

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

ORDER NO. R7-2002-0004
NPDES NO. CA0105007

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT
AND
WASTE DISCHARGE REQUIREMENTS
FOR
CITY OF WESTMORLAND, OWNER/OPERATOR
WASTEWATER TREATMENT PLANT, COLLECTION AND DISPOSAL SYSTEMS
Westmorland – Imperial County**

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

1. On July 11, 2001, the City of Westmorland, (hereinafter referred to as the discharger), P.O. Box 699, Westmorland, CA, 92281, Owner/Operator of the Westmorland Wastewater Treatment Plant and Collection System, submitted an application to update its Waste Discharge Requirements (WDRs) and to renew its National Pollutant Discharge Elimination System (NPDES) Permit to discharge secondary treated wastewater to the Trifolium Drain No. 6.
2. The discharger owns and operates the wastewater collection, treatment and disposal system and provides sewerage service to the City of Westmorland. The wastewater treatment plant (WWTP) is located at 5305 Martin Road, Westmorland, CA 92281.
3. The WWTP presently discharges an average daily flow of 0.228 million gallons-per-day (MGD) of secondary treated wastewater.
4. The discharge is into Trifolium Drain No. 6, in the SW $\frac{1}{4}$ of Section 4, T13S, R13E, SBB&M. The discharged effluent flows through the Trifolium Drain No. 6 for approximately three and one-half ($3 \frac{1}{2}$) miles and enters the New River about eight (8) miles from the Salton Sea.
5. The WWTP facility consisted of two aeration basins and four waste stabilization ponds with a design capacity of 0.375 MGD before expanding to a design treatment capacity of 0.50 MGD. The expansion consists of a new sewage pump station, influent flow meter, one (1) oxidation ditch, two (2) 28-foot diameter clarifiers and a chlorination ditch. The effluent from the clarifiers will be disinfected with gaseous chlorine and then dechlorinated prior to discharge to Trifolium Drain No. 6. New sludge drying beds and a new septage receiving area have also been constructed. Currently, the discharger's collection system consists of separate gravity flow sanitary sewers.

6. The NPDES Permit application describes the effluent flow characteristics as follows:

<u>Constituent/Parameter</u>	<u>Value</u>	<u>Units</u>
Flow, Average Daily	0.228	MGD ¹
Flow Rate, Maximum Daily	0.248	MGD
pH, Minimum Daily	7.8	-----
pH, Maximum Daily	7.9	-----
Effluent BOD ₅ ² , Average Daily	30.7	mg/L ³
Effluent BOD ₅ , Maximum Daily	41.0	mg/L
Effluent TSS ⁴ , Average Daily	25.78	mg/L
Effluent TSS, Maximum Daily	37.0	mg/L

7. The discharger has been subject to an NPDES Permit and WDRs adopted in Board Order No. 98-001 (NPDES No. CA0105007) on January 8, 1998, which allows for discharge to Trifolium Drain No. 6.
8. This Board Order updates the WDRs to comply with the California Toxics Rule, the State Implementation Plan, and the expansion of the facility.
9. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) was adopted on November 17, 1993, and designates the beneficial uses of ground and surface waters in the Region.
10. The designated beneficial uses of waters in the Imperial Valley Drains and Trifolium Drain No. 6 are:
 - a. Fresh Water Replenishment of the Salton Sea (FRSH)
 - b. Water Contact Recreation (REC I)^{5,6}
 - c. Non-Contact Water Recreation (REC II)⁵
 - d. Warm Water Habitat (WARM)
 - e. Wildlife Habitat (WILD)
 - f. Preservation of Rare, Threatened or Endangered Species (RARE)⁷
11. Federal regulations for storm water discharges require specific categories of facilities which discharge storm water associated with industrial activity (storm water) to obtain NPDES permits and to implement Best Conventional Pollutant Technology (BCT) and Best Available Technology Economically Achievable (BAT) to reduce or eliminate industrial storm water pollution.
12. The action to adopt an NPDES Permit is exempt from the provisions of Chapter 3 of the California Environmental Quality Act (CEQA: Public Resources Code Section 21000, et. seq.), pursuant to Section 13389 of the California Water Code.

¹ Million Gallons per Day

² Biochemical Oxygen Demand

³ Milligrams per Liter

⁴ Total Suspended Solids

⁵ Unauthorized Use.

⁶ The only REC 1 usage that is known to occur is from infrequent fishing.

⁷ Rare, endangered, or threatened wildlife exists in or utilizes some of this waterway(s). If the RARE beneficial use may be affected by a water quality control decision, responsibility for substantiation of the existence of rare, endangered, or threatened species on a case-by-case basis is upon the California Department of Fish and Game on its own initiative and/or at the request of the Regional Board; and such substantiation must be provided within a reasonable time frame as approved by the Regional Board.

13. The City of Westmorland, as Lead Agency, prepared a Negative Declaration for the expansion of the WWTP to meet the State requirement of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.). It was determined that the project will not have a significant effect on the environment. The State Clearinghouse Number for this project is 1998031046. The Regional Board has considered the Negative Declaration and the water quality impacts of the project and concurs that the project will not have significant water quality impacts.
14. The State Water Resources Control Board (SWRCB) adopted Order No. 97-03-DWQ (General Permit No. CAS000001), specifying WDRs for discharges of storm water associated with industrial activities, excluding construction activities, and requiring submittal of a Notice of Intent by industries to be covered under the Permit.
15. The USEPA adopted the National Toxics Rule (NTR) on February 5, 1993. The NTR requires effluent limitation for all pollutants that are, or may be, discharged at a level that will cause or have the reasonable potential to cause, or contribute to, an in-stream excursion above a narrative or numeric water quality standard.
16. On May 18, 2000, the USEPA published the adopted California Toxics Rule (CTR). The CTR promulgates new criteria for both human health protection and protection of aquatic life. New numeric aquatic life criteria for 23 priority toxic pollutants and numeric human health criteria for 57 priority toxic pollutants are listed. In addition, the CTR contains a compliance schedule provision, which authorizes the State to issue schedules of compliance for new or revised NPDES Permit limits based on the federal criteria when certain conditions are met.
17. On March 2, 2000, the SWRCB adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays and Estuaries of California (California Toxics Policy). This Policy establishes (1) implementation provisions for priority pollutant criteria promulgated by the USEPA through the NTR and CTR and for priority pollutant objectives established by the Regional Water Quality Control Boards in their water quality control plans; (2) monitoring requirements for 2, 3, 7, 8-tetrachlorodibenzo-p-dioxin (TCDD) equivalents; and (3) chronic toxicity control provisions.
18. The Regional Board received priority pollutant monitoring results from the discharger on December 7, 2001. Monitoring for 2, 3, 7, 8- tetrachlorodibenzo-p-dioxin (TCDD) congeners is scheduled for December 2002 and June 2003, with the final report to be submitted by November 15, 2003.
19. The proposed discharge is consistent with the anti-degradation provisions of 40 CFR 131.12 and SWRCB Resolution No. 68-16. If terms of the permit are met, the impact on water quality will be insignificant, including potential impacts on aquatic life, which is the beneficial use most likely affected by the discharge.
20. Domestic wastewater plants with design capacities less than 1.0 MGD are classified as minor by the USEPA. Accordingly the Region Board has classified the discharge as a minor discharge.
21. Effluent and receiving water limitations in this Board Order are based on the Federal Clean Water Act, Basin Plan, SWRCB's plans and policies, USEPA guidance, best professional judgment, and practicable water treatment technology.

22. Effluent limitations and toxic and pretreatment effluent standards, established pursuant to Section 208(b), 301, 302, 304, and 307 of the Federal Clean Water Act (CWA) and amendments thereto that are applicable to this discharge are implemented in this Board Order.
23. The Board has notified the discharger and all known interested agencies and persons of its intent to renew and update NPDES Permit and WDRs for said discharge, and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
24. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that Board Order No. 98-001 is terminated, and in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Federal Clean Water Act, and regulations and guidelines adopted thereunder, the discharger shall comply with the following:

A. Effluent Limitations

1. Representative samples of wastewater discharged to Trifolium Drain No. 6 from the treatment system shall not contain constituents in excess of the limits indicated below. Discharge to Trifolium Drain No. 6 shall be monitored at a location that is acceptable to the Regional Board's Executive Officer or his designee.

<u>Constituent</u>	<u>Unit</u>	<u>30-Day⁸ Arithmetic Mean Discharge Rate</u>	<u>7-Day⁹ Arithmetic Mean Discharge Rate</u>
20°C BOD ₅	mg/L lbs/day ¹⁰	30 130 ¹¹	45 190 ¹¹
Total Suspended Solids	mg/L lbs/day	30 130 ¹¹	45 190 ¹¹
Total Dissolved Solids	mg/L	4,000	4,500

2. The 30-day monthly average for percent removal of the pollutant parameters BOD₅ and total suspended solids shall not be less than 85 percent.
3. The hydrogen ion (pH) of the effluent shall be maintained within the limits of 6.0 to 9.0.
4. Beginning October 1, 2002, effluent discharged to Trifolium Drain No. 6 shall not contain a total chlorine residual greater than 0.02 mg/L as an instantaneous maximum and 0.01 mg/L as a monthly average.

⁸ 30-Day Mean – The arithmetic mean of pollutant parameter values of samples collected in a period of 30 consecutive days as specified in the Monitoring and Reporting Program.

⁹ 7-Day Mean – The arithmetic mean of pollutant parameter values of samples collected in a period of 7 consecutive days as specified in the Monitoring and Reporting Program.

¹⁰ lbs/day - pounds per day

¹¹ Based on a design treatment capacity of 0.5 MGD.

5. Beginning October 1, 2002, effluent discharged to Trifolium Drain No. 6 shall not have an Escherichia Coli (E. Coli) concentration in excess of a log mean of Most Probable Number (MPN) of 126 MPN per 100 milliliters (based on a minimum of not less than five (5) samples for any 30-day period) nor shall any sample during any 30-day period exceed 400 MPN per 100 milliliters.
6. No waste discharge shall exceed the effluent limitations for Group 1 or Group 2 pollutants. Exceedance of a Group 1 pollutant by 40 percent or a Group 2 pollutant by 20 percent or more is a serious violation. Group 1 and Group 2 pollutants are defined in 40 CFR Section 123.45.
7. The effluent shall not contain heavy metals, chemicals, pesticides or other constituents in concentration toxic to aquatic life.
8. There shall be no acute or chronic toxicity in the treatment plant effluent nor shall the treatment plant effluent cause any acute or chronic toxicity in the receiving water. All waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal or indigenous aquatic life. Compliance with this objective will be determined by use of indicator organisms, analyses of species diversity, population density, growth anomalies, or bioassays of appropriate duration or other appropriate methods specified by the Regional Board.

B. Receiving Water Limitations

1. Receiving water limitations are based upon water quality objectives contained in the Basin Plan. As such, they are a required part of this Board Order. Effluent discharged shall not cause the following in the Trifolium Drain No. 6:
 - a. Depress the concentration of dissolved oxygen below 5.0 mg/L. When dissolved oxygen in the receiving water is already below 5.0 mg/L, the discharge shall not cause any further depression.
 - b. The presence of oil, grease, floating material (liquids, solids, foam and scum) or suspended material in amounts that create a nuisance or adversely affect beneficial uses.
 - c. Result in the deposition of pesticides or combination of pesticides to be detected in concentrations that adversely affect beneficial uses.
 - d. Aesthetically undesirable discoloration or odors in the receiving water.
 - e. A significant increase in fungi, slime, or other objectionable growth.
 - f. Increased turbidity that causes a nuisance or adversely affects beneficial uses.
 - g. The normal ambient pH to fall below 6.0 or exceed 9.0 units.
 - h. Result in the deposition of material that causes nuisance or adversely affects beneficial uses.

- i. The maximum electrical conductivity to exceed background levels.
 - j. Chemical constituents to exceed concentrations that adversely affect beneficial uses or create nuisance.
 - k. Toxic pollutants to be present in the water column, sediments or biota in concentrations that adversely affect beneficial uses or that produce detrimental physiological responses in human, plant, animal, or aquatic life.
 - l. The natural receiving water temperature of surface waters shall not be altered by discharges of wastewater unless it can be demonstrated to the satisfaction of the Regional Board that such alteration in temperature does not adversely affect beneficial uses.
 - m. Taste or odor-producing substances to impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin or to cause otherwise adversely affect beneficial uses.
2. The discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the SWRCB as required by the Federal Clean Water Act and regulations adopted thereunder. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Federal Water Pollution Control Act or amendments thereto, the Regional Board will revise and modify this Permit in accordance with such more stringent standards.

C. Prohibitions

1. The bypass, overflow, discharge or spill of untreated or partially treated waste is prohibited.
2. Discharge of treated wastewater at a location or in a manner different from that described in Findings No. 1, 2, 3, 4, and 5 is prohibited.
3. The discharge of waste to land not owned or controlled by the discharger is prohibited.
4. The bypass or overflow of untreated wastewater or wastes to Trifolium Drain No. 6 is prohibited, except as allowed in the Standard Provision No. 13, as contained in the Standard Provisions for NPDES Permit (hereinafter Standard Provisions), dated October 1990.
5. The discharger shall not accept waste in excess of the design treatment capacity of the treatment plant.

D. Specifications

1. The 30-day average hydraulic flow rate for this system shall not exceed 0.5 MGD.
2. The treatment or disposal of wastes at this facility shall not cause pollution or nuisance as defined in Section 13050(l) and 13050(m) of Division 7 of the California Water Code.
2. A minimum depth of freeboard of two (2) feet shall be maintained at all times in the oxidation ditch.

4. The WWTP shall be protected from any washout or erosion of wastes or covering material, and from any inundation, which could occur as a result of floods having a predicted frequency of once in 100 years.
5. Public contact with undisinfected water or wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives. The non-disinfected wastewater is not approved for off-site distribution. Conspicuous signs shall be posted in a prominent location in each area where non-disinfected wastewater is stored on-site.
6. Objectionable odors originating at this facility shall not be perceivable beyond the limits of the wastewater treatment and disposal area.
7. Bioassays shall be performed to evaluate the toxicity of the discharged wastewater in accordance with the following procedures unless otherwise specified by the Regional Board's Executive Officer or his designee:
 - a. Bioassays shall be conducted on a sensitive fish species and an invertebrate species as approved by the Regional Board's Executive Officer. Pimephales promelas (Fathead minnow) and Ceriodaphnia dubia (Water flea) are suggested test species that may be utilized. The bioassays shall be conducted in accordance with the protocol given in EPA/600/4-91/002 – Short Term Methods for Estimating the Chronic Toxicity of Effluent and Receiving Waters to Freshwater Organisms, 3rd Edition, and EPA/600/4-90/027F Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters Freshwater and Marine Organisms, 4th Edition.
 - b. The bioassay test shall be performed as specified in the Monitoring and Reporting Program.
8. Any chronic toxicity test that exceeds two (2) chronic toxicity units (TU_c) or a three-sample median¹² (consecutive samples) that exceeds (one) 1 TU_c may trigger an accelerated monitoring frequency. In addition, any acute toxicity results showing high toxicity may trigger an accelerated monitoring frequency. High acute toxicity is defined as follows:
 - a. Less than 80% survival when acute toxicity is calculated from results of the chronic toxicity test (only for Pimephales promelas), or
 - b. Less than 90% survival as calculated from the results of the acute toxicity test.
9. Accelerated monitoring frequency shall consist of performing three (3) toxicity tests in a six-week period following the first exceedence of the chronic or acute toxicity triggers.
10. A Toxicity Identification Evaluation (TIE) may be triggered if the accelerated monitoring frequency indicates any of the following:
 - a. A chronic toxicity of 2 TU_c or greater;
 - b. The three-sample median exceeds 1 TU_c,
 - c. Less than 80% survival when acute toxicity is calculated from results of the chronic toxicity test (only for Pimephales promelas), or

¹² Three-sample median is defined as follows: The middle value of three consecutive samples arranged from the low value to the high value.

- d. Less than 90% survival when acute toxicity is calculated from the results of the acute toxicity test.
11. The TIE shall be conducted to identify and evaluate toxicity in accordance with procedures recommended by the USEPA and includes, but need not be limited to, proposed:
 - a. Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I, (USEPA, 1992a);
 - b. Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures, Second Edition (USEPA, 1991a);
 - c. Methods for Aquatic Toxicity Identification Evaluations: Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity (USEPA, 1993a);
 - d. Methods for Aquatic Toxicity Identification Evaluations: Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity (USEPA, 1993b)
12. If repeated tests reveal toxicity as a result of the waste discharge, the discharger may be required to conduct a Toxicity Reduction Evaluation (TRE). The discharger shall take all reasonable steps to control toxicity once the source of the toxicity is identified. A failure to conduct required toxicity tests or a TRE within a designated period shall result in the establishment of numerical effluent limitations for chronic toxicity in a permit or appropriate enforcement action. Recommended guidance in conducting a TRE include the following:
 - a. Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants, August 1999, EPA/833B-99/002;
 - b. Clarifications Regarding Toxicity Reduction and Identification Evaluations in the NPDES Program dated March 27, 2001, USEPA Office of Wastewater Management, Office of Regulatory Enforcement.
13. Treated or untreated sludge or similar solid waste materials shall be disposed at locations approved by the Regional Board's Executive Officer.

E. Provisions

1. This Board Order shall serve as a NPDES Permit pursuant to Section 402 of the Federal Clean Water Act, as amended, and shall become effective at the end of 10 days from the date of the hearing when this Board Order was adopted by the Regional Board, provided the Regional Administrator, USEPA has no objections.
2. This Board Order expires five (5) years from date of adoption on January 16, 2007, and the discharger shall file a complete Report of Waste Discharge in accordance with Title 23, California Code of Regulations, at least 180 days in advance of such date as an application for issuance of a new Board Order.
3. The discharger shall provide a report to the Regional Board when it determines that the plant is operating at 80 percent of the design capacity specified in Finding No. 3, above. The report should indicate what steps, if any, the discharger intends to take to provide for the expected wastewater treatment capacity necessary when the plant reaches design capacity.

4. The discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.
5. Prior to any change in ownership or management of this operation, the discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.
6. The discharger shall comply with all of the conditions of this Board Order. Any noncompliance with this Board Order constitutes a violation of the Federal Clean Water Act and Porter-Cologne Water Quality Control Act and is grounds for enforcement action; for Permit termination, revocation and reissuance, or modification of WDRs; or denial of a Permit application.
7. The discharger shall comply with "Standard Provisions for National Pollutant Discharge Elimination System Permit" dated October 1990 (attached).
8. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
9. The discharger is the responsible party for the WDRs and the Monitoring and Reporting Program for the facility. The discharger shall comply with all conditions of these WDRs. Violations may result in enforcement actions including Regional Board Orders or court orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of these WDRs by the Regional Board.
10. The discharger shall, at all times, properly operate and maintain all systems and components of collection, treatment and control which are installed or used by the discharger to achieve compliance with the conditions of this Board Order. Proper operation and maintenance includes effective performance, adequate process controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of this Board Order. All systems both in service and reserved, shall be inspected and maintained on a regular basis. Records shall be kept of the inspection results and maintenance performed and made available to the Regional Board upon demand.
11. The discharger's WWTP shall be supervised and operated by persons possessing certification of appropriate grade pursuant to Section 3680, Chapter 26, Division 3, Title 23 of the California Code of Regulations. The discharger shall ensure that all operating personnel are familiar with the contents of this Board Order.
12. Unless otherwise approved by the Regional Board's Executive Officer, all analyses shall be conducted at a laboratory certified for such analysis by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analyses of Pollutants", promulgated by the USEPA.
13. The discharger shall comply with Monitoring and Reporting Program No. R7-2002-0004, and future revisions thereto, as specified by the Regional Board's Executive Officer, and shall be in accordance with the following:
 - a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

- b. The monitoring and reporting of influent and effluent shall be done, at a minimum, on an annual basis, or as specified in this Board Order. Sewage sludge shall be monitored when removed for final disposal, or as specified in this Board Order. More frequent monitoring may be required, depending on the nature and effect of the sewage sludge use or disposal practices. Frequency of sludge monitoring shall be in accordance with 40 CFR Part 503.
 - c. All monitoring, including that of sludge for reuse or disposal, must be conducted according to test procedures approved under 40 CFR Part 136 or as specified in this Board Order.
 - d. The discharger shall retain records of all monitoring information, including all calibrations and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Board Order, and records of all data used to complete the application for this Board Order, for a period of at least five (5) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Board's Executive Officer.
 - e. Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling measurement(s).
 - 2. The individual(s) who performed the sampling or measurement(s).
 - 3. The date(s) analyses were performed.
 - 4. The individual(s) who performed the analyses.
 - 5. The analytical techniques or methods used.
 - 6. The results of such analyses.
 - f. The results of any analysis of samples taken more frequently than required at the locations specified in the Monitoring and Reporting Program No. R7-2002-0004 shall be reported to the Regional Board.
14. The discharger shall allow the Regional Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
- a. Enter upon the premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;
 - b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and
 - d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.

15. The discharger shall provide adequate notice to the Regional Board's Executive Officer of the following:
 - a. Any new introduction of pollutants into any of the treatment facilities described in the Findings of this Board Order from an indirect discharger which would be subject to Section 301 or 306 of the Federal Clean Water Act, if it were directly discharging the pollutants.
 - b. Any substantial change in the volume or character of pollutants being introduced into any of the treatment facilities described in the Findings of this Board Order by an existing or new source.
 - c. Any planned physical alterations or additions to the facilities described in this Board Order, or changes planned in the discharger's sludge use or disposal practice, where such alterations, additions, or changes may justify the application of Board Order conditions that are different from or absent in the existing Board Order, including notification of additional disposal sites not reported during the Board Order applications process, or not reported pursuant to an approved land applications plan.
 - d. Adequate notice shall include information on the quality and quantity of effluent introduced, and any anticipated impact of the change on the quantity or quality of the discharger's effluent and/or sludge.
 - e. The discharger shall report all instances of noncompliance. Reports of noncompliance shall be submitted with the discharger's next scheduled self-monitoring report or earlier if requested by the Regional Board's Executive Officer, or if required by an applicable standard for sludge use and disposal.
16. The discharger shall not cause degradation of any beneficial use of surface or ground water.
17. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.
18. All storm water discharges from this facility must comply with the lawful requirements of municipalities, counties, drainage districts and other local agencies regarding discharges of storm water to storm water drain systems or other courses under their jurisdiction.
19. Storm water discharges from the facility shall not cause or threaten to cause pollution or contamination.
20. Storm water discharges from the facility shall not contain hazardous substances equal to or in excess of a reportable quantity listed in 40 CFR Part 117 and/or 40 CFR Part 302.
21. Adequate measures shall be taken to assure that unauthorized persons are effectively excluded from contact with the wastewater disposal facilities.

22. The discharger shall implement acceptable operation and maintenance at the WWTP so that needed repair and maintenance are performed in a timely manner.
23. This discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the SWRCB as required by the Federal Clean Water Act and regulations adopted thereunder. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Federal Water Pollution Control Act or amendments thereto, the Regional Board will revise and modify this Board Order in accordance with such more stringent standards.
24. The discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with the specifications prepared by the Regional Board's Executive Officer. Such specifications are subject to periodic revisions as may be warranted.
25. The discharger may be required to submit technical reports as directed by the Regional Board's Executive Officer.
26. All sludge generated at the WWTP will be disposed, treated, or applied to land in accordance with Federal Regulations 40 CFR 503.
27. The discharger shall obtain prior written approval from the Regional Board specifying location and method of disposal, before disposing of treated or untreated sludge, or similar solid waste materials using a method not described in Finding No. 5. In addition, if the discharger intends to dispose of sludge using a method not described in Finding No. 5, then the discharger shall provide a plan as to the method, treatment, handling and disposal of sludge that is consistent with all state and federal laws and regulations.
28. The discharger shall exclude from the WWTP any liquid or solid waste that could adversely affect the plant operation or effluent quality. The excluded liquid or solid waste shall be disposed in accordance with applicable regulations.
29. The discharger shall maintain a permanent log of all solids hauled away from the treatment facility for use/disposal elsewhere and shall provide a summary of the volume, type (screenings, grit, raw sludge, digested sludge), use (agricultural, composting, etc.), and the destination in accordance with the Monitoring and Reporting Program of this Board Order. The sludge that is stockpiled at the treatment facility shall be sampled and analyzed for those constituents listed in the sludge monitoring section of the Monitoring and Reporting Program of this Board Order and as required by Title 40, Code of Federal Regulations, Part 503. The results of the analyses should be submitted to the Regional Board as part of the Monitoring and Reporting Program.
30. This Board Order may be modified, rescinded and reissued, for cause. The filing of a request by the discharger for a Board Order modification, rescission and reissuance, or a notification of planned changes or anticipated noncompliance does not stay any Board Order condition. Causes for modification include the promulgation of new regulations, modification of land application plans, or modification in sludge use or disposal practices, or adoption of new regulations by the State Board or the Regional Board, including revisions to the Basin Plan.

31. The discharger shall report any noncompliance that may endanger human health or the environment. Information shall be provided orally within 24 hours of when the discharger becomes aware of the incident to the Regional Board office and the Office of Emergency Services. The discharger shall also leave a message on the Regional Board office voice recorder during non-business hours. A written report shall also be provided within five (5) business days of the time the discharger becomes aware of the incident. The written report shall contain a description of the noncompliance and its cause, the period of noncompliance, the anticipated time to achieve full compliance, and the steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance. The discharger shall report all intentional or unintentional sewage spills in excess of 1,000 gallons occurring within the facility or collection system to the Regional Board office in accordance with the above time limits.
32. The discharger shall submit a Spill Response Plan (SRP) for Regional Board staff review within 120 days of the adoption date of this Board Order. Thereafter, the plan shall be updated annually, and shall be available for staff review during Regional Board inspections. The discharger shall ensure that all operating personnel are familiar with the contents of the SRP. A copy of the SRP shall be maintained at the site and shall be accessible to all operating personnel.
33. The discharger shall submit to the Regional Board a Toxicity Reduction Evaluation (TRE) work plan (1-2) pages within 180 days of the effective date of this permit. This plan shall describe the steps the permittee intends to follow in the event that toxicity is detected, and should include at a minimum:
 - a. A description of the investigation and evaluation techniques that will be used to identify potential causes/sources of toxicity, effluent variability and treatment system efficiency;
 - b. A description of the facility's method of maximizing in-house treatment efficiency and good housekeeping practices and a list of all chemicals used in operation of the facility;
 - c. If a Toxicity Identification Evaluation (TIE) is necessary, who will conduct it (i.e. in-house or outside consultant).
34. The discharger shall submit data sufficient to determine if a water quality-based effluent limitation is required in the discharge permit as required under the California Toxics Policy. It is the discharger's responsibility to provide all information requested by the Regional Board for use in the analysis. Within 90 days of adoption of this Board Order, the discharger shall provide a time schedule acceptable to the Regional Board for providing the data. The time schedule shall be as short as possible but no later than April 28, 2003. The time schedule shall contain interim requirements and dates for their achievement. There shall not be more than one (1) year between interim dates. The interim requirements require that the discharger shall notify the Regional Board, in writing, no later than 14 days following each interim date, of its compliance or noncompliance with the interim requirements. The permit shall be reopened to establish water quality-based effluent limitations, if necessary.
35. In addition, should the discharger request to use a translator for metals and selenium different than the USEPA conversion factor, it shall complete a translator study within two (2) years from the date of the issuance of this permit as stated in the California Toxics Policy. In the event a translator study is not completed within the specified time, the USEPA conversion factor-based effluent limitation as specified in the CTR shall be effective as a default limitation.

36. The discharger shall, as required by the Regional Board Executive Officer, conduct a Pollutant Minimization Program in accordance with the California Toxics Policy when there is evidence that the priority pollutant is present in the effluent above an effluent limitation and a sample result is reported as detected and not quantified and the effluent limitation is less than the reported minimum level; or a sample result is reported as not detected and the effluent limitation is less than the method detection limit.
37. The permit shall be reopened and modified or revoked and reissued as a result of the detection of a reportable priority pollutant identified by special conditions' monitoring data, included in this permit. These special conditions in the permit may be, but are not limited to, fish tissue sampling, whole effluent toxicity tests, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in the permit as a result of the special condition monitoring data.
38. By December 2002, the discharger shall begin monitoring its effluent for the presence of 17 (Toxic equivalency factors for 2, 3, 7, 8-tetrachlorodibenzo-p-dioxin equivalents) congeners once during the dry weather and once during the wet weather within a period of three (3) consecutive years. The final report must be submitted to the Regional Board by April 15, 2004.
39. Collected screenings, sludge, and other solids removed from liquid wastes shall be disposed of in a manner that is consistent with SWRCB and Integrated Waste Management Board's joint regulations (Title 27) of the California Code of Regulations and approved by the Regional Board's Executive Officer.
40. The Federal Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Federal Clean Water Act is subject to a civil or criminal penalty.
41. In the event the discharger allows Significant Industrial Users (40 CFR 403.3(t)) to discharge to the WWTP, the discharger shall do so by developing and implementing an approved Industrial Pretreatment Program in accordance with the applicable Federal Pretreatment Regulations promulgated in 40 CFR Part 403.
42. This Board Order does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of neither personal rights, nor any infringement or violation of federal, state, or local laws or regulations.

F. Pretreatment

1. In the event that Significant Industrial Users are discharging to the wastewater treatment facility, then:
 - a. The discharger shall enforce the federal categorical pretreatment standards on all Categorical Industrial Users (CIUs) and shall enforce National Pretreatment Standards on all Industrial Users (40 CFR 403.5).
 - b. The discharger shall notify each CIU of its discharge effluent limits. The limits must be as stringent as the pretreatment standards contained in the applicable federal category (40 CFR Part 400 – 699). The discharger may develop more stringent, technology based local limits if it can show cause.

- c. The discharger shall notify the RWQCB if any CIU violates its discharge effluent limits.
2. The discharger shall provide the Regional Board with an annual report describing the pretreatment program activities over the previous 12-month period. The report shall be transmitted to the Regional Board office no later than January 31 of each year and include:
 - a. A summary of actions taken by the discharger which ensures industrial-user compliance;
 - b. An updated list of industrial users (by SIC categories) which were issued permits, and/or enforcement orders, and a status of compliance for each user; and
 - c. The name and address of each user that received a revised discharge limit.
3. The Regional Board retains the right to take legal action against an industrial user and/or the discharger where a user fails to meet the approved applicable pretreatment standards.

Duplicate signed copies of these reports shall be submitted to the USEPA Regional Administrator, and the Regional Board at the following addresses:

Regional Administrator
U. S. Environmental Protection Agency
Region 9, Attn: W-3
75 Hawthorne Street
San Francisco, CA 94105

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

I, Philip A. Gruenberg, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the Regional Water Quality Control Board, Colorado River Basin Region, on January 16, 2002.

Executive Officer