

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

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**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CA0004391
ORDER R5-2020-0031**

**WASTE DISCHARGE REQUIREMENTS
FOR THE COLLINS PINE COMPANY, CHESTER SAWMILL, PLUMAS COUNTY**

The following Discharger is subject to waste discharge requirements (WDR's) set forth in this Order:

Table 1. Discharger Information

Discharger:	Collins Pine Company
Name of Facility:	Chester Facility
Facility Street Address:	500 Main Street
Facility City, State, Zip:	Chester, CA 96020
Facility County:	Plumas County

Table 2. Discharge Location

Discharge Point	Effluent Description	Discharge Point Latitude (North)	Discharge Point Longitude (West)	Receiving Water
001	Industrial storm water (see Attachment A for definition)	40° 18' 30"	121° 14' 31"	Stover Ditch, Tributary to Almanor Lake

Table 3. Administrative Information

This Order was Adopted on:	4 June 2020
This Order shall become effective on:	1 August 2020
This Order shall expire on:	31 July 2025
The Discharger shall file a Report of Waste Discharge (ROWD) as an application for reissuance of WDRs in accordance with title 23, California Code of Regulations, and an application for reissuance of a NPDES permit no later than:	31 July 2024
The United States Environmental Protection Agency (U.S. EPA) and the California Regional Water Quality Control Board, Central Valley Region have classified this discharge as follows:	Minor

I, Patrick Pulupa, Executive Officer, do 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, Central Valley Region, on **4 June 2020**.

PATRICK PULUPA, Executive Officer

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I. FACILITY INFORMATION

Information describing the Collins Pine Company, Chester Sawmill (Facility) is summarized in Table 1 and in sections I and II of the Fact Sheet (Attachment F). Section I of the Fact Sheet also includes information regarding the Facility's permit application.

II. FINDINGS

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

- A. Legal Authorities.** This Order serves as waste discharge requirements (WDR's) pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as a National Pollutant Discharge Elimination System (NPDES) permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 2 subject to the WDR's in this Order.
- B. Background and Rationale for Requirements.** The Central Valley Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for the requirements in this Order, is hereby incorporated into and constitutes Findings for this Order. Attachments A through E and G are also incorporated into this Order.
- C. Provisions and Requirements Implementing State Law.** The provisions/requirements in subsections IV.B, IV.C, V.B, VI.C.4, VI.C.5, and VI.C.6 are included to implement state law only. These provisions/requirements are not required or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.
- D. Monitoring and Reporting.** 40 C.F.R. section 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. Water Code sections 13267 and 13383 authorize the Central Valley Water Board to require technical and monitoring reports. The Monitoring and Reporting Program establishes monitoring and reporting requirements to implement federal and State requirements. The Monitoring and Reporting Program is provided in Attachment E.

The technical and monitoring reports in this Order are required in accordance with Water Code section 13267, which states the following in subsection (b)(1), "In conducting an investigation specified in subdivision (a), the Regional Board may require that any person who has discharged, discharges, or is suspected of having discharged, discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has

discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the Regional Board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the Regional Board shall provide the person with a written explanation with regard to the need for the reports and shall identify the evidence that supports requiring that person to provide the reports.”

The Discharger owns and operates the Facility subject to this Order. The monitoring reports required by this Order are necessary to determine compliance with this Order. The need for the monitoring reports is discussed in the Fact Sheet.

- E. Notification of Interested Persons.** The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDR’s for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of the notification are provided in the Fact Sheet.
- F. Consideration of Public Comment.** The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet.

THEREFORE, IT IS HEREBY ORDERED that Order R5-2009-0015 is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the Water Code (commencing with section 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 Central Valley Water Board from taking enforcement action for violations of the previous Order.

III. DISCHARGE PROHIBITIONS

- A.** Discharge of wastewater from the Facility, as the Facility is specifically described in the Fact Sheet in section II.B, in a manner different from that described in this Order is prohibited.
- B.** The by-pass or overflow of wastes to surface waters is prohibited, except as allowed by Federal Standard Provisions I.G. and I.H. (Attachment D).
- C.** Neither the discharge nor its treatment shall create a nuisance as defined in section 13050 of the Water Code.
- D.** The discharge of recycle water from log yard sprinkling, commingled recycle and storm water (i.e., “first flush”), cooling tower blowdown, boiler blowdown, demineralizer regeneration wastewater, or other waste of recognizable sawmill or cogeneration origin to surface waters is prohibited.

- E. The discharge of storm water leachate from wood fuel stockpiles to surface waters or surface water drainage courses is prohibited. Best management practices (BMP's) must be implemented to prevent such discharge.
- F. The discharge of ash, bark, sawdust, wood, or any waste recognized as originating from cogeneration operations to surface waters or surface water drainage courses is prohibited.
- G. Discharge of wastewater from the Facility Fire Pond, Freshwater (Fergosi) Pond, Stormwater Ponds, or Infiltration Ponds off-site is prohibited except to a suitable treatment plant or for reclamation purposes specifically approved by the Executive Officer.
- H. The discharge of debris (as defined in Attachment A) recognized as originating from the Facility to surface waters or surface water drainage courses is prohibited.
- I. The discharge of process wastewater from barking, sawmill, and planing operations, as defined in 40 C.F.R. part 429, is prohibited.
- J. Discharge of waste classified as 'hazardous,' as defined in the California Code of Regulations (CCR), Title 22, section 66261.1 et seq., including water treatment chemicals, solvents, or petroleum products (e.g., oil, grease, gasoline, and diesel), is prohibited.
- K. Discharge of waste classified as "hazardous" as defined in CCR, Title 23, section 2521(a), or "designated" (other than as specifically allowed in this Order), as defined in section 13173 of the Water Code, to the ponds is prohibited.

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations – Discharge Point D-001

1. Final Effluent Limitations – Discharge Point D-001

The Discharger shall maintain compliance with the following effluent limitations at Discharge Point **D-001**. Unless otherwise specified compliance shall be measured at Monitoring Location **EFF-001**, as described in the Monitoring and Reporting Program, Attachment E:

- a. The Discharger shall maintain compliance with the effluent limitations specified in Table 4:

Table 4. Effluent Limitations

Parameters	Units	Average Monthly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
pH	standard units	--	--	6.0	9.0

- b. **Acute Whole Effluent Toxicity.** Survival of aquatic organisms in 96-hour bioassays of undiluted waste shall be no less than:
 - i. 70%, minimum for any one bioassay; and
 - ii. 90%, median for any three consecutive bioassays.

2. Interim Effluent Limitations – Not Applicable

B. Land Discharge Specifications

1. No waste constituent shall be released, discharged, or placed where it will cause a violation of the Groundwater limitations of this Order.
2. Wastewater treatment, storage, and disposal shall not cause pollution or a nuisance as defined by Water Code section 13050.
3. The discharge shall remain within the permitted ponds and land application areas at all times.
4. All conveyance, treatment, storage, and disposal systems shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
5. The Discharger shall design, construct, operate, and maintain, all ponds sufficiently to protect the integrity of containment dikes and berms and prevent overtopping and/or structural failure. The operating freeboard in Stormwater Ponds 1 through 5, Infiltration Ponds 1 through 3, the Fire Pond, and the Fergosi Pond shall never be less than two feet (measured vertically from the lowest possible point of overflow) unless an engineer's evaluation and certification are provided to show a lesser freeboard requirement is sufficient to provide containment. As a means of management and to discern compliance with this requirement, the Discharger shall install and maintain in each pond a permanent staff gauge with calibration marks that clearly show the water level at design capacity and enable determination of available operational freeboard.
6. Stormwater Ponds 1 through 5 and Infiltration Ponds 1 through 3 shall have sufficient capacity to accommodate allowable storm water flow, design seasonal precipitation, and ancillary inflow during the winter while ensuring continuous compliance with all requirements of this Order. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns.
7. On or about 1 October of each year, available capacity shall at least equal the volume necessary to comply with Land Discharge Specifications B.4 and B.6.
8. All ponds and open containment structures shall be managed to prevent breeding of mosquitos.

9. Newly constructed or rehabilitated berms or levees (excluding internal berms that separate ponds or control the flow of water within a pond) shall be designed and constructed under the supervision of a California Registered Civil Engineer if they contain wastewater or combined wastewater and storm water, or are otherwise legally required to be so designed and constructed.
10. Existing berms in need of emergency repairs are not subject to the certification requirement by a Registered Civil Engineer. Emergency measures are considered to be temporary and may trigger a more detailed evaluation of long-term infrastructure needs and required additional certification.
11. Wastewater contained in any unlined pond shall not have a pH less than 6.0 or greater than 9.0.
12. The Discharger shall monitor sludge accumulation in Stormwater Ponds 1 through 5 and Infiltration Ponds 1 through 3 at least every five years beginning in 2020, and shall periodically remove sludge as necessary to maintain adequate storage capacity.
13. Wastewater used for on-site dust control or crop irrigation shall be used in a manner that will not cause discharge of eroded sediment in stormwater runoff to areas not controlled by the Discharger.
14. No waste discharge shall occur within the 100-year floodplain, with the exception of areas where documented engineering measures are in place to mitigate for potential flooding conditions.

C. Recycling Specifications – Not Applicable

V. RECEIVING WATER LIMITATIONS

A. Surface Water Limitations

The discharge shall not cause the following in Stover Ditch:

1. **Bacteria.** The fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, to exceed a geometric mean of 200 MPN/100 mL, nor more than 10 percent of the total number of fecal coliform samples taken during any 30-day period to exceed 400 MPN/100 mL.
2. **Biostimulatory Substances.** Water to contain biostimulatory substances which promote aquatic growths in concentrations that cause nuisance or adversely affect beneficial uses.
3. **Chemical Constituents.** Chemical constituents to be present in concentrations that adversely affect beneficial uses.
4. **Color.** Discoloration that causes nuisance or adversely affects beneficial uses.

5. **Dissolved Oxygen:**

- a. The monthly median of the mean daily dissolved oxygen concentration to fall below 85 percent of saturation in the main water mass;
- b. The 95-percentile dissolved oxygen concentration to fall below 75 percent of saturation; nor
- c. The dissolved oxygen concentration to be reduced below 7.0 mg/L at any time.

6. **Floating Material.** Floating material to be present in amounts that cause nuisance or adversely affect beneficial uses.

7. **Oil and Grease.** Oils, greases, waxes, or other materials to be present in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.

8. **pH.** The pH to be depressed below 6.5 nor raised above 8.5.

9. **Pesticides:**

- a. Pesticides to be present, individually or in combination, in concentrations that adversely affect beneficial uses;
- b. Pesticides to be present in bottom sediments or aquatic life in concentrations that adversely affect beneficial uses;
- c. Total identifiable persistent chlorinated hydrocarbon pesticides to be present in the water column at concentrations detectable within the accuracy of analytical methods approved by U.S. EPA or the Executive Officer;
- d. Pesticide concentrations to exceed those allowable by applicable antidegradation policies (see State Water Board Resolution No. 68-16 and 40 CFR section 131.12.);
- e. Pesticide concentrations to exceed the lowest levels technically and economically achievable;
- f. Pesticides to be present in concentration in excess of the maximum contaminant levels (MCL's) <set forth in CCR, Title 22, division 4, chapter 15; nor
- g. Thiobencarb to be present in excess of 1.0 µg/L.

10. Radioactivity:

- a. Radionuclides to be present in concentrations that are harmful to human, plant, animal, or aquatic life nor that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life.
- b. Radionuclides to be present in excess of the MCL's specified in Table 64442 of section 64442 and Table 64443 of section 64443 of Title 22 of the California Code of Regulations.

11. Suspended Sediments. The suspended sediment load and suspended sediment discharge rate of surface waters to be altered in such a manner as to cause nuisance or adversely affect beneficial uses.

12. Settleable Substances. Substances to be present in concentrations that result in the deposition of material that causes nuisance or adversely affects beneficial uses.

13. Suspended Material. Suspended material to be present in concentrations that cause nuisance or adversely affect beneficial uses.

14. Taste and Odors. Taste- or odor-producing substances to be present in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, or that cause nuisance, or otherwise adversely affect beneficial uses.

15. Temperature. The natural temperature to be increased by more than 5° Fahrenheit. Compliance to be determined based on the difference in temperature at Monitoring Locations RSW-002 and RSW-003.

16. Toxicity. Toxic substances to be present, individually or in combination, in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.

17. Turbidity.

- a. Shall not exceed 2 Nephelometric Turbidity Units (NTU) where natural turbidity is less than 1 NTU;
- b. Shall not increase more than 1 NTU where natural turbidity is between 1 and 5 NTUs;
- c. Shall not increase more than 20 percent where natural turbidity is between 5 and 50 NTUs;
- d. Shall not increase more than 10 NTU where natural turbidity is between 50 and 100 NTUs; nor

- e. Shall not increase more than 10 percent where natural turbidity is greater than 100 NTUs.

B. Groundwater Limitations

Release of waste constituents from any storage, treatment, or disposal component associated with the facility, in combination with other sources, shall not cause the underlying groundwater to contain waste constituents greater than background quality or water quality objectives, whichever is greater.

VI. PROVISIONS

A. Standard Provisions

1. The Discharger shall comply with all Standard Provisions included in Attachment D.
2. The Discharger shall comply with the following provisions. In the event that there is any conflict, duplication, or overlap between provisions specified by this Order, the more stringent provision shall apply:
 - a. If the Discharger's wastewater treatment plant is publicly owned or subject to regulation by California Public Utilities Commission, it shall be supervised and operated by persons possessing certificates of appropriate grade according to Title 23, CCR, division 3, chapter 26.
 - b. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:
 - i. violation of any term or condition contained in this Order;
 - ii. obtaining this Order by misrepresentation or by failing to disclose fully all relevant facts;
 - iii. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; and
 - iv. a material change in the character, location, or volume of discharge.

The causes for modification include:

- i. New regulations. New regulations have been promulgated under section 405(d) of the CWA, or the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued.
- ii. Land application plans. When required by a permit condition to incorporate a land application plan for beneficial reuse of sewage sludge, to revise an existing land application plan, or to add a land application plan.

- iii. Change in sludge use or disposal practice. Under 40 CFR section 122.62(a)(1), a change in the Discharger's sludge use or disposal practice is a cause for modification of the permit. It is cause for revocation and reissuance if the Discharger requests or agrees.

The Central Valley Water Board may review and revise this Order at any time upon application of any affected person or the Central Valley Water Board's own motion.

- c. If a toxic effluent standard or prohibition (including any scheduled compliance specified in such effluent standard or prohibition) is established under section 307(a) of the CWA, or amendments thereto, for a toxic pollutant that is present in the discharge authorized herein, and such standard or prohibition is more stringent than any limitation upon such pollutant in this Order, the Central Valley Water Board will revise or modify this Order in accordance with such toxic effluent standard or prohibition.

The Discharger shall comply with effluent standards and prohibitions within the time provided in the regulations that establish those standards or prohibitions, even if this Order has not yet been modified.

- d. This Order shall be modified, or alternately revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the CWA, if the effluent standard or limitation so issued or approved:
 - i. Contains different conditions or is otherwise more stringent than any effluent limitation in the Order; or
 - ii. Controls any pollutant limited in the Order.

The Order, as modified or reissued under this paragraph, shall also contain any other requirements of the CWA then applicable.

- e. The provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.
- f. The Discharger shall take all reasonable steps to minimize any adverse effects to waters of the State or users of those waters resulting from any discharge or sludge use or disposal in violation of this Order. Reasonable steps shall include such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge or sludge use or disposal.
- g. The Discharger shall ensure compliance with any existing or future pretreatment standard promulgated by U.S. EPA under section 307 of the CWA, or amendment thereto, for any discharge to the municipal system.

- h. A copy of this Order shall be maintained at the discharge facility and be available at all times to operating personnel. Key operating personnel shall be familiar with its content.
- i. Safeguard to electric power failure:
 - i. The Discharger shall provide safeguards to assure that, should there be reduction, loss, or failure of electric power, the discharge shall comply with the terms and conditions of this Order.
 - ii. Upon written request by the Central Valley Water Board, the Discharger shall submit a written description of safeguards. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means. A description of the safeguards provided shall include an analysis of the frequency, duration, and impact of power failures experienced over the past 5 years on effluent quality and on the capability of the Discharger to comply with the terms and conditions of the Order. The adequacy of the safeguards is subject to the approval of the Central Valley Water Board.
 - iii. Should the treatment works not include safeguards against reduction, loss, or failure of electric power, or should the Central Valley Water Board not approve the existing safeguards, the Discharger shall, within 90 days of having been advised in writing by the Central Valley Water Board that the existing safeguards are inadequate, provide to the Central Valley Water Board and U.S. EPA a schedule of compliance for providing safeguards such that in the event of reduction, loss, or failure of electric power, the Discharger shall comply with the terms and conditions of this Order. The schedule of compliance shall, upon approval of the Central Valley Water Board, become a condition of this Order.
- j. The Discharger, upon written request of the Central Valley Water Board, shall file with the Board a technical report on its preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. This report may be combined with that required under the Central Valley Water Board Standard Provision contained in section VI.A.2.i of this Order.

The technical report shall:

- i. Identify the possible sources of spills, leaks, untreated waste by-pass, and contaminated drainage. Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks and pipes should be considered.
- ii. Evaluate the effectiveness of present facilities and procedures and state when they became operational.

- iii. Predict the effectiveness of the proposed facilities and procedures and provide an implementation schedule containing interim and final dates when they will be constructed, implemented, or operational.

The Central Valley Water Board, after review of the technical report, may establish conditions which it deems necessary to control accidental discharges and to minimize the effects of such events. Such conditions shall be incorporated as part of this Order, upon notice to the Discharger.

- k. A publicly owned treatment works whose waste flow has been increasing, or is projected to increase, shall estimate when flows will reach hydraulic and treatment capacities of its treatment and disposal facilities. The projections shall be made in January, based on the last 3 years' average dry weather flows, peak wet weather flows and total annual flows, as appropriate. When any projection shows that capacity of any part of the facilities may be exceeded in 4 years, the Discharger shall notify the Central Valley Water Board by 31 January. A copy of the notification shall be sent to appropriate local elected officials, local permitting agencies and the press. Within 120 days of the notification, the Discharger shall submit a technical report showing how it will prevent flow volumes from exceeding capacity or how it will increase capacity to handle the larger flows. The Central Valley Water Board may extend the time for submitting the report.
- l. The Discharger shall submit technical reports as directed by the Executive Officer. All technical reports required herein that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, sections 6735, 7835, and 7835.1. To demonstrate compliance with Title 16, CCR, sections 415 and 3065, all technical reports must contain a statement of the qualifications of the responsible registered professional(s). As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.
- m. The Central Valley Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13385, 13386, and 13387.
- n. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Central Valley Water Board.

To assume operation under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order.

The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, address and telephone number of the persons responsible for contact with the Central Valley Water Board and a statement. The statement shall comply with the signatory and certification requirements in the federal Standard Provisions (Attachment D, section V.B) and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the Water Code. Transfer shall be approved or disapproved in writing by the Executive Officer.

- o. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this facility, may subject the Discharger to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.
- p. In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition, effluent limitation, or receiving water limitation of this Order, the Discharger shall notify the Central Valley Water Board by telephone (530) 224-4845 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Central Valley Water Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe the measures being taken to remedy the current noncompliance and prevent recurrence including, where applicable, a schedule of implementation. Other noncompliance requires written notification as above at the time of the normal monitoring report.

B. Monitoring and Reporting Program (MRP) Requirements

The Discharger shall comply with the MRP, and future revisions thereto, in Attachment E.

C. Special Provisions

1. Reopener Provisions

- a. Conditions that necessitate a major modification of a permit are described in 40 CFR section 122.62, including, but not limited to:
 - i. If new or amended applicable water quality standards are promulgated or approved pursuant to section 303 of the CWA, or amendments thereto, this permit may be reopened and modified in accordance with the new or amended standards.

- ii. When new information, that was not available at the time of permit issuance, would have justified different permit conditions at the time of issuance.
- b. This Order may be reopened for modification, or revocation and reissuance, as a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special conditions may be, but are not limited to, fish tissue sampling, whole effluent toxicity, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in this Order as a result of the special condition monitoring data.
- c. **Water Effects Ratios (WER) and Metal Translators.** A default WER of 1.0 has been used in this Order for calculating criteria for applicable inorganic constituents. In addition, default dissolved-to-total metal translators have been used to convert water quality objectives from dissolved to total recoverable. If the Discharger performs studies to determine site-specific WERs and/or site-specific dissolved-to-total metal translators, this Order may be reopened to modify the effluent limitations for the applicable inorganic constituents.
- d. **Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS).** On 31 May 2018, as part of the CV-SALTS initiative, the Central Valley Water Board Approved Basin Plan Amendments to incorporate new strategies for addressing ongoing salt and nitrate accumulation in the Central Valley. On 16 October 2019 the State Water Board approved the Amendments. If approved by the Office of Administrative Law and U.S. EPA, the Amendments would impose certain new requirements on salt and nitrate discharges. More information regarding these Amendments can be found on the [Central Valley Salinity Alternatives for Long-Term Sustainability \(CV-SALTS\) web page:](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/)
(https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/)

If the Amendments ultimately go into effect, this Order may be amended or modified to incorporate any newly-applicable requirements.
- e. **Stormwater Action Level Study.** If discharge occurs to surface water during the term of this Order, the Discharger is required to complete a storm water action level study to determine appropriate action levels for aldrin, aluminum, copper, iron, lead, manganese, nickel, toluene, and zinc that will ensure compliance with the water quality objectives applicable to the receiving water while not being unnecessarily stringent. The Discharger shall sample the listed constituents at the frequency specified in the Monitoring and Reporting Program in Attachment E.

2. Special Studies, Technical Reports and Additional Monitoring Requirements

- a. **Storm Water Action Levels and Best Management Practice (BMP) Improvement Evaluation.** If the discharge from Discharge Point D-001 exceeds any industrial storm water action level in Table 5 or any receiving water limitation in section V.A, the Discharger must conduct a BMP Improvement Evaluation and implement, if necessary, BMP improvements to reduce the industrial storm water pollutant concentrations below the action level and/or eliminate the receiving water violation. The BMP Improvement Evaluation and proposed BMP improvements must be submitted to the Central Valley Water Board within 60 days of the exceedance or violation date. The BMP improvement(s) must be implemented as soon as practicable thereafter. The Facility Industrial Storm Water Pollution Prevention Plan (SWPPP) shall be updated in response to any implemented BMP improvements, as appropriate.

This Order includes the following storm water action levels:

Table 5. Storm Water Action Levels

Parameters	Units	Instantaneous Maximum Action Level	Annual Action Level
Chemical Oxygen Demand (COD)	mg/L	--	120
Total Suspended Solids	mg/L	400	100
Zinc, Total Recoverable	mg/L	--	0.05

- b. **Stormwater Action Level Study.** If discharge occurs to surface water during the term of this Order, the Discharger is required to complete a storm water action level study to determine appropriate action levels for aldrin, aluminum, copper, iron, lead, manganese, nickel, toluene, and zinc that will ensure compliance with the water quality objectives applicable to the receiving water while not being unnecessarily stringent. The Discharger shall sample the listed constituents at the frequency specified in the Monitoring and Reporting Program in Attachment E.
- c. **Antidegradation Re-evaluation.** As part of an iterative evaluation of compliance with State Water Board Resolution 68-16, the Statement of Policy with Respect to Maintaining High Quality of Waters in California (State Anti-Degradation Policy), the Discharger shall submit an Antidegradation Reevaluation with its Report of Waste Discharge. The Antidegradation Reevaluation must use results of the land discharge and groundwater monitoring to confirm that any groundwater degradation that has occurred as a result of Facility operations has not resulted in any exceedances of applicable groundwater water quality objectives or in any impacts to beneficial uses.

If the data indicate that exceedances of applicable groundwater water quality objectives or impacts to beneficial uses have occurred, the Discharger shall include a work plan (with an implementation schedule) to implement additional treatment or control measures to further limit any impacts from the ponds. Determination of background groundwater quality for use in the analysis shall be made using the methods described in Title 27 California Code of Regulations Section 20415(e)(10) or other method approved by the Executive Officer.

3. Best Management Practices and Pollution Prevention

- a. **Salinity Evaluation and Minimization Plan.** The Discharger shall prepare and implement a salinity evaluation and minimization plan to identify and address sources of salinity discharged from the Facility. The plan shall be completed and submitted to the Central Valley Water Board by the due date in the Technical Reports Table E-12.
- b. **Storm Water Pollution Prevention Plan (SWPPP).**
 - i. This Order requires the Discharger to continue to implement a site-specific SWPPP for the Facility. An updated SWPPP that addresses the necessary BMP's to ensure compliance with the industrial storm water action levels specified in Table 5 shall be submitted to the Central Valley Water Board by 5 December 2020. The SWPPP must include the information needed to demonstrate compliance with all requirements of this Order and shall contain at a minimum, the following elements:
 - (a) Facility name and contact information;
 - (b) Site map;
 - (c) List of significant materials;
 - (d) Description of potential pollution sources;
 - (e) Assessment of potential pollutant sources;
 - (f) Minimum BMP's;
 - (g) Advanced BMP's, if applicable;
 - (h) Monitoring Implementation Plan; and
 - (i) Date that SWPPP was initially prepared and the date of each SWPPP amendment, if applicable.
 - ii. **BMP Summary Table.** The Discharger shall prepare a table, to be included in the SWPPP, summarizing each identified area of industrial

activity, the associated industrial pollutant sources, the industrial pollutants, and the BMP's being implemented.

- iii. **SWPPP Revisions.** The Discharger shall amend the SWPPP whenever there is a change in construction, site operation, or maintenance, which may affect the discharge of significant quantities of pollutants to surface water or groundwater. The SWPPP must also be amended if there are violations of this permit, or the Discharger has not achieved the general objectives of controlling pollutants in the storm water discharges. If the SWPPP has been significantly revised, the revised SWPPP shall be submitted to the Central Valley Water Board for review.
- iv. A copy of the SWPPP shall be maintained at the facility.
- c. **Facility-Specific Best Management Practice (BMP) – First Flush Collection.** Each year, after cessation of log yard sprinkling, the Discharger shall collect the first 2 inches of rainfall (i.e., “first flush” or “commingled log deck sprinkle water and storm water”) from the log deck area and discharge the flush event to Infiltration Ponds 1 through 3. The “first flush” shall not reach surface water. The “first flush” must be collected and discharged to Infiltration Ponds 1 through 3 after any subsequent sprinkling of the logs prior to storm water discharge to surface water. This Facility-specific BMP may be modified by approval of the Executive Officer.

4. Construction, Operation and Maintenance Specifications

- a. Facility Fire Pond, Freshwater (Fergosi) Pond, Stormwater Ponds, and Infiltration Ponds Requirements
 - i. The treatment facilities shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
 - ii. Public contact with wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.
 - iii. Ponds shall be managed to prevent breeding of mosquitoes. In particular,
 - (a) An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface;
 - (b) Weeds shall be minimized; and
 - (c) Dead algae, vegetation, and debris shall not accumulate on the water surface.
 - iv. Freeboard shall never be less than 2 feet (measured vertically to the lowest pond of overflow) except if lesser freeboard does not threaten the

integrity of the pond, no overflow of the pond occurs, and lesser freeboard is due to direct precipitation or storm water runoff occurring as a result of annual precipitation with greater than 100-year recurrence interval, or a storm event with an intensity greater than a 25-year, 24-hour storm event.

- v. Infiltration Ponds 1-3 shall have enough capacity to store the runoff from the log deck resulting from the cumulative total of 2 inches of rainfall measured at the Facility according to section IX.A of the MRP, Attachment E. The cumulative total of 2 inches of rainfall shall commence on the date the sprinkling of the log deck ceases for the wet season.
- vi. Objectionable odors originating at the Facility shall not be perceivable beyond the limits of the wastewater pond areas (or property owned by the Discharger).
- vii. As a means of discerning compliance with section VI.C.4.a.v, above, the dissolved oxygen content in the upper zone (1 foot) of wastewater in ponds shall not be less than 1.0 mg/L.
- vii. Ponds shall not have a pH less than 6.0 or greater than 9.0.
- ix. The discharge shall not cause degradation of any water supply.
- x. Management of wood fuel stockpiles and ash stockpiles shall not adversely affect groundwater quality.

5. Special Provisions for Publicly-Owned Treatment Works (POTWs) – Not Applicable

6. Other Special Provisions

- a. Sludge, Wood Waste, and/or Ash Management
 - i. Collected screenings, sludge, and other solids removed from liquid wastes shall be disposed of in a manner approved by the Executive Officer and consistent with Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste, as set forth in Title 27, California Code of Regulations (CCR), Division 2, Subdivision 1, Section 20005, et seq.
 - ii. **Ash Management Plan.** The Discharger shall continue to implement the current ash plan. The plan shall describe at a minimum:
 - (a) Sources and amount of ash generated annually.
 - (b) Locations(s) of on-site storage and description of containment area.
 - (c) Plans for ultimate disposal. For on-site disposal, include the volume of ash. For off-site disposal, include the volume of ash as well as the

name and location of disposal site. For landfill disposal, include the volume of ash as well as the present classification of the landfill, and the name and location of the landfill.

- iii. Any proposed change in sludge or ash use or disposal practice shall be reported to the Executive Officer at least 30 days in advance of the change.
- iv. Non-hazardous fly ash removed from the facility shall be:
 - (a) Beneficially reused, such as for soil amendment; or
 - (b) Disposed in a dedicated unit consistent with Title 27, Section 20200(b); or
 - (c) Disposed in a Class III landfill consistent with Title 27, Section 20220(d).Any other use shall require approval by the Executive Officer.
- v. This Order does not authorize storage, transportation, or disposal of ash or other wastes characterized as hazardous wastes. Appropriate separate regulatory coverage must be secured for such activities.

7. Compliance Schedules – Not Applicable

VII. COMPLIANCE DETERMINATION

- A. Industrial Storm Water Action Levels (Section VI.C.2.c, Table 5).** The storm water action levels in Table 5 are not effluent limitations on the industrial storm water discharge. An exceedance of an action level does not constitute a violation of this Order. The action levels are the pollutant concentrations above which the Central Valley Water Board has determined represent a level of concern and require further evaluation of the Discharger's SWPPP as it relates to controlling the discharge of the subject pollutant from the Facility. Exceedance of an action level requires the Discharger to conduct a BMP Improvement Evaluation in accordance with section VI.C.2.a.
- B. Dissolved Oxygen Receiving Water Limitation (Section V.A.5.a-c).** Quarterly receiving water monitoring is required in the MRP (Attachment E) and is sufficient to evaluate the impacts of the discharge and compliance with this Order. Quarterly receiving water monitoring data, measured at monitoring locations RSW-002 and RSW-003, will be used to determine compliance with part "c" of the dissolved oxygen receiving water limitation to ensure the discharge does not cause the dissolved oxygen concentrations in Stover Ditch to be reduced below 7.0 mg/L at any time. However, should more frequent dissolved oxygen and temperature receiving water monitoring be conducted, Central Valley Water Board staff may evaluate compliance with parts "a" and "b".

ATTACHMENT A – DEFINITIONS

Arithmetic Mean (μ)

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

$$\text{Arithmetic mean} = \mu = \Sigma x / n$$

where: Σx is the sum of the measured ambient water concentrations, and n 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.

Best Management Practices (BMP's)

Those control measures taken to mitigate changes to both quantity and quality of runoff caused through changes to land use. Specifically, those measures that are required to reduce or prevent pollutants in industrial storm water discharges in compliance with BAT/BCT.

Bioaccumulative

Those substances 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

Pollutants are substances that are known to cause cancer in living organisms.

Coefficient of Variation (CV)

CV is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

Daily Discharge

Daily Discharge is defined as 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 will be considered as the result for the calendar day in which the 24-hour period ends.

Debris

Debris is defined as woody material such as bark, twigs, branches, heartwood or sapwood that will not pass through a 2.54 cm (1.0 in) diameter round opening and is present in the discharge from a wet storage facility.

Detected, but Not Quantified (DNQ)

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

Dilution Credit

Dilution Credit is the 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 through conducting a mixing zone study or modeling of the discharge and receiving water.

Effluent Concentration Allowance (ECA)

ECA is a value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the coefficient of variation for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The ECA has the same meaning as waste load 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 Bays

Enclosed Bays means indentations along the coast that enclose an area of oceanic water within 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.

Endpoint

An effect that is measured in a toxicity study. Endpoints in toxicity tests may include, but are not limited to survival, reproduction, and growth.

Estimated Chemical Concentration

The estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

Estuaries

Estuaries means 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 shall be considered estuaries. Estuarine waters shall be 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 included, 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

The 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

The 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)

The 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

The 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 the $n/2$ and $n/2+1$).

Method Detection Limit (MDL)

MDL is the minimum measured 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)

ML is the concentration at which the entire analytical system must give 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

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

No-Observed-Effect-Concentration (NOEC)

The highest concentration of toxicant to which organisms are exposed in a full life-cycle or partial life-cycle (short-term) test, that causes no observable adverse effects on the test organisms (i.e., the highest concentration of toxicant in which the values for the observed responses are not statistically significantly different from the controls).

Not Detected (ND)

Sample results which are less than the laboratory's MDL.

Ocean Waters

The territorial marine waters of the State as defined by California law to the extent these waters are outside of enclosed bays, estuaries, and coastal lagoons. Discharges to ocean waters are regulated in accordance with the State Water Board's California Ocean Plan.

Percent Effect

The percent effect at the instream waste concentration (IWC) shall be calculated using untransformed data and the following equation:

$$\text{Percent Effect of the Sample} = \frac{\text{Mean Control Response} - \text{Mean Sample Response}}{\text{Mean Control Response}} \cdot 100$$

Persistent Pollutants

Persistent pollutants are substances for which degradation or decomposition in the environment is nonexistent or very slow.

Pollutant Minimization Program (PMP)

PMP means 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 PMP shall be to reduce all potential sources of a priority pollutant(s) 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. The Central Valley Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to Water Code section 13263.3(d), shall be considered to fulfill the PMP requirements.

Pollution Prevention

Pollution Prevention means 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 Resources Control Board (State Water Board) or Central Valley Water Board.

Process Wastewater

Process wastewater shall include log yard sprinkling water and “first flush” industrial storm water from the log yard. The first flush is defined as the first 2 inches of rainfall from the log yard after the time log yard sprinkling with pond water has ceased. The “first flush” collection may occur more than once in a wet season if the Discharger intermittently sprinkles logs with pond water during the wet season. Attachment B.2 includes a site plan that identifies the log yard industrial storm water area (areas A and B).

Satellite Collection System

The portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility that a sanitary sewer system is tributary to.

Source of Drinking Water

Any water designated as municipal or domestic supply (MUN) in a Central Valley Water Board Basin Plan.

Standard Deviation (σ)

Standard Deviation is a measure of variability that is 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.

Storm Water

Industrial Storm Water runoff from the site originates from an approximately 40-acre log yard area (Attachment B.2, areas A and B) while General Industrial Storm Water originates from the remaining areas of the Facility (Attachment B.2, areas C through I). The site plan in Attachment B.2 delineates these areas and is defined as follows:

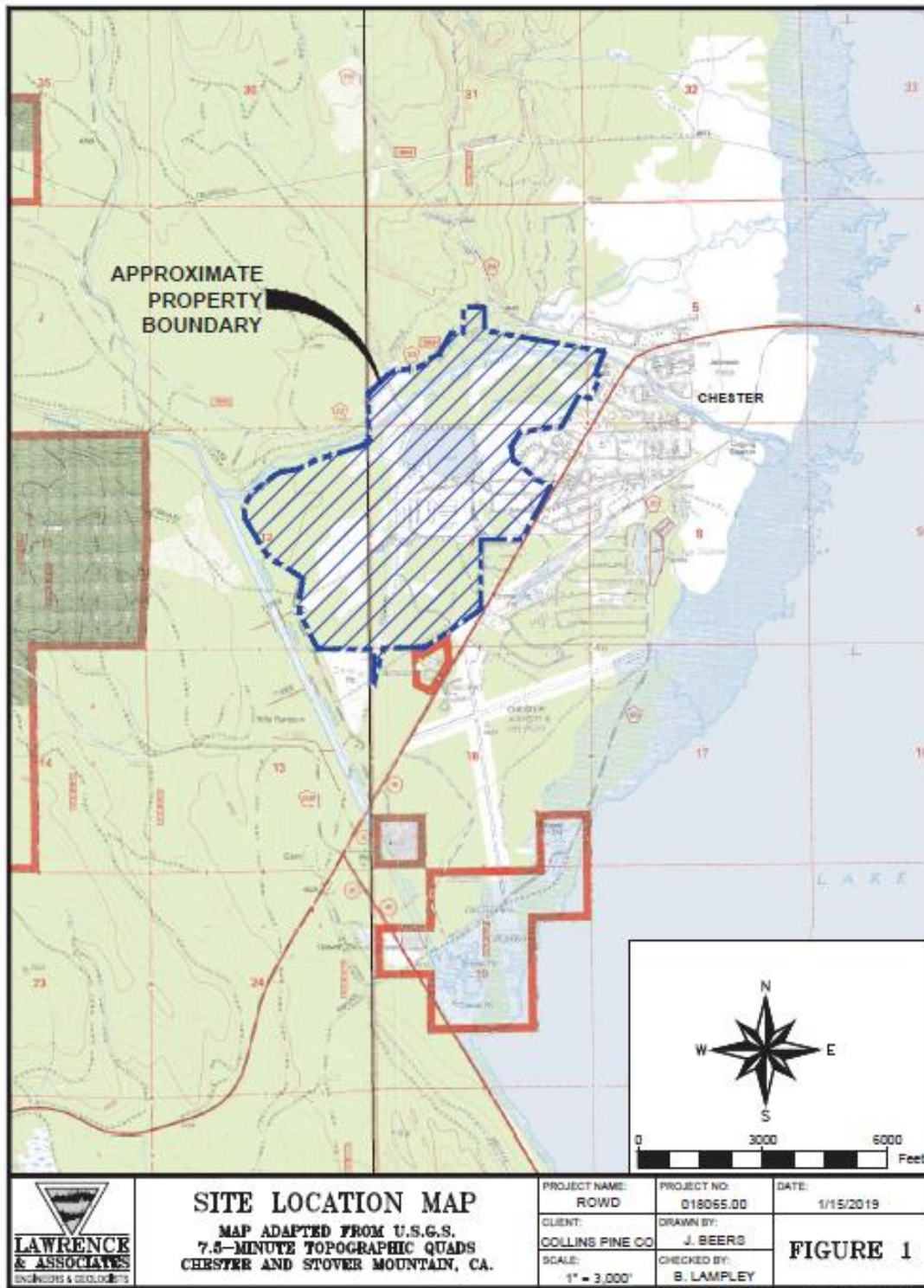
Industrial Storm Water. Industrial storm water from the log deck is regulated by this Order and is defined as storm water runoff from the approximately 40-acre log yard area after the “first flush” storm water is collected. The “first flush” is defined as the first 2 inches of rainfall from the log yard area after the time log yard sprinkling with pond water has ceased. The “first flush” collection may occur more than once in a wet season if the Discharger intermittently sprinkles logs with pond water during the wet season.

General Industrial Storm Water. This Order does not regulate discharges of general industrial storm water from the remaining areas (entire Facility excluding the log deck) of the Facility. All storm water runoff from the remaining areas of the Facility is discharged to infiltration galleries via two outfalls (i.e., SW-1 and SW-2) under the State Water Resources Control Board (State Water Board) Water Quality Order No. 2014-0057-DWQ, NPDES General Permit No. CAS000001.

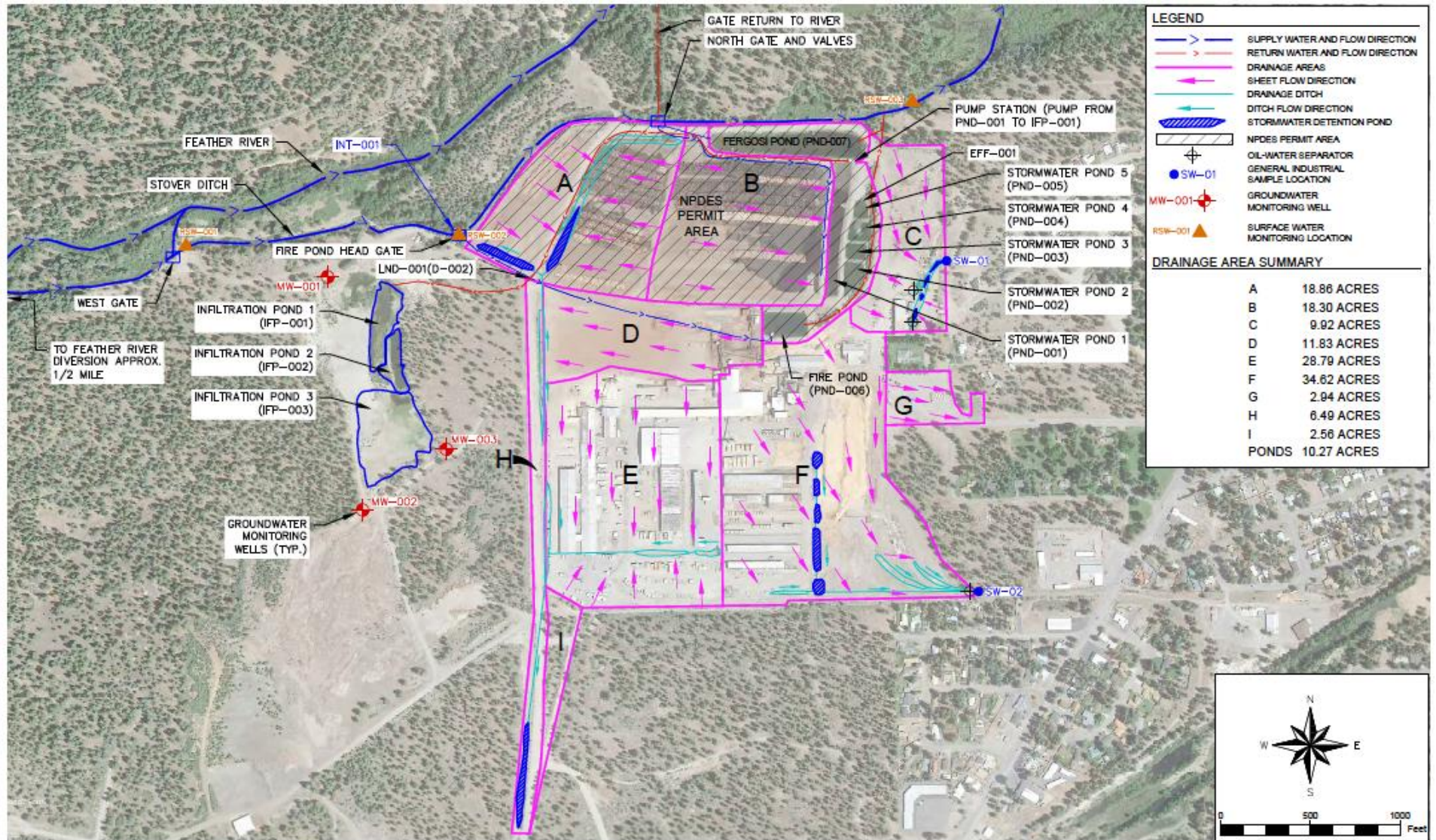
Toxicity Reduction Evaluation (TRE)

TRE is a study conducted in a stepwise 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 chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)

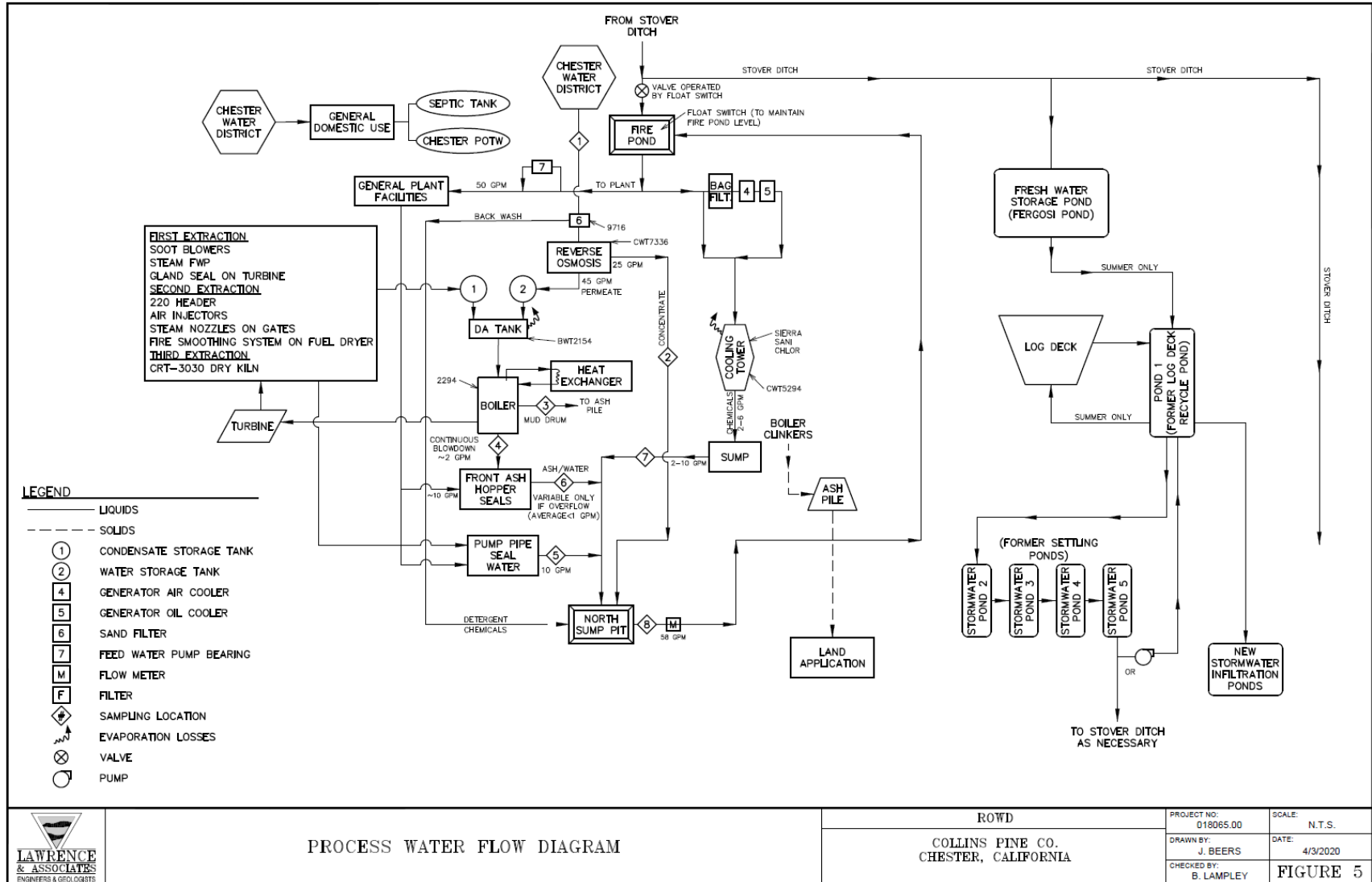
ATTACHMENT B – MAP



ATTACHMENT B.2 – SITE PLAN



ATTACHMENT C – FLOW SCHEMATIC



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; permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof. (40 C.F.R. section 122.41(a); Wat. Code, sections 13261, 13263, 13265, 13268, 13000, 13001, 13304, 13350, 13385.)
2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA 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. section 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. section 122.41(c).)

C. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 C.F.R. section 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 having 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. section 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. section 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. section 122.5(c).)

F. Inspection and Entry

The Discharger shall allow the Central Valley 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. section 1318(a)(4)(B); 40 C.F.R. section 122.41(i); Wat. Code, section 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 section 1318(a)(4)(B)(ii); 40 C.F.R. section 122.41(i)(1); Wat. Code, sections 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. section 1318(a)(4)(B)(ii); 40 C.F.R. section 122.41(i)(2); Wat. Code, sections 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 section 1318(a)(4)(B)(ii); 40 C.F.R. section 122.41(i)(3); Wat. Code, section 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 section 1318(a)(4)(B); 40 C.F.R. section 122.41(i)(4); Wat. Code, sections 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. section 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. section 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. section 122.41(m)(2).)
3. Prohibition of bypass. Bypass is prohibited, and the Central Valley Water Board may take enforcement action against a Discharger for bypass, unless (40 C.F.R. section 122.41(m)(4)(i)):
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 C.F.R. section 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. section 122.41(m)(4)(i)(B)); and
 - c. The Discharger submitted notice to the Central Valley Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. (40 C.F.R. section 122.41(m)(4)(i)(C).)
 4. The Central Valley Water Board may approve an anticipated bypass, after considering its adverse effects, if the Central Valley Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above. (40 C.F.R. section 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 Central Valley Water Board. As of 21 December 2023, all notices shall be submitted electronically to the initial recipient (State Water Board’s California Integrated Water Quality System (CIWQS) Program website - http://www.waterboards.ca.gov/water_issues/programs/ciwqs/), defined in Standard Provisions – Reporting V.J below. Notices shall comply with 40 C.F.R. Part 3, section 122.22, and 40 C.F.R. Part 127. (40 C.F.R. section 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 Central Valley Water Board. As of 21 December 2023, all notices shall be submitted electronically to the initial recipient (State Water Board’s California Integrated Water Quality System (CIWQS) Program website - http://www.waterboards.ca.gov/water_issues/programs/ciwqs/), defined in Standard Provisions – Reporting V.J below. Notices shall comply with 40

C.F.R. Part 3, section 122.22, and 40 C.F.R. Part 127. (40 C.F.R. section 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. section 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. section 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. section 122.41(n)(3)):
 - a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 C.F.R. section 122.41(n)(3)(i));
 - b. The permitted facility was, at the time, being properly operated (40 C.F.R. section 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. section 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. section 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. section 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. section 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. section 122.41(b).)

C. Transfers

This Order is not transferable to any person except after notice to the Central Valley Water Board. The Central Valley 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. section 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. section 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. subchapters N or O. 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 as required under 40 C.F.R. chapter 1, subchapter N or O. For the purposes of this paragraph, a method is sufficiently sensitive when 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 or O for the measured pollutant or pollutant parameter, or when:
1. The method minimum level (ML) is at or below the level of the most stringent effluent limitation established in the permit for the measured pollutant or pollutant parameter, and:
 - a. The method ML is at or below the level of the most stringent 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 the facility's discharge is high enough that the method detects and quantifies the level of the pollutant or pollutant parameter in the discharge;

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, subchapters N or O, monitoring must be conducted according to a test procedure specified in this Order for such pollutants or pollutant parameters. (40 C.F.R. sections 122.21(e)(3), 122.41(j)(4); 122.44(i)(1)(iv).)

IV. STANDARD PROVISIONS – RECORDS

- A.** Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 C.F.R. part 503), 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 Central Valley Water Board Executive Officer at any time. (40 C.F.R. section 122.41(j)(2).)
- B.** Records of monitoring information shall include:
1. The date, exact place, and time of sampling or measurements (40 C.F.R. section 122.41(j)(3)(i));
 2. The individual(s) who performed the sampling or measurements (40 C.F.R. section 122.41(j)(3)(ii));
 3. The date(s) analyses were performed (40 C.F.R. section 122.41(j)(3)(iii));
 4. The individual(s) who performed the analyses (40 C.F.R. section 122.41(j)(3)(iv));
 5. The analytical techniques or methods used (40 C.F.R. section 122.41(j)(3)(v)); and
 6. The results of such analyses. (40 C.F.R. section 122.41(j)(3)(vi).)
- C.** Claims of confidentiality for the following information will be denied (40 C.F.R. section 122.7(b)):
1. The name and address of any permit applicant or Discharger (40 C.F.R. section 122.7(b)(1)); and
 2. Permit applications and attachments, permits and effluent data. (40 C.F.R. section 122.7(b)(2).)

V. STANDARD PROVISIONS – REPORTING

A. Duty to Provide Information

The Discharger shall furnish to the Central Valley Water Board, State Water Board, or U.S. EPA within a reasonable time, any information which the Central Valley 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 Central Valley Water Board, State Water Board, or U.S. EPA copies of

records required to be kept by this Order. (40 C.F.R. section 122.41(h); Wat. Code, sections 13267, 13383.)

B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Central Valley 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. section 122.41(k).)
2. 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. section 122.22(a)(1).)
3. All reports required by this Order and other information requested by the Central Valley 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. section 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. section 122.22(b)(2)); and
 - c. The written authorization is submitted to the Central Valley Water Board and State Water Board. (40 C.F.R. section 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 Central Valley 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. section 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. section 122.22(d).)
6. Any person providing the electronic signature for such documents described in Standard Provision – 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 of the 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 section 122.22(e).)

C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. (40 C.F.R. section 122.41(l)(4).)
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Central Valley Water Board or State Water Board for reporting the results of monitoring, sludge use, or disposal practices. As of 21 December 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, section 122.22, and 40 C.F.R. part 127. (40 C.F.R. section 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. 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 Central Valley Water Board. (40 C.F.R. section 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. section 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. section 122.41(l)(5).)

E. Twenty-Four Hour Reporting

1. The Discharger shall report any noncompliance which 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 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 events 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 (combined sewer overflows, sanitary sewer overflows, or bypass events), type of sewer overflow structure (e.g., manhole, combined sewer overflow outfall), discharge volumes untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the sewer overflow event, and whether the noncompliance was related to wet weather.

As of 21 December 2020 all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events must be submitted electronically to the initial recipient (State Water Board) defined in Standard Provisions – Reporting V.J. The reports shall comply with 40 C.F.R. part 3. They 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. section 122.41(l)(6)(i).)

F. Planned Changes

The Discharger shall give notice to the Central Valley 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. section 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 section 122.29(b) (40 C.F.R. section 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. (40 C.F.R. section 122.41(l)(1)(ii).)
3. The alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. (40 C.F.R. section 122.41(l)(1)(iii).)

G. Anticipated Noncompliance

The Discharger shall give advance notice to the Central Valley 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. section 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 events 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 Central Valley 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. section 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 Central Valley Water Board, State Water Board, or U.S. EPA, the Discharger shall promptly submit such facts or information. (40 C.F.R. section 122.41(l)(8).)

J. Initial Recipient for Electronic Reporting Data

The owner, operator, or the duly authorized representative is required to electronically submit NPDES information specified in appendix A to 40 C.F.R. part 127 to the appropriate initial recipient, as determined by U.S. EPA, and as 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. section 127.2(c)]. U.S. EPA will update and maintain this listing. (40 C.F.R. section 122.41(l)(9).)

VI. STANDARD PROVISIONS – ENFORCEMENT

- A.** The Central Valley Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13350, 13385, 13386, and 13387.

VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

A. Non-Municipal Facilities

Existing manufacturing, commercial, mining, and silvicultural Dischargers shall notify the Central Valley Water Board as soon as they know or have reason to believe (40 C.F.R. section 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. section 122.42(a)(1)):
 - a. 100 micrograms per liter ($\mu\text{g/L}$) (40 C.F.R. section 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. section 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. section 122.42(a)(1)(iii)); or
 - d. The level established by the Central Valley Water Board in accordance with section 122.44(f). (40 C.F.R. section 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. section 122.42(a)(2)):
 - a. 500 micrograms per liter ($\mu\text{g/L}$) (40 C.F.R. section 122.42(a)(2)(i));
 - b. 1 milligram per liter (mg/L) for antimony (40 C.F.R. section 122.42(a)(2)(ii));
 - c. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 C.F.R. section 122.42(a)(2)(iii)); or
 - d. The level established by the Central Valley Water Board in accordance with section 122.44(f). (40 C.F.R. section 122.42(a)(2)(iv).)

ATTACHMENT E – MONITORING AND REPORTING PROGRAM

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

The Code of Federal Regulations (40 C.F.R. section 122.48) requires that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Central Valley Water Board to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements that implement federal and California regulations.

I. GENERAL MONITORING PROVISIONS

- A.** Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring locations specified below and, unless otherwise specified, before the monitored flow joins or is diluted by any other waste stream, body of water, or substance. Monitoring locations shall not be changed without notification to and the approval of the Central Valley Water Board.
- B.** Final effluent samples shall be taken downstream of the last addition of wastes to the treatment or discharge works where a representative sample may be obtained prior to mixing with the receiving waters. Samples shall be collected at such a point and in such a manner to ensure a representative sample of the discharge.
- C.** Chemical, bacteriological, and bioassay analyses of any material required by this Order shall be conducted by a laboratory accredited for such analyses by the State Water Resources Control Board (State Water Board), Division of Drinking Water (DDW), in accordance with the provision of Water Code section 13176. Laboratories that perform sample analyses must be identified in all monitoring reports submitted to the Central Valley Water Board. Data generated from field measurements such as pH, dissolved oxygen (DO), electrical conductivity, turbidity, temperature, and residual chlorine are exempt pursuant to Water Code Section 13176. A manual containing the steps followed in this program for any onsite field measurements such as pH, DO, EC, turbidity, temperature, and residual chlorine must be kept onsite in the treatment facility laboratory and shall be available for inspection by Central Valley Water Board staff. The Discharger must demonstrate sufficient capability (qualified and trained employees, properly calibrated and maintained field instruments, etc.) to adequately perform these field measurements. The Quality Assurance-Quality Control Program must conform to U.S. EPA guidelines or to procedures approved by the Central Valley Water Board.
- D.** Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary, at least yearly, to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices.

- E.** Monitoring results, including noncompliance, shall be reported at intervals and in a manner specified in this Monitoring and Reporting Program.
- F.** Laboratory analytical methods shall be sufficiently sensitive in accordance with the Sufficiently Sensitive Methods Rule (SSM Rule) specified under 40 C.F.R. 122.21(e)(3) and 122.44(i)(1)(iv). A U.S. EPA-approved analytical method is sufficiently sensitive for a pollutant/parameter where:

 - 1. The method minimum level (ML) is at or below the applicable water quality objective for the receiving water, or;
 - 2. The method ML is above the applicable water quality objective for the receiving water but the amount of the pollutant/parameter in the discharge is high enough that the method detects and quantifies the level of pollutant/parameter, or;
 - 3. The method ML is above the applicable water quality objective for the receiving water, but the ML is the lowest of the 40 C.F.R 136 U.S. EPA-approved analytical methods for the pollutant/parameter.
- G.** The Discharger shall ensure that the results of the Discharge Monitoring Report-Quality Assurance (DMR-QA) Study or the most recent Water Pollution Performance Evaluation Study are submitted annually to the State Water Resources Control 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
- H.** The Discharger shall file with the Central Valley Water Board technical reports on self-monitoring performed according to the detailed specifications contained in this Monitoring and Reporting Program.
- I.** The results of all monitoring required by this Order shall be reported to the Central Valley Water Board, and shall be submitted in such a format as to allow direct comparison with the limitations and requirements of this Order. Unless otherwise specified, discharge flows shall be reported in terms of the monthly average and the daily maximum discharge flows.

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 Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
D-001	EFF-001	Discharge point from Stormwater Pond 5 Latitude: 40° 18' 24" N, Longitude: 121° 14' 31" W
D-002	LND-001	Discharge Point into Infiltration Pond 1
--	RSW-001	Upstream Surface Water Monitoring in Stover Ditch near West Gate
--	RSW-002	Intake water at Fire pond head gate
--	RSW-003	Downstream Surface Water Monitoring in Stover Ditch
--	MW-001	Groundwater Monitoring Well 1 Latitude: 40° 18' 16.36" N, Longitude: 121° 15' 10.20" W
--	MW-002	Groundwater Monitoring Well 2 Latitude: 40° 18' 3.50" N, Longitude: 121° 15' 7.82" W
--	MW-003	Groundwater Monitoring Well 3 Latitude: 40° 18' 6.80" N, Longitude: 121° 15' 1.76" W
--	PND-001	Stormwater Pond 1
--	PND-002	Stormwater Pond 2
--	PND-003	Stormwater Pond 3
--	PND-004	Stormwater Pond 4
--	PND-005	Stormwater Pond 5
--	IFP-001	Infiltration Pond 1
--	IFP-002	Infiltration Pond 2
--	IFP-003	Infiltration Pond 3
--	PND-006	Fire Pond
--	PND-007	Fergosi (Freshwater) Pond

The North latitude and West longitude information in Table E-1 are approximate for administrative purposes.

III. INFLUENT MONITORING REQUIREMENTS – NOT APPLICABLE

IV. EFFLUENT MONITORING REQUIREMENTS

A. Monitoring Location EFF-001

1. The Discharger shall monitor industrial storm water, as defined in Attachment A, at Monitoring Location **EFF-001** when discharges to Stover Ditch occur from Stormwater Pond 5 at discharge point D-001 as follows. If more than one analytical test method is listed for a given parameter, the Discharger must select from the listed methods and corresponding Minimum Level:

Table E-2. Effluent Monitoring-Monitoring Location EFF-001

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Flow	MGD	Meter	1/Day	--

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
pH	Standard Units	Grab	1/Week	b
Total Dissolved Solids	mg/L	Grab	1/Week	--
Settleable Solids	ml/L	Grab	1/Week	--
Dissolved Oxygen	mg/L	Grab	1/Week	b
Temperature	°C, °F	Grab	1/Week	b
Turbidity	NTU	Grab	1/Week	--
Dissolved Organic Carbon	mg/L	Grab	1/Month	--
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/Month	b
Hardness, Total (as CaCO ₃)	mg/L	Grab	1/Month	e
Total Suspended Solids	mg/L	Grab	1/Month	--
Chemical Oxygen Demand	mg/L	Grab	1/Month	--
Tannins and Lignins	mg/L	Grab	1/Month	--
Metals, Total Recoverable	µg/L	Grab	1/Month	e, f, h, i
Metals, Dissolved	µg/L	Grab	1/Month	e, f, h, i
Aldrin	µg/L	Grab	1/Year	--
Toluene	µg/L	Grab	1/Year	--
General Minerals	mg/L	Grab	1/Year	j
Oil and Grease	mg/L	Grab	2/Year	--
Acute Toxicity	TU _a	Grab	2/Year	d, See Section V
Priority Pollutants and Other Constituents of Concern	See Section IX.C	See Section IX.C	See Section IX.C	c, f

2. **Table E-2 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-2:
- a. **Applicable to all parameters.** Pollutants shall be analyzed using the analytical methods described in 40 CFR part 136 or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.
 - b. A hand-held field meter may be used for **dissolved oxygen, electrical conductivity, temperature** and **pH**, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.

- c. **Priority Pollutants.** For priority pollutant constituents the reporting level shall be consistent with Sections 2.4.2 and 2.4.3 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California.
- d. **Whole Effluent Toxicity.** Ammonia samples shall be collected concurrently with whole effluent toxicity monitoring. Samples shall be collected during the first 24-hours of the first discharge after the dry season and once thereafter during the wet season.
- e. **Hardness** samples shall be collected concurrently with metals samples.
- f. **Aluminum.** Compliance with the NALs for aluminum can be demonstrated using either total or acid-soluble (inductively coupled plasma/atomic emission spectrometry or inductively coupled plasma/mass spectrometry) analysis methods, as supported by U.S. EPA's Ambient Water Quality Criteria for Aluminum document (EPA 440/5-86-008), or other standard methods that exclude aluminum silicate particles as approved by the Executive Officer.
- g. **Applicable to all parameters.** If the discharge is intermittent rather than continuous, then on the first day of each such intermittent discharge, the Discharger shall monitor and record for all of the constituents listed above, after which the frequencies of analysis given in the schedule shall apply for the duration of each such intermittent discharge. In no event shall the Discharger be required to monitor and record data more often than twice the frequencies listed in the schedule.
- h. **Metals.** Metals shall include, at a minimum, the following: Aluminum, Antimony, Arsenic, Barium, Beryllium, Cadmium, Chromium (Total and Hexavalent), Cobalt, Copper, Iron, Lead, Manganese, Mercury, Molybdenum, Nickel, Selenium, Silver, Thallium, Vanadium, and Zinc.
- i. **Filtered Metals.** Aluminum, Iron, and Manganese samples shall be filtered using a 1.5-micron filter prior to analysis (filter size recommended in EPA Approved Methods 30 CFR Part 136 for Total Dissolved Solids and Total Suspended Solids) so that the analytical result better represents the dissolved solids that may pass through a water treatment plant's filtration system.
- j. **General Minerals.** General Minerals shall include, at a minimum, the following elements/compounds: Total Alkalinity (including alkalinity series), Boron, Calcium, Chloride, Hardness, Iron, Magnesium, Manganese, Nitrate-Nitrogen, Potassium, Sodium, and Sulfate.

V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

- A. Acute Toxicity Testing.** The Discharger shall conduct acute toxicity testing to determine whether the effluent is contributing acute toxicity to the receiving water. The Discharger shall meet the acute toxicity testing requirement:
1. **Monitoring Frequency** – The Discharger shall perform semi-annual acute toxicity testing.
 2. **Sample Types** – The Discharger may use flow-through or static renewal testing. For static renewal testing, the samples shall be grab samples and shall be representative of the volume and quality of the discharge. The storm water effluent samples shall be taken from EFF-001.
 3. **Test Species** – Test species shall be rainbow trout (*Oncorhynchus mykiss*).
 4. **Methods** – The acute toxicity testing samples shall be analyzed using EPA-821-R-02-012, Fifth Edition. Temperature, total residual chlorine, and pH shall be recorded at the time of sample collection. No pH adjustment may be made unless approved by the Executive Officer.
- B. WET Testing Notification Requirements.** The Discharger shall notify the Central Valley Water Board within 24-hours after the receipt of test results indicating an exceedance of the acute toxicity effluent limitation.
- C. WET Testing Reporting Requirements.** All toxicity test reports shall include the contracting laboratory's complete report provided to the Discharger and shall be in accordance with the appropriate "Report Preparation and Test Review" sections of the method manuals. At a minimum, whole effluent toxicity monitoring shall be reported as follows:
1. Acute WET Reporting. Acute toxicity test results shall be submitted with the monthly discharger self-monitoring reports and reported as percent survival.
 2. Quality Assurance (QA). The Discharger must provide the following information for QA purposes:
 - a. Results of the applicable reference toxicant data with the statistical output page giving the species, NOEC, LOEC, type of toxicant, dilution water used, concentrations used, PMSD, and dates tested.
 - b. The reference toxicant control charts for each endpoint, which include summaries of reference toxicant tests performed by the contracting laboratory.
 - c. Any information on deviations or problems encountered and how they were dealt with.

VI. LAND DISCHARGE MONITORING REQUIREMENTS

A. Monitoring Location LND-001

1. The Discharger shall monitor discharge to Stormwater Pond 1 at Monitoring Location LND-001 when discharging to Infiltration Pond 1 at discharge point D-002 in accordance with Table E-3 and the testing requirements described in section VI.A.1 below:

Table E-3 Land Discharge Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
pH	standard units	Grab	1/Week	b
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/Week	b
Dissolved Oxygen	mg/L	Grab	1/Week	b
Hardness, Total (as CaCO3)	mg/L	Grab	1/Quarter	--
Total Dissolved Solids	mg/L	Grab	1/Quarter	--
Chemical Oxygen Demand	mg/L	Grab	1/Quarter	--
Oil & Grease	mg/L	Grab	1/Quarter	--
Tannins & Lignins	mg/L	Grab	1/Quarter	--
Metals, Total Recoverable	µg/L	Grab	1/Quarter	c, d, e, f
Metals, Dissolved	µg/L	Grab	1/Quarter	c, d, e, f
Aldrin	µg/L	Grab	1/Quarter	--
Toluene	µg/L	Grab	1/Quarter	--
General Minerals	mg/L	Grab	1/Quarter	g

2. **Table E-3 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-3:
 - a. **Applicable to all parameters.** Pollutants shall be analyzed using the analytical methods described in 40 CFR part 136 or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.
 - b. A hand-held field meter may be used for **dissolved oxygen, electrical conductivity, and pH**, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.
 - c. **Hardness** samples shall be collected concurrently with metals samples.

- d. **Aluminum.** Monitoring for aluminum can be completed using either total or acid-soluble (inductively coupled plasma/atomic emission spectrometry or inductively coupled plasma/mass spectrometry) analysis methods, as supported by U.S. EPA’s Ambient Water Quality Criteria for Aluminum document (EPA 440/5-86-008), or other standard methods that exclude aluminum silicate particles as approved by the Executive Officer.
- e. **Metals.** Metals shall include, at a minimum, the following: Aluminum, Antimony, Arsenic, Barium, Beryllium, Cadmium, Chromium (Total and Hexavalent), Cobalt, Copper, Iron, Lead, Manganese, Mercury, Molybdenum, Nickel, Selenium, Silver, Thallium, Vanadium, and Zinc.
- f. **Filtered Metals.** Aluminum, Iron, and Manganese samples shall be filtered using a 1.5-micron filter prior to analysis (filter size recommended in EPA Approved Methods 30 CFR Part 136 for Total Dissolved Solids and Total Suspended Solids) so that the analytical result better represents the dissolved solids that may pass through a water treatment plant’s filtration system.
- g. **General Minerals.** General Minerals shall include, at a minimum, the following elements/compounds: Total Alkalinity (including alkalinity series), Boron, Calcium, Chloride, Hardness, Iron, Magnesium, Manganese, Nitrate-Nitrogen, Potassium, Sodium, and Sulfate.

B. Monitoring Locations PND-001, PND-002, PND-003, PND-004, PND-005, IFP-001, IFP-002, and IFP-003

- 1. The Discharger shall monitor Stormwater Pond 1, Stormwater Pond 2, Stormwater Pond 3, Stormwater Pond 4, Stormwater Pond 5, Infiltration Pond 1, Infiltration Pond 2, and Infiltration Pond 3 at Monitoring Locations PND-001, PND-002, PND-003, PND-004, PND-005, IFP-001, IFP-002, and IFP-003 as follows:

Table E-4 Pond Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Freeboard	Feet	Visual	1/Week	--
pH	standard units	Grab	1/Quarter	b
Dissolved Oxygen	mg/L	Grab	1/Quarter	b
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/Quarter	b
Settled Matter Depth	Feet, inches	Measured	1/Permit Term	--

2. **Table E-4 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-4:
 - a. **Applicable to all parameters.** Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. part 136 or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 C.F.R part 136 allowed sample type.
 - b. A hand-held field meter may be used for **dissolved oxygen, electrical conductivity, and pH**, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.

C. Monitoring Locations PND-006 and PND-007

1. The Discharger shall monitor the Fire Pond and the Fergosi Pond at Monitoring Locations PND-006 and PND-007 as follows:

Table E-5 Pond Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Freeboard	Feet	Visual	1/Week	--

VII. RECYCLING MONITORING REQUIREMENTS -- NOT APPLICABLE

VIII. RECEIVING WATER MONITORING REQUIREMENTS

A. Monitoring Location RSW-001, RSW-002, and RSW-003

1. The Discharger shall monitor Stover Ditch at Monitoring Locations RSW-001, RSW-002, and RSW-003 as follows:

Table E-6 Receiving Water Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Visual Observations	N/A	Visual	1/Quarter	--
Flow	cfs	Visual	1/Quarter	--
pH	standard units	Grab	1/Quarter	c
Dissolved Oxygen	mg/L	Grab	1/Quarter	c
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/Quarter	c
Turbidity	NTU	Grab	1/Quarter	--

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Visual Observations	N/A	Visual	1/Quarter	--
Hardness, Total (as CaCO ₃)	mg/L	Grab	1/Quarter	e
Temperature	°C, °F	Grab	1/Quarter	c
Metals, Total Recoverable	µg/L	Grab	1/Quarter	e, f, g, h
Metals, Dissolved	µg/L	Grab	1/Quarter	e, f, g, h
Aldrin	µg/L	Grab	1/Quarter	--
Toluene	µg/L	Grab	1/Quarter	--
Priority Pollutants and Other Constituents of Concern	various	See Section IX.C	1/Permit Term	d, f

2. **Table E-6 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-5:
- a. **Applicable to all parameters.** Samples shall be collected during the first 24 hours from the first discharge after the dry season during daytime business hours and according to the sampling frequency in Table E-6 thereafter. Receiving water sampling shall be concurrent with effluent (storm water) sampling, when applicable.
 - b. **Applicable to all parameters.** Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. part 136 or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 C.F.R part 136 allowed sample type
 - c. A hand-held field meter may be used for **dissolved oxygen, electrical conductivity, pH and temperature**, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.
 - d. **Priority Pollutants.** For priority pollutant constituents the reporting level shall be consistent with Sections 2.4.2 and 2.4.3 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California.
 - e. **Hardness** samples shall be collected concurrently with metals samples.
 - f. **Aluminum.** Monitoring for aluminum can be completed using either total or acid-soluble (inductively coupled plasma/atomic emission spectrometry or inductively coupled plasma/mass spectrometry) analysis methods, as

supported by U.S. EPA's Ambient Water Quality Criteria for Aluminum document (EPA 440/5-86-008), or other standard methods that exclude aluminum silicate particles as approved by the Executive Officer.

- g. **Metals.** Metals shall include, at a minimum, the following: Aluminum, Antimony, Arsenic, Barium, Beryllium, Cadmium, Chromium (Total and Hexavalent), Cobalt, Copper, Iron, Lead, Manganese, Mercury, Molybdenum, Nickel, Selenium, Silver, Thallium, Vanadium, and Zinc.
 - h. **Filtered Metals.** Aluminum, Iron, and Manganese samples shall be filtered using a 1.5-micron filter prior to analysis (filter size recommended in EPA Approved Methods 30 CFR Part 136 for Total Dissolved Solids and Total Suspended Solids) so that the analytical result better represents the dissolved solids that may pass through a water treatment plant's filtration system.
3. In conducting the receiving water sampling, a log shall be kept of the receiving water conditions throughout the reach bounded by RSW-001 and RSW-003 when discharging to Stover Ditch. Attention shall be given to the presence of:
- a. Floating or suspended matter;
 - b. Discoloration;
 - c. Bottom deposits;
 - d. Aquatic life;
 - e. Visible films, sheens, or coatings;
 - f. Fungi, slimes, or objectionable growths; and
 - g. Potential nuisance conditions.

Notes on receiving water conditions shall be summarized in the monitoring report.

B. Monitoring Locations MW-001, MW-002, and MW-003

1. Prior to construction and/or beginning a sampling program of any new groundwater monitoring wells, the Discharger shall submit plans and specifications to the Central Valley Water Board for approval. Once installed, all new wells shall be added to the monitoring network (which currently consists of Monitoring Wells MW-1, MW-2, and MW-3 and shall be sampled and analyzed according to the schedule below. All samples shall be collected using approved EPA methods. Water table elevations shall be calculated to determine groundwater gradient and direction of flow.
2. The methods of analysis and the detection limits used must be appropriate for the expected concentrations. For the monitoring of any constituent or parameter

that is found in concentrations which produce more than 90% non-numerical determinations (i.e., “trace” or “ND”) in data from background monitoring points for that medium, the analytical method having the lowest method detection limit (MDL) shall be selected from among those methods which would provide valid results in light of any matrix effects or interferences.

3. Prior to purging or sampling, the groundwater depth shall be measured in each well to the nearest 0.01 feet. Groundwater elevations shall then be calculated to determine groundwater gradient and flow direction. The wells shall be purged of at least three well volumes until temperature, pH, and electrical conductivity have stabilized. Groundwater monitoring at MW-1, MW-2, and MW-3, and any new groundwater monitoring wells shall include, at a minimum, the following:

Table E-7 Groundwater Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Depth to Groundwater	±0.01 feet	Measurement	1/Quarter	a
Groundwater Elevation	±0.01 feet	Calculate	1/Quarter	b
Gradient	feet/feet	Calculate	1/Quarter	b
Gradient Direction	degrees	Calculate	1/Quarter	b
pH	Standard Units	Grab	1/Quarter	d
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/Quarter	d
Temperature	°C, °F	Grab	1/Quarter	d
Turbidity	mg/L	Grab	1/Quarter	--
Total Dissolved Solids	mg/L	Grab	1/Quarter	--
Chemical Oxygen Demand	mg/L	Grab	1/Quarter	--
Tannins & Lignins	mg/L	Grab	1/Quarter	--
Metals, Total Recoverable	µg/L	Grab	1/Quarter	e, f, g, h
Metals, Dissolved	µg/L	Grab	1/Quarter	e, f, g, h
Aldrin	µg/L	Grab	1/Quarter	j
Toluene	µg/L	Grab	1/Quarter	j
General Minerals	mg/L	Grab	1/Quarter	i
Fixed Dissolved Solids	mg/L	Grab	1/Quarter	--
Nitrate Nitrogen, Total (as N)	mg/L	Grab	1/Quarter	--
Nitrite Nitrogen, Total (as N)	mg/L	Grab	1/Quarter	--

2. **Table E-7 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-6:

- a. **Prior to sampling**, the groundwater elevations shall be measured, and the wells shall be purged of at least three well volumes until temperature, pH, and electrical conductivity have stabilized. Depth to groundwater shall be measured to the nearest 0.01 feet.
- b. **Groundwater elevation** shall be determined based on depth-to-water measurements from a surveyed measuring point elevation on the well. The groundwater elevation shall be used to calculate the direction and gradient of groundwater flow, which must be reported.
- c. **Applicable to all parameters.** Pollutants shall be analyzed using the analytical methods described in 40 CFR part 136 or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.
- d. A hand-held field meter may be used for **electrical conductivity**, **temperature**, and **pH**, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.
- e. **Hardness** samples shall be collected concurrently with metals samples.
- f. **Aluminum.** Sampling for aluminum can be performed using either total or acid-soluble (inductively coupled plasma/atomic emission spectrometry or inductively coupled plasma/mass spectrometry) analysis methods, as supported by U.S. EPA's Ambient Water Quality Criteria for Aluminum document (EPA 440/5-86-008), or other standard methods that exclude aluminum silicate particles as approved by the Executive Officer.
- g. **Metals.** Metals shall include, at a minimum, the following: Aluminum, Antimony, Arsenic, Barium, Beryllium, Cadmium, Chromium (Total and Hexavalent), Cobalt, Copper, Iron, Lead, Manganese, Mercury, Molybdenum, Nickel, Selenium, Silver, Thallium, Vanadium, and Zinc.
- h. **Filtered Metals.** Aluminum, Iron, and Manganese samples shall be filtered using a 1.5-micron filter prior to analysis (filter size recommended in EPA Approved Methods 30 CFR Part 136 for Total Dissolved Solids and Total Suspended Solids) so that the analytical result better represents the dissolved solids that may pass through a water treatment plant's filtration system.
- i. **General Minerals.** General Minerals shall include, at a minimum, the following elements/compounds: Total Alkalinity (including alkalinity series), Boron, Calcium, Chloride, Hardness, Iron, Magnesium, Manganese, Nitrate-Nitrogen, Potassium, Sodium, and Sulfate.

- j. If sample results are non-detect (ND) for four consecutive quarters, monitoring may be discontinued.

IX. OTHER MONITORING REQUIREMENTS

A. Precipitation Monitoring

- 1. Precipitation information shall be collected as follows and reported in the monthly SMR: Add the following paragraphs only if the Discharger has a pretreatment program.

Table E-8 Precipitation Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling
Precipitation	Inches	Gauge	1/Day

B. Ash and Cooling Tower Solids Monitoring

- 1. Wood ash information shall be collected and reported in the SMRs in accordance with the table below.

Table E-9 Ash Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling
Ash Volume Generated	Dry-tons ³	Continuous	Monthly
Ash Volume Stored at Facility	Dry-tons ³	Continuous	Monthly
Ash Volume Removed from Facility	Dry-tons ³	Continuous	Monthly
Ash Liming Capacity	Equiv % CaCO ₃	Composite	2/Year
Ash Total Phosphorous	mg/kg	Composite	2/Year
Moisture Content	% Moisture	Composite	2/Year
pH	standard units	Composite	2/Year
CAM 17 Metals	mg/kg	Composite	2/Year
TCDD-Equivalents	pg/g	Composite	1/Year

- 2. **Table E-9 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-9:
 - a. Pollutants shall be analyzed using the analytical methods described in 40 CFR part 136 or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample

type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type .

- b. California Administrative Manual (i.e. CCR) metals: antimony, arsenic, barium, beryllium, cadmium, chromium, cobalt, copper, lead, mercury, molybdenum, nickel, selenium, silver, thallium, vanadium, and zinc.
 - c. In accordance with CCR Title 22 testing procedures.
 - d. Dioxin equivalents, also known as the TEQ, is a calculated value that reflects the combined effect of dioxin and furan compounds (cogeners). Results for dioxin TEQ shall include all congeners.
 - e. Upon Executive Officer approval, sampling frequency may be reduced after two consecutive years of data has been submitted.
 - f. A&L Western Agricultural Laboratories” Neutralizing value of liming materials (or percent calcium carbonate equivalency-CCE).
 - g. Units may be reported in volume or weight measurement.
3. The Discharger shall record on a monthly basis the following information about wood ash removed from the Facility and submit in an annual SMR no later than 1 April of each year:
- a. final end user name, address, and disposal location or soil amendment application area (except as described in item c. below for intermediate producers), and
 - b. volume and/or weight of ash for each location/area (except as described in item c. below for intermediate producers).
 - c. the name, address, and volume and/or weight of ash sold or supplied to an intermediate producer for use in the manufacture of commercial soil amendment products. (Note: Final application area information for end users purchasing commercial soil amendment products is not required.)

C. Effluent and Receiving Water Characterization

1. The Discharger shall conduct effluent and receiving water characterization monitoring in accordance with Table E-10 and the testing requirements described in section IX.D.2 below.
2. **Table E-10 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-10.
 - a. **Monitoring.** Samples shall be collected from the effluent (Monitoring Location EFF-001), upstream receiving water (Monitoring Location RSW-001), and

downstream receiving water (Monitoring Location RSW-003) and analyzed for the constituents listed in Table E-10, below. Monitoring shall be conducted once during the first three months of discharge during the 2021/2022 wet season and once during the first three months of discharge during the 2022/2023 wet season. Sampling is not required at Monitoring Location EFF-001 if no discharge from discharge point D-001 has occurred. Sampling is required at Monitoring location RSW-001 and RSW-003 regardless of if a discharge has occurred from EFF-001. Constituents shall be collected and analyzed consistent with the Discharger's Analytical Methods Report (MRP, X.D.2) using sufficiently sensitive analytical methods and Reporting Levels per the SSM Rule specified in 40 C.F.R. 122.21(e)(3) and 122.44(i)(1)(iv). The "Reporting Level" is synonymous with the "Method Minimum Level" described in the SSM Rule. Each individual monitoring event shall provide representative sample results for the effluent and upstream receiving water.

- b. The Discharger is not required to conduct effluent monitoring for constituents that have already been sampled in a given month, as required in Table E-3, except for hardness, pH, and temperature, which shall be conducted concurrently with the effluent sampling.
- c. **Concurrent Sampling.** Effluent and receiving water sampling shall be performed at approximately the same time, on the same date.
- d. **Sample Type.** All receiving water samples shall be taken as grab samples.
- e. **Bis (2-ethylhexyl) phthalate.** In order to verify if bis (2-ethylhexyl) phthalate is truly present, the Discharger shall take steps to assure that sample containers, sampling apparatus, and analytical equipment are not sources of the detected contaminant.
- f. **Analytical Methods Report Certification.** Prior to beginning the Effluent and Receiving Water Characterization monitoring, the Discharger shall provide a certification acknowledging the scheduled start date of the Effluent and Receiving Water Characterization monitoring and confirming that samples will be collected and analyzed as described in the previously submitted Analytical Methods Report. If there are changes to the previously submitted Analytical Methods Report, the Discharger shall outline those changes. A one-page certification form will be provided by Central Valley Water Board staff with the permit's Notice of Adoption that the Discharger can use to satisfy this requirement. The certification form shall be submitted electronically via CIWQS submittal by the due date in the Technical Reports Table.

Table E-10 Effluent and Receiving Water Characterization Monitoring

VOLATILE ORGANICS

CTR Number	Volatile Organic Parameters	CAS Number	Units	Effluent Sample Type
25	2-Chloroethyl vinyl Ether	110-75-8	µg/L	Grab
17	Acrolein	107-02-8	µg/L	Grab
18	Acrylonitrile	107-13-1	µg/L	Grab
19	Benzene	71-43-2	µg/L	Grab
20	Bromoform	75-25-2	µg/L	Grab
21	Carbon Tetrachloride	56-23-5	µg/L	Grab
22	Chlorobenzene	108-90-7	µg/L	Grab
24	Chloroethane	75-00-3	µg/L	Grab
26	Chloroform	67-66-3	µg/L	Grab
35	Methyl Chloride	74-87-3	µg/L	Grab
23	Dibromochloromethane	124-48-1	µg/L	Grab
27	Dichlorobromomethane	75-27-4	µg/L	Grab
36	Methylene Chloride	75-09-2	µg/L	Grab
33	Ethylbenzene	100-41-4	µg/L	Grab
89	Hexachlorobutadiene	87-68-3	µg/L	Grab
34	Methyl Bromide (Bromomethane)	74-83-9	µg/L	Grab
94	Naphthalene	91-20-3	µg/L	Grab
38	Tetrachloroethylene (PCE)	127-18-4	µg/L	Grab
39	Toluene	108-88-3	µg/L	Grab
40	trans-1,2-Dichloroethylene	156-60-5	µg/L	Grab
43	Trichloroethylene (TCE)	79-01-6	µg/L	Grab
44	Vinyl Chloride	75-01-4	µg/L	Grab
21	Methyl-tert-butyl ether (MTBE)	1634-04-4	µg/L	Grab
41	1,1,1-Trichloroethane	71-55-6	µg/L	Grab
42	1,1,2-Trichloroethane	79-00-5	µg/L	Grab
28	1,1-Dichloroethane	75-34-3	µg/L	Grab
30	1,1-Dichloroethylene (DCE)	75-35-4	µg/L	Grab
31	1,2-Dichloropropane	78-87-5	µg/L	Grab
32	1,3-Dichloropropylene	542-75-6	µg/L	Grab
37	1,1,2,2-Tetrachloroethane	79-34-5	µg/L	Grab
101	1,2,4-Trichlorobenzene	120-82-1	µg/L	Grab
29	1,2-Dichloroethane	107-06-2	µg/L	Grab
75	1,2-Dichlorobenzene	95-50-1	µg/L	Grab
76	1,3-Dichlorobenzene	541-73-1	µg/L	Grab
77	1,4-Dichlorobenzene	106-46-7	µg/L	Grab

SEMI-VOLATILE ORGANICS

CTR Number	Semi-Organic Volatile Parameters	CAS Number	Units	Effluent Sample Type
60	Benzo(a)Anthracene	56-55-3	µg/L	Grab
85	1,2-Diphenylhydrazine	122-66-7	µg/L	Grab
45	2-Chlorophenol	95-57-8	µg/L	Grab
46	2,4-Dichlorophenol	120-83-2	µg/L	Grab
47	2,4-Dimethylphenol	105-67-9	µg/L	Grab
49	2,4-Dinitrophenol	51-28-5	µg/L	Grab
82	2,4-Dinitrotoluene	121-14-2	µg/L	Grab
55	2,4,6-Trichlorophenol	88-06-2	µg/L	Grab
83	2,6-Dinitrotoluene	606-20-2	µg/L	Grab
50	2-Nitrophenol	88-75-5	µg/L	Grab
71	2-Chloronaphthalene	91-58-7	µg/L	Grab
78	3,3-Dichlorobenzidine	91-94-1	µg/L	Grab
62	Benzo(b)Fluoranthene	205-99-2	µg/L	Grab
52	4-Chloro-3-methylphenol	59-50-7	µg/L	Grab
48	2-Methyl-4,6-Dinitrophenol	534-52-1	µg/L	Grab
51	4-Nitrophenol	100-02-7	µg/L	Grab
69	4-Bromophenyl Phenyl Ether	101-55-3	µg/L	Grab
72	4-Chlorophenyl Phenyl Ether	7005-72-3	µg/L	Grab
56	Acenaphthene	83-32-9	µg/L	Grab
57	Acenaphthylene	208-96-8	µg/L	Grab
58	Anthracene	120-12-7	µg/L	Grab
59	Benzidine	92-87-5	µg/L	Grab
61	Benzo(a)Pyrene	50-32-8	µg/L	Grab
63	Benzo(ghi)Perylene	191-24-2	µg/L	Grab
64	Benzo(k)Fluoranthene	207-08-9	µg/L	Grab
65	Bis (2-Chloroethoxy) Methane	111-91-1	µg/L	Grab
66	Bis (2-Chloroethyl) Ether	111-44-4	µg/L	Grab
67	Bis (2-Chloroisopropyl) Ether	108-60-1	µg/L	Grab
68	Bis(2-Ethylhexyl) Phthalate	117-81-7	µg/L	Grab
70	Butylbenzyl Phthalate	85-68-7	µg/L	Grab
73	Chrysene	218-01-9	µg/L	Grab
81	Di-n-butyl Phthalate	84-74-2	µg/L	Grab
84	Di-n-Octyl Phthalate	117-84-0	µg/L	Grab
74	Dibenzo(a,h)anthracene	53-70-3	µg/L	Grab
79	Diethyl Phthalate	84-66-2	µg/L	Grab
80	Dimethyl Phthalate	131-11-3	µg/L	Grab
86	Fluoranthene	206-44-0	µg/L	Grab
87	Fluorene	86-73-7	µg/L	Grab
88	Hexachlorobenzene	118-74-1	µg/L	Grab
90	Hexachlorocyclopentadiene	77-47-4	µg/L	Grab
91	Hexachloroethane	67-72-1	µg/L	Grab

CTR Number	Semi-Organic Volatile Parameters	CAS Number	Units	Effluent Sample Type
92	Indeno(1,2,3-cd) Pyrene	193-39-5	µg/L	Grab
93	Isophorone	78-59-1	µg/L	Grab
98	N-Nitrosodiphenylamine	86-30-6	µg/L	Grab
96	N-Nitrosodimethylamine	62-75-9	µg/L	Grab
97	N-Nitrosodi-n-Propylamine	621-64-7	µg/L	Grab
95	Nitrobenzene	98-95-3	µg/L	Grab
53	Pentachlorophenol (PCP)	87-86-5	µg/L	Grab
99	Phenanthrene	85-01-8	µg/L	Grab
54	Phenol	108-95-2	µg/L	Grab
100	Pyrene	129-00-0	µg/L	Grab

INORGANICS

CTR Number	Inorganic Parameters	CAS Number	Units	Effluent Sample Type
NL	Aluminum	7429-90-5	µg/L	Grab
1	Antimony, Total Recoverable	7440-36-0	µg/L	Grab
2	Arsenic, Total Recoverable	7440-38-2	µg/L	Grab
15	Asbestos	1332-21-4	µg/L	Grab
3	Beryllium, Total Recoverable	7440-41-7	µg/L	Grab
4	Cadmium, Total Recoverable	7440-43-9	µg/L	Grab
5a (III)	Chromium, Total	7440-47-3	µg/L	Grab
6	Copper, Total Recoverable	7440-50-8	µg/L	Grab
14	Iron, Total Recoverable	7439-89-6	µg/L	Grab
7	Lead, Total Recoverable	7439-92-1	µg/L	Grab
8	Mercury, Total Recoverable	7439-97-6	µg/L	Grab
NL	Mercury, Methyl	22967-92-6	µg/L	Grab
NL	Manganese, Total Recoverable	7439-96-5	µg/L	Grab
9	Nickel, Total Recoverable	7440-02-0	µg/L	Grab
10	Selenium, Total Recoverable	7782-49-2	µg/L	Grab
11	Silver, Total Recoverable	7440-22-4	µg/L	Grab
12	Thallium, Total Recoverable	7440-28-0	µg/L	Grab
13	Zinc, Total Recoverable	7440-66-6	µg/L	Grab

NON-METALS/MINERALS

CTR Number	Non-Metal/Mineral Parameters	CAS Number	Units	Effluent Sample Type
NL	Boron	7440-42-8	µg/L	Grab
NL	Chloride	16887-00-6	mg/L	Grab
14	Cyanide, Total (as CN)	57-12-5	µg/L	Grab
NL	Phosphorus, Total (as P)	7723-14-0	mg/L	Grab
NL	Sulfate	14808-79-8	mg/L	Grab
NL	Sulfide (as S)	5651-88-7	mg/L	Grab

PESTICIDES/PCBs/DIOXINS

CTR Number	Pesticide/PCB/Dioxin Parameters	CAS Number	Units	Effluent Sample Type
110	4,4-DDD	72-54-8	µg/L	Grab
109	4,4-DDE	72-55-9	µg/L	Grab
108	4,4-DDT	50-29-3	µg/L	Grab
112	alpha-Endosulfan	959-98-8	µg/L	Grab
103	alpha-BHC (Benzene hexachloride)	319-84-6	µg/L	Grab
102	Aldrin	309-00-2	µg/L	Grab
113	beta-Endosulfan	33213-65-9	µg/L	Grab
104	beta-BHC (Benzene hexachloride)	319-85-7	µg/L	Grab
107	Chlordane	57-74-9	µg/L	Grab
106	delta-BHC (Benzene hexachloride)	319-86-8	µg/L	Grab
111	Dieldrin	60-57-1	µg/L	Grab
114	Endosulfan Sulfate	1031-07-8	µg/L	Grab
115	Endrin	72-20-8	µg/L	Grab
116	Endrin Aldehyde	7421-93-4	µg/L	Grab
117	Heptachlor	76-44-8	µg/L	Grab
118	Heptachlor Epoxide	1024-57-3	µg/L	Grab
105	gamma-BHC (Benzene hexachloride or Lindane)	58-89-9	µg/L	Grab
119	Polychlorinated Biphenyl (PCB) 1016	12674-11-2	µg/L	Grab
120	PCB 1221	11104-28-2	µg/L	Grab
121	PCB 1232	11141-16-5	µg/L	Grab
122	PCB 1242	53469-21-9	µg/L	Grab
123	PCB 1248	12672-29-6	µg/L	Grab
124	PCB 1254	11097-69-1	µg/L	Grab
125	PCB 1260	11096-82-5	µg/L	Grab
126	Toxaphene	8001-35-2	µg/L	Grab
16	2,3,7,8-TCDD (Dioxin)	1746-01-6	mg/L	Grab

CONVENTIONAL PARAMETERS

CTR Number	Conventional Parameters	CAS Number	Units	Effluent Sample Type
NL	pH	--	SU	Grab
NL	Temperature	--	°C	Grab

NON-CONVENTIONAL PARAMETERS

CTR Number	Nonconventional Parameters	CAS Number	Units	Effluent Sample Type
NL	Foaming Agents (MBAS)	MBAS	mg/L	Grab
NL	Hardness (as CaCO3)	471-34-1	mg/L	Grab
NL	Specific Conductance (Electrical Conductivity or EC)	EC	µmhos /cm	Grab

CTR Number	Nonconventional Parameters	CAS Number	Units	Effluent Sample Type
NL	Total Dissolved Solids (TDS)	TDS	mg/L	Grab
NL	Dissolved Organic Carbon (DOC)	DOC	mg/L	Grab

NUTRIENTS

CTR Number	Nutrient Parameters	CAS Number	Units	Effluent Sample Type
7	Ammonia (as N)	7664-41-7	mg/L	Grab
8	Nitrate (as N)	14797-55-8	mg/L	Grab
9	Nitrite (as N)	14797-65-0	mg/L	Grab

OTHER CONSTITUENTS OF CONCERN

CTR Number	Other Constituents of Concern	CAS Number	Units	Effluent Sample Type
NL	1,2,3-Trichloropropane (TCP)	96-18-4	ug/L	Grab
NL	Trichlorofluoromethane	75-69-4	µg/L	Grab
NL	1,1,2-Trichloro-1,2,2-Trifluoroethane	76-13-1	µg/L	Grab
NL	Styrene	100-42-5	µg/L	Grab
NL	Xylenes	1330-20-7	µg/L	Grab
NL	Barium	7440-39-3	µg/L	Grab
NL	Fluoride	16984-48-8	mg/L	Grab
NL	Molybdenum	7439-98-7	µg/L	Grab
NL	Tributyltin	688-73-3	µg/L	Grab
NL	Alachlor	15972-60-8	µg/L	Grab
NL	Atrazine	1912-24-9	µg/L	Grab
NL	Bentazon	25057-89-0	µg/L	Grab
NL	Carbofuran	1563-66-2	µg/L	Grab
NL	2,4-D	94-75-7	µg/L	Grab
NL	Dalapon	75-99-0	µg/L	Grab
NL	1,2-Dibromo-3-chloropropane (DBCP)	96-12-8	µg/L	Grab
NL	Di(2-ethylhexyl)adipate	103-23-1	µg/L	Grab
NL	Dinoseb	88-85-7	µg/L	Grab
NL	Diquat	85-00-7	µg/L	Grab
NL	Endothal	145-73-3	µg/L	Grab
NL	Ethylene Dibromide (EDB)	106-93-4	µg/L	Grab
NL	Methoxychlor	72-43-5	µg/L	Grab
NL	Molinate (Ordram)	2212-67-1	µg/L	Grab
NL	Oxamyl	23135-22-0	µg/L	Grab
NL	Picloram	1918-02-1	µg/L	Grab
NL	Simazine (Princep)	122-34-9	µg/L	Grab
NL	Thiobencarb	28249-77-6	µg/L	Grab
NL	2,4,5-TP (Silvex)	93-72-1	µg/L	Grab
NL	Chlorpyrifos	2921-88-2	µg/L	Grab

CTR Number	Other Constituents of Concern	CAS Number	Units	Effluent Sample Type
NL	Diazinon	333-41-5	µg/L	Grab

X. REPORTING REQUIREMENTS

A. General Monitoring and Reporting Requirements

1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.
2. Upon written request of the Central Valley Water Board, the Discharger shall submit a summary monitoring report. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year(s).
3. **Compliance Time Schedules.** For compliance time schedules included in the Order, the Discharger shall submit to the Central Valley Water Board, on or before each compliance due date, the specified document or a written report detailing compliance or noncompliance with the specific date and task. If noncompliance is reported, the Discharger shall state the reasons for noncompliance and include an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Central Valley Water Board by letter when it returns to compliance with the compliance time schedule.
4. The Discharger shall report to the Central Valley Water Board any toxic chemical release data it reports to the State Emergency Response Commission within 15 days of reporting the data to the Commission pursuant to section 313 of the "Emergency Planning and Community Right to Know Act" of 1986.

B. Self-Monitoring Reports (SMRs)

1. The Discharger shall electronically submit SMRs using the State Water Board's [California Integrated Water Quality System \(CIWQS\) Program website](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/) (http://www.waterboards.ca.gov/water_issues/programs/ciwqs/). The CIWQS website will provide additional information for SMR submittal in the event there will be a planned service interruption for electronic submittal.
2. The Discharger shall report in the SMR the results for all monitoring specified in this MRP under sections III through IX. The Discharger shall submit monthly SMRs including the results of all required monitoring using U.S. EPA-approved test methods or other test methods specified in this Order. SMRs are to 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 results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR. Monthly SMRs are required even if there is no discharge. If no discharge occurs during the month, the monitoring report must be submitted stating that there has been no discharge.

3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Table E-11 Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On	Monitoring Period	SMR Due Date
Continuous	Permit effective date	All	Submit with monthly SMR
1/Day	Permit effective date	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	Submit with monthly SMR
1/Week	Permit effective date	Sunday through Saturday	Submit with monthly SMR
2/Month	Permit effective date	1st day of calendar month through last day of calendar month	First day of second calendar month following month of sampling
1/Month	Permit effective date	1st day of calendar month through last day of calendar month	First day of second calendar month following month of sampling
1/Quarter	Permit effective date	1 January through 31 March 1 April through 30 June 1 July through 30 September 1 October through 31 December	1 May 1 August 1 November 1 February of following year
2/Year	Permit effective date	1 January through 30 June 1 July through 31 December	1 August 1 February of following year
1/Year	Permit effective date	1 January through 31 December	1 February of following year

4. **Reporting Protocols.** The Discharger shall report with each sample result the applicable Reporting Level (RL) and the current laboratory’s 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 the 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 (\pm a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

- c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.
 - d. Dischargers are to 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.
5. **Multiple Sample Data.** When determining compliance with an AMEL or MDEL for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:
- a. The data set shall be ranked from low to high, ranking the 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 value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.
6. **The Discharger shall submit SMRs** in accordance with the following requirements:
- a. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations. The Discharger is not required to duplicate the submittal of data that is 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 within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.

- b. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the waste discharge requirements; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.
 - c. The Discharger shall attach all final laboratory reports from all contracted commercial laboratories, including quality assurance/quality control information, with all its SMRs for which sample analyses were performed.
7. The Discharger shall submit in the SMRs calculations and reports in accordance with the following requirements:
- a. **Dissolved Oxygen Receiving Water Limitations.** The Discharger shall report monthly in the self-monitoring report the dissolved oxygen concentrations in the effluent (EFF-001) and the receiving water (RSW-001, RSW-002, and RSW-003).
 - b. **Turbidity Receiving Water Limitations.** The Discharger shall calculate and report the turbidity increase in the receiving water applicable to the natural turbidity condition specified in section V.A.17.a-e. of the Waste Discharge Requirements.
 - c. **Temperature Receiving Water Limitations.** The Discharger shall calculate and report the temperature increase in the receiving water based on the difference in temperature at Monitoring Locations RSW-002 and RSW-003.
 - d. **Log Yard Sprinkling.** The Discharger shall report the dates on which log yard sprinkling occurred in the monthly SMR.
 - e. **Groundwater Monitoring Reports.** The reports shall be prepared by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities, and shall bear the professional's signature and stamp. Each quarterly report shall contain:
 - i. Results of the monitoring of the groundwater in tabular format;
 - ii. A narrative description of all preparatory, monitoring, sampling, and analytical testing activities for the groundwater monitoring. The narrative shall be sufficiently detailed to verify compliance with this Order. The narrative shall be supported by field logs for each well documenting depth to groundwater; parameters measured before, during, and after purging; method of purging; calculation of casing volume; and total volume of water purged;
 - iii. Calculation of groundwater elevations, determination of groundwater flow direction and gradient on the date of measurement, comparison of

previous flow direction and gradient data, and discussion of seasonal trends if any;

- iv. Summary data tables of historical and current groundwater elevations;
- v. Copies of laboratory analytical report(s) for groundwater monitoring

C. Other Reports

1. **Annual Operations Report.** The Discharger shall submit a written report to the Central Valley Water Board, electronically via CIWQS submittal, containing the following by the due date in the Technical Reports Table:
 - a. The names, certificate grades, and general responsibilities of all persons employed at the Facility.
 - b. The names and telephone numbers of persons to contact regarding the plant for emergency and routine situations.
 - c. A statement certifying when the flow meter(s) and other monitoring instruments and devices were last calibrated, including identification of who performed the calibration.
 - d. A statement certifying whether the current operation and maintenance manual, and contingency plan, reflect the wastewater treatment plant as currently constructed and operated, and the dates when these documents were last revised and last reviewed for adequacy.
 - e. The Discharger may also be requested to submit an annual report to the Central Valley Water Board with both tabular and graphical summaries of the monitoring data obtained during the previous year. Any such request shall be made in writing. The report shall discuss the compliance record. If violations have occurred, the report shall also discuss the corrective actions taken and planned to bring the discharge into full compliance with the waste discharge requirements.
 - f. The Discharger shall report the results of any special studies, acute and chronic toxicity testing, TRE/TIE, PMP, and Pollution Prevention Plan required by Special Provisions VI.C. The Discharger shall submit reports with the first monthly SMR scheduled to be submitted on or immediately following the report due date.
2. **Technical Report Submittals.** This Order includes requirements to submit a Report of Waste Discharge (ROWD), special study technical reports, progress reports, and other reports identified in the MRP (hereafter referred to collectively as "technical reports"). The Technical Reports Table and subsequent table notes below summarize all technical reports required by this Order and the due dates for submittal. All technical reports shall be submitted electronically via CIWQS

submission. Technical reports should be uploaded as a PDF, Microsoft Word, or Microsoft Excel file attachment.

Table E-12 Technical Reports

Report #	Technical Report	Due Date	CIWQS Report Name
Intentionally left blank	Standard Reporting Requirements	Intentionally left blank	Intentionally left blank
1	Report of Waste Discharge	31 May 2024	ROWD
2	Analytical Methods Report	7 October 2020	MRP X.D.3
3	Annual Operations Report	1 February 2021	MRP X.D.4
4	Annual Operations Report	1 February 2022	MRP X.D.4
5	Annual Operations Report	1 February 2023	MRP X.D.4
6	Annual Operations Report	1 February 2024	MRP X.D.4
7	Annual Operations Report	1 February 2025	MRP X.D.4
Intentionally left blank	Other Reports	Intentionally left blank	Intentionally left blank
8	Best Management Practice (BMP) Improvement Evaluation	Within 60 days following storm water action level exceedance or receiving water violation	WDR VI.C.2.a
9	Antidegradation Re-evaluation	31 May 2024	WDR VI.C.2.g
10	Storm Water Pollution Prevention Plan (SWPPP)	5 December 2020	WDR VI.C.3.b
11	Salinity Evaluation and Minimization Plan	5 December 2020	WDR VI.C.3.b
12	Ash Management Plan	7 October 2020	WDR VI.C.6.a.ii
13	Annual Ash Monitoring Report	1 February 2021	WDR VI.C.6.a.ii
14	Annual Ash Monitoring Report	1 February 2022	WDR VI.C.6.a.ii
15	Annual Ash Monitoring Report	1 February 2023	WDR VI.C.6.a.ii
16	Annual Ash Monitoring Report	1 February 2024	WDR VI.C.6.a.ii
17	Annual Ash Monitoring Report	1 February 2025	WDR VI.C.6.a.ii

ATTACHMENT F – FACT SHEET

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ATTACHMENT F – FACT SHEET

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

This Order has been prepared under a standardized format to accommodate a broad range of discharge requirements for Dischargers in California. Only those sections or subsections of this Order that are specifically identified as “not applicable” have been determined not to apply to this Discharger. Sections or subsections of this Order not specifically identified as “not applicable” are fully applicable to this Discharger.

I. PERMIT INFORMATION

The following table summarizes administrative information related to the Facility.

Table F-1. Facility Information

Waste Discharge ID:	5A322000001
CIWQS Facility Place ID:	214198
Discharger:	Collins Pine Company
Name of Facility:	Chester Facility
Facility Address:	500 Main Street
Facility City, State Zip:	Chester, CA 96020
Facility County:	Plumas County
Facility Contact, Title and Phone Number:	Howard Hughes, Corporate Environmental Manager, (503) 826-5250 Robert Fletcher, Plant Manager, (530) 258-9229
Authorized Person to Sign and Submit Reports:	Howard Hughes, Corporate Environmental Manager, (503) 826-5250 Robert Fletcher, Plant Manager, (530) 258-9229
Mailing Address:	Same as Facility Address
Billing Address:	Same as Facility Address
Type of Facility:	Electric Services (SIC 4911) and Sawmill and Planing Mill (SIC 2421)
Major or Minor Facility:	Minor
Threat to Water Quality:	2
Complexity:	A
Pretreatment Program:	Not Applicable
Recycling Requirements:	Not Applicable

Facility Permitted Flow:	Not Applicable
Facility Design Flow:	Not Applicable
Watershed:	North Fork Feather River
Receiving Water:	Stover Ditch, Tributary to Lake Almanor
Receiving Water Type:	Inland surface water

- A.** Collins Pine Company (hereinafter Discharger) is the owner of Collins Pine Chester Sawmill (hereinafter Facility), a sawmill and wood-burning cogeneration facility.

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

- B.** The Facility discharges wastewater to Stover Ditch, a water of the United States, tributary to Lake Almanor within the North Fork Feather River watershed. The Discharger was previously regulated by Order R5-2009-0015 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0004391 which was adopted on 5 February 2009 and expired on 1 February 2014; however the Discharger submitted a report of waste discharge (ROWD) on 2 August 2013 and Order R5-2009-0015 was administratively extended. Attachment B provides a map of the area around the Facility. Attachment C provides a flow schematic of the Facility.
- C.** After the initial ROWD was submitted in 2013, an ongoing legal case reached settlement and resulted in the replacement of the wet electrostatic precipitator (ESP) with a dry ESP at the Facility. The ESP replacement significantly changed the volume and characteristics of the Facility’s wastewater. The Discharger filed an updated ROWD and submitted an application for reissuance of its waste discharge requirements (WDR’s) and NPDES permit on 10 May 2019. Central Valley Water Board staff conducted a review of the ROWD and verbally communicated with the Discharger regarding clarifications that were needed in the ROWD. On 10 July 2019 Central Valley Water Board staff met with the Discharger to discuss changes to the Facility’s discharge process and to clarify several items in the ROWD. Following the meeting, the Discharger submitted an updated ROWD on 5 September 2019. Central Valley Water Board staff required additional clarification of the revised ROWD. In response, the Discharger submitted a second ROWD revision on 8 November 2019 and requested a second meeting to follow-up on their submittal. Central Valley Water Board staff met with the Discharger on 18 November 2019. The application was deemed complete on 9 December 2019.
- E.** Regulations at 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 duration of the discharge authorization. Under 40 C.F.R. section 122.6(d), States authorized to administer the NPDES program may administratively continue State-issued permits beyond their expiration dates until the effective date of the new permits, if State law allows it. 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 federal NPDES requirements for continuation of expired permits.

II. FACILITY DESCRIPTION

The Facility is a sawmill and wood-burning cogeneration facility located in Chester, CA. Operations at the Facility include storage of logs, wood fuel, petroleum fuel, and water treatment chemicals. The sawmill produces approximately 120 million board feet of lumber per year. The cogeneration plant currently produces a net 6-megawatts (MW) of electric power, which is used internally.

Prior to mid-2019, the Discharger diverted approximately 2.9 MGD of water from the North Fork Feather River via Stover Ditch for cogeneration power plant use and filling of the Fire Pond using a flow-through setup. Although most of the water was not used for facility needs and was routed through a return canal back to Stover Ditch, approximately 200-400 gpm was used for the wet ESP. In July 2019 the wet ESP was replaced with a dry ESP. Since the removal of the wet ESP, process flows from the Facility have been significantly reduced to approximately 20-30 gpm and are routed to the Fire Pond for reuse. Due to lower process flows and a new floating staff gauge, which allows for water diversion from Stover Ditch only when necessary, there have been no discharges to surface water since the dry ESP was installed. With all process wastewater flows now contained at the Facility in the Fire Pond, the only wastewater generated onsite is stormwater run-off from the log deck. The Discharger now pumps log deck stormwater runoff, which flows by gravity to Stormwater Pond 1, to a historical gravel quarry on the western side of the Facility. Within the gravel quarry, three topographical basins exist from historical extraction activities. The three basins are currently used as Infiltration Ponds 1 through 3.

A. Description of Wastewater and Biosolids Treatment and Controls

1. Sawmill

Wood-waste residual materials from the sawmill and planer mill, including bark, chips, shavings, and hog fuel from outside sources are used as fuel for the cogeneration plant. Two fuel piles are maintained by the powerhouse in a covered structure. The piles are wedge-shaped measuring approximately 200 feet long, 100 feet wide, and up to 60 feet high. Fuel available for immediate use is stored in one pile while fuel in the second pile is being cured and prepared for use. Fuel for burning is moved by front-end loaders to the cogeneration plant. Fuel piles are stored less than 90 days, and any additional fuel is stockpiled for winter outside the fuel house.

2. Cogeneration Plant

Wastes generated by the cogeneration plant include condenser cooling water, boiler blowdown, mud drum blowdown, compressor blowdown, and ash.

The cooling tower loses approximately 270 gpm to evaporation and blows down between 2 and 6 gpm to a sump pit which then flows to the Fire Pond for reuse.

Approximately 120 gpm of raw water, supplied via the City, is processed through a sand filter and then through a reverse osmosis (RO) unit for use in the boiler. The RO unit discharges 25 gpm to the North Sump Pit. Occasional backwashing of the sand filters is also discharged to the North Sump Pit. Approximately 45 gpm of reverse osmosis permeate is used by the boiler, which removes solids using a mud drum. The solids are combined with the ash waste for land application. The boiler generates an average of 2 gpm of blowdown water which is routed to the North Sump Pit.

Approximately 50 gpm of raw water is used for general plant activities, including ash hopper seals and equipment cooling. Return water (approximately 10 gpm) from these processes flows through the North Sump Pit. All discharges to the North Sump Pit are routed to the Fire Pond for reuse within the plant.¹

Ash and clarifier tank sludge from the cogeneration combustion are collected and stored on-site. Periodically, the ash and sludge waste is loaded onto a truck and land applied on Collins Pine property. During winter conditions the ash is stored in a temporary ash storage area and land applied after winter. Ash may also be taken off Collins Pine property and land applied.

3. Stormwater Ponds and Infiltration Ponds

Since all process water is routed to the Fire Pond for reuse, the only discharge from the site is stormwater run-off from the unpaved log deck. Log deck run-off flows by gravity into Stormwater Pond 1 and is then pumped to Infiltration Pond 1. Infiltration Ponds 1 through 3 are connected in series via culverts.

In the event that Stormwater Pond 1 and Infiltration Ponds 1 through 3 do not have enough capacity to store and percolate accumulated log deck run-off, Stormwater Ponds 2 through 5 can be filled for additional storage capacity. The current pond configuration (including Stormwater Ponds 1-5 and Infiltration Ponds 1-3) has been shown through modeling to be able to accommodate annual precipitation between a 50-year (52.09 inches) and 100-year (55.32 inches) recurrence interval. If the total pond capacity is exceeded, discharge will occur from Stormwater Pond 5 at discharge point D-001.

B. Discharge Points and Receiving Waters

1. The Facility is located in Sections 6, 7, and 8, T28N, R7E, MDB&M and Section 12, T28N, R6E, MDB&M as shown in Attachment B of this Order.

2. Industrial storm water from the log yard/ Facility is discharged from Stormwater Pond 5 at Discharge Point D-001 to Stover Ditch, a water of the United States (and a tributary to Lake Almanor) at a point latitude 40° 18' 30" N and longitude 121° 14' 31" W.

C. Summary of Existing Requirements and Self-Monitoring Report (SMR) Data

Effluent limitations contained in Order R5-2009-0015 for discharges from Discharge Point D-001 (Monitoring Location EFF-001) and representative monitoring data from the term of Order R5-2009-0015 are as follows:

Table F-2. Historic Effluent Limitations

Parameter	Units	Historic Effluent Limitations	Highest Recorded Discharge	Average Discharge
Average Dry Weather Flow	mgd	0.36	0.4392	0.17
Total Suspended Solids	mg/L	MDEL 40	24.7	4.1
Settleable Solids	mL/L	AMEL 0.1 MDEL 0.2	0.1	0.1
Electrical Conductivity	umhos/cm	MDEL 900	709	401
Chemical Oxygen Demand	mg/L	MDEL 40	61	26.1
pH	standard units	6.00-9.00	9.46	7.73
Copper, Total Recoverable	µg/L	AMEL 7.44 MDEL 14.92	5.2	1.65
Lead, Total Recoverable	µg/L	AMEL 2.95 MDEL 5.92	1.4	0.29

D. Compliance Summary

In 2014, the Discharger was issued an Administrative Civil Liability Complaint (ACLC) (Order R5-2014-0576) assessing \$213,000 in MMPs. The Discharger violated effluent limitations for chemical oxygen demand, pH, total recoverable copper, and total recoverable lead from 26 April 2012 to 30 April 2014. The Facility entered into settlement with the Central Valley Regional Water Quality Control Board but was also sued by a third party and entered into settlement with the third party. As memorialized in Administrative Civil Liability Order (ACLO) R5-2015-0544, the Discharger and the Central Valley Water Board shared a common goal of achieving zero-discharge operation at the Facility. In working towards the goal, both parties understood that the Discharger would replace the wet electrostatic precipitator (ESP)

at the Facility with a dry ESP air pollution control device. The dry ESP was originally set to be operational by 1 January 2017 and a compliance schedule was included in Cease and Desist Order (CDO) R5-2015-0128. Because of unavoidable delays in implementation of the dry ESP, CDO R5-2015-0128 was amended multiple times and the deadline for installing the dry ESP was ultimately extended to 1 January 2021 by Order R5-2017-0118.

Since 2016, the Discharger has exceeded receiving water temperature limits twice and turbidity limits nine times. The Discharger has also had three deficient monitoring violations. Additionally, one pH effluent limit violation and one COD effluent limit violation resulting in MMPs have occurred since December 2018.

E. Planned Changes

The Discharger may enhance the berms surrounding and separating Infiltration Ponds 1 through 3 in the summer of 2020 to increase berm stability, if needed.

III. APPLICABLE PLANS, POLICIES, AND REGULATIONS

The requirements contained in this Order are based on the requirements and authorities described in this section.

A. Legal Authorities

This Order serves as WDR's pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as an NPDES permit for point source discharges from this Facility to surface waters.

B. California Environmental Quality Act (CEQA)

Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of Chapter 3 of CEQA, (commencing with section 21100) of Division 13 of the Public Resources Code.

C. State and Federal Laws, Regulations, Policies, and Plans

1. **Water Quality Control Plans.** Requirements of this Order specifically implement the applicable Water Quality Control Plans.
 - a. **Basin Plan.** The Central Valley Water Board adopted a Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fifth Edition, May 2018 (hereinafter Basin Plan) that 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.

The Basin Plan at section 2.1 states that the beneficial uses of any specifically identified water body generally apply to its tributary streams. The Basin Plan in Table 2-1, section 2, does not specifically identify beneficial uses for Stover Ditch, but does identify present and potential uses for Lake Almanor, to which Stover Ditch is tributary. In addition, the Basin Plan implements State Water Board Resolution 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Thus, beneficial uses applicable to Stover Ditch are as follows:

Table F-3 Basin Plan Beneficial Uses

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	Stover Ditch	Existing: Hydropower generation (POW); water contact recreation (REC-1); warm freshwater habitat (WARM); cold freshwater habitat (COLD); warm spawning, reproduction, and/or early development (SPWN); and wildlife habitat (WILD). Potential: Municipal and domestic water supply (MUN).
--	Groundwater	Existing: Municipal and domestic water supply (MUN); agricultural supply (AGR); industrial service supply (IND); and industrial process supply (PRO).

2. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** U.S. EPA adopted the NTR on 22 December 1992, and later amended it on 4 May 1995 and 9 November 1999. About forty criteria in the NTR applied in California. On 18 May 2000, U.S. EPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on 13 February 2001. These rules contain federal water quality criteria for priority pollutants.
3. **State Implementation Policy.** On 2 March 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 28 April 2000, with respect to the priority pollutant criteria promulgated for California by the U.S. EPA through the NTR and to the priority pollutant objectives established by the Central Valley Water Board in the Basin Plan. The SIP became effective on 18 May 2000, with respect to the priority pollutant criteria promulgated by the U.S. EPA through the CTR. The

State Water Board adopted amendments to the SIP on 24 February 2005, which became effective on 13 July 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control.

The SIP states in footnote 1, "This Policy does not apply to regulation of stormwater discharges. The SWRCB has adopted precedential decisions addressing regulation of municipal storm water discharges in Orders WQ 91-03, 91-04, 96-13, 98-01, and 99-05. The SWRCB has also adopted two statewide general permits regulating the discharge of pollutants contained in stormwater from industrial and construction activities." This Order regulated the discharge of stormwater from industrial activity to surface water. Therefore, SIP provisions for establishment of effluent limitations are not applicable and effluent limitations for priority pollutants have not been established. However, receiving water limitations and best management practices (BMP's) ensure that beneficial uses of the receiving water are protected, and water quality standards are not exceeded.

4. **Antidegradation Policy.** Federal regulation 40 C.F.R. section 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution 68-16 ("Statement of Policy with Respect to Maintaining High Quality of Waters in California") (State Anti-Degradation Policy). The State Anti-Degradation Policy is deemed to incorporate the federal antidegradation policy where the federal policy applies under federal law. The State Anti-Degradation Policy requires that existing water quality be maintained unless degradation is justified based on specific findings. The Central Valley Water Board's Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. The permitted discharge must be consistent with the antidegradation provision of 40 C.F.R. section 131.12 and the State Anti-Degradation Policy. The Board finds this Order is consistent with the Federal and State Water Board antidegradation regulations and policy. This Order also requires downgradient wells to be evaluated in a Downgradient Monitoring Wells Evaluation Report per Special Provision VI.C.2.d. As a result of this evaluation, and any additional groundwater monitoring conducted during the term of this Order, the Discharger is further required to submit an Antidegradation Re-evaluation that must be submitted with its ROWD that is to be provided to the Board as required by Special Provision VI.C.2.e.
5. **Anti-Backsliding Requirements.** Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 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 must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed.

6. **Domestic Water Quality.** In compliance with Water Code section 106.3, it is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.
7. **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, sections 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. sections 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. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.
8. **Storm Water Requirements.** U.S. EPA promulgated federal regulations for storm water on 16 November 1990 in 40 C.F.R. parts 122, 123, and 124. The NPDES Industrial Storm Water Program regulates storm water discharges from sawmills and planing mills. Sawmills and planing mills are applicable industries under the storm water program and are obligated to comply with the federal regulations.

The discharge of industrial storm water from the log yard could be regulated under the General Industrial Storm Water Permit. However, due to the complexity of the Facility operations and unique threats to water quality, the Central Valley Water Board has elected to regulate these discharges with an individual NPDES permit. Therefore, discharges of industrial storm water from the log yard are not covered under the General Industrial Storm Water Permit and are covered under this Order.

D. Impaired Water Bodies on CWA 303(d) List

1. Under section 303(d) of the 1972 CWA, states, territories and authorized tribes are required to develop lists of water quality limited segments. The waters on these lists do not meet water quality standards, even after point sources of pollution have installed the minimum required levels of pollution control technology. On 11 October 2011 U.S. EPA gave final approval to California's 2008-2010 section 303(d) List of Water Quality Limited Segments. The Basin Plan references this list of Water Quality Limited Segments (WQLSs), which are defined as "...those sections of lakes, streams, rivers or other fresh water bodies where water quality does not meet (or is not expected to meet) water quality standards even after the application of appropriate limitations for point sources (40 C.F.R. part 130, et seq.)." The Basin Plan also states, "Additional treatment beyond minimum federal standards will be imposed on dischargers to [WQLSs]."

Dischargers will be assigned or allocated a maximum allowable load of critical pollutants so that water quality objectives can be met in the segment.” Lake Almanor is listed as impaired on the 2014 and 2016 303(d) list for mercury.

2. At the time of this permit renewal, there are no approved TMDLs with waste load allocations (WLAs) that apply to this Facility.
3. The 303(d) listings and TMDL’s have been considered in the development of the Order. A pollutant-by-pollutant evaluation of each pollutant of concern is described in section VI.C.3 of this Fact Sheet.

E. Other Plans, Polices and Regulations

1. **Title 27.** The discharge authorized herein and the treatment and storage facilities associated with the discharge of treated municipal wastewater, except for discharges of residual sludge and solid waste, are exempt from the requirements of Title 27, California Code of Regulations (CCR), section 20005 et seq (hereafter Title 27). The exemption, pursuant to Title 27 CCR section 20090(a), is based on the following:

20090(b) Wastewater – Discharges of wastewater to land, including but not limited to evaporation ponds, percolation ponds, or subsurface leachfields if the following conditions are met:

- (1) the Central Valley Water Board has issued WDRs, or waived such issuance;
- (2) the discharge is in compliance with the applicable water quality control plan;
and
- (3) the wastewater does not need to be managed as a hazardous waste.

The Facility ponds are unlined, and wastewater contained in the ponds percolates to the underlying groundwater. Pre-discharge sampling results show elevated levels of some constituents above water quality objectives. However, condition (2) is still met because the elevated levels represent background groundwater quality and it has yet to be determined if the land discharge is causing groundwater quality impacts. This Order requires the Discharger to continue collecting groundwater monitoring data and perform an Anti-degradation Re-evaluation to ensure compliance with State Antidegradation Policy and the Basin Plan.

2. **Wood Ash.** Pursuant to state and federal regulations wood ash, classified as non-hazardous solid waste, may be beneficially reused as an agricultural soil amendment, or other appropriate use. This Order does not authorize storage, transportation, or disposal of ash or other wastes characterized as hazardous wastes. Appropriate separate regulatory coverage must be secured for such activities.

IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

Effluent limitations and toxic and pretreatment effluent standards established pursuant to sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 304 (Information and Guidelines), and 307 (Toxic and Pretreatment Effluent Standards) of the CWA and amendments thereto are applicable to the discharge.

The CWA mandates the implementation of effluent limitations that are as stringent as necessary to meet water quality standards established pursuant to state or federal law [33 U.S.C., section 1311(b)(1)(C); 40 C.F.R. section 122.44(d)(1)]. NPDES permits must incorporate discharge limits necessary to ensure that water quality standards are met. This requirement applies to narrative criteria as well as to criteria specifying maximum amounts of particular pollutants. Pursuant to federal regulations, 40 C.F.R. section 122.44(d)(1)(i), NPDES permits must contain limits that control all pollutants that “are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any state water quality standard, including state narrative criteria for water quality.” Federal regulations, 40 C.F.R. section 122.44(d)(1)(vi), further provide that “[w]here a state has not established a water quality criterion for a specific chemical pollutant that is present in an effluent at a concentration that causes, has the reasonable potential to cause, or contributes to an excursion above a narrative criterion within an applicable State water quality standard, the permitting authority must establish effluent limits.”

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the 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 in the Code of Federal Regulations: 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 WQBEL’s to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water where numeric water quality objectives have not been established. The Basin Plan at page 4-27, contains an implementation policy, “Policy for Application of Water Quality Objectives”, that specifies that the Central Valley Water Board “will, on a case-by-case basis, adopt numerical limitations in orders which will implement the narrative objectives.” This Policy complies with 40 C.F.R. section 122.44(d)(1). With respect to narrative objectives, the Central Valley Water Board must establish effluent limitations using one or more of three specified sources, including: (1) U.S. EPA’s published water quality criteria, (2) a proposed state criterion (i.e., water quality objective) or an explicit state policy interpreting its narrative water quality criteria (i.e., the Central Valley Water Board’s “Policy for Application of Water Quality Objectives”)(40 C.F.R. section 122.44(d)(1)(vi)(A), (B) or (C)), or (3) an indicator parameter.

The Basin Plan includes numeric site-specific water quality objectives and narrative objectives for toxicity, chemical constituents, discoloration, radionuclides, and tastes and odors. The narrative toxicity objective states: “All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human,

plant, animal, or aquatic life.” (Basin Plan at section 3.1.20) The Basin Plan states that material and relevant information, including numeric criteria, and recommendations from other agencies and scientific literature will be utilized in evaluating compliance with the narrative toxicity objective. The narrative chemical constituents’ objective states that waters shall not contain chemical constituents in concentrations that adversely affect beneficial uses. At minimum, “...water designated for use as domestic or municipal supply (MUN) shall not contain concentrations of chemical constituents in excess of the maximum contaminant levels (MCLs)” in Title 22 of CCR. The Basin Plan further states that, to protect all beneficial uses, the Central Valley Water Board may apply limits more stringent than MCLs. The narrative tastes and odors objective states: “Water shall not contain taste- or odor-producing substances in concentrations that impart undesirable tastes or odors to domestic or municipal water supplies or to fish flesh or other edible products of aquatic origin, or that cause nuisance, or otherwise adversely affect beneficial uses.”

A. Discharge Prohibitions

1. **Prohibition III.A (No discharge or application of waste other than that described in this Order).** This prohibition is based on Water Code section 13260 that requires filing of a ROWD before discharges can occur. The Discharger submitted a ROWD for the discharges described in this Order; therefore, discharges not described in this Order are prohibited.
2. **Prohibition III.B (No bypasses or overflow of untreated wastewater, except under the conditions at CFR section 122.41(m)(4)).** As stated in section I.G of Attachment D, Standard Provisions, this Order prohibits bypass from any portion of the treatment facility. Federal regulations, 40 C.F.R. section 122.41(m), define “bypass” as the intentional diversion of waste streams from any portion of a treatment facility. This section of the federal regulations, 40 C.F.R. section 122.41(m)(4), prohibits bypass unless it is unavoidable to prevent loss of life, personal injury, or severe property damage. In considering the Regional Water Board’s prohibition of bypasses, the State Water Board adopted a precedential decision, Order No. WQO 2002-0015, which cites the federal regulations, 40 C.F.R. section 122.41(m), as allowing bypass only for essential maintenance to assure efficient operation.
3. **Prohibition III.C (No controllable condition shall create a nuisance).** This prohibition is based on Water Code section 13050 that requires water quality objectives to be established for the prevention of nuisance within a specific area. The Basin Plan prohibits conditions that create a nuisance
4. **Prohibition III.D (No discharge of recycle water from log yard sprinkling, commingled recycle and storm water, cooling tower blowdown, boiler blowdown, boiler feedwater treatment system effluent, or other waste of recognizable sawmill or cogeneration origin).** This Order prohibits discharges of recycle water from log yard sprinkling, commingled recycle and storm water, cooling tower

blowdown, boiler blowdown, boiler feedwater treatment system effluent, or other waste of recognizable sawmill or cogeneration origin.

5. Prohibition III.E (No discharge of storm water leachate from wood fuel stockpiles to surface waters or surface water drainage courses). This Order prohibits discharges of storm water leachate from wood fuel stockpiles to surface water or surface water drainage courses. This Order requires the Discharger to implement BMP's to prevent these discharges.
6. Prohibition III.F (No discharge of ash, bark, sawdust, wood, or any waste recognized as originating from cogeneration operations). This Order prohibits the discharge of ash, bark, sawdust, wood, or any waste recognized as originating from cogeneration operations to surface waters or surface water drainage courses.
7. **Prohibition III.G (No discharge of wastewater from the Retention Ponds, Evaporation Ponds, and Substation Pond off-site).** This Order prohibits discharges of wastewater from Stormwater Ponds 1 through 5 and Infiltration Ponds 1 through 3 off-site, except to a suitable treatment plant or for reclamation purposes approved by the Executive Officer.
8. **Prohibition III.H (No discharge of debris recognized as originating from the Facility).** Effluent limitation guidelines (ELG's) were established at 40 C.F.R. part 429, subpart I for the Wet Storage Subcategory of the Timber Products Point Source Category, which applies to discharges from the storage of logs or roundwood on land during which water is sprayed or deposited intentionally on the logs (wet decking). The Discharger stacks logs on an unpaved log yard and keeps them wet by a sprinkler system to prevent checking and blue staining, and thus the requirements of 40 C.F.R. part 429, subpart I are applicable to the Facility. 40 C.F.R. sections 429.101 and 429.103 require that existing point sources subject to subpart I achieve effluent limitations representing the degree of effluent reduction attainable by the application of best practicable control technology currently available (BPT) and best available technology economically achievable (BAT), respectively. For wet storage operations, 40 C.F.R. sections 429.101 and 429.103 both require that there shall be no debris discharged. Debris is defined as woody material such as bark, twigs, branches, heartwood, or sapwood that will not pass through a 2.54 cm (1.0 in) diameter round opening and is present in the discharge from a wet storage facility. Consistent with 40 C.F.R. sections 429.101 and 429.103, this Order prohibits discharges of debris recognized as originated from the Facility to surface waters or surface water drainage courses.
9. **Prohibition III.I (No discharge of wastewater from barking, sawmill, and planing operations).** ELG's were established at 40 C.F.R. part 429, subpart A for the Barking Subcategory of the Timber Products Point Source Category, which applies to discharges from the barking of logs, and at subpart K for the

Sawmills and Planing Mills Subcategory, which applies to discharges from timber products processing procedures that include bark removal, sawing, resawing, edging, trimming, planing, and machining. The Discharger operates barking, sawmill, and planing mill operations, and thus the requirements of 40 C.F.R. part 429, subparts A and K are applicable to the Facility. 40 C.F.R. section 429.21(a) require that existing point sources subject to subpart A achieve effluent limitations representing the degree of effluent reduction attainable by the application of BPT. For mechanical barking operations, 40 C.F.R. section 429.21(a) requires that there shall be no discharge of process wastewater pollutants into navigable waters. 40 C.F.R. sections 429.121 and 429.123 require that existing point sources subject to subpart K achieve effluent limitations representing the degree of effluent reduction attainable by the application of BPT and BAT, respectively. For sawmill and planing mill operations, 40 C.F.R. sections 429.121 and 429.123 requires that there shall be no discharge of process wastewater pollutants into navigable waters. Consistent with 40 C.F.R. sections 429.21(a), 429.121, and 429.123, this Order prohibits discharges of process wastewater from barking, sawmill, and planing operations.

B. Technology-Based Effluent Limitations

1. Scope and Authority

Section 301(b) of the CWA and implementing U.S. EPA permit regulations at 40 C.F.R. section 122.44 require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Best Professional Judgment (BPJ) in accordance with 40 C.F.R. section 125.3

The CWA requires that technology-based effluent limitations be established based on several levels of controls:

- a. Best practicable treatment control technology (BPT) represents the average of the best existing performance by well-operated facilities within an industrial category or subcategory. BPT standards apply to toxic, conventional, and non-conventional pollutants.
- b. Best available technology economically achievable (BAT) represents the best existing performance of treatment technologies that are economically achievable within an industrial point source category. BAT standards apply to toxic and non-conventional pollutants.
- c. Best conventional pollutant control technology (BCT) represents the control from existing industrial point sources of conventional pollutants including BOD, TSS, fecal coliform, pH, and oil and grease. The BCT standard is established after considering a two-part reasonableness test. The first test

compares the relationship between the costs of attaining a reduction in effluent discharge and the resulting benefits. The second test examines the cost and level of reduction of pollutants from the discharge from publicly owned treatment works to the cost and level of reduction of such pollutants from a class or category of industrial sources. Effluent limitations must be reasonable under both tests.

- d. New source performance standards (NSPS) represent the best available demonstrated control technology standards. The intent of NSPS guidelines is to set limitations that represent state-of-the-art treatment technology for new sources.

The CWA requires U.S. EPA to develop effluent limitations, guidelines and standards (ELGs) representing application of BPT, BAT, BCT, and NSPS. Section 402(a)(1) of the CWA and 40 C.F.R. section 125.3 authorize the use of best professional judgment (BPJ) to derive technology-based effluent limitations on a case-by-case basis where ELGs are not available for certain industrial categories and/or pollutants of concern. Where BPJ is used, the Central Valley Water Board must consider specific factors outlined in 40 C.F.R. section 125.3.

2. Applicable Technology-Based Effluent Limitations

The Discharger operates a “wet deck” log storage operation, a “barking” operation, and a “sawmills and planing mills” operation. Therefore, ELGs established in the Timber Products Processing Point Source Category (40 C.F.R. part 429), specifically, subpart A (Barking Subcategory), subpart I (Wet Storage Subcategory), and subpart K (Sawmills and Planing Mills Subcategory) are applicable.

Except as provided in 40 C.F.R. section 125.30 through 125.32, any existing point source subject to these subparts must achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of BPT. The following effluent limitations apply to Discharge Point D-001:

- a. Barking Operations. As discussed in section IV.A.9 of this Fact Sheet, ELG’s established at 40 C.F.R. part 429, subpart A for the Barking Subcategory of the Timber Products Point Source Category are applicable to the Facility. Consistent with 40 C.F.R. section 429.21(a), this Order establishes a prohibition of discharges of process wastewater from barking operations.
- b. Wet Storage Operations. As discussed in section IV.A.8 of this Fact Sheet, ELG’s established at 40 C.F.R. part 429, subpart I for the Wet Storage Subcategory of the Timber Products Point Source Category are applicable to the Facility. Consistent with 40 C.F.R. sections 429.101 and

429.103, this Order prohibits discharges of debris recognized as originated from the Facility to surface waters or surface water drainage courses.

40 C.F.R. sections 429.101 and 103 also require that the pH be within the range of 6.0 to 9.0. The ELG's for the Wet Storage Subcategory at 40 C.F.R. sections 429.101 and 429.103 are not directly applicable to discharges of industrial storm water (i.e., subsequent to the first flush) from the log yard. However, if an instantaneous minimum and maximum pH of 6.0 and 9.0, respectively, must be achieved for discharges of process wastewater from the log yard area, the Central Valley Water Board finds that it should also be achievable for subsequent discharges of industrial storm water. Therefore, this Order includes instantaneous minimum and maximum effluent limitations for pH of 6.0 and 9.0 for discharges of industrial storm water based on BPJ.

- c. Sawmill and Planing Mill Operations. As discussed in section IV.A.5 of this Fact Sheet, ELG's established at 40 C.F.R. part 429, subpart K for the Sawmills and Planing Mills Subcategory of the Timber Products Point Source Category are applicable to the Facility. Consistent with 40 C.F.R. sections 429.121, and 429.123, this Order establishes a prohibition of discharges of process wastewater from sawmill and planing mill operations.

**Summary of Technology-based Effluent Limitations
Discharge Point D-001**

Table F-4. Summary of Technology-based Effluent Limitations

Parameter	Units	Instantaneous Minimum	Instantaneous Maximum
Conventional Pollutants			
pH	standard units	6.0	9.0

C. Water Quality-Based Effluent Limitations (WQBEL's) and Storm Water Action Levels

1. Scope and Authority

CWA section 301(b) and 40 C.F.R. section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

Section 122.44(d)(1)(i) of 40 C.F.R. requires that permits include effluent limitations for all pollutants that are or may be discharged at levels that have

the 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 for the pollutant, WQBEL's 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 the state's narrative criterion, supplemented with other relevant information, as provided in section 122.44(d)(1)(vi).

The process for determining reasonable potential and calculating WQBEL's when necessary is intended to protect the designated uses of the receiving water as specified in the Basin Plan, and achieve applicable water quality objectives and criteria that are contained in other state plans and policies, or any applicable water quality criteria contained in the CTR and NTR.

Finally, 40 C.F.R. section 122(d)(1)(vii) requires effluent limits to be developed consistent with any available waste load allocations developed and approved for the discharge.

As specified in 40 C.F.R. section 122.44(k), BMP's may be used in lieu of numeric effluent limitations when:

- a. Authorized under section 304(e) of the CWA for control of toxic pollutants and hazardous substances for ancillary industrial activities;
- b. Authorized under section 402(p) of the CWA for the control of storm water discharges;
- c. Numeric effluent limitations are infeasible; or
- d. The practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purpose and intent of the CWA.

Section 402(p) of the CWA authorizes regulation of storm water discharges associated with industrial activities. Therefore, a combination of BMP's, storm water action levels, and receiving water limitations are utilized in this Order to regulate the discharge of pollutants in discharges of industrial storm water.

2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

The Basin Plan designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. In addition, the Basin Plan 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.

The Basin Plan on page 2-1 states: "Protection and enhancement of existing and potential beneficial uses are primary goals of water quality planning..." and with respect to disposal of wastewaters states that "...disposal of wastewaters is [not] a prohibited use of waters of the State; it is merely a use which cannot be satisfied to the detriment of beneficial uses."

The federal CWA section 101(a)(2), states: "it is the national goal that wherever attainable, an interim goal of water quality which provides for the protection and propagation of fish, shellfish, and wildlife, and for recreation in and on the water be achieved by July 1, 1983." Federal Regulations, developed to implement the requirements of the CWA, create a rebuttable presumption that all waters be designated as fishable and swimmable. Federal Regulations, 40 CFR sections 131.2 and 131.10, require that all waters of the State regulated to protect the beneficial uses of public water supply, protection and propagation of fish, shellfish and wildlife, recreation in and on the water, agricultural, industrial and other purposes including navigation. 40 C.F.R. section 131.3(e) defines existing beneficial uses as those uses actually attained after 28 November 1975, whether or not they are included in the water quality standards. Federal Regulation, 40 C.F.R. section 131.10 requires that uses be obtained by implementing effluent limitations, requires that all downstream uses be protected and states that in no case shall a state adopt waste transport or waste assimilation as a beneficial use for any waters of the United States.

- a. **Receiving Water and Beneficial Uses.** Stover Ditch flows into Almanor Lake, which is located southeast of the Facility. Refer to section III.C.1. above for a complete description of the receiving water beneficial uses.
- b. **Effluent and Ambient Background Data.** The evaluation of compliance with receiving water objectives, as described in section IV.C.3 of this Fact Sheet, was based on data collected 19 December 2019, which includes storm water effluent and data collected from January 2017 through January 2020 which includes ambient background data submitted in SMRs.
- c. **Assimilative Capacity/Mixing Zone.** Based on the available information, the worst-case dilution is assumed to be zero to provide protection for the receiving water beneficial uses. The impact of assuming zero dilution/assimilative capacity within the receiving water is that the discharge limitations are end-of-pipe limits with no allowance for dilution within the receiving water.
- d. **Conversion Factors.** The CTR contains aquatic life criteria for arsenic, cadmium, chromium III, chromium VI, copper, lead, nickel, silver, and zinc which are presented in dissolved concentrations. U.S. EPA recommends conversion factors to translate dissolved concentrations to total

concentrations. The default U.S. EPA conversion factors contained in Appendix 3 of the SIP were used to convert the applicable dissolved criteria to total recoverable criteria.

- e. **Hardness-Dependent CTR Metals Criteria.** The CTR and the NTR contain water quality criteria for seven metals that vary as a function of hardness. The lower the hardness the lower the water quality criteria. The metals with hardness-dependent criteria include cadmium, copper, chromium III, lead, nickel, silver, and zinc.

Based on the sample collected 19 December 2019 of the discharge to Infiltration Pond 1, the hardness was 93 mg/L. Two upstream receiving water hardness samples were taken at monitoring location INT-001 (now RSW-002) and measured at 25 mg/L on 15 August 2017 and 29 mg/L on 25 September 2018. Due to the short duration, periodic nature of storm events, and corresponding intermittent storm water discharges from the Facility, the CTR acute criteria was calculated using a receiving water hardness of 25 mg/L to evaluate compliance with water quality objectives for the storm water discharge.

3. **Determining the Need for Storm Water Action Levels**

This Order regulates the discharge of storm water from industrial activity to surface water. The discharge is storm water; therefore, the SIP provisions for establishment of effluent limitations for CTR constituents are not applicable to the discharge. However, due to the complexity of the Facility and unique threats to water quality, the Central Valley Water Board has elected to regulate this Facility with an individual NPDES permit. In accordance with 40 C.F.R. section 122.44(d)(1)(i), the Central Valley Water Board has conducted a review of upstream and downstream receiving water data collected during the term of Order R5-2009-0015 for comparison with applicable water quality objectives and/or criteria to determine if the discharge is causing exceedances of the applicable water quality objectives in the downstream receiving water. In addition, data from storm water discharge to the infiltration ponds has been compared to applicable storm water benchmark values to assess whether the storm water discharge could potentially impair or contribute to impairing water quality or affect human health from ingestion of water or fish.

In accordance with 40 C.F.R. section 122.44(k), in lieu of WQBEL's, this Order includes storm water action levels for pollutants in the discharge that exceed applicable storm water benchmark values or are causing exceedances of applicable water quality objectives in the downstream receiving water. The storm water action levels are not effluent limits and should not be interpreted as such; they are merely levels that the Central Valley Water Board has used to determine if storm water discharges from the Facility merit further monitoring to ensure that the Facility has been successful in implementing BMP's identified in the Storm Water Pollution Prevention Plan (SWPPP).

Downstream receiving water monitoring data, applicable water quality criteria and objectives, and storm water action levels have been provided in Attachment G.

Most constituents are not discussed in this Order, as the storm water discharge is well below the pollutant benchmark values and/or the water quality objectives/criteria for these constituents. However, the following constituents are notable for discussion upon assessment of the data.

- a. **Chemical Oxygen Demand (COD).** COD is the amount of dissolved oxygen in water consumed by the chemical breakdown of organic and inorganic matter (i.e., COD is not a specific component in a discharge). A high COD value indicates elevated quantities of pollutants in runoff, especially carbon. The storm water benchmark value in U.S. EPA's Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (MSGP) for General Sawmills and Planing Mills (SIC code 2421) for COD is 120 mg/L.

Effluent, upstream, and downstream receiving water monitoring data for COD is not available. Based on the nature of runoff from sawmill operations, a storm water action level of 120 mg/L for COD has been established in this Order based on the benchmark in U.S. EPA's MSGP. If exceeded, the Discharger is required to evaluate and update, if necessary, the Facility's BMP's in order to reduce the COD in the storm water discharge.

- b. **Total Suspended Solids (TSS).** For inland surface waters, the Basin Plan states, "[w]aters shall not contain suspended material in concentrations that cause nuisance or adversely affect beneficial uses." The storm water benchmark value in U.S. EPA's MSGP for General Sawmills and Planing Mills (SIC code 2421) for TSS is 100 mg/L.

Effluent, upstream, and downstream receiving water monitoring data for total suspended solids is not available. Based on the nature of runoff from sawmill operations, an annual average storm water action level of 100 mg/L for TSS has been established in this Order based on the benchmark value in U.S. EPA's MSGP. If exceeded, the Discharger is required to evaluate and update, if necessary, the Facility's BMP's in order to reduce the TSS in the storm water discharge.

- c. **Zinc.** The CTR includes hardness-dependent criteria for the protection of freshwater aquatic life for zinc. These criteria for zinc are presented in dissolved concentrations, as 1-hour acute criteria and 4-day chronic criteria. U.S. EPA recommends conversion factors to translate dissolved concentrations to total concentrations. Default U.S. EPA translators were used to translate dissolved concentrations to total concentrations. The stormwater benchmark value in U.S. EPA's MSGP for General Sawmills

and Planing Mills (SIC code 2421) for zinc with a freshwater hardness range of 25-49.99 mg/L is 0.05 mg/L.

Based on the 19 December 2019 sampling event, the effluent total recoverable zinc measured 45.7 µg/L. A hardness of 25 mg/L was measured at INT-001 (now RSW-002). Based on the nature of runoff from sawmill operations, an annual average storm water action level of 0.05 mg/L for zinc has been established in this Order based on the benchmark value in U.S. EPA's MSGP and a background hardness of 25 mg/L. If exceeded, the Discharger is required to evaluate and update, if necessary, the Facility's BMP's in order to reduce the zinc in the storm water discharge.

- d. **Aldrin.** Aldrin was detected at elevated levels during the sampling event conducted on 19 December 2019 when the first discharge to Infiltration Pond 1 occurred. This discharge event was a "first flush" and the water quality characterization of this event is likely not characteristic of what would be expected of a surface water discharge for this Facility. Aldrin was measured at 0.0031 µg/L (J-flag) and the applicable water quality objective listed in the CTR for the protection of human health is 0.0013 µg/L. Therefore, the Discharger shall continue to monitor for aldrin at monitoring location EFF-001 as described in Attachment E of this Order. If aldrin is detected above water quality objectives at EFF-001 and is causing exceedances of the water quality objective in the downstream receiving water, the Discharger will complete the stormwater action level study described in section V.B.B.2.B.
- e. **Aluminum.** Aluminum was detected at elevated levels during the sampling event conducted on 19 December 2019 when the first discharge to Infiltration Pond 1 occurred. This discharge event was a "first flush" and the water quality characterization of this event is likely not characteristic of what would be expected of a surface water discharge for this Facility. Aluminum was measured at 17400 µg/L and the applicable water quality objective is the California Secondary MCL of 200 µg/L. Therefore, the Discharger shall continue to monitor for aluminum at monitoring location EFF-001 as described in Attachment E of this Order. If aluminum is detected above water quality objectives at EFF-001 and is causing exceedances of the water quality objective in the downstream receiving water the Discharger will complete the stormwater action level study described in section V.B.B.2.B.
- f. **Copper.** Copper was detected at elevated levels during the sampling event conducted on 19 December 2019 when the first discharge to Infiltration Pond 1 occurred. This discharge event was a "first flush" and the water quality characterization of this event is likely not characteristic of what would be expected of a surface water discharge for this Facility. Copper was measured at 25.3 µg/L and the applicable hardness dependent water quality

objective listed in the CTR using a hardness of 25 mg/L is 2.85 µg/L. Therefore, the Discharger shall continue to monitor for copper at monitoring location EFF-001 as described in Attachment E of this Order. If copper is detected above water quality objectives at EFF-001 and is causing exceedances of the water quality objective in the downstream receiving water the Discharger will complete the stormwater action level study described in section V.B.B.2.B.

- g. **Iron.** Iron was detected at elevated levels during the sampling event conducted on 19 December 2019 when the first discharge to Infiltration Pond 1 occurred. This discharge event was a “first flush” and the water quality characterization of this event is likely not characteristic of what would be expected of a surface water discharge for this Facility. Iron was measured at 5620 µg/L and the applicable water quality objective is the California Secondary MCL of 300 µg/L. Therefore, the Discharger shall continue to monitor for iron at monitoring location EFF-001 as described in Attachment E of this Order. If iron is detected above water quality objectives at EFF-001 and is causing exceedances of the water quality objective in the downstream receiving water the Discharger will complete the stormwater action level study described in section V.B.B.2.B.
- h. **Lead.** Lead was detected at elevated levels during the sampling event conducted on 19 December 2019 when the first discharge to Infiltration Pond 1 occurred. This discharge event was a “first flush” and the water quality characterization of this event is likely not characteristic of what would be expected of a surface water discharge for this Facility. Lead was measured at 5.25 µg/L and the applicable hardness dependent criteria listed in the CTR using a hardness of 25 mg/L is 0.2 µg/L. Therefore, the Discharger shall continue to monitor for lead at monitoring location EFF-001 as described in Attachment E of this Order. If lead is detected above water quality objectives at EFF-001 and is causing exceedances of the water quality objective in the downstream receiving water the Discharger will complete the stormwater action level study described in section V.B.B.2.B.
- i. **Manganese.** Manganese was detected at elevated levels during the sampling event conducted on 19 December 2019 when the first discharge to Infiltration Pond 1 occurred. This discharge event was a “first flush” and the water quality characterization of this event is likely not characteristic of what would be expected of a surface water discharge for this Facility. Manganese was measured at 1810 µg/L and the applicable water quality objective is the California Secondary MCL of 50 µg/L. Therefore, the Discharger shall continue to monitor for manganese at monitoring location EFF-001 as described in Attachment E of this Order. If manganese is detected above water quality objectives at EFF-001 and is causing exceedances of the water quality objective in the downstream receiving

water the Discharger will complete the stormwater action level study described in section V.B.B.2.B.

- j. **Toluene.** Toluene was detected at elevated levels during the sampling event conducted on 19 December 2019 when the first discharge to Infiltration Pond 1 occurred. This discharge event was a “first flush” and the water quality characterization of this event is likely not characteristic of what would be expected of a surface water discharge for this Facility. Toluene was measured at 185 µg/L and the applicable water quality objective is the California Primary MCL of 150µg/L . Therefore, the Discharger shall continue to monitor for toluene at monitoring location EFF-001 as described in Attachment E of this Order. If toluene is detected above water quality criteria at EFF-001 and is causing exceedances of the water quality objective in the downstream receiving water the Discharger will complete the stormwater action level study described in section V.B.B.2.B.

4. **WQBEL Calculations**

This Order does not include WQBEL’s for individual pollutants.

5. **Whole Effluent Toxicity (WET)**

For compliance with the Basin Plan’s narrative toxicity objective, this Order requires the Discharger to conduct whole effluent toxicity testing for acute and chronic toxicity, as specified in the Monitoring and Reporting Program (Attachment E section V.). This Order also contains effluent limitations for acute and chronic toxicity and requires the Discharger to implement best management practices to investigate the causes of, and identify corrective actions to reduce or eliminate effluent toxicity.

- a. **Acute Aquatic Toxicity.** The Basin Plan contains a narrative toxicity objective that states, “All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.” (Basin Plan at 3.1.20) The Basin Plan also states that, “...effluent limits based upon acute biotoxicity tests of effluents will be prescribed where appropriate...”.

For priority pollutants, the SIP dictates the procedures for conducting the RPA. Acute toxicity is not a priority pollutant. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Therefore, due to the site-specific conditions of the discharge, the Central Valley Water Board has used professional judgment in determining the appropriate method for conducting the RPA. U.S. EPA’s September 2010 NPDES Permit Writer’s Manual, page 6-30, states, “State implementation procedures might allow, or even require, a permit writer to determine reasonable potential through a qualitative assessment process without using available facility-specific effluent monitoring data or when such data are not available...A permitting authority might also determine that

WQBEL's are required for specific pollutants for all facilities that exhibit certain operational or discharge characteristics (e.g., WQBEL's for pathogens in all permits for POTW's discharging to contact recreational waters)." Acute toxicity effluent limits are required to ensure compliance with the Basin Plan's narrative toxicity objective.

U.S. EPA Region 9 provided guidance for the development of acute toxicity effluent limitations in the absence of numeric water quality objectives for toxicity in its document titled "Guidance for NPDES Permit Issuance", dated February 1994. In section B.2. "Toxicity Requirements" (pgs. 14-15) it states that, "In the absence of specific numeric water quality objectives for acute and chronic toxicity, the narrative criterion 'no toxics in toxic amounts' applies. Achievement of the narrative criterion, as applied herein, means that ambient waters shall not demonstrate for acute toxicity: 1) less than 90% survival, 50% of the time, based on the monthly median, or 2) less than 70% survival, 10% of the time, based on any monthly median. For chronic toxicity, ambient waters shall not demonstrate a test result of greater than 1 TUc." Accordingly, effluent limitations for acute toxicity have been included in this Order as follows:

Acute Toxicity. Survival of aquatic organisms in 96-hour bioassays of undiluted waste shall be no less than:

70%, minimum for any one bioassay; and

90%, median for any three consecutive bioassays.

D. Final Effluent Limitation Considerations

1. Mass-based Effluent Limitations

40 C.F.R section 122.45(f)(1) requires effluent limitations be expressed in terms of mass, with some exceptions, and 40 C.F.R. section 122.45(f)(2) allows pollutants that are limited in terms of mass to additionally be limited in terms of other units of measurement. This Order includes effluent limitations expressed in terms of mass and concentration. In addition, pursuant to the exceptions to mass limitations provided in 40 C.F.R. section 122.45(f)(1), some effluent limitations are not expressed in terms of mass, such as pH and temperature, and when the applicable standards are expressed in terms of concentration (e.g., CTR criteria and MCL's) and mass limitations are not necessary to protect the beneficial uses of the receiving water.

2. Averaging Periods for Effluent Limitations

For non-continuous discharges, such as those from the Facility, 40 C.F.R. section 122.45(e) states:

- (1) Non-continuous discharges. Discharges which are not continuous, as defined in §122.2, shall be particularly described and limited, considering the following factors, as appropriate:
- (2) Frequency (for example, a batch discharge shall not occur more than once every 3 weeks);
- (3) Total mass (for example, not to exceed 100 kilograms of zinc and 200 kilograms of chromium per batch discharge);
- (4) Maximum rate of discharge of pollutants during the discharge (for example, not to exceed 2 kilograms of zinc per minute); and
- (5) Prohibition or limitation of specified pollutants by mass, concentration, or other appropriate measure (for example, shall not contain at any time more than 0.1 mg/l zinc or more than 250 grams (1/4 kilogram) of zinc in any discharge).

Thus, the Central Valley Water Board is not restricted to a particular averaging period for non-continuous discharges.

3. Satisfaction of Anti-Backsliding Requirements

The CWA specifies that a revised permit may not include effluent limitations that are less stringent than the previous permit unless a less stringent limitation is justified based on exceptions to the anti-backsliding provisions contained in CWA sections 402(o) or 303(d)(4), or, where applicable, 40 C.F.R. section 122.44(l).

The effluent limitations in this Order are at least as stringent as the effluent limitations in Order R5-2009-0015, with the exception of effluent limitations for average daily discharge flow, chronic toxicity, copper, electrical conductivity, lead, and settleable solids. The effluent limitations for these constituents have not been retained from Order R5-2009-0015. This relaxation of effluent limitations is consistent with the anti-backsliding requirements of the CWA and federal regulations.

- a. CWA sections 402(o)(1) and 303(d)(4). CWA section 402(o)(1) prohibits the establishment of less stringent WQBEL's "except in compliance with section 303(d)(4)." CWA section 303(d)(4) has two parts: paragraph (A) which applies to nonattainment waters and paragraph (B) which applies to attainment waters.
 - i. For waters where standards are not attained, CWA section 303(d)(4)(A) specifies that any effluent limit based on a TMDL or other WLA may be revised only if the cumulative effect of all such revised effluent limits based on such TMDLs or WLAs will assure the attainment of such water quality standards.

- ii. For attainment waters, CWA section 303(d)(4)(B) specifies that a limitation based on a water quality standard may be relaxed where the action is consistent with the antidegradation policy.

Stover Ditch is considered an attainment water for chronic toxicity, copper, electrical conductivity, lead, and settleable solids because the receiving water is not listed as impaired on the 303(d) list for these constituents. As discussed in section IV.D.4, below, removal of these effluent limits complies with federal and state antidegradation requirements. Thus, removal of effluent limitations for chronic toxicity, copper, electrical conductivity, lead, and settleable solids from Order R5-2009-0015 meets the exception in CWA section 303(d)(4)(B).

- b. CWA section 402(o)(2). CWA section 402(o)(2) provides several exceptions to the anti-backsliding regulations. CWA section 402(o)(2)(B)(i) allows a renewed, reissued, or modified permit to contain a less-stringent effluent limitation for a pollutant if information is available that was not available at the time of permit issuance (other than revised regulations, guidance, or test methods) and that would have justified the application of a less-stringent effluent limitation at the time of permit issuance.

As described further in section IV.C.3 of this Fact Sheet, updated information that was not available at the time Order R5-2009-0015 was issued includes conversion of the Facility's wet ESP to a dry ESP, thus eliminating the process wastewater discharge. This following information supports the removal of effluent limitations for average daily discharge flow, chronic toxicity, copper, electrical conductivity, lead, and settleable solids:

- i. Average Daily Discharge Flow. The Facility has converted from a wet electrostatic precipitator (ESP) to a dry ESP, and therefore flow from the Facility has been significantly reduced. Additionally, wastewater flow is no longer based on operation but is solely comprised of storm water run-off, therefore a discharge flow limitation is no longer applicable.

Thus, removal of the effluent limitations for average daily discharge flow from Order R5-2009-0015 is in accordance with CWA section 402(o)(2)(B)(i), which allows for the removal of effluent limitations based on information that was not available at the time of permit issuance.

- ii. Chronic Toxicity. The Facility has converted from a wet electrostatic precipitator (ESP) to a dry ESP, significantly changing wastewater characteristics and flow volume.

Thus, removal of the effluent limitations for chronic toxicity from Order R5-2009-0015 is in accordance with CWA section 402(o)(2)(B)(i),

which allows for the removal of effluent limitations based on information that was not available at the time of permit issuance.

- iii. Copper. The Facility has converted from a wet electrostatic precipitator (ESP) to a dry ESP, significantly changing wastewater characteristics and flow volume.

Thus, removal of the effluent limitations for copper from Order R5-2009-0015 is in accordance with CWA section 402(o)(2)(B)(i), which allows for the removal of effluent limitations based on information that was not available at the time of permit issuance.

- iv. Electrical Conductivity. The Facility has converted from a wet electrostatic precipitator (ESP) to a dry ESP, significantly changing wastewater characteristics and flow volume.

Thus, removal of the effluent limitations for electrical conductivity from Order R5-2009-0015 is in accordance with CWA section 402(o)(2)(B)(i), which allows for the removal of effluent limitations based on information that was not available at the time of permit issuance.

- v. Lead. The Facility has converted from a wet electrostatic precipitator (ESP) to a dry ESP, significantly changing wastewater characteristics and flow volume.

Thus, removal of the effluent limitations for lead from Order R5-2009-0015 is in accordance with CWA section 402(o)(2)(B)(i), which allows for the removal of effluent limitations based on information that was not available at the time of permit issuance.

- vi. Settleable Solids. The Facility has converted from a wet electrostatic precipitator (ESP) to a dry ESP, significantly changing wastewater characteristics and flow volume.

Thus, removal of the effluent limitations for settleable solids from Order R5 2015 0071 is in accordance with CWA section 402(o)(2)(B)(i), which allows for the removal of effluent limitations based on information that was not available at the time of permit issuance.

4. Antidegradation Policies

- a. **Surface Water.** This Order does not allow for an increase in flow or mass of pollutants to the receiving water. Therefore, a complete antidegradation analysis is not necessary. The Order requires compliance with applicable federal technology-based standards and with WQBEL's where the discharge could have the reasonable potential to cause or contribute to an

exceedance of water quality standards. The permitted discharge is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Antidegradation Policy. Compliance with these requirements will result in the use of BPTC of the discharge. The impact on existing water quality will be insignificant.

This Order removes effluent limitations for average daily discharge flow, chronic toxicity, copper, electrical conductivity, lead, and settleable solids based on updated information, as described in sections IV.C.3 and IV.D.3 of this Fact Sheet. The removal of these WQBEL's will not result in a decrease in the level of treatment or control, or a reduction in water quality. The discharge volume from the Facility has been significantly reduced since the conversion to a dry ESP. All process water is contained on-site and only stormwater will be discharged. Therefore, the Central Valley Water Board finds that the removal of the effluent limitations for average daily discharge flow, chronic toxicity, copper, electrical conductivity, lead, and settleable solids does not result in an allowed increase in pollutants or any additional degradation of the receiving water. Thus, the removal of effluent limitations is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Antidegradation Policy. However, if a discharge occurs, the Discharger shall complete the Stormwater Action Level Study described in section V.B.B.2.b of this Fact Sheet and shall monitor for the constituents listed in the Monitoring and Reporting Program (Attachment E). In addition, the Discharger is required to complete an Anti-degradation Re-evaluation as part of this Order to ensure the discharge to surface water continues to meet the State Antidegradation Policy.

- b. **Groundwater.** The Discharger utilizes five stormwater storage ponds, and three infiltration ponds to store and dispose of storm water on site. Percolation from the ponds may result in an increase in the concentration of some constituents in groundwater. The State Anti-Degradation Policy generally prohibits the Central Valley Water Board from authorizing activities that will result in the degradation of high-quality waters unless it has been shown that:
 - i. The degradation will not result in water quality less than that prescribed in state and regional policies, including violation of one or more water quality objectives;
 - ii. The degradation will not unreasonably affect present and anticipated future beneficial uses;
 - iii. The discharger will employ Best Practicable Treatment or Control (BPTC) to minimize degradation; and
 - iv. The degradation is consistent with the maximum benefit to the people of the state.

Though the ponds are unlined, the Central Valley Water Board considers the use of unlined ponds to store and treat storm water to be an industry-standard practice that is an appropriate component of an effective suite of best management practices. This Order, specifically the Best Management Practices and Pollution Prevention measures required in section VI.D.3, will require the Discharger to implement BPTC. In addition, the Central Valley Water Board finds, based on existing information, that the limited groundwater degradation that may occur under this Order will not result in exceedances of any applicable groundwater water quality objectives or in any impacts to beneficial uses. Therefore, pollution or nuisance will not occur. Lastly, the limited degradation that may occur under this Order inheres to the maximum benefit of the people of the State because it will occur due to the operation of a biomass power generation facility that 1) is an important economic driver to the region, and 2) helps utilities meet State-mandated requirements for energy production from a renewable resource.

The Discharger will also be required to confirm that the discharge has not resulted in pollution or nuisance in a report, the Anti-Degradation Re-evaluation, which the Discharger will submit as part of its permit renewal application. Should the Anti-Degradation Re-evaluation reveal degradation inconsistent with the State Anti-Degradation Policy, the Discharger must propose additional treatment or control measure to further limit any impacts from the discharge.

5. Stringency of Requirements for Individual Pollutants

This Order contains both technology-based effluent limitations and benchmark monitoring concentrations for individual pollutants. The technology-based effluent limitations consist of restrictions on pH. Restrictions on pH are discussed in IV.B.2 of this Fact Sheet. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements.

WQBEL's have been derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant WQBEL's were derived from the CTR, the CTR is the applicable standard pursuant to 40 C.F.R. section 131.38. The procedures for calculating the individual water quality-based effluent limitations for priority pollutants are based on the CTR implemented by the SIP, which was approved by U.S. EPA on 18 May 2000. Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

**Summary of Final Effluent Limitations
 Discharge Points D-001 and D-002**

Table F-5. Summary of Final Effluent Limitations

Parameter	Units	Effluent Limitations	Basis¹
pH	Standard Units	Instantaneous Max 9.0 Instantaneous Min 6.0	BPJ
Acute Toxicity	%Survival	70 ² /90 ³	BP

Table F-5 Notes:

1. BPJ – Based on Best Professional Judgment.
 BP – Based on water quality objectives contained in the Basin Plan.
2. Minimum for any one bioassay.
3. Median for any three consecutive bioassays.

E. Interim Effluent Limitations – Not Applicable

F. Land Discharge Specifications

1. No waste constituent shall be released, discharged, or placed where it will cause a violation of the Groundwater limitations of this Order.
2. Wastewater treatment, storage, and disposal shall not cause pollution, or a nuisance as defined by Water Code section 13050.
3. The discharge shall remain within the permitted ponds and land application areas at all times.
4. All conveyance, treatment, storage, and disposal systems shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
5. The Discharger shall design, construct, operate, and maintain, all ponds sufficiently to protect the integrity of containment dms and berms and prevent overtopping and/or structural failure. The operating freeboard in Stormwater Ponds 1 through 5, Infiltration Ponds 1 through 3, the Fire Pond and the Fergosi Pond shall never be less than two feet (measured vertically from the lowest possible point of overflow) unless an engineer’s evaluation and certification are provided to show a lesser freeboard requirement is sufficient to provide containment. As a means of management and to discern compliance with this requirement, the Discharger shall install and maintain in each pond a permanent staff gauge with calibration marks that clearly show the water level at design capacity and enable determination of available operational freeboard.

6. Stormwater Ponds 1 through 5 and Infiltration Ponds 1 through 3 shall have sufficient capacity to accommodate allowable wastewater flow, design seasonal precipitation, and ancillary inflow during the winter while ensuring continuous compliance with all requirements of this Order. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns.
7. On or about 1 October of each year, available capacity shall at least equal the volume necessary to comply with Land Discharge Specifications B.4 and B.7.
8. All ponds and open containment structures shall be managed to prevent breeding of mosquitos.
9. Newly constructed or rehabilitated berms or levees (excluding internal berms that separate ponds or control the flow of water within a pond) shall be designed and constructed under the supervision of a California Registered Civil Engineer if they contain wastewater or comingled wastewater and storm water, or are otherwise legally required to be so designed and constructed.
10. Existing berms in need of emergency repairs are not subject to the certification requirement by a Registered Civil Engineer. Emergency measures are considered to be temporary and may trigger a more detailed evaluation of long-term infrastructure needs and required additional certification.
11. Wastewater contained in any unlined pond shall not have a pH less than 6.0 or greater than 9.0.
12. The Discharger shall monitor sludge accumulation in the wastewater ponds at least every five years beginning in 2019, and shall periodically remove sludge as necessary to maintain adequate storage capacity.
13. Wastewater used for on-site dust control or crop irrigation shall be used in a manner that will not cause discharge of eroded sediment in stormwater runoff to areas not controlled by the Discharger.
14. No waste discharge shall occur within the 100-year floodplain, with the exception of areas where documented engineering measures are in place to mitigate for potential flooding conditions.

G. Recycling Specifications – Not Applicable

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

1. CWA section 303(a-c), requires states to adopt water quality standards, including criteria where they are necessary to protect beneficial uses. The Central Valley

Water Board adopted water quality criteria as water quality objectives in the Basin Plan. The Basin Plan states that “[t]he numerical and narrative water quality objectives define the least stringent standards that the Regional Water Board will apply to regional waters in order to protect the beneficial uses.” The Basin Plan includes numeric and narrative water quality objectives for various beneficial uses and water bodies. This Order contains receiving surface water limitations based on the Basin Plan numerical and narrative water quality objectives for ammonia, bacteria, biostimulatory substances, color, chemical constituents, dissolved oxygen, floating material, oil and grease, pH, pesticides, radioactivity, suspended sediment, settleable substances, suspended material, tastes and odors, temperature, toxicity, and turbidity.

B. Groundwater

1. The beneficial uses of the underlying groundwater are municipal and domestic supply, industrial service supply, industrial process supply, and agricultural supply.
2. Basin Plan water quality objectives include narrative objectives for chemical constituents, tastes and odors, and toxicity of groundwater. The toxicity objective requires that groundwater be maintained free of toxic substances in concentrations that produce detrimental physiological responses in humans, plants, animals, or aquatic life. The chemical constituent objective states groundwater shall not contain chemical constituents in concentrations that adversely affect any beneficial use. The tastes and odors objective prohibit taste- or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses. The Basin Plan also establishes numerical water quality objectives for chemical constituents and radioactivity in groundwaters designated as municipal supply. These include, at a minimum, compliance with MCLs in Title 22 of the CCR. The bacteria objective prohibits coliform organisms at or above 2.2 MPN/100 mL. The Basin Plan requires the application of the most stringent objective necessary to ensure that waters do not contain chemical constituents, toxic substances, radionuclides, taste- or odor-producing substances, or bacteria in concentrations that adversely affect municipal or domestic supply, agricultural supply, industrial supply or some other beneficial use.
3. Three groundwater wells were installed in December 2019 surrounding Infiltration Ponds 1 through 3 in order to characterize the existing groundwater at the Site. The groundwater monitoring will also be used to assess groundwater quality over time and ensure that discharge to Infiltration Ponds 1 through 3 is not causing or contributing to degradation of groundwater. pH has the ability to degrade groundwater quality at this site because there is little potential for buffering in the shallow permeable vadose zone. According to Ayers and Westcot, pH less than 6.5 or greater than 8.4 can cause yield or vegetative growth reductions of sensitive crops if present in irrigation water, thereby impairing agricultural use of the water resource. The applicable water quality objective to protect the

agricultural use from discharges of substances that affect pH is the narrative Chemical Constituents objective, which is applied following the “Policy of Application of Water Quality Objectives” in the Basin Plan. A numerical groundwater limitation range of 6.5 to 8.4 for pH, based on Ayers and Westcot, is relevant and appropriate to apply the narrative Chemical Constituents objective to protect unrestricted agricultural use of groundwater in the absence of information to support a less protective limit. Groundwater Monitoring is required to protect the beneficial uses of the underlying groundwater.

VI. RATIONALE FOR PROVISIONS

A. Standard Provisions

Standard Provisions, which apply to all NPDES permits in accordance with 40 C.F.R. section 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 C.F.R. section 122.42, are provided in Attachment D. The discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42.

Sections 122.41(a)(1) and (b) through (n) of 40 C.F.R. establish conditions that apply to all state issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. Section 123.25(a)(12) of 40 C.F.R. allows the state to omit or modify conditions to impose more stringent requirements. In accordance with 40 C.F.R. section 123.25, this Order omits federal conditions that address enforcement authority specified in 40 C.F.R. sections 122.41(j)(5) and (k)(2) because the enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387(e).

B. Special Provisions

1. Reopener Provisions

- a. **Water Effects Ratio (WER) and Metal Translators.** A default WER of 1.0 has been used in this Order for calculating criteria for applicable inorganic constituents. In addition, default dissolved-to-total metal translators have been used to convert water quality objectives from dissolved to total recoverable when developing effluent limitations for copper, lead, and zinc. If the Discharger performs studies to determine site-specific WERs and/or site-specific dissolved-to-total metal translators, this Order may be reopened to modify the effluent limitations for the applicable inorganic constituents.
- b. **Storm Water Action Levels.** This Order requires the Discharger to complete a storm water action level confirmation study to determine appropriate action levels for aldrin, aluminum, copper, iron, lead,

manganese, nickel, toluene, and zinc that will ensure compliance with the water quality objectives applicable to the receiving water while not being unnecessarily stringent. The Discharger shall sample the listed constituents at the frequency specified in the Monitoring and Reporting Program in Attachment E. This Order may be reopened for modification, or revocation and reissuance, as a result of the findings of the storm water action level confirmation study.

- c. **Drinking Water Policy.** On 26 July 2013, the Central Valley Water Board adopted Resolution R5-2013-0098, amending the Basin Plan and establishing a Drinking Water Policy. The State Water Board approved the Drinking Water Policy on 3 December 2013. This Order may be reopened to incorporate monitoring of drinking water constituents to implement the Drinking Water Policy.
- d. **Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS).** On 31 May 2018, as part of the CV-SALTS initiative, the Central Valley Water Board approved Basin Plan Amendments to incorporate new strategies for addressing ongoing salt and nitrate accumulation in the Central Valley. On 16 October 2019 the State Water Board approved the Amendments. If approved by the Office of Administrative Law and U.S. EPA, the Amendments would impose certain new requirements on salt and nitrate discharges. If the Amendments ultimately go into effect, this Order may be amended or modified to incorporate any newly-applicable requirements.

2. Special Studies and Additional Monitoring Requirements

- a. **Storm Water Action Levels and Best Management Practice (BMP) Improvement Evaluation.** As discussed in section IV.C.3 of this Fact Sheet, this Order establishes action levels for constituents of concern in discharges of industrial storm water. The storm water action levels are pollutant concentrations above which the Central Valley Water Board has determined the storm water discharge could adversely affect receiving water quality (and control measures must be evaluated). The storm water action levels are not effluent limitations. The levels are used to determine if storm water discharges from the Facility merit further monitoring to ensure that the Facility has been successful in implementing the SWPPP and/or if storm water pollution control measures must be reevaluated and improved upon.

In order to address storm water action level exceedances and/or receiving water limitation violations, the Discharger must evaluate BMP's and make necessary improvements to the Facility BMP's in order to reduce pollutants in the storm water discharge and to ensure protection of water quality.

- b. **Stormwater Action Level Study.** This Order requires the Discharger to complete a storm water action level study to determine appropriate action levels for aldrin, aluminum, copper, iron, lead, manganese, nickel, toluene, and zinc that will ensure compliance with the water quality objectives applicable to the receiving water while not being unnecessarily stringent. The Discharger shall sample the listed constituents at the frequency specified in the Monitoring and Reporting Program in Attachment E.
- c. **Antidegradation Re-evaluation.** The Discharger is required to submit an Antidegradation Re-evaluation, as specified in section VI.C.2.c, to confirm that the land discharge continues to be consistent with the State Anti-degradation Policy.

3. **Best Management Practices and Pollution Prevention**

- a. **Salinity Evaluation and Minimization Plan.** An Evaluation and Minimization Plan for salinity is required in this Order to ensure adequate measures are developed and implemented by the Discharger to reduce the discharge of salinity to Stover Ditch.
- b. **Storm Water Pollution Prevention Plan (SWPPP).** This Order requires the Discharger to implement BMP's, including treatment controls where necessary, in order to support attainment of water quality standards. The use of BMP's to control or abate the discharge of pollutants is allowed by 40 C.F.R. section 122.44(k)(3) because effluent limitations are infeasible and BMP's are reasonably necessary to achieve effluent limitations and are standards or to carry out the purposes and intent of the CWA. (40 C.F.R. 122.44(k)(4).)

This Order requires the Discharger to continue to implement a site-specific SWPPP for the Facility. The SWPPP is necessary to identify potential sources of pollutants that may come in contact with storm water and to control or abate the discharge of pollutants to surface water or groundwater.

In order to maintain an accurate and useful SWPPP, the SWPPP must be revised whenever there is a change in construction, site operation, or maintenance, which may affect the discharge of significant quantities of pollutants to surface water or groundwater. The SWPPP must also be amended if there are violations of this Order, or the Discharger has not achieved the general objectives of controlling pollutants in the storm water discharges.

- c. **Facility-Specific BMP – First Flush Collection.** This Order specifies a BMP that defines a quantity of storm water that must be collected, after cessation of log sprinkling, and discharged to the Facility log deck recycle pond prior to subsequent storm water being allowed to be discharged off-site to surface water. The “first flush” collection may occur more than once

in a wet season if the Discharger intermittently sprinkles logs with pond water during the wet season.

4. Construction, Operation, and Maintenance Specifications

- a. **Facility Retention Ponds, Fire Pond, Evaporation Ponds, and Substation Pond Operating Requirements.** The operation and maintenance specifications for the Facility Stormwater Ponds 1-5, Infiltration Ponds 1 through 3, Fire Pond, and Fergosi Pond are necessary to protect the beneficial uses of the groundwater. In addition, reporting requirements related to use of the ponds are required to monitor their use and the potential impact on groundwater.

5. Special Provisions for Publicly-Owned Treatment Works (POTWs) – Not Applicable

6. Other Special Provisions

- a. **Sludge, Wood Waste, and/or Ash Management Disposal.** Sludge disposal provisions are necessary to ensure proper disposal of collected screening, sludges, wood ash, wood waste, and other solids removed from liquid wastes, ponds, or other sources in a manner that is consistent with Title 27, California Code of Regulations (CCR), Division 2, Subdivision 1, Section 20005, et seq, and approved by the Executive Officer.

7. Compliance Schedules – Not Applicable

VII. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

CWA section 308 and 40 C.F.R. sections 122.41(h), (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 Central Valley Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. The Monitoring and Reporting Program (MRP), Attachment E of this Order establishes monitoring, reporting, and recordkeeping requirements that implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this facility.

A. Influent Monitoring – Not Applicable

B. Effluent Monitoring

1. Pursuant to the requirements of 40 C.F.R. section 122.44(i)(2) effluent monitoring is required for all constituents with effluent limitations. Effluent monitoring is necessary to assess compliance with effluent limitations, assess the effectiveness of the treatment process, and to assess the impacts of the discharge on the receiving stream and groundwater.

2. Effluent monitoring frequencies and sample types for flow (daily), pH (daily), turbidity (weekly), TSS (weekly), temperature (weekly), COD (monthly), tannins and lignins (monthly), copper (monthly), lead (monthly), and standard minerals (monthly) have been retained from Order R5-2009-0015 to determine compliance with effluent limitations, where applicable, and characterize the discharge for these parameters.
3. Order R5-2009-0015 required monitoring for EC, settleable solids, and chlorine residual. This Order decreases the monitoring frequency from daily to weekly for EC and settleable solids and removes monitoring requirements for chlorine residual. This Order decreases monitoring of EC, settleable solids, and chlorine residual due to the change in the characterization of the water which will be discharged.
4. Order R5-2009-0015 required bi-annual testing for oil and grease. This Order increases the monitoring frequency of oil and grease from bi-annually to monthly in order to better characterize the effluent.
5. Water Code section 13176, subdivision (a), states: "The analysis of any material required by [Water Code sections 13000-16104] shall be performed by a laboratory that has accreditation or certification pursuant to Article 3 (commencing with section 100825) of Chapter 4 of Part 1 of Division 101 of the Health and Safety Code." The DDW accredits laboratories through its Environmental Laboratory Accreditation Program (ELAP).
6. In accordance with Section 1.3 of the SIP, periodic monitoring for priority pollutants for which criteria or objectives apply and for which no effluent limitations have been established is required. This Order requires monitoring during the first discharge event that occurs during the permit term in order to collect data to conduct an RPA for the next permit renewal. See section IX.C of the MRP for more detailed requirements related to performing priority pollutant monitoring.
7. Water Code section 13176, subdivision (a), states: "The analysis of any material required by [Water Code sections 13000-16104] shall be performed by a laboratory that has accreditation or certification pursuant to Article 3 (commencing with section 100825) of chapter 4 of part 1 of division 101 of the Health and Safety Code." DDW accredits laboratories through its Environmental Laboratory Accreditation Program (ELAP).

Section 13176 cannot be interpreted in a manner that would violate federal holding time requirements that apply to NPDES permits pursuant to the CWA (Wat. Code sections 13370, subd. (c), 13372, 13377). Section 13176 is inapplicable to NPDES permits to the extent it is inconsistent with CWA requirements (Wat. Code sections 13372, subd. (a)). The holding time requirements are 15 minutes for chlorine residual, dissolved oxygen, and pH, and immediate analysis is required for temperature (40 C.F.R. section 136.3(e),

Table II). Due to the location of the Facility, it is both legally and factually impossible for the Discharger to comply with section 13176 for constituents with short holding times.

C. Whole Effluent Toxicity Testing Requirements

1. **Chronic Toxicity.** Chronic toxicity testing requirements have been removed from this Order due to the short-term nature of the stormwater discharge.
2. **Acute Toxicity.** Semi-annual 96-hour bioassay testing is required to demonstrate compliance with the effluent limitation for acute toxicity.

D. Receiving Water Monitoring

1. Surface Water

- a. Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream.
- b. Receiving water monitoring requirements at Monitoring Locations RSW-001 and RSW-002 have been retained for visual observations (weekly).
- c. Order R5-2009-0015 required weekly receiving water monitoring for temperature, pH, EC, dissolved oxygen, and turbidity at Monitoring Locations RSW-001 and RSW-002. This Order decreases the monitoring frequency for temperature, pH, EC, dissolved oxygen, and turbidity from weekly to bi-monthly.
- d. This Order adds monitoring requirements for hardness (bi-monthly), aluminum (quarterly), copper (quarterly), iron (quarterly), lead (quarterly), manganese (quarterly), aldrin (quarterly), and toluene (quarterly). The Central Valley Water Board finds that this frequency is necessary to assess the impact of the discharge on the receiving water for these parameters.
- e. This Order changes intake monitoring location INT-001 to RSW-002. This Order changes RSW-002 to RSW-003 and requires monitoring as described in Attachment E of this Order.
- f. In accordance with Section 1.3 of the SIP, periodic monitoring for priority pollutants for which criteria or objectives apply and for which no effluent limitations have been established. This Order requires monitoring for priority pollutants and other pollutants of concern during the first discharge event that occurs during the permit term in the upstream receiving water, concurrent with effluent monitoring, in order to collect data to conduct an RPA for the next permit renewal. See section IX.C of the Monitoring and

Reporting Program (Attachment E) for more detailed requirements related to performing priority pollutant monitoring.

2. Groundwater

- a. Water Code section 13267 states, in part, “(a) A Regional Water Board, in establishing waste discharge requirements may investigate the quality of any waters of the state within its region” and “(b)(1) In conducting an investigation, the Regional Water Board may require that any person who discharges waste that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the Regional Water Board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports.” In requiring those reports, a Regional Water Board shall provide the person with a written explanation with regard to the need for the reports and shall identify the evidence that supports requiring that person to provide the reports. The Monitoring and Reporting Program is issued pursuant to Water Code section 13267. The groundwater monitoring and reporting program required by this Order and the Monitoring and Reporting Program are necessary to assure compliance with these waste discharge requirements. The Discharger is responsible for the discharges of waste at the facility subject to this Order.
- b. Monitoring of the groundwater must be conducted to determine if the discharge has caused an increase in constituent concentrations, when compared to background. The monitoring must, at a minimum, require a complete assessment of groundwater impacts including the vertical and lateral extent of degradation, an assessment of all wastewater-related constituents which may have migrated to groundwater, an analysis of whether additional or different methods of treatment or control of the discharge are necessary to provide best practicable treatment or control to comply with the State Anti-Degradation Policy. Economic analysis is only one of many factors considered in determining best practicable treatment or control. If monitoring indicates that the discharge has incrementally increased constituent concentrations in groundwater above background, this permit may be reopened and modified. If groundwater quality has been or may be degraded by the discharge, this Order may be reopened, and specific numeric limitations established consistent with the State Anti-Degradation Policy and the Basin Plan.
- c. This Order requires the Discharger to continue groundwater monitoring and includes a regular schedule of groundwater monitoring in the attached Monitoring and Reporting Program. The groundwater monitoring reports are necessary to evaluate impacts to waters of the State to assure protection of beneficial uses and compliance with Central Valley Water Board plans and

policies, including the State Anti-Degradation Policy. Evidence in the record includes effluent monitoring data that indicates the presence of constituents that may degrade groundwater and surface water.

E. Other Monitoring Requirements

1. Precipitation Monitoring

Precipitation monitoring is necessary to assess the amount of rainfall that falls on the log yard area.

2. Ash and Cooling Tower Solids Monitoring

The annual ash and cooling tower solids report is necessary to determine the quantity of ash and cooling tower solids generated at the Facility and to ensure the proper handling of such material.

3. Pond Monitoring

Pond monitoring requirements for freeboard and settled matter depth is necessary to assess compliance with pond operating requirements and to ensure pond integrity. Pond monitoring for pH, dissolved oxygen, electrical conductivity, tannins and lignins, total dissolved solids, chemical oxygen demand, standard minerals, and priority pollutant metals are necessary to assess the impacts of the discharge on groundwater.

VIII. PUBLIC PARTICIPATION

The Central Valley Water Board has considered the issuance of WDR's that will serve as an NPDES permit for Collins Pine Company Chester. As a step in the WDR adoption process, the Central Valley Water Board staff has developed tentative WDR's and has encouraged public participation in the WDR adoption process.

A. Notification of Interested Persons

The Central Valley Water Board notified the Discharger and interested agencies and persons of its intent to prescribe WDR's for the discharge and provided an opportunity to submit written comments and recommendations. Notification was provided through physical posting, mailing, and internet posting.

The public had access to the agenda and any changes in dates and locations through the [Central Valley Water Board's website](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/) (http://www.waterboards.ca.gov/centralvalley/board_info/meetings/)

B. Written Comments

Interested persons were invited to submit written comments concerning tentative WDR's as provided through the notification process. Comments were due either in

person or by mail to the Executive Office at the Central Valley Water Board at the address on the cover page of this Order.

To be fully responded to by staff and considered by the Central Valley Water Board, the written comments were due at the Central Valley Water Board office by 5:00 p.m. on 8 May 2020.

C. Public Hearing

The Central Valley Water Board held a public hearing on the tentative WDR's during its regular Board meeting on the following date and time and at the following location:

Date: 4-5 June 2020

Time: 8:30 a.m.

Location: Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Dr., Suite #200
Rancho Cordova, CA 95670

Interested persons were invited to attend. At the public hearing, the Central Valley Water Board heard testimony pertinent to the discharge, WDR's, and permit. For accuracy of the record, important testimony was requested in writing.

D. Reconsideration of Waste Discharge Requirements

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water board to review the action in accordance with Water Code section 13320 and California Code of Regulations, Title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., within 30 calendar days of the date of adoption of this Order at the following address, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day:

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

Or by email at waterqualitypetitions@waterboards.ca.gov

[Instructions on how to file a petition for review](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instructions.shtml)

(http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instructions.shtml) are available on the Internet.

E. Information and Copying

The Report of Waste Discharge, other supporting documents, and comments received are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Central Valley Water Board by calling (916) 464-3291.

F. Register of Interested Persons

Any person interested in being placed on the mailing list for information regarding the WDR's and NPDES permit should contact the Central Valley Water Board, reference this 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 Kate Sjoberg at (530) 224-3218.