

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**

ORDER NO. R7-2002-0001  
NPDES NO. CA0104281

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
AND  
WASTE DISCHARGE REQUIREMENTS  
FOR  
MCCABE UNION SCHOOL DISTRICT, OWNER/OPERATOR  
MUNICIPAL WASTEWATER TREATMENT PLANT, COLLECTION AND DISPOSAL SYSTEMS  
El Centro – Imperial County

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

1. On February 13, 2001, the McCabe Union School District, (hereinafter referred to as the discharger), 701 West McCabe Road, El Centro, CA 92243, Owner/Operator of McCabe Union School District Municipal Wastewater Treatment Plant and Collection Systems, submitted an application to update its Waste Discharge Requirements (WDRs) and to renew its National Pollutant Discharge Elimination System (NPDES) Permit to discharge secondary treated wastewater to the Wildcat Drain.
2. The discharger owns a wastewater treatment and disposal system and provides sewerage service to the McCabe Union School District. The wastewater treatment plant is located at 701 West McCabe Road, El Centro, CA 92243. The wastewater treatment plant presently discharges an average daily flow of 0.0015 million gallons-per-day (MGD) of secondary treated wastewater from a plant with a design treatment capacity of 0.005 MGD.
3. The WWTP effluent is discharged into Wildcat Drain, in the NW ¼ of Section 23, T16S, R13E, SBB&M. Wildcat Drain flows approximately three (3) miles to Rice Drain #3 and then seven (7) miles before entering the New River, about 35 miles from the Salton Sea.
4. The treatment plant consists of an extended aeration package treatment plant. The District has reported that it is in the process of replacing the current sewage treatment plant with a new plant. The new plant will be a package treatment plant with a design capacity of 0.015 MGD. The new facility will have chlorine disinfection capability.
5. The NPDES Permit application described the effluent flow characteristics as follows:

<u>Constituent/Parameter</u>	<u>Value</u>	<u>Units</u>
Flow, Average Daily	0.0015	MGD <sup>1</sup>
Flow Rate, Maximum Daily	0.0015	MGD
pH, Minimum Daily	6.30	-----
pH, Maximum Daily	7.60	-----
Effluent BOD <sub>5</sub> <sup>2</sup> , Average Daily	7.0	mg/L <sup>3</sup>

---

<sup>1</sup> Million Gallons-per-Day  
<sup>2</sup> Biochemical Oxygen Demand  
<sup>3</sup> Milligrams-per-Liter

<u>Constituent/Parameter</u>	<u>Value</u>	<u>Units</u>
Effluent BOD <sub>5</sub> , Maximum Daily	14.0	mg/L
Effluent TSS <sup>4</sup> , Average Daily	7.0	mg/L
Effluent TSS, Maximum Daily	14.0	mg/L

6. The discharger has been subject to an NPDES Permit and WDRs adopted in Board Order No. 95-089 (NPDES No. CA0104281) on November 29, 1995, which allows for discharge to Wildcat Drain.
7. 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 in the Region.
8. The designated beneficial uses of waters in the Imperial Valley Drains are:
  - a. Fresh Water Replenishment of the Salton Sea (FRSH)
  - b. Water Contact Recreation (REC I)<sup>5,6</sup>
  - c. Non-Contact Water Recreation (REC II)<sup>5</sup>
  - d. Warm Water Habitat (WARM)
  - e. Wildlife Habitat (WILD)
  - f. Preservation of Rare, Threatened or Endangered Species (RARE)<sup>7</sup>
9. Federal regulations for storm water discharges require specific categories of facilities which discharge storm water associated with industrial activity (storm water) to obtain NPDES permits and to implement Best Conventional Pollutant Technology (BCT) and Best Available Technology Economically Achievable (BAT) to reduce or eliminate industrial storm water pollution.
10. The State Water Resources Control Board (SWRCB) adopted Order No. 97-03 DWQ, WDRs for discharges of storm water associated with industrial activities, excluding construction activities, and requiring submittal of a Notice of Intent by industries to be covered under the Permit.
11. The USEPA 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.
12. On May 18, 2000, the USEPA published the adopted California Toxics Rule (CTR). The CTR promulgates new criteria for both human health protection and protection of aquatic life. New numeric aquatic life criteria for 23 priority toxic pollutants and numeric human health criteria for 57 priority toxic pollutants are listed. In addition, the CTR contains a compliance schedule provision, which authorizes the State to issue schedules of compliance for new or revised NPDES permit limits based on the federal criteria when certain conditions are met.

---

<sup>4</sup> Total Suspended Solids

<sup>5</sup> Unauthorized Use.

<sup>6</sup> The only REC 1 usage that is known to occur is from infrequent fishing.

<sup>7</sup> Rare, endangered, or threatened wildlife exists in or utilizes some of this 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.

13. On March 2, 2000, the SWRCB adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays and Estuaries of California (California Toxics Policy). This Policy establishes (1) implementation provisions for priority pollutant criteria promulgated by the USEPA through the NTR and CTR and for priority pollutant objectives established by the Regional Water Quality Control Boards in their water quality control plans; (2) monitoring requirements for 2, 3, 7, 8- tetrachlorodibenzo-p-dioxin (TCDD) equivalents; and (3) chronic toxicity control provisions.
14. The discharger has informed the Regional Board that the priority pollutant monitoring will be scheduled for the month of November 2001. Monitoring for 2, 3, 7, 8-Tetrachlorodibenzo-P-Dioxin Congeners is scheduled for June 2002 and December 2003.
15. The proposed discharge is consistent with the anti-degradation provisions of 40 CFR 131.12 and SWRCB Resolution No. 68-16. If terms of the permit are met, the impact on water quality will be insignificant, including potential impacts on aquatic life, which is the beneficial use most likely affected by the discharge.
16. Domestic wastewater plants with design capacities less than 1.0 MGD are classified as "minor" by the USEPA. Accordingly, the Regional Board has classified the discharge as a minor discharge.
17. Effluent and receiving water limitations in this Board Order are based on the Federal Clean Water Act, Basin Plan, SWRCB's plans and policies, USEPA guidance, best professional judgment, and Best Available Technology Economically Achievable.
18. Effluent limitations and toxic and pretreatment effluent standards, established pursuant to Section 208(b), 301, 302, 304, and 307 of the Federal Clean Water Act (CWA) and amendments thereto that are applicable to this discharge are implemented in this Board Order.
19. The action to adopt an NPDES Permit is exempt from the provisions of Chapter 3 of the California Environmental Quality Act (CEQA: Public Resources Code Section 21000, et seq.), pursuant to Section 13389 of the California Water Code.
20. In accordance with Section 15301, Chapter 3, Title 14 of the California Code of Regulations, the issuance of these WDRs, which governs the operation of an existing facility involving negligible or no expansion of use beyond that previously existing, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et. seq.).
21. The Board has notified the discharger and all known interested agencies and persons of its intent to renew and update NPDES Permit and WDRs for said discharge, and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
22. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that Board Order No. 95-089 is 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. Effluent discharged to Wildcat Drain shall not contain constituents in excess of the following limits:

<u>Constituent</u>	<u>Unit</u>	<u>30-Day<sup>8</sup> Arithmetic Mean Discharge Rate</u>	<u>7-Day<sup>9</sup> Arithmetic Mean Discharge Rate</u>
20°C BOD <sub>5</sub>	mg/L lbs/day <sup>10</sup>	30 3.8 <sup>11</sup>	45 5.6 <sup>11</sup>
Total Suspended Solids	mg/L lbs/day	30 3.8 <sup>11</sup>	45 5.6 <sup>11</sup>
Total Dissolved Solids	mg/L	4,000	4,500

2. The 30-day monthly average for percent removal of the pollutant parameters BOD<sub>5</sub> and total suspended solids shall not be less than 85 percent.
3. The hydrogen ion (pH) of the effluent shall be maintained within the limits of 6.0 to 9.0.
4. Beginning October 1, 2002, effluent discharged to Wildcat Drain shall not contain a total chlorine residual greater than 0.02 mg/L as an instantaneous maximum and 0.01 mg/L as a monthly average. Compliance for this effluent limitation shall be at a location acceptable to the Regional Board's Executive Officer or his designee.
5. Beginning October 1, 2002, effluent discharged to Wildcat Drain shall not have an Escherichia Coli (E. Coli) concentration in excess of a log mean of Most Probable Number (MPN) of 126 MPN per 100 milliliters (based on a minimum of not less than five (5) samples for any 30-day period) nor shall any sample during any 30-day period, exceed 400 MPN per 100 milliliters.
6. No waste discharge shall exceed the effluent limitations for Group 1 or Group 2 pollutants. Exceedance of a Group 1 pollutant by 40 percent or a Group 2 pollutant by 20 percent or more is a serious violation. Group 1 and Group 2 pollutants are defined in 40 CFR Section 123.45.

<sup>8</sup> 30-Day Mean – The arithmetic mean of pollutant parameter values of samples collected in a period of 30 consecutive days as specified in the Monitoring and Reporting Program.

<sup>9</sup> 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.

<sup>10</sup> lbs/day = pounds per day.

<sup>11</sup> Based on a design treatment capacity of 0.015 MGD.

7. The effluent shall not contain heavy metals, chemicals, pesticides or other constituents in concentration toxic to aquatic life.
8. There shall be no acute or chronic toxicity in the treatment plant effluent nor shall the treatment plant effluent cause any acute or chronic toxicity in the receiving water. All waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal or indigenous aquatic life. Compliance with this objective will be determined by use of indicator organisms, analyses of species diversity, population density, growth anomalies, or bioassays of appropriate duration or other appropriate methods specified by the Regional Board.

#### 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. Effluent discharged to the Wildcat Drain shall not cause the following:
  - a. Depress the concentration of dissolved oxygen below 5.0 mg/L. When dissolved oxygen in the receiving water is already below 5.0 mg/L, the discharge shall not cause any further depression.
  - b. The presence of oil, grease, floating material (liquids, solids, foam and scum) or suspended material in amounts that create a nuisance or adversely affect beneficial uses.
  - c. Result in the deposition of pesticides or combination of pesticides to be detected in concentrations that adversely affect beneficial uses.
  - d. Aesthetically undesirable discoloration or odors in the receiving water.
  - e. A significant increase in fungi, slime, or other objectionable growth.
  - f. The turbidity to increase by more than 10 percent over background levels.
  - g. The normal ambient pH to fall below 6.0 or exceed 9.0 units.
  - h. Result in the deposition of material that causes nuisance or adversely affects beneficial uses.
  - i. The maximum electrical conductivity to exceed background levels.
  - j. Chemical constituents to exceed concentrations that adversely affect beneficial uses or create nuisance.
  - 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. The natural receiving water temperature of surface waters shall not be altered by discharges of wastewater unless it can be demonstrated to the satisfaction of the Regional Board that such alteration in temperature does not adversely affect beneficial uses.

2. The discharge shall not cause a violation of any applicable water quality standards for receiving waters adopted by the Regional Board or the SWRCB 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 this Permit in accordance with such more stringent standards.

#### C. Prohibitions

1. Discharge of treated wastewater at a location or in a manner different from that described in Findings No. 1, 2, 3 and 4 is prohibited.
2. The discharge of waste to land not owned or controlled by the discharger is prohibited.
3. The bypass or overflow of untreated wastewater or wastes to Wildcat Drain is prohibited, except as allowed in the Standard Provision No. 13, as contained in the Standard Provisions for NPDES Permit (hereinafter Standard Provisions), dated October 1990.
4. The discharger shall not accept waste in excess of the design treatment capacity of the treatment plant.

#### D. Specifications

1. The treatment or disposal of wastes at this facility shall not cause pollution or nuisance as defined in Section 13050(l) and 13050(m) of Division 7 of the California Water Code.
2. The wastewater treatment plant shall be protected from any washout or erosion of wastes or covering material, and from any inundation, which could occur as a result of floods having a predicted frequency of once in 100 years.
3. Public contact with undisinfected water or wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.
4. The discharge shall not cause degradation of any water supply.
5. The effluent shall not contain heavy metals, chemicals, pesticides or other constituents in concentration toxic to aquatic life.
6. Bioassays shall be performed to evaluate the toxicity of the discharged wastewater in accordance with the following procedures unless otherwise specified by the Regional Board's Executive Officer or his designee:
  - a. Bioassays shall be conducted on a sensitive fish species and an invertebrate species as approved by the Regional Board's Executive Officer. Pimephales promelas (Fathead minnow) and Ceriodaphnia dubia (Water flea) are suggested test species that may be utilized. The bioassays shall be conducted in accordance with the protocol given in EPA/600/4-91/002 – Short Term Methods for Estimating the Chronic Toxicity of Effluent and Receiving Waters to Freshwater Organisms, 3<sup>rd</sup> Edition, and EPA/600/4-

90/027F Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters  
Freshwater and Marine Organisms, 4<sup>th</sup> Edition.

- b. The bioassay test specified in the Monitoring and Reporting Program shall be performed as specified.
7. Any chronic toxicity test that exceeds two (2) chronic toxicity units (TU<sub>c</sub>) or a three-sample median<sup>12</sup> (consecutive samples) that exceeds one (1) TU<sub>c</sub> may trigger an accelerated monitoring frequency. In addition, any acute toxicity results showing high toxicity may trigger an accelerated monitoring frequency. High acute toxicity is defined as follows:
  - a. Less than 80% survival when acute toxicity is calculated from results of the chronic toxicity test (only for Pimephales promelas), or
  - b. Less than 90% survival as calculated from the results of the acute toxicity test.
8. Accelerated monitoring frequency shall consist of performing three toxicity tests in a six-week period following the first exceedance of the chronic or acute toxicity triggers.
9. A Toxicity Identification Evaluation (TIE) may be triggered if the accelerated monitoring frequency indicate any of the following:
  - a. The three-sample median exceeds 1 TU<sub>c</sub>,
  - b. A chronic toxicity of 2 TU<sub>c</sub> or greater,
  - c. Less than 80% survival when acute toxicity is calculated from results of the chronic toxicity test (only for Pimephales promelas), or
  - d. Less than 90% survival when acute toxicity is calculated from the results of the acute toxicity test.
10. The TIE shall be conducted to identify and evaluate toxicity in accordance with procedures recommended by the USEPA and includes, but need not be limited to, proposed:
  - a. Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I, (USEPA, 1992a);
  - b. Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures, Second Edition (USEPA, 1991a);
  - c. Methods for Aquatic Toxicity Identification Evaluations: Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity (USEPA, 1993a);
  - d. Methods for Aquatic Toxicity Identification Evaluations: Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity (USEPA, 1993b)
11. If repeated tests reveal toxicity as a result of the waste discharge, the discharger may be required to conduct a Toxicity Reduction Evaluation (TRE). The discharger shall take all reasonable steps to control toxicity once the source of the toxicity is identified. A failure to conduct required toxicity tests or a TRE within a designated period shall result in the

---

<sup>12</sup> Three-sample median is defined as follows: The middle value of three consecutive samples arranged from the low value to the high value.

establishment of effluent limitations for chronic toxicity in a permit or appropriate enforcement action. Recommended guidance in conducting a TRE include the following:

- a. Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants, August 1999, EPA/833B-99/002;
  - b. Clarifications Regarding Toxicity Reduction and Identification Evaluations in the National Pollutant Discharge Elimination System Program dated March 27, 2001, USEPA Office of Wastewater Management, Office of Regulatory Enforcement.
12. The 30-day average hydraulic flow rate for existing system shall not exceed 0.005 MGD. The 30-day average hydraulic flow rate for the new system shall not exceed 0.015 MGD.

#### E. Provisions

1. This Board Order shall serve as a NPDES Permit pursuant to Section 402 of the Federal Clean Water Act, as amended, and shall become effective at the end of 10 days from the date of the hearing when this Board Order was adopted by the Regional Board, provided the Regional Administrator, USEPA has no objections.
2. This Board Order expires five (5) years from date of adoption on January 16, 2007, 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.
3. The discharger shall provide a report to the Regional Board when it determines that the plant is operating at 80 percent of the design capacity specified in Finding No. 4, above. The report should indicate what steps, if any, the discharger intends to take to provide for the expected wastewater treatment capacity necessary when the plant reaches design capacity.
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. 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.
6. The discharger shall comply with all of the conditions of this Board Order. Any noncompliance with this Board Order constitutes a violation of the Porter-Cologne Water Quality Control Act and is grounds for enforcement action.
7. 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 Permit termination, revocation and reissuance, or modification of WDRs; or denial of a Permit renewal application.
8. The discharger shall comply with "Standard Provisions for National Pollutant Discharge Elimination System Permit" dated October 1990 (attached).
9. This Board Order does not authorize violation of any federal, state, or local laws or regulations.



10. The discharger is the responsible party for the WDRs and the monitoring and reporting program for the facility. The discharger shall comply with all conditions of these WDRs. 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 WDRs by the Regional Board.
11. 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, which are installed by a discharger only when necessary to achieve compliance with the conditions of this Board Order.
12. The discharger's wastewater treatment plant shall be supervised and operated by persons possessing certification of appropriate grade pursuant to Section 3680, Chapter 26, Division 3, Title 23 of the California Code of Regulations. The discharger shall ensure that all operating personnel are familiar with the contents of this Board Order.
13. Unless otherwise approved by the Regional Board's Executive Officer, all analyses shall be conducted at a laboratory certified for such analysis by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analyses of Pollutants", promulgated by the USEPA.
14. The discharger shall comply with Monitoring and Reporting Program No. R7-2002-0001, 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 influent and effluent shall be done, at a minimum, on an annual basis, or as specified in this Board Order. Sewage sludge shall be monitored when removed for final disposal, or as specified in this Board Order. More frequent monitoring may be required, depending on the nature and effect of the sewage sludge use or disposal practices. Frequency of sludge monitoring shall be in accordance with 40 CFR Part 503.
  - c. All monitoring, including that of sludge for reuse or disposal, must be conducted according to test procedures approved under 40 CFR Part 136 or as specified in this Board Order.
  - d. The discharger shall retain records of all monitoring information, including all calibrations 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 (5) 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.
  - e. Records of monitoring information shall include:

1. The date, exact places, and time of sampling 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 analytical techniques or methods used.
  6. The results of such analyses.
- f. The results of any analysis of samples taken more frequently than required at the locations specified in the Monitoring and Reporting Program No. R7-2002-0001 shall be reported to the Regional Board.
15. 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 shall 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.
16. 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 sludge use or 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 applications process, or not reported pursuant to an approved land applications 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 and/or sludge.

- 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 sludge use and disposal.
17. The discharger shall not cause degradation of any beneficial use of surface or ground water.
18. 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.
19. Adequate measures shall be taken to assure that unauthorized persons are effectively excluded from contact with the wastewater disposal facilities.
20. The discharger shall implement acceptable operation and maintenance at the wastewater treatment plant so that needed repair and maintenance are performed in a timely manner.
21. This discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the SWRCB 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 this Board Order in accordance with such more stringent standards.
22. 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.
23. The discharger may be required to submit technical reports as directed by the Regional Board's Executive Officer.
24. The discharger shall obtain prior written approval from the Regional Board specifying location and method of disposal before disposing of Class B or lesser quality sludge, or similar solid waste materials. In addition, the discharger shall provide the results of any sludge analyses as specified by the Regional Board's Executive Officer.
25. All sludge generated at the wastewater treatment plant will be disposed, treated, or applied to land in accordance with Federal Regulations 40 CFR 503.
26. The discharger shall exclude from the wastewater treatment plant any liquid or solid waste that could adversely affect the plant operation or effluent quality. The excluded liquid or solid waste shall be disposed in accordance with applicable regulations.
27. The discharger shall maintain a permanent log of all solids hauled away from the treatment facility for use/disposal elsewhere and shall provide an annual summary of the volume, type (screenings, grit, raw sludge, digested sludge), use (agriculturally, composting, etc.), and the destination.
28. This Board Order may be modified, revoked and reissued, or terminated for any cause stated below. The filing of a request by the discharger for a Board Order modification, revocation, and re-issuance, 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 sludge use or disposal practices, or adoption of new regulations by the SWRCB or Regional Board, including revisions to the Basin Plan.

29. The discharger shall report any noncompliance that may endanger human health or the environment. Information shall be provided orally within 24 hours of when the discharger becomes aware of the incident to the Regional Board office and the Office of Emergency Services. The discharger shall also leave a message on the Regional Board office voice recorder during non-business hours. A written report shall also be provided within five (5) business days of the time the discharger becomes aware of the incident. The written report shall contain a description of the noncompliance and its cause, the period of noncompliance, the anticipated time to achieve full compliance, and the steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance. The discharger shall report all intentional or unintentional sewage spills in excess of 1,000 gallons occurring within the facility or collection system to the Regional Board office in accordance with the above time limits.
30. The discharger has submitted a Spill Response Plan (SRP) for Regional Board staff review. 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.
31. The discharger shall submit data sufficient to determine if a water quality-based effluent limitation is required in the discharge permit as required under the California Toxics Policy. It is the discharger's responsibility to provide all information requested by the Regional Board for use in the analysis. The permit shall be reopened to establish water quality-based effluent limitations, if necessary.
32. In addition, should the discharger request to use a translator for metals and selenium different than the USEPA conversion factor, it shall complete a translator study within two (2) years from the date of the issuance of this permit as stated in the California Toxics Policy. In the event a translator study is not completed within the specified time, the USEPA conversion factor-based effluent limitation as specified in the CTR shall be effective as a default limitation.
33. The discharger shall, as required by the Regional Board's Executive Officer, conduct a Pollutant Minimization Program in accordance with the California Toxics Policy when there is evidence that the priority pollutant is present in the effluent above an effluent limitation and a sample result is reported as detected and not quantified and the effluent limitation is less than the reported minimum level; or a sample result is reported as not detected and the effluent limitation is less than the method detection limit.
34. The permit shall be reopened and modified or revoked and reissued as a result of the detection of a reportable priority pollutant identified by special conditions' monitoring data, included in this permit. These special conditions in the permit may be, but are not limited to, fish tissue sampling, whole effluent toxicity tests, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in the permit as a result of the special condition monitoring data.
35. By June 2002, the discharger shall begin monitoring its effluent for the presence of 17 (Toxic equivalency factors for 2, 3, 7, 8-tetrachlorodibenzo-p-dioxin equivalents)

congeners once during the dry weather and once during the wet weather within a period of three (3) consecutive years. The final report must be submitted to the Regional Board by April 15, 2004.

36. Monitoring for the 126 priority pollutants shall be completed by April 1, 2002 with submittal of results by September 2, 2002.
37. Collected screenings, sludge, and other solids removed from liquid wastes shall be disposed of in a manner that is consistent with SWRCB and Integrated Waste Management Board's joint regulations (Title 27) of the California Code of Regulations and approved by the Regional Board's Executive Officer.
38. 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.
39. In the event the discharger allows Significant Industrial Users (40 CFR 403.3(t)) to discharge to the wastewater treatment plant, the discharger shall do so by developing and implementing an approved Industrial Pretreatment Program in accordance with the applicable Federal Pretreatment Regulations promulgated in 40 CFR Part 403.
40. 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 neither personal rights, nor any infringement or violation of federal, state, or local laws or regulations.

#### F. Pretreatment

1. In the event Significant Industrial Users are discharging to the wastewater treatment facility, then:
  - a. The discharger shall enforce the federal categorical pretreatment standards on all Categorical Industrial Users (CIUs) and shall enforce National Pretreatment Standards on all Industrial Users (40 CFR 403.5).
  - b. The discharger shall notify each CIU of its discharge effluent limits. The limits must be as stringent as the pretreatment standards contained in the applicable federal category (40 CFR Part 400 – 699). The discharger may develop more stringent, technology-based local limits, if it can show cause.
  - c. The discharger shall notify the RWQCB if any CIU violates its discharge effluent limits.
2. The discharger shall provide the Regional Board with an annual report describing the pretreatment program activities over the previous 12-month period. The report shall be transmitted to the Regional Board office no later than January 31 of each year and include:
  - a. A summary of actions taken by the discharger which ensures industrial-user compliance;
  - b. An updated list of industrial users (by SIC categories) which were issued permits, and/or enforcement orders, and a status of compliance for each user; and
  - c. The name and address of each user that received a revised discharge limit.

3. The Regional Board retains the right to take legal action against an industrial user and/or the discharger where a user fails to meet the approved applicable pretreatment standards.

Duplicate signed copies of these reports shall be submitted to the USEPA Regional Administrator, and the Regional Board at the following addresses:

Regional Administrator  
United States Environmental Protection Agency  
Region 9, Attn: W-3  
75 Hawthorne Street  
San Francisco, CA 94105

California Regional Water Quality Control Board  
Colorado River Basin Region  
73-720 Fred Waring Drive, Suite 100  
Palm Desert, CA 92260

I, Philip A. Gruenberg, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the Regional Water Quality Control Board, Colorado River Basin Region, on January 16, 2002.

---

Executive Officer