

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

ORDER NO. R7-2002-0158

WASTE DISCHARGE REQUIREMENTS
FOR
FOUNTAIN OF YOUTH SPA CORP., OWNER/OPERATOR
FOUNTAIN OF YOUTH SPA
EVAPORATION/OXIDATION BASIN DISPOSAL FACILITIES
Northwest of Niland – Imperial County

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

1. Fountain of Youth Spa Corporation, 2606 Caminito Tom Morris, La Jolla, California 92037, (hereinafter referred to as the discharger), submitted an updated Report of Waste Discharge (ROWD) to the California Regional Water Quality Control Board, Colorado River Basin Region (Regional Board), on August 23, 2002, for Fountain of Youth Spa sewage disposal facilities.
2. The discharge site is located about 10 miles northwest of Niland in the E ½ of Section 13, T9S, R12E, SBB&M.
3. The discharger is discharging a maximum daily flow of 130,000 gallons-per-day (gpd) of domestic sewage from a mobile home and recreational vehicle (RV) park consisting of 430 mobile home spaces, 300 RV spaces, two (2) laundry rooms and six (6) restrooms. The wastewater is discharged into three (3) clay-lined oxidation basins for disposal by evaporation. The basins are designed to have capacity of about 250,000 gpd.
4. There are no wells in the vicinity of the discharge facilities described in Finding No. 2, above. Water is supplied to this park by Coachella Valley Water District. The water has a total dissolved solids (TDS) concentration of 153 mg/L.
5. 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 this Region.
6. The beneficial uses of ground water in the East Salton Sea Hydrological Unit are municipal and agricultural supply. However, shallow ground water in the discharge area is saline, and is not used. Deep ground water in the area is very saline.
7. This discharge has been subject to Waste Discharge Requirements (WDRs) adopted in Board Order No. 89-054, and is being updated to comply with the current laws and regulations as set forth in the California Water Code and the California Code of Regulations.
8. In accordance with Section 15301, Chapter 3, Title 14 of the California Code of Regulations, the issuance of these WDRs, which govern the operation of an existing facility involving negligible or no expansion of use beyond that previously existing, is exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et. seq).
9. The monitoring and reporting requirements in Monitoring and Reporting Program No. R7-2002-0158 are necessary to determine compliance with these WDRs and to determine the facility's impacts, if any, on receiving water.

10. The Board has notified the discharger and all known interested agencies and persons of its intent to update WDRs for this discharge and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
11. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that Board Order No. 89-054 is rescinded, and in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the discharger shall comply with the following:

A. Specifications

1. The treatment or disposal of wastes at this facility shall not cause pollution or nuisance as defined in Sections 13050 (l) and 13050 (m) of Division 7 of the California Water Code.
2. No wastewater other than domestic wastewater shall be discharged into the sewage disposal system described in Finding No. 2, (above).
3. A minimum depth of freeboard of two (2) feet shall be maintained at all times in the oxidation basins.
4. Treated or untreated sludge, or similar solid waste materials, shall be disposed only at locations approved by the Regional Board's Executive Officer.
5. Public contact with un-disinfected wastewater shall be precluded through such means as fences, signs, or other acceptable alternatives.
6. 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.
7. Disposal by ponding shall be conducted in such a manner that there shall be no stranded or exposed solids.
8. A surface aerobic environment shall be maintained in each basin.

B. Prohibitions

1. The discharge of waste to land not owned or controlled by the discharger is prohibited.
2. There shall be no surface flow of wastewater away from the designated disposal areas.
3. There shall be no discharge, bypass, or flow of treated or untreated wastewater to surface waters.

C. Provisions

1. Facilities shall be available to keep the oxidation basin disposal system in operation in the event of commercial power failure.
2. The discharger shall comply with Monitoring and Reporting Program No. R7-2002-0158, and future revisions thereto, as specified by the Regional Board's Executive Officer.

3. Prior to any modifications in this facility, which would result in material change in the quality or quantity of wastewater treated or discharged, or any material change in the location of discharge, the discharger shall report all pertinent information in writing to the Regional Board and obtain revised requirements before any modifications are implemented.
4. 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.
5. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
6. 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.
7. The discharger shall comply with all of the conditions of this Board Order. Any noncompliance with this Board Order constitutes a violation of the Porter-Cologne Water Quality Control Act and is grounds for enforcement action.
8. The discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the discharger to achieve compliance with this Board Order.
9. All maintenance performed shall be reported in the monitoring reports as required.
10. 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.
11. Ponds shall have sufficient capacity to accommodate allowable wastewater flow and design seasonal precipitation. 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.
12. Unless otherwise approved by the Regional Board's Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the United States Environmental Protection Agency.
13. All regulated disposal systems shall be readily accessible for sampling and inspection.

14. The discharger shall provide an inventory of any hazardous materials that will be handled at the facility by January 15, 2003.
15. 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.
16. The discharger shall retain records of all monitoring information including all calibration and maintenance records, copies of all reports required by this Board Order, and records of all data used to complete the application for this Board Order. Records shall be maintained for a minimum of three (3) years from the date of the sample, measurement, or report. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board's Executive Officer.
17. The discharge shall not cause degradation of any surface or ground water.
18. The discharger shall obtain prior written approval from the Regional Board's Executive Officer specifying location and method of disposal, before disposing of treated or untreated sludge, or similar solid waste materials. In addition, the discharger shall provide the results of any sludge analyses as specified by the Regional Board's Executive Officer.
19. Any off-site disposal of septage shall be only to a legal point of disposal, with the approval of the legal disposal site operator. For purposes of these requirements, a legal disposal site is one for which requirements have been established by the California Regional Water Quality Control Board and which is in full compliance therewith. Any septage handling shall be in such a manner as to prevent its reaching surface waters or watercourses.
20. The discharger shall report any noncompliance that may endanger health or the environment. Any such information shall be provided verbally to the Regional Board's Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submittal shall also be provided within five (5) days of the time the discharger becomes aware of the circumstances. The written submittal shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; and if the noncompliance has not been corrected, the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Regional Board's Executive Officer, or an unauthorized representative, may waive the written report on a case-by-case basis, if the oral report has been received within 24 hours.
21. This Board Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the discharger for a Board Order modification, revocation and reissuance, or termination, 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.
22. The discharger shall remove and relocate any wastes that are discharged at this site in violation of these requirements.
23. The concentrations of volatile organic constituents in the discharged wastewater shall not exceed State Drinking Water Standards or Action Levels. Violation of said limits shall be reported immediately to the Regional Board. The discharger shall submit a cleanup proposal within two (2)

weeks. The discharger shall initiate cleanup work immediately upon approval of the Regional Board's Executive Officer. Upon completion, the Regional Board's Executive Officer shall be notified of the results of said work.

24. The Regional Board and the Director of the County Environmental Health Department shall be notified immediately of any failure of the wastewater containment facilities. Such failure shall be promptly corrected in accordance with the requirements of this Board Order.

I, Philip A. Gruenberg, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on November 13, 2002.

PHIL GRUENBERG
Executive Officer