

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401**

WASTE DISCHARGE REQUIREMENTS ORDER NO. R3-2011-0220

Waste Discharger Identification No. 3 350103001
Proposed for Consideration at the December 8, 2011 Meeting

For

**TRES PINOS COUNTY WATER DISTRICT
WASTEWATER TREATMENT PLANT
SAN BENITO COUNTY**

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

FACILITY OWNER AND LOCATION

1. The Tres Pinos County Water District (hereafter "Tres Pinos CWD") owns and operates the Tres Pinos Wastewater Treatment Plant (hereafter "Facility"). The Tres Pinos CWD is overseen by an elected five-member Board of Directors. The town of Tres Pinos is located in San Benito County, seven miles southeast of Hollister, California.
2. The Facility is located approximately 1,200 feet west of Southside Road at Bolado Road, in the town of Tres Pinos, California. Tres Pinos CWD is responsible for providing wastewater collection, treatment, and disposal services to the community of Tres Pinos. Tres Pinos has an estimated population of 476 people as reported in the 2010 census.

PURPOSE OF ORDER

3. On April 27, 2011, Regional Board staff requested the Discharger to submit a Report of Waste Discharge (ROWD). The Discharger submitted a complete ROWD on June 29, 2011.
4. Review of the existing Waste Discharge Requirements (WDR) Order No. 99-101 and available data indicate deficiencies in Facility treatment performance and potential for groundwater quality impacts.
5. Order No. R3-2011-0220 revises waste discharge requirements in an effort to improve wastewater treatment and monitoring at the site.
6. Significant monitoring and reporting changes in this Order also reflect the need for additional data required to adequately evaluate the Facility and develop a work plan to decrease salts and nutrients and submit follow-up progress reports.
7. The Regional Board requested on September 10, 2007, that the Tres Pinos CWD create a Work Plan to quantify and reduce the sources and levels of total dissolved solids (TDS), chlorine, and sodium in the effluent and groundwater. San Benito Engineering, on behalf of the Tres Pinos

CWD, submitted the Work Plan on September 26, 2007. The work plan outlined five tasks to be completed by August 2008.

- Task No. 1 is the project initiation to inform the Tres Pinos CWD of the project.
 - Task No. 2 is to investigate and assess potential salts sources.
 - Task No. 3 is to report findings of investigation and assessment by May 2008.
 - Task No. 4 is to develop a work plan to decrease salts sources by July 2008.
 - Task No. 5 is to provide a final progress report to the Regional Board by August 2008.
8. The Regional Board received the results of Task No. 3 on November 2008. The results indicate an average of 700 mg/L of salts are added to the water supply once it makes its way through the water distribution system and ends up at the wastewater treatment plant.
 9. Task No. 4 was re-scheduled to be completed by February 2009. As of the date of this Order, the Regional Board has not received the Task No. 4 work plan and has not yet received a progress report as required in Task No. 5.
 10. Water Board staff's review of historical wastewater effluent characteristics from the Facility indicates there is the potential for adverse impacts to groundwater due to high salt levels in the discharge.
 11. Local agencies including the San Benito County Water District, the City of Hollister, and the Sunnyslope County Water District, are moving forward with regional plans to reduce salt loading to the Hollister groundwater basin. Water Board staff supports that effort.

FACILITY DESCRIPTION

Treatment Facility and Wastewater Disposal

12. The Facility has an influent wet well, flow meter, and two acres of treatment and disposal ponds
13. Wastewater is treated in two clay-lined mechanically aerated ponds (hereafter "Pond 1" and "Pond 2"). Wastewater is treated by partial-mix facultative (aerobic-anaerobic) stabilization.. Wastewater is disposed to a percolation pond and an evaporation (hereafter "Pond 3" and "Pond 4") in series.
14. The treatment ponds are adjacent to Tres Pinos Creek on gently rolling terrain. Depth to ground water is generally less than 20 feet below ground surface. The general ground water gradient is to the northwest.
15. The percolation ponds discharge to the San Juan Sub-basin of the Gilroy-Hollister Groundwater Basin.
16. In 2009, pond 4 was taken off-line, dried, deep ripped and disked to improve percolation.. The Facility appears to be handling wastewater flows.
17. Vegetative growth around the ponds, roadway to the ponds, the liftstation, and all other areas pertaining to the wastewater facility is maintained by contract. Weeds are cut and sprayed with herbicide in the fall.

18. There is no erosion control around the edges of ponds No. 3 and 4. Erosion is apparent in pond No. 4.
19. The Facility has an on-site portable emergency generator in case of power failure in order to operate the influent liftstation pump and its components.

Current Capacity

20. The Facility is designed to serve a maximum population of 750 persons and permitted to have a daily flow of 60,000 gallons averaged over each month (30-day average). Historical average 30-day wastewater flow (2006 through 2010) was approximately 23,000 gpd.
21. Inspections of the Facility in the past have revealed broken flow meters that go unreported, disposal pond bank destabilization and vegetation overgrowth.. Other reports cite Tres Pinos CWD as having discussed reducing aerator operation based on the Water District's inability to pay its electrical bills. Efforts must be made by the Tres Pinos CWD to ensure proper monitoring practices are adhered to as outlined in R3-2011-0220.

Treatment Efficiency

22. Three monitoring wells upgradient and downgradient of the treatment and disposal pond areas produce representative samples and establish groundwater gradient. These wells are located such that proper triangulation can be made to determine the wastewater disposals impact on the surrounding ground water.
23. Previous monitoring requirements provide only limited data regarding Pond 1 and Pond 2 treatment efficiencies. Existing effluent sampling consists of daily flow measurements, monthly dissolved oxygen and freeboard measurements, and semiannual (April and October) TDS, sodium, chloride, nitrate, and pH analyses.
24. Organic stabilization (reduction of biochemical oxygen demand [BOD]) and total suspended solids (TSS) removal efficiencies are essentially undocumented. Influent wastewater sampling was not required in the previous permit.
25. Elevated levels of TDS, sodium and chloride (salts) are present in the wastewater effluent. Increases in salt concentrations at the Facility are primarily attributable to the domestic use of water softening devices in the community and concentration through evaporation of wastewater in the treatment ponds.
26. Data from a 2008 evaluation indicates that there is an observed 45% to 50% increase in TDS between the water supply and the community wastewater.
27. Table 1 compares the community water supply and Facility effluent TDS, sodium and chloride data. The data indicate increases for sodium and chloride averages of 115% and 164%, respectively:

Table 1: Semiannual Effluent TDS, Sodium, & Chloride Data

Parameter	Water Supply (mg/L)			Effluent (mg/L)		
	Min	Max	Avg	Min	Max	Avg
TDS	1,215	1,440	1,289	1,652	2,200	1,894
Na	96	338	218	196	673	470
Cl	170	190	182	387	600	480

Notes:

- a) Minimum, maximum and average values calculated from April 2005 to December 2010 semiannual monitoring data

SITE DESCRIPTION**Land Uses**

28. The surrounding area is principally composed of mixed farming, with sparse rural development.

Geographic Setting & Geology

29. The Facility is located within an active seismic zone. The Calaveras Fault zone lies to the south and west. The Tres Pinos Fault zone, a branch of the Calaveras Fault, passes through the development immediately south and parallel to Airline Highway. The San Andreas Rift zone is located several miles to the south.

30. The alluvial materials in the Hollister Valley include Quaternary alluvium and terrace deposits, with terrace deposits more prevalent along the east side of the valley. As such, the surface layers in the development/facility area are composed of undifferentiated alluvium and San Benito Gravels (clay, sand and gravel).

Surface Water

31. The Facility treatment and disposal ponds are approximately 100 feet from the banks of Tres Pinos Creek with a portion of the Facility within the flood plain of the creek. However, the treatment ponds are outside the flood plain. There is hydraulic connectivity between the percolation ponds and Tres Pinos Creek's hyporheic flow (underflow) due to its close proximity to the creek.

32. No other major surface water bodies are near the Facility. The next nearest major surface water bodies are the Paicines Reservoir and the San Justo Reservoir, both approximately five miles away.

Groundwater

33. The Facility is located within the San Juan Valley groundwater sub-basin of the Gilroy-Hollister Groundwater Basin.

34. Groundwater in the basin is generally of poor quality as a result of high mineral content. Elevated TDS and the components of TDS such as chloride, sodium, sulfate, boron, and metals, particularly iron and manganese, are common. Various areas within the basin show elevated levels of nitrate, presumably as a result of historical agricultural practices.

35. Depth to ground water beneath the two treatment and disposal ponds is generally less than 20 feet with the ground water flowing west to northwest.

36. Table 2 compares effluent and groundwater monitoring well data:

Table 2: Semiannual Groundwater TDS, Sodium and Chloride Data Synopsis

Parameter	Effluent (mg/L)			MW-1 Upgradient (mg/L)			MW-2 Downgradient (mg/L)			MW-3 Downgradient (mg/L)		
	Min	Max	Avg	Min	Max	Avg	Min	Max	Avg	Min	Max	Avg
TDS	1,652	2,200	1,894	990	1,528	1,408	970	1,532	1,194	982	1,527	1,326
Na	196	673	470	170	730	487	180	645	397	204	640	444
Cl	387	600	480	131	479	371	127	457	265	130	457	363
NO ₃ (As N)	0.28	7	4	1	6	3.42	1	5	3.32	1	5	3.60

Notes:

- Minimum, maximum and average values for effluent, MW-1 and MW-2 calculated from April 2005 to December 2010 semiannual monitoring data.
- Min, max and average of MW-3 calculated from October 2008 and October 2010 sample data.

37. Historical groundwater levels show that MW-1 is generally upgradient and wells, MW-2 and MW-3, are generally downgradient. Table 3 shows historic groundwater elevations.

Table 3: Historical Groundwater Levels from 2006-2010

Date	MW-1 Depth (Ft. MSL)	MW-2 Depth (Ft. MSL)	MW-3 Depth (Ft. MSL)
April 2006	431.27	440.12	NA
Oct 2007	425.8	427.52	NA
April 2008	418.5	420.6	411.2
Oct 2008	423	419.2	408.4
Apr 2009	426.7	425.3	401
Oct 2009	428.2	425.3	400.5
Apr 2010	426.5	420.9	410.4
Oct 2010	422.1	419.6	Not Reported
Average	425.88	422.1	405.1

Notes:

- Ft. MSL = Feet above mean sea level.

BASIN PLAN

38. The Water Quality Control Plan, Central Coast Basin (Basin Plan) was adopted by the Regional Board on November 19, 1989, and approved by the State Water Resources Control Board (State Board) on August 16, 1990. The Regional Board approved amendments to the Basin Plan on February 11, 1994, and September 8, 1994. The Basin Plan incorporates statewide plans and policies by reference and contains a strategy for protecting beneficial uses of State Waters. This Order implements the Basin Plan.

39. The Water Quality Control Plan for the Central Coast Region (Basin Plan) designates the existing and anticipated beneficial uses of groundwater in the vicinity of the Facility to include:

- a) Domestic and municipal water supply
 - b) Agricultural water supply
 - c) Industrial water supply
40. The Basin Plan designates existing and anticipated beneficial uses of Tres Pinos Creek that could be affected by the discharge to include:
- a) Municipal and Domestic Supply
 - b) Agricultural Water Supply
 - c) Industrial Service Supply
 - d) Groundwater Recharge
 - e) Water Contact Recreation
 - f) Non-Contact Water Recreation
 - g) Wildlife Habitat
 - h) Warm Freshwater Habitat
 - i) Spawning, Reproduction, and/or Early Development
 - j) Commercial and Sport Fishing.
41. For receiving waters with designated beneficial uses of municipal and domestic water supply, the Basin Plan establishes the primary drinking water maximum contaminant levels (MCLs), listed at Title 22 of the California Code of Regulations, Sections 64431 (inorganic compounds) and 64444 (organic compounds), as applicable water quality objectives.

MONITORING PROGRAM

42. Monitoring and Reporting Program No. R3-2011-0220 (MRP) is a part of the proposed Order. The MRP requires routine water supply, influent, effluent, groundwater, and facility monitoring to verify compliance and ensure protection of groundwater quality.
43. Monitoring reports are due quarterly; by January 31 April 30, July 31, and October 31. An annual report summarizing the year's events and monitoring is due by January 31.

RECYCLED WATER POLICY

44. The Strategic Plan Update 2008-2012 for the Water Boards includes a priority to increase sustainable local water supplies available for meeting existing and future beneficial uses by 1,725,000 acre-feet per year, in excess of 2002 levels, by 2015, and ensure adequate water flows for fish and wildlife habitat. The State Water Board adopted the Recycled Water Policy via Resolution No. 2009-0011 on February 3, 2009¹. The Recycled Water Policy is intended to support the Strategic Plan priority to Promote Sustainable Local Water Supplies. Increasing the acceptance and promoting the use of recycled water is a means towards achieving sustainable local water supplies and can result in reduction in greenhouse gases, a significant driver of climate change. The Recycled Water Policy is also intended to encourage beneficial use of, rather than solely disposal of, recycled water.
45. The Recycled Water Policy calls for the development of regional groundwater basin/sub-basin salt/nutrient management plans. The State Water Board recognizes that, pursuant to the letter from statewide water and wastewater entities² dated December 19, 2008 and attached to

¹ http://www.swrcb.ca.gov/board_decisions/adopted_orders/resolutions/2009/rs2009_0011.pdf

² http://www.waterboards.ca.gov/board_info/agendas/2009/feb/020309_7_%20rw_policy_funding_letter.pdf

Resolution No. 2009-0011 adopting the Recycled Water Policy, the local water and wastewater entities, together with local salt/nutrient contributing stakeholders, will fund locally driven and controlled, collaborative processes open to all stakeholders that will prepare salt and nutrient management plans for each basin/sub-basin in California, including compliance with CEQA and participation by Regional Water Board staff.

46. It is the intent of the Recycled Water Policy that salts and nutrients from all sources be managed on a basin-wide or watershed-wide basis in a manner that ensures attainment of water quality objectives and protection of beneficial uses. The State Water Board finds that the appropriate way to address salt and nutrient issues is through the development of regional or subregional salt and nutrient management plans rather than through imposing requirements solely on individual projects. The Central Coast Water Board finds that a combination of regional management plans and individual or programmatic project requirements may be necessary to protect beneficial uses.
47. One of the primary components of the required regional salt/nutrient management plans is the development and implementation of groundwater basin/sub-basin monitoring programs. As specified in the Recycled Water Policy, salt/nutrient contributing stakeholders will be responsible for conducting, compiling, and reporting the monitoring data once the regional groundwater monitoring programs are developed.
48. A large number of technical reports and data contained within Regional Board files document widespread and increasing salt and nutrient impacts within the groundwater basins throughout the Central Coast Region, including the San Juan groundwater sub-basin of the Gilroy-Hollister groundwater basin.

SALT MANAGEMENT

49. On October 11, 2009, the State of California enacted Water Code Section 13148, relating to water softeners. This new law authorizes any local agency that owns or operates a community sewer system or water recycling facility to take action, by ordinance or resolution, after a public hearing on the matter, to control salinity inputs from residential self-regenerating water softeners to protect the quality of the waters of the state, if the appropriate regional board makes a finding that the control of residential salinity input will contribute to the achievement of water quality objectives. Water Code Section 13148 allows local agencies more control over salinity by giving local agencies additional authority to regulate residential self-regenerating water softeners, especially in areas of the state with water bodies adversely impacted by salinity and high use groundwater basins that are hydrogeologically vulnerable to contamination.
 50. The Pajaro River Watershed and the groundwater basins of Bolsa, Bolsa SE, San Juan, Hollister West, Hollister East, Tres Pinos, and Pacheco face water quality challenges due to salinity issues from legacy pollution resulting from agricultural and other activities and new discharges of waste from ongoing activities. Producing high quality recycled water is imperative to the regional initiative in San Benito County to maximize beneficial reuse of recycled water through landscape irrigation, agricultural irrigation, industrial reuse, and groundwater recharge. Reuse of recycled water is a critical component of the regional plans to reliably meet current and future water needs for the cities of Hollister, San Juan Bautista, and Tres Pinos and other communities within San Benito County.
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51. The Water Quality Control Plan for the Central Coast Region (Basin Plan) currently has in place plans and policies; Chapter 5 sections V.C and V.H.8, Salt Discharge and Salinity Management for Central Coast Water Board. These plans and policies emphasize the control of brine disposal into public sewer systems, actively support measures designed to protect and to improve quality of waters imported into areas with unfavorable or poor salt balance, and support actions by municipalities to implement salt source control measures. These plans and policies are based on considerations of the factors specified in Water Code Section 13241 and State Water Board Resolution 68-16 (Statement of Policy with Respect to Maintaining High Quality of Waters in California) (also known as the "Anti-degradation Policy"), as well as the economic implications of them.
52. The Hollister Urban Area Water and Wastewater Master Plan and Coordinated Water Supply and Treatment Plan³ (Master Plan - adopted 2008) is scheduled to be completed in three phases: near-term (2015), intermediate (2023), and long-term (buildout). The Master Plan was developed through a memorandum of understanding (MOU) between the City of Hollister, San Benito County, San Benito County Water District, and Sunnyslope County Water District. The overall purpose of the Master Plan is to:
- Improve the quality of municipal drinking water, industrial supply, and recycled water for urban and agricultural irrigation users.
 - Provide a reliable and sustainable water supply to meet the current and future demands of the Hollister Urban Area (HUA).
 - Implement goals for the Hollister Water Reclamation Facility to be the primary wastewater treatment plant for incorporated and unincorporated lands in the HUA to protect groundwater quality and public health.

The Master Plan recognizes the need to reduce TDS entering its wastewater treatment plants in the HUA and in unincorporated areas from all sources and includes the requirement that the MOU regulate the use of new and existing residential self-regenerating water softeners to the extent allowed by law (including provision of incentives for the removal of on-site residential self-regenerative water softeners and encouragement of the use of exchange canisters and other water softener technology that does not introduce salt into the residential sewer system).

The Central Coast Water Board finds that a San Benito County local agency water softener ordinance will protect beneficial uses and provide maximum benefit to the users of the Pajaro River Watershed and the groundwater basins of Bolsa, Bolsa SE, San Juan, Hollister West, Hollister East, Tres Pinos, and Pacheco and to the State of California.

53. The City of San Juan Bautista conducted a salt reduction⁴ study in 2004 due to chronic salts violations of their wastewater discharge requirements. A salt analysis performed through a community survey and mass balance calculations (SJB Study) indicates removal of on-site, self-generating water softeners will have the most impact in reducing salts in their wastewater effluent. Salt loading through the use of water softeners within the City of San Juan Bautista adds an

³ HDR. *Hollister Urban Area Water and Wastewater Master Plan*. Produced by City of Hollister, San Benito County, San Benito County Water District, and Sunnyslope County Water District. November 2008

⁴ Bracewell, L. (Bracewell Engineering Inc.). *City of San Juan Bautista Salt Reduction Project Report*. November 17, 2004.

additional seven tons of salt per year into their wastewater stream. The SJB Study showed replacement of water softeners to be infeasible at the time since a City Ordinance prohibiting existing residential self-regenerating water softeners was protected under State law at the time. The City of San Juan Bautista has been in violation of their waste discharge requirements for the past five years and has been fined over \$45,000 by the Central Coast Water Board for not meeting their effluent limits. With the enactment of Water Code Section 13148, the City of San Juan Bautista may move forward with the recommended project solution to reduce salts in their effluent and avoid further minimum mandatory penalties by the Central Coast Water Board.

54. In January 2007, the Water Resource Association (WRA) of San Benito County conducted a technological and economic feasibility study⁵ assessing alternatives to an ordinance limiting or prohibiting water softeners per section 116786 of the Health and Safety Code in the City of Hollister and in the communities of Ridgemark Estates, and Cielo Vista Estates. The study found that the residential use of self-regenerating water softeners contributed at least 46% of the controllable salt inputs. It also determined that only by implementing an ordinance prohibiting brine-discharging water softeners can the salinity in the Hollister and Ridgemark Estates wastewater treatment plants be significantly reduced to meet their discharge requirements. At the time of the study, the WRA and County determined an ordinance cannot require removal of existing residential brine discharging water softeners by existing owners but can be applied to replacement water softeners and probably when residences are sold.

The study included a draft ordinance prohibiting brine discharging water softening appliances in non-residential applications and prohibiting the installation in residential applications.

55. In December 2006, the Board of Directors of the San Benito County Water District unanimously approved a Memorandum of Understanding between the Santa Clara Valley Water District and the San Benito County Water District for a Water Softener Rebate Program and authorized the District Manager to execute the Memorandum of Understanding. The Water Softener Rebate Program provides an incentive to homeowners in San Benito County to upgrade, replace, or remove pre-1999 water softeners. The cash incentive provides \$150 to upgrade to new low-salt technology, \$250 to replace with a unit that does not self-regenerate, or \$300 to remove the water softener altogether. As of December 2010, a total of 377 rebates have been processed.
56. The Central Coast Water Board finds that a Tres Pinos CWD water softener ordinance will protect beneficial uses and provide maximum benefit to the users of the Pajaro River Watershed and the groundwater basin of San Juan and to the State of California.
57. The Central Coast Water Board finds that the control of residential use of self-regenerating water softeners will contribute to the achievement of the water quality objectives approved in the Basin Plan. This finding is based on evidence in the records of the Central Coast Water Board, as described in this Order, demonstrating that salinity input from residential use of self-regenerating water softeners is a significant source of controllable salts within the County of San Benito and there are regional economic impacts if residential use of self-regenerating water softeners is not controlled.

⁵ Bracewell, L. (Bracewell Engineering Inc.). *A Technological and Economic Feasibility Study of Alternatives to Limiting or Prohibiting Water Softeners Per Section 116786 of the Health and Safety Code*. January 2007.

ENVIRONMENTAL ASSESSMENT

California Environmental Quality Act (CEQA)

58. These waste discharge requirements are for an existing facility and are exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et. seq.) in accordance with Section 15301, Article 19, Chapter 3, Division 6, Title 14 of the California Code of Regulations.

Total Maximum Daily Load

59. California's 2006 303 (d) list of impaired water bodies, which was approved by USEPA in June 2007, identifies the Pajaro River as being impaired for boron and fecal coliform.

60. A Total Maximum Daily Load (TMDL) for fecal coliform bacteria for the Pajaro River watershed, which includes the Pajaro River and Llagas Creek, has been adopted by the Regional Water Board (Water Board Order No. R3-2009-0008). The TDML for fecal coliform prohibits all fecal coliform loading from human sources to the Pajaro River.

61. TMDLs have also been adopted and approved by USEPA for sediment (Resolution No. R5-2005-0132) and nitrate (Resolution No. R5-2005-0131) for the Pajaro River watershed. The TMDL for nitrate finds that current actions of the Regional Board adequately implement the TMDL and will be adequate to correct the impairment due to nitrate. The TMDL for sediment includes a wasteload allocation (WLA), which is not applicable to discharges from this Facility.

62. This Order includes requirements of all TMDLs that are applicable to the Facility.

EXISTING ORDERS AND GENERAL FINDINGS

63. The discharge was previously regulated by Waste Discharge Requirements Order No. 99-101, adopted by the Regional Board on October 22, 1999.

64. Since the Discharger's wastewater flows are less than one million gallons per day (MGD), storm water discharges from the facility are not subject to the State Water Resources Control Board's General Industrial Activities Storm Water Permit.

65. Discharge of waste is a privilege, not a right, and authorization to discharge is conditional upon the discharge complying with provisions of Division 7 of the California Water Code and any more stringent effluent limitations necessary to implement water quality control plans, to protect beneficial uses, and to prevent nuisance. Compliance with this order should assure this and mitigate potential adverse changes in water quality due to the discharge.

66. On August 30, 2011, the Regional Board notified the Tres Pinos CWD and interested parties of its intent to issue waste discharge requirements for the discharge and has provided them with a copy of the proposed Order and an opportunity to submit written views and comments.

67. After considering all comments pertaining to this discharge during a public hearing on December 8, 2011, this Order was found consistent with the above findings.

68. Any person affected by this action of the Board may petition the State Water Board to review the action in accordance with Section 13320 of the California Water Code and Title 23 of the

California Code of Regulations, Section 2050. The State Water Board must receive the petition within 30 days of the date of this Order. Copies of the law and regulations applicable to filing petitions will be provided upon request.

IT IS HEREBY ORDERED, that Order No. 99-101 is rescinded upon the effective date of this Order except for enforcement purposes, and 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. Pursuant to authority in Sections 13263 and 13267 of the California Water Code, the Tres Pinos CWD, its agents, successors, and assigns, may discharge waste at the above-described Facility providing compliance is maintained with the following:

Throughout these requirements footnotes are listed to indicate the source of requirements specified. Requirement footnotes are as follows (requirements without footnotes are BPJ unless otherwise noted):

BPJ	Best Professional Judgment of Regional Water Quality Control Board Staff
ROWD	The Discharger's Report of Waste Discharge
40CFR	Title 40 Code of Federal Regulations
BP	Central Coast Regional Water Quality Control Plan
T22	Title 22 CCR, Division 4, Chapter 3, Water Reclamation Criteria
PC	Porter-Cologne Water Quality Control Act (California Water Code)

A. DISCHARGE PROHIBITIONS

1. Discharge of treated wastewater to areas other than the treatment and disposal areas shown in Attachment "A" is prohibited.
2. Discharge of any wastes including overflow, bypass, seepage, or overspray from transport and treatment, or disposal systems to Tres Pinos Creek, adjacent drainageways, or onto adjacent properties is prohibited.
3. Bypass of the treatment facility and discharge of untreated or partially treated wastes is prohibited.^{PC}
4. A discharge of sludge, residues, or any other wastes into surface waters or into any area where it may be washed into surface water is prohibited.^{PC}
5. Discharge of waste classified as "hazardous" or "designated" as defined in CCR, Title 23, Chapter 15, Section 2521 (a) and CWC Section 13173, respectively, to any part of the wastewater disposal system is prohibited.
6. The treatment and disposal of wastes at the facility shall not cause pollution, contamination, or nuisance as defined in CWC Section 13050.
7. Discharge of any waste, except in compliance with this Order or other applicable waste discharge requirements is prohibited.

B. SPECIFICATIONS**Effluent Limitations**

- Total wastewater flows to the Facility shall not exceed a 30-day running average flow of 0.06 MGD.^{ROWD}
- Odors associated with the treatment and disposal of wastewater shall not be perceivable beyond the limits of the Discharger's property boundary.
- Wastewater discharged to designated land disposal areas shall not exceed the following limitations according to the prescribed time-schedule:^{BPJ}

Table 4: Phased Effluent Limitations for Salt Constituents

<i>Effective Date</i>	<i>Limitations^a (mg/L)</i>		
	<i>TDS</i>	<i>Sodium</i>	<i>Chloride</i>
December 8, 2011	Narrative B.9 and B.10	Narrative B.9 and B.10	Narrative B.9 and B.10
January 30, 2013	1,500	300	300
January 30, 2015	1,200	200	200

Notes:

- 30-day average

Table 5: Phased Effluent Limitations for Nutrients

<i>Effective Date</i>	<i>Limitation^a (mg/L as N)</i>	
	<i>Nitrate</i>	<i>Ammonia^b</i>
December 8, 2011	Narrative B.9 and B.10	Narrative B.9 and B.10
January 30, 2013	10	10
January 30, 2015	5	5

Notes:

- 30-day average
- Total ammonia as nitrogen

Table 6: Phased BOD and TSS Effluent Limitations

<i>Effective Date</i>	<i>Limitation^a (mg/L)</i>	
	<i>BOD₅</i>	<i>TSS</i>
December 8, 2011	--	--
January 30, 2013	60	60
January 30, 2015	30	30

Notes:

- 30-day average

- Effluent discharged to the disposal ponds shall have a pH between 6.5 and 8.4.^{BP/BPJ}
- The uppermost one foot of wastewater in the disposal ponds shall have a dissolved oxygen concentration greater than 1.0 mg/L.

Groundwater Limitations

6. The discharge shall not cause Total Nitrogen concentrations in the groundwater affected by disposal activities to exceed 10 mg/l (as N) or shall not cause a statistically significant increase of Total Nitrogen concentrations in underlying groundwater, whichever is more stringent.
7. Wastewater discharged to the disposal ponds shall not cause groundwater to contain taste- or odor-producing substances in concentrations that adversely affect beneficial uses.^{BP}
8. Discharge shall not cause the median concentration of human fecal coliform organisms in groundwater over any seven-day period to be more than 2.2/100 ml.
9. The discharge shall not cause a statistically significant increase of mineral or organic constituent concentrations in underlying groundwater, as determined by statistical analysis of samples collected from wells in the vicinity of the treatment and disposal area.^{BP}
10. To protect the *municipal and domestic supply* beneficial uses of groundwater underlying the disposal ponds, treated wastewater discharged from the Facility shall not cause groundwater to:
BP/BPJ/T22
 - a) exceed the Primary Maximum Contaminant Levels for organic chemicals set forth in the California Code of Regulations, Title 22, Division 4, Chapter 15, Article 5.5, Section 64444.
 - b) exceed the Primary Maximum Contaminant Levels for inorganic chemicals set forth in the California Code of Regulations, Title 22, Division 4, Chapter 15, Article 4, Section 64431.
 - c) exceed the levels for radionuclide set forth in the California Code of Regulations, Title 22, Division 4, Chapter 15, Article 5, Section 64443.
11. The discharge shall not cause radionuclide to be present in groundwater in concentrations that are deleterious to human, plant, animal, or aquatic life, or result in the accumulation of radionuclide in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life.^{BP}

System Operation

12. Treatment and disposal areas shall be fenced and posted (English and Spanish) to advise the public that the Facility contains domestic wastewater.
13. Extraneous surface drainage shall be excluded from the wastewater treatment and disposal facilities.
14. All storm water contacting domestic wastewater shall be contained on the site.
15. Freeboard shall exceed two feet in all designated wastewater treatment, storage, and disposal ponds.^{BPJ}
16. Wastewater shall be confined to land owned or controlled by the Discharger.^{BPJ}
17. All solids generated from the screening and treatment process must be reclaimed or disposed of in a manner acceptable to the Executive Officer.

Wastewater Disposal

18. Effluent shall not be discharged within 100 feet of any existing water supply well.
19. Wastewater shall be confined within bermed areas. ^{BPJ}
20. Wastewater application rates shall be consistent with accepted engineering practice. ^{BPJ}
21. Disposal ponds shall be alternated to maximize disposal rates and permit emptying/drying for maintenance purposes.
22. Disposal ponds shall be dried and disked or plowed annually, or at a sufficient frequency to keep the disposal ponds operating in a proper manner. ^{BPJ}
23. The Facility shall be managed so as to minimize mosquito-breeding habitat. ^{BPJ}

C. SALT AND NUTRIENT MANAGEMENT PROGRAM

1. A workplan to quantify sources of total dissolved solids (TDS), chlorine, and sodium in the Discharger's effluent was developed by San Benito Engineering, on behalf of the Discharger, and presented to the Water Board in September 2007. The workplan indicated the Discharger would conduct a salts study around the town of Tres Pinos in October 2007. The workplan indicated test results would be presented to the Water Board by May 2008 and a salts reduction workplan would be produced by August 2008 and presented to the Water Board for approval.
2. Water Board staff received on November 5, 2008, a report from the Discharger summarizing the salinity assessment test results. The report concluded that there is no single area of excessive contribution to the levels of TDS in Tres Pinos wastewater and the next step was to develop a workplan to decrease salt sources.
3. The Tres Pinos CWD shall submit a Salts and Nutrient Management Program to the Regional Board **by June 30, 2012.**
4. The Tres Pinos CWD shall maintain an ongoing salt and nutrient management program with the intent of reducing mass loading of salts and nutrients (with an emphasis on nitrogen species) in treated effluent to a level that will ensure compliance with effluent limitations and protect beneficial uses of groundwater.
5. Salt reduction measures shall focus on all potential salt contributors to the collection system, including water supply, commercial, industrial and residential dischargers. The salt and nutrient management program shall address the concentration of salts in the wastewater treatment process as a result of excessive hydraulic retention times and/or chemical addition.
6. Nutrient reduction measures shall focus on optimizing wastewater treatment processes for nitrification and denitrification, or other means of nitrogen removal. Reduction measures may also include source control (non-human waste from commercial and industrial sources) as appropriate.
7. As part of the salt and nutrient management program, the Discharger shall submit an annual report of salt and nutrient reduction efforts. This salt and nutrient management report shall be included as part of the annual report described in Monitoring and Reporting Program No. R3-2011-0220. The report shall be submitted by January 30th, and shall include (at a minimum):

Salt Component

- a. Calculations of annual salt mass discharged to (influent) and from (effluent) the wastewater treatment facility with an accompanying analysis of contributing sources;
- b. Analysis of wastewater evaporation/salt concentration effects;
- c. Analysis of groundwater monitoring results related to salt constituents;
- d. Analysis of potential impacts of salt loading on the groundwater basin;
- e. A summary of existing salt reduction measures; and,
- f. Recommendations and time schedules for implementation of any additional salt reduction measures.

Nutrient Component

- a. Calculations of annual nitrogen mass (for all identified species) discharged to (influent) and from (effluent) the wastewater treatment facility with an accompanying analysis of contributing sources;
 - b. Analysis of wastewater treatment facility ability to facilitate nitrification and denitrification, or other means of nitrogen removal;
 - c. Analysis of groundwater monitoring results related to nitrogen constituents;
 - d. Analysis of potential impacts of nitrogen loading on the groundwater basin;
 - e. A summary of existing nitrogen loading reduction measures; and,
 - f. Recommendations and time schedules for implementation of any additional nitrogen loading reduction measures.
8. As an alternative to the salt and nutrient management program requirements described above, upon Executive Officer approval, the Tres Pinos CWD may submit documentation and a summary of participation in a regional salt and nutrient management plan implemented under the provisions of State Water Board Resolution No. 2009-0011 (Recycled Water Policy).
9. **Annual salt and nutrient management reports are due January 30th of each year** and may be included as part of the annual monitoring report. The first annual salinity and nutrient management report is due **January 30, 2013**.

D. LONG-TERM WASTEWATER MANAGEMENT PLAN

1. The Tres Pinos CWD shall take necessary steps to develop and implement a long-term wastewater management plan (LTWMP or plan), in accordance with the following schedule and requirements:
 - 1) **By March 30, 2012**, the Tres Pinos CWD shall submit a workplan and time schedule for the development of a long-term wastewater management plan. The workplan shall address the evaluation of treatment system performance and disposal capacity with the intent of developing and implementing a LTWMP that will enable the facility to meet the phased effluent limitations prescribed in this Order and provide adequate treatment and disposal capacity for projected future flows. The plan shall consider a connection to the City of Hollister wastewater collection system. The plan shall also consider recycling and reuse as alternatives to disposal. The plan shall also include an analysis of existing fiscal resources that are available for use in the development and implementation of the LTWMP. Development of the LTWMP shall be performed in coordination with all appropriate stakeholders to ensure steps are taken to obtain all necessary approvals and permits, and ensure compliance with all applicable regulations prior to implementation of the plan. Reclamation and reuse options for treated wastewater must be considered in the development of the plan, and the level of treatment shall be appropriate for the projected end-use of treated wastewater and be protective of all applicable beneficial uses. The

LTWMP shall describe how and when Tres Pinos CWD will conduct improved collection system maintenance in portions of the collection system most likely to affect impaired surface water bodies, with the end result being compliance with the human fecal coliform zero wasteload allocation as required by the Pajaro River Watershed TMDL for fecal coliform. This includes, but is not limited to:

- (1) stream monitoring for fecal coliform or another fecal indicator bacteria, and reporting of these monitoring activities,
 - (2) annual reporting of self-assessment as to whether the sanitary collection system jurisdiction is in compliance with the Pajaro River Watershed fecal coliform TMDL.
- b) **By August 31, 2012**, the Discharger shall submit the Tres Pinos CWD's options for a LTWMP for approval by the Executive Officer.
- c) **By January 30, 2015**, the Discharger shall complete improvements to the facility to meet the phased effluent limitations in this Order and provide adequate excess disposal capacity.
- 2) All plan documents and reports shall be prepared by, or under the supervision/review of, and be certified by a registered professional engineer registered in California and possessing applicable experience in wastewater engineering and planning.

E. GENERAL PROVISIONS

1. Order No. 99-101, "Waste Discharge Requirements for Tres Pinos County Water District," adopted by the Regional Board on October 22, 1999, is hereby rescinded.
2. The Discharger shall comply with MRP No. R3-2011-0220, as specified by the Executive Officer. The Executive Officer is authorized to revise the MRP at any time during the Permit term.
3. All technical and monitoring reports submitted pursuant to this Order are required pursuant to Section 13267 of the California Water Code. Failure to submit reports in accordance with schedules established by this Order, attachments to this Order, or failure to submit a report of sufficient technical quality acceptable to the Executive Officer, may subject the discharger to enforcement action pursuant to Section 13268 of the California Water Code.
4. The Discharger shall comply with all applicable items of the attached "Standard Provisions and Reporting Requirements for Waste Discharge Requirements," dated January 1984.
5. Physical facilities shall be designed and constructed according to accepted engineering practices and shall be capable of full compliance with this Order when properly operated and maintained. Operation and maintenance of the wastewater system shall conform to the Operations and Maintenance Plan, which shall be periodically reviewed, and, if appropriate, revised. The Operations and Maintenance Plan is subject to review by the Executive Officer, who shall be provided a current copy within ten days of any significant revision.
6. All discharges from the Facility shall comply with lawful requirements of the municipalities, counties, irrigation districts, drainage districts, and other local agencies regarding discharges of waste to land and surface waters within their jurisdiction.
7. **By January 30th of each year**, the Discharger shall submit an engineering technical report to the Executive Officer that evaluates the performance and capacity of the wastewater treatment and disposal system. The report shall contain a hydraulic balance analysis of facility inputs and outputs including influent flow, precipitation, infiltration/percolation, and evaporation for both

facilities and shall quantify disposal capacity of the facility based on actual operating data. The first annual engineering technical report is due January 30, 2012.

8. The Discharger shall give advance notice to the Regional Board of any planned changes in the permitted facility or waste management activities that may result in noncompliance with this Order.
9. This Order may be reopened to address any changes in State or Federal plans, policies, or regulations that would affect the quality requirements for the discharges.
10. In the event of any change in control or ownership of land or facilities presently owned or utilized by the Discharger, the Discharger shall notify the succeeding owner(s) or operator(s) of the existence of this Order by letter, a copy of which shall be forwarded to the Regional Board.
11. The Discharger shall file a Report of Waste Discharge in accordance with Title 23, Chapter 3, Subchapter 9, of the California Administrative Code given a material change in the character, location, or volume of the discharge. Changes or modification to the Facility as a result of LTWMP implementation may require a Report of Waste Discharge submittal and update of the Permit. Material changes warranting submittal of a Report of Waste Discharge include, but are not limited to, the following:
 - a) Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the waste.
 - b) Significant change in disposal method, e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.
 - c) Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
 - d) Increase in flow beyond that specified in the waste discharge requirements.
12. The Regional Board retains the authority to amend the time schedules for any or all of the effluent limitations or Long-Term Wastewater Management Plan compliance deadlines if it determines delays are due to circumstances beyond the Tres Pinos CWD's control.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Central Coast Region, on December 8, 2011.

Roger W. Briggs, Executive Officer