

San Francisco Bay Regional Water Quality Control Board

ORDER No. R2-2020-0022
NPDES No. CA0037851

The following discharger is subject to waste discharge requirements (WDRs) set forth in this Order:

Table 1: Discharger Information

Discharger	Las Gallinas Valley Sanitary District
Facility Name	Las Gallinas Valley Sanitary District Sewage Treatment Plant and its wastewater collection system
Facility Address	300 Smith Ranch Road San Rafael, CA 94903 Marin County
CIWQS Place Number	236598

Table 2: Discharge Locations

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
001	Secondary Treated Municipal Wastewater	38.23718°	-122.43186°	Miller Creek
002	Secondary Treated Municipal Wastewater	38.21834°	-122.38325°	Miller Creek

Table 3: Administrative Information

This Order was adopted on:	July 8, 2020
This Order shall become effective on:	September 1, 2020
This Order shall expire on:	August 31, 2025
CIWQS Regulatory Measure Number	439063
The Discharger shall file a Report of Waste Discharge for updated WDRs in accordance with California Code of Regulations, title 23, and as an application for reissuance of a National Pollutant Discharge Elimination System (NPDES) permit no later than:	December 1, 2024
The U.S. Environmental Protection Agency (U.S. EPA) and the California Regional Water Quality Control Board, San Francisco Bay Region, have classified this discharge as follows:	Major

I hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on the date indicated above.



Digitally signed by Michael Montgomery
Date: 2020.07.10 07:16:21
Water Boards

Michael Montgomery, Executive Officer

Contents

I.	Facility Information	3
II.	Findings.....	3
III.	Discharge Prohibitions.....	3
IV.	Effluent Limitations and Discharge Specifications	4
V.	Receiving Water Limitations	7
VI.	Provisions.....	8
	A. Standard Provisions	8
	B. Monitoring and Reporting.....	8
	C. Special Provisions	8
	1. Reopener Provisions.....	8
	2. Effluent Characterization Study and Report	9
	3. Pollutant Minimization Program	10
	4. Special Provisions for Publicly-Owned Treatment Works	12
	5. Other Special Provisions	12

Tables

Table 1: Discharger Information.....	1
Table 2: Discharge Locations	1
Table 3: Administrative Information	1
Table 4: Effluent Limitations – Wet Season.....	5
Table 5: Effluent Limitations – Dry Season	5
Table 6: Specific Tasks to Reduce Wet Weather Bypass.....	13
Table 7: Copper Action Plan.....	13
Table 8: Cyanide Action Plan.....	14

Attachments

Attachment A – Definitions.....	A-1
Attachment B – Facility Map.....	B-1
Attachment C – Process Flow Diagrams.....	C-1
Attachment D – Federal Standard Provisions	D-1
Attachment E – Monitoring and Reporting Program (MRP).....	E-1
Attachment F – Fact Sheet.....	F-1
Attachment G – Regional Standard Provisions and Monitoring and Reporting Requirements.....	G-1

I. FACILITY INFORMATION

Information describing the Las Gallinas Valley Sanitary District Sewage Treatment Plant and Wastewater Collection System (collectively, Facility) is summarized in Table 1 and Fact Sheet (Attachment F) sections I and II.

II. FINDINGS

The California Regional Water Quality Control Board, San Francisco Bay Region (Regional Water Board), finds:

- A. Legal Authorities.** This Order serves as WDRs pursuant to California Water Code article 4, chapter 4, division 7 (commencing with § 13260). This Order is also issued pursuant to federal Clean Water Act (CWA) section 402 and implementing regulations adopted by U.S. EPA and Water Code chapter 5.5, division 7 (commencing with § 13370). It shall serve as a National Pollutant Discharge Elimination System (NPDES) permit authorizing the Discharger to discharge into waters of the United States as listed in Table 2 subject to the WDRs in this Order.
- B. Background and Rationale for Requirements.** The Regional Water Board developed the requirements in this Order based on information the Discharger submitted as part of its application, information obtained through monitoring and reporting programs, and other available information. The Fact Sheet contains background information and rationale for the requirements in this Order and is hereby incorporated into and constitutes findings for this Order. Attachments A through E, and G are also incorporated into this Order.
- C. Notification of Interested Parties.** The Regional Water Board notified the Discharger and interested agencies and persons of its intent to prescribe these WDRs and provided an opportunity to submit written comments and recommendations. The Fact Sheet provides details regarding the notification.
- D. Consideration of Public Comment.** The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. The Fact Sheet provides details regarding the public hearing.

THEREFORE, IT IS HEREBY ORDERED that Order No. R2-2015-0021 (previous order) is rescinded upon the effective date of this Order, except for enforcement purposes, and, in order to meet the provisions of Water Code division 7 (commencing with § 13000) and regulations adopted thereunder and the provisions of the CWA and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order. This action in no way prevents the Regional Water Board from taking enforcement action for past violations of the previous order.

III. DISCHARGE PROHIBITIONS

- A.** Discharge of treated or partially-treated wastewater at a location or in a manner different from that described in this Order is prohibited.
- B.** Discharge to Miller Creek at Discharge Point Nos. 001 and 002 is prohibited during the dry season each year, from June 1 through October 31, except when facility effluent flow exceeds the capacity of influent storage and the capacity of the recycled water distribution and storage system (described in Fact Sheet section II.A.6) to meet recycled water demand. Discharge shall not arise as a result of

the Discharger's failure to produce, use, or supply demand for recycled water that the Regional Water Board has authorized. The discharge shall be monitored and meet limitations and shall consist of fully treated effluent (or meet the requirements for blending in Discharge Prohibition III.C below). Water from the storage ponds shall not be discharged directly.

If there is discharge during the dry season, the Discharger shall describe the reasons for the discharge in the transmittal letter of the next self-monitoring report, with supporting information, and include a table that describes the volume, duration, and estimated dilution within the receiving water. In accordance with the Monitoring and Reporting Program (MRP, Attachment E), all discharge volume and quality data shall be reported in the appropriate monthly self-monitoring report.

- C. Bypass of untreated or partially-treated wastewater to waters of the United States is prohibited, except as provided for in Attachment D section I.G of this Order. For purposes of this Order, flows routed around nitrification and deep bed filtration are not considered bypasses subject to Attachment D section I.G.

Blended wastewater is biologically treated wastewater blended with wastewater diverted around biological treatment units. Such discharges are approved under the bypass conditions of 40 C.F.R. section 122.41(m)(4) when (1) the Discharger's peak wet weather influent flow exceeds the capacity of the secondary treatment units of 8 million gallons per day (MGD) prior to completion of treatment plant upgrades, and 18 MGD after the upgrades required by Provision VI.C.5.a (see Table 6, task 4), (2) the discharge complies with the effluent and receiving water limitations contained in this Order, and (3) the Discharger complies with Provision VI.C.5.a of this Order. Furthermore, the Discharger shall operate the Facility as designed and in accordance with the Operation and Maintenance Manual for the Facility. This means it shall optimize storage and use of equalization units, and shall fully use the biological treatment units. The Discharger shall report incidents of wet weather bypasses in routine monitoring reports and shall monitor blended discharges as specified in the Monitoring and Reporting Program (MRP) (Attachment E) section IV.B.

- D. Average dry weather influent flow in excess of 2.92 MGD is prohibited. Average dry weather influent flow shall be determined from three consecutive dry weather months each year, with compliance measured at Monitoring Location INF-001 as described in the MRP.
- E. Any sanitary sewer overflow that results in a discharge of untreated or partially-treated wastewater to waters of the United States is prohibited.

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations

- 1. **Wet Season.** From November 1 through April 30, the Discharger shall comply with the following effluent limitations at Discharge Point Nos. 001, and 002, with compliance measured at Monitoring Locations EFF-001 and EFF-001B, as described in the MRP:

Table 4: Effluent Limitations – Wet Season

Parameter	Units	Average Monthly Limit	Average Weekly Limit	Maximum Daily Limit	Instantaneous Minimum Limit	Instantaneous Maximum Limit
Biochemical Oxygen Demand, 5-day @ 20°C (BOD ₅) ^[1]	mg/L	30 [25]	45 [40]	-	-	-
Total Suspended Solids (TSS) ^[1]	mg/L	30 [25]	45 [40]	-	-	-
Oil and Grease	mg/L	10	-	20	-	-
Ammonia, Total ^[1]	mg/L as N	10 [6]	-	18	-	-
pH ^[2]	s.u.	-	-	-	6.5	8.5
Chlorine Residual	mg/L	-	-	-	-	0.0
Copper, Total Recoverable	µg/L	8.6	-	11	-	-
Cyanide, Total	µg/L	6.4	-	14	-	-
Bis(2-Ethylhexyl) Phthalate	µg/L	5.9	-	12	-	-
Dioxin-TEQ	µg/L	1.4 x 10 ⁻⁸	-	2.8 x 10 ⁻⁸	-	-

Abbreviations:

mg/L = milligrams per liter
 mg/L as N = milligrams per liter as nitrogen
 µg/L = micrograms per liter
 s.u. = standard units

Footnotes:

- ^[1] For BOD₅, TSS, and ammonia, values in brackets shall be the effluent limitations once the Discharger satisfies Provision VI.C.5.a.4.
^[2] If the Discharger monitors pH continuously, pursuant to 40 C.F.R. section 401.17 the Discharger shall be in compliance with this pH limitation provided that both of the following conditions are satisfied: (i) the total time during which the pH is outside the required range shall not exceed 7 hours and 26 minutes in any calendar month; and (ii) no individual excursion from the required pH range shall exceed 60 minutes.

2. Dry Season. From May 1 through October 31, the Discharger shall comply with the following effluent limitations at Discharge Point Nos. 001, and 002, with compliance measured at Monitoring Locations EFF-001 and EFF-001B, as described in the MRP:

Table 5: Effluent Limitations – Dry Season

Parameter	Units	Average Monthly Limit	Average Weekly Limit	Maximum Daily Limit	Instantaneous Minimum Limit	Instantaneous Maximum Limit
Biochemical Oxygen Demand, 5-day @ 20°C (BOD ₅)	mg/L	20	25	30	-	-
Total Suspended Solids (TSS)	mg/L	15	18	20	-	-
Oil and Grease	mg/L	5	-	15	-	-
Ammonia, Total	mg/L as N	6	-	18	-	-
pH ^[2]	s.u.	-	-	-	6.5	8.5
Chlorine Residual	mg/L	-	-	-	-	0.0
Copper, Total Recoverable	µg/L	8.6	-	11	-	-
Cyanide, Total	µg/L	6.4	-	14	-	-
Bis(2-Ethylhexyl) Phthalate	µg/L	5.9	-	12	-	-
Dioxin-TEQ	µg/L	1.4 x 10 ⁻⁸	-	2.8 x 10 ⁻⁸	-	-

Abbreviations:

mg/L = milligrams per liter
 mg/L as N = milligrams per liter as nitrogen
 µg/L = micrograms per liter

s.u. = standard units

Footnote:

^[1] If the Discharger monitors pH continuously, pursuant to 40 C.F.R. section 401.17 the Discharger shall be in compliance with this pH limitation provided that both of the following conditions are satisfied: (i) the total time during which the pH is outside the required range shall not exceed 7 hours and 26 minutes in any calendar month; and (ii) no individual excursion from the required pH range shall exceed 60 minutes.

B. Percent Removal. The average monthly percent removal of biochemical oxygen demand (BOD₅) and total suspended solids (TSS) at all discharge points shall not be less than 85 percent (i.e., in each calendar month, the arithmetic mean of BOD₅ and TSS, by concentration, of effluent samples collected at Monitoring Location EFF-001 as described in the MRP, shall not exceed 15 percent of the arithmetic mean of BOD₅ and TSS, by concentration, of influent samples collected at Monitoring Location INF-001 as described in the MRP). For a calendar month in which the Discharger discharges blended effluent at Discharge Point No. 001, the BOD₅ and TSS monthly arithmetic mean and percent removal shall include results of blended effluent samples collected at Monitoring Location EFF-001B flow-weighted with effluent samples collected at Monitoring Location EFF-001.

C. Enterococcus Bacteria. The discharge at all discharge points shall meet the following enterococcus effluent limitations, with compliance measured at Monitoring Locations EFF-001 and EFF-001B, as described in the MRP:

1. The six-week rolling geometric mean of enterococcus bacteria, calculated weekly, shall not exceed 30 colony forming units per 100 milliliters (CFU/100 mL); and
2. No more than 10 percent of all enterococcus bacteria samples collected in a calendar month shall exceed 110 CFU/100 mL.

Compliance with these enterococcus limits shall be evaluated as follows:

- **Six-week rolling geometric mean.** Compliance with this limit shall be determined weekly by calculating the geometric mean of all enterococcus sample results from the past six weeks.
- **10 percent of samples.** Compliance with this limit shall be determined based on measured sample results. The Discharger shall not report interpolated results. If the Discharger has 9 or fewer sample results in a calendar month, compliance shall be based on the highest result. If the Discharger has 10 to 19 sample results, compliance shall be based on the second highest result, and so on.

D. Acute Toxicity. The discharge at all discharge points shall meet the following acute toxicity effluent limitations, with compliance measured at Monitoring Location EFF-001, as described in the MRP:

1. Three-sample median of not less than 90 percent survival; and
2. Single-sample maximum of not less than 70 percent survival.

These acute toxicity limitations are defined as follows:

- **Three-sample median.** A bioassay test showing survival of less than 90 percent represents a violation of this effluent limit if one or more of the past two bioassay tests show less than 90 percent survival.

- **Single-sample maximum.** A bioassay test showing survival of less than 70 percent represents a violation of this effluent limit.

If the Discharger can demonstrate that toxicity exceeding the levels cited above is caused solely by ammonia and that the ammonia in the discharge complies with the ammonia effluent limits in Table 4 of this Order, then such toxicity shall not constitute a violation of the acute toxicity effluent limitations.

V. RECEIVING WATER LIMITATIONS

- A. The discharge shall not cause or contribute to the following conditions in receiving waters at any place:
1. Floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses;
 2. Alteration of suspended sediment in such a manner as to cause nuisance or adversely affect beneficial uses or detrimental increase in the concentrations of toxic pollutants in sediments or aquatic life;
 3. Suspended material in concentrations that cause nuisance or adversely affect beneficial uses;
 4. Bottom deposits or aquatic growths to the extent that such deposits or growths cause nuisance or adversely affect beneficial uses;
 5. Alteration of temperature beyond present natural background levels unless it can be demonstrated to the satisfaction of the Regional Water Board that such alteration in temperature does not adversely affect beneficial uses;
 6. Changes in turbidity that cause nuisance or adversely affect beneficial uses, or increases from normal background light penetration or turbidity greater than 10 percent in areas where natural turbidity is greater than 50 nephelometric turbidity units, or above 55 nephelometric turbidity units in areas where natural turbidity is less than or equal to 50 nephelometric turbidity units;
 7. Coloration that causes nuisance or adversely affects beneficial uses;
 8. Visible, floating, suspended, or deposited oil or other products of petroleum origin; or
 9. Toxic or other deleterious substances in concentrations or quantities that cause deleterious effects on wildlife, waterfowl, or other aquatic biota, or render any of these unfit for human consumption, either at levels created in the receiving waters or as a result of biological concentration.
- B. The discharge shall not cause the following limits to be exceeded in receiving waters at any place within one foot of the water surface:
1. Dissolved Oxygen 5.0 mg/L, minimum
The median dissolved oxygen concentration for any three consecutive months shall not be less than 80 percent of the dissolved oxygen content at saturation. When natural factors cause concentrations less

than that specified above, the discharge shall not cause further reduction in ambient dissolved oxygen concentrations.

2. Dissolved Sulfide Natural background levels
 3. pH The pH shall not be depressed below 6.5 or raised above 8.5. The discharge shall not cause changes greater than 0.5 pH units in normal ambient pH levels.
 4. Nutrients Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses.
- C. The discharge shall not cause a violation of any water quality standard for receiving waters adopted by the Regional Water Board or State Water Resources Control Board (State Water Board) as required by the CWA and regulations adopted thereunder. If more stringent water quality standards are promulgated or approved pursuant to CWA section 303, or amendments thereto, the Regional Water Board may revise or modify this Order in accordance with the more stringent standards.

VI. PROVISIONS

A. Standard Provisions

1. The Discharger shall comply with all “Standard Provisions” in Attachment D.
2. The Discharger shall comply with all applicable provisions of the “Regional Standard Provisions, and Monitoring and Reporting Requirements for NPDES Wastewater Discharge Permits” in Attachment G.

B. Monitoring and Reporting

The Discharger shall comply with the MRP (Attachment E) and future revisions thereto and applicable sampling and reporting requirements in Attachments D and G.

C. Special Provisions

1. Reopener Provisions

The Regional Water Board may modify or reopen this Order prior to its expiration date in any of the following circumstances as allowed by law:

- a. If present or future investigations demonstrate that the discharges governed by this Order have or will have a reasonable potential to cause or contribute to adverse impacts on water quality or beneficial uses of the receiving waters.
- b. If new or revised water quality objectives or total maximum daily loads (TMDLs) come into effect for San Francisco Bay or contiguous water bodies (whether statewide, regional, or site-specific). In such cases, effluent limitations in this Order may be modified as necessary to reflect the updated water quality objectives and wasteload allocations in the TMDLs. Adoption of the effluent limitations in this Order is not

intended to restrict in any way future modifications based on legally-adopted water quality objectives or TMDLs or as otherwise permitted under federal regulations governing NPDES permit modifications.

- c. If translator, dilution, or other water quality studies provide a basis for determining that a permit condition should be modified.
- d. If State Water Board precedential decisions, new policies, new laws, or new regulations are adopted.
- e. If an administrative or judicial decision on a separate NPDES permit or WDRs addresses requirements similar to this discharge.
- f. If the Discharger requests adjustments in effluent limits due to the implementation of stormwater diversion pursuant to the Municipal Regional Stormwater Permit (Permit No. CAS612008) for redirecting dry weather and first flush discharges from the storm drain system to the sanitary sewer system as a stormwater pollutant control strategy.
- g. Or as otherwise authorized by law.

The Discharger may request a permit modification based on any of the circumstances above. With any such request, the Discharger shall include antidegradation and anti-backsliding analyses.

2. Effluent Characterization Study and Report

- a. **Study Elements.** The Discharger shall characterize and evaluate the discharge from Discharge Point Nos. 001 and 002, as required by the MRP, to verify that the reasonable potential analysis conclusions of this Order remain valid and to inform the next permit reissuance. The Discharger shall evaluate on an annual basis if concentrations of any of the priority pollutants listed in Attachment G, Table B, significantly increase over past performance. The Discharger shall investigate the cause of any such increase. The investigation may include, but need not be limited to, an increase in monitoring frequency, monitoring of internal process streams, and monitoring of influent sources. The Discharger shall establish remedial measures addressing any increase resulting in reasonable potential to cause or contribute to an exceedance of applicable water quality objectives. This requirement may be satisfied through identification of the constituent as a “pollutant of concern” in the Discharger’s Pollutant Minimization Program, described in Provision VI.C.3.
- b. **Reporting Requirements**
 - i. **Routine Reporting.** The Discharger shall report the pollutants detected at or above applicable water quality objectives (see Fact Sheet Table F-7 for the objectives) in the transmittal letter for the self-monitoring report associated with the month in which samples were collected. This requirement does not apply to pollutants with effluent limitations (see Table 4, section IV.A).
 - ii. **Annual Reporting.** The Discharger shall summarize the annual data evaluation and source investigation in the annual self-monitoring report.

3. Pollutant Minimization Program

- a. The Discharger shall continue to improve its existing Pollutant Minimization Program to promote minimization of pollutant loadings to the treatment plant and therefore to the receiving waters.
- b. The Discharger shall submit an annual report no later than February 28 of each calendar year. Each annual report shall include at least the following information:
 - i. **Brief description of treatment plant.** The description shall include the service area and treatment plant processes.
 - ii. **Discussion of current pollutants of concern.** Periodically, the Discharger shall analyze its circumstances to determine which pollutants are currently a problem and which pollutants may be potential future problems. This discussion shall include the reasons for choosing the pollutants.
 - iii. **Identification of sources for pollutants of concern.** This discussion shall include how the Discharger intends to estimate and identify pollutant sources. The Discharger shall include sources or potential sources not directly within the ability or authority of the Discharger to control, such as pollutants in the potable water supply and air deposition.
 - iv. **Identification of tasks to reduce the sources of pollutants of concern.** This discussion shall identify and prioritize tasks to address the Discharger's pollutants of concern. The Discharger may implement the tasks by itself or participate in group, regional, or national tasks that address its pollutants of concern. The Discharger is strongly encouraged to participate in group, regional, or national tasks that address its pollutants of concern whenever it is efficient and appropriate to do so. An implementation timeline shall be included for each task.
 - v. **Outreach to employees.** The Discharger shall inform employees about the pollutants of concern, potential sources, and how they might be able to help reduce the discharge of these pollutants of concern into the Facility. The Discharger may provide a forum for employees to provide input.
 - vi. **Continuation of Public Outreach Program.** The Discharger shall prepare a pollution prevention public outreach program for its service area. Outreach may include participation in existing community events, such as county fairs; initiating new community events, such as displays and contests during Pollution Prevention Week; conducting school outreach programs; conducting plant tours; and providing public information in newspaper articles or advertisements, radio or television stories or spots, newsletters, utility bill inserts, or web sites. Information shall be specific to target audiences. The Discharger shall coordinate with other agencies as appropriate.
 - vii. **Discussion of criteria used to measure Pollutant Minimization Program and task effectiveness.** The Discharger shall establish criteria to evaluate the effectiveness of its Pollutant Minimization Program. This discussion shall identify the specific criteria used to measure the effectiveness of each task in Provisions VI.C.3.b.iii, iv, v, and vi.

- viii. Documentation of efforts and progress.** This discussion shall detail all of the Discharger's Pollutant Minimization Program activities during the reporting year.
- ix. Evaluation of Pollutant Minimization Program and task effectiveness.** The Discharger shall use the criteria established in Provision VI.C.3.b.vii to evaluate the program and task effectiveness.
- x. Identification of specific tasks and timelines for future efforts.** Based on the evaluation, the Discharger shall explain how it intends to continue or change its tasks to more effectively reduce the amount of pollutants flowing to the treatment plant, and subsequently in its effluent.
- c.** The Discharger shall develop and conduct a Pollutant Minimization Program as further described below when there is evidence that a priority pollutant is present in the effluent above an effluent limitation (e.g., sample results reported as detected but not quantified [DNQ] when the effluent limitation is less than the method detection limit [MDL], sample results from analytical methods more sensitive than those methods required by this Order, presence of whole effluent toxicity, health advisories for fish consumption, or results of benthic or aquatic organism tissue sampling) and either:
- i.** A sample result is reported as DNQ and the effluent limitation is less than the Reporting Level (RL); or
 - ii.** A sample result is reported as not detected (ND) and the effluent limitation is less than the MDL, using definitions in Attachment A and reporting protocols described in the MRP.
- d.** If triggered by the reasons set forth in Provision VI.C.3.c, above, the Discharger's Pollutant Minimization Program shall include, but not be limited to, the following actions and submittals:
- i.** Annual review and semi-annual monitoring of potential sources of the reportable priority pollutants, which may include fish tissue monitoring and other bio-uptake sampling, or alternative measures when source monitoring is unlikely to produce useful analytical data;
 - ii.** Quarterly monitoring for the reportable priority pollutants in the influent to the Facility. The Executive Officer may approve alternative measures when influent monitoring is unlikely to produce useful analytical data;
 - iii.** Submittal of a control strategy designed to proceed toward the goal of maintaining concentrations of the reportable priority pollutants in the effluent at or below the effluent limitation;
 - iv.** Implementation of appropriate cost-effective control measures for the reportable priority pollutants, consistent with the control strategy; and
 - v.** Inclusion of the following specific items within the annual report required by Provision VI.C.3.b above:
 - (a)** All Pollutant Minimization Program monitoring results for the previous year;
 - (b)** List of potential sources of the reportable priority pollutants;

- (c) Summary of all actions undertaken pursuant to the control strategy; and
- (d) Description of actions to be taken in the following year.

4. Special Provisions for Publicly-Owned Treatment Works

a. Sludge and Biosolids Management

- i. Sludge and biosolids treatment and storage shall not create a nuisance, such as objectionable odors or flies, or result in groundwater contamination.
 - ii. Sludge and biosolids treatment and storage site shall have facilities adequate to divert surface runoff from adjacent areas, to protect site boundaries from erosion, and to prevent conditions that would cause drainage from the stored materials. Adequate protection is defined as protection from at least a 100-year storm and the highest possible tidal stage that may occur.
 - iii. This Order does not authorize permanent onsite sludge or biosolids storage or disposal. A Report of Waste Discharge shall be filed, and the site brought into compliance with applicable regulations prior to commencement of any such activity.
- b. Collection System Management.** The Discharger shall properly operate and maintain its collection system (see Attachments D and G, section I.D), report any noncompliance with respect to its collection system (see Attachment D, section V.E.1, and Attachment G, sections V.E.1 and V.E.2), and mitigate any discharges in violation of this Order associated with its collection system (see Attachments D and G, section I.C).

State Water Board Order No. 2006-0003-DWQ, *Statewide General Waste Discharge Requirements for Sanitary Sewer Systems*, as amended by State Water Board Order No. WQ 2013-0058-EXEC (statewide WDRs), contains requirements for operation and maintenance of collection systems and for reporting and mitigating sanitary sewer overflows. While the Discharger must separately comply with both the statewide WDRs and this Order, the statewide WDRs clearly and specifically stipulate requirements for operation and maintenance and for reporting and mitigating sanitary sewer overflows. Implementing the requirements for operation and maintenance and mitigation of sanitary sewer overflows set forth in the statewide WDRs (and any subsequent order updating these requirements) shall satisfy the corresponding federal NPDES requirements specified in Attachments D and G of this Order for the collection systems. Following the reporting requirements set forth in the statewide WDRs (and any subsequent order updating these requirements) shall satisfy the NPDES reporting requirements for sanitary sewer overflows specified in Attachments D and G.

5. Other Special Provisions

- a. **Specific Tasks to Reduce Wet Weather Bypasses.** The Discharger shall implement the following tasks to minimize wet weather bypasses in accordance with the following time schedule:

Table 6: Specific Tasks to Reduce Wet Weather Bypass

Task	Compliance Date
<p>1. Continue to Implement Wet Weather Improvement Plan Continue to implement a comprehensive Wet Weather Improvement Plan that establishes measurable goals to minimize and eventually eliminate wet weather bypasses. The plan shall include all feasible alternatives to reduce bypasses caused by inflow and infiltration during peak flows. The plan shall specify measures to be implemented at the treatment plant and the wastewater collection system (e.g., wet weather flow management procedures; collection system maintenance, inspection, and rehabilitation; implementation of private sewer lateral ordinance; and necessary upgrades), and identify their costs, implementation schedules, and proposed funding mechanisms. The Discharger shall review the plan annually and update it as necessary.</p>	<p><i>Plan submitted November 1, 2015. Implementation shall be ongoing.</i></p>
<p>2. Clean and Assess Condition of Collection System Clean, inspect, and document condition of Discharger’s entire collection system. When the Discharger inspects a gravity sewer line, it shall also inspect all associated maintenance holes.</p>	<p>August 31, 2025</p>
<p>3. Report on Collection System Improvement Status Report status of collection system inspections and wet weather improvement efforts required in tasks 1 and 2. The Discharger shall include, at a minimum, the unique feet and percent of sewer pipe cleaned, inspected, and rehabilitated each year; dollars spent on sewer pipe rehabilitation each year; number of maintenance holes inspected and rehabilitated; number of abandoned sewer laterals found to be connected to the sewer main; number of abandoned sewer laterals disconnected from the sewer main; and number of private sewer laterals rehabilitated pursuant to its ordinance. The Discharger shall also report on planned rehabilitation projects for the following year.</p>	<p>Annually, with Annual Self-Monitoring Report due February 1 each year.</p>
<p>4. Increase Biological Treatment Capacity Complete construction of a combined fixed film/activated sludge nitrification and denitrification process, and supporting structures, to increase the plant’s biological treatment capacity to 18 MGD.</p>	<p>November 1, 2022</p>
<p>5. Prepare Utility Analysis If seeking to continue bypassing peak wet weather flows around the biological treatment units based on 40 C.F.R. 122.41(m)(4)(i)(A)-(C), complete a utility analysis that contains all elements described in part 1 of the No Feasible Alternatives Analysis Process in U.S. EPA’s proposed peak wet weather policy (National Pollutant Discharge Elimination System Permit Requirements for Peak Wet Weather Discharges from Publicly Owned Treatment Works Treatment Plants Serving Separate Sanitary Sewer Collection Systems, Fed. Reg. Vol. 70, No. 245, pages 76013-76018, December 22, 2005) and demonstrate that the Discharger has met the requirements for Regional Water Board approval pursuant to Attachment D section I.G.3. The submittal shall list and describe all feasible actions the Discharger could implement during the next permit term.</p>	<p>With Report of Waste Discharge due December 1, 2024.</p>

b. Copper Action Plan. The Discharger shall implement source control and pollution prevention for copper in accordance with the following tasks and time schedule:

Table 7: Copper Action Plan

Task	Compliance Date
<p>1. Implement Copper Control Program Continue implementing existing program to reduce identified copper sources, including, as applicable, taking the following actions: a. Providing education and outreach to the public (e.g., focusing on proper pool and spa maintenance and plumbers’ roles in reducing corrosion);</p>	<p>Implementation shall be ongoing</p>

Task	Compliance Date
<p>b. If corrosion is a significant copper source, working cooperatively with local water purveyors to reduce and control water corrosivity, as appropriate, and ensuring that local plumbing contractors implement best management practices to reduce corrosion in pipes; and</p> <p>c. Educating plumbers, designers, and maintenance contractors for pools and spas to encourage best management practices that minimize copper discharges.</p>	
<p>2. Implement Additional Actions If the Regional Water Board notifies the Discharger that the three-year rolling mean dissolved copper concentration in San Pablo Bay exceeds 3.0 µg/L, then within 90 days of the notification, evaluate the effluent copper concentration trend and, if it is increasing, develop and begin implementation of additional measures to control copper discharges. Report the conclusion of the trend analysis and provide a schedule for any new actions to be taken within the next 12 months.</p>	<p>With next annual pollution minimization program report due February 28 (at least 90 days following notification)</p>
<p>3. Report Status Submit an annual report documenting copper control program implementation that evaluates the effectiveness of the actions taken, including any additional actions required by Task 2 above, and provides a schedule for actions to be taken within the next 12 months.</p>	<p>Annually, with annual pollution minimization program report due February 28 each year</p>

c. Cyanide Action Plan. The Discharger shall implement monitoring and surveillance, source control, and pollution prevention for cyanide in accordance with the following tasks and time schedule:

Table 8: Cyanide Action Plan

Task	Compliance Date
<p>1. Review Potential Cyanide Sources Submit an up-to-date inventory of potential cyanide sources. If no cyanide source is identified, Tasks 2 and 3, below, are not required unless the Discharger receives a request to discharge detectable levels of cyanide to the sewer. In this case, notify the Executive Officer and implement Tasks 2 and 3.</p>	<p>With annual pollution minimization program report due February 28, 2021</p>
<p>2. Implement Cyanide Control Program Implement a control program to minimize cyanide discharges consisting, at a minimum, of the following elements:</p> <ul style="list-style-type: none"> a. Inspect each potential source to assess the need to include that source in the control program. b. Inspect sources included in the control program annually. Inspection elements may be based on U.S. EPA guidance, such as <i>Industrial User Inspection and Sampling Manual for POTWs</i> (EPA 831-B-94-01). c. Develop and distribute educational materials regarding the need to prevent cyanide discharges to sources included in the control program. d. Prepare an emergency monitoring and response plan to be implemented if a significant cyanide discharge occurs. <p>If the plant influent cyanide concentration exceeds 18 µg/L, the Discharger shall collect a follow-up sample within 5 days of becoming aware of the laboratory results. If the results of the follow-up sample also exceed 18 µg/L, then a “significant cyanide discharge” is occurring.</p>	<p>Implementation shall be ongoing</p>
<p>3. Implement Additional Measures If the Regional Water Board notifies the Discharger that ambient monitoring shows cyanide concentrations are 1.0 µg/L or higher in the main body of San Francisco Bay, then within 90 days of the notification, commence actions to identify and abate cyanide sources responsible for the elevated ambient concentrations, report on the progress and effectiveness of the actions taken, and provide a schedule for actions to be taken within the next 12 months.</p>	<p>With next annual pollution minimization program report due February 28 (at least 90 days following notification)</p>

Task	Compliance Date
<p>4. Report Status of Cyanide Control Program Submit an annual report documenting cyanide control program implementation and addressing the effectiveness of actions taken, including any additional cyanide controls required by Task 3, above, and provide a schedule for actions to be taken within the next 12 months.</p>	<p>Annually, with annual pollution minimization program report due February 28 each year</p>

- d. Plant Upgrades.** Prior to placing each upgraded treatment unit described in Fact Sheet section II.E into service, the Discharger shall submit the following documentation:
- i.** Documentation that the reliability, capability, and performance of the upgrade will maintain compliance with this Order (i.e., the Discharger shall evaluate the hydraulic and organic loading capacities of the Facility by appropriate combinations of desktop analyses and treatment process stress testing to simulate design peak loading conditions under both dry and wet weather design flow conditions);
 - ii.** Certification that the upgrade has been constructed as designed, has been tested, and is ready for use;
 - iii.** Demonstration of compliance with all applicable provisions of CEQA (California Public Resources Code Division 13, Chapter 3, section 21100 et seq.);
 - iv.** Updates to the Operations and Maintenance Manual and Contingency Plan to include the upgraded equipment and operational practices; and
 - v.** Specific date the Discharger proposes to commence use of the upgraded treatment unit and when existing units will be decommissioned.

Under Water Code section 13385(j)(1)(D), the Discharger may, at least 30 days in advance of operating the upgraded treatment plant, submit a startup operations plan. The plan would describe the actions the Discharger will take during a specific period that requires adjusting and testing new treatment plant units, including steps to prevent violations of this Order. If the Discharger pursues this option, it should define the shortest reasonable time required for the period of adjusting and testing, which is not to exceed 90 days for biological treatment units and 30 days for any other treatment unit.

- e. Anaerobically-Digestible Material.** If the Discharger receives hauled-in anaerobically-digestible material for injection into an anaerobic digester, the Discharger shall notify the Regional Water Board and develop and implement Standard Operating Procedures for this activity. The Standard Operating Procedures shall be developed prior to initiation of hauling. The Standard Operating Procedures shall address material handling, including unloading, screening, or other processing prior to anaerobic digestion; transportation; spill prevention; spill response; avoidance of the introduction of materials that could cause interference, pass through, or upset of the treatment processes; avoidance of prohibited material; vector control; odor control; operation and maintenance; and the disposition of any solid waste segregated from introduction to the digester. The Discharger shall train its staff on the Standard Operating Procedures and maintain records for a minimum of three years for each load received, describing the hauler, waste type, and quantity received. In addition, the Discharger shall maintain records for a minimum

of three years for the disposition, location, and quantity of cumulative pre-digestion segregated solid waste hauled offsite.

- f. Average Annual Selenium Load.** The Discharger shall report the average annual selenium load with its application for permit reissuance. The average annual load shall be the arithmetic mean of the annual mass discharges for this Order's term. Annual mass emissions shall be computed as follows:

$$\text{Annual Mass emission rate (kg/day)} = \frac{3.785}{N} \sum_{i=1}^N Q_i C_i$$

where:

N = number of samples in a year

Q_i = flow rate (MGD) associated with the i^{th} sample, valid until a new sample is collected

C_i = selenium concentration (mg/L) associated with the i^{th} sample, valid until a new sample is collected

When calculating selenium loads, the Discharger shall use estimated values (DNQ) and assume data reported below the method detection limit equal half the detection limit.

ATTACHMENT A – DEFINITIONS

Arithmetic Mean (μ)

Also called the average, the sum of measured values divided by the number of samples. For ambient water concentrations, the arithmetic mean is calculated as follows:

$$\text{Arithmetic mean} = \mu = \Sigma x / n \quad \text{where: } \Sigma x \text{ is the sum of the measured ambient water concentrations, and } n \text{ is the number of samples.}$$

Average Monthly Effluent Limitation (AMEL)

The highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Effluent Limitation (AWEL)

The highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Bioaccumulative

Taken up by an organism from its surrounding medium through gill membranes, epithelial tissue, or from food and subsequently concentrated and retained in the body of the organism.

Carcinogenic

Known to cause cancer in living organisms.

Coefficient of Variation (CV)

Measure of data variability calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

Daily Discharge

Either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that reasonably represents a calendar day for purposes of sampling (as specified in the permit) for a constituent with limitations expressed in units of mass; or (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period is considered the result for the calendar day in which the 24-hour period ends.

Detected, but Not Quantified (DNQ)

Sample result less than the RL, but greater than or equal to the laboratory's MDL. Sample results reported as DNQ are estimated concentrations.

Dilution Credit

Amount of dilution granted to a discharge in the calculation of a water quality-based effluent limitation, based on the allowance of a specified mixing zone. It is calculated from the dilution ratio or determined by conducting a mixing zone study or modeling the discharge and receiving water.

Effluent Concentration Allowance (ECA)

Value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the CV for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The ECA has the same meaning as wasteload allocation (WLA) as used in U.S. EPA guidance (*Technical Support Document For Water Quality-based Toxics Control*, March 1991, second printing, EPA/505/2-90-001).

Enclosed Bay

Indentation along the coast that encloses an area of oceanic water within a distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between the headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. Enclosed bays include, but are not limited to, Humboldt Bay, Bodega Harbor, Tomales Bay, Drake's Estero, San Francisco Bay, Morro Bay, Los Angeles-Long Beach Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay. Enclosed bays do not include inland surface waters or ocean waters.

Estimated Chemical Concentration

Concentration that results from the confirmed detection of the substance below the ML value by the analytical method.

Estuaries

Waters, including coastal lagoons, located at the mouths of streams that serve as areas of mixing for fresh and ocean waters. Coastal lagoons and mouths of streams that are temporarily separated from the ocean by sandbars are considered estuaries. Estuarine waters are considered to extend from a bay or the open ocean to a point upstream where there is no significant mixing of fresh water and seawater. Estuarine waters include, but are not limited to, the Sacramento-San Joaquin Delta, as defined in Water Code section 12220, Suisun Bay, Carquinez Strait downstream to the Carquinez Bridge, and appropriate areas of the Smith, Mad, Eel, Noyo, Russian, Klamath, San Diego, and Otay rivers. Estuaries do not include inland surface waters or ocean waters.

Inland Surface Waters

All surface waters of the state that do not include the ocean, enclosed bays, or estuaries.

Instantaneous Maximum Effluent Limitation

Highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

Instantaneous Minimum Effluent Limitation

Lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

Maximum Daily Effluent Limitation (MDEL)

Highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day.

Median

Middle measurement in a set of data. The median of a set of data is found by first arranging the measurements in order of magnitude (either increasing or decreasing order). If the number of measurements (n) is odd, then the median = $X_{(n+1)/2}$. If n is even, then the median = $(X_{n/2} + X_{(n/2)+1})/2$ (i.e., the midpoint between n/2 and n/2+1).

Method Detection Limit (MDL)

Minimum concentration of a substance that can be reported with 99 percent confidence that the measured concentration is distinguishable from method blank results, as defined in 40 C.F.R. part 136, Attachment B.

Minimum Level (ML)

Concentration at which the entire analytical system gives a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

Mixing Zone

Limited volume of receiving water allocated for mixing with a wastewater discharge where water quality criteria can be exceeded without causing adverse effects to the overall water body.

Not Detected (ND)

Sample results less than the laboratory's MDL.

Persistent Pollutants

Substances for which degradation or decomposition in the environment is nonexistent or very slow.

Pollutant Minimization Program

Program of waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the Pollutant Minimization Program is to reduce all potential sources of a priority pollutant through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. Cost effectiveness may be considered when establishing the requirements of a Pollutant Minimization Program. The completion and implementation of a Pollution Prevention Plan, if required pursuant to Water Code section 13263.3(d), is considered to fulfill Pollutant Minimization Program requirements.

Pollution Prevention

Any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is not limited to, input change, operational improvement, production process change, and product reformulation (as defined in Water Code section 13263.3). Pollution prevention does not include actions that merely shift a pollutant in wastewater from one environmental medium to another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State Water Board or Regional Water Board.

Reporting Level (RL)

ML (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the MLs included in this Order, including an additional factor if applicable as discussed herein. The MLs included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Regional Water Board either from SIP Appendix 4 in accordance with SIP section 2.4.2 or established in accordance with SIP section 2.4.3. The ML is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the ML depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the RL.

Source of Drinking Water

Any water designated as having a municipal or domestic supply (MUN) beneficial use.

Standard Deviation (σ)

Measure of variability calculated as follows:

$$\sigma = (\sum[(x - \mu)^2]/(n - 1))^{0.5}$$

where:

x is the observed value;

μ is the arithmetic mean of the observed values; and

n is the number of samples.

Toxicity Reduction Evaluation (TRE)

Study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. A TIE is a set of procedures to identify the specific chemicals responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.

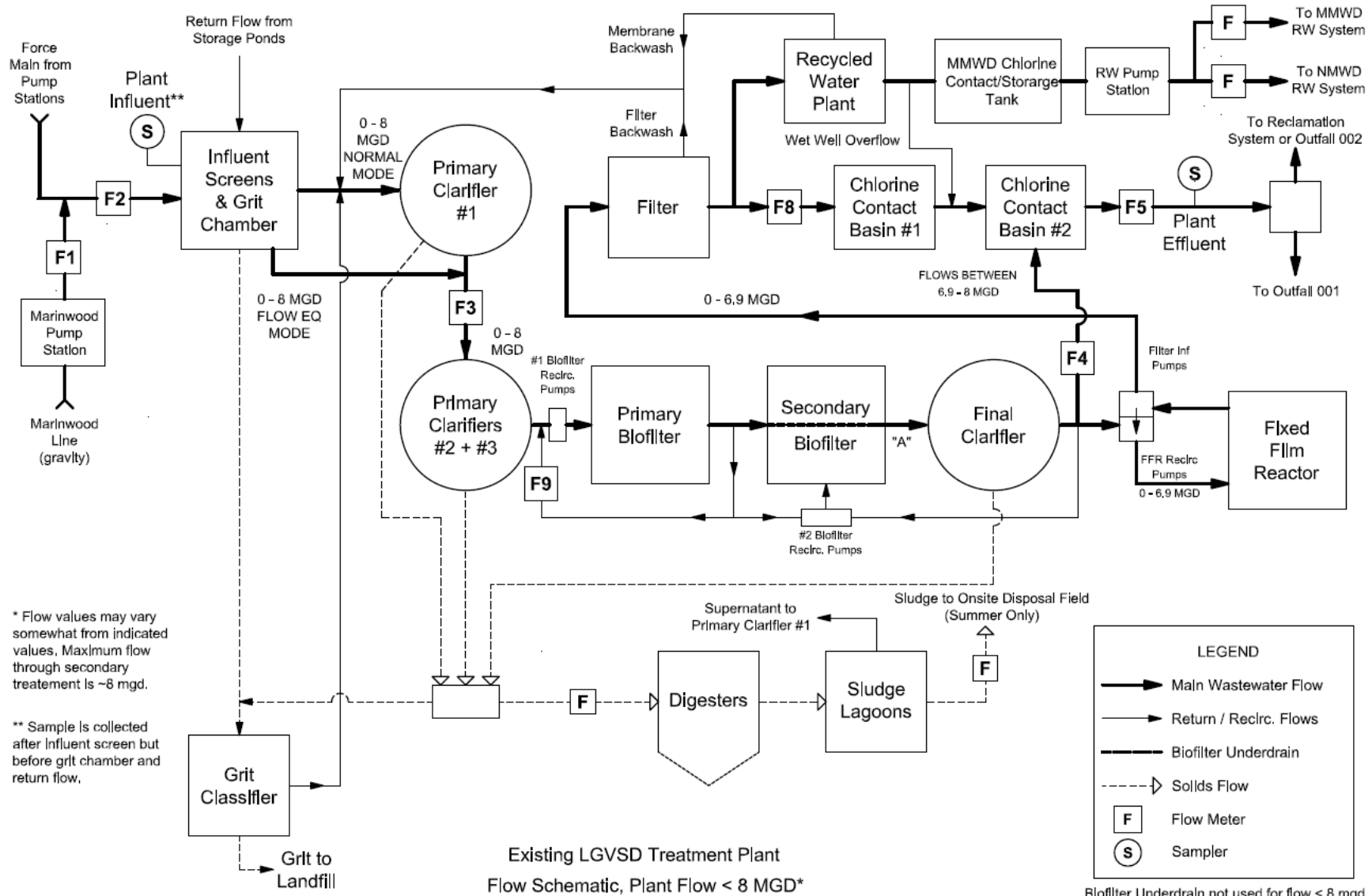
ATTACHMENT B – FACILITY MAPS

Figure B-1: Treatment Plant and Discharge Locations



ATTACHMENT C – PROCESS FLOW DIAGRAM

Figure C-1: Standard Flow Conditions



* Flow values may vary somewhat from indicated values. Maximum flow through secondary treatment is ~8 mgd.

** Sample is collected after influent screen but before grit chamber and return flow.

LEGEND

- Main Wastewater Flow
- Return / Recirc. Flows
- Biofilter Underdrain
- - - Solids Flow
- [F] Flow Meter
- (S) Sampler

Blofilter Underdrain not used for flow < 8 mgd

5/13/2020

Figure C-2: Bypass Flow Conditions

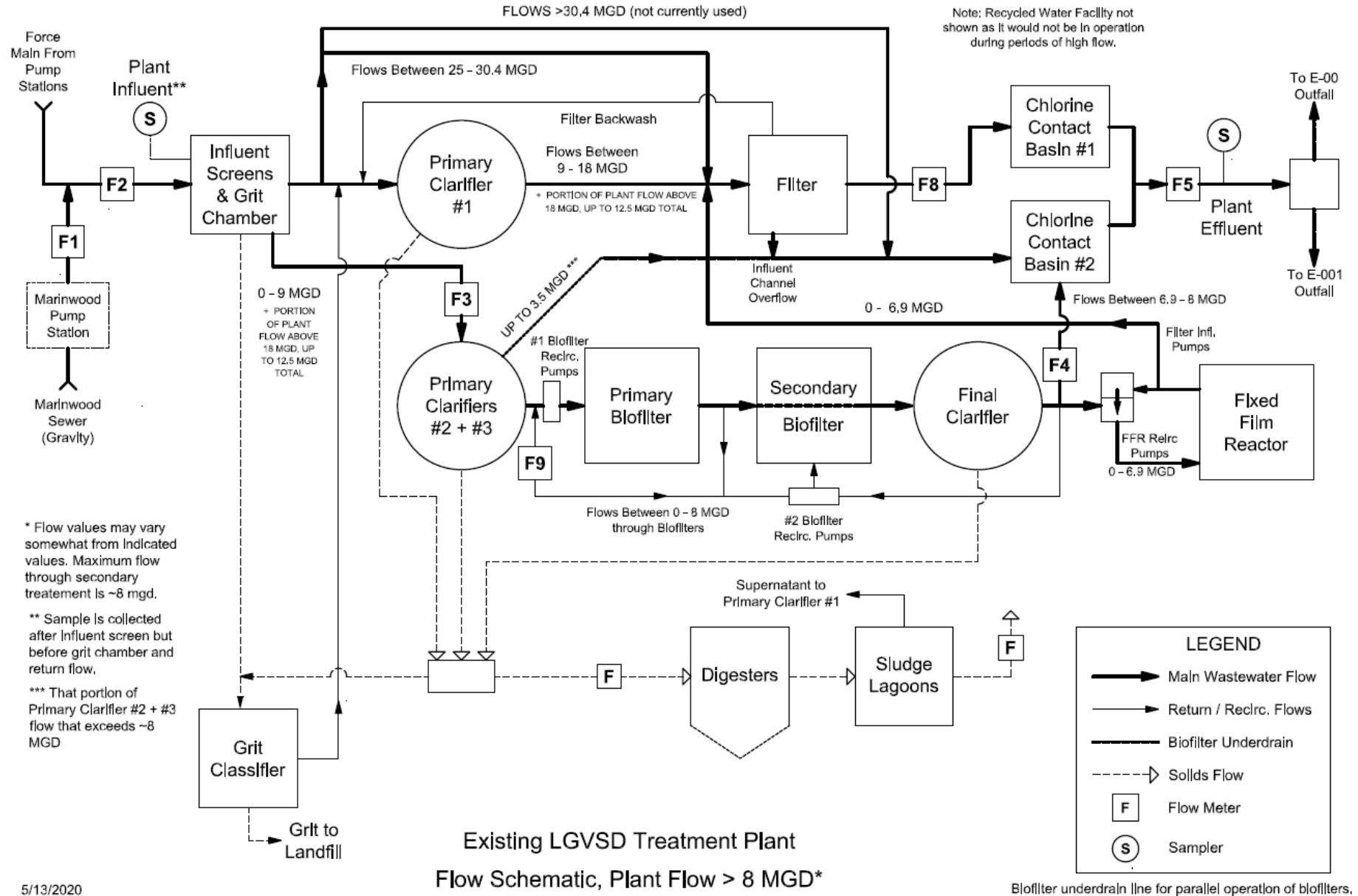
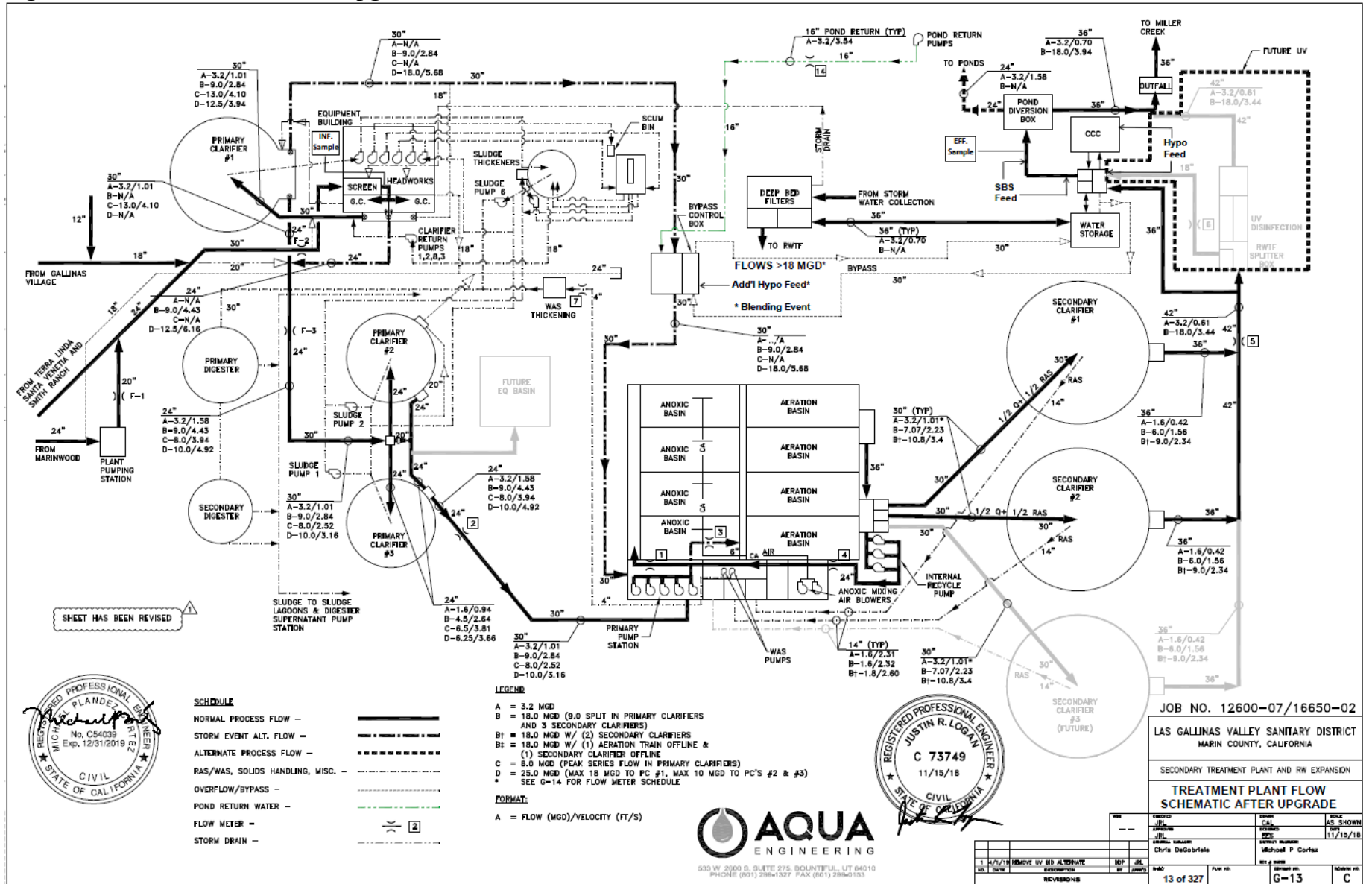


Figure C-3: Flow Conditions for Upgraded Treatment Process



ATTACHMENT D –STANDARD PROVISIONS

I. STANDARD PROVISIONS—PERMIT COMPLIANCE

A. Duty to Comply

1. The Discharger must comply with all of the terms, requirements, and conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application; or a combination thereof. (40 C.F.R. § 122.41(a); Wat. Code §§ 13261, 13263, 13265, 13268, 13000, 13001, 13304, 13350, 13385.)
2. The Discharger shall comply with effluent standards or prohibitions established under CWA section 307(a) for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. (40 C.F.R. § 122.41(a)(1).)

B. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order. (40 C.F.R. § 122.41(c).)

C. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 C.F.R. § 122.41(d).)

D. Proper Operation and Maintenance

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 the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order. (40 C.F.R. § 122.41(e).)

E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 C.F.R. § 122.41(g).)
2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations. (40 C.F.R. § 122.5(c).)

F. Inspection and Entry

The Discharger shall allow the Regional Water Board, State Water Board, U.S. EPA, and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to (33 U.S.C. § 1318(a)(4)(B); 40 C.F.R. § 122.41(i); Wat. Code, §§ 13267, 13383):

1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order (33 U.S.C. § 1318(a)(4)(B)(i); 40 C.F.R. § 122.41(i)(1); Wat. Code, §§ 13267, 13383);
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order (33 U.S.C. § 1318(a)(4)(B)(ii); 40 C.F.R. § 122.41(i)(2)); Wat. Code, §§ 13267, 13383);
3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order (33 U.S.C. § 1318(a)(4)(B)(ii); 40 C.F.R. § 122.41(i)(3); Wat. Code, §§ 13267, 13383); and
4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location. (33 U.S.C. § 1318(a)(4)(B); 40 C.F.R. § 122.41(i)(4); Wat. Code, §§ 13267, 13383.)

G. Bypass

1. Definitions

- a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. (40 C.F.R. § 122.41(m)(1)(i).)
- b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 C.F.R. § 122.41(m)(1)(ii).)

2. Bypass not exceeding limitations. The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3, I.G.4, and I.G.5 below. (40 C.F.R. § 122.41(m)(2).)

3. Prohibition of bypass. Bypass is prohibited, and the Regional Water Board may take enforcement action against a Discharger for bypass, unless (40 C.F.R. § 122.41(m)(4)(i)):

- a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 C.F.R. § 122.41(m)(4)(i)(A));
- b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of

equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance (40 C.F.R. § 122.41(m)(4)(i)(B)); and

c. The Discharger submitted notice to the Regional Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. (40 C.F.R. § 122.41(m)(4)(i)(C).)

4. **Approval.** The Regional Water Board may approve an anticipated bypass, after considering its adverse effects, if the Regional Water Board determines that it will meet the three conditions listed in Standard Provisions—Permit Compliance I.G.3 above. (40 C.F.R. § 122.41(m)(4)(ii).)

5. Notice

a. **Anticipated bypass.** If the Discharger knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least 10 days before the date of the bypass. The notice shall be sent to the Regional Water Board. As of December 21, 2020, a notice shall also be submitted electronically to the initial recipient defined in Standard Provisions – Reporting V.J below. Notices shall comply with 40 C.F.R. part 3, 40 C.F.R. section 122.22, and 40 C.F.R. part 127. (40 C.F.R. § 122.41(m)(3)(i).)

b. **Unanticipated bypass.** The Discharger shall submit a notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below (24-hour notice). The notice shall be sent to the Regional Water Board. As of December 21, 2020, a notice shall also be submitted electronically to the initial recipient defined in Standard Provisions – Reporting V.J below. Notices shall comply with 40 C.F.R. part 3, 40 C.F.R. section 122.22, and 40 C.F.R. part 127. (40 C.F.R. § 122.41(m)(3)(ii).)

H. Upset

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. (40 C.F.R. § 122.41(n)(1).)

1. **Effect of an upset.** An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance I.H.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. (40 C.F.R. § 122.41(n)(2).)

2. **Conditions necessary for a demonstration of upset.** A discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that (40 C.F.R. § 122.41(n)(3)):

a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 C.F.R. § 122.41(n)(3)(i));

- b.** The permitted facility was, at the time, being properly operated (40 C.F.R. § 122.41(n)(3)(ii));
 - c.** The Discharger submitted notice of the upset as required in Standard Provisions—Reporting V.E.2.b below (24-hour notice) (40 C.F.R. § 122.41(n)(3)(iii)); and
 - d.** The Discharger complied with any remedial measures required under Standard Provisions—Permit Compliance I.C above. (40 C.F.R. § 122.41(n)(3)(iv).)
- 3. Burden of proof.** In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof. (40 C.F.R. § 122.41(n)(4).)

II. STANDARD PROVISIONS—PERMIT ACTION

A. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition. (40 C.F.R. § 122.41(f).)

B. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit. (40 C.F.R. § 122.41(b).)

C. Transfers

This Order is not transferable to any person except after notice to the Regional Water Board. The Regional Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the Water Code. (40 C.F.R. §§ 122.41(l)(3), 122.61.)

III. STANDARD PROVISIONS – MONITORING

- A.** Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 C.F.R. § 122.41(j)(1).)
- B.** Monitoring must be conducted according to test procedures approved under 40 C.F.R. part 136 for the analyses of pollutants unless another method is required under 40 C.F.R. chapter 1, subchapter N. Monitoring must be conducted according to sufficiently sensitive test methods approved under 40 C.F.R. part 136 for the analysis of pollutants or pollutant parameters or required under 40 C.F.R. chapter 1, subchapter N. For the purposes of this paragraph, a method is sufficiently sensitive when:
 - 1.** The method minimum level (ML) is at or below the level of the effluent limitation established in the permit for the measured pollutant or pollutant parameter, and either (a) the method ML is at or below the level of the applicable water quality criterion for the measured pollutant or pollutant parameter, or (b) the method ML is above the applicable water quality criterion but the amount of the pollutant or pollutant parameter in a facility's discharge is

high enough that the method detects and quantifies the level of the pollutant or pollutant parameter in the discharge; or

2. The method has the lowest ML of the analytical methods approved under 40 C.F.R. part 136 or required under 40 C.F.R. chapter 1, subchapter N for the measured pollutant or pollutant parameter.

In the case of pollutants or pollutant parameters for which there are no approved methods under 40 C.F.R. part 136 or otherwise required under 40 C.F.R. chapter 1, subchapter N, monitoring must be conducted according to a test procedure specified in this Order for such pollutants or pollutant parameters. (40 C.F.R. §§ 122.21(e)(3), 122.41(j)(4), 122.44(i)(1)(iv).)

IV. STANDARD PROVISIONS—RECORDS

- A. 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, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Water Board Executive Officer at any time. (40 C.F.R. § 122.41(j)(2).)
- B. Records of monitoring information shall include the following:
 1. The date, exact place, and time of sampling or measurements (40 C.F.R. § 122.41(j)(3)(i));
 2. The individual(s) who performed the sampling or measurements (40 C.F.R. § 122.41(j)(3)(ii));
 3. The date(s) the analyses were performed (40 C.F.R. § 122.41(j)(3)(iii));
 4. The individual(s) who performed the analyses (40 C.F.R. § 122.41(j)(3)(iv));
 5. The analytical techniques or methods used (40 C.F.R. § 122.41(j)(3)(v)); and
 6. The results of such analyses. (40 C.F.R. § 122.41(j)(3)(vi).)
- C. Claims of confidentiality for the following information will be denied (40 C.F.R. § 122.7(b)):
 1. The name and address of any permit applicant or Discharger (40 C.F.R. § 122.7(b)(1)); and
 2. Permit applications and attachments, permits, and effluent data. (40 C.F.R. § 122.7(b)(2).)

V. STANDARD PROVISIONS—REPORTING

A. Duty to Provide Information

The Discharger shall furnish to the Regional Water Board, State Water Board, or U.S. EPA within a reasonable time, any information which the Regional Water Board, State Water Board, or U.S. EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger

shall also furnish to the Regional Water Board, State Water Board, or U.S. EPA copies of records required to be kept by this Order. (40 C.F.R. § 122.41(h); Wat. Code, §§ 13267, 13383.)

B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Regional Water Board, State Water Board, and/or U.S. EPA shall be signed and certified in accordance with Standard Provisions—Reporting V.B.2, V.B.3, V.B.4, V.B.5, and V.B.6 below. (40 C.F.R. § 122.41(k).)
2. For a corporation, all permit applications shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. (40 C.F.R. § 122.22(a)(1).)

For a partnership or sole proprietorship, all permit applications shall be signed by a general partner or the proprietor, respectively. (40 C.F.R. § 122.22(a)(2).)

For a municipality, state, federal, or other public agency, all permit applications shall be signed by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of U.S. EPA). (40 C.F.R. § 122.22(a)(3).)

3. All reports required by this Order and other information requested by the Regional Water Board, State Water Board, or U.S. EPA shall be signed by a person described in Standard Provisions – Reporting V.B.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Standard Provisions—Reporting V.B.2 above (40 C.F.R. § 122.22(b)(1));
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) (40 C.F.R. § 122.22(b)(2)); and

- c. The written authorization is submitted to the Regional Water Board and State Water Board. (40 C.F.R. § 122.22(b)(3).)
4. If an authorization under Standard Provisions – Reporting V.B.3 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Standard Provisions—Reporting V.B.3 above must be submitted to the Regional Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 C.F.R. § 122.22(c).)
5. Any person signing a document under Standard Provisions—Reporting V.B.2 or V.B.3 above shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.” (40 C.F.R. § 122.22(d).)
6. Any person providing the electronic signature for documents described in Standard Provisions – V.B.1, V.B.2, or V.B.3 that are submitted electronically shall meet all relevant requirements of Standard Provisions – Reporting V.B, and shall ensure that all relevant requirements of 40 C.F.R. part 3 (Cross-Media Electronic Reporting) and 40 C.F.R. part 127 (NPDES Electronic Reporting Requirements) are met for that submission. (40 C.F.R. § 122.22(e).)

C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program in this Order. (40 C.F.R. § 122.41(l)(4).)
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Regional Water Board or State Water Board. As of December 21, 2016, all reports and forms must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting V.J and comply with 40 C.F.R. part 3, 40 C.F.R. section 122.22, and 40 C.F.R. part 127. (40 C.F.R. § 122.41(l)(4)(i).)
3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 C.F.R. part 136, or another method required for an industry-specific waste stream under 40 C.F.R. chapter 1, subchapters N or O, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Regional Water Board. (40 C.F.R. § 122.41(l)(4)(ii).)
4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order. (40 C.F.R. § 122.41(l)(4)(iii).)

D. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date. (40 C.F.R. § 122.41(l)(5).)

E. Twenty-Four Hour Reporting

1. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written report shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The report 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 reoccurrence of the noncompliance.

For noncompliance related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (i.e., combined sewer overflow, sanitary sewer overflow, or bypass event), type of overflow structure (e.g., manhole, combined sewer overflow outfall), discharge volume untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the event, and whether the noncompliance was related to wet weather.

As of December 21, 2020, all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events must be submitted to the Regional Water Board and must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting V.J. The reports shall comply with 40 C.F.R. part 3, 40 C.F.R. section 122.22, and 40 C.F.R. part 127. The Regional Water Board may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 C.F.R. § 122.41(l)(6)(i).)

2. The following shall be included as information that must be reported within 24 hours under this paragraph (40 C.F.R. § 122.41(l)(6)(ii)):
 - a. Any unanticipated bypass that exceeds any effluent limitation in this Order. (40 C.F.R. § 122.41(l)(6)(ii)(A).)
 - b. Any upset that exceeds any effluent limitation in this Order. (40 C.F.R. § 122.41(l)(6)(ii)(B).)
3. The Regional Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours. (40 C.F.R. § 122.41(l)(6)(iii).)

F. Planned Changes

The Discharger shall give notice to the Regional Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when (40 C.F.R. § 122.41(l)(1)):

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 C.F.R. section 122.29(b) (40 C.F.R. § 122.41(l)(1)(i)); or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this Order. (Alternatively, for an existing manufacturing, commercial, mining, or silvicultural discharge as referenced in 40 C.F.R. section 122.42(a), this notification applies to pollutants that are subject neither to effluent limitations in this Order nor to notification requirements under 40 C.F.R. section 122.42(a)(1) (see Additional Provisions—Notification Levels VII.A.1).) (40 C.F.R. § 122.41(l)(1)(ii).)

G. Anticipated Noncompliance

The Discharger shall give advance notice to the Regional Water Board or State Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with this Order's requirements. (40 C.F.R. § 122.41(l)(2).)

H. Other Noncompliance

The Discharger shall report all instances of noncompliance not reported under Standard Provisions—Reporting V.C, V.D, and V.E above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision—Reporting V.E above. For noncompliance related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall contain the information described in Standard Provision – Reporting V.E and the applicable required data in appendix A to 40 C.F.R. part 127. The Regional Water Board may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 C.F.R. § 122.41(l)(7).)

I. Other Information

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Regional Water Board, State Water Board, or U.S. EPA, the Discharger shall promptly submit such facts or information. (40 C.F.R. § 122.41(l)(8).)

J. Initial Recipient for Electronic Reporting Data

The owner, operator, or duly authorized representative is required to electronically submit NPDES information specified in appendix A to 40 C.F.R. part 127 to the initial recipient defined in 40 C.F.R. section 127.2(b). U.S. EPA will identify and publish the list of initial recipients on its website and in the Federal Register, by state and by NPDES data group [see 40 C.F.R. § 127.2(c)]. U.S. EPA will update and maintain this list. (40 C.F.R. § 122.41(l)(9).)

VI. STANDARD PROVISIONS – ENFORCEMENT

- A. The Regional Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13268, 13385, 13386, and 13387.

VII. ADDITIONAL PROVISIONS—NOTIFICATION LEVELS

A. Non-Municipal Facilities

Existing manufacturing, commercial, mining, and silvicultural dischargers shall notify the Regional Water Board as soon as they know or have reason to believe (40 C.F.R. § 122.42(a)):

1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following “notification levels” (40 C.F.R. § 122.42(a)(1)):
 - a. 100 micrograms per liter ($\mu\text{g/L}$) (40 C.F.R. § 122.42(a)(1)(i));
 - b. 200 $\mu\text{g/L}$ for acrolein and acrylonitrile; 500 $\mu\text{g/L}$ for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and 1 milligram per liter (mg/L) for antimony (40 C.F.R. § 122.42(a)(1)(ii));
 - c. Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 C.F.R. § 122.42(a)(1)(iii)); or
 - d. The level established by the Regional Water Board in accordance with section 122.44(f). (40 C.F.R. § 122.42(a)(1)(iv).)
2. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following “notification levels” (40 C.F.R. § 122.42(a)(2)):
 - e. 500 micrograms per liter ($\mu\text{g/L}$) (40 C.F.R. § 122.42(a)(2)(i));
 - f. 1 milligram per liter (mg/L) for antimony (40 C.F.R. § 122.42(a)(2)(ii));
 - g. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 C.F.R. § 122.42(a)(2)(iii)); or
 - h. The level established by the Regional Water Board in accordance with section 122.44(f). (40 C.F.R. § 122.42(a)(2)(iv).)

B. Publicly-Owned Treatment Works (POTWs)

All POTWs shall provide adequate notice to the Regional Water Board of the following (40 C.F.R. § 122.42(b)):

1. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to CWA sections 301 or 306 if it were directly discharging those pollutants (40 C.F.R. § 122.42(b)(1)); and

- 2.** Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of this Order. (40 C.F.R. § 122.42(b)(2).)
- 3.** Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW. (40 C.F.R. § 122.42(b)(3).)

ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

Contents

I.	General Monitoring Provisions.....	E-2
II.	Monitoring Locations.....	E-2
III.	Influent Monitoring Requirements	E-3
IV.	Effluent Monitoring Requirements	E-3
V.	Toxicity Testing Requirements.....	E-6
	A. Acute Toxicity.....	E-6
	B. Chronic Toxicity.....	E-7
VI.	Receiving Water Monitoring Requirements	E-10
VII.	Recycled Water Monitoring Requirements	E-11
	A. Influent Monitoring	E-11
	B. Production Monitoring	E-11
	C. Discharge Monitoring.....	E-11
	D. Reuse Monitoring.....	E-11
VIII.	Reporting Requirements	E-12
	A. General Monitoring and Reporting Requirements	E-12
	B. Self-Monitoring Reports (SMRs).....	E-13
	C. Discharge Monitoring Reports (DMRs).....	E-15
	D. Annual Recycled Water Reports	E-15

Tables

Table E-1.	Monitoring Locations.....	E-2
Table E-2.	Influent Monitoring.....	E-3
Table E-3.	Effluent Monitoring – Routine.....	E-3
Table E-4.	Effluent Monitoring – Wet Weather Bypass.....	E-5
Table E-5.	Receiving Water Monitoring	E-10
Table E-6.	CIWQS Reporting.....	E-13
Table E-7.	Monitoring Periods	E-14

ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

Clean Water Act section 308 and 40 C.F.R. sections 122.41(h), 122.41(j)-(l), 122.44(i), and 122.48 require that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Regional Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. This MRP establishes monitoring, reporting, and recordkeeping requirements that implement federal and State laws and regulations.

I. GENERAL MONITORING PROVISIONS

- A. The Discharger shall comply with this MRP. The Executive Officer may amend this MRP pursuant to 40 C.F.R. sections 122.62, 122.63, and 124.5. If any discrepancies exist between this MRP and the “Regional Standard Provisions, and Monitoring and Reporting Requirements (Supplement to Attachment D) for NPDES Wastewater Discharge Permits” (Attachment G), this MRP shall prevail.
- B. The Discharger shall conduct all monitoring in accordance with Attachment D, section III, as supplemented by Attachment G. Equivalent test methods must be more sensitive than those specified in 40 C.F.R. section 136 and must be specified in this permit.
- C. The Discharger shall ensure that results of the Discharge Monitoring Report-Quality Assurance (DMR-QA) Study or most recent Water Pollution Performance Evaluation Study are submitted annually to the State Water Board at the following address:

State Water Resources Control Board
 Quality Assurance Program Officer
 Office of Information Management and Analysis
 1001 I Street, Sacramento, CA 95814
- D. The Discharger shall implement a Quality Assurance-Quality Control Program for any onsite field tests (e.g., turbidity, pH, temperature, dissolved oxygen, conductivity, disinfectant residual) analyzed by a noncertified laboratory. The Discharger shall keep a manual onsite containing the steps followed in this program and must demonstrate sufficient capability to adequately perform these field tests (e.g., qualified and trained employees, properly calibrated and maintained field instruments). The program shall conform to U.S. EPA guidelines or other approved procedures.

II. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order:

Table E-1. Monitoring Locations

Sampling Location Type	Monitoring Location Name	Monitoring Location Description
Influent	INF-001	A point in the plant headworks at which all waste tributary to the treatment system is present, following screening and grit removal.
Effluent	EFF-001	A point following all treatment from the treatment plant at which all flow tributary to the outfall is present prior to discharge to Miller Creek (via either Discharge Point No. 001 or 002).
Effluent	EFF-001B	During wet weather bypasses of biological treatment, a point in the treatment plant at which all blended (fully-treated and primary-treated) waste is present prior to discharge to Miller Creek (via either Discharge Point No. 001 or 002). This location may be the same as Monitoring Location EFF-001.

Sampling Location Type	Monitoring Location Name	Monitoring Location Description
Receiving Water	RSW-001	A point in Miller Creek within 20 feet downstream of Discharge Point No. 002.
Receiving Water	RSW-002	A point in Miller Creek within 1,000 feet upstream of Discharge Point No. 001 and representative of background water quality.
Biosolids	BIO-001	A point representative of biosolids for final disposal.

III. INFLUENT MONITORING REQUIREMENTS

The Discharger shall monitor treatment plant influent at Monitoring Location INF-001 as follows:

Table E-2. Influent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow ^[1]	MGD	Continuous	Continuous/D
Biochemical Oxygen Demand (5-day @ 20°C) (BOD ₅)	mg/L	C-24	1/Week
Total Suspended Solids (TSS)	mg/L	C-24	1/Week
Cyanide, Total ^[2]	µg/L	Grab	2/Year

Abbreviations:

MGD = million gallons per day
 mg/L = milligrams per liter
 µg/L = micrograms per liter

Sampling Types and Frequencies:

C-24 = 24-hour composite sample
 Grab = grab sample
 Continuous = measured continuously
 Continuous/D = measured continuously, and recorded and reported daily
 1/Week = once per week
 2/Year = twice per year

Footnotes:

- ^[1] The following flow information shall be reported in monthly self-monitoring reports:
- Daily average flow rate (MGD)
 - Total monthly flow volume (MG)
- ^[2] The Discharger may, at its option, analyze for cyanide as weak acid dissociable cyanide using protocols specified in 40 C.F.R. part 136, or an equivalent method in the latest Standard Method edition.

IV. EFFLUENT MONITORING REQUIREMENTS

A. Effluent Monitoring During Routine Discharge

The Discharger shall monitor treatment plant effluent at Monitoring Location EFF-001 as follows when discharging to Miller Creek (except when blending). Flow shall be monitored year-round. For dry season (June 1 to October 31) discharges, the Discharger shall monitor flow, BOD₅, TSS, pH, chlorine residual, enterococcus bacteria, ammonia, and cyanide. Monitoring the other parameters is not required:

Table E-3. Effluent Monitoring – Routine

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow ^[1]	MG/MGD	Continuous	Continuous/D
Biochemical Oxygen Demand (5 day @ 20°C) (BOD ₅) ^[2]	mg/L	C-24	1/Week

Parameter	Units	Sample Type	Minimum Sampling Frequency
Total Suspended Solids (TSS) ^[2]	mg/L	C-24	1/Week
Oil and Grease	mg/L	Grab	1/Quarter
pH ^[3]	s.u.	Continuous	Continuous/D or 1/Day
Temperature ^[4]	°C	Continuous or Grab	Continuous/D or 1/Day
Chlorine, Total Residual ^[5]	mg/L	Continuous or Grab	Continuous/H
Ammonia, Total ^[6]	mg/L as N	Grab or C-24	1/Month
Copper, Total Recoverable	µg/L	C-24	1/Month
Cyanide, Total ^[7]	µg/L	Grab	1/Month
Bis(2-Ethylhexyl)Phthalate	µg/L	Grab	1/Quarter
Dioxin-TEQ	µg/L	Grab	1/Year ^[13]
Enterococcus Bacteria ^[8]	CFU/100 mL ^[9]	Grab	1/Week
Acute Toxicity ^[10]	% survival	Continuous	1/Quarter
Chronic Toxicity ^[11]	TU _c	C-24	1/Quarter
Priority Pollutants ^[12]	µg/L	Grab	1/Year ^[13]
Standard Observations ^[14]	-	-	1/Month

Abbreviations:

- MG = million gallons
 MGD = million gallons per day
 mg/L = milligrams per liter
 mg/L as N = milligrams per liter as nitrogen
 µg/L = micrograms per liter
 s.u. = standard units
 °C = degrees Celsius
 CFU/100 mL = colony forming units per 100 milliliters
 MPN/100 mL = most probable number per 100 milliliters
 % = percent
 TU_c = chronic toxicity units

Sampling Types and Frequencies:

- C-24 = 24-hour composite
 Grab = grab sample
 Continuous = measured continuously
 Continuous/D = measured continuously, and recorded and reported daily
 Continuous/H = measured continuously, and recorded and reported hourly
 1/Day = once per day
 1/Week = once per week
 1/Month = once per month
 1/Quarter = once per quarter
 1/Year = once per year

Footnotes:

- ^[1] The following flow information shall be reported in monthly self-monitoring reports:
- Daily average flow (MGD)
 - Total monthly flow volume (MG)
- ^[2] BOD₅ and TSS effluent samples shall be collected concurrently with BOD₅ and TSS influent samples. BOD₅ and TSS percent removal shall be reported for each calendar month in accordance with section IV.B of this Order.
- ^[3] If pH is monitored continuously, the minimum and maximum for each day shall be reported in self-monitoring reports.
- ^[4] If temperature is monitored continuously, the daily arithmetic mean shall be reported in self-monitoring reports.
- ^[5] Effluent residual chlorine concentrations shall be monitored continuously or, at a minimum, every hour. The Discharger shall describe all excursions of the chlorine limit in the transmittal letter of self-monitoring reports as required by Attachment G section V.C.1.a. If monitoring continuously, the Discharger shall report through data upload to CIWQS, from discrete readings of the continuous monitoring every hour on the hour, the maximum for each day and any other discrete hourly reading that exceed the effluent limit, and, for the purpose of mandatory minimum penalties required by Water Code section 13385(i), compliance shall be based only on these discrete readings. The Discharger shall retain

continuous monitoring readings for at least three years. The Regional Water Board reserves the right to use all continuous monitoring data for discretionary enforcement.

The Discharger may elect to use a continuous on-line monitoring system for measuring or determining that residual dechlorinating agent is present. This monitoring system may be used to prove that anomalous residual chlorine exceedances measured by on-line chlorine analyzers are false positives and are not valid total residual chlorine detections because it is chemically improbable to have chlorine present in the presence of sodium bisulfite. If Regional Water Board staff finds convincing evidence that chlorine residual exceedances are false positives, the exceedances are not violations of this Order's total chlorine residual limit.

- [6] Effluent ammonia samples shall be collected on the same day as receiving water ammonia samples.
- [7] The Discharger may, at its option, analyze for cyanide as weak acid dissociable cyanide using protocols specified in 40 C.F.R. Part 136, or an equivalent method in the latest Standard Method edition.
- [8] U.S. EPA Method 1600 or an equivalent method is suggested to measure culturable enterococci.
- [9] Results may be reported as either MPN/100 mL if the laboratory method used provides results in MPN/100 mL or CFU/100 mL if the laboratory method used provides results in CFU/100 mL.
- [10] Acute toxicity tests shall be performed in accordance with MRP section V.A. Samples may be collected prior to disinfection.
- [11] Chronic toxicity tests shall be performed in accordance with MRP section V.B. Samples may be collected prior to disinfection.
- [12] The Discharger shall monitor for the pollutants listed in Attachment G, Table B.
- [13] If the Discharger opts into the alternate monitoring program established through Order No. R2-2016-0008, it is only required to monitor once for dioxin-TEQ, BNAs, VOCs, and chlorinated pesticides.
- [14] Standard observations are specified in Attachment G section III.C.

B. Effluent Monitoring During Wet-Weather Bypass

During wet weather bypass of biological treatment (blending), the Discharger shall monitor treatment plant effluent at Monitoring Location EFF-001B as follows:

Table E-4. Effluent Monitoring – Wet Weather Bypass

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow ^[1]	MG/MGD	Continuous	Continuous/D
Volume of Partially-Treated Wastewater Discharged ^[1]	MG	Calculated	1/Event
Duration of Blending ^[2]	Hours	Calculated	1/Event
Biochemical Oxygen Demand (5 day @ 20°C) (BOD ₅)	mg/L	Grab or C-24	1/Year
Total Suspended Solids (TSS)	mg/L	C-24	1/Day
pH ^[3]	s.u.	Continuous or Grab	Continuous/D or 1/Day
Chlorine, Total Residual ^[4]	mg/L	Continuous or Grab	Continuous/H
Enterococcus Bacteria ^[5]	CFU/100 mL ^[10]	Grab	1/Day
Ammonia, Total	mg/L as N	Grab or C-24	1/Year ^[7]
Copper, Total Recoverable	µg/L	C-24	1/Year ^[7]
Cyanide, Total ^[6]	µg/L	Grab	1/Year ^[7]
Bis(2-Ethylhexyl)Phthalate	µg/L	Grab	1/Year ^[7]

Abbreviations:

- MG = million gallons
- MGD = million gallons per day
- mg/L = milligrams per liter
- mg/L as N = milligrams per liter as nitrogen
- µg/L = micrograms per liter
- s.u. = standard units
- CFU/100 mL = colony forming units per 100 milliliters

Sampling Types and Frequencies:

- C-24 = 24-hour composite
- Grab = grab sample
- Continuous = measured continuously

Continuous/D	= measured continuously, and recorded and reported daily
Continuous/H	= measured continuously, and recorded and reported hourly
1/Event	= once per blending event
1/Day	= once per day
1/Week	= once per week
1/Month	= once per month
1/Quarter	= once per quarter
1/Year	= once per year

Footnotes:

- [1] “Flow” means the total volume of blended water discharged. “Volume of partially-treated wastewater” means the total volume of wastewater that bypassed secondary treatment.
- [2] For each blending event, the Discharger shall report the date and time each event starts and ends.
- [3] If pH is monitored continuously, the minimum and maximum for each day shall be reported in self-monitoring reports.
- [4] Effluent residual chlorine concentrations shall be monitored continuously or, at a minimum, every hour. The Discharger shall describe all excursions of the chlorine limit in the transmittal letter of self-monitoring reports as required by Attachment G section V.C.1.a. If monitoring continuously, the Discharger shall report through data upload to CIWQS, from discrete readings of the continuous monitoring every hour on the hour, the maximum for each day and any other discrete hourly reading that exceed the effluent limit, and, for the purpose of mandatory minimum penalties required by Water Code section 13385(i), compliance shall be based only on these discrete readings. The Discharger shall retain continuous monitoring readings for at least three years. The Regional Water Board reserves the right to use all continuous monitoring data for discretionary enforcement.
- The Discharger may elect to use a continuous on-line monitoring system for measuring or determining that residual dechlorinating agent is present. This monitoring system may be used to prove that anomalous residual chlorine exceedances measured by on-line chlorine analyzers are false positives and are not valid total residual chlorine detections because it is chemically improbable to have chlorine present in the presence of sodium bisulfite. If Regional Water Board staff finds convincing evidence that chlorine residual exceedances are false positives, the exceedances are not violations of this Order’s total chlorine residual limit.
- [5] Results may be reported as either MPN/100 mL if the laboratory method used provides results in MPN/100 mL or CFU/100 mL if the laboratory method used provides results in CFU/100 mL.
- [6] The Discharger may, at its option, analyze for cyanide as weak acid dissociable cyanide using protocols specified in 40 C.F.R. Part 136, or an equivalent method in the latest Standard Method edition
- [7] If a TSS sample collected on the same day exceeds 45 mg/L, the frequency shall be once per day.

V. TOXICITY TESTING REQUIREMENTS

A. Acute Toxicity

1. Compliance with the acute toxicity effluent limitations shall be evaluated at Monitoring Location EFF-001 by measuring survival of test organisms exposed to 96-hour continuous flow-through bioassays. Effluent samples may be before disinfection for toxicity tests.
2. Test organisms shall be rainbow trout (*Onchorhynchus mykiss*). Alternatively, the Executive Officer may specify a more sensitive organism or, if testing a particular organism proves unworkable, the most sensitive organism available.
3. All bioassays shall be performed according to the most up-to-date protocols in 40 C.F.R. part 136, currently *Methods for Measuring the Acute Toxicity of Effluents and Receiving Water to Freshwater and Marine Organisms*, 5th Edition (EPA-821-R-02-012). If these protocols prove unworkable, the Executive Officer and the Environmental Laboratory Accreditation Program may grant exceptions in writing upon the Discharger’s request with justification.
4. If the Discharger demonstrates that specific identifiable substances in the discharge are rapidly rendered harmless upon discharge to the receiving water, compliance with the acute toxicity limit may be determined after test samples are adjusted to remove the influence of those substances. Written acknowledgement that the Executive Officer concurs with the

Discharger's demonstration and that the adjustment will not remove the influence of other substances must be obtained prior to any such adjustment. The Discharger may adjust the pH of acute toxicity samples prior to performing bioassays to minimize ammonia toxicity interference.

5. Bioassay monitoring shall include, on a daily basis, pH, dissolved oxygen, ammonia (if toxicity is observed), temperature, hardness, and alkalinity. These results shall be reported. If final or intermediate results of an acute bioassay test indicate a violation or threatened violation (e.g., the percentage of surviving test organisms is less than 70 percent), the Discharger shall initiate a new test as soon as practical and shall investigate the cause of the mortalities and report its findings in the next self-monitoring report. The Discharger shall repeat the test until a test fish survival rate of 90 percent or greater is observed. If the control fish survival rate is less than 90 percent, the bioassay test shall be restarted with new fish and shall continue as soon as practical until an acceptable test is completed (i.e., control fish survival rate is 90 percent or greater).

B. Chronic Toxicity

1. Monitoring Requirements

- a. **Sampling.** The Discharger shall collect 24-hour composite effluent samples at Monitoring Location EFF-001 for critical life stage toxicity testing as indicated below. Effluent samples may be before disinfection for toxicity tests. For toxicity tests requiring renewals, the Discharger shall collect 24-hour composite samples on consecutive or alternating days.
- b. **Test Species.** The test species shall be mysid shrimp (*Americamysis bahia*) unless a more sensitive species is identified. If using this species proves unworkable, the Executive Officer may specify a different species in writing upon the Discharger's request with justification.

The Discharger shall conduct a screening chronic toxicity test as described in Appendix E-1, or as described in applicable State Water Board plan provisions that become effective after adoption of this Order, following any significant change in the nature of the effluent. If there is no significant change in the nature of the effluent, the Discharger shall conduct a screening test and submit the results with its application for permit reissuance. Upon completion of the chronic toxicity screening, the Discharger shall use the most sensitive species to conduct subsequent monitoring.

- c. **Frequency.** Chronic toxicity monitoring shall be as specified below:
 - i. The Discharger shall monitor routinely once per quarter.
 - ii. The Discharger shall accelerate monitoring to monthly when either of the following conditions is exceeded:
 - Three-sample median value of 1 TU_c, or
 - Single-sample maximum value of 2 TU_c.

Based on the TU_c results, the Executive Officer may specify a different frequency for accelerated monitoring to ensure that accelerated monitoring provides useful information.

- iii. The Discharger shall return to routine monitoring if accelerated monitoring does not exceed the trigger in ii, above.
 - iv. If accelerated monitoring confirms consistent toxicity in excess of the trigger in ii, above, the Discharger shall continue accelerated monitoring and initiate toxicity reduction evaluation (TRE) procedures in accordance with section V.B.3, below.
 - v. The Discharger shall return to routine monitoring after implementing appropriate elements of the TRE, and either the toxicity drops below the trigger in ii, above, or, based on the TRE results, the Executive Officer determines that accelerated monitoring would no longer provide useful information.
 - vi. Monitoring conducted pursuant to a TRE shall satisfy the requirements for routine and accelerated monitoring while the TRE is underway.
- d. Methodology.** Sample collection, handling, and preservation shall be in accordance with U.S. EPA protocols. Bioassays shall be conducted in compliance with the most recently promulgated test methods, as shown in Appendix E-2. These are *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to West Coast Marine and Estuarine Organisms*, currently 1st edition (EPA/600/R-95-136), *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms*, currently 3rd edition (EPA-821-R-02-014) and *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, currently 4th edition (EPA-821-R2-02-013). If these protocols prove unworkable, the Executive Officer and the Environmental Laboratory Accreditation Program may grant exceptions in writing upon the Discharger's request with justification.

If the Discharger demonstrates that specific identifiable substances in the discharge are rapidly rendered harmless upon discharge to the receiving water, compliance with the chronic toxicity limit may be determined after test samples are adjusted to remove the influence of those substances. The adjustment shall not remove the influence of other substances. Written acknowledgement that the Executive Officer concurs with the Discharger's demonstration must be obtained prior to any such adjustment.

- e. **Dilution Series.** The Discharger shall conduct tests at 100%, 70%, 40%, 20%, 10%, and 5%. The "%" represents percent effluent as discharged. Test sample pH may be controlled to the level of the effluent sample as received prior to being salted up.

2. Reporting Requirements

The Discharger shall provide toxicity test results with self-monitoring reports and shall include the following, at a minimum, for each test:

- a. Sample date

- b. Test initiation date
- c. Test species
- d. End point values for each dilution (e.g., number of young, growth rate, percent survival)
- e. No Observable Effect Level (NOEL) values in percent effluent. The NOEL shall equal the IC₂₅ or EC₂₅ (see MRP Appendix E-1). If the IC₂₅ or EC₂₅ cannot be statistically determined, the NOEL shall equal the No Observable Effect Concentration (NOEC) derived using hypothesis testing. The NOEC is the maximum percent effluent concentration that causes no observable effect on test organisms based on a critical life stage toxicity test.
- f. IC₁₅, IC₂₅, IC₄₀, and IC₅₀ values (or EC₁₅, EC₂₅, EC₄₀, and EC₅₀) as percent effluent
- g. TU values (100/NOEL and upper and lower confidence intervals)
- h. Mean percent mortality (\pm s.d.) after 96 hours in 100% effluent (if applicable)
- i. IC₅₀ or EC₅₀ values for reference toxicant tests
- j. Available water quality measurements for each test (e.g., pH, dissolved oxygen, temperature, conductivity, hardness, salinity, ammonia).

3. Toxicity Reduction Evaluation (TRE)

- a. The Discharger shall prepare a generic TRE work plan within 90 days of the effective date of this Order to be ready to respond to toxicity events. The Discharger shall review and update the work plan as necessary so that it remains current and applicable to the discharge and discharge facilities.
- b. Within 30 days of exceeding the chronic toxicity trigger in section V.B.1.c.ii, above, the Discharger shall submit a TRE work plan, which shall be the generic work plan revised as appropriate for this toxicity event after consideration of available discharge data.
- c. Within 30 days of completing an accelerated monitoring test observed to exceed the trigger in section V.B.1.c.ii, above, the Discharger shall initiate a TRE in accordance with a TRE work plan that incorporates any and all Executive Officer comments.
- d. The TRE shall be specific to the discharge and be in accordance with current technical guidance and reference materials, including U.S. EPA guidance materials. The Discharger shall conduct the TRE as a tiered evaluation as summarized below:
 - i. Tier 1 shall consist of basic data collection (routine and accelerated monitoring).
 - ii. Tier 2 shall consist of evaluation of treatment process, including operational practices and in-plant process chemicals.
 - iii. Tier 3 shall consist of a toxicity identification evaluation (TIE).
 - iv. Tier 4 shall consist of a toxicity source evaluation.

- v. Tier 5 shall consist of a toxicity control evaluation, including options for modifications of in-plant treatment processes.
- vi. Tier 6 shall consist of implementation of selected toxicity control measures, and follow-up monitoring and confirmation of implementation success.
- e. The Discharger may end the TRE at any stage if monitoring finds there is no longer consistent toxicity (i.e., compliance with the trigger in section V.B.1.c.ii).
- f. The objective of the TIE shall be to identify the substance or combination of substances causing the observed toxicity. The Discharger shall employ all reasonable efforts using currently available TIE methodologies.
- g. As toxic substances are identified or characterized, the Discharger shall continue the TRE by determining the sources and evaluating alternative strategies for reducing or eliminating the toxic substances from the discharge. The Discharger shall take all reasonable steps to reduce toxicity to levels below the chronic toxicity trigger.
- h. Many recommended TRE elements parallel required or recommended efforts related to source control, pollution prevention, and stormwater control programs. TRE efforts should be coordinated with such efforts. To prevent duplication of efforts, evidence of complying with requirements or recommended efforts of such programs may be acceptable to demonstrate compliance with TRE requirements.

VI. RECEIVING WATER MONITORING REQUIREMENTS

The Discharger shall continue to participate in the Regional Monitoring Program (RMP), which collects data on pollutants and toxicity in San Francisco Bay water, sediment, and biota. The Discharger shall also monitor receiving waters at Monitoring Locations RSW-001 and RSW-002 as follows when discharges to Miller Creek are occurring:

Table E-5. Receiving Water Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency
Salinity	ppt	Grab	1/Month ^[2]
Hardness	mg/L as CaCO ₃	Grab	1/Month
Temperature	°C	Grab	1/Month ^[2]
pH	s.u.	Grab	1/Month ^[2]
Total Ammonia Nitrogen	mg/L	Grab	1/Month ^[2]
Standard Observations ^[1]	-	-	1/Month

Abbreviations:

ppt = parts per thousand
 mg/L = milligrams per liter
 °C = degrees Celsius
 s.u. = standard units

Sampling Types and Frequencies:

Grab = grab sample
 2/Year = twice per year

Footnotes:

- ^[1] Standard observations are specified in Attachment G section III.C.
- ^[2] Salinity, temperature, pH, and total ammonia nitrogen shall be collected concurrently.

VII. RECYCLED WATER MONITORING REQUIREMENTS

The Discharger shall comply with the following recycled water monitoring requirements. The Executive Officer may modify these requirements to reflect any changes made to the requirements of State Water Board Order No. WQ 2019-0037-EXEC (Amending Monitoring and Reporting Programs for Waste Discharge Requirements, Water Reclamation Requirements, Master Recycling permits, and General Waste Discharge Requirements).

A. Influent Monitoring

The Discharger shall monitor the monthly volume of influent to the treatment plant.

B. Production Monitoring

The Discharger shall monitor the monthly volume for each level of treated effluent (e.g., secondary or tertiary) from the treatment plant.

C. Discharge Monitoring

The Discharger shall monitor the monthly volumes discharged to each of the following, for each level of treated effluent (e.g., secondary or tertiary) from the treatment plant:

1. Inland surface waters, specifying volume required to maintain minimum instream flow;
2. Enclosed bays, estuaries and coastal lagoons, and ocean waters;
3. Natural systems, such as wetlands, wildlife habitats, and duck clubs, where augmentation or restoration has occurred, and that are not part of a wastewater treatment plant or water recycling treatment plant;
4. Underground injection wells, such as those classified by U.S. EPA's Underground Injection Control Program, excluding groundwater recharge via subsurface application intended to reduce seawater intrusion into a coastal aquifer with a seawater interface; and
5. Land, where beneficial use is not taking place, including evaporation or percolation ponds, overland flow, or spray irrigation disposal, excluding pasture or fields with harvested crops;

D. Reuse Monitoring

The Discharger shall monitor the following:

1. Monthly volume of recycled water distributed; and
2. Annual volumes of treated wastewater distributed for beneficial use in compliance with California Code of Regulations, title 22, in each of the use categories listed below:
 - a. Agricultural irrigation: pasture or crop irrigation;

- b.** Landscape irrigation: irrigation of parks, greenbelts, and playgrounds; school yards; athletic fields; cemeteries; residential landscaping, common areas; commercial landscaping; industrial landscaping; and freeway, highway, and street landscaping;
- c.** Golf course irrigation: irrigation of golf courses, including water used to maintain aesthetic impoundments within golf courses;
- d.** Commercial application: commercial facilities, business use (such as laundries and office buildings), car washes, retail nurseries, and appurtenant landscaping that is not separately metered;
- e.** Industrial application: manufacturing facilities, cooling towers, process water, and appurtenant landscaping that is not separately metered;
- f.** Geothermal energy production: augmentation of geothermal fields;
- g.** Other non-potable uses: including but not limited to dust control, flushing sewers, fire protection, fill stations, snow making, and recreational impoundments;
- h.** Groundwater recharge: the planned use of recycled water for replenishment of a groundwater basin or an aquifer that has been designated as a source of water supply for a public water system. Includes surface or subsurface application, except for seawater intrusion barrier use;
- i.** Seawater intrusion barrier: groundwater recharge via subsurface application intended to reduce seawater intrusion into a coastal aquifer with a seawater interface;
- j.** Reservoir water augmentation: the planned placement of recycled water into a raw surface water reservoir used as a source of domestic drinking water supply for a public water system, as defined in Health and Safety Code section 116275, or into a constructed system conveying water to such a reservoir (Water Code § 13561);
- k.** Raw water augmentation: the planned placement of recycled water into a system of pipelines or aqueducts that delivers raw water to a drinking water treatment plant that provides water to a public water system as defined in Health and Safety Code section 116275 (Water Code § 13561); and
- l.** Other potable uses: both indirect and direct potable reuse other than for groundwater recharge, seawater intrusion barrier, reservoir water augmentation, or raw water augmentation.

VIII. REPORTING REQUIREMENTS

A. General Monitoring and Reporting Requirements

The Discharger shall comply with all Standard Provisions (Attachments D and G) related to monitoring, reporting, and recordkeeping.

B. Self-Monitoring Reports (SMRs)

1. SMR Format. The Discharger shall electronically submit SMRs using the State Water Board’s California Integrated Water Quality System (CIWQS) website (waterboards.ca.gov/water_issues/programs/ciwqs). The CIWQS website will provide additional information for SMR submittal in the event of a planned service interruption for electronic submittal.

2. SMR Due Dates and Contents. The Discharger shall submit SMRs by the due dates, and with the contents, specified below:

a. Monthly SMRs — Monthly SMRs shall be due 30 days after the end of each calendar month, covering that calendar month. The monthly SMR shall contain the applicable items described in sections V.B and V.C of both Attachments D and G of this Order. See Provision VI.C.2 (Effluent Characterization Study and Report) of this Order for information that must also be reported with monthly SMRs.

Monthly SMRs shall include all new monitoring results obtained since the last SMR was submitted. If the Discharger monitors any pollutant more frequently than required by this Order, the Discharger shall include the results of such monitoring in the calculations and reporting for the SMR.

b. Annual SMR — Annual SMRs shall be due February 1 each year, covering the previous calendar year. The annual SMR shall contain the items described in Attachment G section V.C.1.f. See also Provisions VI.C.2 (Effluent Characterization Study and Report) of the Order for requirements to submit reports with annual SMRs.

3. Specifications for Submitting SMRs to CIWQS — The Discharger shall submit analytical results and other information using one of the following methods:

Table E-6. CIWQS Reporting

Parameter	Method of Reporting: EDF/CDF data upload or manual entry	Method of Reporting: Attached File
All parameters identified in influent, effluent, and receiving water monitoring tables	Required for all results	-
Antimony Arsenic Beryllium Cadmium Chromium Copper Cyanide Lead Mercury Nickel Selenium Silver Thallium Zinc Dioxins & Furans (by U.S. EPA Method 1613) Other Pollutants (by U.S. EPA Methods 601, 602, 608, 610, 614, 624, and 625)	Required for all results ^[2]	-
Volume and Duration of Blended Discharge ^[3]	Required for all blended effluent discharges	-
Analytical Method	Not required (Discharger may select “data unavailable”) ^[1]	-

Parameter	Method of Reporting: EDF/CDF data upload or manual entry	Method of Reporting: Attached File
Collection Time Analysis Time	Not required (Discharger may select "0:00") ^[1]	-

Footnotes:

- ^[1] The Discharger shall continue to monitor at the minimum frequency specified in this MRP, keep records of the measurements, and make the records available upon request.
- ^[2] These parameters require EDF/CDF data upload or manual entry regardless of whether monitoring is required by this MRP or other provisions of this Order (except for biosolids, sludge, or ash provisions).
- ^[3] The requirement for volume and duration of blended discharge applies only if this Order authorizes the Discharger to discharge blended effluent.

The Discharger shall arrange all reported data in a tabular format and summarize data to clearly illustrate whether the Facility is operating in compliance with effluent limitations. The Discharger is not required to duplicate the submittal of data entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format, the Discharger shall electronically submit the data in a tabular format as an attachment.

4. Monitoring Periods. Monitoring periods for all required monitoring shall be as set forth below unless otherwise specified:

Table E-7. Monitoring Periods

Sampling Frequency	Monitoring Period Begins On...	Monitoring Period
Continuous/D	Order effective date	All times
1/Hour	Order effective date	Every hour on the hour
1/Day	Order effective date	Any 24-hour period that reasonably represents a calendar day for sampling purposes (e.g., beginning at midnight and continuing through 11:59 p.m.)
1/Week	First Sunday following or on Order effective date	Sunday through Saturday
1/Month	First day of calendar month following or on Order effective date	First day of calendar month through last day of calendar month
1/Quarter	Closest November 1 or February 1 before or after permit effective date ^[1]	November 1 through January 31 February 1 through April 30 May 1 through July 31 (if discharging) August 1 through October 31 (if discharging)
2/Year	Closest January 1 or July 1 before or after Order effective date ^[1]	January 1 through June 30 July 1 through December 31
1/Year	Closest January 1 before or after Order effective date ^[1]	January 1 through December 31
Once	Order effective date	Once during the permit term within 12 months prior to applying for permit reissuance
1/Event	Order effective date	During blending discharge event

Footnote:

- ^[1] Monitoring performed during the previous order term may be used to satisfy monitoring required by this Order.

5. RL and MDL Reporting. The Discharger shall report with each sample result the Reporting Level (RL) and Method Detection Limit (MDL) as determined by the procedure in 40 C.F.R. part 136. The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

- a. Sample results greater than or equal to the RL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).
- b. Sample results less than the RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration of the sample shall also be reported.

For purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ. The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (+/- a percentage of the reported value), numerical ranges (low to high), or any other means the laboratory considers appropriate.

- c. Sample results less than the laboratory's MDL shall be reported as "Not Detected", or ND.
- d. The Discharger shall instruct laboratories to establish calibration standards so that the minimum level (ML) value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from extrapolation beyond the lowest point of the calibration curve.

6. Compliance Determination. Compliance with effluent limitations shall be determined using sample reporting protocols defined above and in the Fact Sheet and Attachments A, D, and G. For purposes of reporting and administrative enforcement by the Regional Water Board and State Water Board, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the pollutant in the monitoring sample is greater than the effluent limitation and, if applicable, greater than or equal to the RL.

C. Discharge Monitoring Reports (DMRs)

DMRs are U.S. EPA reporting requirements. The Discharger shall electronically certify and submit DMRs together with SMRs using the Electronic Self-Monitoring Reports module eSMR 2.5 or the latest upgraded version. Electronic DMR submittal shall be in addition to electronic SMR submittal. Information about electronic DMR submittal is available at the DMR website at waterboards.ca.gov/water_issues/programs/discharge_monitoring.

D. Annual Recycled Water Reports

The Discharger shall electronically submit annual reports to the State Water Board by April 30 each year covering the previous calendar year using the State Water Board's GeoTracker website (geotracker.waterboards.ca.gov) under a site-specific global identification number. For the 2020 calendar year, the Discharger shall submit a report by April 30, 2021, covering January through December 2020. The annual report shall include the elements specified in Attachment E section VII.

Information for setting up and using the GeoTracker system can be found in the ESI Guide for Responsible Parties document on the State Water Board's website (waterboards.ca.gov/ust/electronic_submittal/index.html).

APPENDIX E-1
CHRONIC TOXICITY
DEFINITION OF TERMS AND SCREENING PHASE REQUIREMENTS

I. Definition of Terms

- A. No observed effect level (NOEL) for compliance determination is equal to IC₂₅ or EC₂₅. If the IC₂₅ or EC₂₅ cannot be statistically determined, the NOEL shall be equal to the NOEC derived using hypothesis testing.
- B. Effective concentration (EC) is a point estimate of the toxicant concentration that would cause an adverse effect on a quantal, “all or nothing,” response (such as death, immobilization, or serious incapacitation) in a given percent of the test organisms. If the effect is death or immobility, the term lethal concentration (LC) may be used. EC values may be calculated using point estimation techniques such as probit, logit, and Spearman-Kärber. EC₂₅ is the concentration of toxicant (in percent effluent) that causes a response in 25 percent of the test organisms.
- C. Inhibition concentration (IC) is a point estimate of the toxicant concentration that would cause a given percent reduction in a nonlethal, nonquantal biological measurement, such as growth. For example, an IC₂₅ is the estimated concentration of toxicant that would cause a 25 percent reduction in average young per female or growth. IC values may be calculated using a linear interpolation method such as U.S. EPA's Bootstrap Procedure.
- D. No observed effect concentration (NOEC) is the highest tested concentration of an effluent or a toxicant at which no adverse effects are observed on the aquatic test organisms at a specific time of observation. It is determined using hypothesis testing.

II. Chronic Toxicity Screening Phase Requirements

- A. The Discharger shall perform screening phase monitoring:
 - 1. Subsequent to any significant change in the nature of the effluent discharged through changes in sources or treatment, except those changes resulting from reductions in pollutant concentrations attributable to source control efforts, or
 - 2. Prior to permit reissuance. Screening phase monitoring data shall be included in the NPDES permit application for reissuance. The information shall be as recent as possible, but may be based on screening phase monitoring conducted within 5 years before the permit expiration date.
- B. Design of the screening phase shall, at a minimum, consist of the following elements:
 - 1. Use of test species specified in Appendix E-2, attached, and use of the protocols referenced in those tables.
 - 2. Two stages:
 - a. Stage 1 shall consist of a minimum of one battery of tests conducted concurrently. Selection of the type of test species and minimum number of tests shall be based on Appendix E-2 (attached).

APPENDIX E-2
SUMMARY OF TOXICITY TEST SPECIES REQUIREMENTS

Table AE-1. Critical Life Stage Toxicity Tests for Estuarine Waters

Species	(Scientific Name)	Effect	Test Duration	Reference
Alga	<i>(Skeletonema costatum)</i> <i>(Thalassiosira pseudonana)</i>	Growth rate	4 days	1
Red alga	<i>(Champia parvula)</i>	Number of cystocarps	7–9 days	3
Giant kelp	<i>(Macrocystis pyrifera)</i>	Percent germination; germ tube length	48 hours	2
Abalone	<i>(Haliotis rufescens)</i>	Abnormal shell development	48 hours	2
Oyster Mussel	<i>(Crassostrea gigas)</i> <i>(Mytilus edulis)</i>	Abnormal shell development; percent survival	48 hours	2
Echinoderms Urchins Sand dollar	<i>(Strongylocentrotus purpuratus, S. franciscanus)</i> <i>(Dendraster excentricus)</i>	Percent fertilization or larval development	1 hour or 72 hours	2
Shrimp	<i>(Americamysis bahia)</i>	Percent survival; growth	7 days	3
Shrimp	<i>(Holmesimysis costata)</i>	Percent survival; growth	7 days	2
Topsmelt	<i>(Atherinops affinis)</i>	Percent survival; growth	7 days	2
Silverside	<i>(Menidia beryllina)</i>	Larval growth rate; percent survival	7 days	3

Toxicity Test References:

1. American Society for Testing Materials (ASTM). 1990. Standard Guide for Conducting Static 96-Hour Toxicity Tests with Microalgae. Procedure E 1218-90. ASTM, Philadelphia, PA.
2. Short-term Methods for Estimating the Chronic Toxicity of Effluent and Receiving Waters to West Coast Marine and Estuarine Organisms. EPA/600/R-95/136. August 1995.
3. Short-term Methods for Estimating the Chronic Toxicity of Effluent and Receiving Waters to Marine and Estuarine Organisms. EPA/821/R-02/014. October 2002.

Table AE-2. Critical Life Stage Toxicity Tests for Fresh Waters

Species	(Scientific Name)	Effect	Test Duration	Reference
Fathead minnow	<i>(Pimephales promelas)</i>	Survival; growth rate	7 days	4
Water flea	<i>(Ceriodaphnia dubia)</i>	Survival; number of young	7 days	4
Alga	<i>(Selenastrum capricornutum)</i>	Final cell density	4 days	4

Toxicity Test Reference:

1. Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, fourth Edition Chronic manual (EPA-821-R-02-013, October 2002).

Table AE-3. Toxicity Test Requirements for Stage One Screening Phase

Requirements	Receiving Water Characteristics: Discharges to Ocean	Receiving Water Characteristics: Discharges to Marine/ Estuarine Waters ^[1]	Receiving Water Characteristics: Discharges to Freshwater
Taxonomic diversity	1 plant 1 invertebrate 1 fish	1 plant 1 invertebrate 1 fish	1 plant 1 invertebrate 1 fish
Number of tests of each salinity type: Freshwater ^[2] Marine/Estuarine	0 4	1 or 2 3 or 4	3 0
Total number of tests	4	5	3

Footnotes:

- ^[1] (a) Marine refers to receiving water salinities greater than 10 parts per thousand (ppt) at least 95 percent of the time during a normal water year.
 (b) Freshwater refers to receiving water with salinities less than 1 ppt at least 95 percent of the time during a normal water year.
 (c) Estuarine refers to receiving water salinities that fall between those of marine and freshwater, as described above.
- ^[2] The freshwater species may be substituted with marine species if:
 - (a) The salinity of the effluent is above 1 ppt greater than 95 percent of the time, or
 - (b) The ionic strength (TDS or conductivity) of the effluent at the test concentration used to determine compliance is documented to be toxic to the test species.

ATTACHMENT F - FACT SHEET

Contents

I.	Permit Information.....	F-3
II.	Facility Description.....	F-4
	A. Wastewater and Biosolids Treatment.....	F-4
	B. Discharge Point and Receiving Waters.....	F-7
	C. Previous Requirements and Monitoring Data.....	F-7
	D. Compliance Summary.....	F-8
	E. Planned Changes.....	F-11
III.	Applicable Plans, Policies, and Regulations.....	F-12
IV.	Rationale For Effluent Limitations and Discharge Specifications.....	F-14
	A. Discharge Prohibitions.....	F-15
	1. Prohibitions in this Order.....	F-15
	2. Exception to Basin Plan Discharge Prohibition.....	F-17
	B. Technology-Based Effluent Limitations.....	F-18
	1. Scope and Authority.....	F-18
	2. Effluent Limitations.....	F-18
	C. Water Quality-Based Effluent Limitations (WQBELs).....	F-19
	1. Scope and Authority.....	F-19
	2. Beneficial Uses and Water Quality Criteria and Objectives.....	F-19
	3. Need for Water Quality-Based Effluent Limitations (Reasonable Potential Analysis).....	F-22
	4. Water Quality-Based Effluent Limitations (WQBELs).....	F-31
	D. Discharge Requirement Considerations.....	F-35
V.	Rationale for Receiving Water Limitations.....	F-36
VI.	Rationale for Provisions.....	F-37
	A. Standard Provisions.....	F-37
	B. Monitoring and Reporting.....	F-37
	C. Special Provisions.....	F-37
	1. Reopener Provisions.....	F-37
	2. Effluent Characterization Study and Report.....	F-37
	3. Pollutant Minimization Program.....	F-37
	4. Special Provisions for Publicly Owned Treatment Works.....	F-38
	5. Other Special Provisions.....	F-38
VII.	Rationale for Monitoring and Reporting Program (MRP).....	F-40
VIII.	Public Participation.....	F-42

Tables

Table F-1. Facility Information	F-3
Table F-2. Previous Effluent Limitations and Monitoring Data	F-7
Table F-3. Effluent Limit Violations	F-8
Table F-4. Collection System and Category 1 SSO Rates (SSO per 100 miles)	F-9
Table F-5. Previous Wet Weather Bypasses	F-10
Table F-6. Beneficial Uses	F-12
Table F-7. Secondary Treatment Standards	F-18
Table F-8. Site-Specific Translators	F-22
Table F-9. Reasonable Potential Analysis	F-24
Table F-10. WQBEL Calculations	F-34
Table F-11. Monitoring Requirements Summary	F-41

ATTACHMENT F – FACT SHEET

This Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order. As described in section II.B of the Order, the Regional Water Board incorporates this Fact Sheet as findings supporting the issuance of the Order.

I. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

Table F-1. Facility Information

WDID	2 215012001
CIWQS Place ID	236598
Discharger	Las Gallinas Valley Sanitary District
Facility Name	Las Gallinas Valley Sanitary District Sewage Treatment Plant and its wastewater collection system
Facility Address	300 Smith Ranch Road San Rafael, CA 94903 Marin County
Facility Contact, Title, Phone	Mel Liebmann, Plant Manager/Chief Plant Operator, (415) 472-1734
Authorized Person to Sign and Submit Reports	Same as above
Mailing Address	Same as Facility Address
Billing Address	Same as Facility Address
Facility Type	Publicly-Owned Treatment Works (POTW)
Major or Minor Facility	Major
Threat to Water Quality	2
Complexity	A
Pretreatment Program	No
Reclamation Requirements	Order Nos. 89-127, 92-064, and WQ 2016-0068-DDW
Mercury and PCBs Requirements	NPDES Permit No. CA0038849
Nutrients	NPDES Permit No. CA0038873
Facility Permitted Flow	2.92 million gallons per day (MGD) (average dry weather flow)
Facility Design Flow	2.92 MGD (average dry weather treatment capacity) 8.0 MGD (wet weather biological treatment capacity) 25 MGD (wet weather hydraulic capacity)
Watershed	San Pablo Bay
Receiving Water	Miller Creek
Receiving Water Type	Estuarine

- A. The Las Gallinas Valley Sanitary District (Discharger) owns and operates the Las Gallinas Valley Sanitary District Sewage Treatment Plant and its wastewater collection system (collectively, the Facility), which provide secondary treatment of the wastewater collected from its service area. During the wet season, the Facility discharges treated effluent to Miller Creek, a water of the United States within the San Pablo Bay watershed. During the dry season, the Discharger does not discharge effluent to Miller Creek. Instead, it stores effluent onsite or reclaims it.

For the purposes of this Order, references to the “discharger” or “permittee” in applicable federal and State laws, regulations, plans, and policies are held to be equivalent to references to the Discharger herein.

- B.** The Discharger is regulated pursuant to National Pollutant Discharge Elimination System (NPDES) Permit No. CA0037851. The Discharger was previously subject to Order No. R2-2015-0021 (previous order). The Discharger filed a Report of Waste Discharge and submitted an application for reissuance of its Waste Discharge Requirements (WDRs) and NPDES permit on October 1, 2019.

The Discharger is authorized to discharge subject to the WDRs in this Order at the discharge locations described in Table 2 of this Order. Regulations in 40 C.F.R. section 122.46 limit the duration of NPDES permits to a fixed term not to exceed five years. Accordingly, Table 3 of this Order limits the effective period for the discharge authorization. Pursuant to California Code of Regulations, title 23, section 2235.4, the terms and conditions of an expired permit are automatically continued pending reissuance of the permit if the Discharger complies with all requirements for continuation of expired permits. (See 40 C.F.R § 122.6[d].)

- C.** Order No. R2-2016-0008 amended the previous order to provide for an alternate monitoring program and remains in effect with this Order. The discharge is also regulated under NPDES Permit Nos. CA0038849 and CA0038873, which establish requirements on mercury and polychlorinated biphenyls (PCBs), and nutrients from wastewater discharges to San Francisco Bay. This Order does not affect those permits.
- D.** When applicable, State law requires dischargers to file a petition with the State Water Resources Control Board (State Water Board), Division of Water Rights, and receive approval for any change in the point of discharge, place of use, or purpose of use of treated wastewater that decreases the flow in any portion of a watercourse. The State Water Board retains separate jurisdictional authority to enforce such requirements under Water Code section 1211. This is not an NPDES permit requirement.

II. FACILITY DESCRIPTION

A. Wastewater and Biosolids Treatment

- 1. Location and Service Area.** The Las Gallinas Valley Sanitation District Wastewater Treatment Plant, located at 300 Smith Ranch Road in San Rafael, provides secondary treatment of domestic wastewater collected from the northern part of the City of San Rafael and unincorporated portions of Marin County. The service area population is approximately 30,000. Attachment B provides a map of the area around the Facility.
- 2. Collection System.** The Las Gallinas Valley Sanitation District collection system consists of 105 miles of gravity-flow sanitary sewer lines, 6.7 miles of pressure sewers, which range in diameter from 6 to 42 inches, and 28 lift stations. Several small satellite collection systems connect to the Facility. The largest are two mobile home parks that contribute approximately 2.6 percent and 2.0 percent of the treatment plant flow. The remaining satellite systems are much smaller. The Discharger’s wastewater collection system is covered under the statewide General Waste Discharge Requirements for Sanitary Sewer Systems (Order No. 2006-0003-DWQ).

- 3. Wastewater Treatment.** The plant has a dry weather flow design capacity of 2.92 million gallons per day (MGD), and a wet weather capacity of approximately 8 MGD for full biological treatment. For the last five dry seasons (May through October), the average dry weather flow was 1.97 MGD. For the last four wet seasons (November through April), the average flow was 3.23 MGD. The maximum daily effluent flow was 18.0 MGD in February 2019.

Attachment C provides Facility flow schematics. The wastewater treatment process consists of two mechanically-cleaned fine screens, two aerated grit chambers, one 80-foot-diameter primary clarifier (which can provide partial flow equalization) and two 65-foot-diameter primary clarifiers, two trickling filters, a secondary clarifier, a fixed film reactor for nitrification, eight anthracite deep-bed filters, and two underground chlorine contact basins. Disinfection occurs using sodium hypochlorite, followed by dechlorination using sodium bisulfite.

Treated effluent is discharged to Miller Creek during the wet season. During the dry season, treated effluent is routed to an onsite reclamation system and re-used (see Fact Sheet section II.A.6). In the event of high wastewater flows from early or late season storms, treated and dechlorinated effluent may be discharged to Miller Creek.

During wet weather, when primary-treated flows exceed the plant's biological capacity of 8 MGD and all onsite storage is used, additional flows are diverted around biological treatment units and "blended" with fully-treated effluent. After disinfection, the blended flow is dechlorinated prior to discharge. The following summarizes operations at varying influent flows:

- a. Flows up to approximately 6.9 MGD receive primary treatment, biological treatment, nitrification, deep bed filtration, and disinfection. (The maximum flow rate through the deep bed filters can be less than 6.9 MGD depending on loads and other operating conditions.)
- b. Flows above approximately 6.9 MGD and up to 8 MGD receive primary treatment, biological treatment, partial deep bed filtration, and disinfection.
- c. Flows above 8 MGD and up to 21.6 MGD receive primary treatment, partial deep bed filtration, and disinfection before blending with biologically-treated flows.
- d. Flows above 21.6 and up to 25 MGD (the plant's peak hydraulic capacity) receive primary treatment and disinfection before blending with biologically-treated flows.

Flows bypassing biological treatment are subject to Discharge Prohibition III.C of the Order and Attachment D section I.G. For purposes of this Order, flows routed around nitrification and deep bed filtration are not considered bypasses subject to Discharge Prohibition III.C of the Order and Attachment D section I.G.

Upon completion of plant upgrades (see Fact Sheet section II.E), the plant's biological treatment capacity will increase to about 18 MGD. The upgraded treatment process will consist of two mechanically-cleaned fine screens, two aerated grit chambers, one 80-foot-diameter primary clarifier and two 65-foot-diameter primary clarifiers, a hybrid fixed-film/activated sludge secondary treatment system with four parallel basins, two secondary

clarifiers, and two underground chlorine contact basins. The fixed film/activated sludge system will provide nitrification and partial denitrification. Disinfection and dechlorination will remain unchanged.

The Facility may need to continue blending primary-treated wastewater with biologically-treated wastewater under very high flow conditions, which are expected to occur infrequently. Under those conditions, flows up to about 18 MGD will receive full biological treatment and disinfection, while flows above 18 mgd and up to 25 mgd (the plant's hydraulic capacity) will receive primary treatment and disinfection before blending.

4. **Sludge and Biosolids Management.** Grit, screenings, and a portion of the material skimmed from the treatment processes is disposed of in the Redwood Sanitary Landfill. Other solids are treated by gravity thickening and anaerobic digestion in primary and secondary digesters and then pumped to three sludge storage lagoons. The sludge storage lagoons are double-lined and have a total capacity of approximately 3.2 million gallons. Biosolids are ultimately disposed of onsite at the Discharger's 9-acre land disposal site.
5. **Stormwater Management.** The Discharger is not required to be covered under the statewide NPDES permit for stormwater discharges associated with industrial activities (NPDES General Permit No. CAS000001) because all stormwater at the plant is collected and recycled or routed to the plant's headworks for treatment.
6. **Recycled Water.** During the dry weather "reclamation" season (June through October, plus May when conditions allow), treated effluent is reclaimed onsite in accordance with Order No. 92-064. The onsite reclamation system consists of two 20-acre storage ponds, a 20-acre freshwater marsh/wildlife pond, and 200 acres of irrigated pasture. The storage ponds are used to dechlorinate the effluent through natural processes. From 2015 through 2018, the average volume of plant effluent applied to the pasture was 76.4 million gallons per year, approximately 8.1 percent of the Discharger's annual flow volume. The Discharger may return surplus water remaining in the storage ponds at the end of the reclamation season to the plant for treatment and discharge to Miller Creek.

Since 2012, the Discharger has operated its own onsite water recycling facility. The Las Gallinas Recycled Water Facility produces disinfected tertiary recycled water by further treating the secondary effluent using ultrafiltration and ultraviolet disinfection. The recycled water is delivered to the North Marin Water District, which transmits and distributes it for irrigation in the southern Novato area. From 2015 through 2018, the North Marin Water District recycled an average volume of 39.7 million gallons per year, approximately 4.2 percent of the Discharger's annual flow volume. The Discharger and the North Marin Water District are permitted separately under State Water Board Order No. WQ 2016-0068-DDW.

Since 1988, plant effluent and water from the storage ponds has been used by the Marin Municipal Water District for feedstock in its recycled water plant, which produces disinfected tertiary recycled water for distribution throughout its northern San Rafael service area, for irrigation and other approved uses. From 2015 through 2018, the average volume of the Discharger's effluent recycled by Marin Municipal Water District was 212 million gallons per year, approximately 22.4 percent of the Discharger's annual flow volume. The Marin Municipal Water District system was permitted under Water Reuse Order No. 89-127,

issued jointly to the Marin Municipal Water District and the Discharger. Starting in summer 2020, the expanded Las Gallinas Recycled Water facility will produce recycled water for distribution to MMWD and MMWD's existing recycled water plant will be removed.

B. Discharge Point and Receiving Waters

The plant discharges treated wastewater to Miller Creek, a water of the State and United States, through two discharge points (Table 2). Miller Creek is a tributary to San Pablo Bay. Under normal discharge conditions, plant effluent is split between Discharge Point Nos. 001 and 002, with the majority discharged at Discharge Point No. 002, which is located about 1,200 feet downstream of Discharge Point No. 001 and 4,600 feet upstream from San Pablo Bay. Under higher flow conditions, the majority of treated effluent is discharged at Discharge Point No. 001.

C. Previous Requirements and Monitoring Data

The table below presents the previous order's effluent limitations and representative monitoring data from the previous order term:

Table F-2. Previous Effluent Limitations and Monitoring Data

Parameter	Units	Average Monthly Limit	Average Weekly Limit	Maximum Daily Limit	Other Limits	Long-Term Average (11/2015 – 2/2020)	Highest Daily Discharge (11/2015 – 2/2020)
Biochemical Oxygen Demand (5-day @ 20°C) (BOD ₅)	mg/L	30 20 (May)	45 25 (May)	30 (May)	-	10	34
Total Suspended Solids (TSS)	mg/L	30 15 (May)	45 18 (May)	20 (May)	-	12	52
Oil and Grease	mg/L	10 5 (May)	-	20 15 (May)	-	1.0	2.4
Ammonia, Total	mg/L as N	10 6 (May)	-	18	-	5.3	18
BOD ₅ percent removal	%	85 (minimum)	-	-	-	95	87 ^[1]
TSS percent removal	%	85 (minimum)	-	-	-	93	82 ^[1]
pH	s.u.	-	-	-	6.5 – 8.5 ^[2]	-	6.5 – 9.9 ^[3]
Chlorine Residual	mg/L	-	-	0.0	-	-	4.9
Copper, Total	µg/L	8.6	-	11	-	-	13
Nickel, Total	µg/L	11	-	18	-	-	7.7
Cyanide, Total	µg/L	6.4	-	14	-	-	8.8
Bis(2-Ethylhexyl) Phthalate	µg/L	5.9	-	12	-	-	210
Dioxin-TEQ ^[4]	µg/L	1.4 x 10 ⁻⁸	-	2.8 x 10 ⁻⁸	-	-	3.8 x 10 ⁻⁹
Enterococcus Bacteria	MPN/ 100 mL	35 ^[5]	-	-	-	-	28 ^[5]
Acute Toxicity	% survival	-	-	Not <70% Single Sample)	Not <90% (3-Sample Median)	100	100 ^[6]
Chronic Toxicity	TU _c	2.7	-	5.3	-	1.4	3.1

Abbreviations:

mg/L = milligrams per liter
 mg/L as N = milligrams per liter as nitrogen
 µg/L = micrograms per liter
 MPN/100mL = most probable number per 100 milliliters
 s.u. = standard units
 TU_c = chronic toxicity units
 % = percent

Footnotes:

- [1] Lowest percent removal value.
- [2] Instantaneous minimum and instantaneous maximum
- [3] Range of lowest to highest pH values.
- [4] Dioxin-TEQ was calculated in accordance with Attachment G section V.C.1.d.iv of the previous order.
- [5] This enterococcus bacteria limitation was expressed as the geometric mean in a calendar month.
- [6] Lowest percent survival.

D. Compliance Summary

1. Effluent Limit Violations. The Discharger violated its numeric effluent limitations 16 times from November 2015 through February 2020. Nine violations occurred on days the Discharger bypassed biological treatment due to wet weather.

Table F-3. Effluent Limit Violations

Violation Date	Parameter	Units	Effluent Limit	Reported Value
1/18/2016	Copper, Total, Maximum Daily	µg/L	11	12
1/18/2016	Bis(2-Ethylhexyl)Phthalate	µg/L	12	210
1/19/2016	Copper, Total, Maximum Daily	µg/L	11	12
1/2016	Copper, Total, Monthly Average	µg/L	8.6	9.8
2/14/2016	Chlorine Residual, Instantaneous Max	mg/L	0.0	1.6
4/1/2017	Chlorine Residual, Instantaneous Max	mg/L	0.0	0.13
12/2017	Copper Total, Average Monthly	µg/L	8.6	9.4
11/10/2018	Copper, Total, Maximum Daily	µg/L	11	12
11/14/2018	Copper, Total, Maximum Daily	µg/L	11	11.3
1/7/2019	Copper, Total, Maximum Daily	µg/L	11	13
2/14/2019	Chlorine Residual, Instantaneous Max	mg/L	0.0	4.57
2/2019	TSS Percent Removal, Monthly Avg	%	>85	82.1
5/19/2019	TSS, Maximum Daily	mg/L	20	21
11/29/2019	Chlorine Residual, Instantaneous Max	mg/L	0.0	4.9
11/30/2019	Chlorine Residual, Instantaneous Max	mg/L	0.0	1.3
12/03/2019	Chlorine Residual, Instantaneous Max	mg/L	0.0	4.9

Abbreviation:

mg/L = milligrams per liter
 µg/L = micrograms per liter

On July 18, 2016 the Regional Water Board issued a \$9,000 Administrative Civil Liability to the District for the three copper violations, two chlorine residual violations, and one bis(2-ethylhexyl)phthalate violation in 2016. On August 12, 2019, the Regional Water Board issued another \$9,000 Administrative Civil Liability to the District for three more copper violations, two more chlorine residual violations, and two TSS violations that occurred during the period from April 2017 through May 2019. Enforcement is pending for the three remaining chlorine residual violations of November and December 2019.

For more reliable dechlorination, on December 6, 2019, the Discharger installed a heating element and heat trace on a sodium bisulfite storage tank to prevent crystallization in the isolation valves. The entire dechlorination system is being replaced as part of required upgrades (see Fact Sheet section II.E). The upgrades will expand the Facility’s biological treatment capacity, which is expected to reduce the need to bypass and improve TSS removal during high flows.

- 2. Collection System.** The table below shows the Discharger’s collection system’s sanitary sewer overflow (SSO) rates (total SSOs per 100 miles of collection system) for Category 1 SSOs over the last five years, the length and age of the collection system, and comparisons to other collection systems in the San Francisco Bay Region and the State. Category 1 SSOs are those that reach waters of the United States and thus may violate Prohibition III.E of this Order.

Table F-4. Collection System and Category 1 SSO Rates (SSO per 100 miles)
 (Values based on CIWQS data analysis completed in July 2019)^[1, 2]

Region	Length (miles)	Average Pipe Age (years)	2014 Rate	2015 Rate	2016 Rate	2017 Rate	2018 Rate
Las Gallinas Valley Sanitation	112 ^[3]	54	0.9	0.9	0	0	0
San Francisco Bay Region	17,700 ^[4]	45	1.5	0.68	1.2	1.7	0.71
State of California	89,100 ^[4]	52	0.69	0.47	0.58	0.84	0.48

Footnotes:

- ^[1] Category 1 SSOs are those that reached surface water or a drainage channel tributary to a surface water or reached a municipal separate storm sewer system and were not fully captured and disposed of properly.
- ^[2] The State Water Board’s *Enrollee’s Guide to the SSO Database* defines “Total number of SSOs per 100 miles of Sewer” as “...the number of SSOs, for which the reporting enrollee is responsible, for every 100 miles of pipe or sewer lines in an enrollee’s sanitary sewer system. Due to the large variation in facility specific characteristics, this metric should only be viewed as a rough comparison of the operation and maintenance performance of enrollees and their sanitary sewer systems.”
- ^[3] Lengths shown are based on 2018 data.
- ^[4] The average pipe age for the State of California is estimated based on the percentages of piping constructed during each decade as reported by enrollees under State Water Board Order No. 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, as amended by State Water Board Order No. WQ 2013-0058-EXEC.

The Discharger had three Category 1 SSOs over the previous order term, including one in 2019. The average age of the Discharger’s collection system is approximately 54 years, which is slightly older than other collection systems in the San Francisco Bay Region. The Discharger maintains a list of priority sewer pipe and manhole rehabilitation projects that is updated every two years based on closed-circuit TV inspections, observations during cleaning, and other considerations. In 2016, the Discharger expended \$2.4 million to replace 6,870 feet of main lines, about 1800 feet of associated lower laterals, and 49 manholes. In 2018, the Discharger expended \$1.3 million to rehabilitate 2,626 feet of sewer mains,

rehabilitate or replace 19 manholes and rod holes, and replace approximately 24 lower laterals.

3. **Wet Weather Bypasses.** Although the Discharger has implemented the tasks required by the previous order to reduce blending, it bypassed biological treatment 40 times during the previous order term. The discharges not receiving biological treatment totaled approximately 315 million gallons, or 6.8 percent of the total influent flow, for the past five years. As listed in Fact Sheet section II.D.1 above, bypasses caused several copper and total suspended solids effluent limit violations, Table F-5 summarizes the Discharger’s wet weather bypass history during the previous order term.

Table F-5. Previous Wet Weather Bypasses

Date	Blended Volume (million gallons)	Duration (hours)	Instantaneous Peak Influent (million gallons per day)
1/5/2016	0.24	5.0	14.9
1/17/2016	1.3	4.0	14.9
1/18/2016	0.76	1.7	11.9
1/19/2016	3.6	6.4	20.5
3/5/2016	3.7	6.0	17.5
3/6/2016	2.2	5.1	15.9
3/7/2016	0.10	0.76	11.6
3/10/2016	0.60	2.1	14.2
3/11/2016	2.2	3.3	14.9
3/13/2016	1.6	5.5	13.2
11/19/2016	0.5	1.1	11.8
12/15/2016	8.7	13.1	21.2
1/3/2017	9.1	18	16.0
1/7/2017	45	124	12.3
1/18/2017	36	117	25.3
2/6/2017	30	74	16.9
2/17/2017	5.3	12	13.9
2/20/2017	12	21	20.4
4/6/2017	2.8	25	14.2
1/8/2018	5.0	9.6	15.9
3/21/2018	3.3	6.7	15.6
3/22/2018	3.9	7.9	16.4
4/7/2018	3.0	0.84	11.3
1/6/2019	8.7	13	20.8
1/15/2019	2.2	4.8	14.1
1/16/2019	8.2	16	22.1
1/17/2019	2.8	2.3	15.9
2/4/2019	5.0	12	15.6
2/13/2019	41	64	24.8
2/16/2019	0.089	1.1	12.8
2/25/2019	36	53	23.5
3/2/2019	1.8	4.5	12.9
3/6/2019	3.9	8.4	15.5
5/18/2019	0.82	2.1	11.4

12/1/2019	8.8	15	17.4
12/2/2019	10	20	20.6
12/6/2019	1.0	1.9	13.7
12/7/2019	4.2	8.9	14.4
12/18/2019	1.2	2.8	12.2
12/22/2019	0.75	1.9	11.4
Total	315	702	

E. Planned Changes

The Discharger’s existing secondary treatment process is undergoing a major upgrade as part of a project that also includes expansion of the Recycled Water Facility. The following upgrades will be implemented through a series of construction phases:

- The existing grit chambers will be upgraded.
- A primary effluent pump station will be constructed to lift primary effluent into the new secondary treatment facilities.
- The existing rock biofilters and nitrification fixed film reactor will be replaced with a combined fixed film/activated sludge nitrification/denitrification system, with associated sludge collection systems. This new treatment process will increase the peak wet weather biological treatment capacity from 8 MGD to 18 MGD.
- The existing deep bed filters will no longer be used for treatment prior to discharge, but the filter effluent channel will continue to serve as the influent wet well for the Recycled Water Facility. The filter structure will serve as a wet well and equalization basin for the plant drainage system.
- The existing secondary clarifier will be demolished, and two larger secondary clarifiers will be constructed.
- The existing chlorination and dechlorination storage and feed facilities will be upgraded, and modifications will be made to the chlorine contact chamber piping.
- Two mechanical disc thickener units will be constructed to thicken the combined primary and secondary sludge stream.
- The hydraulic grade line of the new treatment and disinfection facilities will be raised by 4.3 feet to protect against expected sea level rise. This increase in elevation is expected to provide protection for the next 65 years, according to projections by the San Francisco Bay Conservation and Development Commission and the National Oceanic and Atmospheric Administration.
- The treatment plant’s yard piping, air and water utilities, and electrical, process control, and emergency power systems will be upgraded.

The project, which began in February 2019, will be constructed in three phases over a period of approximately three years. The fixed film/activated sludge basins and associated facilities are scheduled to be operational by September 2020. Because only the existing secondary clarifier will be in service at that time, the biological treatment capacity will remain 8 MGD until the project is completed in 2022.

III. APPLICABLE PLANS, POLICIES, AND REGULATIONS

A. Legal Authorities

This Order serves as WDRs pursuant to California Water Code article 4, chapter 4, division 7 (commencing with § 13260) for discharges to waters of the State. This Order is also issued pursuant to Clean Water Act (CWA) section 402 and implementing regulations adopted by U.S. EPA, and Water Code chapter 5.5, division 7 (commencing with § 13370). It shall serve as an NPDES permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 2 subject to the WDRs in this Order.

B. California Environmental Quality Act

Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (CEQA), Public Resources Code division 13, chapter 3 (commencing with § 21100).

C. State and Federal Regulations, Policies, and Plans

1. Water Quality Control Plan. The Regional Water Board adopted the *Water Quality Control Plan for the San Francisco Bay Basin* (Basin Plan), which designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Requirements in this Order implement the Basin Plan. In addition, this Order implements State Water Board Resolution No. 88-63, which established State policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Because of the marine influence on San Francisco Bay, total dissolved solids levels exceed 3,000 mg/L; therefore, San Pablo Bay and the tidally influenced portion of Miller Creek meets an exception to State Water Board Resolution No. 88-63. Beneficial uses applicable to Miller Creek are as follows:

Table F-6. Beneficial Uses

Discharge Points	Receiving Water	Beneficial Uses
001 and 002	Miller Creek	Cold Freshwater Habitat (COLD) Fish Migration (MIGR) Preservation of Rare and Endangered Species (RARE) Water Contact Recreation (REC1) Non-Contact Water Recreation (REC2) Fish Spawning (SPWN) Warm Freshwater Habitat (WARM) Wildlife Habitat (WILD)

2. Bacteria. The State Water Board adopted the *Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California – Part 3, Bacteria Provisions and a Water Quality Standards Variance Policy* on August 7, 2018, and it became effective on March 22, 2019. This plan establishes new enterococcus bacteria water quality objectives and related implementation provisions for discharges to marine and estuarine receiving waters that support the water contact recreation beneficial use.

- 3. Sediment Quality.** The State Water Board adopted the *Water Quality Control Plan for Enclosed Bays and Estuaries – Part 1, Sediment Quality* on September 16, 2008, and it became effective on August 25, 2009. The State Water Board adopted amendments to the plan on June 5, 2018, that became effective on March 11, 2019. This plan supersedes other narrative sediment quality objectives and establishes new sediment quality objectives and related implementation provisions for specifically defined sediments in most bays and estuaries.
- 4. National Toxics Rule (NTR) and California Toxics Rule (CTR).** U.S. EPA adopted the NTR on December 22, 1992, and amended it on May 4, 1995, and November 9, 1999. About 40 criteria in the NTR apply in California. On May 18, 2000, U.S. EPA adopted the CTR. The CTR promulgated new toxics criteria for California and incorporated the previously adopted NTR criteria that applied in the State. U.S. EPA amended the CTR on February 13, 2001. These rules contain water quality criteria for priority pollutants.
- 5. State Implementation Policy.** On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP became effective on April 28, 2000, with respect to the priority pollutant criteria U.S. EPA promulgated for California through the NTR and the priority pollutant objectives the Regional Water Board established in the Basin Plan. The SIP became effective on May 18, 2000, with respect to the priority pollutant criteria U.S. EPA promulgated through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005, that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives, and provisions for chronic toxicity control. Requirements of this Order implement the SIP.
- 6. Antidegradation Policy.** Federal regulations at 40 C.F.R. section 131.12 require that state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy through State Water Board Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters in California*, which is deemed to incorporate the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. Permitted discharges must be consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and State Water Board Resolution No. 68-16. (See Fact Sheet section IV.D.1.)
- 7. Anti-Backsliding Requirements.** CWA sections 402(o) and 303(d)(4) and 40 C.F.R. section 122.44(l) restrict backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed. (See Fact Sheet section IV.D.2.)
- 8. Endangered Species Act Requirements.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code §§ 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. §§ 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the State, including

protecting rare, threatened, or endangered species. The Discharger is responsible for meeting all applicable Endangered Species Act requirements.

- 9. Sludge and Biosolids.** U.S. EPA administers 40 C.F.R. part 503, Standards for the Use or Disposal of Sewage Sludge, which regulates the final use or disposal of sewage sludge generated during the treatment of domestic sewage in a municipal wastewater treatment facility. This Order does not authorize any act that violates those requirements. The Discharger is responsible for meeting all applicable requirements of 40 C.F.R. part 503.

D. Impaired Waters on CWA 303(d) List

On April 6, 2018, U.S. EPA approved a revised list of impaired waters pursuant to CWA section 303(d), which requires identification of specific water bodies where it is expected that water quality standards will not be met after implementation of technology-based effluent limitations on point sources. Where it has not done so already, the Regional Water Board plans to adopt total maximum daily loads (TMDLs) for pollutants on the 303(d) list. TMDLs establish wasteload allocations for point sources and load allocations for nonpoint sources and are established to achieve water quality standards.

Miller Creek is a tributary to San Pablo Bay and San Francisco Bay, which are listed as impaired by chlordane, DDT, dieldrin, dioxins and furans, invasive species, mercury, PCBs and dioxin-like PCBs, selenium, and trash. On February 12, 2008, U.S. EPA approved a TMDL for mercury in San Francisco Bay. On March 29, 2010, U.S. EPA approved a TMDL for PCBs in San Francisco Bay. The mercury and PCBs TMDLs apply to this discharge and are implemented through NPDES Permit No. CA0038849. On August 23, 2016, U.S. EPA approved a TMDL for selenium in North San Francisco Bay, which includes San Pablo Bay. The selenium TMDL does not require effluent limits for municipal wastewater dischargers because these discharges have an insignificant effect on North Bay water quality.

As shown in Fact Sheet section IV.C.3, the discharge is not a significant source of chlordane, DDT, and dieldrin because these pollutants have not been detected in the discharge. The discharge is also not a source of invasive species because it is disinfected, and is not a source of trash because it is screened and treated to secondary treatment standards. This Order contains dioxin-TEQ effluent limitations to ensure that dioxins and furans in effluent remain below water quality objectives.

Additionally, Miller Creek is listed as impaired by diazinon, a pesticide often associated with urban runoff. Basin Plan section 7.1.1 contains a TMDL for diazinon and pesticide-related toxicity in urban creeks, including Miller Creek. The TMDL does not apply to the Facility because it discharges to a portion of Miller Creek that is not considered an urban creek, as defined by Basin Plan section 7.1.1, because it is tidally influenced.

IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants discharged into waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. There are two principal bases for effluent limitations: 40 C.F.R. section 122.44(a) requires that permits include applicable technology-based limitations and standards; and 40 C.F.R. section

122.44(d) requires that permits include water quality-based effluent limitations to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of receiving waters.

A. Discharge Prohibitions

1. Prohibitions in this Order

- a. **Discharge Prohibition III.A (No discharge at location or in manner different than described in Order):** This prohibition is based on 40 C.F.R. section 122.21(a) and Water Code section 13260, which require filing an application and Report of Waste Discharge before a discharge can occur. Discharges not described in the application and Report of Waste Discharge, and subsequently in this Order, are prohibited.
- b. **Discharge Prohibition III.B (Discharge to Miller Creek prohibited during dry season):** Miller Creek is a tidally influenced perennial stream. While there may be some dilution of the discharge from tidal flushing, the Discharger has not demonstrated that the discharge receives 10:1 initial dilution. Therefore, this Order prohibits discharges to Miller Creek from June 1 through October 31, which roughly corresponds to the dry season, with the exception of discharges necessary when wastewater volume exceeds the capacity of the Discharger's recycled water distribution and storage system to meet recycled water demand.

During the dry season, when the Discharger has adequate storage capacity and recycled water demand is high, this prohibition ensures the Discharger's compliance with the Basin Plan's Discharge Prohibition No. 1, which prohibits discharges not receiving a minimum 10:1 initial dilution and to dead-end sloughs.

The limited circumstances in which the Discharger may discharge to Miller Creek during dry weather meet the requirements for an exception to Discharge Prohibition No. 1, as described in Fact Sheet section IV.A.2 below. The Discharger is not required to use the storage ponds to store effluent that would exceed the amount needed for pasture irrigation and to satisfy recycled water demand, because the effluent has already been fully treated, and algae growth in the storage ponds over the summer cause increased TSS that is difficult to remove. As explained in Fact Sheet section IV.A.2 below, this Order also grants an exception to Discharge Prohibition No. 1 for wet season discharges.

- c. **Discharge Prohibition III.C (No bypass to waters of the United States):** This prohibition is based on 40 C.F.R. section 122.41(m) (see Attachment D section I.G). When flows are above 8 MGD and all onsite storage has been used, this Order approves the bypass of biological treatment for the portion of the flow above 8 MGD (or above 18 MGD following the upgrades required by Provision VI.C.5.a [see Table 6, task 4]) in accordance with Attachment D section I.G. This portion must be "blended" with biologically-treated effluent and disinfected prior to discharge, and must comply with all effluent and receiving water limitations contained in this Order. As discussed below, the Discharger meets the criteria set forth in 40 C.F.R. sections 122.41(m)(4)(i)(A)-(C) for the Regional Water Board to approve these bypasses:

- **Bypass is unavoidable to prevent loss of life, personal injury, or severe property damage.** With peak wet weather flows above 8 MGD (or 18 MGD following upgrades), bypasses are unavoidable to prevent (i) backups and overflows of raw sewage into basements or onto city streets, which could result in severe property damage or personal injury, or (ii) overflows within the treatment plant that could flood and damage equipment and thus compromise the Discharger's ability to treat wastewater long after the bypass ends.
- **There are no feasible alternatives to the bypass.** As part of a *No Feasible Alternatives Analysis* submitted in July 2019, the Discharger evaluated short-term and long-term plans to reduce wet weather bypasses of biological treatment. Considering financial and space constraints, the Discharger developed a Secondary Treatment and Recycled Water Upgrade Project to expand its biological treatment capacity from 8 MGD to 18 MGD and to improve treatment reliability. As indicated in Fact Sheet Table F-5 above, three-fourths of bypasses over the previous permit term were for flows less than 18 MDG, thus the increase in biological treatment capacity is expected to eliminate most bypasses.

Additionally, ongoing rehabilitation work directed at sewers determined to be in poor condition (based on the Discharger's operations and maintenance program) will reduce inflow and infiltration, and thus reduce peak wet weather flows and the need to bypass. The Discharger's 2019 budget included funding for a Collection System Master Plan (first phase of an Integrated Wastewater Master Plan), an effort directed toward enhancing the institutional understanding of infrastructure needs and identifying and prioritizing capital improvement projects. As such, the Master Plan will help the Discharger further identify and rehabilitate sewer lines in poor condition.

- **The Discharger provided notice at least ten days before the date of the bypass.** With its Report of Waste Discharge, the Discharger notified the Regional Water Board of the need to bypass biological treatment when peak wet weather flows exceed 8 MGD.
- d. **Discharge Prohibition III.D (No average dry weather effluent flow in excess of design capacity):** This Order prohibits average dry weather influent flows greater than the plant's average dry weather design capacity (i.e., its historical and tested treatment reliability) of 2.92 MGD. Exceeding this flow could result in lower treatment reliability and greater potential to violate water quality requirements.
- e. **Discharge Prohibition III.E (No sanitary sewer overflows to waters of the United States):** Basin Plan Table 4-1, Discharge Prohibition 15, and the CWA prohibit the discharge of wastewater to surface waters, except as authorized under an NPDES permit. Publicly-owned treatment works must achieve secondary treatment at a minimum and any more stringent limitations necessary to meet water quality standards (33 U.S.C. § 1311[b][1][B] and [C]). A sanitary sewer overflow that results in the discharge of raw sewage or wastewater not meeting this Order's effluent limitations to waters of the United States is therefore prohibited under the Basin Plan and the CWA.

2. Exception to Basin Plan Discharge Prohibition

Basin Plan Table 4-1, Discharge Prohibition 1, prohibits discharges not receiving a minimum of 10:1 initial dilution and discharges into shallow waters or dead-end sloughs. However, Basin Plan section 4.2 provides for exceptions to Basin Plan Discharge Prohibition 1 under certain circumstances:

- An inordinate burden would be placed on the Discharger relative to the beneficial uses protected, and an equivalent level of environmental protection can be achieved by alternate means;
- A discharge is approved as part of a reclamation project;
- Net environmental benefits will be derived as a result of the discharge; or
- A discharge is approved as part of a groundwater cleanup project.

The Basin Plan further states:

In reviewing requests for exceptions, the Water Board will consider the reliability of the discharger's system in preventing inadequately treated wastewater from being discharged to the receiving water and the environmental consequence of such discharges.

This Order continues to grant an exception to Basin Plan Prohibition 1 for discharges to Miller Creek during the wet season and during wet conditions, based on the following:

- a. An inordinate burden would be placed on the Discharger relative to the beneficial uses protected to require the discharge to achieve 10:1 dilution (i.e., to discharge at depth offshore into San Pablo Bay). Constructing and operating a deepwater outfall would require construction and operation of a discharge pipe more than 5,000 feet beyond the current discharge point. Such a project would require construction through protected wetlands and disrupt related wildlife.
- b. During authorized wet weather discharges during the dry season, the Discharger must meet ammonia limits, and biochemical oxygen demand (BOD₅) and total suspended solids (TSS) limits that are more stringent than the federal secondary treatment standards.

During the wet season, the Discharger currently provides an equivalent level of environmental protection by providing advanced secondary treatment through nitrification and deep bed filtration. When the upgrades to the biological treatment process have been completed, the deep bed filtration will be decommissioned; however, the new hybrid fixed film/activated sludge process will achieve a higher level of BOD₅ and TSS removal than the previous treatment process, and improved nitrification and partial denitrification. In addition, the additional storage capacity as a result of the plant upgrades will reduce the frequency and volume of blending events, ensuring higher overall quality of the effluent.

The Discharger also continues to minimize discharges by maintaining and implementing water reclamation and recycling projects.

B. Technology-Based Effluent Limitations

1. Scope and Authority

Basin Plan Table 4-2 requires certain technology-based effluent limitations, and CWA section 301(b) and 40 C.F.R. section 122.44 impose minimum technology-based requirements. The discharges authorized by this Order must meet the secondary treatment standards at 40 C.F.R. section 133 as summarized below.

Table F-7. Secondary Treatment Standards

Parameter	Monthly Average	Weekly Average
Biochemical Oxygen Demand (BOD ₅) ^[1,2]	30 mg/L	45 mg/L
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	25 mg/L	40 mg/L
Total Suspended Solids TSS ^[2]	30 mg/L	45 mg/L
pH	6.0 – 9.0 standard units	

Abbreviation:

mg/L = milligrams per liter

Footnotes:

^[1] CBOD₅ effluent limitations may be substituted for BOD₅ limitations.

^[2] The monthly average percent removal, by concentration, is not to be less than 85 percent.

2. Effluent Limitations

- a. **BOD₅ and TSS.** The wet season BOD₅ and TSS effluent limitations are a monthly average of 30 mg/L and a weekly average of 45 mg/L. These limitations, including the 85 percent removal requirements, are based on the secondary treatment standards and Basin Plan Table 4-2. The dry season effluent limitations are more stringent and represent advanced secondary treatment and help to justify the Order’s limited exception to Basin Plan Discharge Prohibition 1 (see Fact Sheet section IV.A.2). These limitations are technologically feasible for the advanced wastewater treatment technologies used at the plant. Monitoring data show the Discharger has been able to consistently comply with these limitations when not bypassing. They are unchanged from the previous order.
- b. **Oil and Grease.** The dry season oil and grease effluent limitations are a monthly average of 10 mg/L and daily maximum of 20 mg/L, and are based on Basin Plan Table 4-2. the dry season limitations are more stringent. They represent a higher level of treatment and provide a basis for this Order’s exception to Basin Plan Discharge Prohibition 1 (see Fact Sheet section IV.A.2). They are unchanged from the previous order.
- c. **pH.** The pH effluent limitations are a minimum of 6.5 and a maximum of 8.5, and are based on Basin Plan Table 4-2.
- d. **Total Chlorine Residual.** Basin Plan Table 4-2 requires a total chlorine residual effluent limitation of 0.0 mg/L. The Monitoring and Reporting Program (MRP, Attachment E) provides an allowance for determining false positives when using continuous devices because continuous instruments occasionally have anomalous spikes, and it is chemically improbable to have free chlorine in the presence of sodium bisulfite. The allowance for using only on-the-hour measurements for mandatory minimum penalty assessment

purposes under Water Code section 13385.1 is based on a 2004 strategy developed between the Regional Water Board and the Bay Area Clean Water Agencies.

C. Water Quality-Based Effluent Limitations (WQBELs)

1. Scope and Authority

This Order contains WQBELs that protect beneficial uses. CWA section 301(b) and 40 C.F.R. section 122.44(d) require that permits include limitations more stringent than federal technology-based requirements where necessary to achieve applicable water quality standards. According to 40 C.F.R. section 122.44(d)(1)(i), permits must include effluent limitations for all pollutants that are or may be discharged at levels that have a reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective, WQBELs must be established using (1) U.S. EPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting a narrative criterion, supplemented with relevant information (40 C.F.R. § 122.44 [d][1][vi]). The process for determining reasonable potential and calculating WQBELs is intended to achieve applicable water quality objectives and criteria, and to protect designated uses of receiving waters as specified in the Basin Plan.

2. Beneficial Uses and Water Quality Criteria and Objectives

Discharge Points Nos. 001 and 002 discharge to Miller Creek. Fact Sheet section III.C.1, above, identifies Miller Creek's beneficial uses. Water quality criteria and objectives to protect these beneficial uses are described below.

- a. **Basin Plan Objectives.** The Basin Plan specifies numerous water quality objectives, including numeric objectives for 10 priority pollutants and un-ionized ammonia, and narrative objectives for bioaccumulation and toxicity.
 - i. **Dioxin-TEQ.** The narrative bioaccumulation objective (Basin Plan section 3.3.2) states, "Many pollutants can accumulate on particulates, in sediments, or bioaccumulate in fish and other aquatic organisms. Controllable water quality factors shall not cause a detrimental increase in concentrations of toxic substances found in bottom sediments or aquatic life. Effects on aquatic organisms, wildlife, and human health will be considered." Because it is the consensus of the scientific community that dioxins and furans associate with particulates, accumulate in sediments, and bioaccumulate in the fatty tissue of fish and other organisms, the Basin Plan's narrative bioaccumulation water quality objective applies to these pollutants. Elevated levels of dioxins and furans in San Francisco Bay fish tissue demonstrate that the narrative bioaccumulation water quality objective is not being met. U.S. EPA has therefore placed San Francisco Bay on its 303(d) list of receiving waters where water quality objectives are not being met after imposition of applicable technology-based requirements.

When the CTR was promulgated, U.S. EPA stated its support for the regulation of

dioxin and dioxin-like compounds through the use of toxicity equivalencies (TEQs). U.S. EPA stated, “For California waters, if the discharge of dioxin or dioxin-like compounds has reasonable potential to cause or contribute to a violation of a narrative criterion, numeric water quality-based effluent limits for dioxin or dioxin-like compounds should be included in NPDES permits and should be expressed using a TEQ scheme” (Fed. Reg. Vol. 65, No. 97, pages 31695-31696, May 18, 2000). This Order uses a TEQ scheme based on a set of toxicity equivalency factors (TEFs) the World Health Organization developed in 2005, and a set of bioaccumulation equivalency factors (BEFs) U.S. EPA developed for the Great Lakes region (40 C.F.R. § 132, Appendix F) to convert the concentration of any congener of dioxin or furan into an equivalent concentration of 2,3,7,8-tetrachlorinated dibenzo-p-dioxin (2,3,7,8-TCDD). Although the 2005 World Health Organization scheme includes TEFs for dioxin-like PCBs, they are not included in this Order’s TEQ scheme. The CTR has established a specific water quality criterion for PCBs, and dioxin-like PCBs are included in the analysis of total PCBs.

The CTR establishes a numeric water quality objective for 2,3,7,8-TCDD of 1.4×10^{-8} µg/L for the protection of human health when aquatic organisms are consumed. This CTR criterion is used as a criterion for dioxin TEQ because dioxin-TEQ represents a toxicity-weighted concentration equivalent to 2,3,7,8-TCDD, thus translating the narrative bioaccumulation objective into a numeric criterion.

- ii. **Chronic Toxicity.** The narrative toxicity objective (Basin Plan section 3.3.18) states, “All waters shall be maintained free of toxic substances in concentrations that are lethal to or that produce other detrimental responses in aquatic organisms... There shall be no chronic toxicity in ambient waters. Chronic toxicity is a detrimental biological effect on growth rate, reproduction, fertilization success, larval development, population abundance, community composition, or any other relevant measure of the health of an organism, population, or community. Attainment of this objective will be determined by analyses of indicator organisms, species diversity, population density, growth anomalies, or toxicity tests..., or other methods selected by the Water Board.”

For this Order, this narrative objective is translated into a numeric criterion of 1.0 chronic toxicity unit (TU_c). At 1.0 TU_c , there is no observable detrimental effect when the indicator organism is exposed to 100 percent effluent; therefore, 1.0 TU_c is a direct translation of the narrative objective into a number. Moreover, in U.S. EPA’s *Technical Support Document for Water Quality-based Toxics Control* (EPA/505/2-90-001; see section 3.3.3, “Step 3: Decision Criteria for Permit Limit Development”), U.S. EPA recommends that 1.0 TU_c be used as a criterion continuous concentration (typically a four-day average). This document applies here as guidance because it directly addresses effluent characterization for toxicity.

- b. **CTR Criteria.** The CTR specifies numeric aquatic life and human health criteria for numerous priority pollutants. These criteria apply to inland surface waters and enclosed bays and estuaries. Some human health criteria are for consumption of “water and

- organisms” and others are for consumption of “organisms only.” The criteria applicable to “organisms only” apply to Miller Creek because it is not a source of drinking water.
- c. NTR Criteria.** The NTR establishes numeric aquatic life and human health criteria for a number of toxic pollutants for San Francisco Bay waters upstream to and including Suisun Bay and the Sacramento-San Joaquin Delta. The NTR criteria apply to Miller Creek.
 - d. Bacteria Water Quality Objectives.** The *Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California – Part 3, Bacteria Provisions and a Water Quality Standards Variance Policy* establishes enterococci bacteria water quality objectives to limit cases of gastrointestinal illness from water contact recreation. The enterococci bacteria objectives apply to marine and estuarine waters. Here, the tidally influenced portion of Miller Creek is considered estuarine based on its salinity concentrations.
 - e. Sediment Quality Objectives.** The *Water Quality Control Plan for Enclosed Bays and Estuaries – Part 1, Sediment Quality* contains the following narrative water quality objectives:

 - i.** “Pollutants in sediments shall not be present in quantities that, alone or in combination, are toxic to benthic communities in bays and estuaries of California.” This objective is to be implemented by integrating three lines of evidence: sediment toxicity, benthic community condition, and sediment chemistry. The policy requires that if the Regional Water Board determines that a discharge has reasonable potential to cause or contribute to an exceedance of this objective, it is to impose the objective as a receiving water limit.
 - ii.** “Pollutants shall not be present in sediments at levels that will bioaccumulate in aquatic life to levels that are harmful to human health in bays and estuaries of California.” This objective is to be implemented by a three-tiered procedure based on pollutant concentrations in sediment and fish tissue.
 - iii.** “Pollutants shall not be present in sediment at levels that alone or in combination are toxic to wildlife and resident finfish by direct exposure or bioaccumulate in aquatic life at levels that are harmful to wildlife or resident finfish by indirect exposure in bays and estuaries of California.” This objective is to be implemented on a case-by-case basis, based upon an ecological risk assessment.
 - f. Receiving Water Salinity.** Basin Plan section 4.6.2 (like the CTR and NTR) states that the salinity characteristics (i.e., freshwater vs. saltwater) of the receiving water are to be considered in determining the applicable water quality objectives. Freshwater criteria apply to discharges to waters with salinities equal to or less than one part per thousand (ppt) at least 95 percent of the time. Saltwater criteria apply to discharges to waters with salinities equal to or greater than 10 ppt at least 95 percent of the time in a normal water year. For discharges to water with salinities in between these two categories, or tidally influenced freshwaters that support estuarine beneficial uses, the water quality objectives are the lower of the salt or freshwater criteria (the latter calculated based on ambient hardness) for each substance.

The receiving waters for the Facility’s discharge is Miller Creek, which ultimately flows into San Pablo Bay. Salinity data generated through the Regional Monitoring Program (RMP) at the BD20 sampling location between 1993 and 2001 indicate that the salinity was greater than 10 ppt 68 percent of the time. San Pablo Bay is therefore classified as estuarine. Similarly, salinity data collected at Monitoring Locations RSW-001 (as defined in the MRP) from 2015 through 2020 indicate Miller Creek is an estuarine environment, with 33 percent of the data falling between 1 and 10 ppt.

Therefore, the reasonable potential analysis and effluent limitations in this Order are based on the more stringent of the freshwater and saltwater criteria.

- g. Receiving Water Hardness.** Ambient hardness data were used to derive freshwater water quality objectives that are hardness dependent. The Discharger collected data during the previous order term at Monitoring Locations RSW-001 and RSW-002. The data were censored to eliminate hardness values greater than 400 mg/L and samples taken when salinity was greater than 1 ppt. The adjusted geometric mean of the downstream receiving water data, 180 mg/L as calcium carbonate (CaCO₃), was used to determine the water quality objectives.
- h. Site-Specific Metals Translators.** Effluent limitations for metals must be expressed as total recoverable metal (40 C.F.R. § 122.45[c]). Since the water quality objectives for metals are typically expressed as dissolved metal, translators must be used to convert metals concentrations from dissolved to total recoverable and vice versa. The CTR contains default translators; however, site-specific conditions, such as water temperature, pH, total suspended solids, and organic carbon may affect the form of metal (dissolved, non-filterable, or otherwise) present and therefore available to cause toxicity. In general, dissolved metals are more available and more toxic to aquatic life than other forms. Site-specific translators can account for site-specific conditions, thereby preventing overly stringent or under-protective water quality objectives.

The requirements of this Order are based on site-specific translators for copper, nickel, and zinc calculated in the Discharger’s Translator Study Report, dated November 14, 2001, and Zinc Translator Study Data Update, dated May 21, 2002. The following table shows the translators used for this Order. CTR default translators were used for all other metals.

Table F-8. Site-Specific Translators

Parameter	Chronic	Acute
Copper	0.83	0.56
Nickel	0.82	0.56
Zinc	0.80	0.44

3. Need for Water Quality-Based Effluent Limitations (Reasonable Potential Analysis)

- a. Available Information.** The reasonable potential analysis for this Order is based on effluent monitoring data the Discharger collected from November 2015 through January 2020, and ambient background data summarized in *San Francisco Bay California Toxics Rule Priority Pollutant Ambient Water Monitoring Report* (2017), which includes data

collected through the RMP data collected at the Yerba Buena Island RMP station (BC10) from 1993 through 2013, supplemented by additional Bay Area Clean Water Agencies data from *San Francisco Bay Ambient Water Monitoring Interim Report* (2003) and *Ambient Water Monitoring: Final CTR Sampling Update* (2004).

SIP section 1.4.3 requires that background water quality data be representative of the ambient receiving water that will mix with the discharge. For the priority pollutants, the Yerba Buena Island RMP station (BC10), relative to other RMP stations, best fits SIP guidance for establishing background conditions at Discharge Point No. 001. For ammonia, Monitoring Location RSW-001 and RWS-002 were used.

This Order does not contain WQBELs for constituents that do not demonstrate reasonable potential; however, the MRP still requires monitoring for those pollutants. If concentrations are found to have increased significantly, Provision VI.C.2 of the Order requires the Discharger to investigate the sources of the increases and implement remedial measures if the increases pose a threat to receiving water quality.

b. Priority Pollutants and Dioxin-TEQ

- i. Methodology.** SIP section 1.3 sets forth the methodology used for this Order for assessing whether a priority pollutant has reasonable potential to exceed a water quality objective. SIP section 1.3 applies to priority pollutants and is used here for dioxin-TEQ as guidance. The analysis begins with identifying the maximum effluent concentration (MEC) observed for each pollutant based on available effluent concentration data and the ambient background concentration (B). SIP section 1.4.3 states that ambient background concentrations are either the maximum ambient concentration observed or, for water quality objectives intended to protect human health, the arithmetic mean of observed concentrations. There are three triggers in determining reasonable potential:
 - (a) Trigger 1** is activated if the maximum effluent concentration is greater than or equal to the lowest applicable water quality objective ($MEC \geq$ water quality objective).
 - (b) Trigger 2** is activated if the ambient background concentration observed in the receiving water is greater than the lowest applicable water quality objective ($B >$ water quality objective) *and* the pollutant is detected in any effluent sample.
 - (c) Trigger 3** is activated if a review of other information indicates that a WQBEL is needed to protect beneficial uses.
- ii. Analysis.** The maximum effluent concentrations, most stringent applicable water quality criteria and objectives, and ambient background concentrations used in the analysis are presented in the following table, along with the reasonable potential analysis results (yes, no, or unknown) for each pollutant. Basin Plan sections 7.2.1.2 and 4.7.2.2 require copper and cyanide WQBELs for all individual NPDES permits for municipal wastewater treatment facilities. Dioxin-TEQ has reasonable potential because the receiving water is impaired for dioxin-TEQ and some dioxin congeners were detected in the plant effluent.

Table F-9. Reasonable Potential Analysis

CTR No.	Pollutants	C or Governing Criterion or Objective (µg/L)	MEC or Minimum DL (µg/L) ^{[1][2]}	B or Minimum DL (µg/L) ^{[1][2]}	RPA Results ^[3]
1	Antimony	4,300	0.22	1.8	No
2	Arsenic	36	1.9	2.5	No
3	Beryllium	No Criteria	<0.09	0.22	U
4	Cadmium	1.8	<0.05	0.13	No
5a	Chromium (III) ^[4]	390	<0.74	4.4	No
5b	Chromium (VI) ^[4]	11	<1.5	4.4	No
6	Copper	11	12	2.5	Yes ^[5]
7	Lead	8.5	0.35	0.80	No
8	Mercury ^[6]	-	-	-	-
9	Nickel	15	7	3.7	No
10	Selenium ^[6]	-	-	-	-
11	Silver	2.2	0.04	0.052	No
12	Thallium	6.3	<0.05	0.023	No
13	Zinc	113	55	5.1	No
14	Cyanide	2.9	8.8	0.52	Yes ^[5]
15	Asbestos ^[7]	-	-	-	-
16	2,3,7,8-TCDD	1.4E-08	<3.8E-9	2.7E-08	No
	Dioxin TEQ	1.4E-08	<2.3E-5	4.1E-08	Yes ^[8]
17	Acrolein	780	<1.7	<0.50	No
18	Acrylonitrile	0.66	<1.8	0.030	No
19	Benzene	71	<0.18	<0.050	No
20	Bromoform	360	2.9	<0.15	No
21	Carbon Tetrachloride	4.4	<0.16	0.060	No
22	Chlorobenzene	21,000	<0.18	<0.18	No
23	Chlorodibromomethane	34	18	<0.050	No
24	Chloroethane	No Criteria	<0.38	<0.38	U
25	2-Chloroethylvinyl ether	No Criteria	<0.28	<0.28	U
26	Chloroform	No Criteria	41	<0.19	U
27	Dichlorobromomethane	46	32	<0.050	No
28	1,1-Dichloroethane	No Criteria	<0.19	<0.050	U
29	1,2-Dichloroethane	99	<0.18	0.040	No
30	1,1-Dichloroethylene	3.2	<0.21	<0.21	No
31	1,2-Dichloropropane	39	<0.18	<0.050	No
32	1,3-Dichloropropylene	1,700	<0.2	<0.16	No
33	Ethylbenzene	29,000	<0.26	<0.26	No
34	Methyl Bromide	4,000	<0.3	<0.30	No
35	Methyl Chloride	No Criteria	<0.3	<0.30	U
36	Methylene Chloride	1,600	<0.4	22	No
37	1,1,2,2-Tetrachloroethane	11	<0.15	<0.050	No
38	Tetrachloroethylene	8.9	<0.19	<0.050	No
39	Toluene	200,000	<0.19	<0.19	No
40	1,2-Trans-Dichloroethylene	140,000	<0.22	<0.22	No
41	1,1,1-Trichloroethane	No Criteria	<0.19	<0.19	U

CTR No.	Pollutants	C or Governing Criterion or Objective (µg/L)	MEC or Minimum DL (µg/L) [1][2]	B or Minimum DL (µg/L) [1][2]	RPA Results [3]
42	1,1,2-Trichloroethane	42	<0.16	<0.050	No
43	Trichloroethylene	81	<0.2	<0.20	No
44	Vinyl Chloride	525	<0.25	<0.25	No
45	2-Chlorophenol	400	<0.8	<0.70	No
46	2,4-Dichlorophenol	790	<1	<0.90	No
47	2,4-Dimethylphenol	2,300	<0.91	<0.80	No
48	2-Methyl- 4,6-Dinitrophenol	765	<0.68	<0.60	No
49	2,4-Dinitrophenol	14,000	<1	<0.70	No
50	2-Nitrophenol	No Criteria	<0.91	<0.80	U
51	4-Nitrophenol	No Criteria	<0.57	<0.50	U
52	3-Methyl 4-Chlorophenol	No Criteria	<0.91	<0.80	U
53	Pentachlorophenol	4.4	<0.68	<0.60	No
54	Phenol	4,600,000	<0.57	<0.50	No
55	2,4,6-Trichlorophenol	6.5	<1.1	<0.97	No
56	Acenaphthene	2,700	<0.2	0.0020	No
57	Acenaphthylene	No Criteria	<0.23	0.0010	U
58	Anthracene	110,000	<0.011	0.0010	No
59	Benzidine	0.00054	<5	<0.00030	No
60	Benzo(a)Anthracene	0.049	<0.023	0.0050	No
61	Benzo(a)Pyrene	0.049	<0.02	0.0020	No
62	Benzo(b)Fluoranthene	0.049	<0.02	0.0050	No
63	Benzo(ghi)Perylene	No Criteria	<0.03	0.0030	U
64	Benzo(k)Fluoranthene	0.049	<0.011	0.0020	No
65	Bis(2-Chloroethoxy)Methane	No Criteria	<1	<0.30	U
66	Bis(2-Chloroethyl)Ether	1.4	<0.8	<0.30	No
67	Bis(2-Chloroisopropyl)Ether	170,000	<0.68	<0.60	No
68	Bis(2-Ethylhexyl)Phthalate	5.9	210	<0.50	Yes
69	4-Bromophenyl Phenyl Ether	No Criteria	<0.8	<0.23	U
70	Butylbenzyl Phthalate	5,200	<0.8	<0.50	No
71	2-Chloronaphthalene	4,300	<1	<0.30	No
72	4-Chlorophenyl Phenyl Ether	No Criteria	<1	<0.30	U
73	Chrysene	0.049	<0.02	0.0020	No
74	Dibenzo(a,h)Anthracene	0.049	<0.03	0.0010	No
75	1,2-Dichlorobenzene	17,000	<0.27	<0.27	No
76	1,3-Dichlorobenzene	2,600	<0.18	<0.18	No
77	1,4-Dichlorobenzene	2,600	<0.18	<0.18	No
78	3,3 Dichlorobenzidine	0.077	<5.7	<0.00020	No
79	Diethyl Phthalate	120,000	<0.8	<0.20	No
80	Dimethyl Phthalate	2,900,000	<1	<0.20	No
81	Di-n-Butyl Phthalate	12,000	<0.68	<0.50	No
82	2,4-Dinitrotoluene	9.1	<0.8	<0.27	No
83	2,6-Dinitrotoluene	No Criteria	<0.91	<0.29	U
84	Di-n-Octyl Phthalate	No Criteria	0.5	<0.38	U
85	1,2-Diphenylhydrazine	0.54	<0.8	0.0040	No

CTR No.	Pollutants	C or Governing Criterion or Objective (µg/L)	MEC or Minimum DL (µg/L) [1][2]	B or Minimum DL (µg/L) [1][2]	RPA Results [3]
86	Fluoranthene	370	<0.034	0.011	No
87	Fluorene	14,000	<0.011	0.0020	No
88	Hexachlorobenzene	0.00077	<0.8	0.000020	No
89	Hexachlorobutadiene	50	<0.68	<0.30	No
90	Hexachlorocyclopentadiene	17,000	<0.8	<0.30	No
91	Hexachloroethane	8.9	<0.68	<0.20	No
92	Indeno(1,2,3-cd)Pyrene	0.049	<0.023	0.0040	No
93	Isophorone	600	<1.1	<0.30	No
94	Naphthalene	No Criteria	<0.023	0.009	U
95	Nitrobenzene	1,900	<1	<0.25	No
96	N-Nitrosodimethylamine	8.1	<0.57	<0.30	No
97	N-Nitrosodi-n-Propylamine	1.4	<0.91	<0.00020	No
98	N-Nitrosodiphenylamine	16	<0.57	<0.0010	No
99	Phenanthrene	No Criteria	<0.02	0.0060	U
100	Pyrene	11,000	<0.023	0.019	No
101	1,2,4-Trichlorobenzene	No Criteria	<0.68	<0.30	U
102	Aldrin	0.00014	<0.008	<0.0000085	No
103	Alpha-BHC	0.013	<0.01	0.00050	No
104	Beta-BHC	0.046	<0.008	0.00040	No
105	Gamma-BHC	0.063	<0.008	0.0010	No
106	Delta-BHC	No Criteria	<0.008	0.00010	U
107	Chlordane	0.00059	<0.04	0.00014	No
108	4,4'-DDT	0.00059	<0.008	0.00020	No
109	4,4'-DDE	0.00059	<0.006	0.0010	No
110	4,4'-DDD	0.00084	<0.008	0.00030	No
111	Dieldrin	0.00014	<0.008	0.00030	No
112	Alpha-Endosulfan	0.0087	<0.008	0.00010	No
113	beta-Endosulfan	0.0087	<0.01	0.00010	No
114	Endosulfan Sulfate	240	<0.01	0.00010	No
115	Endrin	0.0023	<0.01	0.000040	No
116	Endrin Aldehyde	0.81	<0.01	<0.0050	No
117	Heptachlor	0.00021	<0.01	0.000020	No
118	Heptachlor Epoxide	0.00011	<0.008	0.00010	No
119-125	PCBs sum [6]	-	-	---	-
126	Toxaphene	0.0002	<0.6	<8.2E-07	No

Abbreviations:

- B = background concentration
- C = water quality criterion or objective
- DL = detection level
- MEC = maximum effluent concentration
- RPA = reasonable potential analysis
- DNQ = detected, but not quantified
- µg/L = micrograms per liter
- mg/L = milligrams per liter

Footnotes:

- [1] The MEC and ambient background concentration are the actual detected concentrations unless preceded by a “<” sign, in which case the value shown is the minimum detection level (DL).
- [2] The MEC or ambient background concentration is “Unavailable” when there are no monitoring data for the constituent.
- [3] RPA Results = Yes, if MEC ≥ WQC, B > WQC and MEC is detected, or Trigger 3
= No, if MEC and B are < WQC or all effluent data are undetected
= Unknown (U) if no criteria have been promulgated or data are insufficient.
- [4] The maximum effluent and ambient background concentrations are the total chromium concentration. The chromium (III) and chromium (IV) concentrations are unknown but less than these values.
- [5] Reasonable potential is based in part on Basin Plan sections 7.2.1.2 and 4.7.2.2.
- [6] SIP section 1.3 excludes from its reasonable potential analysis procedure priority pollutants for which a TMDL has been developed. TMDLs have been developed for mercury and PCBs in San Francisco Bay. Mercury and PCBs from wastewater discharges are regulated by NPDES Permit No. CA0038849, which implements the San Francisco Bay Mercury and PCBs TMDLs. A TMDL has also been developed for selenium in North San Francisco Bay, which includes San Pablo Bay. Basin Plan section 7.2.4.5 finds that municipal wastewater dischargers have no reasonable potential to cause or contribute to the selenium impairment in San Francisco Bay segments and, therefore, are not required to have effluent limitations.
- [7] Asbestos sampling is only required for discharges to waters with the municipal or domestic supply (MUN) beneficial use.
- [8] Reasonable potential is based on Trigger 3 because San Francisco Bay is 303(d)-listed for dioxin-TEQ, elevated levels of dioxin-TEQ are found in San Francisco Bay fish tissue, and some dioxin congeners have been detected in the plant effluent.

c. Ammonia

- i. **Methodology.** Ammonia is a toxic pollutant but not a priority pollutant as defined by the CTR; therefore, the procedure outlined in the *Technical Support Document for Water Quality-based Toxics Control* (Technical Support Document) (EPA/505/2-90-001, March 1991) was used to determine if ammonia in the discharge has reasonable potential to cause a water quality objective to be exceeded in the receiving water. According to the Technical Support Document, the reasonable potential analyses can be performed based on the receiving water concentrations projected using effluent data or measured receiving water concentrations. Both values may be compared directly with the Basin Plan un-ionized ammonia objectives. The following summarizes the steps using effluent data:

Step 1. Determine the total number of observations (n) and the highest value (the maximum effluent concentration or MEC) in the effluent data set.

Step 2. Determine the coefficient of variation (CV) of the data set. For a data set where $n < 10$, the CV is estimated to equal 0.6. For a data set where $n \geq 10$, the CV is calculated as the standard deviation divided by the mean.

Step 3. Determine a ratio (R) for projecting an upper bound concentration based on a selected confidence interval (e.g., 95th or 99th percentile) and assuming a lognormal distribution as follows:

Determine the percentile represented by the MEC in the data set (P_n) based on the selected confidence interval.

$$P_n = (1 - \text{confidence interval})^{1/n}$$

Calculate C_{P_n} and $C_{\text{upper bound}}$ corresponding to P_n and the selected upper bound percentile (typically the 99th) using the following equation:

$$C_P = \exp(Z_P\sigma - 0.5\sigma^2)$$

Where: $\sigma^2 = \ln(CV^2+1)$

P is the percentile (either P_n or the selected upper bound percentile)

Z_p is the standard normal distribution value for the percentile P (available from statistical references)

Finally, calculate R as:

$$R = C_{\text{upperbound}}/C_{Pn}$$

Step 4. Calculate the projected maximum receiving water concentration (RWC) as follows:

$$RWC = (MEC \times R) / \text{dilution ratio}$$

The dilution ratio can be defined as:

$$\text{dilution ratio} = \frac{(D + [1 \text{ part effluent}])}{[1 \text{ part effluent}]}$$

Where: D is the parts receiving water available to dilute 1 part effluent

Therefore:

$$RWC = (MEC \times R) / (D + 1)$$

Step 5. Compare the RWC to the Basin Plan's ammonia water quality objectives. There is reasonable potential if the RWC is greater than or equal to a water quality objective.

ii. Analysis

- (a) **Ammonia Objective.** Basin Plan section 3.3.20 contains water quality objectives for un-ionized ammonia of 0.025 mg/L as an annual median and 0.16 mg/L as a maximum for central San Francisco Bay and upstream, including San Pablo Bay.
- (b) **Ammonia Data Translation.** Effluent and receiving water data are available for total ammonia, but not un-ionized ammonia, because (1) sampling and laboratory methods are unavailable to analyze for un-ionized ammonia, and (2) the fraction of total ammonia that exists in the toxic un-ionized form depends on pH, salinity, and temperature.

Total ammonia concentrations (as nitrogen) were translated into un-ionized ammonia concentrations for comparison with the Basin Plan un-ionized ammonia objectives based on the following equations (U.S. EPA, 1989, Ambient Water Quality Criteria for Ammonia (Saltwater)—1989, EPA Publication 440/5-88-004):

$$\text{For salinity} < 1 \text{ ppt: fraction of } NH_3 = \frac{1}{1 + 10^{(pK - pH)}}$$

Where:

$$pK = 0.09018 + 2729.92/T$$

$T = \text{temperature in Kelvin}$

$$\text{For salinity} > 10 \text{ ppt: fraction of } \text{NH}_3 = \frac{1}{1 + 10^{(pK - pH)}}$$

Where:

$$pK = 9.245 + 0.116*(I) + 0.0324*(298-T) + 0.0415*(P)/T$$

$I = \text{molal ionic strength of saltwater} = 19.9273*(S)/(1000 - 1.005109*S)$
 $S = \text{salinity (parts per thousand)}$
 $T = \text{temperature in Kelvin}$
 $P = \text{pressure (one atmosphere)}$

Paired salinity and ammonia data are unavailable, but the effluent was assumed to be freshwater and the equation for waters of salinity < 1 ppt was used.

- (c) **Ammonia Dilution.** For purpose of this analysis, no dilution was assumed for ammonia (i.e., $D = 0$) and the receiving water concentration was assumed to be the same as the projected upper bound concentration, i.e., $\text{RWC} = \text{MEC} \times R$ (see Step 4 above).
- (d) **Two Approaches.** According to the Technical Support Document, the reasonable potential analysis can be performed based on the RWC projected using effluent data (the steps summarized above) or actual measured RWCs. Both values may be compared directly with Basin Plan un-ionized objectives.
- (1) **Analysis Based on Effluent Data.** Effluent total ammonia as nitrogen, pH, and temperature data collected from November 2015 through January 2020 were used to evaluate reasonable potential for ammonia. Based on this data set of $n = 340$ with a calculated un-ionized ammonia MEC of 0.044 mg/L, P_n at a 99 percent confidence interval is 0.99, indicating that the MEC represents the 99th percentile of the ammonia effluent data. With the upper bound set at the 99th percentile, R is 1.1 (C_{P_n} was 2.8 and $C_{\text{upper bound}}$ was 2.9), and the projected RWC is 0.047 mg/L, which is less than the Basin Plan's acute un-ionized ammonia water quality objective of 0.16 mg/L. Therefore, there is no reasonable potential for ammonia based on the effluent data.

Annual medians of the effluent data were also compared with the chronic objective, which is an annual median. The highest running annual median of the effluent data was calculated and compared with the annual median objective. No projection is needed to establish the central tendency of the data. The maximum annual median, 0.015 mg/L, is less than the annual median objective of 0.025 mg/L. Therefore, the effluent data also do not indicate reasonable potential with respect to this objective.

- (2) **Analysis Based on Receiving Water Data.** Total ammonia, pH, salinity, and temperature data from Receiving Water Monitoring Location RSW-001 collected from November 2015 through January 2020 were used to evaluate reasonable potential for ammonia. The maximum calculated un-ionized

ammonia concentration of 0.025 mg/L is less than the acute water quality objective of 0.16 mg/L; the maximum annual median concentration of 0.007 mg/L is less than the chronic water quality objective of 0.025 mg/L. Therefore, there is no reasonable potential for ammonia based on the receiving water data.

(3) Conclusion. While effluent and receiving water data for ammonia support finding no reasonable potential, there would be reasonable potential if the Discharger were to discontinue nitrifying its effluent. During the previous order term, the Discharger successfully operated the plant to treat ammonia below the Basin Plan objectives. However, without regulatory assurance that nitrification will continue, the un-ionized ammonia in the effluent could increase. Therefore, the total ammonia effluent limitations from the previous order are retained to ensure that the Discharger maintains nitrification performance and to avoid backsliding.

- d. Acute Toxicity.** Basin Plan section 4.5.5.3.1 requires acute toxicity monitoring and limitations, implying there is reasonable potential for the discharge to cause or contribute to exceedances of the acute toxicity water quality objective.
- e. Chronic Toxicity.** There is no reasonable potential for chronic toxicity in the receiving water, and no WQBEL is required. The Technical Support Document allows for a mixing zone and dilution credit to be considered when conducting a reasonable potential analysis. This Order establishes a mixing zone corresponding to a dilution credit of 3.25:1 ($D = 2.25$) for chronic toxicity as explained in Fact Sheet section IV.C.4.b. This is conservative because the translated criterion for chronic toxicity is expressed as a four-day average and the dilution was calculated using a maximum daily flow. The Discharger conducted quarterly chronic toxicity tests during the previous order term. The maximum single-sample chronic toxicity result was 3.1 TUc. Applying the dilution credit of 3.25:1 to 3.1 TUc, the resulting toxicity is 0.95 TUc, which is less than the translated chronic toxicity objective (1.0 TUc).
- f. Enterococcus Bacteria.** The *Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California – Part 3, Bacteria Provisions and a Water Quality Standards Variance Policy* requires enterococcus bacteria effluent limitations for discharges to marine and estuarine receiving waters that support the water contact recreation (REC1) beneficial use.
- g. Sediment Quality.** Pollutants in some receiving water sediments may be present in quantities that alone or in combination are toxic to benthic communities. However, to date there is no evidence directly linking compromised sediment conditions to the discharges subject to this Order; therefore, the Regional Water Board cannot draw a conclusion about reasonable potential for these discharges to cause or contribute to exceedances of the sediment quality objectives. Nevertheless, the Discharger continues to participate in the RMP, which routinely monitors San Francisco Bay sediment and seeks to identify stressors responsible for degraded sediment quality.

4. Water Quality-Based Effluent Limitations (WQBELs)

WQBELs were developed for the pollutants determined to have reasonable potential to cause or contribute to exceedances of water quality objectives. With the exception of acute toxicity and enterococcus bacteria, the WQBEL calculations are based on the procedures in SIP section 1.4.

- a. **WQBEL Expression.** NPDES regulations at 40 C.F.R. section 122.45(d) require that permit limits for publicly-owned treatment works be expressed as average weekly and average monthly limits, unless impracticable. This Order contains daily limits instead of weekly limits because daily limits better protect against acute water quality effects and are necessary to prevent fish kills or mortality to aquatic organisms. Weekly limits could allow acute and chronic toxicity to occur over shorter periods (acute and chronic aquatic life criteria are typically expressed as one-hour and four-day averages).
- b. **Mixing Zones and Dilution Credits.** Basin Plan section 4.6.1.2 states that dilution credits may be granted to shallow water dischargers on a discharge-by-discharge and pollutant-by-pollutant basis based on SIP section 1.4.2, which stipulates that granting mixing zones is discretionary and dilution credits may be limited or denied on a pollutant-by-pollutant basis.

In November 2014, the Discharger submitted an *Effluent Dilution Study for Lower Miller Creek* from Kamman Hydrology and Engineering, Inc. that concluded that at Discharge Point No. 001, in a typical wet season a dilution of 3.25:1 is achieved within one third mile downstream. During a dry or “drought” year, the mixing zone could extend as much as one mile downstream.

Miller Creek discharges are tidally-influenced at the discharge points; however, the receiving water is shallow and supports biologically-sensitive habitats, so no dilution credit ($D=0$) was used to calculate effluent limits for bis(2-ethylhexyl)phthalate. A conservative dilution of 2:1 ($D=1$) was used for copper. Basin Plan Table 4-6 specifies a cyanide dilution credit of 3.25:1 ($D = 2.25$) for Discharge Point Nos. 001 and 002. For chronic toxicity, Basin Plan 4.5.5.3.2 allows “credit for dilution comparable to those allowed for numeric chemical specific objectives.” Therefore, this Order authorizes chronic toxicity mixing zones corresponding to a dilution credit of 3.25:1, the same as that granted for cyanide.

Granting a copper mixing zone extending about 1,800 feet from Discharge Point No. 001 is consistent with SIP section 1.4.2.2.A and the Technical Support Document because such a mixing zone does not do any of the following:

- i. **Compromise the integrity of the entire water body.** The mixing zone will not compromise the integrity of entire water body because it extends less than one third of a mile between the discharge points and San Pablo Bay. Miller Creek extends upstream from the discharge points for about another eight miles. Moreover, this Order prohibits most dry season discharges, preserving the integrity of the entire water body during those periods.

- ii. Cause acute toxicity to aquatic life passing through the mixing zone.** The mixing zone will not cause acutely toxic conditions to aquatic life because Provision IV.D of this Order contains acute toxicity limits to ensure no less than 70 percent survival of test organisms subjected to whole effluent without dilution. During the previous order term, no acute toxicity effluent limitation violations occurred. These results indicate that organisms passing through the mixing zone are unlikely to experience acute toxicity.
- iii. Restrict the passage of aquatic life.** The discharge will not cause acutely toxic conditions to aquatic life, so it will not threaten aquatic life moving in and out of the mixing zone. Moreover, copper at the concentration discharged does not affect water clarity, so it has no potential to create a physical or visual barrier that could restrict the passage of aquatic life.
- iv. Adversely impact biologically-sensitive or critical habitats, including, but not limited to, habitats of species under federal or State endangered species laws.** The mixing zone will not adversely affect any biologically-sensitive or critical habitats because it is confined to a stretch of Miller Creek and is unlikely to harm special-status species living in or around the creek. Two protected birds may occupy saltwater marshes adjacent to (but not within) the mixing zone: the State and federally-endangered California clapper rail, and the State-threatened California black rail. Other sensitive birds nearby include the San Pablo song sparrow. The State and federally-endangered saltmarsh harvest mouse may also occupy nearby saltwater marshes. None of these species is likely to spend significant time within the mixing zone.

Steelhead trout, a federally-threatened aquatic species, has been observed within the Miller Creek watershed. Steelhead trout is likely to migrate through the mixing zone quickly on route to upstream spawning beds. Steelhead trout would not attempt to spawn inside the mixing zone because the stream bed there is smooth mud containing no gravel appropriate for spawning. Exposure would be limited to short periods. The Discharger conducts acute toxicity tests in 100 percent effluent using rainbow trout and results consistently show no acute toxicity. Steelhead trout are the anadromous form of rainbow trout.
- v. Produce undesirable or nuisance aquatic life.** Copper is not a biostimulant or plant nutrient so it is not expected to cause growth of undesirable or nuisance aquatic species. In addition, Provision V.A of this Order imposes receiving water limitations that prohibit bottom deposits or aquatic growths to the extent that such deposits or growths cause nuisance or adversely affect beneficial uses.
- vi. Result in floating debris, oil, or scum.** Copper is not an oil, does not float, and does not cause scum. At the concentrations discharged, it is completely dispersed in the water. Moreover, Provision V.A of this Order imposes receiving water limitations that prohibit floating debris, oil, or scum in the receiving water.
- vii. Produce objectionable color, odor, taste, or turbidity.** At the concentrations discharged, copper does not exhibit objectionable color, odor, taste, or turbidity. Moreover, this Provision V.A of this Order specifically prohibits alteration of color or

turbidity beyond natural background levels. The Discharger conducts regular effluent monitoring that includes standard observations to ensure that objectionable color, odor, and turbidity are not present.

- viii. Cause objectionable bottom deposits.** The SIP defines objectionable bottom deposits as an accumulation of materials or substances on or near the bottom of a water body that creates conditions adversely affecting aquatic life, human health, beneficial uses, or aesthetics. These conditions include, but are not limited to, the accumulation of pollutants in sediments and other conditions that result in harm to benthic organisms, production of food chain organisms, or fish egg development. At the concentrations discharged, copper is completely dispersed in the water. Moreover, Provision V.A of this Order specifically prohibits bottom deposits or aquatic growths in the receiving water to the extent that such deposits or growths cause nuisance or adversely affect beneficial uses.
- ix. Cause nuisance.** The mixing zone will not cause a nuisance as defined by Water Code section 13050(m) because copper, at the concentrations discharged, is not indecent or offensive to the senses. Moreover, Provision V.A of this Order specifically prohibits discharges from causing a nuisance. The Discharger conducts regular effluent monitoring that includes standard observations to confirm that nuisance conditions are not present.
- x. Dominate the receiving water body or overlap a mixing zone from a different outfall.** The mixing zone occupies a relatively small stretch of Miller Creek. The Regional Water Board has not established any other mixing zone in the vicinity. The mixing zone will therefore not dominate the receiving water body or overlap any other mixing zone.
- xi. Be located at or near any drinking water intake.** There are no drinking water intakes near the mixing zones, which are within estuarine waters not generally suitable for drinking water supplies.

SIP section 1.4.2.2 requires that mixing zones be as small as practicable. Since a mixing zone extending 1,800 feet from Discharge Point No. 001 into Miller Creek accounts for no more than 0.4 percent of the roughly 9-mile long creek. Moreover, because the Discharger is able to comply with limits based on the dilution corresponding to such a mixing zone, such a mixing zone is considered as small as practicable.

Consistent with SIP section 1.4.2.2.B, this mixing zone protects beneficial uses and complies with all regulatory requirements. San Francisco Bay is in attainment with copper water quality objectives. Ambient copper concentrations have remained essentially unchanged since 1993.

- c. WQBEL Calculations.** The following table shows the WQBEL calculations for copper, cyanide, bis(2-ethylhexyl)phthalate, and dioxin-TEQ. The copper, cyanide, and bis(2-ethylhexyl)phthalate WQBELs are calculated as required by SIP section 1.4. This same methodology is used as guidance to calculate the dioxin-TEQ WQBELs.

Table F-10. QBEL Calculations

Pollutant	Copper	Cyanide	Bis (2-Ethylhexyl) Phthalate	Dioxin TEQ
Units	µg/L	µg/L	µg/L	µg/L
Basis and Criteria type	Basin Plan Site-Specific Objective	Basin Plan Site-Specific Objective	CTR Human Health	CTR Human Health
Criteria -Acute	-	-	-	-
Criteria -Chronic	-	-	-	-
Site-Specific Objective Criteria - Acute	3.9	9.4	-	-
Site-Specific Objective Criteria - Chronic	2.5	2.9	-	-
Water Effects Ratio (WER)	2.4	1	1	1
Lowest WQO	10.7	2.9	5.9	1.4E-08
Site Specific Translator - MDEL	0.83	-	-	-
Site Specific Translator - AMEL	0.56	-	-	-
Dilution Factor (D)	1	2.25	0	0
No. of samples per month	4	4	4	4
Aquatic life criteria analysis required? (Y/N)	Y	Y	N	N
HH criteria analysis required? (Y/N)	N	Y	Y	Y
Applicable Acute WQO	11.3	9.4	-	-
Applicable Chronic WQO	10.7	2.9	-	-
HH Criteria	-	220,000	5.90	1.4E-08
Background (Maximum Conc. for Aquatic Life Calc.)	2.50	0.5	-	-
Background (Average Conc. for Human Health Calc.)	-	0.6	0.00	4.1E-08
Is the pollutant on the 303d list and/or bioaccumulative (Y/N)?	N	Y	Y	Y
ECA Acute	20.1	29.4	-	-
ECA Chronic	18.9	8.3	-	-
ECA HH	-	495,000	5.90	1.4E-08
No. of data points <10 or at least 80% of data reported non-detect? (Y/N)	N	Y	Y	Y
Avg of effluent data points	7.6	1.02	7.30	9.5E-10
Std Dev of effluent data points	2.28	1.47	37	1.5E-09
CV Calculated	0.30	1.44	0.6	-
CV (Selected) - Final	0.30	0.60	0.6	0.6
ECA Acute Mult99	0.53	0.32	-	-
ECA Chronic Mult99	0.72	0.53	-	-
LTA Acute	10.6	9.4	-	-
LTA Chronic	13.5	4.4	-	-
Minimum of LTAs	10.6	4.4	-	-

Pollutant	Copper	Cyanide	Bis (2-Ethylhexyl) Phthalate	Dioxin TEQ
AMEL Mult95	1.3	1.6	1.6	1.6
MDEL Mult99	1.9	3.1	3.1	3.1
AMEL (Aquatic Life)	13.4	6.8	-	-
MDEL (Aquatic Life)	20.1	13.6	-	-
MDEL/AMEL Multiplier	1.5	2.0	2.0	2.0
AMEL (Human Health)	-	7.1E+05	5.9	1.4E-08
MDEL (Human Health)	-	1.4E+06	12	2.8E-08
Minimum of AMEL for Aq. Life vs HH	13.4	6.8	5.9	1.4E-08
Minimum of MDEL for Aq. Life vs HH	20.1	13.6	11.84	2.8E-08
Previous Order Limit - AMEL	8.6	6.4	5.9	1.4.E-08
Previous Order Limit - MDEL	11	14	12	2.8.E-08
Final Limit - AMEL	8.6	6.4	5.9	1.4 E-08
Final Limit - MDEL	11	14	12	2.8 E-08

- d. **Acute Toxicity.** This Order includes acute toxicity effluent limitations based on Basin Plan Table 4-3. Based on Basin Plan section 3.3.20, if the Discharger can demonstrate that ammonia causes acute toxicity in excess of the acute toxicity limitations in this Order, and that the ammonia in the discharge complies with the ammonia effluent limitations in this Order, then such toxicity does not constitute a violation of the effluent limitations for whole effluent acute toxicity.
- e. **Enterococcus Bacteria.** This Order includes enterococcus effluent limitations based on the *Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California – Part 3, Bacteria Provisions and a Water Quality Standards Variance Policy*, which requires these limitations for discharges to receiving waters with the water contact recreation beneficial use.

D. Discharge Requirement Considerations

- 1. **Antidegradation.** This Order complies with the antidegradation provisions of 40 C.F.R. section 131.12 and State Water Board Resolution 68-16. It does not authorize lowering water quality as compared to the level of discharge authorized in the previous order, which is the baseline by which to measure whether degradation will occur. This Order does not allow for an increased discharge flow rate, a reduced level of treatment, or less stringent effluent limitations relative to the previous order.

Discharger’s new treatment plant will provide additional treatment in the form of full nitrification and partial denitrification. As part of its treatment plant upgrades, the Discharger plans to decommission eight anthracite deep bed filters, but it will optimize an upgraded biological treatment process consisting of fixed film/activated sludge treatment units to provide an improved level of treatment and to meet more stringent wet season BOD₅ and TSS effluent limitations. The Additionally, the new treatment plant will increase treatment

reliability and reduce wet-weather bypasses by increasing biological treatment capacity. Therefore, this Order complies with federal and State antidegradation policies. Accordingly, the plant upgrades will advance the purpose of the antidegradation policy to ensure that wastewater discharges achieve the highest water quality consistent with the maximum benefit of the people of the state.

- 2. Anti-backsliding.** This Order complies with the anti-backsliding provisions of CWA sections 402(o) and 303(d)(4), and 40 C.F.R. section 122.44(l), which generally require effluent limitations in a reissued permit to be as stringent as those in the previous order. The requirements of this Order are at least as stringent as those in the previous order. The State Water Board adopted the *Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California – Part 3, Bacteria Provisions and a Water Quality Standards Variance Policy* on August 7, 2018, which supersedes the enterococcus effluent limitations in the Basin Plan. The new effluent limitations are based on a different averaging period than the previous limits and are therefore not directly comparable. The previous order contained effluent limitations for nickel and chronic toxicity; however, the reasonable potential analysis shows that the discharge no longer demonstrates reasonable potential for these pollutants to cause or contribute to exceedances of the applicable water quality objectives. This Order, therefore, does not retain these limitations. Elimination of these limitations is consistent with State Water Board Order No. WQ 2001-16.
- 3. Stringency of Requirements for Individual Pollutants.** This Order contains both technology-based and WQBELs for individual pollutants. The technology-based requirements implement minimum, applicable federal technology-based requirements. In addition, this Order contains more stringent effluent limitations as necessary to meet water quality standards. Collectively, this Order’s restrictions on individual pollutants are no more stringent than required to implement CWA requirements.

This Order’s WQBELs have been derived to implement water quality objectives that protect beneficial uses. The beneficial uses and water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that WQBELs were derived from the CTR, the CTR is the applicable standard pursuant to 40 C.F.R. section 131.38. The procedures for calculating these WQBELs are based on the CTR, as implemented in accordance with the SIP, which U.S. EPA approved on May 18, 2000. U.S. EPA approved most Basin Plan beneficial uses and water quality objectives prior to May 30, 2000. Beneficial uses and water quality objectives submitted to U.S. EPA prior to May 30, 2000, but not approved by U.S. EPA before that date, are nonetheless “applicable water quality standards for purposes of the CWA” pursuant to 40 C.F.R. section 131.21(c)(1). U.S. EPA approved the remaining beneficial uses and water quality objectives, so they are applicable water quality standards pursuant to 40 C.F.R. section 131.21(c)(2).

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

The receiving water limitations in sections V.A and V.B of the Order are based on Basin Plan narrative and numeric water quality objectives. The receiving water limitation in section V.C of the Order requires compliance with federal and State water quality standards in accordance with the CWA and regulations adopted thereunder.

VI. RATIONALE FOR PROVISIONS

A. Standard Provisions

Attachment D contains standard provisions that apply to all NPDES permits in accordance with 40 C.F.R. section 122.41 and additional conditions applicable to specific categories of permits in accordance with 40 C.F.R. section 122.42. The Discharger must comply with these provisions. The conditions set forth in 40 C.F.R. sections 122.41(a)(1) and (b) through (n) apply to all state-issued NPDES permits and must be incorporated into permits either expressly or by reference.

In accordance with 40 C.F.R. section 123.25(a)(12), states may omit or modify conditions to impose more stringent requirements. Attachment G contains standard provisions that supplement the federal standard provisions in Attachment D. This Order omits the federal conditions that address enforcement authority specified in 40 C.F.R. sections 122.41(j)(5) and (k)(2) because the State's enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates Water Code section 13387(e) by reference.

B. Monitoring and Reporting

CWA section 308 and 40 C.F.R. sections 122.41(h), 122.41(j)-(l), 122.44(i), and 122.48 require that NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Regional Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. The MRP establishes monitoring, reporting, and recordkeeping requirements that implement federal and State requirements. For more background regarding these requirements, see Fact Sheet section VII. Regional Water Board Order No. R2-2016-0008 allows the Discharger to opt into certain alternative monitoring requirements.

C. Special Provisions

1. Reopener Provisions

These provisions are based on 40 C.F.R. sections 122.62 and 122.63 and allow modification of this Order and its effluent limitations as necessary in response to updated water quality objectives, regulations, or other new and relevant information that may become available in the future, and other circumstances as allowed by law.

2. Effluent Characterization Study and Report

This Order does not include effluent limitations for priority pollutants that do not demonstrate reasonable potential, but this provision requires the Discharger to evaluate monitoring data to verify that the reasonable potential analysis conclusions of this Order remain valid. This requirement is authorized pursuant to 40 C.F.R. section 122.41(h), Water Code sections 13383 and 13267 and is necessary to inform the next permit reissuance and to ensure that the Discharger takes timely steps in response to any unanticipated change in effluent quality during the term of this Order.

3. Pollutant Minimization Program

This provision is based on Basin Plan section 4.13.2 and SIP section 2.4.5.

4. Special Provisions for Publicly Owned Treatment Works

- a. **Sludge and Biosolids Management.** This provision is based on Basin Plan section 4.17. “Sludge” refers to the solid, semisolid, and liquid residue removed during primary, secondary, and advanced wastewater treatment processes. “Biosolids” refers to sludge that has been treated and may be beneficially reused.
- b. **Collection System Management.** The Discharger’s collection system is part of the Facility regulated through this Order (see Fact Sheet section II.A.2). This provision requires compliance with Attachments D and G and states that these requirements may be satisfied by separately complying with State Water Board Order No. 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, as amended by State Water Board Order No. WQ 2013-0058-EXEC and any subsequent order updating these requirements. These statewide WDRs require public agencies that own or operate sanitary sewer systems with one or more miles of sewer lines to enroll for coverage and comply with requirements to develop sanitary sewer management plans and report sanitary sewer overflows, among other provisions and prohibitions. The statewide WDRs contain requirements for operation and maintenance of collection systems and for reporting and mitigating sanitary sewer overflows that are more extensive and, therefore, more stringent than the standard provisions in Attachments D and G. Compliance with the statewide WDRs will satisfy the corresponding requirements in Attachments D and G.

5. Other Special Provisions

- a. **Specific Tasks to Reduce Wet Weather Bypasses.** Consistent with Attachment D section I.G and 40 C.F.R. section 122.41(m), the Discharger submitted a Utility Analysis to determine whether any feasible alternatives are available to reduce wet weather bypasses (see Fact Sheet section IV.A.1.b). This provision requires the Discharger to continue implementing all feasible alternatives to avoid wet weather bypasses. Although the Utility Analysis found it infeasible to expand the treatment plant due to site constraints, the Discharger is in the process of upgrading its equipment and facilities to increase its biological treatment capacity for instantaneous peak wet weather flows up to 18 MGD. Additional actions will reduce the amount of infiltration and inflow to the collection system, further reducing the need for wet weather bypasses.

This provision’s analysis and reporting requirements are based in part on U.S. EPA’s proposed Peak Wet Weather Policy (December 2005) as guidance.

- b. **Copper Action Plan.** This provision is based on Basin Plan section 7.2.1.2 and is necessary to ensure that use of copper site-specific objectives is consistent with antidegradation policies. This Order requires the Discharger to implement source control and pollution prevention for identified copper sources. Additional actions may be necessary depending on the three-year rolling mean copper concentration in Central San Francisco. Data the San Francisco Estuary Institute compiled for 2011-2015 indicate no degradation of San Francisco Bay water quality with respect to copper (www.sfei.org/pages/copper-site-specific-objective-3-year-rolling-averages-0).

- c. **Cyanide Action Plan.** This provision is based on Basin Plan section 4.7.2.2 and is necessary to ensure that use of cyanide site-specific objectives is consistent with antidegradation policies. The threshold for considering influent cyanide concentrations to indicate a possible “significant cyanide discharge” in the Discharger’s service area is set at 18 µg/L. This concentration is based on the previous order. The Discharger has observed no influent cyanide concentrations greater than 3.9 µg/L.
- d. **Plant Upgrades.** This provision is based on 40 C.F.R. section 122.41(l). It specifies conditions that must be met before the Discharger commences using each treatment unit upgraded in accordance with Provision VI.C.5.a (see Table 6, task 4). It is necessary for the Regional Water Board to know when the upgraded facilities begin operations to ensure that the upgrades effectively and reliably comply with the requirements of this Order.

The option to submit a startup operations plan is based on Water Code section 13385(j)(1)(D), which exempts the Discharger from mandatory minimum penalties for violations within a defined startup adjustment and testing period under specific conditions. This option is necessary if the Discharger wants to demonstrate that it adequately satisfied the conditions necessary for exemption from mandatory minimum penalties associated with any potential violations during the upgraded plant’s startup period.

Pursuant to Water Code section 13385(j)(1)(D), the Discharger is exempt from mandatory minimum penalties for violations within the defined startup adjustment and testing period if the Discharger can demonstrate the following:

- i. Compliance with its operations plan,
 - ii. Violations resulted from the operation of the new or upgraded wastewater treatment units, and
 - iii. Violations could not have reasonably been avoided
- e. **Anaerobically-Digestible Material.** Standard Operating Procedures are required for dischargers that accept hauled waste food, fats, oil, and grease for injection into anaerobic digesters. The development and implementation of Standard Operating Procedures for management of these materials is intended to allow the California Department of Resources Recycling and Recovery to exempt operations from separate and redundant permitting programs. If the Discharger does not accept fats, oil, and grease for resource recovery purposes, it is not required to develop and implement Standard Operating Procedures.

Some POTWs choose to accept organic material, such as waste food, fats, oils, and grease, into their anaerobic digesters to increase production of methane and other biogases for energy production and to prevent such materials from being discharged into the collection system and potentially causing sanitary sewer overflows. The California Department of Resources Recycling and Recovery has proposed to exclude POTWs from Process Facility/Transfer Station permit requirements when the same activities are regulated under WDRs or NPDES permits. The proposed exclusion is restricted to

anaerobically digestible materials that have been prescreened, slurried, processed, and conveyed in a closed system for co-digestion with regular sewage sludge. The exclusion is based on the facility developing Standard Operating Procedures for proper handling, processing, tracking, and management.

- f. **Average Selenium Load.** This provision is based on Basin Plan section 7.2.4.5. The information will be used to confirm that selenium loads are consistent with wasteload allocations. The requirements regarding treatment of estimated and non-detect values are consistent with the load calculations performed for the North San Francisco Bay Selenium TMDL.

VII. RATIONALE FOR MONITORING AND REPORTING PROGRAM (MRP)

Attachment E contains the MRP for this Order. It specifies sampling stations, pollutants to be monitored (including all parameters for which effluent limitations are specified), monitoring frequencies, and reporting requirements. The following provides the rationale for these requirements:

A. Monitoring Requirements Rationale

1. **Influent Monitoring.** Influent flow monitoring is necessary to understand Facility operations and to evaluate compliance with Prohibition III.D, which prohibits average dry weather influent flow greater than 2.92 MGD. Influent BOD₅ and TSS monitoring is necessary to evaluate compliance with this Order's 85 percent removal requirements. Basin Plan section 4.7.2.2 requires cyanide monitoring because this Order is based on site-specific cyanide water quality objectives.
2. **Effluent Monitoring.** Effluent flow monitoring is necessary to understand Facility operations. Monitoring for other parameters is necessary to evaluate compliance with this Order's effluent limitations and to conduct future reasonable potential analyses. Effluent monitoring during wet weather bypasses (blending) is necessary to evaluate treatment plant performance when blending and to distinguish those results from routine monitoring results.
3. **Toxicity Testing.** Acute and chronic toxicity tests are necessary to evaluate compliance with this Order's effluent limitations and to conduct future reasonable potential analyses. Chronic toxicity tests are also necessary to evaluate whether chronic toxicity exceeds the trigger for accelerated monitoring and Toxicity Reduction Evaluations based on Basin Plan sections 4.5.5.3.2 and 4.5.5.3.3 and Basin Plan Table 4-5.

Because the Discharger elected to participate in the *Alternate Monitoring and Reporting Requirements for Municipal Wastewater Dischargers for the Purpose of Adding Support to the San Francisco Bay Regional Monitoring Program* (Order No. R2-2016-0008) and there was no significant change in the nature of the effluent, the Discharger did not conduct a chronic toxicity screening phase study for this permit reissuance. The MRP specifies that the mysid shrimp (*Americamysis bahia*) is to be used for chronic toxicity testing unless a more sensitive species is identified.

4. **Receiving Water Monitoring.** RMP participation is necessary to characterize the receiving water and the effects of the discharge has on it. The RMP involves collecting data on pollutants and toxicity in San Francisco Bay water, sediment, and biota. The Discharger is

also required to monitor Miller Creek to provide data necessary for reasonable potential analysis and effluent limit development.

5. Recycled Water Monitoring. Recycled water monitoring and reporting requirements reflect State Water Board Order No. WQ 2019-0037-EXEC (Amending Monitoring and Reporting Programs for Waste Discharge Requirements, National Pollutant Discharge Elimination System Permits, Water Reclamation Requirements, Master Recycling Permits, and General Waste Discharge Requirements), issued on July 24, 2019, pursuant to Water Code sections 13267 and 13383.

6. Other Monitoring Requirements. Pursuant to CWA section 308, U.S. EPA requires dischargers to participate in a Discharge Monitoring Report-Quality Assurance (DMR-QA) Study Program. The program annually evaluates the analytical abilities of laboratories that perform or support NPDES permit-required monitoring. The program applies to discharger laboratories and contract laboratories. There are two options to comply: (1) dischargers can obtain and analyze DMR-QA samples, or (2) pursuant to a waiver U.S. EPA issued to the State Water Board, dischargers can submit results from the most recent Water Pollution Performance Evaluation Study. Dischargers must submit results annually to the State Water Board, which then forwards the results to U.S. EPA.

B. Monitoring Requirements Summary. The table below summarizes routine monitoring requirements. The Discharger shall support the Regional Monitoring Program to collect data for receiving water. This table is for informational purposes only. The actual requirements are specified in the MRP and elsewhere in this Order.

Table F-11. Monitoring Requirements Summary

Parameter ^[1]	Influent INF-001 ^[2]	Effluent EFF-001 ^[2]	Effluent EFF-001B ^[2] (Blending)	Alternate Effluent EFF-001 ^[2] [3]	Receiving Water ^[2] RSW-001 RWS-002
Flow	Continuous/D	Continuous/D	Continuous/D	Continuous/D	-
Volume of Partially-Treated Wastewater Discharged	-	-	1/Event	-	-
Duration of Blending Event	-	-	1/Event	-	-
BOD ₅	1/Week	1/Week	1/Year ^[4]	1/Week	-
TSS	1/Week	1/Week	1/Day	1/Week	-
Oil and Grease	-	1/Quarter	-	1/Quarter	-
pH	-	Continuous/D or 1/Day	Continuous/D or 1/Day	Continuous/D or 1/Day	1/Month
Temperature	-	Continuous/D or 1/Day	-	Continuous/D or 1/Day	1/Month
Chlorine, Total Residual		Continuous/H	Continuous/H	Continuous/H	
Ammonia, Total	-	1/Month	1/Year ^[4]	1/Month	1/Month
Copper, Total Recoverable	-	1/Month	1/Year ^[4]	1/Month	-
Cyanide, Total	2/Year	1/Month	1/Year ^[4]	1/Month	-
Bis(2-Ethylhexyl)Phthalate		1/Quarter	1/Year ^[4]	1/Month	
Dioxin-TEQ	-	1/Year	-	Once	-

Parameter ^[1]	Influent INF-001 ^[2]	Effluent EFF-001 ^[2]	Effluent EFF-001B ^[2] (Blending)	Alternate Effluent EFF-001 ^{[2][3]}	Receiving Water ^[2] RSW-001 RWS-002
Salinity	-	-	-	-	1/Month
Hardness	-	-	-	-	1/Month
Standard Observations	-	1/Month	-	1/Month	1/Month
Enterococcus Bacteria	-	1/Week	1/Day	1/Week	-
Acute Toxicity	-	1/Quarter	-	1/Quarter	-
Chronic Toxicity	-	1/Quarter	-	1/Quarter	-
VOC	-	1/Year	-	Once	-
BNA	-	1/Year	-	Once	-
Other Priority pollutants	-	1/Year	-	1/Year	-

Footnotes:

- ^[1] The Discharger must also comply with the monitoring requirements in the Mercury and PCBs Watershed Permit (NPDES Permit No. CA0038849) and the Nutrients Watershed Permit (NPDES Permit No. CA0038873).
- ^[2] The MRP defines these sampling frequencies.
- ^[3] These monitoring frequencies apply only if and when the Discharger elects to participate in the Alternate MRP pursuant to Regional Water Board Order No. R2-2016-0008.
- ^[4] If a TSS sample collected on the same day exceeds 45 mg/L, the frequency shall be once per day.

VIII. PUBLIC PARTICIPATION

The Regional Water Board considered the issuance of WDRs that will serve as an NPDES permit for the Facility. As a step in the WDR adoption process, Regional Water Board staff developed tentative WDRs and encouraged public participation in the WDR adoption process.

A. Notification of Interested Parties. The Regional Water Board notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and provided an opportunity to submit written comments and recommendations. The public had access to the agenda and any changes in dates and locations through the Regional Water Board’s website at waterboards.ca.gov/sanfranciscobay.

B. Written Comments. Interested persons were invited to submit written comments concerning the tentative WDRs as explained through the notification process. Comments were to be submitted either in person or by mail to the Executive Office at the Regional Water Board at 1515 Clay Street, Suite 1400, Oakland, California 94612, to the attention of William Burrell.

For full staff response and Regional Water Board consideration, the written comments were due at the Regional Water Board office by 5:00 p.m. on June 15, 2020.

C. Public Hearing. The Regional Water Board held a public hearing on the tentative WDRs during its regular meeting at the following date and time:

Date: July 8, 2020
 Time: 9:00 a.m.
 Contact: William Burrell, (510) 622-2317, william.burrell@waterboards.ca.gov

Interested persons were provided notice of the hearing and information on how to participate. During the public hearing, the Regional Water Board heard testimony pertinent to the discharge, WDRs, and permit. For accuracy of the record, important testimony was requested to be in writing.

Dates and venues can change. The Regional Water Board's web address is <http://www.waterboards.ca.gov/sanfranciscobay>, where one could access the current agenda for changes in dates and locations.

- D. Reconsideration of Waste Discharge Requirements.** Any aggrieved person may petition the State Water Board to review the Regional Water Board decision regarding the final WDRs. The State Water Board must receive the petition at the following address within 30 calendar days of the Regional Water Board action:

State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100, 1001 I Street
Sacramento, CA 95812-0100

For instructions on how to file a petition for review, see waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.shtml.

- E. Information and Copying.** The Report of Waste Discharge, related supporting documents, and comments received are on file and may be inspected at the address above at any time between 8:00 a.m. and 5:00 p.m. (except noon to 1:00 p.m.), Monday through Friday. Copying of documents may be arranged by calling (510) 622-2300.
- F. Register of Interested Persons.** Any person interested in being placed on the mailing list for information regarding the WDRs and NPDES permit should contact the Regional Water Board, reference the Facility, and provide a name, address, and phone number.
- G. Additional Information.** Requests for additional information or questions regarding this Order should be directed to William Burrell, (510) 622-2317, william.burrell@waterboards.ca.gov.

ATTACHMENT G
REGIONAL STANDARD PROVISIONS, AND
MONITORING AND REPORTING REQUIREMENTS
(SUPPLEMENT TO ATTACHMENT D)

November 2017

Contents

I. STANDARD PROVISIONS – PERMIT COMPLIANCE.....	G-1
A. Duty to Comply.....	G-1
B. Need to Halt or Reduce Activity Not a Defense.....	G-1
C. Duty to Mitigate.....	G-1
1. Contingency Plan.....	G-1
2. Spill Prevention Plan.....	G-2
D. Proper Operation and Maintenance.....	G-2
1. Operation and Maintenance Manual.....	G-2
2. Wastewater Facilities Status Report.....	G-2
3. Proper Supervision and Operation of Publicly-Owned Treatment Works (POTWs).....	G-2
E. Property Rights.....	G-2
F. Inspection and Entry.....	G-2
G. Bypass.....	G-2
H. Upset.....	G-2
I. Other.....	G-3
II. STANDARD PROVISIONS – PERMIT ACTION.....	G-3
III. STANDARD PROVISIONS – MONITORING.....	G-3
A. Sampling and Analyses.....	G-3
1. Certified Laboratories.....	G-3
2. Minimum Levels.....	G-3
3. Monitoring Frequency.....	G-3
B. Standard Observations.....	G-5
1. Receiving Water Observations.....	G-5
2. Wastewater Effluent Observations.....	G-6
3. Beach and Shoreline Observations.....	G-6
4. Waste Treatment and/or Disposal Facility Periphery Observations.....	G-6
IV. STANDARD PROVISIONS – RECORDS.....	G-6
A. Records to be Maintained.....	G-6
B. Records of Monitoring.....	G-6
1. Analytical Information.....	G-6
2. Disinfection Process.....	G-7
3. Wastewater Treatment Process Solids.....	G-7
4. Treatment Process Bypasses.....	G-7
5. Treatment Facility Overflows.....	G-7
C. Claims of Confidentiality.....	G-7
V. STANDARD PROVISIONS – REPORTING.....	G-8
A. Duty to Provide Information.....	G-8
B. Signatory and Certification Requirements.....	G-8
C. Monitoring Reports.....	G-8
1. Self-Monitoring Reports.....	G-8
D. Compliance Schedules.....	G-11
E. Twenty-Four Hour Reporting.....	G-11
1. Oil or Other Hazardous Material Spills.....	G-11
2. Unauthorized Municipal Wastewater Treatment Plant Discharges.....	G-12
F. Planned Changes.....	G-13
G. Anticipated Noncompliance.....	G-13
H. Other Noncompliance.....	G-13
I. Other Information.....	G-13

VI. STANDARD PROVISION – ENFORCEMENT G-13
VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS G-13
VIII. DEFINITIONS G-13

REGIONAL STANDARD PROVISIONS, AND MONITORING AND REPORTING REQUIREMENTS

APPLICABILITY

This document supplements the requirements of Federal Standard Provisions (Attachment D). For clarity, these provisions are arranged using to the same headings as those used in Attachment D.

I. STANDARD PROVISIONS - PERMIT COMPLIANCE

A. Duty to Comply – Not Supplemented

B. Need to Halt or Reduce Activity Not a Defense – Not Supplemented

C. Duty to Mitigate – Supplement to Attachment D, Provision I.C.

- 1. Contingency Plan.** The Discharger shall maintain a Contingency Plan as prudent in accordance with current facility emergency planning. The Contingency Plan shall describe procedures to ensure that existing facilities remain in, or are rapidly returned to, operation in the event of a process failure or emergency incident, such as employee strike, strike by suppliers of chemicals or maintenance services, power outage, vandalism, earthquake, or fire. The Discharger may combine the Contingency Plan and Spill Prevention Plan (see Provision I.C.2, below) into one document. In accordance with Regional Water Board Resolution No. 74-10, discharge in violation of the permit where the Discharger has failed to develop and implement a Contingency Plan as described below may be the basis for considering the discharge a willful and negligent violation of the permit pursuant to California Water Code section 13387. The Contingency Plan shall, at a minimum, provide for the following:
 - a. Sufficient personnel for continued facility operation and maintenance during employee strikes or strikes against contractors providing services;
 - b. Maintenance of adequate chemicals or other supplies, and spare parts necessary for continued facility operations;
 - c. Emergency standby power;
 - d. Protection against vandalism;
 - e. Expedient action to repair failures of, or damage to, equipment, including any sewer lines;
 - f. Reporting of spills and discharges of untreated or inadequately treated wastes, including measures taken to clean up the effects of such discharges; and
 - g. Maintenance, replacement, and surveillance of physical condition of equipment and facilities, including any sewer lines.

- 2. Spill Prevention Plan.** The Discharger shall maintain a Spill Prevention Plan to prevent accidental discharges and to minimize the effects of any such discharges. The Spill Prevention Plan shall do the following:
 - a. Identify the possible sources of accidental discharge, untreated or partially-treated waste bypass, and polluted drainage;
 - b. State when current facilities and procedures became operational and evaluate their effectiveness; and
 - c. Predict the effectiveness of any proposed facilities and procedures and provide an implementation schedule with interim and final dates when the proposed facilities and procedures will be constructed, implemented, or operational.

D. Proper Operation and Maintenance – Supplement to Attachment D, Provision I.D

- 1. Operation and Maintenance Manual.** The Discharger shall maintain an Operation and Maintenance Manual to provide the plant and regulatory personnel with a source of information describing all equipment, recommended operational strategies, process control monitoring, and maintenance activities. To remain a useful and relevant document, the Operation and Maintenance Manual shall be kept updated to reflect significant changes in treatment facility equipment and operational practices. The Operation and Maintenance Manual shall be maintained in usable condition and be available for reference and use by all relevant personnel and Regional Water Board staff.
- 2. Wastewater Facilities Status Report.** The Discharger shall maintain a Wastewater Facilities Status Report and regularly review, revise, or update it, as necessary. This report shall document how the Discharger operates and maintains its wastewater collection, treatment, and disposal facilities to ensure that all facilities are adequately staffed, supervised, financed, operated, maintained, repaired, and upgraded as necessary to provide adequate and reliable transport, treatment, and disposal of all wastewater from both existing and planned future wastewater sources under the Discharger's service responsibilities.
- 3. Proper Supervision and Operation of Publicly-Owned Treatment Works (POTWs).** POTWs shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Title 23, section 3680, of the California Code of Regulations.

E. Property Rights – Not Supplemented

F. Inspection and Entry – Not Supplemented

G. Bypass – Not Supplemented

H. Upset – Not Supplemented

I. Other – Addition to Attachment D

- 1.** Neither the treatment nor the discharge of pollutants shall create pollution, contamination, or nuisance as defined by California Water Code section 13050.

2. Collection, treatment, storage, and disposal systems shall be operated in a manner that precludes public contact with wastewater. If public contact with wastewater could reasonably occur on public property, warning signs shall be posted.
3. If the Discharger submits a timely and complete Report of Waste Discharge for permit reissuance, this permit shall continue in force and effect until the permit is reissued or the Regional Water Board rescinds the permit.

II. STANDARD PROVISIONS – PERMIT ACTION – Not Supplemented

III. STANDARD PROVISIONS – MONITORING

A. Sampling and Analyses – Supplement to Attachment D, Provisions III.A and III.B

1. **Certified Laboratories.** Water and waste analyses shall be performed by a laboratory certified for these analyses in accordance with California Water Code section 13176.
2. **Minimum Levels.** For the 126 priority pollutants, the Discharger should use the analytical methods listed in Table B unless the Monitoring and Reporting Program (MRP, Attachment E) requires a particular method or minimum level (ML). All monitoring instruments and equipment shall be properly calibrated and maintained to ensure accuracy of measurements.
3. **Monitoring Frequency.** The MRP specifies the minimum sampling and analysis schedule.
 - a. **Sample Collection Timing**
 - i. The Discharger shall collect influent samples on varying days selected at random and shall not include any plant recirculation or other sidestream wastes, unless otherwise stipulated in the MRP. The Executive Officer may approve an alternative influent sampling plan if it is representative of plant influent and complies with all other permit requirements.
 - ii. The Discharger shall collect effluent samples on days coincident with influent sampling, unless otherwise stipulated by the MRP. If influent sampling is not required, the Discharger shall collect effluent samples on varying days selected at random, unless otherwise stipulated in the MRP. The Executive Officer may approve an alternative effluent sampling plan if it is representative of plant discharge and in compliance with all other permit requirements.
 - iii. The Discharger shall collect effluent grab samples during periods of daytime maximum peak flows (or peak flows through secondary treatment units for facilities that recycle effluent).
 - iv. Effluent sampling for conventional pollutants shall occur on at least one day of any multiple-day bioassay the MRP requires. During the course of the bioassay, on at least one day, the Discharger shall collect and retain samples of the discharge. In the event that a bioassay result does not comply with effluent limitations, the Discharger shall analyze the retained samples for pollutants that could be toxic to aquatic life and for which it has effluent limitations.

- (a) The Discharger shall perform bioassays on final effluent samples; when chlorine is used for disinfection, bioassays shall be performed on effluent after chlorination and dechlorination; and
- (b) The Discharger shall analyze for total ammonia nitrogen and calculate the amount of un-ionized ammonia whenever test results fail to meet effluent limitations.

b. Conditions Triggering Accelerated Monitoring

- i. **Average Monthly Effluent Limitation Exceedance.** If the results from two consecutive samples of a constituent monitored in a particular month exceed the average monthly effluent limitation for any parameter (or if the required sampling frequency is once per month or less and the monthly sample exceeds the average monthly effluent limitation), the Discharger shall, within 24 hours after the results are received, increase its sampling frequency to daily until the results from the additional sampling show that the parameter complies with the average monthly effluent limitation.
- ii. **Maximum Daily Effluent Limitation Exceedance.** If a sample result exceeds a maximum daily effluent limitation, the Discharger shall, within 24 hours after the result is received, increase its sampling frequency to daily until the results from two samples collected on consecutive days show compliance with the maximum daily effluent limitation.
- iii. **Acute Toxicity.** If final or intermediate results of an acute bioassay indicate a violation or threatened violation (e.g., the percentage of surviving test organisms of any single acute bioassay is less than 70 percent), the Discharger shall initiate a new test as soon as practical or as described in applicable State Water Board plan provisions that become effective after adoption of these Regional Standard Provisions. The Discharger shall investigate the cause of the mortalities and report its findings in the next self-monitoring report.
- iv. **Chlorine.** The Discharger shall calibrate chlorine residual analyzers against grab samples as frequently as necessary to maintain accurate control and reliable operation. If an effluent violation is detected, the Discharger shall collect grab samples at least every 30 minutes until compliance with the limitation is achieved, unless the Discharger monitors chlorine residual continuously. In such cases, the Discharger shall continue to conduct continuous monitoring.
- v. **Bypass.** Except as indicated below, if a Discharger bypasses any portion of its treatment facility, it shall monitor flows and collect samples at affected discharge points and analyze samples for all constituents with effluent limitations on a daily basis for the duration of the bypass. The Discharger need not accelerate chronic toxicity monitoring. The Discharger also need not collect and analyze samples for mercury, dioxin-TEQ, and PCBs after the first day of the bypass. The Discharger may satisfy the accelerated acute toxicity monitoring requirement by conducting a flow-through test or static renewal test that captures the duration of the bypass (regardless of the method specified in the MRP). If bypassing disinfection units only, the Discharger shall only monitor bacteria indicators daily.

- (a) **Bypass for Essential Maintenance.** If a Discharger bypasses a treatment unit for essential maintenance pursuant to Attachment D section I.G.2, the Executive Officer may reduce the accelerated monitoring requirements above if the Discharger (i) monitors effluent at affected discharge points on the first day of the bypass for all constituents with effluent limitations, except chronic toxicity; and (ii) identifies and implements measures to ensure that the bypass will continue to comply with effluent limitations.
- (b) **Approved Wet Weather Bypasses.** If a Discharger bypasses a treatment unit or permitted outfall during wet weather with Executive Officer approval pursuant to Attachment D section I.G.4, the Discharger shall monitor flows and collect and retain samples for affected discharge points on a daily basis for the duration of the bypass. The Discharger shall analyze daily for TSS using 24-hour composites (or more frequent increments) and for bacteria indicators with effluent limitations using grab samples. If TSS exceeds 45 mg/L in any composite sample, the Discharger shall also analyze daily the retained samples for all other constituents with effluent limitations, except oil and grease, mercury, PCBs, dioxin-TEQ, and acute and chronic toxicity. Additionally, at least once each year, the Discharger shall analyze the retained samples for one approved bypass for all other constituents with effluent limitations, except oil and grease, mercury, PCBs, dioxin-TEQ, and acute and chronic toxicity. This monitoring shall be in addition to the minimum monitoring specified in the MRP.

B. Standard Observations – Addition to Attachment D

1. **Receiving Water Observations.** The following requirements only apply when the MRP requires standard observations of receiving waters. Standard observations shall include the following:
 - a. **Floating and Suspended Materials** (e.g., oil, grease, algae, and other macroscopic particulate matter) — presence or absence, source, and size of affected area.
 - b. **Discoloration and Turbidity** — color, source, and size of affected area.
 - c. **Odor** — presence or absence, characterization, source, and distance of travel.
 - d. **Beneficial Water Use** — estimated number of water-associated waterfowl or wildlife, fisherpeople, and other recreational activities.
 - e. **Hydrographic Condition** — time and height of high and low tides (corrected to nearest National Oceanic and Atmospheric Administration location for the sampling date and time).
 - f. **Weather Conditions** — wind direction, air temperature, and total precipitation during five days prior to observation.
2. **Wastewater Effluent Observations.** The following requirements only apply when the MRP requires standard observations of wastewater effluent. Standard observations shall include the following:

C. **Monitoring Reports** – Supplement to Attachment D, Provision V.C

1. Self-Monitoring Reports. For each reporting period established in the MRP, the Discharger shall submit a self-monitoring report to the Regional Water Board in accordance with the requirements listed in the MRP and below:

a. Transmittal Letter. Each self-monitoring report shall be submitted with a transmittal letter that includes the following:

- i.** Identification of all violations of effluent limitations or other waste discharge requirements found during the reporting period;
- ii.** Details regarding the violations, such as parameters, magnitude, test results, frequency, and dates;
- iii.** Causes of the violations;
- iv.** Corrective actions taken or planned to resolve violations and prevent recurrences, and dates or time schedules for implementation (the Discharger may refer to previously submitted reports that address the corrective actions);
- v.** Explanation for any data invalidation. Data should not be submitted in a self-monitoring report if it does not meet quality assurance/quality control standards. However, if the Discharger wishes to invalidate a measurement after submitting it in a self-monitoring report, the Discharger shall identify the measurement suspected to be invalid and state the Discharger's intent to submit, within 60 days, a formal request to invalidate the measurement. The formal request shall include the original measurement in question, the reason for invalidating the measurement, all relevant documentation that supports invalidation (e.g., laboratory sheet, log entry, test results), and a discussion of the corrective actions taken or planned (with a time schedule for completion) to prevent recurrence of the sampling or measurement problem;
- vi.** Description of blending, if any. If the Discharger blends, it shall describe the duration of blending events and certify whether the blending complied with all conditions for blending;
- vii.** Description of other bypasses, if any. If the Discharger bypasses any treatment units (other than blending), it shall describe the duration of the bypasses and effluent quality during those times; and
- viii.** Signature. The transmittal letter shall be signed in accordance with Attachment D, Provision V.B.

b. Compliance Evaluation Summary. Each self-monitoring report shall include a compliance evaluation summary that addresses each parameter for which the permit specifies effluent limitations, the number of samples taken during the monitoring period, and the number of samples that exceed the effluent limitations.

- c. More Frequent Monitoring.** If the Discharger monitors any pollutant more frequently than required by the MRP, the Discharger shall include the results of such monitoring in the calculation and reporting of the data submitted in the self-monitoring report.
- d. Analysis Results**
- i. Tabulation.** Each self-monitoring report shall include tabulations of all required analyses and observations, including parameters, dates, times, sample stations, types of samples, test results, method detection limits, method minimum levels, and method reporting levels (if applicable), signed by the laboratory director or other responsible official.
- ii. Multiple Samples.** Unless the MRP specifies otherwise, when determining compliance with effluent limitations (other than instantaneous effluent limitations) and more than one sample result is available, the Discharger shall compute the arithmetic mean. If the data set contains one or more results that are “Detected, but Not Quantified (DNQ) or “Not Detected” (ND), the Discharger shall instead compute the median in accordance with the following procedure:
- (a)** The data set shall be ranked from low to high, reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
- (b)** The median of the data set shall be determined. If the data set has an odd number of data points, the median is the middle value. If the data set has an even number of data points, the median is the average of the two values around the middle, unless one or both of these values is ND or DNQ, in which case the median shall be the lower of the two results (where DNQ is lower than a quantified value and ND is lower than DNQ).
- iii. Duplicate Samples.** The Discharger shall report the average of duplicate sample analyses when reporting for a single sample result (or the median if one or more of the duplicates is DNQ or ND [see Provision V.C.1.c.ii, above]). For bacteria indicators, the Discharger shall report the geometric mean of the duplicate analyses.
- iv. Dioxin-TEQ.** The Discharger shall report for each dioxin and furan congener the analytical results of effluent monitoring, including the reporting level, the method detection limit, and the measured concentration. The Discharger shall report all measured values of individual congeners, including data qualifiers. When calculating dioxin-TEQ, the Discharger shall set congener concentrations below the minimum levels (MLs) to zero. The Discharger shall calculate and report dioxin-TEQ using the following formula, where the MLs, toxicity equivalency factors (TEFs), and bioaccumulation equivalency factors (BEFs) are as provided in Table A:

$$\text{Dioxin-TEQ} = \Sigma (C_x \times \text{TEF}_x \times \text{BEF}_x)$$

where: C_x = measured or estimated concentration of congener x
 TEF_x = toxicity equivalency factor for congener x
 BEF_x = bioaccumulation equivalency factor for congener x

Table A
 Minimum Levels, Toxicity Equivalency Factors,
 and Bioaccumulation Equivalency Factors

Dioxin or Furan Congener	Minimum Level (pg/L)	2005 Toxicity Equivalency Factor (TEF)	Bioaccumulation Equivalency Factor (BEF)
2,3,7,8-TCDD	10	1.0	1.0
1,2,3,7,8-PeCDD	50	1.0	0.9
1,2,3,4,7,8-HxCDD	50	0.1	0.3
1,2,3,6,7,8-HxCDD	50	0.1	0.1
1,2,3,7,8,9-HxCDD	50	0.1	0.1
1,2,3,4,6,7,8-HpCDD	50	0.01	0.05
OCDD	100	0.0003	0.01
2,3,7,8-TCDF	10	0.1	0.8
1,2,3,7,8-PeCDF	50	0.03	0.2
2,3,4,7,8-PeCDF	50	0.3	1.6
1,2,3,4,7,8-HxCDF	50	0.1	0.08
1,2,3,6,7,8-HxCDF	50	0.1	0.2
1,2,3,7,8,9-HxCDF	50	0.1	0.6
2,3,4,6,7,8-HxCDF	50	0.1	0.7
1,2,3,4,6,7,8-HpCDF	50	0.01	0.01
1,2,3,4,7,8,9-HpCDF	50	0.01	0.4
OCDF	100	0.0003	0.02

- e. **Results Not Yet Available.** The Discharger shall make all reasonable efforts to obtain analytical data for required parameter sampling in a timely manner. Certain analyses may require additional time to complete analytical processes and report results. In these cases, the Discharger shall describe the circumstances in the self-monitoring report and include the data for these parameters and relevant discussions of any violations in the next self-monitoring report due after the results are available.

- f. **Annual Self-Monitoring Reports.** By the date specified in the MRP, the Discharger shall submit an annual self-monitoring report covering the previous calendar year. The report shall contain the following:
 - i. Comprehensive discussion of treatment plant performance, including documentation of any blending or other bypass events, and compliance with the permit. This discussion shall include any corrective actions taken or planned, such as changes to facility equipment or operation practices that may be needed to achieve compliance, and any other actions taken or planned that are intended to improve the performance and reliability of wastewater collection, treatment, or disposal practices;

 - ii. List of approved analyses, including the following:
 - (a) List of analyses for which the Discharger is certified;

- (b) List of analyses performed for the Discharger by a separate certified laboratory (copies of reports signed by the laboratory director of that laboratory need not be submitted but shall be retained onsite); and
- (c) List of “waived” analyses, as approved;
- iii. Plan view drawing or map showing the Discharger’s facility, flow routing, and sampling and observation station locations; and
- iv. Results of facility report reviews. The Discharger shall regularly review, revise, and update, as necessary, the Operation and Maintenance Manual, Contingency Plan, Spill Prevention Plan, and Wastewater Facilities Status Report so these documents remain useful and relevant to current practices. At a minimum, reviews shall be conducted annually. The Discharger shall describe or summarize its review and evaluation procedures, recommended or planned actions, and estimated time schedule for implementing these actions. The Discharger shall complete changes to these documents to ensure that they remain up-to-date.

D. Compliance Schedules – Not supplemented

E. Twenty-Four Hour Reporting – Supplement to Attachment D, Provision V.E

1. Oil or Other Hazardous Material Spills

- a. Within 24 hours of becoming aware of a spill of oil or other hazardous material not contained onsite and completely cleaned up, the Discharger shall report as follows:
 - i. If the spill exceeds reportable quantities for hazardous materials listed in 40 C.F.R. part 302. The Discharger shall call the California Office of Emergency Services (800-852-7550).
 - ii. If the spill does not exceed reportable quantities for hazardous materials listed in 40 C.F.R., part 302, the Discharger shall call the Regional Water Board (510-622-2369).
- b. The Discharger shall submit a written report to the Regional Water Board within five working days following either of the above telephone notifications unless directed otherwise by Regional Water Board staff. A report submitted electronically is acceptable. The written report shall include the following:
 - i. Date and time of spill, and duration if known;
 - ii. Location of spill (street address or description of location);
 - iii. Nature of material spilled;
 - iv. Quantity of material spilled;
 - v. Receiving water body affected, if any;
 - vi. Cause of spill;

- vii. Estimated size of affected area;
 - viii. Observed impacts to receiving waters (e.g., oil sheen, fish kill, water discoloration);
 - ix. Corrective actions taken to contain, minimize, or clean up the spill;
 - x. Future corrective actions planned to prevent recurrence, and implementation schedule; and
 - xi. Persons or agencies notified.
- 2. Unauthorized Municipal Wastewater Treatment Plant Discharges¹**
- a. Two-Hour Notification.** For any unauthorized discharge that enters a drainage channel or surface water, the Discharger shall, as soon as possible, but not later than two hours after becoming aware of the discharge, notify the California Office of Emergency Services (800-852-7550) and the local health officer or director of environmental health with jurisdiction over the affected water body. Notification shall include the following:
 - i. Incident description and cause;
 - ii. Location of threatened or involved waterways or storm drains;
 - iii. Date and time that the unauthorized discharge started;
 - iv. Estimated quantity and duration of the unauthorized discharge (to the extent known), and estimated amount recovered;
 - v. Level of treatment prior to discharge (e.g., raw wastewater, primary-treated wastewater, or undisinfected secondary-treated wastewater); and
 - vi. Identity of person reporting the unauthorized discharge.
 - b. Five-Day Written Report.** Within five business days following the two-hour notification, the Discharger shall submit a written report that includes, in addition to the information listed in Provision V.E.2.a, above, the following:
 - i. Methods used to delineate the geographical extent of the unauthorized discharge within receiving waters;
 - ii. Efforts implemented to minimize public exposure to the unauthorized discharge;
 - iii. Visual observations of the impacts (if any) noted in the receiving waters (e.g., fish kill, discoloration of receiving water) and extent of sampling if conducted;
 - iv. Corrective measures taken to minimize the impact of the unauthorized discharge;

¹ California Code of Regulations, Title 23, section 2250(b), defines an unauthorized discharge to be a discharge, not regulated by waste discharge requirements, of treated, partially-treated, or untreated wastewater resulting from the intentional or unintentional diversion of wastewater from a collection, treatment, or disposal system.

- v. Measures to be taken to minimize the potential for a similar unauthorized discharge in the future;
- vi. Summary of Spill Prevention Plan or Operation and Maintenance Manual modifications to be made, if necessary, to minimize the potential for future unauthorized discharges; and
- vii. Quantity and duration of the unauthorized discharge, and the amount recovered.

F. Planned Changes – Not supplemented

G. Anticipated Noncompliance – Not supplemented

H. Other Noncompliance – Not supplemented

I. Other Information – Not supplemented

VI. STANDARD PROVISION – ENFORCEMENT – Not Supplemented

VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS – Not Supplemented

VIII. DEFINITIONS – Addition to Attachment D

More definitions can be found in Attachment A of this NPDES Permit.

A. Arithmetic Calculations –

1. **Geometric Mean.** The antilog of the log mean or the back-transformed mean of the logarithmically transformed variables, which is equivalent to the multiplication of the antilogarithms. The geometric mean can be calculated with either of the following equations:

$$\text{Geometric Mean} = \text{Anti log} \left(\frac{1}{N} \sum_{i=1}^N \text{Log}(C_i) \right)$$

or

$$\text{Geometric Mean} = (C_1 \times C_2 \times \dots \times C_N)^{1/N}$$

2.

Where “N” is the number of data points for the period analyzed and “C” is the concentration for each of the “N” data points.

3. **Mass Emission Rate.** The rate of discharge expressed in mass. The mass emission rate is obtained from the following calculation for any calendar day:

$$\text{Mass emission rate (lb/day)} = \frac{8.345}{N} \sum_{i=1}^N Q_i C_i$$

$$\text{Mass emission rate (kg/day)} = \frac{3.785}{N} \sum_{i=1}^N Q_i C_i$$

In which “N” is the number of samples analyzed in any calendar day and “Q_i” and “C_i” are the flow rate (MGD) and the constituent concentration (mg/L) associated with each of the “N” grab samples that may be taken in any calendar day. If a composite sample is taken, “C_i” is the concentration measured in the composite sample and “Q_i” is the average flow rate occurring during the period over which the samples are composited. The daily concentration of a constituent measured over any calendar day shall be determined from the flow-weighted average of the same constituent in the combined waste streams as follows:

$$C_d = \text{Average daily concentration} = \frac{1}{Q_t} \sum_{i=1}^N Q_i C_i$$

In which “N” is the number of component waste streams and “Q” and “C” are the flow rate (MGD) and the constituent concentration (mg/L) associated with each of the “N” waste streams. “Q_t” is the total flow rate of the combined waste streams.

- 4. Removal Efficiency.** The ratio of pollutants removed by the treatment facilities to pollutants entering the treatment facilities (expressed as a percentage). The Discharger shall determine removal efficiencies using monthly averages (by calendar month unless otherwise specified) of pollutant concentration of influent and effluent samples collected at about the same time and using the following equation (or its equivalent):

$$\text{Removal Efficiency (\%)} = 100 \times [1 - (\text{Effluent Concentration} / \text{Influent Concentration})]$$

- B. Blending** – the practice of bypassing biological treatment units and recombining the bypass wastewater with biologically-treated wastewater.
- C. Composite Sample** – a sample composed of individual grab samples collected manually or by an automatic sampling device on the basis of time or flow as specified in the MRP. For flow-based composites, the proportion of each grab sample included in the composite sample shall be within plus or minus five percent (+/-5%) of the representative flow of the waste stream being measured at the time of grab sample collection. Alternatively, equal volume grab samples may be individually analyzed with the flow-weighted average calculated by averaging flow-weighted ratios of each grab sample analytical result. Grab samples comprising time-based composite samples shall be collected at intervals not greater than those specified in the MRP. The quantity of each grab sample comprising a time-based composite sample shall be a set of flow proportional volumes as specified in the MRP. If a particular time-based or flow-based composite sampling protocol is not specified in the MRP, the Discharger shall determine and implement the most representative protocol.
- D. Duplicate Sample** – a second sample taken from the same source and at the same time as an initial sample (such samples are typically analyzed identically to measure analytical variability).
- E. Grab Sample** – an individual sample collected during a short period not exceeding 15 minutes. Grab samples represent only the condition that exists at the time the sample is collected.
- F. Overflow** – the intentional or unintentional spilling or forcing out of untreated or partially-treated waste from a transport system (e.g., through manholes, at pump stations, or at collection points) upstream of the treatment plant headworks or from any part of a treatment plant.

G. Priority Pollutants – those constituents referred to in 40 C.F.R. part 122 as promulgated in the Federal Register, Vol. 65, No. 97, Thursday, May 18, 2000, also known as the California Toxics Rule.

H. Untreated waste – raw wastewater.

Table B

List of Monitoring Parameters, Analytical Methods, and Minimum Levels ($\mu\text{g/L}$)²

CTR No.	Pollutant/Parameter	Analytical Method ³	GC	GC MS	LC	Color	FAA	GFAA	ICP	ICP MS	SPGF AA	HYD RIDE	CVA A	DCP
1	Antimony	204.2	-	-	-	-	10	5	50	0.5	5	0.5	-	1000
2	Arsenic	206.3	-	-	-	20	-	2	10	2	2	1	-	1000
3	Beryllium	-	-	-	-	-	20	0.5	2	0.5	1	-	-	1000
4	Cadmium	200 or 213	-	-	-	-	10	0.5	10	0.25	0.5	-	-	1000
5a	Chromium (III)	SM 3500	-	-	-	-	-	-	-	-	-	-	-	-
5b	Chromium (VI)	SM 3500	-	-	-	10	5	-	-	-	-	-	-	1000
	Chromium (total) ⁴	SM 3500	-	-	-	-	50	2	10	0.5	1	-	-	1000
6	Copper	200.9	-	-	-	-	25	5	10	0.5	2	-	-	1000
7	Lead	200.9	-	-	-	-	20	5	5	0.5	2	-	-	10,000
8	Mercury	1631 (note) ⁵	-	-	-	-	-	-	-	-	-	-	-	-
9	Nickel	249.2	-	-	-	-	50	5	20	1	5	-	-	1000
10	Selenium	200.8 or SM 3114B or C	-	-	-	-	-	5	10	2	5	1	-	1000
11	Silver	272.2	-	-	-	-	10	1	10	0.25	2	-	-	1000
12	Thallium	279.2	-	-	-	-	10	2	10	1	5	-	-	1000
13	Zinc	200 or 289	-	-	-	-	20	-	20	1	10	-	-	-
14	Cyanide	SM 4500 CN: C or I	-	-	-	5	-	-	-	-	-	-	-	-
15	Asbestos (only required for dischargers to MUN waters) ⁶	0100.2 ⁷	-	-	-	-	-	-	-	-	-	-	-	-
16	2,3,7,8-TCDD and 17 congeners (Dioxin)	1613	-	-	-	-	-	-	-	-	-	-	-	-
17	Acrolein	603	2.0	5	-	-	-	-	-	-	-	-	-	-
18	Acrylonitrile	603	2.0	2	-	-	-	-	-	-	-	-	-	-
19	Benzene	602	0.5	2	-	-	-	-	-	-	-	-	-	-
33	Ethylbenzene	602	0.5	2	-	-	-	-	-	-	-	-	-	-
39	Toluene	602	0.5	2	-	-	-	-	-	-	-	-	-	-
20	Bromoform	601	0.5	2	-	-	-	-	-	-	-	-	-	-
21	Carbon Tetrachloride	601	0.5	2	-	-	-	-	-	-	-	-	-	-
22	Chlorobenzene	601	0.5	2	-	-	-	-	-	-	-	-	-	-

² Minimum levels are from the *State Implementation Policy*. They are the concentration of the lowest calibration standard for that technique based on a survey of contract laboratories. Laboratory techniques are defined as follows: GC = Gas Chromatography; GCMS = Gas Chromatography/Mass Spectrometry; LC = High Pressure Liquid Chromatography; Color = Colorimetric; FAA = Flame Atomic Absorption; GFAA = Graphite Furnace Atomic Absorption; ICP = Inductively Coupled Plasma; ICPMS = Inductively Coupled Plasma/Mass Spectrometry; SPGFAA = Stabilized Platform Graphite Furnace Atomic Absorption (i.e., U.S. EPA 200.9); Hydride = Gaseous Hydride Atomic Absorption; CVAA = Cold Vapor Atomic Absorption; DCP = Direct Current Plasma.

³ The suggested method is the U.S. EPA Method unless otherwise specified (SM = Standard Methods). The Discharger may use another U.S. EPA-approved or recognized method if that method has a level of quantification below the applicable water quality objective. Where no method is suggested, the Discharger has the discretion to use any standard method.

⁴ Analysis for total chromium may be substituted for analysis of chromium (III) and chromium (VI) if the concentration measured is below the lowest hexavalent chromium criterion (11 $\mu\text{g/l}$).

⁵ The Discharger shall use ultra-clean sampling (U.S. EPA Method 1669) and ultra-clean analytical methods (U.S. EPA Method 1631) for mercury monitoring. The minimum level for mercury is 2 ng/l (or 0.002 $\mu\text{g/l}$).

⁶ MUN = Municipal and Domestic Supply. This designation, if applicable, is in the Findings of the permit.

⁷ Determination of Asbestos Structures over 10 [micrometers] in Length in Drinking Water Using MCE Filters, U.S. EPA 600/R-94-134, June 1994.

CTR No.	Pollutant/Parameter	Analytical Method ³	GC	GC MS	LC	Color	FAA	GFAA	ICP	ICP MS	SPGF AA	HYD RIDE	CVA A	DCP
23	Chlorodibromomethane	601	0.5	2	-	-	-	-	-	-	-	-	-	-
24	Chloroethane	601	0.5	2	-	-	-	-	-	-	-	-	-	-
25	2-Chloroethylvinyl Ether	601	1	1	-	-	-	-	-	-	-	-	-	-
26	Chloroform	601	0.5	2	-	-	-	-	-	-	-	-	-	-
75	1,2-Dichlorobenzene	601	0.5	2	-	-	-	-	-	-	-	-	-	-
76	1,3-Dichlorobenzene	601	0.5	2	-	-	-	-	-	-	-	-	-	-
77	1,4-Dichlorobenzene	601	0.5	2	-	-	-	-	-	-	-	-	-	-
27	Dichlorobromomethane	601	0.5	2	-	-	-	-	-	-	-	-	-	-
28	1,1-Dichloroethane	601	0.5	1	-	-	-	-	-	-	-	-	-	-
29	1,2-Dichloroethane	601	0.5	2	-	-	-	-	-	-	-	-	-	-
30	1,1-Dichloroethylene or 1,1-Dichloroethene	601	0.5	2	-	-	-	-	-	-	-	-	-	-
31	1,2-Dichloropropane	601	0.5	1	-	-	-	-	-	-	-	-	-	-
32	1,3-Dichloropropylene or 1,3-Dichloropropene	601	0.5	2	-	-	-	-	-	-	-	-	-	-
34	Methyl Bromide or Bromomethane	601	1.0	2	-	-	-	-	-	-	-	-	-	-
35	Methyl Chloride or Chloromethane	601	0.5	2	-	-	-	-	-	-	-	-	-	-
36	Methylene Chloride or Dichloromethane	601	0.5	2	-	-	-	-	-	-	-	-	-	-
37	1,1,2,2-Tetrachloroethane	601	0.5	1	-	-	-	-	-	-	-	-	-	-
38	Tetrachloroethylene	601	0.5	2	-	-	-	-	-	-	-	-	-	-
40	1,2-Trans-Dichloroethylene	601	0.5	1	-	-	-	-	-	-	-	-	-	-
41	1,1,1-Trichloroethane	601	0.5	2	-	-	-	-	-	-	-	-	-	-
42	1,1,2-Trichloroethane	601	0.5	2	-	-	-	-	-	-	-	-	-	-
43	Trichloroethene	601	0.5	2	-	-	-	-	-	-	-	-	-	-
44	Vinyl Chloride	601	0.5	2	-	-	-	-	-	-	-	-	-	-
45	2-Chlorophenol	604	2	5	-	-	-	-	-	-	-	-	-	-
46	2,4-Dichlorophenol	604	1	5	-	-	-	-	-	-	-	-	-	-
47	2,4-Dimethylphenol	604	1	2	-	-	-	-	-	-	-	-	-	-
48	2-Methyl-4,6-Dinitrophenol or Dinitro-2-methylphenol	604	10	5	-	-	-	-	-	-	-	-	-	-

CTR No.	Pollutant/Parameter	Analytical Method ³	GC	GC MS	LC	Color	FAA	GFAA	ICP	ICP MS	SPGF AA	HYD RIDE	CVA A	DCP
49	2,4-Dinitrophenol	604	5	5	-	-	-	-	-	-	-	-	-	-
50	2-Nitrophenol	604	-	10	-	-	-	-	-	-	-	-	-	-
51	4-Nitrophenol	604	5	10	-	-	-	-	-	-	-	-	-	-
52	3-Methyl-4-Chlorophenol	604	5	1	-	-	-	-	-	-	-	-	-	-
53	Pentachlorophenol	604	1	5	-	-	-	-	-	-	-	-	-	-
54	Phenol	604	1	1	-	50	-	-	-	-	-	-	-	-
55	2,4,6-Trichlorophenol	604	10	10	-	-	-	-	-	-	-	-	-	-
56	Acenaphthene	610 HPLC	1	1	0.5	-	-	-	-	-	-	-	-	-
57	Acenaphthylene	610 HPLC	-	10	0.2	-	-	-	-	-	-	-	-	-
58	Anthracene	610 HPLC	-	10	2	-	-	-	-	-	-	-	-	-
60	Benzo(a)Anthracene or 1,2 Benzanthracene	610 HPLC	10	5	-	-	-	-	-	-	-	-	-	-
61	Benzo(a)Pyrene	610 HPLC	-	10	2	-	-	-	-	-	-	-	-	-
62	Benzo(b)Fluoranthene or 3,4 Benzofluoranthene	610 HPLC	-	10	10	-	-	-	-	-	-	-	-	-
63	Benzo(ghi)Perylene	610 HPLC	-	5	0.1	-	-	-	-	-	-	-	-	-
64	Benzo(k)Fluoranthene	610 HPLC	-	10	2	-	-	-	-	-	-	-	-	-
74	Dibenzo(a,h)Anthracene	610 HPLC	-	10	0.1	-	-	-	-	-	-	-	-	-
86	Fluoranthene	610 HPLC	10	1	0.05	-	-	-	-	-	-	-	-	-
87	Fluorene	610 HPLC	-	10	0.1	-	-	-	-	-	-	-	-	-
92	Indeno(1,2,3-cd)Pyrene	610 HPLC	-	10	0.05	-	-	-	-	-	-	-	-	-
100	Pyrene	610 HPLC	-	10	0.05	-	-	-	-	-	-	-	-	-
68	Bis(2-Ethylhexyl)Phthalate	606 or 625	10	5	-	-	-	-	-	-	-	-	-	-
70	Butylbenzyl Phthalate	606 or 625	10	10	-	-	-	-	-	-	-	-	-	-
79	Diethyl Phthalate	606 or 625	10	2	-	-	-	-	-	-	-	-	-	-
80	Dimethyl Phthalate	606 or 625	10	2	-	-	-	-	-	-	-	-	-	-
81	Di-n-Butyl Phthalate	606 or 625	-	10	-	-	-	-	-	-	-	-	-	-
84	Di-n-Octyl Phthalate	606 or 625	-	10	-	-	-	-	-	-	-	-	-	-
59	Benzidine	625	-	5	-	-	-	-	-	-	-	-	-	-
65	Bis(2-Chloroethoxy)Methane	625	-	5	-	-	-	-	-	-	-	-	-	-
66	Bis(2-Chloroethyl)Ether	625	10	1	-	-	-	-	-	-	-	-	-	-
67	Bis(2-Chloroisopropyl)Ether	625	10	2	-	-	-	-	-	-	-	-	-	-
69	4-Bromophenyl Phenyl Ether	625	10	5	-	-	-	-	-	-	-	-	-	-
71	2-Chloronaphthalene	625	-	10	-	-	-	-	-	-	-	-	-	-

CTR No.	Pollutant/Parameter	Analytical Method ³	GC	GC MS	LC	Color	FAA	GFAA	ICP	ICP MS	SPGF AA	HYD RIDE	CVA A	DCP
72	4-Chlorophenyl Phenyl Ether	625	-	5	-	-	-	-	-	-	-	-	-	-
73	Chrysene	625	-	10	5	-	-	-	-	-	-	-	-	-
78	3,3'-Dichlorobenzidine	625	-	5	-	-	-	-	-	-	-	-	-	-
82	2,4-Dinitrotoluene	625	10	5	-	-	-	-	-	-	-	-	-	-
83	2,6-Dinitrotoluene	625	-	5	-	-	-	-	-	-	-	-	-	-
85	1,2-Diphenylhydrazine (note) ⁸	625	-	1	-	-	-	-	-	-	-	-	-	-
88	Hexachlorobenzene	625	5	1	-	-	-	-	-	-	-	-	-	-
89	Hexachlorobutadiene	625	5	1	-	-	-	-	-	-	-	-	-	-
90	Hexachlorocyclopentadiene	625	5	5	-	-	-	-	-	-	-	-	-	-
91	Hexachloroethane	625	5	1	-	-	-	-	-	-	-	-	-	-
93	Isophorone	625	10	1	-	-	-	-	-	-	-	-	-	-
94	Naphthalene	625	10	1	0.2	-	-	-	-	-	-	-	-	-
95	Nitrobenzene	625	10	1	-	-	-	-	-	-	-	-	-	-
96	N-Nitrosodimethylamine	625	10	5	-	-	-	-	-	-	-	-	-	-
97	N-Nitrosodi-n-Propylamine	625	10	5	-	-	-	-	-	-	-	-	-	-
98	N-Nitrosodiphenylamine	625	10	1	-	-	-	-	-	-	-	-	-	-
99	Phenanthrene	625	-	5	0.05	-	-	-	-	-	-	-	-	-
101	1,2,4-Trichlorobenzene	625	1	5	-	-	-	-	-	-	-	-	-	-
102	Aldrin	608	0.005	-	-	-	-	-	-	-	-	-	-	-
103	α-BHC	608	0.01	-	-	-	-	-	-	-	-	-	-	-
104	β-BHC	608	0.005	-	-	-	-	-	-	-	-	-	-	-
105	γ-BHC (Lindane)	608	0.02	-	-	-	-	-	-	-	-	-	-	-
106	δ-BHC	608	0.005	-	-	-	-	-	-	-	-	-	-	-
107	Chlordane	608	0.1	-	-	-	-	-	-	-	-	-	-	-
108	4,4'-DDT	608	0.01	-	-	-	-	-	-	-	-	-	-	-
109	4,4'-DDE	608	0.05	-	-	-	-	-	-	-	-	-	-	-
110	4,4'-DDD	608	0.05	-	-	-	-	-	-	-	-	-	-	-
111	Dieldrin	608	0.01	-	-	-	-	-	-	-	-	-	-	-
112	Endosulfan (alpha)	608	0.02	-	-	-	-	-	-	-	-	-	-	-
113	Endosulfan (beta)	608	0.01	-	-	-	-	-	-	-	-	-	-	-
114	Endosulfan Sulfate	608	0.05	-	-	-	-	-	-	-	-	-	-	-
115	Endrin	608	0.01	-	-	-	-	-	-	-	-	-	-	-
116	Endrin Aldehyde	608	0.01	-	-	-	-	-	-	-	-	-	-	-
117	Heptachlor	608	0.01	-	-	-	-	-	-	-	-	-	-	-
118	Heptachlor Epoxide	608	0.01	-	-	-	-	-	-	-	-	-	-	-
119-125	PCBs: Aroclors 1016, 1221, 1232,	608	0.5	-	-	-	-	-	-	-	-	-	-	-

⁸ Measurement for 1,2-Diphenylhydrazine may use azobenzene as a screen: if azobenzene is measured at >1 ug/l, then the Discharger shall analyze for 1,2-Diphenylhydrazine.

CTR No.	Pollutant/Parameter	Analytical Method³	GC	GC MS	LC	Color	FAA	GFAA	ICP	ICP MS	SPGF AA	HYD RIDE	CVA A	DCP
	1242, 1248, 1254, 1260													
126	Toxaphene	608	0.5	-	-	-	-	-	-	-	-	-	-	-