

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

BOARD ORDER R7-2013-0037

**WASTE DISCHARGE REQUIREMENTS
FOR
CITY OF EL CENTRO, OWNER/OPERATOR
WASTEWATER TREATMENT FACILITY EMERGENCY STANDBY BASIN
El Centro – Imperial County**

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

1. The City of El Centro (hereafter referred to as Discharger) owns and operates a publicly owned wastewater treatment plant (POTW) that provides sewage services to approximately 43,000 residents and businesses in the City of El Centro, Imperial County. The wastewater treatment plant is located at 2255 La Brucherie Road, El Centro, California 92243, in the center of Section 25, T15S, R13E, SBB&M.
2. The POTW has a design capacity of 8.0 million gallons per day (mgd) and consists of: headworks with an automated bar screen; 2 primary clarifiers; 6 activated sludge (extended aeration) units; 4 secondary clarifiers; and an ultraviolet light disinfection system (two UV Units). The POTW also includes a standby basin that is used to divert wastewater during emergencies and/or routine maintenance of the treatment units. Attachment A, incorporated herein and made part of this Order by reference, shows the location of the POTW.
3. The Discharger discharges treated wastewater from its plant into the Central Main, a water of the United States, which is a tributary to the Alamo River, pursuant to Regional Water Board Order R7-2009-0022 (National Pollutant Discharge Elimination System Permit CA0104426). The Alamo River is also a water of the United States.

Wastewater Discharge Covered by this Order

4. The Discharger's first wastewater treatment plant was constructed in the 1950's and consisted of three (3) primary treatment lagoons. In the 1970's, the Discharger converted one of the lagoons to the current activated sludge treatment plant. In the late 1970's, the Discharger took out of service another two of the primary treatment lagoons. One of these two lagoons is used for drying and storing sludge prior to disposal. The Discharger uses the other lagoon (hereafter referred to as standby basin) for discharge of wastewater during routine maintenance of the POTW.
5. The discharge to the standby basin is currently governed by Regional Water Board Order R7-2003-0009, which is not consistent with current state policies and regulations.
6. Order R7-2003-0009 states that the Discharger can discharge a maximum of 5 mgd to the standby basin. Order R7-2003-0009 does not accurately reflect the actual capacity of the standby basin and the typical quality or volume of the discharge to the basin.

7. The Discharger reports that it uses the Standby Basin annually when it needs to perform routine maintenance of the POTW's UV disinfection system. When this occurs, the Discharger discharges up to 300,000 gallons of secondary treated wastewater to the basin. The Discharger reports that it has not used the standby basin for discharge of untreated wastewater during the last 20 years. With the addition of the second UV Unit, the only time that secondary, but undisinfecting, effluent is placed in the lagoon is during annual cleaning of the pipeline between the UV Units and the secondary clarifiers.
8. The standby basin covers approximately 15 acres and has an average depth of eight (8) feet. The capacity of the Standby Basin is approximately 29 million gallons with two (2) feet of freeboard and 34 million gallons with one (1) foot of freeboard.
9. The maximum monthly average flow reported for the POTW during the last five years is 4.18 mgd, which occurred in January 2010. Monthly average flows for 2012 ranged from 3.1 to 3.5 mgd, with the highest flows occurring during August and September.
10. Even though the Discharger typically discharges treated, disinfected wastewater into the standby basin, the standby basin is available also for discharge of partially treated or untreated wastewater should there be an emergency or need to perform maintenance/repairs of the other key treatment units of the POTW. Under such a scenario, should there be a need for the Discharger to divert all the flow from the POTW to the standby basin, the Discharger could discharge for 3 consecutive days into the basin at the design capacity of the POTW. At current average flows into the plant, the Discharger has approximately 8 days of emergency storage capacity.

Hydrogeologic Conditions and Beneficial Uses to be Protected

11. When the original lagoons were constructed in the 1950's, they were built with a 3-foot thick clay liner to prevent percolation of wastewater. The walls of the lagoons were also constructed with compacted clay.
12. The POTW is on a site that is relatively flat at an average elevation of 100 feet above sea level, and is not within a FEMA designated 100-year flood plain.
13. Annual precipitation for El Centro averages approximately 2.5 inches.
14. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan), which was adopted on November 17, 1993, and amended on November 16, 2012, designates the beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan (including amendments adopted by the Regional Water Board to date).
15. The discharge is within the Imperial Hydrologic Unit. The Basin Plan designates the following beneficial uses for groundwater in the Imperial Hydrologic Unit:
 - a. Municipal supply (MUN)
 - b. Industrial supply (IND)

16. Most of the first-encountered groundwater in the Imperial Hydrologic Unit is either irrigation water that passes the root zone of crops and flushes salts accumulated in the soil profile. This groundwater is typically too saline (total dissolved solids > 5,000 mg/L) to serve for municipal purposes.
17. There are no supply groundwater wells within one mile of the WWTFs. The water supply for El Centro is water from the Colorado River delivered to the city by the Imperial Irrigation District's canal system.
18. 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.

Other Regulatory Considerations

19. Discharges of wastewater to land, including but not limited to evaporation ponds, percolation ponds, or subsurface leachfields, are exempt from the solid waste management requirements of Title 27, CCRs, Section 2005 et seq. (hereinafter Title 27), pursuant to Section 20090(b) of Title 27, so long as the following conditions are met: (1) the discharge is regulated by Regional Water Board waste discharge requirements or a waiver; (2) the discharge is in compliance with the Basin Plan water quality standards; and (3) the wastewater does not need to be managed as a hazardous waste. Here, the discharge to the standby basin is temporary (two days maximum) and will be returned to the influent stream in compliance with Board Order R7-2009-0022 for proper treatment and disposal. The discharge is also in compliance with the Basin Plan's water quality standards since it satisfies the antidegradation provisions of 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), as further explained in the Finding below. Finally, the discharge is a domestic strength wastewater. As such, it does not need to be managed as a hazardous waste.
20. 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 that described in applicable plans and policies (e.g., violation of any water quality objective).
21. Some degradation of groundwater from the discharge to the standby storage basin is consistent with Resolution 68-16, provided that this degradation:
 - a. Is confined to a reasonable area and will provide social and economic benefit to the people of the State;
 - b. Is minimized by means of full implementation, regular maintenance, and optimal operation of BPTC measures;
 - c. Is limited to waste constituents typically encountered in domestic wastewater; and

- d. Does not result in the loss of any beneficial use as prescribed in the applicable basin plan, or violation of any water quality objective.
22. The discharge permitted herein is an intermittent discharge to a standby basin that was originally constructed with a 3-foot clay liner to minimize percolation of wastewater into the upper-most encountered groundwater. The typical discharge into the standby basin consists of either (a) approximately 300,000 gallons of secondary treated and disinfected wastewater once per year, or (b) 300,000 gallons of secondary, but undisinfected, wastewater once per year. Under these two scenarios the threat to water quality is low because the wastewater is treated and most of it is expected to evaporate and not percolate to the groundwater due to the basin's 3-foot clay liner.
 23. This Order also provides for the use of the standby basin for discharge of partially treated (e.g., primary effluent) or untreated wastewater resulting from emergencies at the POTW, provided the Discharger is able to pump the wastewater back into the WWTP within 3 days from the date it discharged to the basin for full treatment and disposal pursuant to the NPDES Permit. The discharge of untreated or partially treated wastewater to the basin has a slightly higher threat to water quality and significantly higher nuisance potential than the discharge described in Finding 18, above. The amount of wastewater that may percolate into the water table during a 3-day period is insignificant because of the 3-foot clay layer underlying the basin. Notwithstanding this fact, to the extent that any wastewater from the basin percolates, it does have a slight potential to degrade groundwater whose quality is already poor. Compliance with the terms of this Order will keep any slight degradation that may occur confined to the groundwater in the immediate area beneath and around the basin and will prevent nuisance conditions. The Discharger provides sewage services which are in themselves a benefit to the people of the State and also allow for economic prosperity of people in the area. Therefore, the permitted discharge is consistent with the anti-degradation provisions of Resolution 68-16.
 24. Pursuant to California Water Code Section 13263(g), the discharge of waste is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.

CEQA and Public Participation

25. In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 et seq.) and the implementing CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), the action to adopt revised waste discharge requirements for this existing facility is exempt from the provisions of CEQA, pursuant to CEQA Guidelines Section 15301.
26. The Board has notified the Discharger and all known interested agencies and persons of its intent to draft WDRs for this discharge, and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
27. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that Order R7-2003-0009 be rescinded, except for enforcement purposes, and in order to meet the provisions contained in Division 7 of the California Water Code, RCRA Subtitle D, and regulations adopted thereunder, and the provisions of the Federal Clean Water Act, and regulations and guidelines adopted thereunder, the discharger shall comply with the following:

A. Discharge Prohibitions

1. 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.

Discharge of wastewater in a manner or at location different than that described in Findings 7, 10, and 20 is prohibited.

2. Discharge of untreated wastewater or primary effluent into the standby basin for permanent disposal is prohibited.
3. The discharge of wastes from the POTW to surface waters is prohibited except as allowed by Order R7-2009-0022 (National Pollutant Discharge Elimination System Permit CA0104426).
4. Surfacing or overflowing of wastewater from the standby basin is prohibited.

B. Discharge Specifications

1. The total volume of wastewater discharged to the standby basin during any three-day period shall not exceed 29 million gallons.
2. Untreated wastewater or primary effluent discharged into the standby basin shall be pumped back into the POTW for proper treatment and disposal within three (3) days from the date the discharge to the standby basin took place.
3. The standby basin shall have a minimum of two (2) feet of freeboard at all times.
4. The discharge to the standby basin shall not cause pollution or nuisance as defined in Sections 13050(l) and 13050(m) of Division 7 of the California Water Code.
5. Public contact with wastewater shall be precluded or controlled through fences, signs, or other acceptable alternatives.
6. The discharge shall not cause degradation of any water supply.
7. The standby basin shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
8. Disposal of oil and grease, biosolids, screenings, and other solids from the standby

basin shall be pursuant to Title 27, and the review and approval of the Regional Water Board Executive Officer.

9. Objectionable odors originating at this facility shall not be perceivable beyond the limits of POTW.
10. The standby basin shall be managed to ensure its structural integrity. In this regard an erosion control program shall be implemented to assure that small coves and irregularities are not created in the basin.
11. The standby basin shall have sufficient capacity to accommodate the allowable volume of wastewater that can be discharged during any three-day period and design seasonal precipitation based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns.

C. Provisions

1. The Discharger shall comply with Monitoring and Reporting Program (MRP) R7-2013-0037, and future revisions thereto, incorporated herein and made a part of this Order by reference, as specified by the Regional Water Board Executive Officer.
2. Prior to implementing a modification that results in a material change in the quality or quantity of the discharge, or a material change in the location of discharge, the Discharger shall report all pertinent information in writing to the Regional Water Board, and obtain revised requirements.
3. Prior to a change in ownership or management of the POTW, 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.
4. The Discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.
5. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
6. The Discharger shall comply with all of the conditions of this Board Order. Noncompliance is a violation of the Porter-Cologne Water Quality Control Act (Cal. Water Code, § 13000 et seq.), and is grounds for enforcement action.
7. The Discharger shall report orally any noncompliance that may endanger human health or the environment. The noncompliance shall be reported immediately to the Regional Water Board Executive Officer and the Office of Emergency Services as soon as:
 - a. The Discharger has knowledge of the discharge,
 - b. Notification is possible, and

- c. Notification will not substantially impede cleanup or other emergency measures.

During non-business hours, the Discharger shall leave a message on the Regional Water Board office voice recorder. A written report shall be provided within five (5) business days the Discharger is aware of the incident. The written report shall include a description of the noncompliance, the cause, period of noncompliance, anticipated time to achieve full compliance, and steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance. The Discharger shall report all intentional or unintentional spills occurring within the facility or collection system to the Regional Water Board office in accordance with the above time limits.

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 the premises regulated by this Board Order, or the place where records are kept under the conditions of this Board Order;
 - b. Have access to and copy, at reasonable times, records kept under the conditions of this Board Order;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and
 - d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.
9. The Discharger is the responsible party for the WDRs and the Monitoring and Reporting Program (MRP) for the facility. The Discharger shall comply with all conditions of these WDRs. Violations may result in enforcement action, including Regional Water Board orders or court orders that require corrective action or impose civil monetary liability, or modification or revocation of these WDRs by the Regional Water Board.
10. The Discharger shall provide adequate notice to the Regional Water Board Executive Officer of the following:
 - a. The introduction of pollutants into any treatment facility described in the Findings of this Board Order from an indirect Discharger which would be subject to Section 301 or 306 of the Clean Water Act, if the pollutants were discharged directly.
 - b. Any substantial change in the volume or character of pollutants introduced into any treatment facility described in the Findings of this Board Order, by an existing or new source; and
 - c. Any planned physical alteration or addition to the facilities described in this Board Order, or change planned in the Discharger's sludge use or disposal practice, where such alterations, additions, or changes may justify the application of Board Order conditions that are different from or absent in the existing Board Order, including notification of additional disposal sites not reported during the Board Order application

process, or not reported pursuant to an approved land application plan.

11. The Discharger shall report all instances of noncompliance. Reports of noncompliance shall be submitted with the Discharger's next scheduled self-monitoring report or earlier if requested by the Regional Water Board Executive Officer, or if required by an applicable standard for sludge use and disposal.
12. 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.
13. This Board Order does not convey property rights of any sort, or exclusive privileges, nor does it authorize injury to private property or invasion of personal rights, or infringement of federal, state, or local laws or regulations.
14. This Board Order may be modified, rescinded, or reissued, for cause. The filing of a request by the Discharger for a Board Order modification, rescission or reissuance, or notification of planned changes or anticipated noncompliance, does not stay any Board Order condition. Causes for modification include a change in land application plans, or sludge use or disposal practices, and adoption of new regulations by the State or Regional Water Board (including revisions to the Basin Plan), or federal government.

I, Robert Perdue, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on June 20, 2013.

Ordered by:



ROBERT PERDUE
Executive Officer

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

MONITORING AND REPORTING PROGRAM R7-2013-0037
FOR
CITY OF EL CENTRO, OWNER, OPERATOR
STANDBY BASIN
El Centro – Imperial County

Location of Discharge:
S ½ of Section 25, T15S, R13E, SBB&M.

MONITORING AND REPORTING

MONITORING

1. This Monitoring and Reporting Program (MRP) describes requirements for monitoring a wastewater system and groundwater quality (when needed). This MRP is issued pursuant to California Water Code section 13267. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Executive Officer.
2. Water Code section 13267 states, in part:

“In conducting an investigation specified in 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.”

3. Water Code section 13268 states, in part:

“(a) (1) Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of § 13267, or failing or refusing to furnish a statement of compliance as required by subdivision (b) of Section 13399.2, or falsifying any information provided therein, is guilty of a misdemeanor, and may be liable civilly in accordance with subdivision (b). (b) (1) Civil liability may be administratively imposed by a regional board in accordance with Article 2.5

(commencing with § 13323) of Chapter 5 for a violation of subdivision (a) in an amount which shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.”

4. The Discharger owns and operates the wastewater system that is subject to Board Order R7-2013-0037. The reports are necessary to ensure that the Discharger complies with the Order. Pursuant to Water Code section 13267, the Discharger shall implement the MRP and shall submit the monitoring reports described herein.
5. The Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Board Order, and records of all data used to complete the application for this Board Order, for a period of at least five (5) years from the date of the sample, measurement, report or application. Records of monitoring information shall include the date, exact place, and time of measurement(s) and the individual(s) who performed the measurement(s).

REPORTING

1. The Discharger shall inspect the general condition of the standby basin (e.g., structural integrity, whether weeds are growing in it and along its banks, signs of erosion, etc.) weekly and maintain a log at the POTW regarding the condition and use of the standby basin. The log shall be available for inspection by the Regional Water Board and its representatives upon request.
2. For an anticipated discharge to the standby basin (e.g., scheduled unit maintenance), the Discharger shall, prior to discharge to the basin, submit to the Regional Water Board a report **two (2) working days before the proposed discharge is to take place**. The report shall:
 - a. Describe the structural integrity of the basin;
 - b. Describe the reasons for the proposed discharge to the basin and the anticipated volume of wastewater that is to be discharged to the basin;
 - c. The level of quality of the wastewater to be discharged (e.g., secondary disinfected wastewater, secondary undisinfected wastewater, etc.); and
 - d. Note whether there is any wastewater in the basin and record the available freeboard if there is wastewater in it.
3. For an emergency discharge to the standby basin, the Discharger shall notify the Regional Water Board via telephone (760 346-7491) within 24-hours from the time the discharge took place. The notification shall include when and why the discharge took place.
4. Following any discharge to the standby basin, the Discharger shall submit to the regional Water Board a report that:
 - a. Estimates the volume of wastewater discharged (gallons),
 - b. Describes the quality of discharge (e.g., raw sewage, primary effluent, etc.),
 - c. Includes the dates and times when the discharge began and ended; and
 - d. If raw sewage or primary effluent was discharged into the standby basin, the dates and

times when the pumping of the wastewater from the basin back into the POTW began and ended.

5. Monitoring reports shall be certified under penalty of perjury to be true and correct, and shall contain the required information at the frequency designated in this monitoring and reporting program (MRP).

6. Each report required herein shall contain the following statement:

"I declare under the penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for knowing violations."

7. The MRP, and other information requested by the Regional Water Board, shall be signed by the District Manager or Chief Plant Operator.

8. Other duly authorized representative of the Discharger may sign the documents if:

- a. Authorization is made in writing by the either one of the person described above;
- b. Authorization specifies an individual or person having responsibility for the overall operation of the regulated disposal system; and
- c. Written authorization is submitted to the Regional Water Board Executive Officer.

9. The Discharger shall submit monitoring reports to:

California Regional Water Quality Control Board
Colorado River Basin Region
73-720 Fred Waring, Suite 100
Palm Desert, CA 92260

Ordered by:



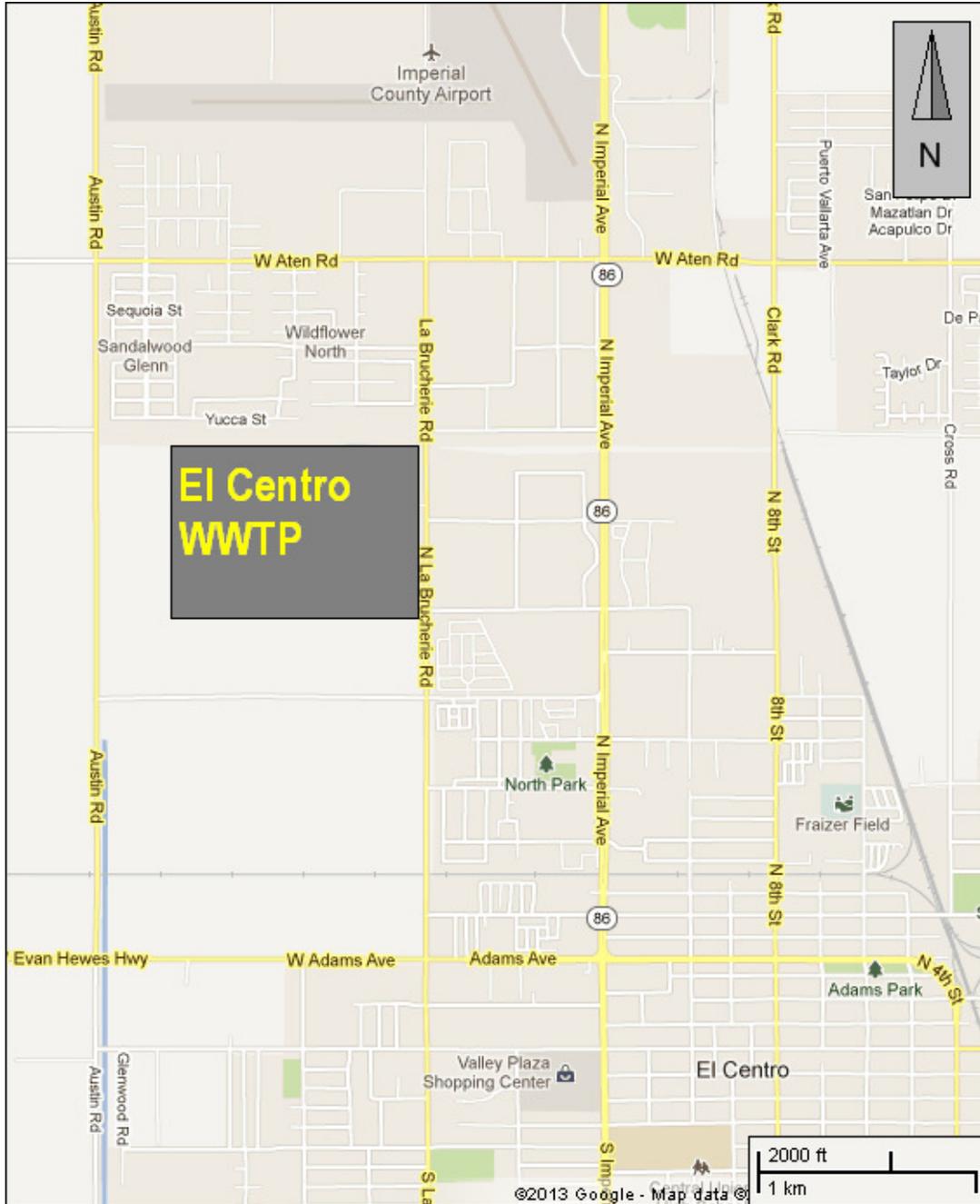
ROBERT PERDUE
Executive Officer

June 20, 2013

Date

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

ATTACHMENT "A"



SITE MAP

**CITY OF EL CENTRO, OWNER/OPERATOR
STANDBY BASIN
El Centro – Imperial County**

Location of Discharge: S1/2 of Section 25, T15S, R13E, SBB&M