

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

ORDER R7-2013-0017

**WASTE DISCHARGE REQUIREMENTS
FOR
HOUA PHINYO, OWNER/OPERATOR
NORGE VILLAGE CLEANERS
WASTEWATER DISPOSAL FACILITIES
Yucca Valley - San Bernardino County**

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

1. Dominick Houa Phinyo, owner/operator (hereinafter referred to as the Discharger) 5823 Adobe Road, Twentynine Palms, CA 92277, is the current owner of the Facility.
2. The Discharger is discharging a maximum of 6,300 gallons-per-day of laundromat wash water into six lint traps that flow into 20 seepage pits. The discharger reports that there are no cleaning solvents or other chemicals added to the wash water. Domestic sewage from three (3) restrooms is discharged into a separate septic tank/seepage pit disposal system. The site is located in the SE 1/4 of the SW 1/4 of Section 35, T1N, R5E, SBB&M, and has a street address of 56438 Twentynine Palms Highway in Yucca Valley.
3. The Discharger has reserved areas of sufficient size for possible future 100 percent replacement of the seepage pits. See Attachment A incorporated herein and made part of this Board Order by reference.
4. This discharge has been subject to Waste Discharge Requirements (WDRs) adopted in Board Order 96-040.
5. This Order establishes WDRs pursuant to Division 7, Chapter 4, Article 4, of the California Water Code (CWC) for discharges that are not subject to regulation under Clean Water Act (CWA) Section 402 (33 U.S.C. Section 1342).
6. Fresh water will be supplied to the facility by the Hi-Desert Water District (HDWD).
7. On May 19, 2011, the Regional Water Board adopted Resolution R7-2011-0004, which approved and adopted an amendment to the Water Quality Control Plan for the Colorado River Basin Region (Basin Plan Amendment) to prohibit the discharge of wastewater into the ground from septic systems in the Town of Yucca Valley in San Bernardino County. The Basin Plan Amendment was approved by the State Water Resources Control Board pursuant to Resolution 2011-0054 on November 1, 2011 and the Office of Administrative Law on April 10, 2012, the effective date of the Amendment.
8. The Basin Plan Amendment enacts a prohibition on discharges of wastewater from septic systems in the Town of Yucca Valley and includes a time schedule for implantation based on three geographic areas scheduled for sewer installation, as defined in the HDWD Sewer Master Plan. Implementation of the prohibition will be in accordance with the

following schedule:

- a. Phase 1 by May 19, 2016
 - b. Phase 2 by May 19, 2016
 - c. Phase 3 by May 19, 2022
9. The Facility is located in the area defined as Phase 1 by the HDWD Sewer Master Plan.
 10. The Discharger intends to begin discharging septic wastewater into the HDWD sewer system as soon as it becomes available in accordance with the Basin Plan Amendment.
 11. Pursuant to CWC Section 13263(g), the discharge of waste is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.
 12. This Board Order, R7-2013-0017 updates the waste discharge requirements to comply with current laws and regulations as set forth in the California Water Code and the California Code of Regulations.
 13. There are no domestic wells within 200 feet of the discharge facilities described in Findings 2 and 3, above. The nearest well is about 800 feet northwest of the facility, depth-to-ground water is approximately 340 feet, and the total dissolved solids (TDS) content is about 250 mg/L. The facility is situated on a gently sloping alluvial floodplain with very permeable sandy soil, and is about one-half mile south of the Pinto Mountain Fault. Annual precipitation averages less than eight inches in the local area.
 14. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) was adopted on November 17, 1993 and designates the beneficial uses of ground and surface waters in this Region.
 15. The beneficial uses of ground waters in the Joshua Tree Hydrologic Unit are:
 - a. Municipal supply (MUN)
 - b. Industrial supply (IND).
 16. It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This order promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.
 17. State Water Resources Control Board (State Water Board) Resolution 68-16 ("Policy with Respect to Maintaining High Quality Waters of the State") (hereinafter Resolution 68-16) requires a Regional Water Board in regulating the discharge of waste to maintain high quality waters of the State (i.e., background water quality) until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than as described in plans and policies (e.g. violation of any water quality objective). Moreover, the discharge is required to meet WDRs that result in the best practicable treatment or

- control (BPTC) of the discharge necessary to assure pollution or nuisance will not occur, and highest water quality consistent with maximum benefit to the people will be maintained.
18. Some degradation of groundwater from the discharge to the seepage pits is consistent with Resolution 68-16, provided that this degradation:
 - a. Is confined to a reasonable area;
 - b. Is minimized by means of full implementation, regular maintenance, and optimal operation of (BPTC) measures;
 - c. Is limited to waste constituents typically encountered in Laundromat wastewater; and does not result in water quality less than that prescribed in the applicable basin plan, including violation of any water quality objective.
 19. The discharge of wastewater from this facility, as permitted herein, reflects best practicable treatment and control. The controls assure the discharge does not create a condition of pollution or nuisance, and that the highest water quality defined by the physical and chemical nature of the local groundwater will be maintained, which is consistent with the anti-degradation provisions of Resolution 68-16. To comply with Resolution 68-16, the Discharger proposes to:
 - a. Construct seepage pits at appropriate locations and depths to ensure wastewater does not adversely impact underlying ground water;
 - b. Locate subsurface disposal systems, including wastewater discharged, a minimum of 150 feet from water wells;
 - c. Reserve sufficient land for future replacement of all seepage pits;
 - d. Ensure site operating personnel are familiar with the contents of this Board Order, and proper operation and maintenance of the disposal facility.
 - e. Begin discharging septic wastewater into the HDWD sewer system as soon as it becomes available in accordance with the Basin Plan Amendment.
 20. The Board has notified the Discharger and all known interested agencies and persons of its intent to update waste discharge requirements for said discharge and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
 21. The Board in a public meeting heard and considered all comments pertaining to this discharge.
 22. In accordance with Section 15301, Chapter 3, Title 14 of the California Code of Regulations, the issuance of these WDRs, which govern the operation of an existing facility involving negligible or no expansion of use beyond that previously existing, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et. seq.).

IT IS HEREBY ORDERED, that Board Order 96-040 is rescinded, and in order to meet the provisions contained in Division 7 of the CWC and regulations adopted thereunder, the discharger shall comply with the following:

A. Discharge Prohibitions

1. Discharge of wastes to surface waters or surface drainage courses is prohibited.
2. Bypass or overflow of untreated or partially treated waste is prohibited.
3. Discharge of waste classified as 'hazardous,' as defined in Title 23, CCR, Section 2521(a), or 'designated,' as defined in California Water Code Section 13173, is prohibited.
4. The discharge of wastewater containing any carcinogen or reproductive toxins listed by the Governor pursuant to Health and Safety Code Sections 25249.5 through 25249.13, also known as the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65), where such chemical passes or probably will pass into any source of drinking water, is prohibited.

B. Specifications

1. The treatment or disposal of wastes at this facility shall not cause pollution or nuisance as defined in Section 13050 of Division 7 of the CWC.
2. No wastewater other than laundromat and domestic wastewater shall be discharged into the wastewater and the sewage disposal systems described in Finding No. 2, above.
3. Wastewater discharged subsurface shall be retained underground with no surfacing.
4. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.
5. Septic tank cleanings shall be discharged only by a duly authorized service. All laundromat wastes and septage shall be disposed of in a manner approved by the Regional Board's Executive Officer.
6. The discharge shall not cause degradation of ground water nor adversely affect any of the beneficial uses.
7. The discharge of laundromat wastewater shall not exceed 6,300 gallons-per-day.
8. There shall be no surface flow of wastewater away from the discharge facilities.
9. Wastewater shall be discharged only into the disposal systems described in Finding 2, above.

10. Wastewater which has a total dissolved solids (TDS) concentration greater than 650 mg/L shall be discharged only to an appropriate waste management facility as approved by the Regional Board's Executive Officer.
11. The septic systems shall be maintained to remain effective in treating wastewater.
12. Odors of sewage origin shall not be perceivable beyond the limits of the individual facility.
13. No part of the subsurface disposal systems shall be closer than 150 feet to any water well or closer than 100 feet to any stream, channel, or other watercourse.
14. No part of the disposal systems shall extend to a depth where waste may deleteriously affect an aquifer that is useable for domestic, agricultural or industrial purposes. In no case may the disposal systems extend to within 10 feet of the zone of historic or anticipated high ground water levels unless otherwise approved by the Regional Board's Executive Officer. Furthermore, the disposal system shall not lie immediately above bedrock.

C. Provisions

1. Sufficient land area shall be reserved for possible future 100 percent replacement of the seepage pits, until such time as this facility is connected to a municipal sewerage system. Replacement pits shall be installed in accordance with Section 64630, Chapter 16, Title 22, Water Works Standards of the CCR.
2. Prior to any change in ownership or management of this operation, the discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Water Board.
3. Prior to any modifications in this facility which would result in a material change in the quality or quantity of wastewater treated or discharged, or any material change in the location of discharge, the discharger shall report all pertinent information in writing to the Regional Water Board and obtain revised requirements before any modifications are implemented.
4. The discharger shall comply with "Monitoring and Reporting Program R7-2013-0017", and future revisions thereto, as specified by the Regional Water Board Executive Officer.
5. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
6. The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances), which are installed or used by the discharger to achieve compliance with conditions of this Board Order.
7. All regulated disposal systems shall be readily accessible for sampling and inspection.

8. The Discharger shall allow the Regional Water Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
 - a. Enter upon the premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;
 - b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and
 - d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.
9. In accordance with the Basin Plan Amendment, by **May 19, 2016**, or when the HDWD sewer collection system becomes available, whichever occurs first, the discharge of wastewater from the Facility governed by this Board Order is prohibited. .
10. The Discharger is the responsible party for the waste discharge requirements and the monitoring and reporting program for the facility. The discharger shall comply with all conditions of these waste discharge requirements. Violations may result in enforcement actions, including Regional Water Board Orders or court orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Water Board.
11. The Discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with the specifications prepared by the Regional Water Board Executive Officer. Such specifications are subject to periodic revisions as may be warranted.
12. Unless otherwise approved by the Regional Water Board Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Public Health. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the United States Environmental Protection Agency.
13. The Discharger shall retain records of all monitoring information including all calibration and maintenance records, copies of all reports required by this Board Order, and records of all data used to complete the application for this Board Order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, or report. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Water Board Executive Officer.
14. The Discharger shall remove and relocate any wastes which are discharged at this site in violation of these requirements.
15. All maintenance performed shall be reported with the monitoring reports as required.

16. Any off-site disposal of septage shall be only to a legal point of disposal, with the approval of the legal disposal site operator. For purposes of these requirements, a legal disposal site is one for which requirements have been established by the Regional Water Board and which is in full compliance therewith. Any septage handling shall be conducted in such a manner as to prevent its reaching surface waters or watercourses.

I, Robert Purdue, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on January 17, 2013.

Ordered By: Robert L Purdue
Executive Officer

1/17/13
Date