

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

ORDER NO. R7-2009-0010

**WASTE DISCHARGE REQUIREMENTS
FOR
NATHSONS CONSTRUCTION, INC., OWNER/OPERATOR
LA QUINTA INN AND SUITES WASTEWATER TREATMENT AND DISPOSAL SYSTEMS
City of Twentynine Palms, San Bernardino County**

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

1. Nathson Construction, Inc., 8018 E. Santa Ana Road, Suite 100-193, Anaheim Hills CA 92808 (hereinafter referred to as Discharger), submitted a Report of Waste Discharge (ROWD) dated May 12, 2008, to discharge treated domestic wastes via seepage pits generated by the proposed La Quinta Inn & Suites hotel, located at 72535 29 Palms Highway, Twentynine Palms CA 92277, in San Bernardino County. An Engineering Report, dated April 2008, was also submitted in support of the ROWD.
2. The Discharger is building an 84 room hotel in the City of Twentynine Palms. The hotel is located on a five (5) acre parcel in Section 31, T1N, R9E, San Bernardino Baseline and Meridian (SBB&M), as shown in Attachment A, attached hereto and made part of this Order by reference.

Wastewater System and Discharge

3. The Discharger proposes to build two (2) separate wastewater treatment facilities (WWTFs) to service the hotel. The main WWTF will treat up to 8,460 gallons per day (gpd) of domestic sewage generated by the 141 bed hotel, and the second WWTF will treat up to 1,500 gpd of gray water generated by the hotel's laundry facility.
4. The main WWTF will consist of an activated sludge package treatment plant referred to as the Purestream Biologically Engineered Single Sludge Treatment (BESST) system. The facility will include metering instrumentation, screening, an equalization tank, an extended aeration tank, a secondary clarifier, and an aerobic sludge digester. The plant may operate in nitrification/denitrification mode. Effluent will be disposed of via on-site seepage pits. Solids and sludge will be removed from the treatment train by a licensed septage hauler, and disposed of in accordance with state regulation.
5. The second WWTF consists of a two (2) chamber septic tank designed to handle peak flows of 1,500 gpd for gray water generated by the hotel's laundry facilities. Laundry wastewater will be separated from the main WWTF to avoid potential upsets caused by bleach used to wash sheets and towels. Effluent from the laundry septic tank will be discharged to an on-site seepage pit.
6. The Discharger proposes to use a grade level 1 State Certified Wastewater Treatment Plant Operator licensed to operate and maintain the WWTFs and disposal systems.

Hydrogeologic Conditions

7. The site is relatively flat, and has an average elevation of 2,070 feet above sea level, and is not within a FEMA designated 100-year flood plain.
8. The site is located in a seismically active desert region approximately ½ mile from a known fault trace.
9. Annual precipitation averages about 4.5 inches.
10. A geotechnical investigation conducted at the site in September 2006 by Landmark Geo-Engineers and Geologists collected data from three (3) borings, B-1, B-2 and B-3 drilled to 41.5 feet, 28.5 feet and 31.5 feet below ground surface (bgs) respectively. A geotechnical engineering report dated September 2006, titled "Geotechnical Investigation, Proposed La Quinta Inn and Suites, Twentynine Palms, California, LCI Report No.: LP07249 " indicated the following:
 - a. The site is underlain by silty sands, and sands with some gravel;
 - b. Subsurface soils are medium dense to very dense, and
 - c. No groundwater was encountered in the borings.
11. The Twentynine Palms Water District (District) provides domestic water services to the City of Twentynine Palms. The District currently uses 12 groundwater wells for water supply. Supply well data indicate areal groundwater is at least 200 feet bgs, and high quality. The District's 2006 Consumer's Confidence Report indicates the following for well samples collected in 2006:

| <u>Constituent</u> | <u>Units</u> | <u>Average Concentration</u> | <u>Range of Concentrations</u> |
|--|-------------------|------------------------------|--------------------------------|
| Arsenic | µg/L ¹ | 10.27 | ND ² - 31 |
| Chromium | µg/L | 9.9 | ND - 25 |
| Copper | mg/L ³ | 0.13 | ND - 0.25 |
| Fluoride | mg/L | 1.54 | 1.04 - 2.06 |
| Nitrate (as Nitrate, NO ₃) | mg/L | 9.99 | ND - 27 |
| Total Dissolved Solids | mg/L | 169 | 120 - 320 |
| Chloride | mg/L | 12.47 | 9.4 - 21 |
| Sulfate | mg/L | 19.09 | 9.9 - 70 |
| Sodium | mg/L | 44.5 | 20 - 110 |

¹ Micrograms per liter

² Non-detect

³ Milligrams per liter

12. District wells are screened in the Twentynine Palms aquifer. Groundwater in the Twentynine Palms aquifer is unconfined, and bordered by the Transverse Arch anticline to the north, the Pinto Mountain fault to the south, the southern Bullion Mountains to the east, and the Copper Mountains to the west. Locations of District wells are as follows:

| <u>Well Name</u> | <u>Location</u> | <u>Hydrologic Subunit</u> |
|------------------|-------------------|---------------------------|
| Well #3B | Sec. 31, T1N, R9E | Twentynine Palms |
| Well #4 | Sec. 31, T1N, R9E | Twentynine Palms |
| Well #13 | Sec. 36, T1N, R8E | Twentynine Palms |
| Well #14 | Sec. 36, T1N, R8E | Twentynine Palms |
| Well #6 | Sec. 33, T1N, R8E | Indian Cove |
| Well #7 | Sec. 33, T1N, R8E | Indian Cove |
| Well #9 | Sec. 33, T1N, R8E | Indian Cove |
| Well #10 | Sec. 30, T1N, R8E | Indian Cove |
| Well #11 | Sec. 30, T1N, R8E | Indian Cove |
| Well #12 | Sec. 33, T1N, R8E | Indian Cove |
| Well #16 | Sec. 32, T1N, R9E | Eastern |
| Well #TP-1 | Sec. 21, T1N, R9E | Mesquite Springs |

13. The well nearest to the proposed discharge is Well # 4, which is more than 1,000 feet from the disposal area. Groundwater at this location is thought to flow from the south to the north toward the center of the valley. The general regional groundwater flow pattern is from east to west according to Department of Water Resources Bulletin 118 (2/27/04).

Basin Plan, Beneficial Uses, and Regulatory Considerations

14. 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.
15. The proposed discharge is within the Dale Hydrologic Unit. Beneficial uses for groundwater in the Dale Hydrologic Unit include:
- a. Municipal supply (MUN),
 - b. Industrial supply (IND), and
 - c. Agricultural supply (AGR)
16. Waste Discharge Requirements (WDRs) implement narrative and numeric water quality objectives for ground and surface waters established by the Basin Plan. The numeric objectives for groundwater designated for municipal and domestic supply are the maximum contaminant levels (MCLs), and bacteriological limits specified in Section 64421 et seq. of Title 22, California Code of Regulations (CCR). The narrative objectives are:
- “Ground water...shall not contain taste or odor producing substances in concentrations that adversely affect beneficial uses as a result of human activity,” and “Discharges of water softener regeneration brines...to disposal facilities which ultimately discharge in areas where such wastes can percolate to ground water usable for domestic and municipal purposes are prohibited.”* (Basin Plan, page 3-8).
17. The discharge authorized by this Board Order, and treatment and storage facilities associated with discharges of treated municipal wastewater, except for discharges of residual sludge and solid waste, are exempt from the solid waste requirements of Title 27,

CCR, Section 20005 et seq. (hereinafter Title 27). This exemption is based on Section 20090(b) of Title 27, which states in relevant part that discharges of sewage or treated effluent are exempt provided discharges satisfy the following:

- a. Wastes consist primarily of domestic sewage and treated effluent;
- b. Wastes are regulated by a Board adopted WDR, or a WDR waiver;
- c. WDRs are consistent with applicable water quality objectives; and
- d. Treatment and disposal facilities described herein are associated with a municipal wastewater treatment plant.

Groundwater Degradation

18. State Water Resources Control Board (State Water Board) Resolution No. 68-16 ("Policy with Respect to Maintaining High Quality Waters of the State") (hereinafter Resolution No. 68-16) requires a Regional Water Board in regulating the discharge of waste to maintain high quality waters of the state (i.e., background water quality) until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than as described in plans and policies (e.g., violation of any water quality objective). Moreover, the discharge is required to meet WDRs that result in the best practicable treatment or control (BPTC) of the discharge necessary to assure pollution or nuisance will not occur, and highest water quality consistent with maximum benefit to the people will be maintained.
19. Some degradation of groundwater from the discharge to the seepage pits is consistent with Resolution No. 68-16, provided that this degradation:
 - a. Is confined to a reasonable area;
 - b. Is minimized by means of full implementation, regular maintenance, and optimal operation of BPTC measures;
 - c. Is limited to waste constituents typically encountered in domestic wastewater; and
 - d. Does not result in the loss of any beneficial use as prescribed in the applicable basin plan, or violation of any water quality objective.
20. The discharge of wastewater from the WWTFs, as permitted herein, reflects BPTC. The controls assure the discharge does not create a condition of pollution or nuisance, and that water quality will be maintained which is consistent with the anti-degradation provisions of Resolution No. 68-16. The WWTF incorporates:
 - a. Technology for secondary treated domestic wastewater;
 - b. Sludge handling facilities;
 - c. An operation and maintenance manual;
 - d. Staffing to assure proper operation and maintenance; and
 - e. A standby emergency power generator of sufficient size to operate the treatment plant and ancillary equipment during periods of loss of commercial power.

21. Constituents in domestic WWTF effluent that present the greatest risk to groundwater quality are nitrogen, coliforms (pathogen-indicator organisms), and dissolved salts (TDS). The proposed WWTFs provide substantial removal of soluble organic matter, solids, and nitrogen. While secondary treatment reduces fecal coliform densities by 90 to 99%, the remaining organisms in effluent are still 10^5 to 10^6 MPN/100 ml (United States Environmental Protection Agency, Design Manual, Municipal Wastewater Disinfection; October 1986). Given depth to groundwater and soil types beneath the seepage pits, effluent disinfection is not needed to prevent pathogen-indicator bacteria from reaching groundwater at densities exceeding those prescribed in Title 22, CCR. However, the WWTFs, seepage pits, and soils beneath the disposal areas are not likely to prevent groundwater degradation by TDS. Therefore, degradation to groundwater, if any, should be limited to the area underlying the disposal areas, and to salinity constituents.
22. The typical incremental addition of dissolved salts from domestic water usage is 150 to 380 mg/L. Considering current water conservation practices, the TDS increase allowed for this project is 300 mg/L. An average limitation of 470 mg/L for TDS in effluent, limits salt degradation to a reasonable amount (300 mg/L over the average TDS of municipal water supply), and reasonably protects present, and anticipated, future beneficial uses of groundwater beneath.
23. Groundwater limits equal to water quality objectives for indicator waste constituents are appropriate as well as a more restrictive limit for TDS in groundwater than that prescribed by Title 22, CCR. The proposed hotel contributes to economic development in the area. This factor and the associated increase in TDS are consistent with maximum benefit to the people of the State. Accordingly, the discharge as authorized is consistent with the anti-degradation provisions of Resolution 68-16.

Storm Water

24. Federal regulations for storm water discharges were promulgated by the United States Environmental Protection Agency (USEPA; 40 CFR Parts 122, 123, and 124). The regulations require specific categories of facilities discharging storm water associated with industrial activity to obtain National Pollutant Discharge Elimination System (NPDES) permits and to implement Best Conventional Pollutant Technology and Best Available Technology Economically Achievable to reduce or eliminate industrial storm water pollution.
25. The State Water Board 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 General Permit.
26. Pursuant to California Water Code Section 13263(g), the discharge of waste is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.

CEQA and Public Participation

27. On September 26, 2007, the City of Twentynine Palms, acting as the lead agency for the environmental review required pursuant to the California Environmental Quality Act (CEQA), (Pub. Resources Code, § 21000 et seq.), determined that the project was categorically exempt pursuant to Section 15332, Class 32, Infill Development, and a Notice of Exemption (NOE) was filed with the Office of Planning and Research on May 3, 2007. The Regional Water Board has considered the NOE, associated supporting documentation, and potential impacts to water quality, and has determined that compliance with these WDRs will prevent significant adverse impacts to water quality.
28. The Board has notified the Discharger and all known interested agencies and persons of its intent to draft WDRs for this discharge, and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
29. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the Discharger shall comply with the following:

A. Discharge Prohibitions

1. Discharge of wastes to surface waters or surface water drainage courses is prohibited.
2. Discharge of waste classified as 'hazardous,' as defined in Title 23, CCR, Section 2521(a), or 'designated,' as defined in California Water Code Section 13173, is prohibited.
3. Bypass or overflow of untreated or partially treated waste is prohibited, except as allowed in Provision E.12.
4. Discharge of waste at any point upstream of the WWTFs is prohibited.
5. Discharge of wastewater from WWTFs, other than into the seepage pits described in Finding Nos. 4 and 5, above, is prohibited.
6. WWTFs and seepage pits shall be maintained to prohibit sewage or treated effluent from surfacing or overflowing.

B. Discharge Specifications

7. The 30-day monthly average daily discharge from the main WWTF shall not exceed 8,460 gpd.
8. The 30-day monthly average daily discharge from the septic tank serving the laundry facilities shall not exceed 1,500 gpd.
9. Effluent from both wastewater treatment systems shall not have a pH below 6.0 or above

9.0.

10. The treatment or disposal of wastes from these facilities shall not cause pollution or nuisance as defined in Sections 13050(l) and 13050(m) of Division 7 of the California Water Code.
11. Public contact with wastewater and the subsurface disposal areas shall be precluded or controlled through fences, signs, or other acceptable alternatives.
12. The discharge shall not cause degradation of any water supply.
13. All treatment, storage, and disposal areas shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
14. Operation of the WWTF shall not cause pollution or nuisance as defined in Sections 13050(l) and 13050(m) of Division 7 of the California Water Code.
15. Effluent from the main WWTF shall not exceed the following effluent limits:

| Constituent | Units | Monthly Average | Weekly Average | Daily Maximum |
|-------------------------------|--------------|------------------------|-----------------------|----------------------|
| BOD ₅ ¹ | mg/L | 30 | 45 | 65 |
| Total Suspended Solids | mg/L | 30 | 45 | 65 |
| Nitrogen (as Total Nitrogen) | mg/L | 10 | 15 | 20 |
| Total Dissolved Solids (TDS) | mg/L | 470 | -- | -- |

¹ 5-day biochemical oxygen demand at 20 °C.

C. Sludge Disposal

16. Disposal of oil and grease, biosolids, screenings, and other solids collected from liquid wastes shall be pursuant to Title 27, and the review and approval of the Regional Water Board Executive Officer.
17. Any proposed change in use or disposal of biosolids requires the approval of the Regional Water Board Executive Officer, and U.S. Environmental Protection Agency Regional Administrator, who must be notified at least 90 days in advance of the change.
18. Sludge use and disposal shall comply with Federal and State laws and regulations, including permitting requirements, and technical standards in 40 CFR Part 503. If the State and Regional Water Boards are delegated the authority to implement 40 CFR Part 503 regulations, this Order may be revised to incorporate appropriate time schedules and technical standards. The Discharger shall comply with the standards and time schedules in 40 CFR part 503, whether or not part of this Order.

D. Groundwater Limitations

19. Discharge of waste constituents from leach lines shall not cause groundwater to:

- a. Contain constituents in excess of the following concentrations:

| Constituent | Units | Limitation |
|-------------------------------|--------------------------|-------------------|
| Ammonia (as NH ₄) | mg/L | 1.5 |
| Boron | mg/L | 0.7 |
| Chloride | mg/L | 106 |
| Iron | mg/L | 0.3 |
| Manganese | mg/L | 0.05 |
| Sodium | mg/L | 60 |
| Total Coliform Organisms | MPN ¹ /100 mL | < 2.2 |
| Total Dissolved Solids | mg/L | 470 |
| Nitrite (as N) | mg/L | 1 |
| Nitrate (as N) | mg/L | 10 |

¹ Most Probable Number

- b. Exhibit a pH of less than 6.5 or greater than 8.5 pH units.
- c. Acquire taste, odor, toxicity, or color that creates nuisance or impairs beneficial use.

E. Provisions

20. The Discharger shall comply with Monitoring and Reporting Program (MRP) No. R7-2009-0010, and future revisions thereto, as specified by the Regional Water Board Executive Officer.
21. Given the monitoring frequency prescribed by MRP No. R7-2009-0010, if only one sample is available for a given reporting period, compliance with monthly average, or weekly average Discharge Specifications, will be determined from that sample.
22. Prior to implementing a modification that results in a material change in the quality or quantity of wastewater treated or discharged, or a material change in the location of discharge, the Discharger shall report all pertinent information in writing to the Regional Water Board, and obtain revised requirements.
23. Prior to a change in ownership or management of WWTFs, 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 Water Board.
24. 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.
25. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
26. Standby, power generating facilities shall be available to operate the plant during a commercial power failure.
27. The Discharger shall comply with all of the conditions of this Board Order. Noncompliance is a violation of the Porter-Cologne Water Quality Control Act (Cal. Water Code, § 13000

et seq.), and grounds for enforcement action.

28. **At least 30 days prior to beginning WWTF operations and waste discharge**, the Discharger shall submit an engineering report pursuant to Section 13267 of the California Water Code. The report shall be prepared by a registered civil engineer experienced in the design of domestic wastewater treatment and disposal facilities, and describe:
- a. The as-built WWTFs and disposal systems;
 - b. The type and location of flow metering instruments installed to comply with the effluent flow limit, and MRP No. R7-2009-0010;
 - c. The subsurface disposal systems, including: the number, size, and construction specifications of the leach lines; the area covered by the seepage pits, and available standby area for 100% replacement of the seepage pits;
 - d. A map to scale (1 inch = 200 feet, or less) providing the location of the WWTFs, disposal area, and property boundaries;
 - e. Certification that the facilities were designed and built to comply with this order; and
 - f. The Operation and Maintenance (O&M) Plans for WWTFs, and subsurface disposal areas, which shall:
 - i. Instruct field personnel to manage daily discharge operations to comply with the terms and conditions of this Order, and make field adjustments to prevent nuisance conditions (e.g., surfacing water);
 - ii. Include nuisance condition, troubleshooting flowcharts for the WWTFs and disposal areas, and notification requirements in case of an emergency;
 - iii. Include an Inspection and Maintenance Plan describing the procedures and schedule for inspecting and testing the WWTFs, and necessary maintenance; and
 - iv. Provide instructions to determine when to remove grease/scum/sludge from the WWTFs, and proper procedures for disposal of removed solids.
29. The Discharger shall at all times properly operate and maintain all systems and components of collection, treatment and control, installed or used by the Discharger to achieve compliance with 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/systems when necessary to achieve compliance with this Board Order. All systems in service or reserved shall be inspected and maintained on a regular basis. Records of inspections and maintenance shall be retained, and made available to the Regional Water Board Executive Officer on request.
30. The Discharger shall report orally, any noncompliance that may endanger human health or the environment. The noncompliance shall be reported immediately to the Regional Water Board Executive Officer, and the Office of Emergency Services as soon as:
- a. the Discharger has knowledge of the discharge,
 - b. notification is possible, and
 - c. notification will not substantially impede cleanup or other emergency measures.

During non-business hours, the Discharger shall leave a message on the Regional Water Board office voice recorder. A written report shall be provided within five (5) business days the Discharger is aware of the incident. The written report shall include a description of the

noncompliance, the cause, period of noncompliance, anticipated time to achieve full compliance, and steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance. The Discharger shall report all intentional or unintentional spills occurring within the facility or collection system to the Regional Water Board office in accordance with the above time limits.

31. By-pass (i.e., the intentional diversion of waste streams from any portion of the treatment facilities, except diversions designed to meet variable effluent limits) is prohibited. The Water Board may take enforcement action against the Discharger for by-pass unless:
- a. (1) By-pass was unavoidable to prevent loss of life, personal injury, or severe property damage. Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to be inoperable,

or substantial and permanent loss of natural resources reasonably expected to occur in the absence of a by-pass. Severe property damage does not mean economic loss caused by delays in production; and

(2) There were no feasible alternatives to by-pass, such as the use of auxiliary treatment facilities or retention of untreated waste. This condition is not satisfied if adequate back-up equipment was not installed to prevent by-pass occurring during equipment downtime, or preventive maintenance;
 - b. (1) By-pass is required for essential maintenance to assure efficient operation; and
(2) Neither effluent nor receiving water limitations are exceeded; and
(3) The Discharger notifies the Board ten (10) days in advance.

The Discharger shall submit notice of an unanticipated by-pass as required in paragraph E.11 above.

32. The Discharger shall allow the Regional Water Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
- a. Enter the premises regulated by this Board Order, or the place where records are kept under the conditions of this Board Order;
 - b. Have access to and copy, at reasonable times, records 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.
33. 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 five (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 measurement;
 - (2) The individual who performed the sampling or measurement;
 - (3) The date the analysis was performed;
 - (4) The individual performing the analysis;
 - (5) The analytical technique or method used; and
 - (6) The result of the analysis.
34. Unless otherwise approved by the Regional Water Board Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the California Department of Public Health. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the United States Environmental Protection Agency.
35. The Discharger is the responsible party for the WDRs and the Monitoring and Reporting Program (MRP) for the facility. The Discharger shall comply with all conditions of these WDRs. Violations may result in enforcement action, including Regional Water Board orders or court orders that require corrective action or impose civil monetary liability, or modification or revocation of these WDRs by the Regional Water Board.
36. The Discharger shall provide adequate notice to the Regional Water Board Executive Officer of the following:
- a. The introduction of pollutants into any treatment facility 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 the pollutants were discharged directly
 - b. Any substantial change in the volume or character of pollutants introduced into any treatment facility described in the Findings of this Board Order, by an existing or new source; and
 - c. Any planned physical alteration or addition to the facilities described in this Board Order, or change 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.
37. 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 Water Board Executive Officer, or if required by an applicable standard for sludge use and disposal.

38. The Discharger shall apply for coverage under the NPDES General Permit for storm water discharges from construction activities for the site.
39. 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.
40. 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 MRP of this Board Order.
41. This Board Order does not convey property rights of any sort, or exclusive privileges, nor does it authorize injury to private property or invasion of personal rights, or infringement of federal, state, or local laws or regulations.
42. This Board Order may be modified, rescinded, or reissued, for cause. The filing of a request by the Discharger for a Board Order modification, rescission or reissuance, or notification of planned changes or anticipated noncompliance, does not stay any Board Order condition. Causes for modification include a change in land application plans, or sludge use or disposal practices, and adoption of new regulations by the State or Regional Water Board (including revisions to the Basin Plan), or Federal government.

I, Robert Perdue, 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 January 22, 2008.

Ordered by: _____
Robert Perdue
Executive Officer

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

MONITORING AND REPORTING PROGRAM NO. R7-2009-0010

FOR
NATHSONS CONSTRUCTION, INC., OWNER/OPERATOR
LA QUINTA INN AND SUITES WASTEWATER TREATMENT, AND DISPOSAL SYSTEMS
City of Twenty Nine Palms, San Bernardino County

Location of Wastewater Treatment Facilities and Discharges: Latitude/Longitude,
33° 08' 07" N / 116° 04' 47" W

MONITORING

1. The collection, preservation and holding times of all samples shall be in accordance with United States Environmental Protection Agency (USEPA) approved procedures. Unless otherwise approved by the Regional Water Board Executive Officer, all analyses shall be conducted by a laboratory certified by the California Department of Public Health. All analyses shall be conducted in accordance with the latest edition of the "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40 CFR Part 136), promulgated by the USEPA.
2. Samples shall be collected at the locations specified in the Permit. If no locations are specified, sampling shall be conducted at the most representative sampling points available.
3. If the facility is not in operation, or there is no discharge during a required reporting period, the Discharger shall forward a letter to the Regional Water Board indicating no activity during the required reporting period.

LAUNDRY EFFLUENT MONITORING

The Discharger shall monitor the seepage pit(s) serving the laundry septic system for the following:

| Constituents | Units | Type of Sample | Sampling Frequency | Reporting Frequency |
|---------------------|-------------------|-----------------------|---------------------------|----------------------------|
| Flow | gpd ¹ | measurement | Monthly | Monthly |
| TDS | mg/L ² | grab | Monthly | Monthly |
| MBAS ³ | mg/L | grab | Monthly | Monthly |

1 Gallons per day (average daily flow calculated from meter readings)

2 Milligrams per liter

3 Methylene Blue Active Substances

MAIN WASTEWATER FACILITY SECONDARY EFFLUENT MONITORING

The Discharger shall monitoring effluent from the main WWTF according to the followingschedule:

| Constituents | Units | Type of Sample | Sampling Frequency | Reporting Frequency¹ |
|------------------------|------------------|--------------------------|---------------------------|--|
| Flow | gpd ² | Measurement ³ | Weekly | Monthly |
| pH | pH units | Grab | Monthly | Monthly |
| 20°C BOD ₅ | mg/L | Grab | Monthly | Monthly |
| Suspended Solids | mg/L | Grab | Monthly | Monthly |
| Total Nitrogen | mg/L | Grab | Monthly | Monthly |
| Total Dissolved Solids | mg/L | Grab | Monthly | Monthly |
| VOCs ⁴ | µg/L | Grab | Annually | Annually |

¹ When analysis shows noncompliance with the limitations prescribed by Discharge Specification No. B.9, the Discharger shall increase the sampling frequency, for the constituent(s) in noncompliance, to one (1) sample per week, and continue sampling at that minimum frequency until either (a) the sampling shows compliance for two (2) consecutive months or (b) the Executive Officer authorizes the Discharger to resume the normal sampling schedule.

² Gallons per day

³ Average daily flow calculated from weekly meter readings.

⁴ Volatile Organic Compounds

WATER SUPPLY TO THE FACILITY

The Discharger shall establish a sampling station to collect representative samples of water supplied to the hotel for municipal use; and shall provide written notification of the proposed sampling station to the Executive Officer for review and approval. At a minimum, the municipal water supply shall be monitored for the following:

| Constituents | Units | Sampling Frequency |
|--------------------------------|--------------|---------------------------|
| TDS | mg/L | Monthly |
| pH | pH units | Monthly |
| Standard Minerals ¹ | mg/l | Annually |

¹ Standard Minerals shall include, at a minimum, the following elements/compounds: Calcium, Magnesium, Nitrogen, Potassium, Sulfate, Total Alkalinity (including alkalinityseries), and Hardness

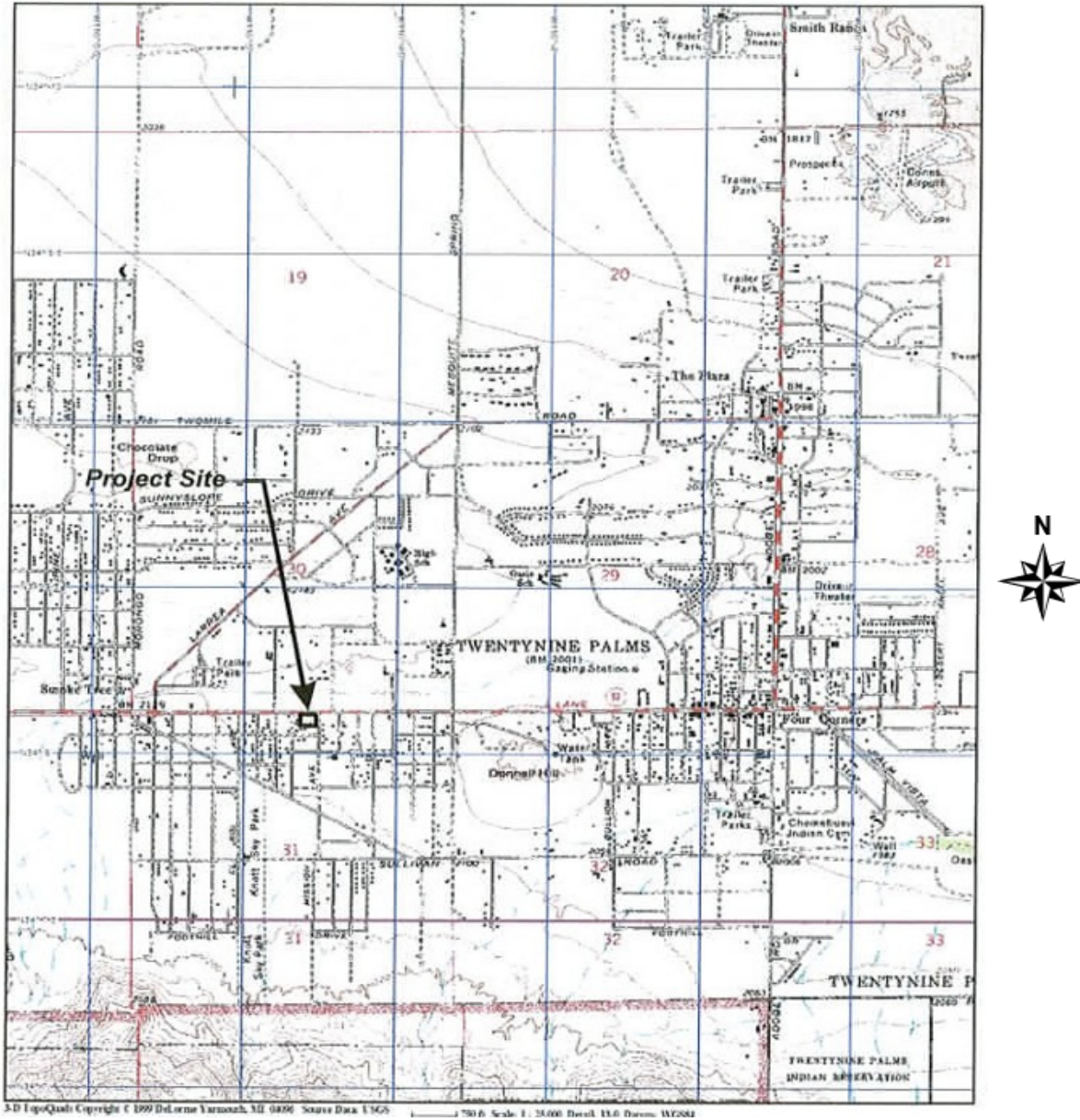
REPORTING

1. The Discharger shall arrange the data in tabular form so that the specified information is readily discernible. The data shall be summarized in such a manner as to clearly illustrate whether the facility is operating in compliance with Waste Discharge Requirements (WDRs). Where appropriate, the Discharger shall include supporting calculations (e.g., for monthly averages).
2. Records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measurement;
 - b. The individual performing the sampling or measurement;
 - c. The date the analysis was performed;
 - d. The individual performing the analysis;
 - e. The analytical technique or method used; and
 - f. The result of the analysis.
3. The result of any analysis taken more frequently than required at the locations specified in this Monitoring and Reporting Program (MRP) shall be reported to the Regional WaterBoard.
 4. Monitoring reports shall be certified under penalty of perjury to be true and correct, and shall contain the required information at the frequency designated in this MRP.
 5. Each report shall contain the following statement:

"I declare under the penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for knowing violations".
 6. The MRP, and other information requested by the Regional Water Board, shall be signed by a principal executive officer or ranking elected official.
 7. A duly authorized representative of the Discharger may sign the documents if:
 - a. Authorization is made in writing by the person described above;
 - b. Authorization specifies an individual or person having responsibility for the overall operation of the regulated disposal system; and
 - c. Written authorization is submitted to the Regional Water Board Executive Officer.
 8. Reporting a failure in the facility (wastewater treatment plant, and collection and disposal systems) shall be as described in Provision No. 11. Results of analyses performed shall be provided within 15 days of sample collection.
 9. The Discharger shall attach a cover letter to the Self Monitoring Report. The cover letter shall clearly identify WDR violations, discuss corrective actions taken or planned, and propose a time schedule for corrective action (if applicable). Identified violations shall describe the requirement violated, and the nature of the violation.
 10. Daily, weekly and monthly monitoring reports shall be submitted to the Regional Water Board by the 15th day of the following month. Quarterly monitoring reports shall be submitted to the Regional Water Board by January 15th, April 15th, July 15th, and October 15th, of each year. Annual monitoring reports shall be submitted to the Regional Water Board by January 15th of each year. The Discharger shall submit monitoring reports to:

California Regional Water Quality Control Board
Colorado River Basin Region

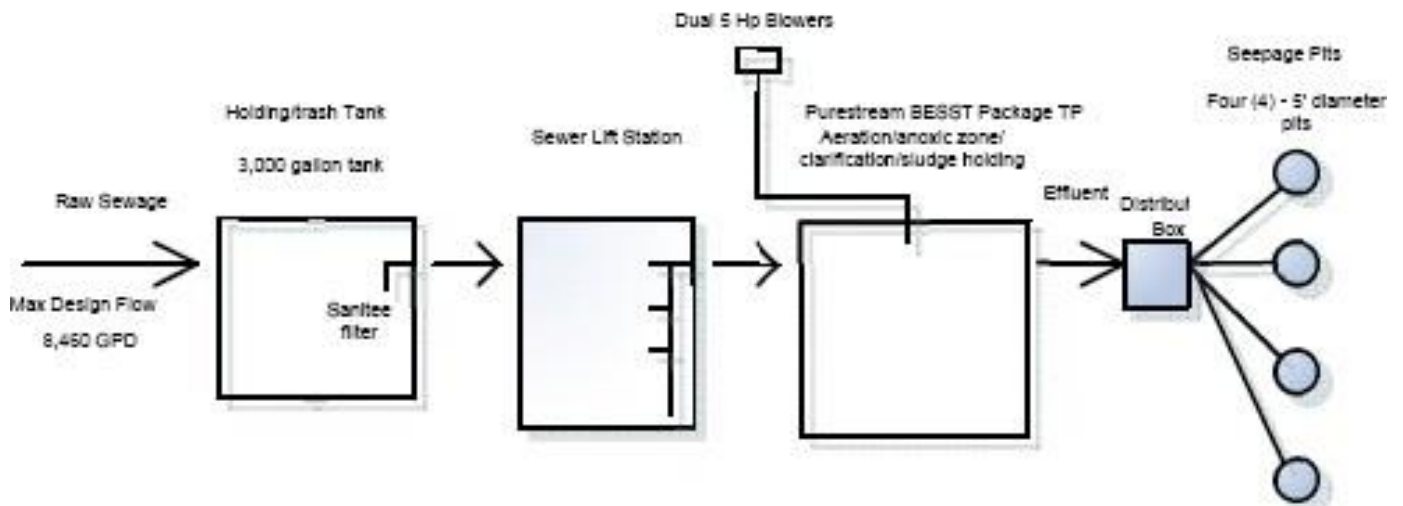


Nathsons Construction, Inc., Owner
La Quinta Inn and Suites Wastewater Treatment, and Disposal
Systems San Bernardino County
Facility Location: 34° 08' 07" N Latitude and 116.° 04' 47" W
Longitude

California Regional Water Quality Control Board
Colorado River Basin Region

SCHMATIC PROCESS DIAGRAM
FOR
LA QUINTA INN & SUITES
TWENTYNINE PALMS, CA

Projected Loadings
84 Rooms with 141 beds
141 beds x 60 gpd/bed = 8460 gpd max design flow
8,460 gpd x 300 mg/l BOD x 0.00000834 = 21.2 #/d BOD



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