

**State of California  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION**

**TIME SCHEDULE ORDER NO. R4-2008-YYXX**

**REQUIRING THE CITY OF SIMI VALLEY  
(SIMI VALLEY WATER QUALITY CONTROL PLANT)  
TO COMPLY WITH REQUIREMENTS PRESCRIBED IN  
ORDER NUMBER R4-2008-XXXX  
(NPDES PERMIT NO. CA0055221)**

The California Regional Water Quality Control Board, Los Angeles Region (hereafter Regional Board), finds:

1. The City of Simi Valley (hereafter The City or Discharger) owns and operates the Simi Valley Water Quality Control Plant (hereafter Simi Valley WQCP), a publicly owned treatment works (POTW) located at 600 West Los Angeles Avenue, Simi Valley, California, within the Calleguas Watershed.
2. The treatment system at the Simi Valley WQCP consists of primary sedimentation, activated sludge biological treatment with nitrification and denitrification, secondary sedimentation, dual media filtration, chlorination, and dechlorination. Primary sludge is anaerobically digested and waste activated sludge is thickened and aerobically digested. Sewage solids separated from the wastewater are dried in sludge drying beds and transported off site to a landfill facility. The Simi Valley WQCP was recently upgraded to remove nutrient from the wastewater. However, the treatment facility is not designed to remove chloride or other salts from the influent.
3. In 1990, the Regional Board adopted Resolution 90-04, Effects of Drought-Induced Water Supply Changes and Water Conservation Measures on Compliance with Waste Discharge Requirements within the Los Angeles Region (the Drought Policy). Resolution 90-04 was intended to provide short-term and temporary relief to dischargers who were unable to comply with limits for chloride due to effects of drought on chloride levels in supply waters imported into the Region. The drought Policy was renewed twice, once in June 1993 and again in February 1995.

On January 27, 1997, the Regional Board adopted Resolution No. 97-02, Amendment to the Water Quality Control Plan to Incorporate a Policy for Addressing Levels of Chloride in Discharges of Wastewaters. The adoption of Resolution No. 97-02 served to: rescind Resolution No. 90-04 (the Drought Policy); grant a variance (interim relief) to some POTW dischargers in the Santa

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Clara River and Calleguas Creek watersheds; and set an interim chloride limit at 190 mg/L for three years.

On April 13, 1998, the Regional Board adopted Order No. 98-027, which temporarily amended Simi Valley WQCP's National Pollutant Discharge Elimination System (NPDES) Order and the NPDES Orders of other POTWs, to include a chloride daily maximum effluent limit of 190 mg/L. This interim limit expired on January 9, 2001. There was nothing in place to extend the interim limit beyond the January 9, 2001 date.

4. Several reaches of Calleguas Creek have been identified on the 303(d) List as not meeting water quality standards for chloride, because the surface waters above Potrero Road do not meet the Basin Plan chloride water quality objective of 150 mg/L.
5. On March 22, 2002, USEPA Region 9 established the Calleguas Creek Total Maximum Daily Load for chloride (*USEPA Chloride TMDL*) in accordance with Section 303(d) of the Clean Water Act, because USEPA anticipated that the State of California would not complete adoption of the Calleguas Creek Chloride TMDL by the March 22, 2002 deadline specified in a federal consent decree to which USEPA is subject. USEPA used the 150 mg/L objective in the Basin Plan and lower in stream targets to establish mass-based waste load allocations (WLAs) and load allocations (LAs) for all identified sources of chloride in the watershed. The *USEPA Chloride TMDL* established a WLA of 10,100 lbs/day for the Simi Valley WQCP during normal conditions, and a WLA of 9,200 lbs/day during drought conditions. The USEPA Chloride TMDL did not contain any compliance schedule or any interim limits. The WLAs established in the USEPA Chloride TMDL were subsequently incorporated into Order Nos. R4-2003-0079, R4-2003-0081, and R4-2003-0083, NPDES permit Nos. CA0053597, CA0055221, and CA0056294, which govern the discharges from the Camarillo WRP, Simi Valley WQCF, and the Hill Canyon WWTP. Petitions with the State Water Resources Control Board for administrative review of those orders were subsequently filed.
6. On August 14, 2002 the City of Simi Valley (Simi Valley Water Quality Control Plant (WQCP)), Thousand Oaks (Hill Canyon Wastewater Treatment Plant (WWTP)), City of Thousand Oaks (Hill Canyon Wastewater Treatment Plant (WRP)), Camrosa Sanitation District (Camrosa WRP), Ventura County Water Works District No. 1 (Moorpark WWTP) ("Petitioners") and the Los Angeles Regional Board entered into a "Stipulation for Order Issuing Stay, with Conditions," which stayed the chloride final effluent limitation in the respective NPDES Orders, and established an interim limit of 190 mg/L. On October 17, 2002, the State Board adopted WQO 2002-0017, which approved the August 14, 2002 stipulation. The stay was intended to allow the Regional Board to reconsider the chloride water quality objectives, and if necessary establish a

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TMDL regulating salt discharges into the Southern Reaches of the Calleguas Creek Watershed.

7. On June 5, 2003, the Regional Board adopted concurrent NPDES Orders and Time Schedule Orders (TSOs) for the Camarillo WRP, the Hill Canyon WWTP, and the Simi Valley WQCP. Order No. R4-2003-0081 serves as the NPDES permit (NPDES No. CA0055221) for the Simi Valley WQCP, and Order No. R4-2003-0082, serves as the TSO. NPDES Order No. R4-2003-0081 prescribed final effluent limits for chloride based on the *USEPA Chloride TMDL*. TSO No. R4-2003-0082, established a schedule of compliance for chloride, along with an interim limit of 190 mg/L. The Petitioners collectively petitioned the 2003 revised NPDES Orders to the State Board, requested an extension of the chloride stay, and asked that the petitions be held in abeyance.
8. On October 10, 2003 Petitioners and the LA Regional Board entered into a "Stipulation for Further Order Issuing Stay, with Conditions," which stayed the chloride final effluent limitation in the respective NPDES Orders, and extended the 190 mg/L interim limit, consistent with the previous stipulation. On November 19, 2003, the State Board adopted WQO 2003-0019, which approved the October 10, 2003 stipulation and held the petitions in abeyance for three years (until November 19, 2006).
9. On September 28, 2006, the State Board granted an extension of the abeyance until July 15, 2008, when the petition will be dismissed without prejudice.
10. On October 4, 2007, the Regional Board adopted Resolution No. 2007-016, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate the TMDL for Boron, Chloride, Sulfate, and TDS (Salts) in the Calleguas Creek Watershed (Regional Board Salts TMDL)*, which established final WLAs for chloride, sulfate, and TDS; provides a compliance schedule; and, sets interim limits for the aforementioned constituents for the duration of the compliance schedule. The *Regional Board Salts TMDL* is pending approval by the State Board, the Office of Administrative Law (OAL), and USEPA. The *Regional Board Salts TMDL* will become effective at the conclusion of the approval process, and with respect to chloride, will supercede the March 22, 2002 USEPA-promulgated TMDL.
11. The dischargers have participated with other stakeholders in the Calleguas Creek Watershed Management Plan Committee to develop a watershed-wide solution to the salts water quality problem. The proposed Calleguas brine line will remove salts (chloride, TDS, sulfate, and boron) from inland waters in the Calleguas Creek Watershed and discharge them to the ocean through a permitted outfall.

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12. NPDES Order No. R4-2008-XXXX prescribes the effluent limitations for chloride based upon the USEPA Chloride TMDL is presented in the Table below.

**Table 1. Final Effluent Limitation**

Constituent	Units	Discharge Limitations		
		Daily Maximum	7-Day Average	Monthly Average
Chloride	lbs/day	10,100 <sup>1</sup>	--	--
Chloride	lbs/day	9,200 <sup>2</sup>	--	--

13. The Discharger cannot consistently meet the above-mentioned effluent limits on their respective compliance dates. The Regional Board intends to enter into a new stipulation, such that the 190 mg/L chloride interim limit is extended until such time that the Regional Board-adopted Calleguas Creek Watershed Salts TMDL has undergone the full approval process by State Board, Office of Administrative Law, and USEPA.
14. The Regional Board acknowledges that the Discharger has made substantial efforts to upgrade its wastewater treatment plant and to participate with stakeholders in the watershed to develop and implement a regional salt management plan. The Regional Board issues this Order in recognition that the Discharger needs time to complete construction and startup operations of a capital improvement project associated with the brine line.
15. California Water Code section 13300 allows the discharger “to submit for approval by the board, with such modifications as [the board] may deem necessary, a detailed time schedule of specific actions the discharger shall take in order to correct or prevent a violation of requirements.” The Discharger has a strategy for complying with the chloride limits. Through this TSO, the Discharger will be required to submit updates associated with the existing workplan specifying the actions the Discharger will take in order to prevent the violations of the applicable effluent limitations for chloride. Upon submittal, the Regional Board will evaluate the updated information associated with the previously submitted workplan.
16. The action taken by this Regional Board pertaining to the time schedule does not preclude the possibility of actions to enforce the waste discharge requirements and permit by third parties pursuant to section 505 of the Federal Clean Water Act.

<sup>1</sup> This effluent limitation is derived from the waste load allocation (WLA) under routine conditions, according to the Chloride TMDL promulgated by USEPA on March 22, 2002.

<sup>2</sup> This effluent limitation is derived from the waste load allocation (WLA) under drought conditions, according to the Chloride TMDL promulgated by USEPA on March 22, 2002.

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17. The Regional Board may reopen this TSO at its discretion or at the request of the Discharger, if warranted.
18. This TSO concerns an existing facility, does not otherwise alter the status quo with respect to the facility, and is, therefore, categorically exempt from the provisions of the California Environmental Quality Act (Public Resources Code, §21100, et seq.) in accordance with section 15301 of Title 14, California Code of Regulations.

The Board notified the Discharger and interested agencies and persons of its intent to issue a time schedule Order concerning violations or threatened violations of waste discharge requirements.

The Board, in a public hearing, heard and considered all testimony pertinent to this matter. All Orders referred to above, Regional Board files on this matter, and records of hearings and testimony therein are included in the administrative record for this matter.

**IT IS HEREBY ORDERED** that, pursuant to the California Water Code section 13300, the City of Simi Valley, as operator of the Simi Valley Water Quality Control Plant, shall:

1. Immediately comply with the chloride interim effluent limit:

**Table 2. Interim Effluent Limitation**

Constituent	Units	Discharge Limitations		
		Daily Maximum	7-Day Average	Monthly Average
Chloride	mg/L	190 <sup>3</sup>	--	--

2. Make progress towards achieving compliance with the final effluent limitations in NPDES Order No. R4-2008-XXXX for chloride.
3. The City shall submit updated information with respect to its previously submitted workplan for achieving compliance with the limitations for chloride. The update should include milestones with dates for the various aspects of the project during the multiple phases.

<sup>3</sup> This interim limit is the concentration-based interim limit for chloride that was agreed to by stipulation, and approved by State Board Orders DWQ 2002-0017 (October 17, 2002) and DWQ 2003-0019 (November 19, 2003). It remains in effect until the Regional Board-adopted Calleguas Creek Watershed Salts TMDL is in effect, or until the TMDL is disapproved by any of the relevant agencies with approval authority.

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4. Submit quarterly progress reports of efforts towards compliance with the effluent limits for chloride.
5. If the Discharger fails to comply with any provisions of this Order, the Executive Officer may issue an Administrative Civil Liability Complaint pursuant to California Water Code section 13323. The Regional Board may also refer the case to the Attorney General for injunction and civil monetary remedies, pursuant to California Water Code sections 13331 and 13385.
6. Except as described herein, this Order does not affect any provision of NPDES Order No. R4-2008-XXXX.
7. This Order shall dissolve upon the effective date of the Regional Board adopted Resolution No. 2007-016, referred to as the Calleguas Creek Watershed Salts TMDL, or upon disapproval of that TMDL.

**IT IS SO ORDERED.**

I, Tracy J. Egoscue, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on June 5, 2008.

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Tracy J. Egoscue  
Executive Officer

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