

01-0157

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION

ORDER NO. 94-80

WASTE DISCHARGE REQUIREMENTS  
FOR THE  
WHISPERING PALMS COMMUNITY SERVICES DISTRICT  
WHISPERING PALMS WATER POLLUTION CONTROL FACILITY  
SAN DIEGO COUNTY

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), finds that:

1. On June 4, 1976, this Regional Board adopted Order No. 76-29, **Waste Discharge Requirements for the Whispering Palms Community Services District, Whispering Palms Water Pollution Control Facility, San Diego County.** Order No. 76-29 established waste discharge requirements for the disposal of up to 0.2 million gallons per day (MGD) of treated domestic wastewater to percolation beds.
2. On November 4, 1985, this Regional Board adopted Order No. 85-85, **Waste Discharge Requirements for the Whispering Palms Community Services District, Whispering Palms Water Pollution Control Facility, San Diego County.** Order No. 85-85, as amended by addenda adopted by this Regional Board, establishes requirements for the disposal of up to 0.4 MGD of treated domestic wastewater to percolation beds and pasture irrigation.
3. Order No. 85-85 has been reviewed by the Regional Board staff in accordance with criteria established in the Administrative Procedures Manual adopted by the State Water Resources Control Board. This Order, which supersedes Order No. 85-85, consolidates and makes changes to the Findings, Requirements, and Monitoring and Reporting Program of Order No. 85-85.
4. The Whispering Palms Water Control Facility is located near the intersection of Via de Santa Fe at Puerta del Sol in the unincorporated community of Whispering Palms in the SW 1/4 of Section 33, T13S, R3W, SBB&M, in the Solana Beach Hydrologic Area of the San Dieguito Hydrologic Unit.
5. The Whispering Palms Community Services District (hereinafter discharger) was formed in August 1962 to provide sewerage service for Whispering Palms, an unincorporated residential community in San Diego County. The wastewater treatment facility includes comminution, extended aeration, secondary clarification, wet well, pump station, chlorination facilities, percolation beds, flow metering, interim sludge beds, reclaimed water pumps, aeration/clarifier tank, distribution headworks, return activated sludge and waste activated sludge pumps and meters, and a sludge holding

Order No. 94-80

tank.

6. The discharger reports that wastewater from the Whispering Palms treatment facility is either discharged to the percolation beds or delivered to Del Rayo Properties, located in the Solana Beach Hydrologic Area, for irrigation of approximately 200 acres of horse pasture. Del Rayo Properties also uses water for irrigation from a well that is encompassed by the percolation beds.
7. The discharger reports that water is supplied to the Whispering Palms Community Services District by the Olivenhain Municipal Water District.
8. The discharger reports that the dried sludge is hauled to a sanitary landfill for disposal. Sewage sludge treatment and disposal is regulated pursuant to Part 503, Subchapter O, Chapter I of Title 40 of the Code of Federal Regulations.
9. The discharger reports that all existing wastewater treatment and percolation facilities and all proposed wastewater and treatment facilities are protected against the waters of a once-in-100-year frequency flood.
10. Addendum No.2 to Order No. 85-85 established a time schedule for the discharger to develop a plan to achieve compliance with the effluent limitations for Boron and Nitrate contained in Order No. 85-85.
11. On May 4, 1994, the discharger submitted a letter stating that by changing the testing method, they will be able to meet the 0.5 mg/l monthly average for Boron and by changing the operations method, they will be able to bring the Nitrate level below the 45 mg/l limit. The discharger also requested a relaxation of the discharge specification for Total Dissolved Solids (TDS), Chloride, and Sulfate. The discharger further requested that color, turbidity, and coliform be eliminated from the Order because these constituents do not have any significance if the effluent is used for pasture irrigation.
12. In the 1993 annual monitoring report, the discharger reported the following effluent values for TDS, Chloride, and Sulfate:

EFFLUENT VALUES			
	TDS (mg/l)	CHLORIDE (mg/l)	SULFATE (mg/l)
MARCH	984	220	336
JUNE	1046	207	324
SEPTEMBER	960	188	297
DECEMBER	1002	191	320
AVERAGE	998	201.5	319.3

Order No. 94-80

13. The "Comprehensive Water Quality Control Plan Report, San Diego Basin (9) (Basin Plan)", was adopted by this Regional Board on March 17, 1975 and subsequently approved by the State Water Resources Control Board (State Board). Subsequent revisions to the Basin Plan have also been adopted by the Regional Board and approved by the State Board.
14. The Basin Plan established the following beneficial uses of surface water and ground water in the Solana Beach Hydrologic Area (905.10):

<b>Beneficial Uses Identified In Basin Plan</b>		
<b>Beneficial Use</b>	<b>Solana Beach Hydrologic Area (905.10)</b>	
	<b>Surface Water</b>	<b>Groundwater<sub>1</sub></b>
MUN Municipal and Domestic Supply		X
AGR Agriculture Supply	O	X
IND Industrial Service Supply	O	X
PROC Industrial Process Supply		
GWR Groundwater Recharge		O
FRSH Freshwater Replenishment		
POW Hydropower Generation		
REC-1 Water Contact Recreation	X	
REC-2 Non-Contact Water Recreation	X	
WARM Warm Fresh-Water Habitat	X	
RARE Preservation of Rare & Endangered Species	X	
WILD Wildlife Habitat	X	

Notes: O Potential beneficial uses.  
X Existing beneficial uses.

1 These beneficial uses do not apply westerly of the easterly boundary of the right-of-way of Interstate Highway 5. The beneficial uses for the remainder of the hydrologic area are as shown.

15. The Basin Plan established the following surface water and groundwater quality objectives for the Solana Beach Hydrologic Area (905.10):

Basin Plan Water Quality Objectives		
CONSTITUENT	Concentration not to be exceeded <u>more than 10 percent of the time</u> during any one year period (mg/l or as noted)	
	Solana Beach Hydrologic Area (905.10)	
	Inland Surface Water	Groundwater <sub>1</sub>
Total Dissolved Solids	500	1500 <sub>2</sub>
Chloride	250	500 <sub>2</sub>
Percent Sodium	60%	60%
Sulfate	250	500 <sub>2</sub>
Nitrate (as NO <sub>3</sub> )	----	45 <sub>2</sub>
Nitrogen and Phosphorus	*	---
Iron	0.3	0.85 <sub>2</sub>
Manganese	0.05	0.15 <sub>2</sub>
Methylene Blue Active Substances	0.5	0.5
Boron	0.5	0.5 <sub>2</sub>
Odor	None	None
Turbidity	20 NTU	5 NTU
Color	20 Units	15 Units
Fluoride	1.0	1.0

Notes: mg/l = milligrams per liter

NTU = Nephelometric turbidity units

\* Concentrations of nitrogen and phosphorus, by themselves or in combination with other nutrients, shall be maintained at levels below those which stimulate algae and emergent plant growth. Threshold total phosphorus (P) concentrations shall not exceed 0.05 mg/l in any stream at the point where it enters any reservoir or lake, nor 0.025 mg/l in any reservoir or lake. A desired goal in flowing waters appears to be 0.1 mg/l total P. These values are not to be exceeded more than 10% of the time unless studies of the specific water body in question clearly show that water quality objective changes are permissible and changes are approved by the Regional Board. Analogous threshold values have not been set for nitrogen compounds, however, natural ratios of nitrogen to phosphorus are to be determined by surveillance and monitoring and upheld. If data are lacking, a ratio of N:P = 10:1 shall be used.

1 The water quality objectives do not apply westerly of the easterly boundary of the right-of-way of Interstate Highway 5. The objectives for the remainder of the hydrologic area are as shown.

2 Detailed salt balance studies are recommended for this area to determine limiting mineral concentration levels for discharge. On the basis of existing data, the tabulated objectives would probably be maintained in most areas. Upon completion of the salt balance studies, significant water quality objectives revisions may be necessary. In the interim period of time, projects of ground water recharge with water quality inferior to the tabulated numerical values may be permitted following individual review and approval by the Regional Board if such projects do not degrade existing ground water quality to the aquifers affected by the recharge.

Order No. 94-80

16. The Basin Plan contains the following prohibitions which are applicable to the discharge:

"Discharge of treated or untreated sewage or industrial wastewater, exclusive of cooling water or other waters which are chemically unchanged, to a watercourse, is prohibited except in cases where the water quality of said discharge complies with the receiving body water quality objectives."

"Discharging of treated or untreated sewage or industrial wastes in such manner or volume as to cause sustained surface flow or ponding on lands not owned or under control of the discharger is prohibited except in cases defined in the previous paragraph and in cases in which the responsibility for all downstream adverse effects is accepted by the discharger."

"The dumping or deposition of oil, garbage, trash or other solid municipal, industrial or agricultural waste directly into inland waters or watercourses or adjacent to the watercourses in any manner which may permit its being washed into the watercourse is prohibited."

"Dumping or deposition of oil, garbage, trash or other solid municipal, industrial or agricultural waste into natural or excavated sites below historic water levels or deposition of soluble industrial wastes at any site is prohibited, unless such site has been specifically approved by the Regional Board for that purpose."

17. The discharger reports that the 1983 report, *Evaluation of the San Dieguito, San Elijo and San Pasqual Subareas for Reclaimed Water Use, San Diego, California*, prepared by the U.S. Geological Survey indicates that in 1982, relatively small amounts of ground water were being used from the upper part of the basin and Osuna Valley. Ground water in the remainder of the alluvial aquifer is largely unused because of water quality problems. The sporadic recharge from the San Dieguito River may not be sufficient to flush poor-quality water from the alluvial aquifer. As a consequence, the ground water resource will not improve with time unless a reclaimed water management scheme is implemented in the basin.
18. On November 5, 1990, this Regional Board adopted Resolution No. 90-61, **A RESOLUTION AMENDING RESOLUTION NO. 90-40, A REGION WIDE GROUNDWATER AMENDMENT TO THE COMPREHENSIVE WATER QUALITY CONTROL PLAN FOR THE SAN DIEGO REGION**. Resolution No. 90-61 specifies the effluent limitations, for areas downgradient of municipal supply reservoirs, at levels that are not less than constituent concentrations of imported water supply plus a typical incremental increase resulting from domestic water use, but not more the Basin Plan ground water quality objectives.
19. Based on the effluent values reported by the discharger, the Basin Plan groundwater

quality objectives adopted by the State Board, and Resolution No. 90-61 adopted by the Regional Board, this Order establishes effluent limitations which the discharger is able to achieve and which will comply with current regulations for protection of groundwater quality.

20. Title 22 specifies that reclaimed water used for the surface or spray irrigation of fodder, fiber, and seed crops shall have a level of quality no less than that of primary effluent. Settleable solids is an indicator of the efficiency of the primary treatment, this Order eliminated the monitoring for settleable solids because the treatment process produces secondary effluent. The monitoring reports submitted by the discharger for the last two years showed no settleable solids in the effluent.
21. On May 18, 1989, the County of San Diego Board of Supervisors certified a final Environmental Impact Report for the Whispering Palms Water Pollution Control Facility Expansion Plan, in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.). The project as approved by the County of San Diego Board of Supervisors will not have a significant effect on water quality.
22. This Order prescribes waste discharge requirements and reclamation requirements governing the production and use of reclaimed water, which the Regional Board has determined are necessary to protect the public health, safety and welfare pursuant to California Water Code, Division 7, Chapter 7, Sections 13500-13550 ("Water Reclamation Law"). This Order, which applies to the producer of reclaimed water, requires that the producer of the reclaimed water establish and enforce rules and regulations which apply to users, including purveyors, of the reclaimed water.
23. The Regional Board, in establishing the requirements contained herein, considered factors including, but not limited to, the following:
  - (a) Beneficial uses to be protected and the water quality objectives reasonably required for that purpose;
  - (b) Other waste discharges;
  - (c) The need to prevent nuisance;
  - (d) Past, present, and probable future beneficial uses of the hydrologic subunits under consideration;
  - (e) Environmental characteristics of the hydrologic subunits under consideration;
  - (f) Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area;

Order No. 94-80

- (g) Economic considerations;
  - (h) The need for additional housing within the region; and
  - (i) The need to develop and use recycled water.
24. The Regional Board has considered all water resource related environmental factors associated with the proposed discharge of waste.
25. The Regional Board has notified the Whispering Palms Community Services District and all known interested parties of the intent to prescribe waste discharge requirements for the proposed discharge.
26. The Regional Board in a public meeting heard and considered all comments pertaining to the discharge.

*No monitoring requirement for coliform, turb, Cl<sub>2</sub> residual because health dept. determined no public contact at reuse site.*

**IT IS HEREBY ORDERED**, that the Whispering Palms Community Services District, hereinafter discharger, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following requirements for the discharge of wastewater from the Whispering Palms Water Pollution Control Facility:

A. PROHIBITIONS

1. Discharges of wastes to lands which have not been specifically described in the report of waste discharge and for which valid waste discharge requirements are not in force are prohibited.
2. Neither the treatment, storage nor disposal of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the California Water Code.
3. The discharge of waste in a manner other than as described in the Findings of this Order is prohibited unless the discharger obtains revised waste discharge requirements that provide for the proposed changes.
4. Disposal of wastewater to surface waters of the United States other than as authorized by an NPDES permit issued by this Regional Board is prohibited.

## B. DISCHARGE SPECIFICATIONS

1. A daily flow from the Whispering Palms Water Pollution Control Facility shall not exceed 0.4 million gallons unless the discharger obtains revised waste discharge requirements for the proposed increased flow.
2. The discharge of secondary effluent to the percolation beds or to the Del Rayo Properties for pasture irrigation containing pollutants in excess of the following effluent limitations is prohibited:

EFFLUENT LIMITATIONS			
Constituent	Unit	30-day Average <sub>1</sub>	Daily Maximum <sub>2</sub>
Biochemical Oxygen Demand (BOD <sub>5</sub> @ 20° C)	mg/l	30	45
Total Suspended Solids	mg/l	30	45
Total Dissolved Solids	mg/l	1100	1200 <sub>3</sub>
Chloride	mg/l	350	500
Sulfate	mg/l	350	500
Nitrate	mg/l	45	50
Percent Sodium	%	60	65
Manganese	mg/l	0.15	0.20
Iron	mg/l	0.85	1.0
Boron	mg/l	0.5	0.6
Fluoride	mg/l	1.0	1.2
Methylene Blue Active Substance	mg/l	0.5	0.6
pH	Within the limits of 6.0 to 9.0 at all times		

- 1 The 30-day average effluent limitation shall apply to the arithmetic mean of the results all samples collected during any 30 consecutive calendar day period.
- 2 The daily maximum effluent limitation shall apply to the results of a single composite or grab sample.
- 3 The daily maximum concentration shall not exceed 1200 mg/l or the imported water supply concentration plus an incremental increase equal to the typical incremental increase added to the water supply which has been used for domestic purposes.
3. Collected screenings, sludge, other solids removed from liquid wastes, and filter backwash shall be disposed in a manner described in the Findings of this Order or as approved by the Executive Officer.
4. Effluent storage facilities shall be designed, constructed, operated, and maintained so as to prevent surfacing of wastes on property not owned or controlled by the discharger. Surface runoff of any wastes which surface on property owned or controlled by the discharger onto property not owned or controlled by the discharger shall be prevented.



C. FACILITY DESIGN AND OPERATION SPECIFICATIONS

1. Proper Operations

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 Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order.

2. Operators' Certification

The discharger's wastewater treatment facilities shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Chapter 3, Subchapter 14, Title 23 of the California Code of Regulations.

3. Flood Protection

All waste treatment, containment and disposal facilities with the exception of irrigation areas, shall be protected against 100-year peak stream flows as defined by the Riverside County flood control agency, unless the discharger obtains revised waste discharger requirements for less stringent flood protection requirements for landscape irrigation ponds.

4. Runoff Protection

All waste treatment, containment and disposal facilities with the exception of irrigation areas, shall be protected against erosion, overland runoff, and other impacts resulting from a 100-year frequency 24-hour storm, unless the discharger obtains revised waste discharger requirements for less stringent storm protection requirements for landscape irrigation ponds.

5. Offsite Discharges

The discharger shall design, construct, operate, and maintain storage facilities and irrigation areas to prevent surfacing or runoff of wastewater on property

not owned or controlled by the discharger.

6. Cross-Connections

The potable water supply shall not be used to supplement the reclaimed water supply except through an approved air gap. In other areas where the potable water supply is piped to premises where sewage is pumped, treated or reclaimed (e.g., sewage treatment plants or pumping stations, golf course, etc.) the potable water supply shall be protected at the property line in accordance with the State Department of Health Services' *Regulations Relating to Cross-Connections*.

7. Capacity Notification

Whenever a publicly owned wastewater treatment plant will reach capacity within four years the discharger shall notify the Regional Board. A copy of such notification shall be sent to appropriate local elected officials, local permitting agencies and the press. The discharger must demonstrate that adequate steps are being taken to address the capacity problem. The discharger shall submit a technical report to the Regional Board showing flow volumes will be prevented from exceeding capacity, or how capacity will be increased, within 120 days after providing notification to the Regional Board, or within 120 days after receipt of notification from the Regional Board, of a finding that the treatment plant will reach capacity within four years. The time for filing the required technical report may be extended by the Regional Board. An extension of 30 days may be granted by the Executive Officer, and longer extensions may be granted by the Regional Board itself.

8. Monitoring and Reporting

The discharger shall comply with attached Monitoring and Reporting Program No. 94-80, and future revisions thereto as specified by the Executive Officer. Monitoring results shall be reported at the intervals specified in Monitoring and Reporting Program No. 94-80.

Order No. 94-80

D. RECLAIMED WATER USE PROVISIONS

1. The Whispering Palms Community Services District (District) shall have **Rules and Regulations for Reclaimed Water Users** governing the design and construction of reclaimed water use facilities and the use of reclaimed water. The Rules and Regulations shall be reviewed and updated if necessary by the District when a new Order or Addendum is adopted by the Regional Board, and shall, at a minimum, include the Standard Provisions for Rules and Regulations which are contained in Attachment No. 1 to this Order.
2. The Whispering Palms Community Services District (District) shall implement and enforce the approved Rules and Regulations for reclaimed water users. Any use of reclaimed water by the District shall be consistent with the Rules and Regulations. The District shall submit an annual report certifying that the users have implemented the Rules and Regulations established by the discharger.
3. The Whispering Palms Community Services District (District) shall develop a program to conduct compliance inspections of reclaimed water reuse sites to determine the status of compliance with the approved rules and regulations for reclaimed water users.

E. STANDARD PROVISIONS

1. Duty to Comply

The discharger must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the California Water Code and is grounds for (a) enforcement action; (b) termination, revocation and reissuance, or modification of this Order; or (c) denial of a report of waste discharge in application for new or revised waste discharge requirements.

2. Entry and Inspection

The discharger shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:

- (a) Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under

the conditions of this Order;

- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- (d) Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the California Water Code, any substances or parameters at any location.

3. Civil Monetary Remedies

The California Water Code provides that any person who intentionally or negligently violates any waste discharge requirements issued, reissued, or amended by this Regional Board is subject to a civil monetary remedy of up to 20 dollars per gallon of waste discharged or, if a cleanup and abatement order is issued, up to 15,000 dollars per day of violation or some combination thereof.

4. Penalties for Investigation, Monitoring or Inspections

The California Water Code provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or falsifying any information provided in the monitoring reports is guilty of a misdemeanor and is subject to a civil liability of up to 5,000 dollars for each day in which the violation occurs.

5. Endangerment of Health and Environment

The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided orally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent

recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence(s) must be reported to the Executive Officer within 24 hours:

- (a) Any bypass from any portion of the treatment facility.
- (b) Any discharge of treated or untreated wastewater resulting from sewer line breaks, obstruction, surcharge or any other circumstances.
- (c) Any treatment plant upset which causes the effluent limitations of this Order to be exceeded.

6. Prior Notice of Bypass

If a need for a discharge bypass is known in advance, the discharger shall submit prior notice and, if at all possible, such notice shall be submitted at least 10 days prior to the date of the bypass.

7. Corrective Action

The discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.

8. Treatment Failure

In an enforcement action, it shall not be a defense for the discharger that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment facility, the discharger shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided. This provision applies for example, when the primary source of power of the treatment facility is failed, reduced, or lost.

9. Hazardous Releases

Except for a discharge which is compliance with these waste discharge

requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, shall as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Director of Environmental Health Services, County of San Diego in accordance with California Health and Safety Code Section 5411.5 and the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the Water Code unless the discharger is in violation of a prohibition in the applicable Water Quality Control Plan.

10. Petroleum Releases

Except for a discharge which is in compliance with these waste discharge requirements, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Article 3.5 (commencing with Section 8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code. This requirement does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Section 311 of the Clean Water Act or the discharge is in violation of a prohibition in the applicable Water Quality Control Plan.

Order No. 94-80

F. REPORTING AND RECORD KEEPING REQUIREMENTS

1. Permit Repository

A copy of this Order shall be maintained at the discharger's facility and shall be available to operating personnel at all times.

2. Maintenance of Records

The discharger shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.

3. General Reporting Requirement

The discharger shall furnish to the Executive Officer of this Regional Board, within a reasonable time, any information which the Executive Officer may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The discharger shall also furnish to the Executive Officer, upon request, copies of records required to be kept by this Order.

4. Permit Revision

This Order may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:

- (a) Violation of any terms or conditions of this Order;
- (b) Obtaining this Order by misrepresentation or failure to disclose fully all relevant facts; or
- (c) A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

The filing of a request by the discharger for the modification, revocation and

reissuance, or termination of this Order, or notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

5. Change in Discharge

The discharger shall file a new Report of Waste Discharge at least 120 days prior to the following:

- (a) Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the wastes.
- (b) Significant change in the treatment or disposal method (e.g., change in the method of treatment which would significantly alter the nature of the waste.)
- (c) Change in the disposal area from that described in the findings of this Order.
- (d) Increase in flow beyond that specified in this Order.
- (e) Other circumstances which result in a material change in character, amount, or location of the waste discharge.
- (f) Any planned change in the regulated facility or activity which may result in noncompliance with this Order.

6. Change in Ownership

This Order is not transferrable to any person except after notice to the Executive Officer. The discharger shall submit this notice in writing at least 30 days in advance of any proposed transfer. The notice must include a written agreement between the existing and new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgement that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date on. The Regional Board may require modification or revocation and reissuance of this Order to change the name of the discharger and incorporate such other requirements as may be necessary under the California Water Code.



Order No. 94-80

7. Incomplete Reports

Where the discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information.

8. Report Declaration

All applications, reports, or information submitted to the Executive Officer shall be signed and certified as follows:

- (a) The Report of Waste Discharge shall be signed as follows:
- (1) For a corporation - by a principal executive officer of at least the level of vice-president.
  - (2) For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.
  - (3) For a municipality, state, federal or other public agency - by either a principal executive officer or ranking elected official.
- (b) All other reports required by this Order and other information required by the Executive Officer shall be signed by a person designated in paragraph (a) of this provision, or by a duly authorized representative of that person. An individual is a duly authorized representative only if:
- (1) The authorization is made in writing by a person described in paragraph (a) of this provision;
  - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity; and
  - (3) The written authorization is submitted to the Executive Officer.
- (c) Any person signing a document under this Section shall make the following certification:
- "I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all

attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

9. Regional Board Address

The discharger shall submit reports required under this Order, or other information required by the Executive Officer, to:

Executive Officer  
California Regional Water Quality Control Board  
San Diego Region  
9771 Clairemont Mesa Blvd, Suite B  
San Diego, California 92124-1331

G. NOTIFICATIONS

1. Vested Rights

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the discharger from liability under federal, state or local laws, nor create a vested right for the discharger to continue the waste discharge.

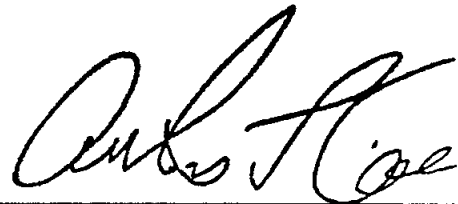
2. Severability

The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.

3. Supersession

These WDRs hereby supersede Order No. 85-85, **Waste Discharge Requirements for Whispering Palms Community Services District, Whispering Palms Water Pollution Control Facility, San Diego County.** This Order becomes effective on the date of adoption by the Regional Board.

I, Arthur L. Coe, 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, San Diego Region, on June 9, 1994.



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Arthur L. Coe  
Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION

MONITORING AND REPORTING PROGRAM NO. 94-80  
FOR THE  
WHISPERING PALMS COMMUNITY SERVICES DISTRICT  
WHISPERING PALMS WATER POLLUTION CONTROL FACILITY  
SAN DIEGO COUNTY

A. MONITORING PROVISIONS

1. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this Order and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. Monitoring points shall not be changed without notification to and the approval of the Executive Officer.
2. Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated and maintained to ensure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than  $\pm 5$  percent from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration and operation of acceptable flow measurement devices can be obtained from the following references:
  - (a) "A Guide to Methods and Standards for the Measurement of Water Flow," U. S. Department of Commerce, National Bureau of Standards, NBS Special Publication 421, May 1975, 97 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by SD Catalog No. C13.10:421.)
  - (b) "Water Measurement Manual," U.S. Department of Interior, Bureau of Reclamation, Second Edition, Revised Reprint, 1974, 327 pp. (Available from the U.S. Government Printing Office, Washington D.C. 20402. Order by Catalog No. 127,19/2:W29/2, Stock No. S/N 24003-0027.)
  - (c) "Flow Measurement in Open Channels and Closed Conduits," U.S. Department of Commerce, National Bureau of Standards, NBS Special

Publication 484, October 1977, 982 pp. (Available in paper copy or microfiche from National Technical Information Service (NTIS) Springfield, VA 22151. Order by NTIS No. PB-273-535/5ST.)

- (d) "NPDES Compliance Sampling Manual," U.S. Environmental Protection Agency, Office of Water Enforcement. Publication MCD-51, 1977, 140 pp. (Available from the General Services Administration (8FFS), Centralized Mailing Lists Services, Building 41, Denver Federal Center, Denver, CO 80225.)
3. Monitoring must be conducted according to United States Environmental Protection Agency test procedures approved under Title 40, Code of Federal Regulations (CFR), Part 136, "Guidelines Establishing Test Procedures for Analysis of Pollutants Under the Clean Water Act" as amended, unless other test procedures have been specified in this Order.
  4. All analyses shall be performed in a laboratory certified to perform such analyses by the California Department of Health Services or a laboratory approved by the Executive Officer.
  5. Monitoring results must be reported on discharge monitoring report forms approved by the Executive Officer.
  6. If the discharger monitors any pollutants more frequently than required by this Order, using test procedures approved under 40 CFR, Part 136, or as specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the discharger's monitoring report. The increased frequency of monitoring shall also be reported.
  7. 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 Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.
  8. Records of monitoring information shall include:
    - (a) The date, exact place, and time of sampling or measurements;
    - (b) The individual(s) who performed the sampling or measurements;

- (c) The date(s) analyses were performed;
  - (d) The individual(s) who performed the analyses;
  - (e) The analytical techniques or method used; and
  - (f) The results of such analyses.
9. All monitoring instruments and devices which are used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.
  10. The discharger shall report all instances of noncompliance not reported under Standard Provisions E.5 of this Order at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provisions E.5.
  11. The monitoring reports shall be signed by an authorized person as required by Reporting and Record Keeping Requirement F.8.
  12. A composite sample is defined as a combination of at least eight sample aliquot of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over a 24 hour period. For volatile pollutants, aliquot must be combined in the laboratory immediately before analysis. The composite must be flow proportional; either the time interval between each aliquot or the volume of each aliquot must be proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot. Aliquot may be collected manually or automatically.
  13. A grab sample is an individual sample of at least 100 milliliters collected at a randomly selected time over a period not exceeding 15 minutes.

B. EFFLUENT MONITORING

- The Whispering Palms Community Services District shall review the Whispering Palms Water Pollution Control Facility monitoring results for compliance with the following effluent limitations specified in Order No. 94-80 and submit a statement of compliance as part of Monitoring and Reporting Program No. 94-80. The statement of compliance shall identify and report all effluent limitation violations of Discharge Specifications No. B.2. of this Order. The following monitoring program shall constitute the effluent monitoring program for the Whispering Palms Water Pollution Control Facility specific to this Order:

MONITORING PROGRAM				
Determination	Unit	Sample Type	Sampling Frequency	Reporting Frequency
Flowrate	MGD	Continuous	Continuous	Quarterly
Biochemical Oxygen Demand (BOD <sub>5</sub> @ 20° C)	mg/l	Composite	Weekly	Quarterly
Total Suspended Solids	mg/l	Composite	Weekly	Quarterly
Volatile Suspended Solids	mg/l	Composite	Weekly	Quarterly
pH	Unit	Grab	Weekly	Quarterly
Total Dissolved Solids	mg/l	Composite	Quarterly	Quarterly
Chloride	mg/l	Composite	Quarterly	Quarterly
Sulfate	mg/l	Composite	Quarterly	Quarterly
Percent Sodium	%	Composite	Quarterly	Quarterly
Iron	mg/l	Composite	Quarterly	Quarterly
Manganese	mg/l	Composite	Quarterly	Quarterly
Methylene Blue Active Substances	mg/l	Composite	Quarterly	Quarterly
Boron	mg/l	Composite	Quarterly	Quarterly
Fluoride	mg/l	Composite	Quarterly	Quarterly
Aluminum	mg/l	Composite	Annually	Annually
Arsenic	mg/l	Composite	Annually	Annually
Barium	mg/l	Composite	Annually	Annually
Cadmium	mg/l	Composite	Annually	Annually
Chromium	mg/l	Composite	Annually	Annually
Copper	mg/l	Composite	Annually	Annually
Lead	mg/l	Composite	Annually	Annually
Zinc	mg/l	Composite	Annually	Annually
Mercury	mg/l	Composite	Annually	Annually
Selenium	mg/l	Composite	Annually	Annually
Silver	mg/l	Composite	Annually	Annually

Notes: MGD = Million gallons per day  
 mg/l = milligrams per liter

- 1 The discharger shall increase the monitoring frequency from weekly to daily whenever the monitoring data indicates a violation of the daily maximum limit for these constituents as specified by Discharge Specification B.2 of this Order. The daily monitoring shall continue until the discharger achieves compliance with these limitations for two consecutive weeks. After compliance is achieved, the discharger shall resume monitoring at the weekly frequency.

C. GROUNDWATER

Representative groundwater samples from wells located on site shall be collected and analyzed for the following constituents as indicated below. The samples shall be collected semiannually and reported to the Regional Board semiannually.

CONSTITUENT	UNIT
Total Dissolved Solids	mg/l
Chloride	mg/l
Sulfate	mg/l

D. POTABLE WATER SUPPLY

The following shall constitute the potable water supply monitoring program. Effluent and potable water supply monitoring shall be on the same day. The samples shall be collected and reported quarterly. Annually, based upon the monitoring results of the previous 12 months, the discharger shall submit a report demonstrating that the Total Dissolved Solids increment in the effluent over the water supply was typical for municipal wastewater systems in Southern California.

CONSTITUENT	UNIT
Total Dissolved Solids	mg/l
Chloride	mg/l
Sulfate	mg/l

E. SEWAGE SOLIDS

A record of the type, quantity, and manner of disposal and/or reuse of solids removed in the course of sewage treatment shall be maintained at the facility and made available to the Regional Board staff.



F. RECLAIMED WATER USERS SUMMARY REPORT

1. The Whispering Palms Community Services District shall submit a quarterly reclaimed water users summary report containing the following information:
  - a) Total volume of reclaimed water supplied to all reclaimed water users for each month of the reporting period.
  - b) Total number of reclaimed water use sites.
  - c) Address of the reclaimed water use site
  - d) Basin Plan name and number of hydrologic subarea underlying the reclaimed water use site

2. The Whispering Palms Community Services District shall submit an annual reclaimed water users compliance report containing the following information:

- a) Reclaimed water use site summary information

The following information shall be submitted for each reclaimed water use site.

- 1) Name of the reclaimed water use site
- 2) Owner of the reclaimed water use facility
- 3) Name of the reclaimed water use supervisor
- 4) Phone number of the reclaimed water use supervisor
- 5) Mailing address of the reclaimed water use supervisor, if different from site address
- 6) Volume of reclaimed water delivered to the reclaimed water use site on a monthly basis.

- b) Reclaimed water use site inspections

Number of reclaimed water use site inspections conducted by discharger/producer staff and identification of sites inspected for the reporting period.

- c) Reclaimed water user violations of the discharger's rules and regulations

The discharger shall identify all reclaimed water users known by the discharger to be in violation of the discharger's rules and regulations for reclaimed water users. The report shall include a description of the noncompliance and its cause, including the period of noncompliance, and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

G. REPORTING

Monitoring reports shall be submitted to the Executive Officer in accordance with the following schedule:

<u>Reporting Frequency</u>	<u>Report Period</u>	<u>Report Due</u>
Quarterly	January-March	April 30
	April-June	July 30
	July-September	October 30
	October-December	January 30
Semiannually	January-June	July 30
	July-December	January 30
Annually	January-December	January 30

Monitoring reports shall be submitted to:

California Regional Water Quality Control Board  
San Diego Region  
9771 Clairemont Mesa Blvd., Suite B  
San Diego, CA 92124-1331

Ordered by



Arthur L. Coe  
Executive Officer  
June 9, 1994

**STANDARD PROVISIONS  
FOR  
RULES AND REGULATIONS**

(Attachment No. 1 to Order No. 94-80)

- a. Provisions implementing Title 22, Division 4, Chapter 3, **Wastewater Reclamation Criteria**, and Title 17, Division 1, Chapter 5, Group 4, Article 1 & 2, of the California Code of Regulations;
- b. Provisions implementing the State Department of Health Services (DOHS) **Guidelines For Use of Reclaimed Water and Guidelines for Use of Reclaimed Water for Construction Purposes** and measures that are deemed necessary for protection of public health, such as the American Water Works Association (AWWA) California/Nevada Section, **Guidelines for the Distribution of Non-Potable Water** or alternate measures, acceptable to DOHS, providing equivalent protection of public health;
- c. Provisions authorizing the Regional Board, the discharger/producer, or an authorized representative of these parties, upon presentation of proper credentials, to inspect the facilities of any reclaimed water user to ascertain whether the user is complying with the discharger/producer's rules and regulations;
- d. Provision for written notification, in a timely manner, to the discharger/producer by the reclaimed water user of any material change or proposed change in the character of the use of reclaimed water;
- e. Provision for submission of a preconstruction report to the discharger/producer by the reclaimed water user in order to enable the discharger/producer to determine whether the user will be in compliance with the discharger/producer's rules and regulations;
- f. Provision requiring reclaimed water users to designate a reclaimed water supervisor responsible for the reclaimed water system at each use area under the user's control. Reclaimed water supervisors should be responsible for the installation, operation, and maintenance of the irrigation system, enforcement of the discharger/producer's reclaimed water user rules and regulations, prevention of potential hazards, and maintenance of the reclaimed water distribution system plans in "as built" form;
- g. Provision authorizing the discharger/producer to cease supplying reclaimed water to any person who uses, transports, or stores such water in violation of the discharger/producer's rules and regulations;

- h. Provision requiring notification and concurrence of the State Department of Health Services and the San Diego County Department of Health Services, Environmental Health Services for new reclaimed water users. The notification of Environmental Health Services shall include a site distribution plan for new and retrofit facilities and a cross-connection control inspection plan for sites containing both potable and reclaimed water distribution lines;
- i. Provision requiring all windblown spray and surface runoff of reclaimed water applied for irrigation onto property not owned or controlled by the discharger or reclaimed water user shall be prevented by implementation of best management practices;
- j. Provision requiring all reclaimed water storage facilities owned and/or operated by reclaimed water users to be protected against erosion, overland runoff, and other impacts resulting from a 100-year, 24 hour frequency storm unless the Regional Board Executive Officer approves relaxed storm protection measures for the facility;
- k. Provision requiring all reclaimed water storage facilities owned and/or operated by reclaimed water users to be protected against 100 - year frequency peak stream flows as defined by the San Diego County flood control agency unless the Regional Board Executive Officer approves relaxed storm protection measures for the facility;
- l. Provision for notification to reclaimed water users that the Regional Board may initiate enforcement action against any reclaimed water user who discharges reclaimed water in violation of any applicable discharge prohibitions prescribed by the Regional Board or in a manner which creates, or threatens to create conditions of pollution, contamination, or nuisance, as defined in Water Code Section 13050; and
- m. Provision for notification to reclaimed water users that the Regional Board may initiate enforcement action against the discharger/producer, which may result in the termination of the reclaimed water supply, if any person uses, transports, or stores such water in violation of the discharger/producer's rules and regulations or in a manner which creates, or threatens to create conditions of pollution, contamination, or nuisance, as defined in Water Code Section 13050.