CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

CENTRAL COAST REGION

JANUARY, 1984

STANDARD PROVISIONS AND REPORTING REQUIREMENTS

for

WASTE DISCHARGE REQUIREMENTS

CONTENTS:

A. General Conditions
B. General Monitoring Requirements
C. General Reporting Requirements
D. Bypasses or Upsets
E. Enforcement
F. Definitions (Defines terms that appear in quotes)

## A. General Permit Conditions:

Prohibitions:

1. Introduction of "incompatible wastes" to the treatment system is prohibited. (See F.9.)

2. Discharge of chemical and biological warfare agents is prohibited.

3. Discharge of "toxic wastes" is prohibited. (See F.18.)

4. Introduction of pollutants into the collection, treatment, or disposal system by an "indirect discharger" that:

   a) inhibit or disrupt the treatment process, system operation, or the eventual use or disposal of sludge; or,

   b) cause or "significantly contribute" to a violation of any requirement of this Order, is prohibited. (See F.17.)

5. Introduction of "pollutant-free" wastewater to the collection, treatment, and disposal system in amounts that threaten compliance with this order is prohibited. (See F.14.)

Provisions:

6. Production and use of reclaimed water shall conform with reclamation criteria established in Title 22, Chapter 3, of the California Code of Regulations. For uses of reclaimed water not addressed in Title 22 and not in the main body of this order, use is subject to review and dependent upon approval by the Executive Officer before use may begin (For uses addressed in Title 22, see C.8.).

7. Collection, treatment, and discharge of waste shall not create nuisance or pollution, as defined by Section 13050 of the California Water Code.

8. As necessary to assure safe and reliable collection, treatment, and disposal of waste and consistent compliance with this order, the discharger shall adopt and enforce a local source control program. (See C.16.)

9. Objectionable odors originating at this facility shall not be perceivable beyond the limits of the wastewater treatment and disposal areas.

10. The discharger shall prevent formation of a habitat for carriers of pathogenic microorganisms in any part of the treatment and disposal system.

11. Petroleum products, grease, and scum shall not be visible on disposal ponds.

12. Facilities and systems for collection, treatment, and control of wastewater shall be properly operated and maintained. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staff and training, and adequate laboratory and process controls, including appropriate quality assurance procedures.

13. Transport and treatment facilities and permanent disposal ponds shall be adequately protected against overflow, flooding, or washout as the result of a 100-year frequency flood or 100-year, 24-hour storm.

14. All disposal areas shall be on land owned or controlled by the discharger.

15. Operation of collection, treatment, and disposal systems shall be in a manner that precludes public contact with wastewater.

16. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed in a manner approved by the Executive Officer.

17. Publicly owned wastewater treatment plants shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Title 23 of the California Code of Regulations

18. The Regional Board shall be allowed:

    a) entry upon premises where an effluent source is located or where records must be kept under the conditions of this order;

    b) access to copy any records that must be kept under the conditions of this order;

    c) to inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this order; and,

d) to photograph, sample, and monitor for the purpose of showing compliance with this order.

19. After notice and opportunity for a hearing, this order may be terminated or modified for cause, including, but not limited to:

a) violation of any term or condition contained in this order;

b) obtaining this order by misrepresentation, or by failure to disclose fully all relevant facts;

c) a change in any condition or endangerment to human health or environment that requires a temporary or permanent reduction or elimination of the authorized discharge; and,

d) a material change in character, location, or volume of the discharge.

20. The order does not authorize commission of any act causing injury to the property of another, does not convey any property rights of any sort, does not remove liability under federal, state, or local laws, and does not guarantee a capacity right.

21. The discharger shall take all reasonable steps to minimize or correct adverse impacts on the environment resulting from noncompliance with this order.

22. Provisions of this order are severable. If any provision of the order is found invalid, the remainder of the order shall not be affected.

23. The discharger shall furnish, within a reasonable time, any information the Regional Board may request to determine compliance with this order or to determine whether cause exists for modifying or terminating this order.

24. Safeguards shall be provided to assure maximal compliance with all terms and conditions of this order. Safeguards shall include preventative and contingency plans and may also include alternative power sources, stand-by generators, retention capacity, operating procedures, or other precautions. Preventative and contingency plans for controlling and minimizing the effect of accidental discharges shall:

a) identify possible situations that could cause "upset", "overflow" or "bypass", or other noncompliance. (Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks, and pipes should be considered.)

b) evaluate the effectiveness of present facilities and procedures and describe procedures and steps to minimize or correct any adverse environmental impact resulting from noncompliance with the order.

25. Physical facilities shall be designed and constructed according to accepted engineering practice and shall be capable of full compliance with this order when properly operated

and maintained. Proper operation and maintenance shall be described in an Operation and Maintenance Manual. Facilities shall be accessible during the wet weather season.

26. Should additional data become available through monitoring or investigation that indicates compliance with this order is not adequately protecting ground water, the Regional Board will review and revise this order as appropriate.

B. General Monitoring Requirements:

1. Monitoring location, minimum sampling frequency, and sampling method for each parameter shall comply with the Monitoring and Reporting Program of this order. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, entitled "Guidelines Establishing Test Procedures for Analysis of Pollutants," unless other test procedures have been specified in this order.

2. If results of monitoring a pollutant appear to violate effluent limitations based on a weekly, monthly, 30-day, or six-month period, but compliance or non-compliance cannot be validated because sampling is too infrequent, the frequency of sampling must be increased to validate the test within the next monitoring period. The increased frequency must be maintained until the Executive Officer agrees the original monitoring frequency may be resumed.

For example, if suspended solids are monitored weekly and results exceed the weekly average numerical limit in the order, monitoring of suspended solids must be increased to at least four (4) samples every week (ref. paragraph F.1.).

3. Water quality analyses performed in order to monitor compliance with this order shall be by a laboratory certified by the State Department of Health Services for the constituent(s) being analyzed.

4. If the laboratory used or proposed for use by the discharger is not certified by the California Department of Health Services due to restrictions in the State's laboratory certification program, the discharger shall be considered in compliance with this provision provided:

   a) Data results remain consistent with results of samples analyzed by the Regional Board;

   b) A quality assurance program is used at the laboratory, including a manual containing steps followed in this program that is available for inspections by the staff of the Regional Board; and,

   c) Certification is pursued in good faith and obtained as soon as possible after the program is reinstated.

5. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Samples shall be taken during periods of peak loading conditions. Influent samples shall be samples collected from the combined flows of all incoming wastes, excluding recycled wastes. Effluent samples shall be samples collected downstream of the last treatment unit.

6. If any parameter is monitored at locations specified in the order more frequently than required and is analyzed using approved test procedures, the results shall be included in calculations and reports.

7. All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.

8. The discharger shall maintain records of all monitoring information, including all calibration and maintenance records; all original strip chart recordings for continuous monitoring instrumentation; the date, exact place, and time of sampling; the individual who performed the sampling; the date analysis was performed; the laboratory and individual who performed the analysis; the analytical techniques used; and results. Records shall be maintained for a minimum of three years. This period may be extended during the course of any unresolved litigation or when requested by the Board.

C. General Reporting Requirements:

1. Monitoring results shall be reported at intervals and in a manner specified in the Monitoring and Reporting Program of this order.

2. Monitoring reports shall be submitted on State Water Resource Control Board Form Q2 or an acceptable alternate form. A master copy of the form will be supplied by the Regional Board upon request.

3. Any noncompliance that may endanger health or the environment shall be reported orally within 24 hours from the time the discharger becomes aware of the circumstances (telephone: 805-549-3147). Unless waived by the Executive Officer of the Regional Board, a written report shall he submitted within five (5) days of awareness and shall contain a description of the noncompliance and its cause; the period of noncompliance (including exact dates and times) or anticipated duration; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. This provision includes, but is not limited to:

   a) violation of a discharge prohibition;

   b) any "upset", "overflow", or 'bypass";

   c) violation of a discharge limitation for any "hazardous substance."

4. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule shall be submitted within 14 days following each scheduled date unless otherwise specified within the order. If reporting non compliance, the report shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance. A second report shall be submitted within 14 days of full compliance.

5. All instances of noncompliance not reported under paragraph numbers C.3. and C.4., above, shall be submitted along with monitoring reports. The report shall contain the information listed in paragraph C.3.

6. Reports shall be submitted in advance of any planned changes in the permitted facility or activity that may result in noncompliance.

7. The "discharger" shall file a report of waste discharge or secure a waiver from the Executive Officer at least 120 days before making any material change or proposed change in the character, location, or volume of the discharge.

8. An engineering report as specified by Section 60323, Chapter 3, Title 22, of the California Code of Regulations is required, and written approval of the Executive Officer must be received by the discharger and user, before reclaimed water is supplied for any uses and to any users other than those enumerated in this Order.

9. Within 120 days after the discharger discovers, or is notified by the Regional Board, that monthly average daily flow will or may reach design capacity of waste treatment and/or disposal facilities within four (4) years, the discharger shall file a written report with the Regional Board. The report shall include:

   a) the best estimate of when the monthly average daily dry weather a flow rate will equal or exceed design capacity; and,

   b) a schedule for studies, design, and other steps needed to provide additional capacity for waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units.

In addition to complying with paragraphs C.14.c and C.15, the required technical report shall be prepared with public participation and reviewed, approved and jointly submitted by all planning and building departments having jurisdiction in the area served by the waste collection, treatment, or disposal facilities.

10. The "Discharger" shall submit reports to the:

    California Regional Water
    Quality Control Board
    Central Coast Region
    81 Higuera St., Suite 200
    San Luis Obispo, CA 93401-5427

11. Transfer of control or ownership of a waste Discharge facility must be preceded by a notice to the Regional Board at least 30 days in advance of the proposed transfer date. The notice must include a written agreement between the existing discharger and proposed discharger containing specific date for transfer of responsibility, coverage, and liability between them. Whether an order may be transferred without modification and a public hearing is at the discretion of the board. If order modification is necessary, transfer may be delayed 120 days after the Regional Board's receipt of a complete Report of Waste Discharge.

12. Except for data determined to be confidential under Section 13267(b) of the California Water Code, all reports prepared in accordance with this order shall the available for public inspection at the office of the Regional Board.

13. Should the Discharger discover that it failed to submit any relevant facts or that it submitted incorrect information in a report, it shall promptly submit the missing or incorrect information.

14. All reports shall be signed as below:

    a) For a corporation; by a principle executive officer of at least the level of vice president;

    b) For a partnership or sole proprietorship; by a general partner or the proprietor, respectively;

    c) For a public agency; by either a principal executive officer or ranking elected official; or,

    d) Their "duly authorize] representative."

15. Any person signing a report makes the following certification, whether it is expressed or implied:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments 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 fine and imprisonment."

16. By January 30 of each year, the discharger shall submit an annual report to the Regional Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. The Discharger shall discuss the compliance record and corrective actions taken, or which may be needed, to bring the discharger into full compliance. The report shall address operator certification and provide a list of current operating personnel and their grade of certification. The report shall inform the Board of the date of the Facility's Operation and Maintenance Manual ( including contingency plans as described in Provision A.24 . ), of the date the manual was last reviewed, and whether the manual is complete and valid for the current facility. The report shall restate, for the record, the laboratories used by the discharger to monitor compliance with effluent limits and provide a summary of performance relative to Section B, General Monitoring Requirements.

If the facility treats industrial or domestic wastewater and there is no provision for periodic sludge monitoring in the Monitoring and Reporting Program, the report shall include a summary of sludge quantities, analyses of its chemical and moisture content, and its ultimate destination.

If appropriate, the report shall also evaluate the effectiveness of the local source control or pretreatment program using the State Water Resources Control Board's "Guidelines for Determining the Effectiveness of Local Pretreatment Program."

17. The discharger must notify the Regional Board whenever there is a substantial change in the volume or character of pollutants being introduced into the wastewater system. Notice shall include information on the quality and quantity of waste being introduced to the system and the anticipated impact of the waste upon the quantity and quality of the aggregate discharge.

18. The discharger must notify the Regional Board as soon as it knows or has reason to believe that it or an indirect discharger has begun, or expects to begin, use or manufacture of a "toxic waste" or "hazardous substance" not reported in the Report of Waste Discharge that may, directly or indirectly, discharge into the treatment and disposal system.

D. Bypasses or Upsets

1. Bypass

a) If the discharger knows in advance of the need for a "bypass", it shall submit notice to the Executive Officer at least 10 days before the "bypass".

b) Enforcement action will be taken against the discharger for "bypass" unless:

(1) "Bypass" was unavoidable to prevent loss of life, personal injury, or "severe property damage";

(2) There was no feasible alternative to the "bypass," such as use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment downtime. (This condition is not satisfied if adequate back-up equipment could have been installed to prevent a "bypass" which occurred during normal periods of equipment down-time or preventive maintenance); and,

(3) The discharger submitted notice to the Executive Officer as specified in paragraphs C.3. and D.1.a., above.

2. Upset

A discharger seeking to establish the occurrence of an "upset" has the burden of proof. A discharger who wishes to establish the affirmative defense of "upset" shall demonstrate, through properly signed, contemporaneous operating logs or other relative evidence that:

a) an "upset" occurred and the discharger can identify the specific cause(s) of the "upset"; and,

b) the facility was at the time of "upset" being properly operated; the discharger submitted notice of "upset" within 24 hours; and the discharger took all reasonable steps to minimize or correct any adverse impact on the environment.

E. Enforcement:

1. The discharger must comply with all conditions of this order. Noncompliance violates state law and is grounds for enforcement action or modification of the existing order.

2. Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of section 13267 of the California Water Code, or falsifying any information provided therein, is guilty of a misdemeanor.

3. The discharger and any person who violates waste discharge requirements and/or who intentionally or negligently discharges waste or causes or permits waste to be deposited where it is discharged into surface waters of the state may be liable for civil and/or criminal remedies, as appropriate, pursuant to sections 13350, 13385, and 13387 of the California Water Code.

4. Upon reduction, loss, or failure of any part of the wastewater facility, the discharger shall, to the extent necessary to maintain compliance with this order, control production or all discharges, or both, until the facility is restored or an acceptable interim method of treatment or disposal is provided. Should enforcement action be brought against the discharger, the necessity to halt or reduce the permitted activity in order to obtain compliance with the conditions of this order shall not be a defense.

F. Definitions:

1. "Average" or "Mean" is the arithmetic mean of daily concentrations over the specified period in which "N" is the number of days samples were analyzed during the period and "X" is either the constituent concentration (mg/l) or flow for each sampled day. To be valid, "N" must be four or greater.

2. "Bypass" means the diversion of waste streams around any portion of a treatment facility to the disposal area or from the treatment facility to a nonauthorized location.

3. A "composite sample" is a combination of no fewer than eight (8) individual samples obtained at equal time intervals (usually hourly) over the specified sampling (composite) period. The volume of each individual sample is proportional to the flow rate at time of sampling. The period shall be specified in the Monitoring and Reporting Program ordered by the Executive Officer.

4. "Daily Discharge" means the discharge of a pollutant measured during a calendar day or during any 24-hour period reasonably representative of the calendar day for purposes of sampling.

5. "Daily Maximum" limit means the maximum acceptable concentration or mass emission rate of a pollutant measured during a calendar day or during any 24-hour period

reasonably representative of the calendar day for purposes of sampling. Its normally compared with results based on "composite samples".

6. "Duly Authorized Representative" is one where:

   a) the authorization is made in writing by a person described in the signatory paragraph (C.14:a,b, or c) of this document;
   b) the authorization specifies either an individual or the occupant of a position having responsibility for the overall operation of the regulated facility, such as the plant manager; and,

   c) the written authorization was submitted to the Regional Board.

7. A "grab sample" is defined as any individual sample collected in less than 15 minutes. "Grab samples" shall be collected during peak loading conditions, which may or may not be during hydraulic peaks.

8. "Hazardous substance" means any substance designated as hazardous or extremely hazardous in sections 66680 or 66685 of the California Code of Regulations (Title 22, Division 4, Chapter 30, Article 9).

9. "Incompatible wastes" are:

   a) Wastes which create a fire or explosion hazard in the treatment works;

   b) Wastes which will cause corrosive structural damage to treatment works, including all wastes with a pH lower than 5.0 unless the works is specifically designed to accommodate such wastes;

   c) Solid or viscous wastes in amounts which cause obstruction to flow in sewers, or which cause other interference with proper operation of treatment works;

   d) Any waste, including oxygen demanding pollutants (BOD, etc.), released in such volume or strength as to cause inhibition or disruption in the treatment works and subsequent treatment process upset and loss of treatment efficiency; and,

   e) Heat in amounts that inhibit or disrupt biological activity in the treatment works or that raise influent temperatures above 40°C (104°F) unless the treatment works is designed to accommodate such heat.

10. "Indirect Discharger" means a nondomestic discharger introducing pollutants into a publicly owned treatment and disposal system.

11. "Log Mean" is the geometric mean. Used for determining compliance of fecal or total coliform populations, it is calculated with the following equation:

$$\text{Log Mean} = \left(C_1 * C_2 * \ldots * C_N\right)^{1/N}$$

in which "N" is the number of days samples were analyzed during the period and any "C" is the concentration of bacteria (MPN/100 ml) found on each day of sampling. To be valid, "N" must be five or more.

12. "Median" is the value below which half the samples (ranked progressively by increasing value) fall. It may be considered the middle value, or the average of two middle values. To be valid, three or more values are required.

13. "Overflow" means the intentional or unintentional diversion of flow from the collection and transport systems, including pumping facilities, and from disposal areas.

14. "Pollutant-free wastewater" means infiltration and inflow, storm waters, and cooling waters and condensates which are essentially free of pollutants.

15. "Severe property damage" means substantial physical damage to property, damage to treatment facilities which causes them to become inoperable, or substantial and permanent loss to natural resources which can reasonably be expected to occur in the absence of a "bypass". It does not mean economic loss caused by delays in production.

16. "Sludge" means the solids, residues, and precipitates separated from, or created in, wastewater by the unit processes of a treatment system.

17. "To significantly contribute" to a waste discharge requirement violation means an "indirect discharger" must:

    a) Discharge a daily pollutant loading in excess of that allowed by contract with the discharger or by state or local law;

    b) Discharge wastewater which substantially differs in nature or constituents from its average discharge;

    c) Discharge pollutants, either alone or in conjunction with discharges from other sources, which results in a waste discharge requirement violation or prevents sludge use or disposal; or,

    d) Discharge pollutants, either alone or in conjunction with pollutants from other sources, that increase the magnitude or duration of waste discharge requirement violations.

18. "Toxic waste" means any toxic and persistent waste which falls within the following categories:

    a) PCB's
    b) Pesticides
    c) Toxic Metals
    d) Cyanides

e) Halogenated Organics
f) Non-halogenated volatile organics

19. "Upset" means an exceptional incident causing noncompliance with technology-based effluent limitations because of factors beyond the reasonable control of the discharger. It does not include noncompliance caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.