

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. R5-2009-XXXX

TENTATIVE WASTE DISCHARGE REQUIREMENTS
FOR
CITY OF TAFT
TAFT FEDERAL PRISON WASTEWATER TREATMENT FACILITY
KERN COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Regional Water Board) finds that:

1. The City of Taft (hereafter Discharger) owns a wastewater treatment and disposal facility (WWTF) with a design capacity of 0.46 million gallons per day (mgd) that provides sewerage service for about 2400 inmates and employees at the Taft Federal Prison (hereafter Prison). The Discharger also owns the ¼-mile trunk line that transports the Prison wastewater from the Prison to the WWTF. SouthWest Water Company operates and maintains the WWTF under contract with the Discharger.
2. The City of Taft is about 4¼ miles to the northwest. Both the Prison and the WWTF are in Midway Valley on the north side of Cadet Road about 1½ miles east of Highway 33 in Section 27, T32S, R24E, MDB&M, in Kern County, as shown on Attachment A, a part of this Order.
3. Waste Discharge Requirements (WDRs) Order No. R5-2004-0011, a National Pollutant Discharge Elimination System (NPDES) permit (NPDES No. CA0083755) adopted by the Regional Water Board on 30 January 2004, regulated the WWTF's disinfected secondary treated discharge to Sandy Creek, an ephemeral stream. Order No. R5-2004-0011 recognized Sandy Creek as a water of the United States and prescribed effluent limitations for 5-day biochemical oxygen demand (BOD₅), total suspended solids (TSS), settleable solids (SS), pH, electrical conductivity (EC), total coliform organisms, acute toxicity, and total chlorine residual.
4. The total chlorine residual limitation contained in Order No. R5-2004-0011 was established to protect the warm freshwater habitat (WARM) designated beneficial use of Sandy Creek. As the Discharger was unable to immediately comply with the total chlorine residual effluent limitation, Order No. R5-2004-0011 included a time schedule for the Discharger to install the dechlorination and monitoring equipment necessary to achieve compliance by 2 January 2006.
5. Following adoption of Order No. R5-2004-0011, the Discharger requested review of whether Sandy Creek is a water of the United States subject to NPDES permitting requirements and whether WARM is a probable beneficial use of Sandy Creek. Based on information provided by the Discharger and facts obtained by Regional Water Board staff, the Regional Water Board adopted Special Order No. R5-2005-0060 on 29 April 2005 to delay until 29 January 2009 the costly implementation of dechlorination and continuous chlorine monitoring. The delay provided the Discharger and the Regional Water Board additional time to gather evidence for formal decisions concerning whether Sandy Creek is

a water of the United States and to conduct a Use Attainability Analysis (UAA) to determine whether WARM is a beneficial use of Sandy Creek or one that can probably be dedesignated (see Finding 30).

6. The United States Environmental Protection Agency (USEPA) conducted an assessment, including a 28-29 February 2008 site visit, of the jurisdictional status of Sandy Creek for purposes of the federal Clean Water Act. Regional Water Board staff participated in the site visit on 29 February 2008. By a letter dated 10 April 2008, the USEPA transmitted the results of the assessment and the site visit findings to the Regional Water Board. USEPA indicated that evidence suggests Sandy Creek is hydrologically isolated and not a water of the United States.
7. Based on the USEPA's evaluation and the information gathered by Regional Water Board staff, Sandy Creek is not a water of the United States as defined under the federal Clean Water Act and associated regulations. Thus, discharges to Sandy Creek are not subject to regulation under the NPDES program, and it is appropriate to terminate NPDES Permit No. CA0083755 by rescinding Order No. R5-2004-0011.

Wastewater Treatment Facility

8. The WWTF consists of headworks with a bar screen and a flow meter, activated sludge oxidation ditch, secondary clarifier, chlorine contact chamber, an unlined 10.4 million-gallon-capacity emergency effluent storage pond, and eight unlined sludge drying beds. The WWTF flow diagram is depicted in Attachment B, a part of this Order. The treated municipal wastewater is discharged to Sandy Creek at latitude 35° 07' 34" North and longitude 119° 22' 32" West.
9. Wasted sludge from the secondary clarifier is pumped to unlined sludge drying beds. Dried sludge is stockpiled in an on-site, unlined storage area for approximately two years before it is transported to SYNAGRO Technologies, Inc., South Kern Compost Manufacturing Facility east of Taft. Title 40 of the Code of Federal Regulations Part 503 (40 CFR 503), which contain current federal regulations on use and disposal of sewage sludge (biosolids) on land, regards reasonable storage on land as less than two years. The stored sludge is residual sludge within the meaning of Finding 53.
10. The Discharger's self-monitoring reports (SMRs) from January 2004 to September 2008 characterize the discharge as follows:

<u>Constituent / Parameter</u>	<u>Units</u>	<u>Average Influent</u>	<u>Average Effluent</u>
Monthly Average Daily Flow	mgd	--	0.26
Settleable Solids	mL/L	--	< 0.1
BOD ₅ ¹	mg/L	250	2.8
TSS ²	mg/L	192	2.6

<u>Constituent / Parameter</u>	<u>Units</u>	<u>Average Influent</u>	<u>Average Effluent</u>
EC ³	µmhos/cm	702	622
Total ammonia (as N)	mg/L	--	0.02 ⁴
Nitrate (as N)	mg/L	--	17
Total Residual Chlorine	mg/L	--	2.4

¹ 5-day, 20°C biochemical oxygen demand

² Total suspended solids

³ Conductivity at 25°C

⁴ Non-detect values were set equal to one-half of the detection limit

11. The Prison obtains its water supply from West Kern Water District, which primarily imports water from the California Aqueduct and recharges it on the western edge of the Kern River Alluvial Fan for subsequent extraction. The water is of high quality with electrical conductivity of 444 µmhos/cm, total dissolved solids (TDS) of 294 mg/L, sodium of 48 mg/L, chloride of 35 mg/L, and nitrate (as N) of 0.36 mg/L (West Kern Water District Consumer Confidence Report 2007).
12. Self-monitoring reports from January 2007 to September 2008 indicate that the WWTF discharge has an EC incremental increase of about 250 µmhos/cm, well below Order No. R5-2004-0011's limitation of an incremental increase of 500 µmhos/cm.
13. Self-monitoring reports show that winter flows from the WWTF are not greater than the summer flows, which indicates insignificant inflow and infiltration to the collection system during the winter months.
14. WDR Order No. 96-035, which preceded Order No. R5-2004-0011, required the Discharger to enter into an agreement with the California Department of Water Resources (DWR) to maintain the area around the California Aqueduct's siphon structure in Sandy Creek to prevent the creation of a wetland. The Discharger signed a maintenance agreement with DWR on 7 May 1996. The terms of the agreement are valid as long as the WWTF discharges into Sandy Creek.

Site-Specific Conditions

15. The WWTF and discharge area are in an arid climate characterized by hot dry summers and mild winters. Average annual precipitation and pan evaporation in the discharge area are 5.8 inches and 95 inches, respectively.
16. Land uses in the WWTF vicinity include extractive industrial (oil fields), undeveloped areas with native vegetation, agricultural, and institutional use (i.e., the Prison immediately west of the WWTF) according to DWR land use data published in 1998.

17. Crops historically grown within one-half mile of Sandy Creek from the discharge point and its terminus include cotton and safflower.
18. Federal Emergency Management Agency maps indicate the WWTF is not within a 100-year floodplain.

Groundwater Conditions

19. Midway Valley is underlain by Recent alluvial fan deposits consisting of interbedded sands, silts, and clays overlying the Pleistocene Tulare Formation. A Geomega, Inc., 2008 study *Phase II Groundwater Investigation Report, Valley Waste Disposal Company, Midway Valley – Southeast Taft Area* (Geomega 2008 Report) indicates that the base of the Recent alluvial fan deposits, which forms the top of the Tulare Formation, appears to create a barrier to percolating water, thus, creating a perched water table.
20. Depth to groundwater in the vicinity of the WWTF varies considerably. Data maintained by DWR for three wells (State well numbers 32S24E 24N001, 26A001, and 26N001) just east and northeast of the WWTF show groundwater was approximately 210 to 300 feet below ground surface (bgs) from 1961 to 1978. The Geomega 2008 Report indicates groundwater exists in the Recent alluvial fan deposits northwest of the WWTF at about 100 to 210 bgs and flows in a southeasterly direction from Midway Valley toward the San Joaquin Valley floor.
21. Kern County Water Agency, *Water Supply Report 2000*, indicates that groundwater near the WWTF and the Sandy Creek discharge point is of poor quality with TDS concentrations of approximately 5,000 mg/L.
22. The Geomega 2008 Report identifies a monitoring well (21H) as being representative of native groundwater. The well is proximate to Sandy Creek about a mile upgradient of the WWTF discharge point. In October 2007 and March 2008, the depth to groundwater in monitoring well 21H was about 140 feet bgs. Presented below are selected analytical results for samples collected from monitoring well 21H:

<u>Date</u>	<u>Calcium (mg/L)</u>	<u>Sodium (mg/L)</u>	<u>Chloride (mg/L)</u>	<u>Sulfate (mg/L)</u>	<u>Nitrate-N (mg/L)</u>	<u>Boron (mg/L)</u>	<u>EC (umhos/cm)</u>	<u>TDS (mg/L)</u>
10/9/2007	460	280	190	1500	4.9	2.6	3100	2700
3/18/2008	620	360	190	1800	14	11	3800	3600

23. Up until the 1930's, oil production disposal practices included discharging the crude oil/produced water mixture directly into natural surface water drainages, including Sandy Creek, and constructing dikes on the surface water drainages to skim off the oil. Today, produced water is disposed by evaporation or percolation in lined and unlined sumps.

24. Produced water from the Midway-Sunset Oil Field contains high concentrations of dissolved minerals (i.e., > 25,000 umhos/cm) and nitrogen (generally greater than 10 mg/L as N). Percolation of produced water from current and historical waste disposal practices appear to have contributed to the poor quality of groundwater in Midway Valley and the San Joaquin Valley floor by adding salts, including nitrates.
25. Due to the poor quality, groundwater in Midway Valley is not known to be used for any beneficial use. West Kern Water District imports surface water and supplies water in the area except for agricultural irrigation, which is imported and supplied by Wheeler Ridge – Maricopa Water Storage District. To be used for MUN, groundwater would have to be treated by a process to remove salts, which would also remove nitrate (e.g., reverse osmosis or distillation).

Basin Plan, Beneficial Uses, and Water Quality Objectives

26. The *Water Quality Control Plan for the Tulare Lake Basin, Second Edition, revised January 2004* (hereafter Basin Plan) designates beneficial uses, establishes narrative and numerical water quality objectives, contains implementation plans and policies for protecting all waters of the Basin, and incorporates, by reference, plans and policies of the State Water Resources Control Board (State Water Board). Pursuant to Section 13263(a) of the California Water Code (CWC), these requirements implement the Basin Plan.
27. The Basin Plan on page II-1 states, “Protection and enhancement of beneficial uses of water against quality degradation is a basic requirement of water quality planning under the Porter-Cologne Water Quality Control Act. In setting water quality objectives, the Regional Water Board must consider past, present, and probable future beneficial uses of water.” Also, with respect to disposal of wastewaters the Basin Plan states that “...use of waters for disposal of wastewaters is not included as a beneficial use.” The Basin Plan at page II-2 states, “The existing and probable beneficial uses which currently apply to surface waters are presented in Figure II-1 and Table II-1. The beneficial uses of any specifically identified water body generally apply to its tributary streams. In some cases a beneficial use may not apply to the entire body of water. In these cases the Regional Water Board’s judgment will be applied. It should be noted that it is impractical to list every surface water body in the Region. For unidentified water bodies, the beneficial uses will be evaluated on a case-by-case basis.”
28. The WWTF and discharge area lie in the Taft Hydrologic Area (HA 557.20) of the South Valley Floor Hydrologic Unit (HU 557), as shown in the interagency hydrologic map prepared by DWR in August 1986. The Basin Plan specifies that surface waters within HU 557 are Valley Floor Waters. The Basin Plan does not specifically identify beneficial uses for Sandy Creek but does designate beneficial uses for Valley Floor Waters.
29. The Basin Plan designates the beneficial uses of Valley Floor Waters, and thus Sandy Creek, as agricultural supply (AGR); industrial service supply (IND); industrial process

supply (PRO); water contact recreation (REC-1); noncontact water recreation (REC-2); WARM; wildlife habitat (WILD); rare, threatened or endangered species (RARE); and groundwater recharge (GWR).

30. In reviewing whether the existing and/or potential uses of Valley Floor Waters occur in Sandy Creek, the following were considered:

a. Agricultural Supply (AGR)

Sandy Creek, an ephemeral stream that is dry except during or immediately after storm events, is not a practical source of water for agricultural supply, especially given the consistent supply of imported surface water. The WWTF discharge is a relatively small induced flow, which quickly infiltrates into the streambed along the one-mile wetted reach it creates in Sandy Creek. It does not reach areas where irrigation withdrawals would occur in quantities that would serve as a practical irrigation supply.

b. Industrial Supplies (IND and PRO)

As Sandy Creek is dry except during or immediately after storm events, it is not a viable source of water for industrial supplies. Under normal conditions, the small WWTF discharge flows for only about a mile before it completely infiltrates into the streambed. For industries that require a constant and reliable water volume and consider water quality of secondary concern, unless the volume requirement is small and withdrawals are made near the WWTF discharge point, the small available volume and the withdrawal location restrictions make Sandy Creek an undesirable source of water. For industries where water quality is of significant concern, the WWTF discharge is a relatively poor source of water compared to the abundant imported potable water supply available. These characteristics of Sandy Creek make it an undesirable and unlikely source for industrial water supplies.

c. Water Contact and Noncontact Water Recreation (REC-1 and REC-2)

There is public access to Sandy Creek and exclusion of the public is unrealistic. However, the discharge point is about four miles downstream of the City of Taft and only a few residences are nearby (closest approx. 0.15 miles). Sandy Creek downstream of the discharge point is surrounded by oil fields and privately owned farms. There appears to be little potential for significant water-contact public use of Sandy Creek downstream of the WWTF discharge point because of: 1) the small WWTF discharge volume creates shallow water conditions (i.e., less than 12 inches deep), 2) the wetted section of Sandy Creek is small (approximately 1 mile), 3) dense vegetation in and along the creek hinders access, and 4) its distance from any facility that people frequent. The wetted section of Sandy Creek is too far from Taft for children to walk to, and people driving to that area are more likely to go to the California Aqueduct for water related recreation. In brief, the reach of Sandy Creek affected by

the discharge is remote and public contact in any manner (i.e., REC-1 and REC-2) is infrequent.

d. Preservation and Enhancement of Fish, Wildlife and Other Aquatic Resources (WARM, WILD and RARE)

The Basin Plan (Table II-1) designates Valley Floor Waters as WARM, WILD, and RARE. Typical desert vegetation grows in the streambed but wetland type vegetation grows where the discharge sustains flows. As described in Finding 5, the Discharger requested review of whether WARM is a probable beneficial use of Sandy Creek. At the request of Regional Water Board staff, California Department of Fish and Game (DFG) staff observed Sandy Creek on 12 May 2008 to evaluate whether WARM exists. DFG staff observed evidence of WARM, WILD, and RARE and recommends that these uses remain designated beneficial uses of Sandy Creek. By 21 October 2008 letter, Regional Water Board staff informed the Discharger that based on DFG's findings and requirements of the CWC to protect beneficial uses, Regional Water Board staff does not intend to act on the Discharger's UAA work plan or initiate the process to reconsider the WARM designated beneficial use of Sandy Creek.

e. Groundwater Recharge (GWR)

Water from Sandy Creek will percolate to groundwater. Since Sandy Creek is dry except during and immediately after storm events, the WWTF discharge is the only flow in the stream most of the time and, under normal conditions, completely infiltrates into the streambed. Because of the high salinity described in Findings 21 and 22, the groundwater is not used for municipal and domestic supply, industrial supplies, or agricultural supply. Groundwater is unlikely to be extracted for any use now or in the foreseeable future.

31. The flow conditions and habitat of Sandy Creek, as depicted above, indicate that not all beneficial uses designated for Valley Floor Waters are probable for Sandy Creek. Probable and actual beneficial uses for Sandy Creek are likely limited to WARM, WILD, RARE, limited REC-1, and limited REC-2. However, designated beneficial uses must be protected from impacts of the discharge. Exceptions would necessitate documentation sufficient to support a formal Basin Plan amendment to dedesignate certain uses and establish beneficial uses specific to Sandy Creek.
32. Based on available information and the Discharger's SMRs, Sandy Creek is an ephemeral stream that is effluent dominated. The ephemeral nature means that no consistent receiving water dilution is available to buffer pollutants and help protect the designated beneficial uses. The discharge itself, consequently, cannot contain pollutants in concentrations that cause harm to aquatic life and other beneficial uses.
33. The WWTF is in Detailed Analysis Unit (DAU) No. 260 within the Kern County Basin hydrologic unit. The Basin Plan designates the beneficial uses of groundwater in this DAU

as municipal and domestic supply (MUN) and industrial service supply (IND). As indicated in Finding 25, surface water supplies are imported for MUN purposes because the groundwater quality in Midway Valley is poor and cannot be used for MUN without costly treatment.

34. Basin Plan water quality objectives to protect the beneficial uses of surface water and groundwater include numeric objectives and narrative objectives, including objectives for chemical constituents, toxicity, and taste and odor. The toxicity objective requires that waters be maintained free of toxic substances in concentrations that produce detrimental physiological responses in humans, plants, or animals. The chemical constituent objective states waters shall not contain chemical constituents in concentrations that adversely affect any beneficial use, and, at a minimum, waters designated MUN shall not exceed the maximum contaminant levels (MCLs) in Title 22 of the California Code of Regulations. The tastes and odors objective states that waters shall not contain taste- or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses. The Basin Plan requires the application of the most stringent objective necessary to ensure that surface and groundwaters do not contain chemical constituents, toxic substances, radionuclides, or taste and odor producing substances in concentrations that adversely affect beneficial uses.
35. The Basin Plan, page IV-21, contains an implementation policy (“Application of Water Quality Objectives”) that specifies that the Regional Water Board “*will, on a case-by-case basis, adopt numerical limitations in orders which will implement the narrative objectives.*” This implementation policy provides a procedure for establishing numerical limitations that will implement Basin Plan narrative objectives. The Regional Water Board must consider, among other things, information submitted by a discharger and other interested parties and relevant numerical criteria and guidelines developed or published by other agencies and organizations on harmful concentrations of constituents. The latter include the State Water Board, California Department of Public Health, California Office of Environmental Health Hazard Assessment, California Department of Toxic Substances Control, University of California Cooperative Extension, DFG, USEPA, United States Food and Drug Administration, National Academy of Sciences, United States Fish and Wildlife Service, and Food and Agricultural Organization of the United Nations.
36. Water in the Tulare Lake Basin is in short supply, requiring importation of surface waters from other parts of the State. The Basin Plan establishes that discharges to surface water will not be an acceptable permanent disposal method where opportunity exists to replace an existing use or proposed use with recycled water.
37. Order No. 96-035 required the Discharger to evaluate reclamation opportunities. As found in Order No. R5-2004-0011, the Discharger made genuine efforts to recycle its effluent; however, the Discharger determined reclamation was not economically feasible, and the Regional Water Board agreed that reclamation was impractical at that time.

38. On 7 November 2008, a City of Taft representative informed staff that the Discharger had engaged in recent discussions with a local farmer about recycling the WWTF effluent. On 9 March 2009, the Taft City Council reportedly directed the City Manager to proceed with the purchase of 547 acres near the WWTF outfall. The Discharger intends to use this acreage to reclaim the WWTF effluent, thereby allowing the Discharger to cease its discharge to Sandy Creek.

Effluent Limitations

39. The Basin Plan prohibits the discharge of toxic materials in toxic concentrations and includes a water quality objective that requires all surface waters be maintained free of toxic substances in toxic concentrations. WARM is a designated and existing beneficial use of Sandy Creek (see Finding 30), which must be protected. The Discharger uses chlorine to disinfect the WWTF effluent. Chlorine is toxic to aquatic organisms when discharged to surface waters. In addition, untreated domestic wastewater contains ammonia. Wastewater treatment plants commonly use nitrification, a biological process that converts ammonia to nitrate, to remove ammonia from the waste stream. Inadequate or incomplete nitrification may result in the discharge of ammonia to the receiving stream. Ammonia is known to cause toxicity to aquatic organisms in surface waters.
40. USEPA recommends, in its *Ambient Water Quality Criteria for the Protection of Fresh Water Aquatic Life*, a maximum chlorine concentration (1-hour average) of 0.019 mg/L and a continuous chlorine concentration (4-day average) of 0.011 mg/L. The use of chlorine as a disinfectant presents a reasonable potential that it could be discharged in toxic concentrations. The Discharger does not dechlorinate the effluent before discharging to Sandy Creek. The average effluent total residual chlorine concentration from January 2007 through September 2008 was 2.8 mg/L. This Order includes effluent limitations for chlorine to protect receiving water aquatic life beneficial uses. Dechlorination systems are capable of removing chlorine to the USEPA recommended criteria. As chlorine is an acutely toxic constituent that can and will be monitored continuously, an average one-hour limitation is considered more appropriate than an average daily limitation. Average one-hour and four-day limitations for chlorine, based on these criteria, are included in this Order. No dilution was considered (see Finding 32).
41. USEPA's 1999 *Update of Ambient Water Quality Criteria for Ammonia* (1999 Ammonia Update), for total ammonia, recommends acute (1-hour average; criteria maximum concentration) standards based on pH and chronic (30-day average, criteria continuous concentration) standards based on pH and temperature. The 1999 Ammonia Update indicates that ammonia is generally more acutely toxic to wild fish than to other aquatic species while invertebrates appear to be more sensitive to chronic toxicity. The 1999 Ammonia Update identifies two invertebrates, the amphipod *Hyalella* and fingernail clam *Musculium*, as having two of the four most sensitive genus mean chronic values used to quantify the chronic toxicity criterion.

42. Order No. R5-2004-0011 included a finding that stated that USEPA recommended ammonia criteria are based on invertebrates that may or may not exist in Sandy Creek and insufficient information is available to determine whether the discharge has reasonable potential to cause ammonia toxicity to aquatic life in Sandy Creek. Order No. R5-2004-0011 required the Discharger to study the impacts of ammonia on the wetted section of Sandy Creek and develop ammonia effluent limitations if the discharge has a reasonable potential to cause toxicity. SMRs between 1 January 2004 and 30 September 2008 show that there is no reasonable potential to exceed ammonia criteria calculated based on worst case temperature and pH conditions even if it were assumed that the most sensitive invertebrate upon which the USEPA criteria are based exists in Sandy Creek. Thus, ammonia effluent limitations are not included in this Order. However, this Order includes receiving water limitations for un-ionized ammonia based on Basin Plan water quality objectives and requires the Discharger to continue monitoring the effluent and receiving water for ammonia.
43. As described above, the Basin Plan requires that no discharge of toxic materials in toxic concentrations occur to Sandy Creek. The Discharger must ensure that specific aquatic species meet specified survival rates using USEPA test methods for estimating the toxicity of the effluent to freshwater organisms, as specified herein.
44. The 1988 Memorandum of Agreement (MOA) between California Department of Public Health (DPH) and the State Water Board on the use of recycled water establishes basic principles relative to the agencies and the regional water boards. In addition, the MOA allocates primary areas of responsibility and authority between these agencies, and provides for methods and mechanisms necessary to assure ongoing, continuous future coordination of activities relative to the use of recycled water in California.
45. The DPH's *Uniform Guidelines for Wastewater Disinfection* recommends that when discharge is to ephemeral streams with limited use and little or no natural flow during all or part of the year, the effluent have a median coliform bacteria most probable number (MPN) not exceeding 23/100 mL based on the last seven samples for which analyses have been completed and that the maximum coliform MPN not exceed 20 times that of the median. The guidelines also recommend that when a median coliform MPN of 23/100 mL is required, bacteriological samples should be collected at least twice per week. Order No. R5-2004-0011 required that the maximum MPN not exceed 240/100 mL.
46. The circumstances of Sandy Creek described in Finding 30 reflect the stream conditions for the DPH recommendations described in Finding 45. Although public contact with the discharge is unlikely, it is appropriate that the effluent meet the coliform limitations determined by DPH to ensure adequate public health protection. This Order carries over the total coliform limitations of the previous permit.
47. The Basin Plan identifies the greatest long-term problem facing the entire Tulare Lake Basin as the increase in salinity in groundwater, which has accelerated due to the intensive use of soil and water resources by irrigated agriculture. The Basin Plan recognizes that

degradation is unavoidable until there is a long-term solution to the salt imbalance. Until then, the Basin Plan establishes several salt management requirements including:

- a. The incremental increase in salts from use and treatment must be controlled to the extent possible. The maximum EC of a discharge shall not exceed the EC of the source water plus 500 $\mu\text{mhos/cm}$.
- b. Discharges to areas that may recharge good quality groundwaters shall not exceed an EC of 1,000 $\mu\text{mhos/cm}$, a chloride content of 175 mg/L, or boron content of 1.0 mg/L.

The WWTF discharge does not recharge good quality groundwater (see Findings 21 and 22), thus, the Basin Plan effluent limitations in subsection b. of this finding for EC, chloride, and boron do not apply, nor is a ceiling EC effluent limitation necessary to protect existing or foreseeable future beneficial uses of Sandy Creek or groundwater. This Order contains an EC effluent limitation that limits the incremental salt increase consistent with the Basin Plan.

Pretreatment

48. In the past, the WWTF had been upset on occasion due to poor pretreatment. This Order requires, as did the previous two Orders, that the City implement pretreatment legal authorities, programs, and controls to ensure indirect discharges do not introduce pollutants to the WWTF that might pass through the treatment system or inhibit or disrupt treatment processes and cause a violation of the Order. This Order also requires, as did WDRs Order No. R5-2004-0011, that the City implement pretreatment legal authorities, programs, and controls to ensure incompatible wastes are not introduced into the treatment systems that could cause upsets, disruptions or interferences, which may result in violation of this Order.

Antidegradation Analysis

49. State Water Board Resolution No. 68-16 (hereafter Resolution 68-16) requires the Regional Water Board in regulating discharges of waste to maintain high quality waters of the State 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 described in the water quality policies (i.e., quality will not exceed water quality objectives). Resolution 68-16 requires any activity that produces a waste be regulated to meet best practicable treatment or control to assure that pollution or nuisance will not occur and the highest water quality consistent with the maximum benefit to the people of the State will be maintained.
50. The Regional Water Board conducted an antidegradation analysis and concluded that the discharge was consistent with Resolution 68-16 when it adopted Order No. R5-2004-0011.

51. This Order does not authorize an increase in permitted volume or mass of pollutants from what the Regional Water Board previously authorized in Order No. R5-2004-0011. As such, the activity authorized by this Order will not result in water quality lower than previously permitted by Order No. R5-2004-0011. In this circumstance, no further antidegradation analysis is required.

Other Regulatory Considerations

52. 40 CFR 503, Standards for the Use or Disposal of Sewage Sludge, establishes management criteria for protection of ground and surface waters, sets application rates for heavy metals, and establishes stabilization and disinfection criteria. The Discharger may have separate and/or additional compliance, reporting, and permitting responsibilities to USEPA.
53. The discharge authorized herein and the treatment and storage facilities associated with the discharge of treated municipal wastewater, except for discharges of residual sludge and solid waste, are exempt from the requirements of Title 27, California Code of Regulations (CCR), Section 20005 et seq. The exemption, pursuant to Title 27, CCR, Section 20090(a), is based on the following:
- a. The waste consists primarily of domestic sewage and treated effluent;
 - b. The waste discharge requirements are consistent with water quality objectives; and
 - c. The treatment and storage facilities described herein are associated with a municipal wastewater treatment plant.

CEQA

54. The action to adopt this Order is exempt from the provisions of CEQA (Public Resources Code Sections 21100-21177) pursuant to Title 14, CCR, Section 15301, Class 1 exemption for minor alterations to existing facilities with no expansion of existing use.

General Findings

55. Pursuant to CWC Section 13263(g), discharge is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.
56. The Regional Water Board will review this Order periodically and will revise requirements when necessary.
57. Section 13267 of the CWC states, in part, that:

In conducting an investigation specified in [Section 13267] subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

58. The technical reports required by this Order and the attached Monitoring and Reporting Program No. R5-2009-XXXX are necessary to assure compliance with these waste discharge requirements. The Discharger owns the WWTF that discharges the waste subject to this Order.
59. The Discharger is not required to obtain coverage under a NPDES general industrial storm water permit because storm water runoff from the WWTF property remains on site and does not discharge to a water of the United States.

Public Notice

60. All the above and the supplemental information and details in the attached Information Sheet, which is incorporated by reference herein, were considered in establishing the following conditions of discharge.
61. The Discharger and interested agencies and persons have been notified of the intent to prescribe waste discharge requirements for this discharge, and they have been provided an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
62. All comments pertaining to the discharge were heard and considered in a public meeting.

IT IS HEREBY ORDERED that Waste Discharge Requirements Order No. R5-2004-0011 and Special Order No. R5-2005-0060 are rescinded and that, pursuant to CWC Sections 13263 and 13267, the City of Taft and its agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the CWC and regulations adopted thereunder, shall comply with the following at the above described WWTF:

[Note: Other prohibitions, conditions, definitions, and some methods of determining compliance are contained in the attached *Standard Provisions and Reporting Requirements for Waste Discharge Requirements* dated 1 March 1991.]

A. Prohibitions

1. Discharge of wastes at a location or in a manner different from that described in the Findings is prohibited.
2. Bypass or overflow of untreated or partially treated waste, except as allowed by Provision E.2 of *Standard Provisions and Reporting Requirements for Waste Discharge Requirements* (March 1991), is prohibited.
3. Discharge of waste classified as 'hazardous', as defined in Section 2521(a) of Title 23, CCR, Section 2510 et seq., is prohibited. Discharge of waste classified as 'designated,' as defined in CWC Section 13173, in a manner that causes violation of groundwater limitations, is prohibited.

B. Effluent Limitations

1. The monthly average daily discharge flow shall not exceed 0.46 mgd.
2. The discharge from the WWTF shall not exceed the following effluent limitations:

<u>Constituent</u>	<u>Units</u>	<u>Monthly Average</u> ^{1, 5}	<u>Weekly Average</u> ⁵	<u>Daily Maximum</u>
Settleable Solids	ml/L	0.1	-	0.5
BOD ₅ ²	mg/L	30	45	90
	lbs/day	115 ³	173 ³	345 ³
TSS ⁴	mg/L	30	45	90
	lbs/day	115 ³	173 ³	345 ³

¹ Average value for all samples collected within a calendar month.

² 5-day biochemical oxygen demand @20°C.

³ Based on permitted discharge of 0.46 mgd.

⁴ Total suspended solids.

⁵ Compliance with monthly average or weekly average limits shall be determined based on the single sample results if additional results for the limit period under review are not available.

3. The arithmetic mean of BOD₅ and of TSS in effluent samples collected over a monthly period shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected in the same manner at approximately the same times during the same period (85 percent removal) or the value specified in Effluent Limitation B.2, whichever is more restrictive.

4. The median of the most probable number (MPN) of the last seven samples for effluent total coliform bacteria shall not exceed 23 per 100 mL. The maximum effluent MPN shall not exceed 240 per 100 mL.
5. The discharge from the WWTF shall not have a pH less than 6.5 or greater than 8.3.
6. If the Discharger submits the items listed in Provision H.13, Task b.(2) by **<compliance date specified in Provision H.13, Task b.>**, the effluent total residual chlorine limitations listed below will become effective **<compliance date specified in Provision H.13, Task d.>**, otherwise, they will become effective **<compliance date specified in Provision H.13, Task b.>**.

The effluent total residual chlorine shall not exceed any of the following:

- a. 0.01 mg/L, as a 4-day average.
- b. 0.02 mg/L, as a 1-hour average.

If the Discharger can demonstrate, through data collected from a back-up monitoring system, that a chlorine spike recorded by the continuous monitor was not actually due to chlorine, then any excursion resulting from the recorded spike will not be considered an exceedance, but rather reported as a false positive.

7. The 12-month rolling average EC of the discharge shall not exceed the 12-month rolling average EC of the source water plus 500 μ mhos/cm. Compliance with this effluent limitation shall be determined monthly.
8. Survival of aquatic organisms in 96-hour bioassays of undiluted effluent shall be no less than any of the following:
 - a. 70% for any one bioassay.
 - b. 90% for the median for any three consecutive bioassays.

C. Discharge Specifications

1. The Discharger shall preclude public access to the WWTF through methods such as fences and signs, or other acceptable means.
2. Signs shall be placed and maintained at the WWTF outfall to Sandy Creek to alert the public that the discharge is treated wastewater and is not suitable for drinking.
3. Objectionable odors originating at the WWTF shall not be perceivable beyond the limits of the waste treatment areas at an intensity that creates or threatens to create nuisance conditions.

4. The emergency storage pond shall be managed to prevent breeding of mosquitoes.
5. The emergency storage pond, when used, shall have adequate freeboard to prevent overtopping, overflows, or levee failures.
6. The WWTF shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year frequency.
7. No waste constituent shall be released or discharged, or placed where it will be released or discharged, in a concentration or in a mass that causes violation of Groundwater Limitations.

D. Sludge Specifications

Sludge in this document means the solid, semisolid, and liquid residues removed during primary, secondary, or advanced wastewater treatment processes. Solid waste refers to grit and screening material generated during preliminary treatment. Residual sludge means sludge that will not be subject to further treatment at the WWTF. Biosolids refers to sludge that has undergone sufficient treatment and testing to qualify for reuse pursuant to federal and state regulations as a soil amendment for agriculture, silviculture, horticulture, and land reclamation activities.

1. Sludge and solid waste shall be removed from screens, sumps, clarifiers, etc. as needed to ensure proper plant operation.
2. Treatment and storage of sludge generated by the WWTF shall be confined to the WWTF property and conducted in a manner that precludes infiltration of waste constituents into soils in a mass or concentration that will violate Groundwater Limitations.
3. Any storage of residual sludge, solid waste, and biosolids on property of the WWTF shall be temporary (not exceeding two years) and controlled and contained in a manner that minimizes leachate formation and precludes infiltration of waste constituents into soils in a mass or concentration that will violate Groundwater Limitations.
4. Residual sludge, biosolids, and solid waste shall be disposed of in a manner approved by the Executive Officer and consistent with Title 27, CCR. Removal for further treatment, disposal, or reuse at sites (i.e., landfill, composting sites, soil amendment sites) operated in accordance with valid waste discharge requirements issued by a regional water quality control board will satisfy this specification.
5. Use of biosolids as a soil amendment shall comply with valid waste discharge requirements issued by the State Water Board or a regional water quality control

board. In most cases, this means General Biosolids Order (State Water Board Water Quality Order No. 2004-0012-DWQ, General Waste Discharge Requirements for the Discharge of Biosolids to Land for Use as a Soil Amendment in Agricultural, Silvicultural, Horticultural, and Land Reclamation Activities). For a biosolids use project to be covered by the General Biosolids Order, the Discharger must file a complete Notice of Intent and receive a Notice of Applicability for each project.

6. Use and disposal of biosolids should comply with the self-implementing federal regulations of 40 CFR 503, which are subject to enforcement by USEPA, not the Regional Water Board. If during the life of this Order the State accepts primacy for implementation of 40 CFR 503, the Regional Water Board may also initiate enforcement where appropriate.
7. Any proposed change in sludge use or disposal practice shall be reported in writing to the Executive Officer at least 90 days in advance of the change.

E. Pretreatment Requirements

1. The Discharger shall implement the necessary legal authorities, programs, and controls to ensure that the following incompatible wastes are not introduced to the treatment system, where incompatible wastes are:
 - a. Wastes that create a fire or explosion hazard in the treatment works;
 - b. Wastes that will cause corrosive structural damage to treatment works, but in no case wastes with a pH lower than 5.0, unless the works is specially designed to accommodate such wastes;
 - c. Solid or viscous wastes in amounts that cause obstruction to flow in sewers, or which cause other interference with proper operation or treatment works;
 - d. Any waste, including oxygen demanding pollutants (BOD₅, 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;
 - 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;
 - f. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;

8. **Oil and Grease.** Oils, greases, waxes, or other materials that create nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.
9. **Pesticides.** Pesticides to be present, individually or in combination, in concentrations that adversely affect beneficial uses; and pesticide increases in bottom sediments or aquatic life in concentrations that adversely affect beneficial uses.
10. **Radioactivity.** Radionuclides to be present in concentrations that exceed maximum contaminant levels specified in Title 22, CCR; that harm human, plant, animal or aquatic life; or that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life.
11. **Settleable Material.** Deposition of material that causes nuisance or adversely affects beneficial uses.
12. **Suspended Material.** Suspended material to be present in concentrations that cause nuisance or adversely affect beneficial uses.
13. **Taste and Odors.** Taste- or odor-producing substances to in concentrations that cause nuisance or otherwise adversely affect beneficial uses.
14. **Toxicity.** Toxic substances to be present in the water column, sediments, or biota in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life, whether caused by a single substance or interactive effect of multiple substances.

G. Groundwater Limitations

Waste constituents from storage, treatment, or disposal components associated with the WWTF shall not cause groundwater within influence of the WWTF and discharge area(s) to contain waste constituents in concentrations greater than the ambient quality.

H. Provisions

1. The Discharger shall comply with *Standard Provisions and Reporting Requirements for Waste Discharge Requirements*, dated 1 March 1991, which are attached hereto and by reference a part of this Order. This attachment and its individual paragraphs are referred to as Standard Provision(s).
2. The Discharger shall comply with Monitoring and Reporting Program (MRP) No. R5-2009-XXXX, which is part of this Order, and any revisions thereto as adopted by the Regional Water Board or ordered by the Executive Officer.

3. The Discharger shall keep a copy of this Order, including its MRP, Information Sheet, attachments and Standard Provisions, at the WWTF for reference by operating personnel. Key operating personnel shall be familiar with its contents.
4. The Discharger shall not allow pollutant-free wastewater to be discharged into the WWTF collection, treatment, and disposal systems in amounts that significantly diminish the system's capability to comply with this Order. Pollutant-free wastewater means stormwater (i.e., inflow), groundwater (i.e., infiltration), cooling waters, and condensates that are essentially free of pollutants.
5. The Discharger must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also include adequate laboratory controls and appropriate quality assurance procedures. This Provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the Discharger when the operation is necessary to achieve compliance with the conditions of this Order.
6. All technical reports required herein that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, Sections 6735, 7835, and 7835.1. To demonstrate compliance with Title 16, CCR, Sections 415 and 3065, all technical reports must contain a statement of the qualifications of the responsible registered professional(s). As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.
7. The Discharger must comply with all conditions of this Order, including timely submittal of technical and monitoring reports as directed by the Executive Officer. Accordingly, the Discharger shall submit to the Regional Water Board on or before each report due date the specified document or, if an action is specified, a written report detailing evidence of compliance with the date and task. If noncompliance is being reported, the reasons for such noncompliance shall be stated, plus an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Regional Water Board by letter when it returns to compliance with the time schedule. Violations may result in enforcement actions, including Regional Water Board or court orders requiring corrective actions or imposing civil monetary liability, or in revision or rescission of this Order.
8. In the event of any change in control or ownership of land or waste treatment and storage facilities presently owned or controlled by the Discharger, the Discharger shall

notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the appropriate Regional Water Board office.

9. To assume operation under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, the address and telephone number of the persons responsible for contact with the Regional Water Board and a statement. The statement shall comply with the signatory paragraph of Standard Provision B.3 and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the California Water Code. If approved by the Executive Officer, the transfer request will be submitted to the Regional Water Board for its consideration of transferring the ownership of the Order at one of its regularly scheduled meetings.
10. Prior to making any change in the discharge point, place of use, or purpose of use of the wastewater, the Discharger shall obtain approval of, or clearance from, the State Water Board (Division of Water Rights).
11. The Discharger must continue the agreement it made with the Department of Water Resources dated 7 May 1996 to maintain the area around the California Aqueduct siphon structure.
12. **Chronic Whole Effluent Toxicity.** For compliance with the Basin Plan's narrative toxicity objective, this Order requires the Discharger to conduct chronic whole effluent toxicity testing, as specified in the MRP No. R5-2009-XXXX. Furthermore, this Provision requires the Discharger to investigate the causes of, and identify corrective actions to reduce or eliminate effluent toxicity. If the discharge exceeds the toxicity numeric monitoring trigger established in this Provision, the Discharger is required to initiate a Toxicity Reduction Evaluation (TRE), in accordance with an approved TRE Work Plan, and take actions to mitigate the impact of the discharge and prevent reoccurrence of toxicity. A TRE is a site-specific study conducted in a stepwise process to identify the source(s) of toxicity and the effective control measures for effluent toxicity. TREs are designed to identify the causative agents and sources of whole effluent toxicity, evaluate the effectiveness of the toxicity control options, and confirm the reduction in effluent toxicity. This Provision includes requirements for the Discharger to develop and submit a TRE Work Plan and includes procedures for accelerated chronic toxicity monitoring and TRE initiation.
 - a. **Initial Investigative Toxicity Reduction Evaluation (TRE) Work Plan.** By **<90 days from Order adoption date>**, the Discharger shall submit to the Regional Water Board an Initial Investigative TRE Work Plan for approval by the Executive Officer. This should be a one to two page document including, at a minimum:

- i. A description of the investigation and evaluation techniques that will be used to identify potential causes and sources of effluent toxicity, effluent variability, and treatment system efficiency;
 - ii. A description of the Discharger's methods of maximizing in-house treatment efficiency and good housekeeping practices, and a list of all chemicals used in operation of the WWTF; and
 - iii. A discussion of who will conduct the Toxicity Identification Evaluation, if necessary (i.e., an in-house expert or outside contractor).
- b. **Accelerated Monitoring and TRE Initiation.** When the numeric toxicity monitoring trigger is exceeded during regular chronic toxicity monitoring, and the testing meets all test acceptability criteria, the Discharger shall initiate accelerated monitoring as required in the Accelerated Monitoring Specifications. Whole Effluent Toxicity (WET) testing results exceeding the monitoring trigger during accelerated monitoring demonstrates a pattern of toxicity and requires the Discharger to initiate a TRE to address the effluent toxicity.
- c. **Numeric Monitoring Trigger.** The numeric toxicity monitoring trigger is $> 1 \text{ TUc}$ (where $\text{TUc} = 100/\text{NOEC}$). The monitoring trigger is not an effluent limitation; it is the toxicity threshold at which the Discharger is required to begin accelerated monitoring and initiate a TRE.
- d. **Accelerated Monitoring Specifications.** If the monitoring trigger is exceeded during regular chronic toxicity testing, within 14-days of notification by the laboratory of the test results, the Discharger shall initiate accelerated monitoring. Accelerated monitoring shall consist of four (4) chronic toxicity tests in a six-week period (i.e., one test every two weeks) using the species that exhibited toxicity. The following protocol shall be used for accelerated monitoring and TRE initiation:
- i. If the results of four (4) consecutive accelerated monitoring tests do not exceed the monitoring trigger, the Discharger may cease accelerated monitoring and resume regular chronic toxicity monitoring. However, notwithstanding the accelerated monitoring results, if there is adequate evidence of a pattern of effluent toxicity, the Executive Officer may require that the Discharger initiate a TRE.
 - ii. If the source(s) of the toxicity is easily identified (i.e., temporary plant upset), the Discharger shall make necessary corrections to the facility and shall continue accelerated monitoring until four (4) consecutive accelerated tests do not exceed the monitoring trigger. Upon confirmation that the effluent

toxicity has been removed, the Discharger may cease accelerated monitoring and resume regular chronic toxicity monitoring.

- iii. If the result of any accelerated toxicity test exceeds the monitoring trigger, the Discharger shall cease accelerated monitoring and initiate a TRE to investigate the cause(s) of, and identify corrective actions to reduce or eliminate effluent toxicity. **Within thirty (30) days** of notification by the laboratory of the test results exceeding the monitoring trigger during accelerated monitoring, the Discharger shall submit a TRE Action Plan to the Regional Water Board including, at minimum:
 - a) Specific actions the Discharger will take to investigate and identify the cause(s) of toxicity, including TRE WET monitoring schedule;
 - b) Specific actions the Discharger will take to mitigate the impact of the discharge and prevent the recurrence of toxicity; and
 - c) A schedule for these actions.

Within sixty (60) days of notification by the laboratory of the test results exceeding the monitoring trigger during accelerated monitoring, the Discharger shall submit to the Regional Water Board a TRE Work Plan for approval by the Executive Officer. The TRE Work Plan shall outline the procedures for identifying the source(s) of, and reducing or eliminating effluent toxicity. The TRE Work Plan must be developed in accordance with EPA guidance (see the Information Sheet for a list of USEPA guidance documents that must be considered in development of the TRE Work Plan).

13. **Dechlorination and Continuous Residual Chlorine Monitoring.** In order to achieve consistent compliance with Effluent Limitation B.6.a. and B.6.b., the Discharger shall complete the following tasks no later than the dates in the following compliance schedule:

Task	Task Description	Due Date
a.	Submit a facilities plan that identifies the treatment and disposal option the Discharger intends to pursue to comply with Tasks b. and d. The plan shall describe the steps the Discharger will take to implement Task b., option (1) or (2) below.	<9 months following adoption of this Order>
b.	(1) Begin interim dechlorination of WWTF effluent and achieve compliance with Effluent Limitation B.6.a. and B.6.b. or (2) Submit a Report of Waste Discharge, an environmental assessment (e.g., draft/final EIR, negative declaration, etc.), and a Title 22 Engineering Report (as required by (California Code of Regulations, Section 60323) for land disposal/reclamation.	<12 months following adoption of this Order>
c.	Submit progress reports ¹ .	<16 months and 20 months following adoption of this Order>
d.	Begin continuous monitoring of total residual chlorine in dechlorinated effluent ² or cease discharging to Sandy Creek by implementing land disposal/reclamation.	<24 months following adoption of this Order>
e.	Submit a technical report ³ certifying that the Discharger has achieved compliance with Task d.	<26 months following adoption of this Order>

¹ The progress reports shall detail what steps have been implemented towards achieving compliance with Task d.

² The total residual chlorine continuous monitoring system shall be sensitive to and accurate at 0.01 mg/L.

³ The technical report is subject to the requirements of Provision H.6.

14. If the Regional Water Board determines that waste constituents in the discharge have reasonable potential to cause or contribute to an exceedance of an objective for the receiving waters, this Order may be reopened for consideration of addition or revision of appropriate numerical effluent or groundwater limitations for the problem constituents.

I, PAMELA C. CREEDON, 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, Central Valley Region, on XX April 2009.

PAMELA C. CREEDON, Executive Officer

Order Attachments:

Monitoring and Reporting Program No. R5-2009-XXXX
Information Sheet

A. Vicinity Map

B. Flow Diagram

Standard Provisions (1 March 1991 version) (separate attachment to Discharger only)

MSS:WDH:mss