART 136, Appendix B.

Minimum Level (ML) is the concentrations at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method-specified sample weights, volumes and processing steps have been followed.

Natural Light: Reduction of natural light may be determined by the Regional Water Board by measurement of light transmissivity or total irradiance, or both, according to the monitoring needs of the Regional Water Board.

Not Detected (ND) are those sample results less than the laboratory's MDL.

Ocean Waters are the territorial marine waters of the state as defined by California law to the extent these waters are outside of enclosed bays, estuaries, and coastal lagoons. If a discharge outside the territorial waters of the state could affect the quality of the waters of the state, the discharge may be regulated to assure no violation of the Ocean Plan will occur in ocean waters.

PAHs (polynuclear aromatic hydrocarbons) shall mean the sum of acenaphthylene, anthracene, 1,2-benzanthracene, 3,4-benzofluoranthene, benzo[k]fluoranthene, 1,12-benzoperylene, benzo[a]pyrene, chrysene, dibenzo[ah]anthracene, fluorene, indeno[1,2,3-cd]pyrene, phenanthrene and pyrene.

PCBs (polychlorinated biphenyls) shall mean the sum of chlorinated biphenyls whose analytical characteristics resemble those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254 and Aroclor-1260.

Pollutant Minimization Program (PMP) means waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of Ocean Plan Table B pollutants through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Regional Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to Water Code section 13263.3(d), shall be considered to fulfill the PMP requirements.

Reported Minimum Level is the ML (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the MLs included in this Order. The MLs included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Regional Water Board either from Appendix II of the Ocean Plan in accordance with section III.C.5.a. of the Ocean Plan or established in accordance with section III.C.5.b. of the Ocean Plan. The ML is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the ML depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the reported ML.

Satellite Collection System is the portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility that a sanitary sewer system is tributary to.

Shellfish are organisms identified by the California Department of Health Services as shellfish for public health purposes (i.e., mussels, clams and oysters).

Significant Difference is defined as a statistically significant difference in the means of two distributions of sampling results at the 95 percent confidence level.

Six-month Median Effluent Limitation: the highest allowable moving median of all daily discharges for any 180-day period.

State Water Quality Protection Areas (SWQPAs) are non-terrestrial marine or estuarine areas designated to protect marine species or biological communities from an undesirable alteration in natural water quality. All AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE (ASBS) that were previously designated by the State Water Board in Resolution No.s 74-28,

74-32, and 75-61 are now also classified as a subset of State Water Quality Protection Areas and require special protections afforded by the Ocean Plan.

T**CDD Equivalents** shall mean the sum of the concentrations of chlorinated dibenzodioxins (2,3,7,8-CDDs) and chlorinated dibenzofurans (2,3,7,8-CDFs) multiplied by their respective toxicity factors, as shown in the table below.

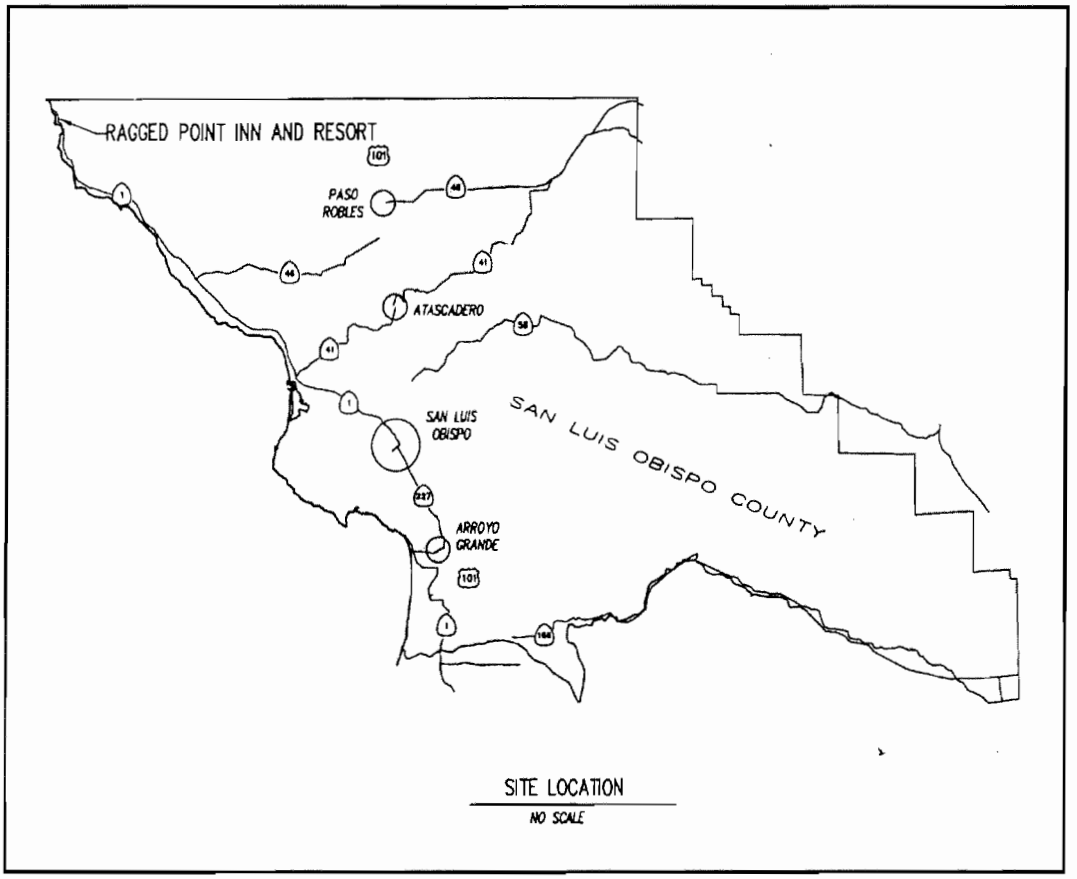
Isomer Group	Toxicity Equivalence Factor
2,3,7,8-tetra CDD	1.0
2,3,7,8-penta CDD	0.5
2,3,7,8-hexa CDDs	0.1
2,3,7,8-hepta CDD	0.01
octa CDD	0.001
2,3,7,8 tetra CDF	0.1
1,2,3,7,8 penta CDF	0.05
2,3,4,7,8 penta CDF	0.5
2,3,7,8 hexa CDFs	0.1
2,3,7,8 hepta CDFs	0.01
octa CDF	0.001

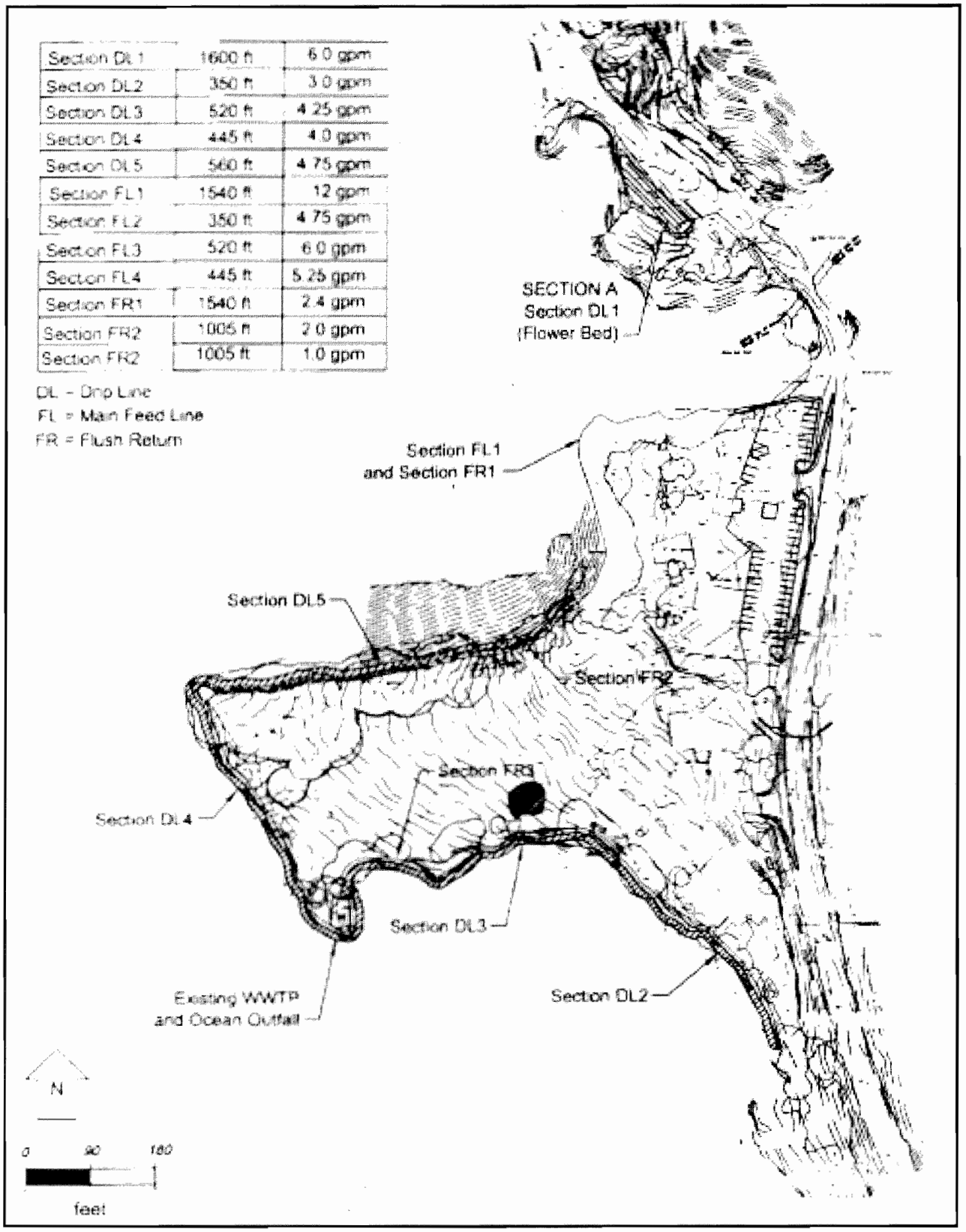
Toxicity Reduction Evaluation (TRE) is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A TOXICITY IDENTIFICATION EVALUATION (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)

Waste: As used in the Ocean Plan, waste includes a Discharger's total discharge, of whatever origin, i.e., gross, not net, discharge.

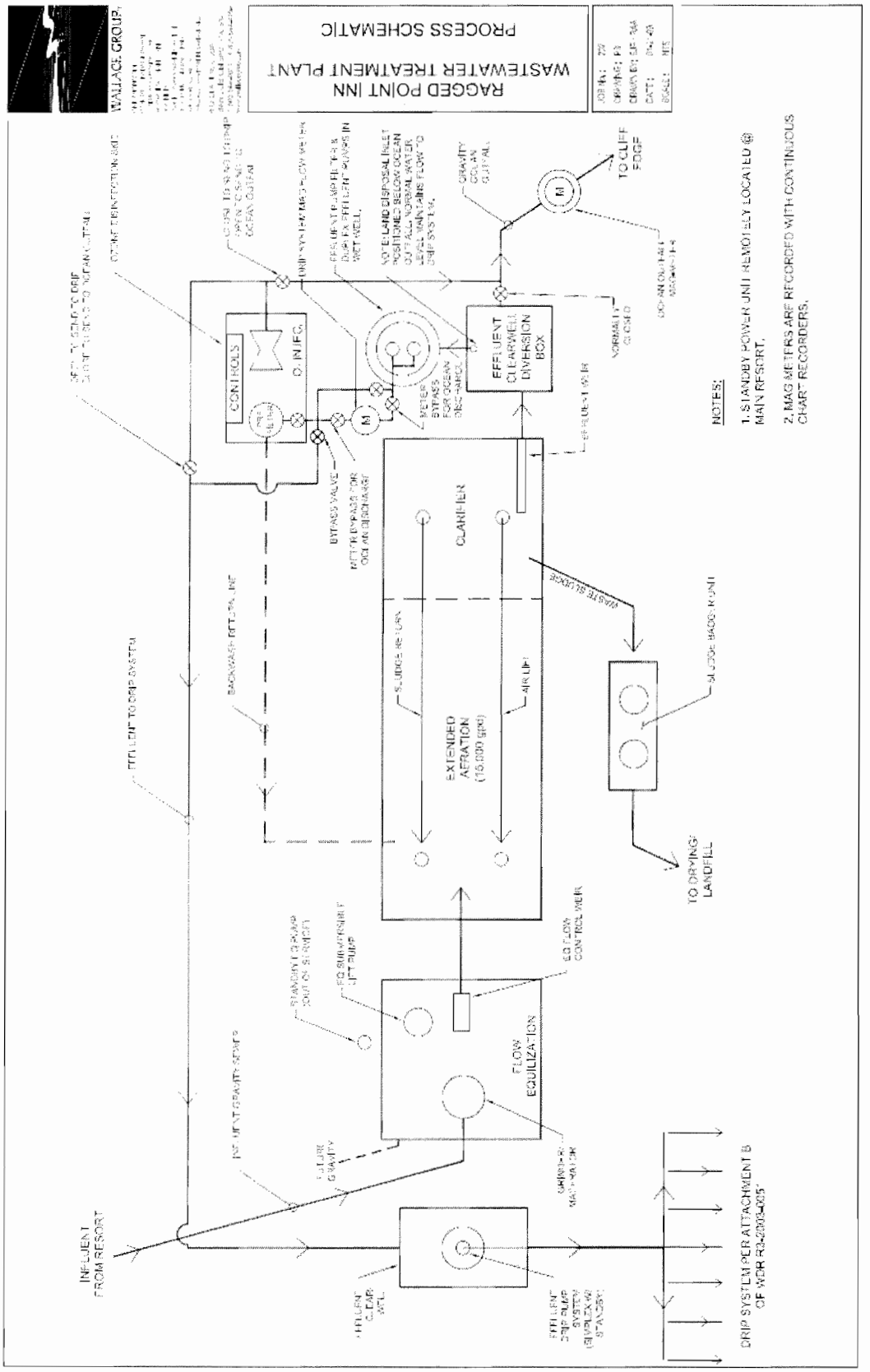
Water Reclamation: The treatment of wastewater to render it suitable for reuse, the transportation of treated wastewater to the place of use, and the actual use of treated wastewater for a direct beneficial use or controlled use that would not otherwise occur.

ATTACHMENT B – SITE LOCATION AND VICINITY MAPS




Section DL1 1600 ft 6.0 gpm
Section DL2 350 ft 3.0 gpm
Section DL3 520 ft 4.25 gpm
Section DL4 445 ft 4.0 gpm
Section DL5 560 ft 4.75 gpm
Section FL1 1540 ft 12 gpm
Section FL2 350 ft 4.75 gpm
Section FL3 520 ft 6.0 gpm
Section FL4 445 ft 5.25 gpm
Section FR1 1540 ft 2.4 gpm
Section FR2 1005 ft 2.0 gpm
Section FR2 1005 ft 1.0 gpm
DL = Drip Line
FL = Main Feed Line
FR = Flush Return
SECTION A
Section DL1
(Flower Bed)
Section FL1
and Section FR1
Section DL5
Section FR2
Section FR3
Section DL4
Section DL3
Existing WWTP
and Ocean Outfall
Section DL2
N
0
90
180
feet

ATTACHMENT C – PROCESS FLOW SCHEMATIC



ATTACHMENT D –STANDARD PROVISIONS

I. FEDERAL STANDARD PROVISIONS

A. Federal Standard Provisions – Permit Compliance

1. Duty to Comply

a. The Discharger must comply with all of the conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code and is grounds for enforcement action, permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. [40 CFR §122.41(a)].

b. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. [40 CFR §122.41(a)(1)].

2. **Need to Halt or Reduce Activity Not a Defense.** It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order. [40 CFR §122.41(c)].

3. **Duty to Mitigate.** The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. [40 CFR §122.41(d)]

4. **Proper Operation and Maintenance.** The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order [40 CFR §122.41(e)].

5. Property Rights

a. This Order does not convey any property rights of any sort or any exclusive privileges [40 CFR § 122.41(g)].

b. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations [40 CFR §122.5(c)].

6. **Inspection and Entry.** The Discharger shall allow the Central Coast Water Board, State Water Board, United States Environmental Protection Agency (USEPA), and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to [40 CFR §122.41(i); Wat. Code, §13383]:

   a. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order [40 CFR §122.41(i)(1)];

   b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order [40 CFR §122.41(i)(2)];

   c. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order [40 CFR §122.41(i)(3)]; and

   d. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location [40 CFR §122.41(i)(4)].

7. **Bypass**

   a. Definitions

      i. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility [40 CFR §122.41(m)(1)(i)].

      ii. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production [40 CFR §122.41(m)(1)(ii)].

   b. Bypass not exceeding limitations. The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Federal Standard Provisions – Permit Compliance I.A.7.c, I.A.7.d, and I.A.7.e below [40 CFR §122.41(m)(2)].

   c. Prohibition of bypass. Bypass is prohibited, and the Central Coast Water Board may take enforcement action against a Discharger for bypass, unless [40 CFR §122.41(m)(4)(i)]:

      i. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage [40 CFR §122.41(m)(4)(i)(A)];

ii. There were no feasible alternatives to the bypass, such as use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance [40 CFR §122.41(m)(4)(i)(B)]; and

iii. The Discharger submitted notice to the Central Coast Water Board as required under Federal Standard Provisions – Permit Compliance I.A.7.e below [40 CFR §122.41(m)(4)(i)(C)].

d. The Central Coast Water Board may approve an anticipated bypass, after considering its adverse effects, if the Central Coast Water Board determines that it will meet the three conditions listed in Federal Standard Provisions – Permit Compliance I.A.7.c above [40 CFR §122.41(m)(4)(ii)].

e. Notice

i. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a notice, if possible at least 10 days before the date of the bypass [40 CFR §122.41(m)(3)(i)].

ii. Unanticipated bypass. The Discharger shall submit notice of an unanticipated bypass as required in Federal Standard Provisions - Reporting I.E.5 below (24-hour notice) [40 CFR §122.41(m)(3)(ii)].

8. Upset. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation [40 CFR §122.41(n)(1)].

a. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Federal Standard Provisions – Permit Compliance I.A.8.b below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review [40 CFR §122.41(n)(2)].

b. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that [40 CFR §122.41(n)(3)]:

i. An upset occurred and that the Discharger can identify the cause(s) of the upset [40 CFR §122.41(n)(3)(i)];

ii. The permitted facility was, at the time, being properly operated [40 CFR §122.41(n)(3)(ii)];

iii. The Discharger submitted notice of the upset as required in Federal Standard Provisions – Reporting I.E.5.b.ii below (24-hour notice) [40 CFR §122.41(n)(3)(iii)]; and

iv. The Discharger complied with any remedial measures required under Federal Standard Provisions – Permit Compliance I.A.3 above [40 CFR §122.41(n)(3)(iv)].

c. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof [40 CFR §122.41(n)(4)].

B. Federal Standard Provisions – Permit Action

1. **General.** This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition [40 CFR §122.41(f)].

2. **Duty to Reapply.** If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit [40 CFR §122.41(b)].

3. **Transfers.** This Order is not transferable to any person except after notice to the Central Coast Water Board. The Central Coast Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the Water Code [40 CFR §122.41(l)(3); §122.61].

C. Federal Standard Provisions – Monitoring

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity [40 CFR §122.41(j)(1)].

2. Monitoring results must be conducted according to test procedures under Part 136 or, in the case of sludge use or disposal, approved under Part 136 unless otherwise specified in Part 503 unless other test procedures have been specified in this Order [40 CFR §122.41(j)(4); §122.44(i)(1)(iv)].

D. Federal Standard Provisions – Records

1. **Records Retention.** Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by Part 503), the Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Central Coast Water Board Executive Officer at any time. (40 CFR §122.41(j)(2).)

2. **Records of monitoring information shall include:**

   a. The date, exact place, and time of sampling or measurements [40 CFR §122.41(j)(3)(i)];

   b. The individual(s) who performed the sampling or measurements [40 CFR §122.41(j)(3)(ii)];

   c. The date(s) analyses were performed [40 CFR §122.41(j)(3)(iii)];

   d. The individual(s) who performed the analyses [40 CFR §122.41(j)(3)(iv)];

   e. The analytical techniques or methods used [40 CFR §122.41(j)(3)(v)]; and

   f. The results of such analyses [40 CFR §122.41(j)(3)(vi)].

3. **Claims of confidentiality for the following information will be denied [40 CFR §122.7(b)]:**

   a. The name and address of any permit applicant or Discharger [40 CFR §122.7(b)(1)]; and

   b. Permit applications and attachments, permits and effluent data [40 CFR §122.7(b)(2)].

E. Federal Standard Provisions – Reporting

1. **Duty to Provide Information.** The Discharger shall furnish to the Central Coast Water Board, State Water Board, or USEPA within a reasonable time, any information which the Central Coast Water Board, State Water Board, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Central Coast Water Board, State Water Board, or USEPA

copies of records required to be kept by this Order [40 CFR §122.41(h); Water Code, §13267].

2. Signatory and Certification Requirements

a. All applications, reports, or information submitted to the Central Coast Water Board, State Water Board, and/or USEPA shall be signed and certified in accordance with Federal Standard Provisions – Reporting I.E.2.b, I.E.2.c, I.E.2.d and I.E.2.e below [40 CFR §122.41(k)].

b. All permit applications shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures [40 CFR §122.22(a)(1)].

c. All reports required by this Order and other information requested by the Central Coast Water Board, State Water Board, or USEPA shall be signed by a person described in Federal Standard Provisions – Reporting I.E.2.b above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

i. The authorization is made in writing by a person described in Federal Standard Provisions – Reporting I.E.2.b above [40 CFR §122.22(b)(1)];

ii. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) [40 CFR §122.22(b)(2)]; and

iii. The written authorization is submitted to the Central Coast Water Board and State Water Board [40 CFR §122.22(b)(3)].

d. If an authorization under Federal Standard Provisions – Reporting I.E.2.c above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Standard Provisions – Reporting V.B.3 above must be submitted to the Central Coast Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative [40 CFR §122.22(c)].

e. Any person signing a document under Federal Standard Provisions – Reporting I.E.2.b or I.E.2.c above shall make the following certification:

"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, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." [40 CFR §122.22(d)].

3. Monitoring Reports

a. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order [40 CFR §122.41(l)(4)].

b. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Central Coast Water Board or State Water Board for reporting results of monitoring of sludge use or disposal practices [40 CFR §122.41(l)(4)(i)].

c. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under Part 136 or, in the case of sludge use or disposal, approved under Part 136 unless otherwise specified in Part 503, or as specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Central Coast Water Board [40 CFR §122.41(l)(4)(ii)].

d. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order [40 CFR §122.41(l)(4)(iii)].

4. **Compliance Schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date [40 CFR §122.41(l)(5)].

5. **Twenty-Four Hour Reporting**

   a. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance [40 CFR §122.41(l)(6)(i)].

   b. The following shall be included as information that must be reported within 24 hours under this paragraph [40 CFR §122.41(l)(6)(ii)]:

      i. Any unanticipated bypass that exceeds any effluent limitation in this Order [40 CFR §122.41(l)(6)(ii)(A)].

      ii. Any upset that exceeds any effluent limitation in this Order [40 CFR §122.41(l)(6)(ii)(B)].

   c. The Central Coast Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours [40 CFR §122.41(l)(6)(iii)].

6. **Planned Changes.** The Discharger shall give notice to the Central Coast Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when [40 CFR §122.41(l)(1)]:

   a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in section 122.29(b) [40 CFR §122.41(l)(1)(i)]; or

   b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this Order [40 CFR §122.41(l)(1)(ii)].

   c. The alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the

existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan [40 CFR §122.41(l)(1)(iii)].

7. **Anticipated Noncompliance.** The Discharger shall give advance notice to the Central Coast Water Board or State Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with General Order requirements. [40 CFR §122.41(l)(2)].

8. **Other Noncompliance.** The Discharger shall report all instances of noncompliance not reported under Federal Standard Provisions – Reporting I.E.3, I.E.4, and I.E.5 above at the time monitoring reports are submitted. The reports shall contain the information listed in Federal Standard Provisions – Reporting I.E.5 above. [40 CFR §122.41(l)(7)].

9. **Other Information.** When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Central Coast Water Board, State Water Board, or USEPA, the Discharger shall promptly submit such facts or information [40 CFR §122.41(l)(8)]

F. Federal Standard Provisions – Enforcement

1. The Central Coast Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13385, 13386, and 13387.

G. Additional Federal Provisions – Notification Levels

1. **Non-Municipal Facilities**. Existing manufacturing, commercial, mining, and silvicultural Dischargers shall notify the Central Coast Water Board as soon as they know or have reason to believe [40 CFR §122.42(a)]:

   a. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" [40 CFR §122.42(a)(1)]:

      i. 100 micrograms per liter (µg/L) [40 CFR §122.42(a)(1)(i)];

      ii. 200 µg/L for acrolein and acrylonitrile; 500 µg/L for 2,4-dinitrophenol and 2-methyl-4, 6-dinitrophenol; and 1 milligram per liter (mg/L) for antimony [40 CFR §122.42(a)(1)(ii)];

      iii. Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [40 CFR §122.42(a)(1)(iii)]; or

iv. The level established by the Central Coast Water Board in accordance with 40 CFR Section 122.44(f) [40 CFR §122.42(a)(1)(iv)].

b. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not lirnited in this Order, if that discharge will exceed the highest of the following "notification levels" [40 CFR §122.42(a)(2)]:

i. 500 micrograms per liter (μg/L) [40 CFR §122.42(a)(2)(i)];

ii. 1 milligram per liter (mg/L) for antimony [40 CFR §122.42(a)(2)(ii)];

iii. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [40 CFR §122.42(a)(2)(iii)]; or

iv. The level established by the Central Coast Water Board in accordance with 40 CFR Section 122.44(f) [40 CFR §122.42(a)(2)(iv)].

2. **Publicly-Owned Treatment Works (POTWs).** All POTWs shall provide adequate notice to the Central Coast Water Board of the following [40 CFR § 122.42(b)]:

a. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to sections 301 or 306 of the CWA if it were directly discharging those pollutants [40 CFR § 122.42(b)(1)]; and
b. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of the Order. [40 CFR § 122.42(b)(2)]
c. Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW. [40 CFR § 122.42(b)(3)]

II. CENTRAL COAST REGION'S STANDARD PROVISIONS (JANUARY 1985)

A. Central Coast General Permit Conditions

1. Central Coast Standard Provisions – Prohibitions

a. Introduction of "incompatible wastes" to the treatment system is prohibited.

b. Discharge of high-level radiological waste and of radiological, chemical, and biological warfare agents is prohibited.

c. Discharge of "toxic pollutants" in violation of effluent standards and prohibitions established under Section 307(a) of the Clean Water Act is prohibited.

d. Discharge of sludge, sludge digester or thickener supernatant, and sludge drying bed leachate to drainageways, surface waters, or the ocean is prohibited.

e. Introduction of pollutants into the collection, treatment, or disposal system by an "indirect discharger" that:

i. Inhibit or disrupt the treatment process, system operation, or the eventual use or disposal of sludge; or,

ii. Flow through the system to the receiving water untreated; and,

iii. Cause or "significantly contribute" to a violation of any requirement of this Order, is prohibited.

f. Introduction of "pollutant free" wastewater to the collection, treatment, and disposal system in amounts that threaten compliance with this order is prohibited.

2. Central Coast Standard Provisions – Provisions

a. Collection, treatment, and discharge of waste shall not create a nuisance or pollution, as defined by Section 13050 of the California Water Code.

b. All facilities used for transport or treatment of wastes shall be adequately protected from inundation and washout as the result of a 100-year frequency flood.

c. Operation of collection, treatment, and disposal systems shall be in a manner that precludes public contact with wastewater.

d. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed in a manner approved by the Executive Officer.

e. Publicly owned wastewater treatment plants shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Title 23 of the California Administrative Code.

f. After notice and opportunity for a hearing, this order may be terminated for cause, including, but not limited to:

i. violation of any term or condition contained in this order;

ii. obtaining this order by misrepresentation, or by failure to disclose fully all relevant facts;

iii. a change in any condition or endangerment to human health or environment that requires a temporary or permanent reduction or elimination of the authorized discharge; and,

iv. a substantial change in character, location, or volume of the discharge.

g. Provisions of this permit are severable. If any provision of the permit is found invalid, the remainder of the permit shall not be affected.

h. After notice and opportunity for hearing, this order may be modified or revoked and reissued for cause, including:

i. Promulgation of a new or revised effluent standard or limitation;

ii. A material change in character, location, or volume of the discharge;

iii. Access to new information that affects the terms of the permit, including applicable schedules;

iv. Correction of technical mistakes or mistaken interpretations of law; and,

v. Other causes set forth under Sub-part D of 40 CFR Part 122.

i. Safeguards shall be provided to assure maximal compliance with all terms and conditions of this permit. Safeguards shall include preventative and contingency plans and may also include alternative power sources, stand-by generators, retention capacity, operating procedures, or other precautions. Preventative and contingency plans for controlling and minimizing the affect of accidental discharges shall:

i. identify possible situations that could cause "upset", "overflow" or "bypass", or other noncompliance. (Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks and pipes should be considered.)

ii. evaluate the effectiveness of present facilities and procedures and describe procedures and steps to minimize or correct any adverse environmental impact resulting from noncompliance with the permit.

j. Physical Facilities shall be designed and constructed according to accepted engineering practice and shall be capable of full compliance with this order when properly operated and maintained. Proper operation and maintenance shall be described in an Operation and Maintenance Manual. Facilities shall be accessible during the wet-weather season.

k. Production and use of reclaimed water is subject to the approval of the Board. Production and use of reclaimed water shall be in conformance with reclamation criteria established in Chapter 3, Title 22, of the California Administrative Code and Chapter 7, Division 7, of the California Water Code. An engineering report pursuant to section 60323, Title 22, of the California Administrative Code is required and a waiver or water reclamation requirements from the Board is required before reclaimed water is supplied for any use, or to any user, not

specifically identified and approved either in this Order or another order issued by this Board.

B. Central Coast Standard Provisions – General Monitoring Requirements

1. If results of monitoring a pollutant appear to violate effluent limitations based on a weekly, monthly, 30-day, or six-month period, but compliance or non-compliance cannot be validated because sampling is too infrequent, the frequency of sampling shall be increased to validate the test within the next monitoring period. The increased frequency shall be maintained until the Executive Officer agrees the original monitoring frequency may be resumed.

   For example, if copper is monitored annually and results exceed the six-month median numerical effluent limitation in the permit, monitoring of copper must be increased to a frequency of at least once every two months (Central Coast Standard Provisions – Definitions II.F.13.). If suspended solids are monitored weekly and results exceed the weekly average numerical limit in the permit, monitoring of suspended solids must be increased to at least four (4) samples every week (Central Coast Standard Provisions – Definitions II.F.14.).

2. Water quality analyses performed in order to monitor compliance with this permit shall be by a laboratory certified by the State Department of Health Services for the constituent(s) being analyzed. Bioassay(s) performed in order to monitor compliance with this permit shall be in accord with guidelines approved by the State Water Resources Control Board and the State Department of Fish and Game. If the laboratory used or proposed for use by the discharger is not certified by the California Department of Health Services or, where appropriate, the Department of Fish and Game due to restrictions in the State's laboratory certification program, the discharger shall be considered in compliance with this provision provided:

   a. Data results remain consistent with results of samples analyzed by the Central Coast Water Board;

   b. A quality assurance program is used at the laboratory, including a manual containing steps followed in this program that is available for inspections by the staff of the Central Coast Water Board; and,

   c. Certification is pursued in good faith and obtained as soon as possible after the program is reinstated.

3. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Samples shall be taken during periods of peak loading conditions. Influent samples shall be samples collected from the combined flows of all incoming wastes, excluding recycled wastes. Effluent samples shall be samples collected downstream of the last treatment unit and tributary flow and upstream of any mixing with receiving waters.

4. All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.

C. Central Coast Standard Provisions – General Reporting Requirements

1. Reports of marine monitoring surveys conducted to meet receiving water monitoring requirements of the Monitoring and Reporting Program shall include at least the following information:

   a. A description of climatic and receiving water characteristics at the time of sampling (weather observations, floating debris, discoloration, wind speed and direction, swell or wave action, time of sampling, tide height, etc.).

   b. A description of sampling stations, including differences unique to each station (e.g., station location, grain size, rocks, shell litter, calcareous worm tubes, evident life, etc.).

   c. A description of the sampling procedures and preservation sequence used in the survey.

   d. A description of the exact method used for laboratory analysis. In general, analysis shall be conducted according to (Central Coast Standard Provisions – Definitions II.B.1 above, and Federal Standard Provision – Monitoring I.C.1. However, variations in procedure are acceptable to accommodate the special requirements of sediment analysis. All such variations must be reported with the test results.

   e. A brief discussion of the results of the survey. The discussion shall compare data from the control station with data from the outfall stations. All tabulations and computations shall be explained.

2. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule shall be submitted within 14 days following each scheduled date unless otherwise specified within the permit. If reporting noncompliance, the report shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance. A second report shall be submitted within 14 days of full compliance.

3. The "Discharger" shall file a report of waste discharge or secure a waiver from the Executive Officer at least 180 days before making any material change or proposed change in the character, location, or plume of the discharge.

4. Within 120 days after the discharger discovers, or is notified by the Central Coast Water Board, that monthly average daily flow will or may reach design capacity of waste treatment and/or disposal facilities within four (4) years, the discharger shall file a written report with the Central Coast Water Board. The report shall include:

   a. the best estimate of when the monthly average daily dry weather flow rate will equal or exceed design capacity; and,

   b. a schedule for studies, design, and other steps needed to provide additional capacity for waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units.

   In addition to complying with Federal Standard Provision – Reporting I.E.2, the required technical report shall be prepared with public participation and reviewed, approved and jointly submitted by all planning and building departments having jurisdiction in the area served by the waste collection, treatment, or disposal facilities.

5. All "Dischargers" shall submit reports to the:

   California Regional Water Quality Control Board
   Central Coast Region
   895 Aerovista Place, Suite 101
   San Luis Obispo, CA 93401-7906

   In addition, "Dischargers" with designated major discharges shall submit a copy of each document to:

   Regional Administrator
   US Environmental Protection Agency, Region 9
   Attention: CWA Standards and Permits Office (WTR-5)
   75 Hawthorne Street
   San Francisco, California 94105

6. Transfer of control or ownership of a waste discharge facility must be preceded by a notice to the Central Coast Water Board at least 30 days in advance of the proposed transfer date. The notice must include a written agreement between the existing "Discharger" and proposed "Discharger" containing specific date for transfer of responsibility, coverage, and liability between them. Whether a permit may be transferred without modification or revocation and reissuance is at the discretion of the Board. If permit modification or revocation and reissuance is necessary, transfer may be delayed 180 days after the Central Coast Water Board's receipt of a complete permit application. Please also see Federal Standard Provision – Permit Action IB.3.

7. Except for data determined to be confidential under Section 308 of the Clean Water Act (excludes effluent data and permit applications), all reports prepared in accordance with this permit shall be available for public inspection at the office of the

Central Coast Water Board or Regional Administrator of EPA. Please also see Federal Standard Provision – Records I.D.3.

8. By January 30th of each year (or other date as specified in Attachement E – Monitoring and Reporting Program), the discharger shall submit an annual report to the Central Coast Water Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. The discharger shall discuss the compliance record and corrective actions taken, or which may be needed, to bring the discharge into full compliance. The report shall address operator certification and provide a list of current operating personnel and their grade of certification. The report shall inform the Board of the date of the Facility's Operation and Maintenance Manual (including contingency plans as described Central Coast Standard Provision – Provision II.A.2.i), of the date the manual was last reviewed, and whether the manual is complete and valid for the current facility. The report shall restate, for the record, the laboratories used by the discharger to monitor compliance with effluent limits and provide a summary of performance relative to Section B above, General Monitoring Requirements.

   If the facility treats industrial or domestic wastewater and there is no provision for periodic sludge monitoring in the Monitoring and Reporting Program, the report shall include a summary of sludge quantities, analyses of its chemical and moisture content, and its ultimate destination.

   If applicable, the report shall also evaluate the effectiveness of the local source control or pretreatment program using the State Water Resources Control Board's "Guidelines for Determining the Effectiveness of Local Pretreatment Programs."

D. Central Coast Standard Provisions – General Pretreatment Provisions

1. Discharge of pollutants by "indirect dischargers" in specific industrial sub-categories (appendix C, 40 CFR Part 403), where categorical pretreatment standards have been established, or are to be established, (according to 40 CFR Chapter 1, Subchapter N), shall comply with the appropriate pretreatment standards:

   a. By the date specified therein;

   b. Within three (3) years of the effective date specified therein, but in no case later than July 1, 1984; or,

   c. If a new indirect discharger, upon commencement of discharge.

E. Central Coast Standard Provisions – Enforcement

1. Any person failing to file a report of waste discharge or other report as required by this permit shall be subject to a civil penalty not to exceed $5,000 per day.

2. Upon reduction, loss, or failure of the treatment facility, the "Discharger" shall, to the extent necessary to maintain compliance with this permit, control production or all

discharges, or both, until the facility is restored or an alternative method of treatment is provided.

F. Central Coast Standard Provisions – Definitions

(Not otherwise included in Attachment A to this Order)

1. A "composite sample" is a combination of no fewer than eight (8) individual samples obtained at equal time intervals (usually hourly) over the specified sampling (composite) period. The volume of each individual sample is proportional to the flow rate at the time of sampling. The period shall be specified in the Monitoring and Reporting Program ordered by the Executive Officer.

2. "Daily Maximum" limit means the maximum acceptable concentration or mass emission rate of a pollutant measured during a calendar day or during any 24-hour period reasonably representative of the calendar day for purposes of sampling. It is normally compared with results based on "composite samples" except for ammonia, total chlorine, phenolic compounds, and toxicity concentration. For all exceptions, comparisons will be made with results from a "grab sample".

3. "Discharger", as used herein, means, as appropriate: (I) the Discharger, (2) the local sewering entity (when the collection system is not owned and operated by the Discharger), or (3) "indirect discharger" (where "Discharger" appears in the same paragraph as "indirect discharger", it refers to the discharger.)

4. "Duly Authorized Representative" is one where:

   a. the authorization is made in writing by a person described in the signatory paragraph of Federal Standard Provision I.E.2;

   b. the authorization specifies either an individual or the occupant of a position having either responsibility for the overall operation of the regulated facility, such as the plant manager, or overall responsibility for environmental matters of the company; and,

   c. the written authorization was submitted to the Central Coast Water Board.

5. A "grab sample" is defined as any individual sample collected in less than 15 minutes. "Grab samples" shall be collected during peak loading conditions, which may or may not be during hydraulic peaks. It is used primarily in determining compliance with the daily maximum limits identified in Central Coast Standard Provision – Provision II.F.2 and instantaneous maximum limits.

6. "Hazardous substance" means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act.

7. "Incompatible wastes" are:

   a. Wastes which create a fire or explosion hazard in the treatment works;

b. Wastes which will cause corrosive structural damage to treatment works, but in no case wastes with a pH lower than 5.0 unless the works is specifically designed to accommodate such wastes;

c. Solid or viscous wastes in amounts which cause obstruction to flow in sewers, or which cause other interference with proper operation of treatment works;

d. Any waste, including oxygen demanding pollutants (BOD, etc), released in such volume or strength as to cause inhibition or disruption in the treatment works and subsequent treatment process upset and loss of treatment efficiency; and,

e. Heat in amounts that inhibit or disrupt biological activity in the treatment works or that raise influent temperatures above 40°C (104°F) unless the treatment works is designed to accommodate such heat.

8. "Indirect Discharger" means a non-domestic discharger introducing pollutants into a publicly owned treatment and disposal system.

9. "Log Mean" is the geometric mean. Used for determining compliance of fecal or total coliform populations, it is calculated with the following equation:

   Log Mean = (C1 x C2 x...x Cn)1/n

   in which "n" is the number of days samples were analyzed during the period and any "C" is the concentration of bacteria (MPN/100 ml) found on each day of sampling. "n" should be five or more.

10. "Mass emission rate" is a daily rate defined by the following equations:

    mass emission rate (lbs/day) = 8.34 x Q x C; and,

    mass emission rate (kg/day) = 3.79 x Q x C,

    where "C" (in mg/l) is the measured daily constituent concentration or the average of measured daily constituent concentrations and "Q" (in MGD) is the measured daily flow rate or the average of measured daily flow rates over the period of interest.

11. The "Maximum Allowable Mass Emission Rate," whether for a month, week, day, or six-month period, is a daily rate determined with the formulas in paragraph F.10, above, using the effluent concentration limit specified in the permit for the period and the average of measured daily flows (up to the allowable flow) over the period.

12. "Maximum Allowable Six-Month Median Mass Emission Rate" is a daily rate determined with the formulas in Central Coast Standard Provision – Provision II.F.10, above, using the "six-month Median" effluent limit specified in the permit, and the average of measured daily flows (up to the allowable flow) over a 180-day period.

13. "Median" is the value below which half the samples (ranked progressively by increasing value) fall. It may be considered the middle value, or the average of two middle values.

14. "Monthly Average" (or "Weekly Average", as the case may be) is the arithmetic mean of daily concentrations or of daily mass emission rates over the specified 30-day (or 7-day) period

    Average = (Xl + X2 + ... + Xn) / n

    in which "n" is the number of days samples were analyzed during the period and "X" is either the constituent concentration (mg/l) or mass emission rate (kg/day or lbs/day) for each sampled day. "n" should be four or greater.

15. "Municipality" means a city, town, borough, county, district, association, or other public body created by or under state law and having jurisdiction over disposal of sewage, industrial waste, or other waste.

16. "Overflow" means the intentional or unintentional diversion of flow from the collection and transport systems, including pumping facilities.

17. "Pollutant-free wastewater" means inflow and infiltration, storm waters, and cooling waters and condensates which are essentially free of pollutants.

18. "Primary Industry Category" means any industry category listed in 40 CFR Part 122, Appendix A.

19. "Removal Efficiency" is the ratio of pollutants removed by the treatment unit to pollutants entering the treatment unit. Removal efficiencies of a treatment plant shall be determined using "Monthly averages" of pollutant concentrations (C, in mg/l) of influent and effluent samples collected about the same time and the following equation (or its equivalent):

    $C_{Effluent}$ Removal Efficiency (%) = l00 x (l – $C_{effluent}$ / $C_{influent}$)

20. "Severe property damage" means substantial physical damage to property, damage to treatment facilities which causes them to become inoperable, or substantial and permanent loss to natural resources which can reasonably be expected to occur in the absence of a "bypass". It does not mean economic loss caused by delays in production.

21. "Sludge" means the solids, residues, and precipitates separated from, or created in, wastewater by the unit processes of a treatment system.

22. To "significantly contribute" to a permit violation means an "indirect discharger" must:

    a. Discharge a daily pollutant loading in excess of that allowed by contract with the "Discharger" or by Federal, State, or Local law;

b. Discharge wastewater which substantially differs in nature or constituents from its average discharge;

c. Discharge pollutants, either alone or in conjunction with discharges from other sources, which results in a permit violation or prevents sewage sludge use or disposal; or

d. Discharge pollutants, either alone or in conjunction with pollutants from other sources, that increase the magnitude or duration of permit violations.

23. "Toxic Pollutant" means any pollutant listed as toxic under Section 307 (a) (1) of the Clean Water Act or under 40 CFR Part 122, Appendix D. Violation of maximum daily discharge limitations are subject to 24-hour reporting (Federal Standard Provisions I.E.5.).

24. "Zone of Initial Dilution" means the region surrounding or adjacent to the end of an outfall pipe or diffuser ports whose boundaries are defined through calculation of a plume model verified by the State Water Resources Control Board.

ATTACHMENT E – MONITORING AND REPORTING PROGRAM

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

NPDES regulations at 40 CFR 122.48 require that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Regional Water Board to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements, which implement the federal and California regulations.

I. GENERAL MONITORING PROVISIONS

A. Laboratories analyzing monitoring samples shall be certified by the Department of Health Services, in accordance with Water Code section 13176, and must include quality assurance/quality control data with their reports.

B. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring locations specified below and, unless otherwise specified, before the monitored flow joins or is diluted by any other waste stream, body of water, or substance. Monitoring locations shall not be changed without notification to and approval of the Regional Water Board.

C. Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than ±10 percent from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration, and operation of acceptable flow measurement devices can be obtained from the following references.

1. A Guide to Methods and Standards for the Measurement of Water Flow, U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 421, May 1975, 96 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by SD Catalog No. C13.10:421.)

2. Water Measurement Manual, U.S. Department of Interior, Bureau of Reclamation, Second Edition, Revised Reprint, 1974, 327 pp. (Available from the U.S. Government Printing Office, Washington D.C. 20402. Order by Catalog No. 172.19/2:W29/2, Stock No. S/N 24003-0027.)

3. Flow Measurement in Open Channels and Closed Conduits, U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 484, October 1977, 982 pp. (Available in paper copy or microfiche from National Technical Information Services (NTIS) Springfield, VA 22151. Order by NTIS No. PB-273 535/5ST.)

4. NPDES Compliance Sampling Manual, U.S. Environmental Protection Agency, Office of Water Enforcement, Publication MCD-51, 1977, 140 pp. (Available from the

General Services Administration (8FFS), Centralized Mailing Lists Services, Building 41, Denver Federal Center, CO 80225.)

D. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices.

E. Monitoring results, including noncompliance, shall be reported at intervals and in a manner specified in this MRP.

F. Unless otherwise specified by this MRP, all monitoring shall be conducted according to test procedures established at 40 CFR 136, *Guidelines Establishing Test Procedures for Analysis of Pollutants*. All analyses shall be conducted using the lowest practical quantitation limit achievable using the specified methodology. Where effluent limitations are set below the lowest achievable quantitation limits, pollutants not detected at the lowest practical quantitation limits will be considered in compliance with effluent limitations. Analysis for toxics listed by the California Toxics Rule shall also adhere to guidance and requirements contained in the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (2005). Analyses for toxics listed in Table B of the California Ocean Plan (2005) shall adhere to guidance and requirements contained in that document.

II. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order.

Table E-1. Monitoring Station Locations

Discharge Point	Monitoring Location Name	Monitoring Location Description
---	INF-001	Influent wastewater prior to treatment where representative samples of raw wastewater can be obtained.
001	EFF-001[1]	Location where representative samples of effluent discharged through the ocean outfall can be collected, after final treatment and disinfection steps and before contact with receiving water.
002	EFF-002[1]	Location where representative samples of effluent discharged to the land discharge/disposal system can be collected, after final treatment and disinfection steps and before contact with land discharge/disposal sites.

[1] EFF-001 and EFF-002 may utilize the same sampling location

III. INFLUENT MONITORING REQUIREMENTS

A. Monitoring Location INF-001

1. The Discharger shall monitor influent to the facility at Monitoring Location INF-001 in accordance with the following schedule.

Table E-2. Influent Monitoring

Parameter	Units	Type of Sample	Sampling and Analyzing Frequency
BOD_5	mg/L	24-hr Composite	Monthly
TSS	mg/L	24-hr Composite	Monthly

IV. EFFLUENT MONITORING REQUIREMENTS

A. Monitoring Location EFF-001

1. The Discharger shall monitor effluent at Monitoring Location EFF-001 in accordance with the following schedule, when discharge at Discharge Point 001 is occurring. If no discharge to Discharge Point 001 occurs during the monitoring period, the monthly report shall state that no discharge has occurred.

Table E-3. Effluent Monitoring at EFF-001

Parameter	Units	Type of Sample	Sampling and Analyzing Frequency
Date and time when ocean discharge begins and ends	Date and time	---	Daily
Date and time when wastewater disinfection begins and ends[1]	Date and time	---	Daily
Daily Flow	MGD	Metered	Daily
Mean Daily Flow	MGD	Calculated	Monthly
Maximum Daily Flow	MGD	Metered	Monthly
Settleable Solids	mL/L	Grab	Daily
TSS	mg/L	24-hr Composite	Twice Monthly[2]
BOD_5	mg/L	24-hr Composite	Twice Monthly[2]
Total Coliform Bacteria [3][4]	MPN/100mL	Grab	Monthly[5]
Turbidity	NTUs	Grab	Quarterly[6]
Oil and Grease	mg/L	Grab	Quarterly[6]
pH	pH units	Grab	Quarterly[6]
Total Chlorine Residual [14]	µg/L	Grab	Daily
Ammonia (as N)	mg/L	Grab	Quarterly[6]
Chronic Toxicity [7]	TUc	24-hr composite	Once in life of permit[8] [13]
Ocean Plan Table B Metals[9]	µg/L	24-hr composite	Annually[10] [13]
Remaining Ocean Plan Table B Pollutants [11]	µg/L	24-hr composite	Once in life of permit[12] [13]

[1] Sufficient disinfection of effluent prior to ocean discharges is needed to meet the effluent requirements for receiving water bacteria characteristics.

[2] Sampling shall occur on the first day of all discharge events for these parameters, but no more than two samples per month are required.

[3] For all bacterial analyses, sample dilutions should be performed so the range of bacterial density values extends from 200 to 160,000 /100 mL. The detection methods used for each analysis shall be reported with the results of the analysis.

[4] Detection methods used for total coliform bacteria shall be those presented in Table 1A of 40 CFR PART 136 (revised edition of May 14, 1999), unless alternate methods have been approved in advance by US EPA pursuant to 40 CFR PART 136.

[5] Total coliform effluent monitoring shall be conducted monthly or once per ocean discharge event if the discharge duration is less than one month. Repeat effluent monitoring and a technical report is required pursuant to section VI.C.2.b of the Order if any single grab sample exceeds a total coliform density of 10,000 per 100 mL.

[6] Sampling for these parameters shall occur on the first day of all discharges to the ocean, but no more than one sample per quarter required.

[7] Chronic Toxicity (TUc) = 100/NOEL. The No Observed Effect Level (NOEL) is expressed as the maximum percent effluent or receiving water that causes no observable effect on a test organism, as determined by the result of a critical life stage toxicity test to measure TUc. In accordance with the Ocean Plan, Appendix III, Standard Monitoring Procedures, the Discharger shall use the critical life stage toxicity tests specified in the table below to measure TUc. Other species or protocols will be added to the list after State Water Resources Control Board review and approval. A minimum of three test species with approved test protocols shall be used to measure compliance with the toxicity objective. If possible, the test species shall include a fish, an invertebrate, and an aquatic plant. After a screening period, monitoring can be reduced to the most sensitive species. Dilution and control water should be obtained from an unaffected area of the receiving waters. The sensitivity of the test organisms to a reference toxicant shall be determined concurrently with each bioassay test and reported with the test results.

[8] Monitoring for chronic toxicity shall occur during the first year following the effective date of this Order.

[9] Ocean Plan Table B metals are those metals identified in Table B of the Ocean Plan, and include arsenic, cadmium, chromium (VI), copper, lead, mercury, nickel, selenium, silver, zinc and cyanide

[10] Monitoring shall occur during discharge to the ocean once per year.

[11] Those pollutants identified in Table B of the Ocean Plan (2005). Analyses, compliance determination, and reporting for these pollutants shall adhere to applicable provisions of the Ocean Plan, including the Standard Monitoring Procedures presented in Appendix III of the Ocean Plan. The Discharger shall instruct its analytical laboratory to establish calibration standards so that the Minimum Levels (MLs) presented in Appendix II of the Ocean Plan are the lowest calibration standards. The Discharger and its analytical laboratory shall select MLs, which are below applicable water quality criteria of Table B; and when applicable water quality criteria are below all MLs, the Discharger and its analytical laboratory shall select the lowest ML.

[12] Monitoring for the remaining Table B pollutants shall occur in the second or third year following the effective date of this Order.

[13] Monitoring for all Table B [Ocean Plan] parameters/pollutants required a minimum of once during the life of the permit even if no ocean discharges occur during the permit term. These data are required to maintain ongoing authorization for ocean discharges as needed during future permit terms. These data will be used to evaluate for and develop effluent limitations and monitoring requirements associated with ocean discharges for future permits. (note; the exemption for Ocean Plan Table B monitoring requirements within the former permit (effluent monitoring table footnote number 5 on page 4 of Monitoring and Reporting Program No. R3-2003-0051) formerly allowable pursuant to paragraph III.G.2 of the 2001 Ocean Plan is no longer valid pursuant to the 2005 Ocean Plan.)

[14] Daily monitoring for chlorine residual only required if chlorine based disinfection processes are employed. Otherwise chlorine residual sampling only required once during the permit term pursuant to effluent monitoring requirements for the Remaining Ocean Plan Table B pollutants as noted.

V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS – DISCHARGE POINT 001

A. Chronic Toxicity

The presence of chronic toxicity shall be estimated as specified in *Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to West Coast Marine and Estuarine Organisms*, EPA-821/600/R-95/136; *Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms*, EPA-600-4-91-003; *Procedures Manual for Conducting Toxicity Tests developed by the Marine Bioassay Project*, SWRCB 1996, 96-1WQ; and/or *Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms*, EPA/600/4-87-028 or subsequent editions.

Chronic toxicity measures a sublethal effect (e.g., reduced growth or reproduction) to experimental test organisms exposed to an effluent compared to that of the control organisms. The no observed effect concentration (NOEC) is the maximum tested concentration in a medium which does not cause known adverse effects upon chronic exposure in the species in question (i.e., the highest effluent concentration to which organisms are exposed in a chronic test that causes no observable adverse effects on the test organisms; e.g., the highest concentration of a toxicant to which the values for the observed responses are not statistically significantly different from the controls). Examples of chronic toxicity include but are not limited to measurements of toxicant effects on reproduction, growth, and sublethal effects that can include behavioral, physiological, and biochemical effects. Test results shall be reported in TUc, where TUc = 100/NOEC. For this discharge, the presence of chronic toxicity at more than 1 TUc shall trigger the Toxicity Reduction Evaluation requirements of the Order.

If the effluent is to be discharged to a marine or estuarine system (e.g., salinity values in excess of 1,000 mg/L) originates from a freshwater supply, salinity of the effluent must be increased with dry ocean salts (e.g., FORTY FATHOMS®) to match salinity of the receiving water. This modified effluent shall then be tested using marine species.

Test species shall include a vertebrate, an invertebrate, and an aquatic plant. After a screening period, monitoring may be reduced to the most sensitive species. Screening phase chronic toxicity monitoring shall be conducted with three of the following species with approved test protocols.

Table E-4. Approved Tests—Chronic Toxicity

Species	Test	Tier [1]	Reference [2]
Giant kelp, *Macrocystis pyrifera*	percent germination; germ tube length	1	a, c
Red abalone, *Haliotis rufescens*	abnormal shell development	1	a, c
Oyster, *Crassostrea gigas*; mussels, *Mytilus spp.*	abnormal shell development; percent survival	1	a, c
Urchin, *Strongylocentrotus purpuratus*; sand dollar, *Dendraster excentricus*	percent normal development	1	a, c
Urchin, *Strongylocentrotus purpuratus*; sand dollar, *Dendraster excentricus*	percent fertilization	1	a, c
Shrimp, *Homesimysis costata*	percent survival; growth	1	a, c
Shrimp, *Mysidopsis bahia*	percent survival; fecundity	2	b, d
Topsmelt, *Atherinops affinis*	larval growth rate; percent survival	1	a, c
Silverside, *Menidia beryllina*	larval growth rate; percent survival	2	b, d

[1] First tier methods are preferred for compliance monitoring. If first tier organisms are not available, the Discharger can use a second tier test method following approval by the Regional Water Board.

[2] Protocol References:

a. Chapman, G.A., D.L. Denton, and J.M. Lazorchak. 1995. Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to West Coast Marine and Estuarine Organisms. U.S. EPA Report No. EPA/600/R-95/136.

b. Klemm, D.J., G.E. Morrison, T.J. Norberg-King, W.J. Peltier, and M.A. Heber. 1994. Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Water to Marine and Estuarine Organisms. U.S. EPA Report No. EPA-600-4-91-003.

c. SWRCB 1996. Procedures Manual for Conducting Toxicity Tests Developed by the Marine Bioassay

Project. 96-1WQ.

d. Weber, C.I., W.B. Horning, I.I., D.J. Klemm, T.W. Nieheisel, P.A. Lewis, E.L. Robinson, J. Menkedick and F. Kessler (eds). 1998. Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms. EPA/600/4-87/028. National Information Service, Springfield, VA.

Dilution and control waters shall be obtained from an area of the receiving waters, typically upstream, which is unaffected by the discharge. Standard dilution water can be used, if the receiving water itself exhibits toxicity or if approved by the Regional Water Board. If the dilution water used in testing is different from the water in which the test organisms were cultured, a second control sample using culture water shall be tested.

The sensitivity of test organisms to a reference toxicant shall be determined concurrently with each bioassay and reported with the test results.

B. Toxicity Reporting

1. The Discharger shall include a full report of toxicity test results with the regular monthly monitoring report and include the following information.

   a. toxicity test results,

   b. dates of sample collection and initiation of each toxicity test, and

   c. chronic toxicity discharge limitations (or value).

2. Toxicity test results shall be reported according to the appropriate guidance - Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, EPA-821-R-02-012 (2002) or subsequent editions.

C. Toxicity Identification/Reduction Evaluations

The Discharger shall conduct a Toxicity Reduction Evaluation (TRE) if the discharge consistently exceeds a toxicity effluent limitation, or an effluent limitation based on a toxicity objective in Table B of the Ocean Plan. The TRE shall include all reasonable steps to identify the source(s) of toxicity. Once sources of toxicity are identified, the Discharger shall take all reasonable steps necessary to reduce toxicity to the required level. The basis of the TRE shall be the following (or later revised editions):

1. EPA's Methods for Aquatic Toxicity Identification Evaluations: Phase I, Toxicity Characterization Procedures, 2nd edition, 1991b (EPA 600-6-91-003)

2. EPA's Methods for Aquatic Toxicity Identification Evaluations: Phase II, Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity, 1993a (EPA 600-R-92-080)

3. EPA's Methods for Aquatic Toxicity Identification Evaluations: Phase III, Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity, 1993b (EPA600-R-92-081)

4. EPA's Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants (EPA 833-B-99-002), August 1999

The Discharger shall initiate a TRE according to the following schedule:

Action Step	When Required
Take all reasonable measures necessary to immediately reduce toxicity, where the source is known.	Within 24 hours of identification of non-compliance
Submit a TRE study plan (Workplan) detailing the toxicity reduction procedures to be employed to the Executive Officer (EO).	Within 60 days of the identification of non-compliance.
Initiate the TRE in accordance to the Workplan.	Within 7 days of notification by the EO.
Conduct the TRE following the procedures in the Workplan.	Within the period specified in the Workplan (not to exceed one year, without an approved Workplan).
Submit the results of the TRE, including summary of findings, required corrective action, and all results and data.	Within 60 days of completion of the TRE.
Implement corrective actions to meet Permit limits and conditions.	To be determined by the EO.
Return to regular monitoring upon final implementation of controls and approval of the EO.	To be determined by the EO.

VI. LAND DISCHARGE MONITORING REQUIREMENTS

Not applicable.

VII. RECLAMATION MONITORING REQUIREMENTS

1. The Discharger shall monitor effluent at Monitoring Location EFF–002 in accordance with the following schedule.

Table E-5. Monitoring Requirements for Reclamation

Parameter	Units	Type of Sample	Minimum Sampling Frequency
Date and time when irrigation discharge begins and ends	Date and time	---	Daily
Date and time when wastewater disinfection begins and ends[1]	Date and time	---	Daily
Daily Flow	MGD	Metered	Daily
Mean Daily Flow	MGD	Calculated	Monthly
Maximum Daily Flow	MGD	Metered	Monthly
BOD_5	mg/L	24-hr Composite	Twice Monthly
TSS	mg/L	24-hr Composite	Twice Monthly

Settleable Solids	mL/L	Grab	Daily
Turbidity	NTUs	Grab	Quarterly
Oil & Grease	Mg/L	Grab	Quarterly
pH	pH units	Grab	Quarterly
Total Coliform Bacteria	MPN/100 mL	Grab	Monthly

[1] Continuous disinfection of all wastewater is preferred for irrigation disposal/reuse.

2. During periods of recycled water application, the Discharger shall inspect all application areas at least twice weekly, for the following:

   - The presence of any ponding water;
   - Runoff of wastewater into publicly accessible area;
   - Evidence of public access into any disposal area;
   - Erosion caused by the discharge; and
   - Any damage or needed repair to plumbing.

A log of these inspections shall be kept and made available to the Executive Officer upon request. The inspection log shall be summarized in each monitoring report.

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

A. Receiving Surface Water Monitoring Requirements

The Discharger shall visually inspect the receiving water daily during ocean discharge and keep a log of conditions that may be a result of the discharge, including discoloration, floating substances and odor. If water contact recreation occurs in the vicinity of the discharge, such activity shall be reported in the log.

IX. OTHER MONITORING REQUIREMENTS

A. Solids/Biosolids Monitoring and Reporting

1. The following information shall be submitted with the Annual Report required by X.B.5.d, below (and Standard Provisions).

   a. Volume of biosolids removed, % moisture, and disposal and/or reuse destination. Order or permit number (if applicable) for the biosolids destination shall also be provided.

   b. Representative sample of biosolids removed for disposal and/or reuse shall be analyzed for the following parameters:

Arsenic	Cadmium	Copper
Lead	Mercury	Molybdenum
Nickel	Selenium	Zinc
Total Nitrogen		

c. Biosolids shall be identified as Class A or Class B (in accordance with criteria specified at 40CFR 503). The basis for classification shall also be described.

d. Pathogen reduction and vector attraction reduction achievement methods shall be described in adequate detail to demonstrate compliance with 40CFR 503.32.

2. If no biosolids are removed from the facility during the reporting period (the year), then the Discharger shall include such statement in the Annual Report required by X.B.5.d, below or Standard Provision (Attachment D).

B. Pretreatment Monitoring and Reporting

Not required

C. MBNMS Spill Reporting

The Discharger shall report all sewage spills under its control that are likely to enter ocean waters, directly to the Monterey Bay National Marine Sanctuary (MBNMS) office at (888) 902-2778.

X. REPORTING REQUIREMENTS

A. General Monitoring and Reporting Requirements

1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.

B. Self Monitoring Reports (SMRs)

1. At any time during the term of this permit, the State or Regional Water Board may notify the Discharger to electronically submit Self-Monitoring Reports (SMRs) using the State Water Board's California Integrated Water Quality System (CIWQS) Program Web site (http://www.waterboards.ca.gov/ciwqs/index.html). Until such notification is given, the Discharger shall submit hard copy SMRs. The CIWQS Web site will provide additional directions for SMR submittal in the event there will be service interruption for electronic submittal.

2. The Discharger shall report in the SMR the results for all monitoring specified in this MRP under sections III through IX. The Discharger shall submit monthly SMRs including the results of all required monitoring using USEPA-approved test methods or other test methods specified in this Order. If the Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR.

3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Table E-6. Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On ...	Monitoring Period	SMR Due Date
Continuous	Effective permit/order date (see Table 3)	All	First day of the second month following the month of sampling (e.g., reports for sampling conducted in January are due no later than March 1st)
Daily	Effective permit/order date (see Table 3)	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	Submit with monthly SMR
Weekly	Sunday following permit effective date or on permit effective date if on a Sunday	Sunday through Saturday	Submit with monthly SMR
Monthly	First day of calendar month following permit effective date or on permit effective date if that date is first day of the month	1st day of calendar month through last day of calendar month	Submit with monthly SMR
Quarterly	Closest of January 1, April 1, July 1, or October 1 following (or on) permit effective date	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	Submit with next monthly SMR
Semiannually	Closest of January 1 or July 1 following (or on) permit effective date	January 1 through June 30 July 1 through December 31	Submit with next monthly SMR
Annually	January 1 following (or on) permit effective date	January 1 through December 31	Submit with Annual Report
Once in life of permit	July 2009	July 2009	Submit with next Annual Report

4. Reporting Protocols. The Discharger shall report with each sample result the applicable reported Minimum Level (ML) and the current Method Detection Limit (MDL), as determined by the procedure in Part 136.

   The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

   a. Sample results greater than or equal to the reported ML shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).

   b. Sample results less than the RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration of the sample shall also be reported.

      For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ as well as the words "Estimated Concentration" (may be shortened to "Est. Conc."). The laboratory may, if such

information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (+ a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.

d. Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from extrapolation beyond the lowest point of the calibration curve.

5. The Discharger shall submit SMRs in accordance with the following requirements:

a. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations. The Discharger is not required to duplicate the submittal of data that is entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.

b. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the WDRs; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.

c. SMRs must be submitted to the Regional Water Board, signed and certified as required by the Standard Provisions (Attachment D), to the address listed below:

Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401

d. An Annual Self Monitoring Report shall be due on February 1 following each calendar year and shall include:

- Tabular and graphical summaries of the monitoring data obtained during the preceding year. Duplicate copies of monthly reports are not necessary and do not fulfill requirements for "summaries".
- A discussion of any incident of non-compliance and corrective actions taken to ensure compliance is restored.
- List of facility staff and corresponding certification levels.
- Summary of biosolids monitoring, as described above.

e. Copies of Annual Self Monitoring Reports shall be submitted to the Monterey Bay National Marine Sanctuary (MBNMS), to the address listed below:

Monterey Bay National Marine Sanctuary
Permit Coordinator
299 Foam Street
Monterey, CA 93940

C. Discharge Monitoring Reports (DMRs)

1. As described in Section X.B.1 above, at any time during the term of this permit, the State or Regional Water Board may notify the Discharger to electronically submit SMRs that will satisfy federal requirements for submittal of Discharge Monitoring Reports (DMRs). Until such notification is given, the Discharger shall submit DMRs in accordance with the requirements described below.

2. DMRs must be signed and certified as required by the standard provisions (Attachment D). The Discharge shall submit the original DMR and one copy of the DMR to the address listed below.

Standard Mail	Fedex/UPS/Other Private Carriers
State Water Resources Control Board Division of Water Quality c/o DMR Processing Center PO Box 100 Sacramento, CA 95812-1000	State Water Resources Control Board Division of Water Quality c/o DMR Processing Center 1001 I Street, 15th Floor Sacramento, CA 95814

Note: DMR submittal to the State Water Resources Control Board is only required for major NPDES facilities (i.e. facilities with flows in excess of 1 MGD or required pretreatment program).

3. All discharge monitoring results must be reported on the official USEPA pre-printed DMR forms (EPA Form 3320-1). Forms that are self-generated or modified cannot be accepted.

D. Other Reports

1. The Discharger shall report the results of any special monitoring, TREs, or other data or information that results from the Special Provisions, section VI. C, of the Order. The Discharger shall submit such reports with the first monthly SMR scheduled to be submitted on or immediately following the report due date.

ATTACHMENT F – FACT SHEET

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ATTACHMENT F – FACT SHEET

As described in section II of this Order, this Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

This Order has been prepared under a standardized format to accommodate a broad range of discharge requirements for Dischargers in California. Only those sections or subsections of this Order that are specifically identified as "not applicable" have been determined not to apply to this Discharger. Sections or subsections of this Order not specifically identified as "not applicable" are fully applicable to this Discharger.

I. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

Table F-1. Facility Information

WDID	3 401001001
Discharger	Ragged Point Inn, LP
Name of Facility	Ragged Point Inn Wastewater Treatment Facility
Facility Address	19019 Highway 1
	Ragged Point, CA 93452
	San Luis Obispo County
Facility Contact, Title and Phone	Jim Ramey, General Manager, 805-927-4502
Authorized Person to Sign and Submit Reports	Jim Ramey, General Manager, 805-927-4502
Mailing Address	Same as Facility Address
Billing Address	Same as Facility Address
Type of Facility	Sanitary Wastewater Treatment Facility
Major or Minor Facility	Minor
Threat to Water Quality	3
Complexity	B
Pretreatment Program	NA
Reclamation Requirements	NA
Facility Permitted Flow	0.015 MGD
Facility Design Flow	0.015 MGD
Watershed	310.11 (Estero Bay Hydrologic Unit; San Carpoforo HSA)
Receiving Water	Pacific Ocean
Receiving Water Type	Marine

A. Ragged Point Inn, LP (hereinafter, the Discharger) is the owner and operator of a wastewater treatment facility that treats domestic and commercial wastewaters generated by the guests and employees and the restaurant of the Inn. The wastewater treatment facility is located at 19019 Highway 1, Ragged Point, San Luis Obispo County.

For the purposes of this Order, references to the "discharger" or "permittee" in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

B. The facility discharges wastewater to the Pacific Ocean, waters of the United States, and is currently regulated by Order R3-2003-0051, which was adopted on October 29, 2003, and expired on October 24, 2008. The terms and conditions of the current Order are automatically continued and remain in effect until new Waste Discharge Requirements and a National Pollutant Discharge Elimination System (NPDES) permit are adopted pursuant to this Order.

C. The Discharger submitted a letter dated April 18, 2008, stating there were no changes in the quantity or character of the discharge and requested continued NPDES permit coverage for the discharge up to 0.015 MGD of treated wastewater from the Ragged Point Inn Wastewater Treatment Facility to the Pacific Ocean. The letter was accepted as a complete Report of Waste Discharge and was deemed complete on April 23, 2008.

II FACILITY DESCRIPTION

A. Description of Wastewater Treatment

See section II.B (Facility Description) of the Order.

B. Discharge Points and Receiving Waters

Discharge from the Ragged Point Inn Wastewater Treatment Facility to the Pacific Ocean occurs through Discharge Point 001. Effluent is discharged from a pipe down a steep cliff along an inaccessible portion of the shoreline. The outfall (35° 45' 30" N. Latitude, 120° 19' 30" W. Longitude) discharges to the Pacific Ocean. The Discharger also applies treated wastewater to land via a surface drip irrigation system at Discharge Point 002.

The Pacific Ocean in the vicinity of Discharge Point 001 is part of the Monterey Bay National Marine Sanctuary, designated as such on September 15, 1992. The purpose of the National Marine Sanctuaries Program is to protect areas of the marine environment which possess conservation, recreational, ecological, historical, research, educational, or aesthetic qualities of special national significance. The first priority of the Program is the long term protection of resources within designated sanctuaries. The Monterey Bay Sanctuary has been recognized for its unique and diverse biological and physical characteristics.

C. Summary of Existing Requirements and Self-Monitoring Report (SMR) Data

Effluent limitations contained in the previous Order for discharges from Discharge Point 001 and 002, and 2004 to 2006 monitoring data for Monitoring Location EFF-001, are presented in the following tables.

Table F-2. Historic Effluent Limitations, Discharge Points 001 and 002

Parameter	Units	Effluent Limitations		
		Average Monthly	Average Weekly	Daily Maximum
BOD_5	mg/L	30	45	90
TSS	mg/L	30	45	90
BOD_5 and TSS	%	Removal by treatment shall not be less than 85 percent		
Oil & Grease	mg/L	25	40	75
Settleable Solids	mL/L/hr	1.0	1.5	3.0
Turbidity	NTU	75	100	225
pH	pH Units	6.0 – 9.0		
Ocean Plan Table B Pollutants[1]	µg/L	Effluent limitations were established for all Table B pollutants based upon water quality objectives established in the Ocean Plan and a minimum initial dilution of 0.		

[1] The narrative reference to radioactivity limits per Table B of the 2005 Ocean Plan is outdated and there currently are no federal or state adopted radioactivity standards for marine aquatic life protection, or other pertinent criteria applicable to ocean discharges. The Table B radioactivity limits contained within the previous permit has been retained within the Order along with radioactivity monitoring to avoid potential violation of anti-backsliding requirements. It is anticipated that the radioactivity effluent limitations within this Order, or subsequent versions, will be changed at some time in the future once an appropriate standard is adopted.

Table F-3. Effluent Characterization – July 2004 to November 2006

	Units	Monthly Minimum	Monthly Maximum	Monthly Average
Effluent Flow	MGD	0.0059	0.013	0.0089
BOD_5	mg/L	7	13	11
TSS	mg/L	6	11	8
Oil & Grease	mg/L	< 5	6	5.5
pH	pH units	7.3	8.4	--
Turbidity	NTUs	0.6	6.4	2.4
Settleable Solids	mL/L	0.001	0.117	0.02
Ammonia (as N)	mg/L	< 0.3	1.3	0.6
Total Coliform	MPN/100 mL	500	> 1600	1545

Source: Ragged Point Inn Monthly Self Monitoring Reports, July 2004 to November 2006.

< = non-detect

D. Compliance Summary

The following table outlines violations that occurred during the previous permit term. As a general rule the facility is adequately operated and maintained in accordance with the professional standards and conduct of the licensed operator providing biweekly oversight of the onsite maintenance staff. With the exception of a couple of reports being submitted a few days late or being incomplete, the Discharger's licensed operator regularly submits complete and timely reports. Late or incomplete reports were all rectified within several days of notifying the Discharger with the exception of missed constituent sampling during

appropriate monitoring periods as noted in the following table. It should also be noted that the Discharger has been regularly reporting in the electronic data format (EDF) to the California Integrated Water Quality System (CIWQS). The most noteworthy violations contained with the following table are effluent limitation violations for Ocean Plan Table B constituents subject to mandatory minimum penalties. Based on these violations the Discharger is currently subject to civil liability of $15,000 for five serious violations. An administrative civil liability complaint is pending for these violations.

The noted serious copper and zinc effluent limit violations are likely the result of natural shifts in water supply quality and its effects on the distribution system piping within the facility that may be causing increased leaching from the pipes and fittings. Although this is not an uncommon problem, the Discharger was at a disadvantage because the previous permit did not allow any dilution in the calculation of the effluent limitations. Effluent limitations for all permitted discharges to the Pacific Ocean are generally adjusted [upward] based on a zone of minimum probable initial dilution as allowable pursuant to the Ocean Plan. At the time of issuance of the previous permit, no allowance was given for dilution because the physical nature and location of the discharge made the evaluation of an appropriate dilution factor very difficult. Consequently, the Discharger's compliance during the previous permit term was based on the unadjusted water quality objectives contained with the Ocean Plan which are very low for many of the inorganic constituents, particularly copper and zinc. Conservative dilution factors have been applied to recently reissued ocean discharger permits for facilities with similar physical discharge conditions. To be consistent with similar facilities, this Order applies a conservative dilution factor of 5:1 (seawater to effluent) based on the evaluation of an ocean discharge under similar physical conditions for a desalination facility permitted in Region 4. This dilution factor results in increased effluent limitations for the Ocean Plan Table B constituents contained within the Order that will likely result in compliance with the copper and zinc effluent limitations.

Table F-4. Incidents of Non-Compliance – October 2003 to February 2009

CIWQS Violation ID	Violation Description	Occurrence Date
791698	Reported copper value of 5.0 ug/L exceeds 6-month median effluent limit of 3.0 ug/L (only one sample collected pursuant to annual requirement). Value complies with daily and instantaneous maximum effluent limits. This is a serious violation subject to mandatory minimum penalties of $3,000 (i.e., exceeds effluent limitations for group II pollutant by 20% or more).	7/16/2008
791700	Reported zinc value of 30 ug/L exceeds 6-month median effluent limit of 20 ug/L (only one sample collected pursuant to annual requirement). Value complies with daily and instantaneous maximum effluent limits. This is a serious violation subject to mandatory minimum penalties of $3,000 (i.e., exceeds effluent limitations for group II pollutant by 20% or more).	7/16/2008

CIWQS Violation ID	Violation Description	Occurrence Date
717650	Reported zinc value of 46.5 ug/L exceeds 6-month median effluent limit of 20.0 ug/L (only one sample collected pursuant to annual requirement). Value complies with daily and instantaneous maximum effluent limits. This is a serious violation subject to mandatory minimum penalties of $3,000 (i.e., exceeds effluent limitations for group II pollutant by 20% or more).	6/28/2007
627664	Reported copper value of 6 ug/L exceeds 6-month median eff. limit of 3 ug/L (only one sample collected pursuant to annual requirement). Value complies with daily and instantaneous maximum effluent limits. This is a serious violation subject to mandatory minimum penalties of $3,000 (i.e., exceeds effluent limitations for group II pollutant by 20% or more).	1/17/2007
627665	Reported zinc value of 40 ug/L exceeds 6-month median eff. limit of 20 ug/L (only one sample collected pursuant to annual requirement). Value complies with daily and instantaneous maximum effluent limits. This is a serious violation subject to mandatory minimum penalties of $3,000 (i.e., exceeds effluent limitations for group II pollutant by 20% or more).	1/17/2007
423607	Failed to submit combined June monthly and first 2006 semiannual reports by 07/30/2006	7/31/2006
260266	Effluent chronic toxicity violation; permit limit is 1.0 TU c; reported value is 4.0 TU c	9/27/2004
264029	Discharger failed to report effluent ammonia data. This is a quarterly requirement of Order R3-2003-0051.	7/31/2004
264030	Discharger failed to report effluent arsenic data. This is an annual requirement of Order R3-2003-0051.	7/31/2004
248545	Effluent total suspended solids violation; permit limit is 90 mg/L; reported value is 92 mg/L.	1/8/2004

E. Planned Changes

No changes in the facility or discharge are proposed.

III. APPLICABLE PLANS, POLICIES, AND REGULATIONS

The requirements contained in the proposed Order are based on the requirements and authorities described in this section.

A. Legal Authorities

This Order is issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (USEPA) and chapter 5.5, division 7 of the California Water Code (commencing with section 13370). It shall serve as an NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the Water Code (commencing with section 13260).

B. California Environmental Quality Act (CEQA)

With the respect to the discharge to waters of the United States, pursuant to Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of the CEQA, Public Resources Code sections 21100-21177. With respect to application to land, this action is exempt from CEQA pursuant to California Code of Regulations Title 14 section 15301, as it is an existing facility with no expansion of use beyond that allowed in the prior permit.

C. State and Federal Regulations, Policies, and Plans

1. **Water Quality Control Plan.** The Regional Water Board has adopted a *Water Quality Control Plan for the Central Coast Region* (the Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for receiving waters within the Region. To address ocean waters, the Basin Plan incorporates by reference the *Water Quality Control Plan for Ocean Waters of California* (the Ocean Plan), which was adopted in 1972 and amended in 1978, 1983, 1988, 1990, 1997, 2000, and 2005. The most recent amendment to the Ocean Plan was adopted by the State Water Resources Control Board (the State Water Board) on April 21, 2005, and became effective on February 14, 2006.

   Beneficial uses established by the Basin Plan and the Ocean Plan for the Pacific Ocean are described in section II.H. of the Order.

   Requirements of this Order implement the Basin Plan and Ocean Plan.

2. **Thermal Plan.** The State Water Board adopted a *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California* (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains the following temperature objective for existing discharges to enclosed bays and coastal waters of California.

   > *Elevated temperature waste discharges shall comply with limitations necessary to assure protection of beneficial uses.*

   The Ocean Plan defines elevated temperature wastes as:

   > *Liquid, solid, or gaseous material discharged at a temperature higher than the natural temperature of receiving water.*

3. **California Ocean Plan.** The State Water Board adopted the *Water Quality Control Plan for Ocean Waters of California, California Ocean Plan* (Ocean Plan) in 1972 and amended it in 1978, 1983, 1988, 1990, 1997, 2000, and 2005. The State Water Board adopted the latest amendment on April 21, 2005, and it became effective on February 14, 2006. The Ocean Plan is applicable, in its entirety, to point source discharges to the Pacific Ocean.

4. **Alaska Rule.** On March 30, 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards become effective for CWA purposes. [65 Fed. Reg. 24641 (April 27, 2000), codified at 40 CFR 131.21] Under the revised regulation (also known as the Alaska Rule), new and revised standards submitted to USEPA after May 30, 2000 must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000, may be used for CWA purposes, whether or not approved by USEPA.

5. **Antidegradation Policy.** NPDES regulations at 40 CFR 131.12 require that State water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16, which incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that the existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements and incorporates by reference both the State and federal antidegradation policies. The permitted discharge must be consistent with the antidegradation provisions of 40 CFR 131.12 and State Water Board Resolution No. 68-16. This Order does not allow for an increase in the quantity or decrease in the quality of the discharge as compared to the last permit. This Order results in use of best practicable treatment or control of the discharge by requiring effluent limits that comply with federal and state water quality standards and use of tertiary treatment of the waste. As discussed in Paragraph III.C.6 Anti-Backsliding Requirements, this Order revises effluent limits to take into account increased dilution that was not allowed in the previous Order. Changes in effluent limitations are consistent with the antidegradation policy because the less stringent effluent limitations of this Order will not result in any changes in the nature and characteristics of the discharge compared to the previous Order and will not result in measurable degradation of the receiving water.

6. **Anti-Backsliding Requirements.** CWA Sections 402 (o) (2) and 303 (d) (4) and NPDES regulations at 40 CFR 122.44 (l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. The proposed revised effluent limits for 2005 Ocean Plan Table B pollutants are less stringent than the previous permit because new information, including new data and new information about dilution, supports revising the limit. The effluent limits may be relaxed based on 40 CFR 122.44(l)(i)(B)(1), which allows for exceptions to anti-backsliding based on new information that was not available at the time of issuance of the previous permit and which would have justified a less stringent limit. Clean Water Act section 303(d)(4) allows relaxation of water quality based effluent limits in waters that are in attainment of the standard as long as relaxation complies with the anti-degradation policy. The proposed limits should only be as high as is justified under the state and federal anti-degradation policies. The new limits will maintain the high quality of the Ocean in the location of the discharge.

Effluent limitations in the Order have been revised based on the application of a minimum initial dilution factor of 5 to 1 (seawater to effluent) resulting in effluent limitations for the 2005 Ocean Plan Table B pollutants that are less stringent than those within the previous permit. The revision was conducted in accordance with the exceptions pursuant to 40 CFR 122.44(i)(B)(1), (i)(C) and (i)(E). Specifically, the revision is based on new information regarding dilution modeling for similar discharges which was not available at the time of the previous permit issuance, no reasonable remedy is available to the Discharger to meet the Table B Ocean Plan water quality objectives [for copper and zinc] without the application of a conservative dilution factor, and the Discharger has installed and properly operated requisite treatment facilities but has nevertheless been unable to achieve the previous effluent limitations for copper and zinc. As noted above, the increased effluent limitations will not result in additional loading or water quality impacts as the nature and characteristics of the discharge will not change.

D. Impaired Water Bodies on CWA 303(d) List

CWA section 303(d) requires states to identify specific water bodies where water quality standards are not expected to be met after implementation of technology-based effluent limitations on point sources. For all 303(d) listed water bodies and pollutants, the Regional Water Board must develop and implement TMDLs (Total Maximum Daily Loads) that will specify WLAs (Waste Load Allocations) for point sources and Load Allocations for non-point sources.

The State's 2006 303(d) list of impaired water bodies was approved by USEPA in June 2007. The Pacific Ocean in the vicinity of the Ragged Point Inn discharge is not identified as impaired.

E. Other Plans, Polices and Regulations

1. **Discharges of Storm Water.** For the control of storm water discharged from the site of the wastewater treatment and disposal facilities, the Order requires, if applicable, the Discharger to seek authorization to discharge under and meet the requirements of the State Water Resources Control Board's Water Quality Order 97-03-DWQ, NPDES General Permit No. CAS000001, *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities*.

IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. NPDES regulations establish two principal bases for effluent limitations. At 40 CFR 122.44 (a) permits are required to include applicable technology-based limitations and standards; and at 40 CFR 122.44 (d) permits are required to include water quality-based effluent limitations (WQBELs) to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water. When

numeric water quality objectives have not been established, but a discharge has the reasonable potential to cause or contribute to an excursion above a narrative criterion, WQBELs may be established using one or more of three methods described at 40 CFR 122.44 (d) - 1) WQBELs may be established using a calculated water quality criterion derived from a proposed State criterion or an explicit State policy or regulation interpreting its narrative criterion; 2) WQBELs may be established on a case-by-case basis using U.S. EPA criteria guidance published under CWA Section 304 (a); or 3) WQBELs may be established using an indicator parameter for the pollutant of concern.

A. Discharge Prohibitions

1. Discharge Prohibition III.A. (Discharge to the Pacific Ocean at a location other than as described by the Order is prohibited). Discharge of treated wastewater to the Pacific Ocean at a location other than as described by this Order at 35º 45' 30" N. Latitude, 120° 19' 30" W. Longitude is prohibited. This prohibition is retained from the previous Order.

2. Discharge Prohibition III.B. (Discharges in a manner, except as described by the Order, are prohibited). Because limitations and conditions of the Order have been prepared based on specific information provided by the Discharger and specific wastes described by the Discharger, the limitations and conditions of the Order do not adequately address waste streams not contemplated during drafting of the Order. To prevent the discharge of such waste streams that may be inadequately regulated, the Order prohibits the discharge of any waste that was not described by to the Regional Water Board during the process of permit reissuance.

3. Discharge Prohibition III.C. (Discharges of radiological, chemical, or biological warfare agent or high level radioactive waste to the Ocean is prohibited). This prohibition restates a discharge prohibition established in section III. H of the Ocean Plan.

4. Discharge Prohibition III.D. (Discharge of sludge and sludge digester supernatant to the Ocean is prohibited). This prohibition restates a discharge prohibition established in section III.H of the Ocean Plan.

5. Discharge Prohibition III.E. (Overflows and bypasses are prohibited). The discharge of untreated or partially treated wastewater from the Discharger's collection, treatment, or disposal facilities represents an unauthorized bypass pursuant to 40 CFR 122.41 (m) or an unauthorized discharge, which poses a threat to human health and/or aquatic life, and therefore, is explicitly prohibited by the Order.

6. Discharge Prohibition III. F. (Treated wastewater discharge to non-approved land sites is prohibited). Treated wastewater effluent shall be discharged only at surface drip irrigation reuse application sites approved by the Regional Water Board. Sites must be on property owned and controlled by the Discharger, and all sites must be fenced to prevent public access. Land disposal/reuse shall occur at night whenever possible.

B. Technology-Based Effluent Limitations

1. Scope and Authority

NPDES regulations at 40 CFR 122.44 (a) require that permits include applicable technology-based limitations and standards. Where the USEPA has not yet developed technology based standards for a particular industry or a particular pollutant, CWA Section 402 (a) (1) and USEPA regulations at 40 CFR 125.3 authorize the use of best professional judgment (BPJ) to derive technology-based effluent limitations on a case-by-case basis. When BPJ is used, the permit writer must consider specific factors outlined at 40 CFR 125.3.

This Order includes limitations based on the minimum level of effluent quality attainable by secondary treatment, as established at 40 CFR 133. The Secondary Treatment Regulation includes the following limitations.

Table F-5. Secondary Treatment Requirements

Parameter	Effluent Limitation		
	30-Day Avg	7-Day Avg	Percent Removal [1]
BOD_5 [2]	30 mg/L	45 mg/L	85
TSS	30 mg/L	45 mg/L	85
pH	6.0 – 9.0		---

[1] 30-day average
[2] At the option of the permitting authority, effluent limitations for $CBOD_5$ may be substituted for those limitations specified for BOD_5.

In addition, the State Water Board, in Table A of the Ocean Plan, has established technology-based requirements for oil and grease, settleable solids, turbidity, and pH.

2. Applicable Technology-Based Effluent Limitations

The following table summarizes technology-based effluent limitations established by the Order.

Table F-6. Summary of Technology-Based Effluent Limitations

Parameter	Units	Effluent Limitations		
		Average Monthly	Average Weekly	Maximum Daily
BOD_5 [1]	mg/L	30	45	90
	lbs/day	3.8	5.6	11
TSS [1]	mg/L	30	45	90
	lbs/day	3.8	5.6	11
Settleable Solids	mL/L	1.0	1.5	3.0
Turbidity	NTUs	75	100	225
Oil & Grease	mg/L	25	40	75
	lbs/day	3.1	5.0	9.4

Parameter	Units	Effluent Limitations		
		Average Monthly	Average Weekly	Maximum Daily
pH	pH units	6.0 – 9.0 at all times		

[1] The average monthly percent removal of BOD_5 and TSS shall not be less than 85 percent.

All technology-based limitations are retained from the previous permit and are required by NPDES regulations at 40 CFR 133 and/or Table A of the Basin Plan. Mass-based limitations for BOD_5, TSS, and oil and grease are based on a discharge rate of 0.015 MGD, which is the design treatment capacity of the Ragged Point Wastewater Treatment Facility and the maximum allowable rate of discharge in accordance with sections IV.A.1.d and IV.B.3 of this Order.

C. Water Quality-Based Effluent Limitations (WQBELs)

1. Scope and Authority

NPDES regulations at 40 CFR 122.44 (d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards, including numeric and narrative objectives within a standard.

The process for determining "reasonable potential" and calculating WQBELs, when necessary, is intended to protect the designated uses of receiving waters as specified in the Basin and Ocean Plans, and achieve applicable water quality objectives and criteria that are contained in the Basin Plan and in other applicable State and federal rules, plans, and policies, including applicable water quality criteria from the Ocean Plan.

Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, WQBELs must be established in accordance with the requirements of 40 CFR 122.44 (d)(1)(vi), using (1) USEPA criteria guidance under CWA section 304 (a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information.

2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

Beneficial uses for ocean waters of the Central Coast Region are established by the Basin Plan and Ocean Plan and are described by findings in Section II.H of the Order.

Water quality criteria applicable to ocean waters of the Region are established by the Ocean Plan, which includes water quality objectives for bacterial characteristics, physical characteristics, chemical characteristics, biological characteristics, and

radioactivity. The water quality objectives from the Ocean Plan are incorporated as receiving water limitations into this Order. In addition, Table B of the Ocean Plan contains numeric water quality objectives for 83 toxic pollutants for the protection of marine aquatic life and human health. Pursuant to NPDES regulations at 40 CFR 122.44 (d)(1), and in accordance with procedures established by the Ocean Plan (2005), the Regional Water Board has performed a reasonable potential analysis (RPA) to determine the need for effluent limitations for the Table B toxic pollutants.

3. Determining the Need for WQBELs

Procedures for performing a Reasonable Potential Analysis (RPA) for ocean dischargers are described in Section III. C. and Appendix VI of the Ocean Plan. In general, the procedure is a statistical method that projects an effluent data set while taking into account the averaging period of water quality objectives, the long term variability of pollutants in the effluent, limitations associated with sparse data sets, and uncertainty associated with censored data sets. The procedure assumes a lognormal distribution of the effluent data set, and compares the 95th percentile concentration at 95 percent confidence of each Table B pollutant, accounting for dilution, to the applicable water quality criterion. The RPA results in one of three following endpoints.

Endpoint 1 – There is "reasonable potential," and a WQBEL and monitoring are required.

Endpoint 2 - There is no "reasonable potential." WQBELs are not required, and monitoring is required at the discretion of the Regional Water Board.

Endpoint 3 - The RPA is inconclusive. Existing WQBELs are retained, and monitoring is required.

The State Water Resources Control Board has developed a reasonable potential calculator, which is available at:

http://www.waterboards.ca.gov/plnspols/docs/oplans/rpcalc.zip.

The calculator (RPcalc 2.0) was used in the development of this Order and considers several pathways in the determination of reasonable potential.

a. First Path

If available information about the receiving water or the discharge supports a finding of reasonable potential without analysis of effluent data, the Regional Water Board may decide that WQBELs are necessary after a review of such information. Such information may include: the facility or discharge type, solids loading, lack of dilution, history of compliance problems, potential toxic effects, fish tissue data, 303 (d) status of the receiving water, or the presence of threatened or endangered species or their critical habitat, or other information.

b. Second Path

If any pollutant concentration, adjusted to account for dilution, is greater than the most stringent applicable water quality objective, there is reasonable potential for that pollutant.

c. Third Path

If the effluent data contain three or more detected and quantified values (i.e., values that are at or above the ML), and all values in the data set are at or above the ML, a parametric RPA is conducted to project the range of possible effluent values. The 95th percentile concentration is determined at 95 percent confidence for each pollutant, and compared to the most stringent applicable water quality objective to determine reasonable potential. A parametric analysis assumes that the range of possible effluent values is distributed lognormally. If the 95th percentile value is greater than the most stringent applicable water quality objective, there is reasonable potential for that pollutant.

d. Fourth Path

If the effluent data contains 3 or more detected and quantified values (i.e., values that are at or above the ML), but at least one value in the data set is less than the ML, a parametric RPA is conducted according to the following steps.

(1) If the number of censored values (those expressed as a "less than" value) accounts for less than 80 percent of the total number of effluent values, calculate the ML (the mean of the natural log of transformed data) and SL (the standard deviation of the natural log of transformed data) and conduct a parametric RPA, as described above for the Third Path.

(2) If the number of censored values accounts for 80 percent or more of the total number of effluent values, conduct a non-parametric RPA, as described below for the Fifth Path. (A non-parametric analysis becomes necessary when the effluent data is limited, and no assumptions can be made regarding its possible distribution.)

e. Fifth Path

A non-parametric RPA is conducted when the effluent data set contains less than three detected and quantified values, or when the effluent data set contains three or more detected and quantified values but the number of censored values accounts for 80 percent or more of the total number of effluent values. A non-parametric analysis is conducted by ordering the data, comparing each result to the applicable water quality objective, and accounting for ties. The sample number is reduced by one for each tie, when the dilution-adjusted method detection limit (MDL) is greater than the water quality objective. If the adjusted sample number, after accounting for ties, is greater than 15, the pollutant has no reasonable potential to exceed the water quality objective. If the sample number

is 15 or less, the RPA is inconclusive, monitoring is required, and any existing effluent limits in the expiring permit are retained.

Here, an RPA was conducted using secondary effluent monitoring data generated in five monitoring events between July 2004 and July 2008. The following tables present results of the RPA, performed in accordance with procedures described by the Ocean Plan for the Ragged Point Inn Wastewater Treatment Facility. The RPA endpoint for each Table B pollutant is identified.

As shown in the following tables, due to insufficient data (see footnote [1] of the following table), the RPA frequently leads to Endpoint 3 meaning that the RPA inconclusive. In these circumstances, the Ocean Plan requires that existing effluent limitations for those pollutants (for which the RPA is inconclusive) remain in the reissued permit. The RPA did show "reasonable potential," indicated by a result of Endpoint 1, for ammonia, copper, nickel, and zinc.

Table F-7. RPA Results for Discharges of Secondary Effluent

Table B Pollutant	Most Stringent WQO (µg/L)	No. of Samples	No. of Non-Detects	Max Effluent Conc. (µg/L)	RPA Result/Comment [1]
Objectives for Protection of Marine Aquatic Life					
Ammonia (as N)	600	5	2	3800	Endpoint 1 -- WQBEL and monitoring are required
Arsenic	8	4	4	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Cadmium	1	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Chlorinated Phenolics	1	-----	-----	-----	No effluent data
Chromium (VI)	2	4	3	2	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Copper	3	6	1	18	Endpoint 1 -- WQBEL and monitoring are required
Cyanide	1	2	2	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Endosulfan (total)	0.009	-----	-----	-----	No effluent data
Endrin	0.002	-----	-----	-----	No effluent data
HCH	0.004	-----	-----	-----	No effluent data
Lead	2	5	3	1	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Mercury	0.04	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Nickel	5	5	1	3	Endpoint 1 -- WQBEL and monitoring are required
Non-chlorinated Phenolics	30	-----	-----	-----	No effluent data
Selenium	15	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.

Table B Pollutant	Most Stringent WQO (µg/L)	No. of Samples	No. of Non-Detects	Max Effluent Conc. (µg/L)	RPA Result/Comment [1]
Silver	0.7	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Zinc	20	6	0	90	Endpoint 1 -- WQBEL and monitoring are required
Objectives for Protection of Human Health - Noncarcinogens					
1,1,1-Trichloroethane	540000	-----	-----	-----	No effluent data
2,4-Dinitrophenol	4	-----	-----	-----	No effluent data
2-Methyl-4,6-Dinitrophenol	200	-----	-----	-----	No effluent data
Acrolein	220	-----	-----	-----	No effluent data
Antimony	1200	-----	-----	-----	No effluent data
Bis(2-Chloroethoxy)Methane	4.4	-----	-----	-----	No effluent data
Bis(2-Chloroisopropyl)Ether	1200	-----	-----	-----	No effluent data
Chlorobenzene	570	-----	-----	-----	No effluent data
Chromium (III)	190000	1	1	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Dichlorobenzenes	5100	-----	-----	-----	No effluent data
Diethyl Phthalate	33000	-----	-----	-----	No effluent data
Dimethyl Phthalate	820000	-----	-----	-----	No effluent data
Di-n-Butyl Phthalate	3500	-----	-----	-----	No effluent data
Ethylbenzene	4100	-----	-----	-----	No effluent data
Fluoranthene	15	-----	-----	-----	No effluent data
Hexachlorocyclopentadiene	58	-----	-----	-----	No effluent data
Nitrobenzene	4.9	-----	-----	-----	No effluent data
Thallium	2	-----	-----	-----	No effluent data
Toluene	85000	-----	-----	-----	No effluent data
Tributylin	0.0014	-----	-----	-----	No effluent data
Objectives for Protection of Human Health - Carcinogens					
1,1,2,2-Tetrachloroethane	2.3	-----	-----	-----	No effluent data
1,1,2-Trichloroethane	9.4	-----	-----	-----	No effluent data
1,1-Dichloroethylene	0.9	-----	-----	-----	No effluent data
1,2-Dichloroethane	28	-----	-----	-----	No effluent data
1,2-Diphenylhydrazine	0.16	-----	-----	-----	No effluent data
1,3-Dichloropropylene	8.9	-----	-----	-----	No effluent data
1,4 Dichlorobenzene	18	-----	-----	-----	No effluent data
TCDD Equivalents	3.9E-09	-----	-----	-----	No effluent data
2,4,6-Trichlorophenol	0.29	-----	-----	-----	No effluent data
2,4-Dinitrotoluene	2.6	-----	-----	-----	No effluent data
3,3'-Dichlorobenzidine	0.0081	-----	-----	-----	No effluent data
Acrylonitrile	0.1	-----	-----	-----	No effluent data
Aldrin	0.000022	-----	-----	-----	No effluent data
Benzene	5.9	-----	-----	-----	No effluent data
Benzidine	0.000069	-----	-----	-----	No effluent data
Beryllium	0.033	-----	-----	-----	No effluent data
Bis(2-Chloroethyl)Ether	0.045	-----	-----	-----	No effluent data

Table B Pollutant	Most Stringent WQO (µg/L)	No. of Samples	No. of Non-Detects	Max Effluent Conc. (µg/L)	RPA Result/Comment [1]
Bis(2-Ethylhexyl)Phthalate	3.5	-----	-----	-----	No effluent data
Carbon Tetrachloride	0.9	-----	-----	-----	No effluent data
Chlordane	0.000023	-----	-----	-----	No effluent data
Chlorodibromomethane	8.6	-----	-----	-----	No effluent data
Chloroform	130	-----	-----	-----	No effluent data
DDT (total)	0.0017	-----	-----	-----	No effluent data
Dichlorobromomethane	6.2	-----	-----	-----	No effluent data
Dieldrin	0.00004	-----	-----	-----	No effluent data
Halomethanes	130	-----	-----	-----	No effluent data
Heptachlor	0.00005	-----	-----	-----	No effluent data
Heptachlor Epoxide	0.00002	-----	-----	-----	No effluent data
Hexachlorobenzene	0.00021	-----	-----	-----	No effluent data
Hexachlorobutadiene	14	-----	-----	-----	No effluent data
Hexachloroethane	2.5	-----	-----	-----	No effluent data
Isophorone	730	-----	-----	-----	No effluent data
N-Nitrosodimethylamine	7.3	-----	-----	-----	No effluent data
N-Nitrosodi-n-Propylamine	0.38	-----	-----	-----	No effluent data
N-Nitrosodiphenylamine	2.5	-----	-----	-----	No effluent data
PAHs (total)	0.0088	-----	-----	-----	No effluent data
PCBs	0.000019	-----	-----	-----	No effluent data
Tetrachloroethylene	2	-----	-----	-----	No effluent data
Toxaphene	0.00021	-----	-----	-----	No effluent data
Trichloroethylene	27	-----	-----	-----	No effluent data
Vinyl Chloride	36	-----	-----	-----	No effluent data

[1] "No effluent data" available for most of the Ocean Plan Table B pollutants due to the exemption of monitoring requirements within the former permit (effluent monitoring table footnote number 5 on page 4 of Monitoring and Reporting Program No. R3-2003-0051) that was formerly allowable pursuant to paragraph III.G.2 of the 2001 Ocean Plan. This exemption is no longer valid pursuant to the 2005 Ocean Plan.

4. WQBEL Calculations

Based on results of the RPA, performed in accordance with methods of the Ocean Plan for discharges to the Pacific Ocean, the Regional Water Board is establishing WQBELs for ammonia, copper, nickel, and zinc, because Reasonable Potential was determined by an Endpoint 1 of the RPA process. In addition, WQBELs for the remaining Table B pollutants are retained from the previous permit, because the RPA was inconclusive for these pollutants.

As described by Section III.C of the Ocean Plan, effluent limits for Table B pollutants are calculated according to the following equation.

$$Ce = Co + Dm (Co - Cs)$$

Where …

Ce = the effluent limitation (µg/L)

Co = the concentration (the water quality objective) to be met at the completion of initial dilution (µg/L).

Cs = background seawater concentration (µg/L)

Dm = minimum probable initial dilution expressed as parts seawater per part wastewater (here, Dm = 5)

For the Ragged Point Wastewater Treatment Facility, Dm has been changed to 5. The former Order, No. R3-2003-0051, previously did not allow any dilution (Dm = 0). Initial dilution is the process that results in the rapid and irreversible turbulent mixing of wastewater with ocean water around the point of discharge. The new Dm of 5 is based on an evaluation of an ocean discharge of 0.720 MGD of reverse osmosis brine and filter backwash to riprap within a coastal surf zone on Avalon Island (Pebbly Beach Desalination Plant, Order No. R4-2006-0068). The application of a Dm of 5 to the Ragged Point cliff discharge is assumed conservative given the rapid and turbulent mixing of effluent with seawater along the cliff face below the discharge point subject to wave and tidal action.

As site-specific water quality data are not available, in accordance with Table B implementing procedures, Cs equals zero for all pollutants, except the following.

Table F-8. Background Concentrations—Ocean Plan

Pollutant	Background Seawater Concentration
Arsenic	3 µg/L
Copper	2 µg/L
Mercury	0.0005 µg/L
Silver	0.16 µg/L
Zinc	8 µg/L

Applicable water quality objectives from Ocean Plan Table B of the Ocean Plan are as follows.

Table F-9. Water Quality Objectives (Co) – Ocean Plan, Table B

Pollutant	Units	6-Month Median	Daily Maximum	Instantaneous Maximum
Copper	µg/L	3	12	30
Nickel	µg/L	5	20	50
Zinc	µg/L	20	80	200
Ammonia	µg/L	600	2400	6000

Using the equation, Ce = Co + Dm(Co-Cs), effluent limitations are calculated as follows. Effluent limitations for RPA Endpoint 1 pollutants, copper, nickel, zinc, and arnmonia are shown here for example only.

Copper

Ce = 3 + 5 (3 - 2) = 8 µg/L 6-Month Median
Ce = 12 + 5 (12 - 2) = 62 µg/L Daily Maximum
Ce = 30 + 5 (30 - 2) = 170 µg/L Instantaneous Maximum

Nickel

Ce = 5 + 5 (5 - 0) = 30 µg/L 6-Month Median
Ce = 20 + 5 (20 - 0) = 120 µg/L Daily Maximum
Ce = 50 + 5 (50 - 0) = 300 µg/L Instantaneous Maximum

Zinc

Ce = 20 + 5 (20 - 8) = 80 µg/L 6-Month Median
Ce = 80 + 5 (80 - 8) = 440 µg/L Daily Maximum
Ce = 200 + 5 (200 - 8) = 1160 µg/L Instantaneous Maximum

Ammonia

Ce = 600 + 5 (600 - 0) = 3600 µg/L 6-Month Median
Ce = 2400 + 5 (2400 - 0) = 14400 µg/L Daily Maximum
Ce = 6000 + 5 (6000 - 0) = 36000 µg/L Instantaneous Maximum

Section III.C of the 2005 Ocean Plan requires that in addition to concentration-based limits, effluent limitations for Table B pollutants be expressed in terms of mass. Section III.C.4.k of the Ocean Plan requires that mass-based effluent limitations be determined using the effluent concentration limit and observed flow rate in MGD per the equation presented in section III.C.4.j (lbs/day = 0.00834 x Ce x Q, where Ce is the effluent concentration limitation in µg/L, and Q is the observed flow rate in MGD.)

Effluent limitations for the Table B pollutants are presented in Section IV. A. 1 of this Order.

5. Whole Effluent Toxicity (WET)

Whole effluent toxicity (WET) protects the receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. WET tests measure the degree of response of exposed aquatic test organisms to an effluent. The WET approach allows for protection of the narrative "no toxics in toxic amounts" criterion while implementing numeric criteria for toxicity. There are two types of WET tests: acute and chronic. An acute toxicity test is conducted over a short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction, and growth.

Implementing provisions of section III.C. of the Ocean Plan specify a preference for chronic toxicity monitoring when the minimum initial dilution of a discharge is less

than 100:1 and therefore, the Regional Water Board is establishing monitoring requirements for chronic, not acute, whole effluent toxicity for the facility.

Toxicity effluent limitations have been retained from the previous permit as is consistent with the criteria for determining toxicity objectives within the 2005 Ocean Plan (i.e., adjustments for minimum probable initial dilution only applied when Dm>24).

D. Final Effluent Limitations

Final, technology-based and water quality-based effluent limitations established by the Order are discussed in the preceding sections of the Fact Sheet.

1. Satisfaction of Anti-Backsliding Requirements

The Order retains effluent limitations established by the previous permit for BOD_5, TSS, oil and grease, settleable solids, turbidity, and pH. Limitations for the Ocean Plan Table B toxic pollutants have been retained, because the RPA indicated "reasonable potential" for ammonia, copper, nickel, and zinc and was inconclusive for all other Table B pollutants. However, as previously noted, the effluent limitations for the Ocean Plan Table B pollutants have been revised [increased] by applying an initial minimum dilution factor of 5 to 1. As noted in section III.C.6 if this Fact Sheet, these changes were made in accordance with allowable exceptions pursuant to 40 CFR 122.44. Effluent limitations in this Order are therefore consistent with anti-backsliding requirements.

2. Satisfaction of Antidegradation Policy

Provisions of the Order are consistent with applicable antidegradation policy expressed by NPDES regulations at 40 CFR 131.12 and by State Water Board Resolution No. 68-16. The Order does not authorize increases in discharge rates or pollutant loadings, and its limitations and conditions otherwise assure maintenance of the existing quality of receiving waters.

3. Stringency of Requirements for Individual Pollutants

This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. The technology-based effluent limitations consist of restrictions on BOD_5; TSS; settleable solids; turbidity; oil and grease; and pH. Restrictions on these pollutants are discussed in section IV.B. of the Fact Sheet. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. In addition, this Order contains effluent limitations more stringent than the minimum federal technology-based requirements that are necessary to meet water quality standards. These limitations are not more stringent than required by the CWA.

Final technology and water quality based effluent limitations are summarized in sections IV.A of the Order.

E. Interim Effluent Limitations

The Order does not establish interim effluent limitations and schedules for compliance with final limitations. Interim limitations are authorized only in certain circumstances, when immediate compliance with newly established final water quality based limitations is not feasible.

F. Land Discharge Specifications

This section of the standardized permit is not applicable to the Ragged Point Inn Wastewater Treatment Facility.

G. Reclamation Specifications

Numeric effluent limitations which are applicable to Discharge Point 002 for reclamation via surface drip irrigation application, summarized in section IV.C. of the Order, are retained from the previous permit. Discharge specifications for reclamation of treated wastewater are also retained from the previous permit, and are required for protection of human health.

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

Receiving water quality is a result of many factors, some unrelated to the discharge. This Order considers these factors and is designed to minimize the influence of the discharge on the receiving water. Receiving water limitations within the proposed Order generally include the receiving water limitations of the previous Order; however these limitations have been supplemented and modified to reflect all applicable, general water quality objectives of the Ocean Plan (2005).

B. Groundwater

Groundwater limitations established by the Order include general objectives for groundwater established by the Basin Plan for the Central Coast Region.

VI. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

NPDES regulations at 40 CFR 122.48 require that all NPDES permits specify requirements for recording and reporting monitoring results. Water Code sections 13267 and 13383 also authorize the Regional Water Board to require technical and monitoring reports. Rationale for the monitoring and reporting requirements contained in the Monitoring and Reporting Program (MRP), which is presented as Attachment E of this Order, is presented below.

A. Influent Monitoring

Monitoring for BOD_5 and TSS is required to determine compliance with the Order's 85 percent removal requirement for those pollutants.

B. Effluent Monitoring (Discharge Point 001)

In general, effluent monitoring requirements from the previous permit for Discharge Point 001 have been retained. Differences include the following.

- The permit now requires triggered effluent monitoring requirements for bacteria to evaluate compliance with bacterial water contact standards for receiving water as discussed below under sections VI.E.1 and VII.B.2.b.

- In accordance with Appendix II of the Ocean Plan, the Discharger is required, one time during the term of this Order, to monitor the discharge to the Ocean for all of the Ocean Plan Table B pollutants. The previous permit only required annual monitoring for a subset of the Table B pollutants (the metals) and exempted the discharger from monitoring for the Table B organic pollutants based on provisions within the 2001 Ocean Plan (Paragraph III.G.2) allowing periodic certification by the Discharger that "such substance(s) is not added to the waste stream, and that no change has occurred in activities that could cause such substance(s) to be present in the waste stream" in lieu of sampling. This exemption was removed from the 2005 version of the Ocean Plan and is no longer applicable. The annual monitoring requirement for the Table B metals has been retained.

C. Whole Effluent Toxicity Testing Requirements

Whole effluent toxicity (WET) limitations protect receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. Chronic toxicity testing is conducted over a longer period of time and may measure mortality, reproduction, and/or growth. This Order retains limitations and monitoring requirements for chronic toxicity for Discharge Point 001.

D. Land Discharge Monitoring Requirements

In general, effluent monitoring requirements from the previous permit for Discharge Point 002 have been retained. Effluent monitoring is required to determine compliance with effluent limitations applicable to Discharge Point 002.

E. Receiving Water Monitoring

1. Surface Water

Visual receiving water monitoring requirements are retained from the previous permit. The 2005 Ocean Plan contains revised water contact standards for bacteria (2005 Ocean Plan section II.B.1) along with implementation provisions requiring receiving water monitoring (2005 Ocean Plan section III.D.1). However, the collection of representative receiving water samples is not feasible and excursions of the water contact bacterial standards are not anticipated given the indirect discharge of effluent to the vegetated cliff face approximately 200 feet above the mean high tide line. The discharge surface flows down the cliff, filtering through soil, rock and

vegetation prior to entering the ocean. Based on visual observation very little effluent appears to discharge directly into the ocean.

The physical conditions and location of the discharge point make the collection of representative surface water samples extremely costly, difficult and dangerous. The only conceivable way to collect representative receiving water samples would be either by boat dispatched from the nearest harbor (Morro Bay) approximately 40 miles south or repelling down the cliff face to collect samples from the waves breaking against the rocks. If a boat were used, it would need to hold back a sufficient distance from the cliff face to avoid being crashed onto the rocks beneath the discharge point. Coastal access is also available via a steep trail to a small rocky beach in a small inlet around the point approximately 1,500 feet north of the discharge point. It is unlikely samples collected from this location would be representative of effluent mixed with ocean water due to predominantly northwest ocean currents and wave action. In addition, the ocean water within the inlet is more likely under the influence of the natural spring that drains to it from the canyon above. Consequently, any receiving water samples that could be collected a safe distance from the rocky cliff face would only provide questionably reliable data characteristic of the discharge and mixing (in an area within the waste field where initial dilution is complete) within the ocean.

In an effort to require and evaluate compliance with the revised water contact bacterial standards, this permit contains periodic effluent monitoring requirements for total coliform bacteria to screen for potential violations. In the event effluent samples exceed the single sample maximum water quality objective for total coliform bacteria, additional effluent monitoring and reporting is required pursuant to section VI.C.2.b of the Order to verify compliance with the receiving water limitations (via effluent water quality without dilution) contained with section V.A.1 of the Order. The shellfish harvesting standards are not being applied because the area is not a know shellfish harvesting area.

2. Groundwater

Groundwater monitoring requirements are not established by the Order.

F. Other Monitoring Requirements

Not applicable.

VII. RATIONALE FOR PROVISIONS

A. Standard Provisions

Standard Provisions, which apply to all NPDES permits in accordance with 40 CFR 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR 122.42, are provided in Attachment D to the Order.

NPDES regulations at 40 CFR 122.41 (a)(1) and (b - n) establish conditions that apply to all state-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. 40 CFR 123.25 (a)(12) allows the State to omit or modify conditions to impose more stringent requirements. In accordance with 40 CFR123.25, this Order omits federal conditions that address enforcement authority specified in 40 CFR 122.41 (j)(5) and (k)(2), because the enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387 (e).

B. Special Provisions

1. Reopener Provisions

The Order may be modified in accordance with the requirements set forth at 40 CFR 122 and 124, to include appropriate conditions or limits based on newly available information, or to implement any, new State water quality objectives that are approved by the U.S. EPA. As effluent is further characterized through additional monitoring, and if a need for additional effluent limitations becomes apparent after additional effluent characterization, the Order will be reopened to incorporate such limitations.

2. Special Studies and Additional Monitoring Requirements

a. Toxicity Reduction Requirements

The requirement to maintain a Toxicity Reduction Work Plan is retained from Order No. R3-2003-0051. When toxicity monitoring measures chronic toxicity in the effluent above the limitation established by the Order, the Discharger is required to resample and retest, if the discharge is continuing. When all monitoring results are available, the Executive Officer can determine whether to initiate enforcement action, whether to require the Discharger to implement toxicity reduction evaluation (TRE) requirements, or whether other measures are warranted.

b. Triggered Effluent Monitoring for Bacterial Characteristic

This section requires additional effluent monitoring and reporting requirements for bacteria to evaluate compliance with the water contact standards contained within section II.B.1 of the 2005 Ocean Plan and section V.A.1 of the Order. See section VI.E.1. of this Fact Sheet above for additional information.

3. Best Management Practices and Pollution Prevention

Pollution minimization requirements are based on section III. C. 9 of the Ocean Plan. The Discharger is required to develop a Pollutant Minimization Program only if required to do so in writing by the Executive Officer.

4. Construction, Operation, and Maintenance Specifications

Not applicable.

5. Special Provisions for Municipal Facilities (POTWs Only)

Not applicable.

6. Other Special Provisions

a. **Discharges of Storm Water**. The Order requires, if applicable, coverage by and compliance with applicable provisions of General Permit No. CAS000001 - *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities*.

b. **Certified Wastewater Operator.** The requirement for a qualified and appropriately certified wastewater treatment operator to oversee operation and maintenance of the wastewater treatment facility is retained from the previous Order, and is necessary to ensure proper operation of the facility.

c. **Biosolids Management.** Provisions regarding sludge handling and disposal ensure that such activity will comply with all applicable regulations.

40 CFR Part 503 sets forth USEPA's final rule for the use and disposal of biosolids, or sewage sludge, and governs the final use or disposal of biosolids. The intent of this federal program is to ensure that sewage sludge is used or disposed of in a way that protects both human health and the environment.

USEPA's regulations require that producers of sewage sludge meet certain reporting, handling, and disposal requirements. As the USEPA has not delegated the authority to implement the sludge program to the State of California, the enforcement of sludge requirements that apply to the Discharger remains under USEPA's jurisdiction at this time. USEPA, not the Regional Water Board, will oversee compliance with 40 CFR Part 503.

7. Compliance Schedules

The Order does not establish interim effluent limitations and schedules of compliance with final limitations.

VIII. PUBLIC PARTICIPATION

The Central Coast Regional Water Quality Control Board considered the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for the Ragged Point Inn Wastewater Treatment Facility. As a step in the WDR adoption process, the Central Coast Water Board staff developed tentative WDRs. The Central Coast Water Board encouraged public participation in the WDR adoption process.

A. Notification of Interested Parties

The Central Coast Water Board notified the Discharger and interested agencies and persons by letter dated February 17, 2009, of its intent to prescribe waste discharge requirements for the discharge and provided them with an opportunity to submit their written comments and recommendations. Notification was provided by the Discharger via a public notice published in the San Luis Obispo Tribune on March 2, 2009. The public notice and draft permit were also posted on the Central Coast Water Board website on February 23, 2009.

B. Written Comments

The Discharger (and Discharger's consultant) had no comments on the proposed Order. Written comments were only received from the Monterey Bay National Marine Sanctuary (MBNMS) in a letter dated March 17, 2009. The MBNMS requested the Order be revised to require the Discharger to submit copies of annual monitoring reports directly to the MBNMS office and for the Water Board to send a copy of the approved permit to the MBNMS. The monitoring and reporting program (Attachment E) was modified to include submittal of the annual reports to the MBNMS office. No other comments were received.

C. Public Hearing

The Regional Water Board held a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: **May 8, 2009**
Time: **8:30 AM**
Location: **Regional Water Quality Control Board**
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Interested persons were invited to attend. No public testimony was presented at the public hearing and the Regional Water Board adopted the WDRs without comment or changes as part of the uncontested items calendar.

D. Waste Discharge Requirements Petitions

Any aggrieved person may petition the State Water Resources Control Board to review the decision of the Regional Water Board regarding the final WDRs. The petition must be submitted within 30 days of the Regional Water Board's action to the following address:

State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100, 1001 I Street
Sacramento, CA 95812-0100

E. Information and Copying

The Report of Waste Discharge (RWD), related documents, effluent limitations and special provisions, comments received, and other information are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Regional Water Board by calling (805) 549-3147.

F. Register of Interested Persons

Any person interested in being placed on the mailing list for information regarding the WDRs and NPDES permit should contact the Regional Water Board, reference this facility, and provide a name, address, and phone number.

G. Additional Information

Requests for additional information or questions regarding this Order should be directed to Matthew Keeling at 805-549-3685 or MKeeling@waterboards.ca.gov.