

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

ORDER NO. R7-2003-0054
NPDES NO. CA0104841

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT
AND
WASTE DISCHARGE REQUIREMENTS
FOR
PETER M. ORMOND, OWNER/OPERATOR
ROCKY VANDERGRIF WATER TREATMENT SERVICES, OPERATOR
DATE GARDENS MOBILE HOME PARK
WASTEWATER TREATMENT PLANT
West of El Centro – Imperial Country

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

1. On August 29, 2002 Sharlene Robbins, previous owner of Date Gardens Mobile Home Park, 15139 Ironwood Street, Lake Elsinore, CA 92530, submitted an application to update its Waste Discharge Requirements (WDRs) and to renew its permit to discharge wastewater under the National Pollutant Discharge Elimination System (NPDES). The application is for the wastewater treatment facility located at 1020 W. Evan Hewes Highway, El Centro, CA 92243. The application is to update its WDRs and NPDES permit for the Date Gardens Mobile Home Park, and wastewater collection and disposal systems.
2. Sharlene Robbins has recently sold the mobile home park to Peter M. Ormond, 518 Scenic Avenue, Piedmont, CA 94611. Mr. Ormond owns the wastewater collection, treatment and disposal system (hereinafter referred to as facility) which provides sewerage service to the Date Gardens Mobile Home Park that consists of 72 mobile home spaces. Operation of the treatment plant is currently contracted with Rocky Vandergriff Water Treatment Services. (Mr. Ormond and Rocky Vandergriff Water Treatment Services are hereinafter referred to as the “discharger”.) The wastewater treatment facility consists of two (2) package plants – one (1) with a design capacity of 0.007 million gallons-per-day (MGD) or 7,000 gallons-per-day (GPD). The other package plant has a design capacity of 0.014 MGD or 14,000 GPD. The combined capacity of the wastewater treatment facility is 0.021 MGD or 21,000 GPD. The facility presently discharges an average daily flow of 0.00815 MGD of secondary treated water.
3. The final effluent is discharged to the subsurface tile drain in the SW $\frac{1}{4}$, SW $\frac{1}{4}$ of Section 34, T15S, R13E, SBB&M), and then flows through a concrete pipe into Rice Drain No. 3 in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 33, T14S, R13, SBB&M. Rice Drain No. 3 flows approximately seven (7) miles before entering the New River then 30 miles to the Salton Sea.
4. This facility provides secondary treatment of domestic sewage that flows by gravity from the mobile home park into two (2) activated sludge package treatment plants that run in parallel. Sewage from the mobile home park drains into a sump in front of the package plants and is pumped into the aeration chambers of the complete mix extended aeration package plants. The mixed liquor flows into a clarifier where solids settle out. Return activated sludge is periodically pumped back to the aeration basin and solids are periodically wasted to a cistern that is periodically pumped. Effluent exiting the clarifier enters an effluent weir box before being discharged into an enclosed subsurface tile drain and into Rice Drain No. 3. Waste activated sludge from the plant is discharged once or twice a year to a cistern next to the plant. Once the sludge is dried, it is removed from the cistern and disposed of in a landfill.
5. The facility is required to have a disinfection system in operation by June 30, 2003. The facility is

planning to install an ultraviolet light (UV) disinfection unit by June 30, 2003.

6. The NPDES Permit application describes the effluent flow characteristics as follows:

<u>Constituent/Parameter</u>	<u>Value</u>	<u>Units</u>
Flow, Average Daily	0.00815	MGD
Flow Rate, Maximum Daily	0.012	MGD
pH, Minimum Daily	6.85	-----
pH, Maximum Daily	7.50	-----
Effluent BOD ₅ Average Daily	8.00	mg/L
Effluent BOD ₅ Maximum Daily	14.00	mg/L
Effluent TSS, Average Daily	8.00	mg/L
Effluent TSS, Maximum Daily	12.00	mg/L

7. The discharger has been subject to an NPDES Permit and WDRs adopted November 5, 1997 in Board Order No. 97-113 (NPDES No. CA0104841) adopted, which allows for discharge to the Rice Drain No. 3.
8. Discharges less than 1.0 MGD are classified as Minor by the United States Environmental Protection Agency (USEPA). Accordingly, Regional Board staff has classified this discharge as a Minor Discharge.
9. This Board Order updates the WDRs to comply with the current laws and regulations as set forth in the California Water Code, California Code of Regulations, and Code of Federal Regulations.
10. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan), as amended to date, designates the beneficial uses of ground and surface waters in this Region.
11. The designated beneficial uses of waters of the Imperial Valley Drains and the New River are:
- a. Fresh Water Replenishment of Salton Sea (FRSH)
 - b. Water Contact Recreation (REC I)¹
 - c. Non-Contact Water Recreation (REC II)²
 - d. Warm Water Habitat (WARM)
 - e. Wildlife Habitat (WILD)
 - f. Preservation of Rare, Threatened or Endangered Species (RARE)³

12. 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.

¹ Unauthorized Use. The only REC 1 usage that is known to occur is infrequent fishing activity. The only REC 1 usage that is known to occur is from infrequent fishing activity (Imperial Valley Drains). Although some fishing occurs in the downstream reaches, the presently contaminated water in the river makes it unfit for any recreational use. An advisory has been issued by the Imperial County Health Department warning against the consumption of any fish caught from the river and the river has been posted with advisories against any body contact with the water (New River).

² Unauthorized Use (Imperial Valley Drains).

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 (Imperial Valley Drains and New River).

13. The discharger states there are no storm water discharges from this site.
14. The State Water Resources Control Board (SWRCB) adopted Order No. 97-03-DWQ (General Permit No. CAS000001), specifying 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.
15. In accordance with Section 15301, Chapter 3, Title 14 of the California Code of Regulations, the issuance of these WDRs, which govern 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.)
16. 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.
17. 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.
18. The USEPA adopted the National Toxics Rule (NTR) (40 CFR § 131.36). 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.
19. The USEPA published the adopted California Toxics Rule (CTR) (40 CFR §131.38). 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.
20. 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 (Regional 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.
21. On August 19, 2002, the Regional Board received monitoring results for the Priority Pollutants monitoring submitted by the discharger as required by the CTR (40 CFR§ 131.38). Based on the Reasonable Potential Analysis methodology in the State Implementation Plan (Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California), the following constituents have been found to have reasonable potential to cause or contribute to an excursion above water quality objectives. The monitoring results indicate reasonable potential for copper, mercury, nickel and selenium.

22. The USEPA established bacteriological water quality standards (bacteria densities) for the protection of human health with regards to waterborne pathogens. These USEPA standards are included as Water Quality Objectives (WQO) in the Colorado River Basin Regional Board Water Quality Control Plan. The discharger must comply with the WQO established in the Colorado River Basin Regional Board Water Quality Control Plan prior to the discharge of treated wastewater into the waters of the State.
23. 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 and regulations, and best practicable waste treatment technology.
24. 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.
25. Regional Board staff prepared a Statement of Basis regarding the facility. The Statement of Basis is incorporated into this permit by this reference.
26. 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.
27. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that Board Order No. 97-113 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. Representative samples of wastewater discharged to Rice Drain No. 3 from the treatment systems shall not contain constituents in excess of the limits indicated below. The treatment system discharging to Rice Drain No. 3 shall be monitored at a location which is acceptable by the Regional Board's Executive Officer or his designee:

<u>Constituent</u>	<u>Unit</u>	<u>30-Day Arithmetic Mean Discharge Rate⁴</u>	<u>7-Day Arithmetic Mean Discharge Rate⁵</u>
20°C BOD ₅ ⁶	mg/L ⁷	30	45

⁴ 30-Day Mean = The arithmetic mean of pollutant parameter values of samples collected in a calendar month as specified in the Monitoring and Reporting Program.

⁵ 7-Day Mean = The arithmetic mean of pollutant parameter values of samples collected in a calendar week (Sunday through Saturday) as specified in the Monitoring and Reporting Program.

⁶ BOD₅ = Biochemical Oxygen Demand

	lb/day ⁸	5.3	7.9
Total Suspended Solids	mg/L	30	45
	lb/day	5.3	7.9
Total Dissolved Solids	mg/L	2,000	2,500

2. The 30-day monthly average percent removal of the pollutant parameters BOD₅ and 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 on June 30, 2003, unless otherwise approved by the Regional Board's Executive Officer, wastewater effluent discharged to the Rice Drain No. 3 shall not have a geometric mean *Escherichia coli* (*E. coli*) concentration in excess of 126 Most Probable Number (MPN) per 100 milliliters (based on a minimum of not less than five (5) samples for any 30-day period) nor shall any sample exceed 400 MPN per 100 milliliters. The compliance point for this effluent limitation shall be at a location acceptable to the Regional Board's Executive Officer or his designee.⁹
5. Wastewater discharged to the Rice Drain No. 3 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 end of pipe prior to discharge into the Rice Drain No. 3.¹⁰
6. 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 which are toxic to, or which 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.
7. Based on the Reasonable Potential Analysis, numeric Water Quality Based Effluent Limits are required for these constituents.

<u>Constituents</u>	<u>Unit</u>	<u>Average Monthly Effluent Limit¹¹</u>	<u>Maximum Daily Effluent Limit¹¹</u>
Copper	ug/L	2.39	4.80

⁷ mg/L = milligrams per Liter

⁸ lb/day = Design Flow (MGD) x 8.34 x Concentration (mg/L)

⁹ Compliance with this effluent limit shall be in effect after June 30, 2003.

¹⁰ This requirement applies only if the facility installs a chlorination/de-chlorination unit process.

¹¹ Compliance with the Average Monthly Effluent Limit and Maximum Daily Effluent Limit shall be determined as described in Section 2.4.5 Compliance Determination (Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California).

Mercury	ug/L	0.051	0.102
Nickel	ug/L	6.71	13.5
Selenium	ug/L	4.09	8.22

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 permit. The discharge shall not cause the following in Rice Drain No. 3:
 - a. Depress the concentration of dissolved oxygen to fall 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 in the receiving water.
 - e. A significant increase in fungi, slime, or other objectionable growth.
 - f. Increase turbidity that results in affecting beneficial uses.
 - g. The normal ambient pH to fall below 6.0 or exceed 9.0 units.
 - h. Impact the receiving water temperature, resulting in adversely affecting beneficial uses.
 - i. Result in the deposition of material that causes nuisance or adversely affects beneficial uses.
 - j. The 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. Taste or odor-producing substances to impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin or to cause or otherwise adversely affect beneficial uses.
2. 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 Permit in accordance with such

more stringent standards.

C. Prohibitions

1. Bypass, overflow, discharge or spill of untreated or partially treated waste is prohibited.
2. The discharge of waste to land not owned or controlled by the discharger is prohibited.
3. Discharge of treated wastewater at a location or in a manner different from that described in Finding No. 3 through 5, above, is prohibited.
4. The bypass or overflow of untreated wastewater or wastes to the Rice Drain No. 3 is prohibited, except as allowed in the Standard Provision No. 13, as contained in the Standard Provisions for National Pollutant Discharge Elimination System Permit (hereinafter Standard Provisions), dated October, 1990.
5. The discharger shall not accept waste in excess of the design treatment capacity of the disposal system.
6. The discharge shall not cause degradation of any water supply.

D. Specifications

1. The treatment or disposal of wastes from the 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. A minimum depth of freeboard of two (2) feet shall be maintained at all times in the activated sludge facility.
3. The permitted effluent discharge flow shall not exceed 0.021 MGD (30-day monthly average daily dry weather discharge).
4. Public contact with non-disinfected wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives. The non-disinfected wastewater is not approved for off-site distribution. Conspicuous signs shall be posted in a prominent location in each area where non-disinfected wastewater is stored on-site. Each sign or label with "Non-disinfected wastewater - No body contact or drinking" wording shall be displayed as well as the international warning symbol.
5. 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/821-R-02-013 – Short Term Methods for Estimating the Chronic Toxicity of Effluent and Receiving Waters to Freshwater Organisms, 4th Edition, and EPA/821-R-02-012 -Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters for Freshwater and Marine Organisms, 5th Edition, or subsequent editions.

- b. The bioassay test shall be performed as specified in the Monitoring and Reporting Program.
6. Any chronic toxicity test that exceeds 2 chronic toxicity units (TU_c) or a three-sample median¹² (consecutive samples) that exceeds 1 TU_c may trigger an accelerated monitoring frequency. In addition, any acute toxicity test 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 the results of the chronic toxicity test (only for *Pimephales promelas*), or
 - b. Less than 90% survival when acute toxicity is calculated from the results of the acute toxicity test, or
 - c. Results of acute toxicity t-test for 100 percent effluent concentration that is reported as failed.
7. Accelerated monitoring frequency shall consist of performing three toxicity tests in a six-week period following the first exceedence of the chronic or acute toxicity triggers.
8. A Toxicity Identification Evaluation (TIE) may be triggered if testing from the accelerated monitoring frequency indicate any of the following:
 - a. A chronic toxicity of 2 TU_c or greater; or
 - b. The three-sample median exceeds 1 TU_c; or
 - c. Result of acute toxicity t-test for 100 percent effluent concentration that is reported as failed; or
 - d. Less than 80% survival when acute toxicity is calculated from the results of the chronic toxicity test (only for *Pimephales promelas*), or
 - e. Less than 90% survival when acute toxicity is calculated from the results of the acute toxicity test.
9. The TIE shall be conducted to identify and evaluate toxicity in accordance with procedures recommended by the USEPA which include the following:
 - 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 Sampling 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).

¹² 3-Sample median is defined as follows: The middle value of 3 consecutive samples arranged from the low value to the high value.

10. If repeated toxicity tests reveal toxicity, 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 establishment of numerical 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.
11. The Date Gardens Mobile Home Park 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.

E. Provisions

1. This Board Order shall serve as a National Pollutant Discharge Elimination System Permit pursuant to Section 402 of the Federal Clean Water Act, as amended, and shall become effective at the end of ten (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 May 7, 2008, and the discharger shall submit an NPDES application and 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 comply with all conditions of this Board Order. Noncompliance constitutes a violation of the Federal Clean Water Act and Porter-Cologne Water Quality Control Act, and is grounds for enforcement action; for Permit termination, revocation and reissuance, or modification of WDRs; or denial of a Permit renewal application.
4. The discharger shall comply with "Standard Provisions for National Pollutant Discharge Elimination System Permit" dated October 1990 (attached).
5. The discharger shall comply with Monitoring and Reporting Program No. R7-2003-0054 and future revisions thereto, as specified by the Regional Board's Executive Officer.
6. 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.
7. 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.
8. The discharger shall, at all times, properly operate and maintain all systems and components of collection, treatment and control which are installed or used by the discharger to achieve compliance with the conditions of this Board Order. Proper operation and maintenance includes effective performance, adequate process controls and appropriate quality assurance procedures.

This provision requires the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of this Board Order. All systems both in service and reserved, shall be inspected and maintained on a regular basis. Records shall be kept of the inspection results and maintenance performed and made available to the Regional Board upon demand.

9. Facilities shall be available to keep the plant in operation in the event of commercial power failure.
10. 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 USEPA.
11. The discharger shall report any noncompliance that may endanger human health or the environment. The discharger shall immediately report orally information of the noncompliance as soon as (1) the discharger has knowledge of the discharge, (2) notification is possible, and (3) notification can be provided without substantially impeding cleanup or other emergency measures, to the Regional Board office and the Office of Emergency Services. During non-business hours, the discharger shall leave a message on the Regional Board office voice recorder. 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 one thousand (1,000) gallons occurring within the facility or collection system to the Regional Board office in accordance with the above time limits.
12. The discharger shall provide a report to the Regional Board when it determines that the treatment plant's average dry weather flowrate for any month exceeds 80 percent of the design treatment capacity specified in Finding No. 2 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.
13. 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.
14. The discharger shall comply with the following:
 - a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
 - b. 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 5 years from the date of the sample, measurement, report or application.

- c. Records of monitoring information shall include:
 1. The date, exact place, and time of sampling or measurements.
 2. The individual(s) who performed the sampling or measurements.
 3. The date(s) analyses were performed.
 4. The individual(s) who performed the analyses.
 5. The results of such analyses.
15. 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
16. 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.
17. 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 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 application process, or not reported pursuant to an approved land application plan.
18. In the event that there are storm water discharges associated with industrial activities, the discharger shall submit a Notice of Intent and/or maintain coverage under the General Storm Water Permit.
19. 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.
20. The discharger shall provide a plan as to the method, treatment, handling and disposal of sludge that is consistent with all State and Federal laws and regulations and obtain prior written approval from the Regional Board specifying location and method of disposal, before disposing of treated or

untreated sludge, or similar solid waste materials using a method not described in Finding No. 4.

21. The discharger shall maintain a permanent log of all solids hauled away from the treatment facility for use/disposal elsewhere and shall provide a summary of the volume, type (screenings, grit, raw sludge, digested sludge), use (agricultural, composting, etc.), and the destination in accordance with the Monitoring and Reporting Program of this Board Order. The sludge that is stockpiled at the treatment facility shall be sampled and analyzed for those constituents listed in the sludge monitoring section of the Monitoring and Reporting Program of this Board Order and as required by Title 40, Code of Federal Regulations, Part 503. The results of the analyses should be submitted to the Regional Board as part of the Monitoring and Reporting Program.
22. The discharger shall submit to the Regional Board a toxicity reduction evaluation (TRE) workplan (1-2 pages) within 90 days of the effective date of this permit. This plan shall describe the steps the permittee intends to follow in the event that toxicity is detected, and should include at a minimum:
 - a. A description of the investigation and evaluation techniques that will be used to identify potential causes/sources of toxicity, effluent variability, and treatment system efficiency;
 - b. A description of the facility's method of maximizing in-house treatment efficiency and good housekeeping practices, and a list of all chemicals used in operation of the facility;
 - c. If a toxicity identification evaluation (TIE) is necessary, who will conduct it (i.e., in-house or outside consultant).
23. 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 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.
24. The discharger shall begin monitoring its effluent for the seventeen (17) 2, 3, 7, 8-tetrachlorodibenzo-p-dioxin equivalents listed in Section 3, Table 4 of the "Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California", (congeners once during the dry weather and once during the wet weather within a period of three consecutive years). The purpose of the monitoring is to assess the presence and amounts of the congeners being discharged to inland surface waters, enclosed bays, and estuaries for the development of a strategy to control these chemicals in a future multi-media approach.
25. The discharger shall, as required by the 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.
26. 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.

27. This Board Order does not authorize violation of any federal, state, or local laws or regulations
28. 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.
29. This Board Order may be modified, rescinded and reissued, for cause. The filing of a request by the discharger for a Board Order modification, rescission and reissuance, 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 State Board or the Regional Board, including revisions to the Basin Plan.

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

Regional Administrator
U. S. 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 May 7, 2003.

Executive Officer