

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

ORDER NO. 00-003
NPDES NO. CA7000004

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT
AND
WASTE DISCHARGE REQUIREMENTS
FOR
IMPERIAL IRRIGATION DISTRICT, OWNER/OPERATOR
GRASS CARP HATCHERY
El Centro – Imperial County

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

1. Imperial Irrigation District (hereinafter referred to as the discharger) is the owner and operator of the Imperial Irrigation District Grass Carp Hatchery, located at 485 East Villa Road, El Centro, California, 92243, with a mailing address of P. O. Box 957, Imperial, CA 92251. The discharger submitted an NPDES application dated September 30, 1998 to renew its Board Order to discharge wastewater into the Central Main Drain No. 5, which finally drains into the Salton Sea. The Central Main Drain No. 5 and Salton Sea are waters of the United States.
2. The discharger currently discharges a peak monthly flow of 0.70-million gallons-per-day of effluent from a grass carp hatchery. Average monthly flow is about 0.15-million gallons-per-day. Design capacity of the facility is 1.94-million gallons-per-day. The effluent is discharged into the Central Main Drain No. 5, located in the SE ½ of Section 32, T15S, R13E, SBB&M.
3. The facility is a fish hatchery where grass carp are raised. Process water flows by gravity from the Imperial Irrigation District's Dogwood Canal into a holding pit and is subsequently pumped into two holding ponds. Water is then circulated through a series of nine small earthen ponds, seven fiberglass pools, and ten fiberglass tanks, used for raising grass carp fry. Water from the ponds, flows by gravity into a holding pit via a filtering device to trap grass carp fry, and eggs, prior to discharge into the Central Main Drain No. 5.
4. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) was adopted on November 17, 1993, and designates the beneficial uses of ground and surface waters.
5. The beneficial uses of water in the Imperial Valley Drains are:
 - a. Fresh Water Replenishment of Salton Sea (FRSH)
 - b. Water Contact Recreation (REC I)^{1 2}
 - c. Noncontact Recreation (REC II)¹
 - d. Warm Water Habitat (WARM)
 - e. Wildlife Habitat (WILD)
 - f. Preservation of Rare, Endangered or Threatened Species (RARE)³
6. The beneficial uses of waters in the Salton Sea are:
 - a. Aquaculture (AQ)
 - b. Water Contact Recreation (REC I)

¹ Unauthorized use.

² The only REC I usage that is known to occur is from infrequent fishing activity.

³ Rare, endangered, or threatened wildlife exists in or utilizes some of these waterway(s). If the RARE beneficial use may be affected by a water quality control decision, responsibility for substantiation of the existence of rare, endangered, or threatened species on a case-by-case basis is upon the California Department of Fish and Game on its own initiative and/or at the request of the Regional Board; and such substantiation must be provided within a reasonable time frame as approved by the Regional Board.

- c. Noncontact water recreation (REC II)
- d. Warm Water Habitat (WARM)
- e. Wildlife Habitat (WILD)
- f. Preservation of Rare, Endangered or Threatened Species (RARE)

7. This discharge has been subject to waste discharge requirements, Board Order No. 94-056 (NPDES No. CA700004), adopted June 29, 1994, which allows discharge to Central Main Drain No. 5.
8. The U.S. Environmental Protection Agency adopted the National Toxics Rule (NTR) on February 5, 1993. The NTR requires effluent limitation for all pollutants that are or may be discharged at a level that will cause or have the reasonable potential to cause, or contribute to an in-stream excursion above a narrative or numeric water quality standard. Based on information submitted as part of the application, in studies, and as directed by monitoring and reporting programs, the Regional Board finds that the discharge does not have a reasonable potential to cause or contribute to an in-stream excursion above water quality objectives.
9. Effluent and receiving water limitations in this Board Order are based on the Federal Clean Water Act, Basin Plan, State Water Resources Control Board's plans and policies, U.S. Environmental Protection Agency guidance, best professional judgement, and best available technology economically achievable.
10. In accordance with Section 13389, Chapter 5.5, Division 7 of the California Water Code, and Section 15263, Chapter 3, Title 14 of the California Code of Regulations, the issuance of these waste discharge requirements is exempt from the California Environmental Quality Act requirement to prepare an Environmental Impact Report or Negative Declaration (Public Resources Code, Section 21100 et seq.).
11. The Board has notified the discharger and all known interested agencies and persons of its intent to update waste discharge requirements for said discharge and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
12. The Board in a public meeting heard and considered all comments pertaining to this discharge.
13. The U.S. Environmental Protection Agency and the Regional Board have classified this discharge as a minor discharge.

IT IS HEREBY ORDERED, that Board Order No. 94-056 be terminated, and in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Federal Clean Water Act, and regulations and guidelines adopted thereunder, the discharger shall comply with the following:

A. Effluent Limitations

1. The 30-day average daily discharge flow shall not exceed 2.0 million gallons-per-day.
2. The inverse log of the hydrogen ion (pH) of the effluent shall be maintained between 6.0 to 9.0.
3. There shall be no acute toxicity in the hatchery effluent being discharged to Central Main Drain No. 5. Acute toxicity is defined as less than ninety percent survival, fifty percent of the time, and less than seventy percent of the time, of a standard test organism in undiluted effluent in a 96-hour status or continuous-flow test.
4. Effluent discharged to Central Main Drain No. 5 shall not contain constituents in excess of the following limits:

<u>Constituent</u>	<u>Unit</u>	<u>30-Day Arithmetic Mean Discharge Rate⁴</u>	<u>7-Day Arithmetic Mean Discharge Rate⁵</u>
Total Dissolved Solids	mg/L	4,000	4,500

B. Receiving Water Limitations

1. Receiving water limitations are based upon water quality objectives contained in the Basin Plan. As such, they are a required part of this Board Order. The discharge shall not cause the following in Central Main Drain No. 5:
 - a. The dissolved oxygen content to be depressed below 5.0 mg/L. During any period when the receiving water's dissolved oxygen content is already below 5.0 mg/L, the discharger shall not cause any further depression.
 - b. Oil, grease, wax, floating material (liquids, solids, foam, and scum) or suspended material in amounts that create a nuisance or adversely affect beneficial uses.
 - c. Aesthetically undesirable discoloration
 - d. Fungi, slime, or other objectionable growths.
 - d. Turbidity increase by more than 10 percent over background levels.
 - e. Turbidity increase by more than 10 percent over background levels.
 - f. The normal ambient pH to fall below 6.0 or exceed 9.0 units.
 - g. Deposition of material that causes nuisance or adversely affects beneficial uses.
 - h. The normal ambient temperature to be altered more than 5°F.
 - i. The maximum electrical conductivity to exceed background levels.
 - j. Chemical constituents to exceed concentrations that adversely affect beneficial uses or create a nuisance.

⁴ 30-Day Mean – The arithmetic mean of pollutant values of samples collected in a period of 30 consecutive days as specified in the Monitoring and Reporting Program.

⁵ 7-Day Mean – The arithmetic mean of pollutant parameter values of samples collected in a period of 7 consecutive days as specified in the Monitoring and Reporting Program.

- k. Toxic pollutants to be present in the water column, sediments, or biota in concentrations that adversely affect beneficial uses or that produce detrimental physiological responses in human, plant, animal, or aquatic life.
- l. Taste or odor-producing substances to impart undesirable tastes or odors to the water or fish flesh or other edible products of aquatic origin or to cause nuisance or otherwise adversely affect beneficial uses
- m. Violation of any applicable water quality standards for receiving waters adopted by the Regional Board or the State Water Resources Control Board as required by the Federal Clean Water Act and regulations adopted thereunder. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Federal Water Pollution Control Act or amendments thereto, the Regional Board will revise and modify the Board Order in accordance with such more stringent standards.

C. Prohibitions

- 1. Discharge of wastewater at a location or in a manner different from that described in Findings No. 2 and 3 is prohibited.
- 2. The bypass or overflow of wastewater effluent to Central Main Drain No. 5 is prohibited, except as allowed in Standard Provision No. 13.
- 3. The direct discharge of any untreated or partially treated wastewater to any surface waters or surface drainage courses is prohibited.

D. Discharge Specifications

- 1. The treatment or disposal of wastes at this facility shall not cause pollution or nuisance as defined in Sections 13050(l) and 13050(m) of Division 7 of the California Water Code.
- 2. The facility shall be protected from any washout or erosion of wastes or covering material, or from any inundation which could occur as a result of floods having a predicted frequency of once in 100 years.
- 3. A minimum freeboard of two (2) feet shall be maintained at all times in the ponds.
- 4. Ponds shall be managed to prevent breeding of mosquitoes. In particular,
 - a. An erosion control program shall assure that small coves and irregularities are not created around the perimeter of the water surface.
 - b. Weeds shall be minimized through control of water depth, harvesting or herbicides.
 - c. Dead algae, vegetation, and debris shall not accumulate on the water surface.
- 5. The discharge shall not cause degradation of any water supply.
- 6. Objectionable odors originating at this facility shall not be perceivable beyond the limits of the facility.
- 7. Bioassays shall be performed annually to evaluate the toxicity of the discharged wastewater in accordance with the following procedure:

- a. Bioassays shall be conducted on a sensitive fish species and an invertebrate organism species as approved by the Regional Board's Executive Officer. Pimephales promelas (fathead minnow) and Ceriodaphnia are suggested test species which may be utilized. The bioassays shall be conducted in accordance with the protocol given in EPA/600/4-89/001 – Short Term Methods for Estimating the Chronic Toxicity of Effluent and Receiving Waters to Freshwater.
8. If the discharge consistently exceeds the applicable chronic or acute toxicity limitation, a toxicity reduction evaluation (TRE) is required. The TRE shall include all reasonable steps to identify the source(s) of toxicity. Once the source(s) of toxicity is identified, the discharger shall take all reasonable steps necessary to reduce toxicity to the required level.

E. Provisions

1. Effluent samples shall be gathered at the end of the discharge pipe.
2. The discharger shall comply with "Monitoring and Reporting Program No. 00-003", and future revisions thereto as specified by the Regional Board's Executive Officer; and shall be in accordance with the following:
 - a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
 - b. The monitoring and reporting of effluent and receiving water shall be done as specified in this Board Order.
 - c. 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 Board Order and records of all data used to complete the application for this Board Order, for a period of at least five years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional board's Executive Officer.
 - d. Records of monitoring information shall include:
 1. The date, exact place, and time of sampling or measurement(s);
 2. The individual(s) who performed the sampling or measurement(s);
 3. The date(s) analyses were performed;
 4. The individual(s) who performed the analyses;
 5. The results of such analyses.
3. Prior to any modifications in this facility which would result in material change in the quality or quantity of wastewater treated or discharged, or any material change in the location of discharge, the discharger shall report all pertinent information in writing to the Regional Board, and obtain revised requirements before any modifications are implemented.
4. The discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order and shall maintain a copy of this Board Order at the site.
5. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
6. Facilities shall be available to keep the plant in operation in the event of commercial power failure.

7. The discharger shall allow the Regional Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
 - a. Enter upon the premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Board Order;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and
 - d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.
8. The discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the discharger to achieve compliance with this Board 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 Board Order.
9. Unless otherwise approved by the Regional Board's Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the U.S. Environmental Protection Agency.
10. All regulated disposal systems shall be readily accessible for sampling and inspection.
11. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.
12. The discharger is the responsible party for the waste discharge requirements, monitoring and reporting program for the facility. The discharger must comply with all conditions of these waste discharge requirements. Violations may result in enforcement actions, including Regional Board Orders or court orders, requiring corrective action or imposing civil monetary liability or in modification or revocation of these waste discharge requirements by the Regional Board.
13. All maintenance performed will be reported with the monitoring reports as required.
14. The discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with the specifications prepared by the Regional Board's Executive Officer. Such specifications are subject to periodic revisions as may be warranted.
15. All storm water discharges from this facility must comply with the lawful requirements of municipalities, counties, drainage districts, and other local agencies, regarding discharges of storm water to storm water drain systems, or other courses under their jurisdiction.
16. The discharger shall comply with "Standard Provisions for National Pollutant Discharge Elimination System Permit", dated October 1990.

17. This Board Order expires five years from date of adoption, and the discharger shall file a complete Report of Waste Discharge in accordance with Title 23, California Code of Regulations, at least 180 days in advance of such date as an application for issuance of a new Board Order.
18. This Board Order shall serve as an NPDES Permit pursuant to Section 402 of the Federal Clean Water Act, as amended, and shall become effective at the end of ten days from the date of the hearing at which this Board Order was adopted by the Regional Board, provided the Regional Administrator, U.S. Environmental Protection Agency has no objections.
19. The discharger shall implement acceptable operational and maintenance practices at the facility so that needed repairs and maintenance are performed in a timely manner. A yearly report shall be submitted to the Regional Board indicating any operational or maintenance problems.
20. The discharger shall comply with all conditions of this Board Order. Noncompliance constitutes a violation of the Federal Clean Water Act, and is grounds for enforcement action; for Board Order termination, revocation and reissuance, or modification; or denial of a Board Order renewal application.
21. This Board Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the discharger for a Board Order modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Board Order condition. Causes for modification include the promulgation of new regulations, modification of land application plans, or modification in disposal practices or adoption of new regulations by the State Board or the Regional Board, including revisions to the Basin Plan.
22. The discharger shall provide adequate notice to the Regional Board's Executive Officer of the following:
 - a. Any new introduction of pollutants into any of the treatment facilities described in the Findings of this Board Order from an indirect discharger which would be subject to Section 301 or 306 of the Federal Clean Water Act if it were directly discharging the pollutants.
 - b. Any substantial change in the volume or character of pollutants being introduced into any of the treatment facilities described in the Findings of this Board Order by an existing or new source.

- c. Any planned physical alterations or additions to the facilities described in this Board Order, or changes planned in the discharger's disposal practice, where such alterations, additions, or changes may justify the application of Board Order conditions that are different from or absent in the existing Board Order, including notification of additional disposal sites not reported during the Board Order application process, or not reported pursuant to an approved land application plan.
 - d. Adequate notice shall include information on the quality and quantity of effluent introduced, and any anticipated impact of the change on the quantity or quality of the discharger's effluent.
 - e. The discharger shall report all instances of noncompliance. Reports of noncompliance shall be submitted with the discharger's next scheduled self-monitoring report or earlier if requested by the Regional Board's Executive Officer, or if required by an applicable standard for disposal.
23. The Federal Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Federal Clean Water Act is subject to a civil or criminal penalty.
24. The discharger shall report all intentional or accidental spills exceeding 1,000 gallons and also any non-compliance that could endanger human health or the environment within 24 hours of becoming aware of its occurrence. The incident shall be reported to the Regional Board Office **and** to the Office of Emergency Services. During non-business hours, the discharger shall leave a message on the Regional Board's voice mail. A written report shall be submitted to this office within five business days of the discharger becoming aware of the incident. This report shall contain a description of the non-compliance, its causes, the duration, and the actual or anticipated time for achieving compliance. The report shall include complete details of the steps that the discharger has taken, or intends to take, in order to prevent recurrence.
25. Within 90 days of the issuance of this Board Order, the discharger shall submit a Spill Response Plan (SRP) for Regional Board staff review. Thereafter, the plan shall be updated annually, and shall be available for staff review during Regional Board inspections. The discharger shall ensure that all operating personnel are familiar with the contents of the SRP. A copy of the SRP shall be maintained at the site and shall be accessible to all operating personnel
26. The discharger shall exclude from the system operation any liquid or solid waste, which could adversely affect the system operation or effluent quality. The excluded liquid or solid waste shall be disposed in accordance with applicable regulations.
27. Adequate measures shall be taken to assure that unauthorized persons are effectively excluded from contact with the wastewater treatment and disposal facilities.
28. Prior to any change in ownership or management of this operation, the discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.
29. This Board Order may be reopened to address any new amendments to applicable Water Quality Control Plans that would affect the requirements for the discharge.
30. This Board Order does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.
31. This Board Order does not authorize violations of any federal, state or local laws or regulations.

I, Philip A. Gruenberg, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on April 12, 2000.

original signed by/
Executive Officer