

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

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**SPECIAL BOARD ORDER R7-2009-0058 AMENDING  
WASTE DISCHARGE REQUIREMENTS ORDER R7-2006-0049  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)  
PERMIT NO. CA0104370 FOR THE  
HEBER PUBLIC UTILITIES DISTRICT MUNICIPAL WASTEWATER TREATMENT PLANT  
Heber — Imperial County**

The California Regional Water Quality Control Board, Colorado River Basin Region (hereinafter Regional Water Board), finds:

**A. Background.**

1. On June 21, 2006, the Regional Water Board adopted Board Order R7-2006-0049, NPDES Permit No. CA0104370, prescribing Waste Discharge Requirements for the Heber Public Utilities District (hereinafter Discharger) Municipal Wastewater Treatment Plant (WWTP) for the discharge of 0.810 million gallons per day (MGD) of secondary treated wastewater to the Central Drain 3-D No. 1, a tributary to the Alamo River, a water of the United States. Board Order R7-2006-0049 will expire on June 21, 2011.
2. The California Toxics Rule (CTR) (Title 40 Code of Federal Regulations (CFR) Section 131.38) and the State Water Resource Control Board's (State Water Board) Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Plan or SIP) establish specific criteria for freshwater and saltwater. When the salinity of receiving water is between 1 and 10 parts per thousand, such as is the case for the Central Drain 3-D No. 1, the CTR and SIP provide for the Regional Water Board to prescribe in a permit the more stringent of the two criteria. Based on the foregoing, Board Order R7-2006-0049, as adopted by the Regional Water Board in 2006, includes interim<sup>1</sup> and final effluent limits for total recoverable copper, total recoverable lead, total recoverable zinc and free cyanide that were developed based on saltwater and freshwater criteria. The final effluent limit for total recoverable copper, total recoverable lead, and total recoverable zinc are based on saltwater criteria, which is more stringent than freshwater criteria for these pollutants.
3. The Discharger conducted a Biological Assessment at the location of the discharge. The objective of the Biological Assessment is to demonstrate scientifically whether water, plant life, and aquatic life at the discharge location are more typical of a saltwater or a freshwater environment. The areas of observation were approximately 100 meters upstream and 100 meters downstream of the discharge.
4. On December 17, 2008, the Discharger submitted the results of the Biological Assessment to the U.S. Environmental Protection Agency (USEPA) requesting approval to use alternative freshwater criteria at the location of the discharge pursuant to 40 CFR 131.38(c)(3). This assessment determined that the applicable reach of the Central Drain 3-D No. 1 is dominated by freshwater aquatic life and that freshwater criteria are more

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<sup>1</sup> The interim effluent limitations based on freshwater or saltwater criteria are for total recoverable copper, total recoverable lead, total recoverable zinc and free cyanide

appropriate; therefore, saltwater aquatic life criteria are not applicable for this reach of the Central Drain 3-D No. 1.

5. On April 9, 2009, following its review of the Biological Assessment submitted, USEPA issued a tentative approval of the findings in the Discharger's Biological Assessment and the application of water quality criteria for the protection of freshwater aquatic life.
6. Board Order R7-2006-0049 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, but are not limited to, 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 Water Board or the Regional Water Board, including revisions to the Basin Plan.
7. This Special Board Order revises Board Order R7-2006-0049 to designate the Heber Public Utilities District's discharge location at the Central Drain 3-D No. 1 as a freshwater environment. This Special Board Order removes the interim and final effluent limits for total recoverable copper, total recoverable lead, total recoverable zinc and free cyanide based on CTR and SIP freshwater criteria for the discharge.
8. In accordance with section 1.3 of the SIP, the Regional Water Board staff conducted a Reasonable Potential Analysis (RPA) for each priority pollutant with an applicable criterion or objective to determine if a water quality-based effluent limitation (WQBEL) was required in the Order. For the existing Board Order R7-2006-0049, the discharge demonstrates a reasonable potential to cause or contribute to an excursion above the applicable water quality standards based on freshwater and saltwater criteria for total recoverable copper, total recoverable lead, total recoverable zinc and free cyanide. Based on the exclusion of saltwater criteria, the discharge did not demonstrate a reasonable potential to cause or contribute to an excursion above the applicable water quality standards for total recoverable copper, total recoverable lead, total recoverable zinc, and free cyanide; therefore, the effluent limitations for total recoverable copper, total recoverable lead, total recoverable zinc, and free cyanide have been discontinued.
9. Pursuant to 40 CFR 124.10(b) and 40 CFR 131.38(c)(3), a thirty (30) day public notice and comment period of USEPA's proposed tentative approval of the Biological Assessment and this revised Special Board Order are required prior to their becoming final. These public participation requirements provide stakeholders potentially affected by this action with an opportunity to object to or comment on the proposed tentative approval and revised Board Order.
10. Pursuant to 40 CFR 124.10(b) and California Water Code (CWC) Section 13167.5, the Regional Water Board published Public Notice No. 7-09-16 for this proposed Special Board Order on July 3, 2009
11. The 2006 USEPA Clean Water Act Section 303(d) list of impaired waters (hereinafter 303(d) List) classifies the Central Drain 3-D No. 1 (Imperial Valley Drain) as impaired by toxaphene and selenium. Further, the Alamo River, to which the Central Drain 3-D No. 1 is tributary, is listed as impaired by pesticides and selenium. There is an EPA-approved Total Maximum Daily Load (TMDL) for sedimentation/siltation for the Alamo River. The sediment TMDL has established a Waste Load Allocation (WLA) for the Discharger for sediment of twice the current Total Suspended Solids (TSS) loading rate (13.7 tons per year). The TSS effluent limitations contained in this Order are less than the WLA in the TMDL for the Discharger. In addition, the 303(d) List classifies the Salton Sea as impaired

by nutrients. Tributaries to the Salton Sea, including the Alamo River, may be affected by future TMDLs for the Salton Sea and its tributaries. A nutrient TMDL is under development for the Salton Sea that may have adverse impacts on permitted discharges to tributaries to the Salton Sea (Alamo River and Rose Drain).

In addition, the 303(d) List classifies the Salton Sea as impaired by nutrients, salt and selenium. Tributaries to the Salton Sea, including the Alamo River, may be affected by the development of TMDLs for the Salton Sea. No TMDL has been developed to date for the Salton Sea, although a nutrient TMDL is under development for the Salton Sea that may impact the permitted discharges to tributaries to the Salton Sea. The nutrient TMDL for the Salton Sea is tentatively scheduled for completion in 2009.

- B. Facility Description.** Heber Public Utilities District owns and operates the municipal wastewater treatment plant. The total design capacity of the wastewater treatment plant is 0.810 MGD. The treatment system consists of: a headworks consisting of two in-channel comminutors and one ultra sonic flow meter; influent pump station consisting of four non-clog centrifugal pumps, two oxidation ditches with a design capacity of 0.405 MGD each; flow splitter boxes after each oxidation ditch, which splits flow between two sets of clarifiers; two pump stations, which direct sludge to the sludge drying beds; and a chlorine contact basin consisting of a chlorine disinfection system and dechlorination system. Wastewater is discharged to the Central Drain 3-D No. 1, a tributary to the Alamo River, a water of the United States.
- C. California Environmental Quality Act (CEQA).** This action to amend an NPDES permit is exempt from the provisions of Chapter 3 of CEQA (commencing with Section 21100) of Division 13 of the California Public Resources Code in accordance with Section 13389 of the CWC.
- D. Notification of Interested Parties.** The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations (see Attachment A of this Order for full details on Public Participation).
- E. Consideration of Public Comment.** The Regional Water Board, in a public hearing, heard and considered all comments pertaining to the discharge.
- F. Anti-degradation Policy.** 40 CFR 131.12 requires that state water quality standards include an anti-degradation policy consistent with the federal policy. To comply with this federal requirement, the State Water Board established California's anti-degradation policy in State Water Board Resolution No. 68-16, titled "Policy with Respect to Maintaining High Quality Waters of the State." Resolution No. 68-16 incorporates the federal anti-degradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires discharges to waters of the State be regulated to achieve the "highest water quality consistent with maximum benefit to the people of the State." It also establishes the intent that where waters of the State are of higher quality than that required by state policies, including Water Quality Control Plans, such higher quality "shall be maintained to the maximum extent possible" unless it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in plans and policies (e.g., violation of any water quality objective). The discharge is also required to meet waste discharge requirements that result in the best practicable treatment or control necessary to assure that pollution or nuisance will not occur, and that the highest water quality consistent with maximum benefit to the people will be maintained.

The source water for the Heber Public Utilities District and the entire Imperial Valley is the Colorado River. Average annual precipitation in the Imperial Valley is insignificant (approximately 2 inches/year). Therefore, the Alamo River is an effluent-dominated surface water that also carries discharges from wastewater treatment plants (WWTPs); agricultural returns flows from Imperial Valley Drains that discharge tilewater and tailwater from farmlands; and occasional operational spills of irrigation water from adjacent farmlands. Tailwater is irrigation water that does not percolate into the soil, and exits the lower end of the field into the drain. Tailwater tends to erode fields and thus acquire silt and sediments as it crosses and exits a field. Tilewater is water that has percolated through the soil, but is not absorbed by crops. Tilewater flushes salts from the soil. This highly saline water accumulates in tile lines beneath the fields, wherein it is transported to drains by gravity flow or a sump system. Consequently, “background” water quality in the Alamo River is difficult to establish for the purpose of conducting a typical antidegradation analysis. It is likely that the Alamo River has historically contained “background” water from farmland<sup>2</sup> that contains pollutants at concentrations that violate certain Basin Plan water quality objectives for those pollutants, in particular, pesticides, silt/sediment<sup>3</sup>, VOCs, nutrients, pathogens and selenium. The nutrients (e.g., phosphorous) discharged into the drains and Alamo River contribute to the nutrient impairment of the Salton Sea.

The discharge from the WWTP contains conventional pollutants (BOD, TSS, fecal coliform bacteria and pH) that are controlled through best practicable control technology currently available (BPT) and best available technology economically achievable (BCT) to prevent exceedances of the receiving water quality objectives for those pollutants and prevent adverse impacts on the REC-I and REC-II beneficial uses of the Alamo River. The discharge also contains TDS, but at concentrations significantly below the 4000 mg/L TDS WQO for the receiving water. Bis(2-ethylhexyl)phthalate has been measured in the discharge effluent from the treatment facility at concentrations above the numeric criteria for priority toxic pollutants for the State of California. This toxic pollutant is being controlled through WQBELs derived from water quality criteria established in the CTR. The established WQBELs for bis(2-ethylhexyl)phthalate prevent adverse impacts of the beneficial uses of the river and ensure compliance with the Basin Plan. In addition, the concentrations of BOD, TSS, fecal coliform bacteria, and pH measured in the discharge are likely to lower water quality in the receiving water (i.e., cause degradation). For conventional pollutants, including BOD, TSS, fecal coliform and pH, this degradation is restricted to pollutants associated with domestic wastewater, is localized and will not result in water quality less than that prescribed in the Basin Plan. For bis(2-ethylhexyl)phthalate, a toxic pollutant, this degradation will not be significant once controlled and will not result in water quality less than that prescribed in the Basin Plan.

The discharge from the WWTP as permitted herein reflects best practicable treatment and control (BPTC) for the subject wastewater. The control is intended to assure that the discharge does not create a condition of pollution or nuisance and that the highest “background” water quality as defined above will be maintained. The WWTP incorporates:

- a. technology for equivalent to secondary treated domestic wastewater;
- b. effluent disinfection;
- c. sludge handling facilities;

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<sup>2</sup> The agricultural return flows, however, have non-detectable levels of BOD and fecal coliform bacteria and have pH levels well within the receiving water quality objective of 6.0 to 9.0 pH Units.

<sup>3</sup> Silt/sediment can be measured in terms of TSS.

- d. an operation and maintenance manual;
- e. staffing to assure proper operation and maintenance; and
- f. standby emergency power generator of sufficient size to operate the necessary treatment units during periods of loss of commercial power.

The discharge is necessary to accommodate economic development in the area and essential public services for the Heber Public Utilities District, which are important benefits to the State. Based on the foregoing, the discharge as permitted herein is consistent with Resolution No. 68-16.

IT IS HEREBY ORDERED, that Board Order R7-2006-0049 is amended in the manner specified below upon the effective date of this Special Board Order, and, in order to meet the provisions contained in Division 7 of the California Water Code (CWC) and regulations adopted thereunder, and the provisions of the federal Clean Water Act (CWA), and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Special Board Order as well as with those portions of Board Order R7-2006-0049 that were not amended by this Special Board Order:

1. Page 7, IV.A.1.a, Final Effluent Limitations — Discharge Point 001. Replace Table 6 Final Effluent Limitations with the following table (New items are underlined and deleted items are shown in ~~strikeout~~) and delete footnote No. 5:

**Table 6 Final Effluent Limitations**

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Biochemical Oxygen Demand (BOD) (5-day @ 20 °C)	mg/L	30	45	---	---	---
	<del>lbs/day</del> <sub>4</sub>	200	300	---	---	---
Total Suspended Solids (TSS)	mg/L	30	45	---	---	---
	<del>lbs/day</del> <sub>4</sub>	200	300	---	---	---
pH	standard units	---	---	---	6.0	9.0
Daily Effluent Flow	MGD	0.810	---	---	---	---
Chlorine, Total Residual	mg/L	0.01	---	---	---	0.02
	<del>lbs/day</del> <sub>4</sub>	0.07	---	---	---	0.14
Copper, Total Recoverable <sup>5</sup>	<del>µg/L</del>	<del>2.9</del>	---	<del>5.8</del>	---	---
	<del>lbs/day</del> <sub>4</sub>	<del>0.020</del>	---	<del>0.039</del>	---	---
Lead, Total Recoverable <sup>5</sup>	<del>µg/L</del>	<del>7.0</del>	---	<del>14</del>	---	---
	<del>lbs/day</del> <sub>4</sub>	<del>0.047</del>	---	<del>0.095</del>	---	---
Zinc, Total	µg/L	47	---	95	---	---

<sup>4</sup> The mass-based effluent limitations are based on a design capacity of 0.810 MGD.

<sup>5</sup> Limitations are applicable after May 18, 2010. The interim effluent limitations establish in Section IV.A.2.a are applicable from June 21, 2006 through May 18, 2010.

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Recoverable <sup>5</sup>	lbs/day <sub>4</sub>	0.32	---	0.64	---	---
Free Cyanide <sup>5</sup>	µg/L	4.3	---	8.5	---	---
	lbs/day <sub>4</sub>	0.029	---	0.057	---	---

2. Page 9, IV. A.2.a., Interim Effluent Limitations. Delete Table 7 Interim Effluent Limitations and footnotes No. 6 and 7:

Table 7 Interim Effluent Limitations

Parameter	Units	Interim Effluent Limitations	Interim Effluent Limitations
		Average Monthly	Maximum Daily
Copper, Total Recoverable	µg/L	21	21
	lbs/day <sup>6</sup>	0.14	0.14
Lead, Total Recoverable <sup>7</sup>	µg/L	16	16
	lbs/day <sup>6</sup>	0.11	0.11
Zinc, Total Recoverable <sup>7</sup>	µg/L	280	280
	lbs/day <sup>6</sup>	1.9	1.9
Free Cyanide	µg/L	10	10
	lbs/day <sup>6</sup>	0.68	0.68

3. Page 11, VI. A.2. e. Replace this paragraph with the following:

- e. The Discharger shall immediately notify the Regional Water Board by phone at (760) 346-7491, the local health officer or directors of environmental health with jurisdiction over affected water bodies and the Office of Emergency Services by phone at (800) 852-7550 to report any noncompliance that may endanger human health or the environment as soon as: (1) the Discharger has knowledge of the discharge; (2) notification is possible; and (3) notification can be provided without substantially impeding cleanup or other emergency measures.

Although States and Regional Water Boards do not have duties as first responders, to ensure that the agencies that do have first responder duties are notified in a timely manner in order to protect public health and beneficial uses, the following notification requirements are to be implemented:

- i. For any discharges of sewage that results in a discharge to a drainage channel or surface water, the Discharger shall, as soon as possible, but not later than two (2) hours after becoming aware of the discharge, notify the State Office of Emergency Services, the local health officer or directors of environmental health with jurisdiction over affected water bodies, and the Regional Water Board.

<sup>6</sup> The mass-based effluent limitations are based on a design capacity of 0.810 MGD.

<sup>7</sup> In accordance with Special Provision VI.C.2.f of this Order, the Discharger shall submit a Lead and Zinc Infeasibility Report by July 21, 2006 in order for the interim effluent limitations for lead and zinc to remain effective. If the Regional Water Board has not received the Lead and Zinc Infeasibility Report by July 21, 2006, the final effluent limitations for lead and zinc specified in Section IV.A.1.a are effective.

- ii. As soon as possible, but no later than twenty-four (24) hours after becoming aware of a discharge to a drainage channel or a surface water, the Discharger shall submit to the Regional Water Board a certification that the State Office of Emergency Services and the local health officer or directors of environmental health with jurisdiction over the affected water bodies have been notified of the discharge.
  - iii. During non-business hours, the Discharger shall leave a voice message on the Regional Water Board's voice recorder. 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 spills in excess of one thousand (1,000) gallons occurring within the facility or collection system to the Regional Water Board in accordance with the above time limits.
4. Page 19, VI.C.7.b. Compliance Plan Annual Reports. Delete paragraph and Table 9 Compliance Schedule:

~~b. **Compliance Plan Annual Reports.** The Discharger shall submit annual progress reports to describe the progress of studies and or actions undertaken to reduce copper, lead, zinc, and cyanide in the effluent, and to achieve compliance with the limitations in this Order by the deadline specified in Section IV.A.2.a., as outlined in Table 9 below. The Regional Water Board shall receive the first annual progress report at the same time the annual summary report is due, as required in Section X.B.3 of MRP in Attachment E.~~

5. Page E-4, IV.A.1. Table E-3 Effluent Monitoring Requirements. Replace Table E-3 with the following table (New items are underlined and deleted items are shown in ~~strikeout~~):

**Table E-3. Effluent Monitoring Requirements**

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method and (Reporting Level, units), respectively
Chlorine, Total Residual	mg/L	Continuous	Continuous <sup>8</sup>	See Footnote 9
Daily Effluent Discharge	MGD	Flow Meter Reading	Continuous	See Footnote 10
pH	pH Units	Grab	1x/Day	See Footnote 3
Escherichia Coli (E. Coli)	Number/100 ml	Grab	2x/Week	See Footnote 11
BOD 5-day 20°C	mg/L	24-Hr. Composite	1x/Week	See Footnote 3
Temperature	oF	Grab	1x/Week	See Footnote 3
Total Suspended Solids	mg/L	24-Hr. Composite	1x/Week	See Footnote 3
Ammonia Nitrogen, Total (as N)	mg/L	24-Hr. Composite	1x/Month	See Footnote 3
<del>Copper, Total Recoverable</del>	<del>µg/L</del>	<del>24-Hr. Composite</del>	<del>1x/Month</del>	<del>See Footnote 3</del>
<del>Free Cyanide</del>	<del>µg/L</del>	<del>24-Hr. Composite</del>	<del>1x/Month</del>	<del>See Footnote 3</del>
<del>Lead, Total Recoverable</del>	<del>µg/L</del>	<del>24-Hr. Composite</del>	<del>1x/Month</del>	<del>See Footnote 3</del>
Nitrates as Nitrogen (as N)	mg/L	24-Hr. Composite	1x/Month	See Footnote 3
Nitrites as Nitrogen (as N)	mg/L	24-Hr. Composite	1x/Month	See Footnote 3
Nitrogen, Total (as N)	mg/L	24-Hr. Composite	1x/Month	See Footnote 3
Orthophosphate (as P)	mg/L	24-Hr. Composite	1x/Month	See Footnote 3
Phosphate, Total (as P)	mg/L	24-Hr. Composite	1x/Month	See Footnote 3
Total Dissolved Solids	mg/L	24-Hr. Composite	1x/Month	See Footnote 3
<del>Zinc, Total Recoverable</del>	<del>µg/L</del>	<del>24-Hr. Composite</del>	<del>1x/Month</del>	<del>See Footnote 3</del>
Oil and Grease	mg/L	Grab	1x/Year	See Footnote 3
Priority Pollutants <sup>12</sup>	µg/L	Grab	1x/Year	See Footnote 3

6. Fact Sheet, Page F-9, III. C. 7. Anti-degradation Policy. Replace this section with Section F. Anti-degradation Policy beginning on Page 3 of this Special Order.
7. Fact Sheet, Page F-13, IV. C. 2., Table F-7 Applicable Beneficial Uses and Water Quality Criteria and Objectives. Replace Table F-7 with the following table (New items are underlined and deleted items are shown in ~~strikeout~~):

<sup>8</sup> Until such time when continuous monitoring for total residual chlorine is commenced, compliance with effluent limitations for total residual chlorine will be determined using grab samples collected throughout the operators' work period. Samples shall be collected within the first and last hours of the operators' work period, and at least every 4 hours in between. The Discharger shall provide all monitoring data for total residual chlorine and report the maximum daily concentration with each monthly SMR.

<sup>9</sup> Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136; for priority pollutants the methods must meet the lowest minimum levels (MLs) specified in Attachment 4 of the SIP, where no methods are specified for a given pollutant, by methods approved by this Regional Water Board or the State Water Board.

<sup>10</sup> Report Daily Flow.

<sup>11</sup> The Discharger may monitor E. coli using analytical methods, Standard Method 9221.F or 9223, (APHA.1998, 1995, 1992. Standard Methods for Examination of Water and Wastewater. American Public Health Association, 20th, 19th and 18 editions. Amer. Publ. Hlth. Assoc., Washington, D.C.).

<sup>12</sup> Priority Pollutants as defined by the California Toxics Rule (CTR) defined in Finding II.I of the Limitations and Discharge Requirements of this Order, and included as Attachment G.



**Table F-7. Applicable Beneficial Uses and Water Quality Criteria and Objectives**

CTR No.	Parameter	Most Stringent Criteria	CTR/NTR Water Quality Criteria				Human Health for Consumption of: Organisms only
			Freshwater		Saltwater		
			Acute	Chronic	Acute	Chronic	
			µg/L	µg/L	µg/L	µg/L	
5a	Chromium (III)	644.20	5,404.62	644.20			
6	Copper	<u>30.5</u>	51.68	30.5	<del>5.78</del>	<del>3.73</del>	
7	Lead	<u>18.58</u>	476.82	18.58	<del>220.82</del>	<del>8.52</del>	
13	Zinc	<u>387.83</u>	387.83	387.83	<del>95.14</del>	<del>85.62</del>	
14	Free Cyanide	5.2	22.00	5.2			220,000
23	Chlorodibromomethane	34					34
26	Chloroform	No Criteria					
27	Dichlorobromomethane	46					46

8. Fact Sheet, Page F-14, IV. C. 3. Replace last paragraph prior to Table F-8 with the following:

The RPA was performed on available priority pollutant monitoring data and monthly monitoring data collected by the Discharger from January 2008 through March 2009. Based on the RPA, total recoverable copper, total recoverable lead, total recoverable zinc and free cyanide did not demonstrate reasonable potential to cause or contribute to an excursion above a water quality standard. Data used in the RPA are summarized in Table F-8.

9. Fact Sheet, Page F-14, IV. C. 3. Table F-8. Summary of Reasonable Potential Analysis. Replace Table F-8 with the following table (New items are underlined and deleted items are shown in strikethrough):

**Table F-8. Summary of Reasonable Potential Analysis**

CTR No	Priority Pollutant	Applicable Water Quality Criteria	Max Effluent Conc.	Maximum Detected Receiving Water Conc. (B)	RPA Result - Need Limit?	Reason
		(C)	(MEC)	(B)		
		ug/L	ug/L	ug/L		
5a	Chromium (III)	644.2	19	23	No	MEC and B < C
6	Copper	<u>30.5</u>	<u>23</u>	<u>ND</u>	<u>No</u>	MEC and B > C
7	Lead	<u>18.58</u>	<u>0.2</u>	<u>ND</u>	<u>No</u>	MEC > C
13	Zinc	<u>387</u>	280	20	<u>No</u>	MEC > C
14	Free Cyanide	5.2	<u>&lt;5</u>	ND	<u>No</u>	MEC > C
23	Chlorodibromomethane	34	7.8	ND	No	MEC < C and B is ND
26	Chloroform	No Criteria	13.7	ND	No	No Criteria
27	Dichlorobromomethane	46	3.6	ND	No	MEC < C and B is ND

ND = Not detected at or above detection limit for reporting  
 DNQ = Detected, but not quantified  
 “—” = Priority pollutant monitoring data not available

10. Fact Sheet, Page F-15, IV. C. 4. b. WQBELs Calculation Example. Delete this entire section and replace with “Not applicable”.
11. Fact Sheet, Page F-18, Table F-9. Summary of WQBELs. Replace table F-9 with the following table (New items are underlined and deleted items are shown in strikethrough font):

**Table F-9. Summary of Water Quality-based Effluent Limitations**

Parameter	Units	Effluent Limitations				
		Annual Average	Average Monthly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
E. Coli	MPN/100mL	---	126	400	---	---
pH	s.u.	---	---	---	6.0	9.0
Chlorine, Total Residual	mg/L	---	0.01	---	---	0.02
	lbs/day	---	0.07	---	---	0.1
Copper, Total Recoverable	µg/L	---	<del>2.9</del>	<del>5.8</del>	---	---
	lbs/day	---	<del>0.020</del>	<del>0.039</del>	---	---
Lead, Total Recoverable	µg/L	---	<del>7</del>	<del>14</del>	---	---
	lbs/day	---	<del>0.047</del>	<del>0.095</del>	---	---
Zinc, Total Recoverable	µg/L	---	<del>47</del>	<del>95</del>	---	---
	lbs/day	---	<del>0.32</del>	<del>0.64</del>	---	---
Free Cyanide	µg/L	---	<del>4.3</del>	<del>8.5</del>	---	---
	lbs/day	---	<del>0.029</del>	<del>0.057</del>	---	---

The mass-based effluent limitations are based on a design capacity of 0.85 MGD.


12. Fact Sheet, Page F-19, Table F-10 Final Effluent Limitations. Replace Table F-10 with the following table (New items are underlined and deleted items are shown in strikethrough font):

**Table F-10. Final Effluent Limitations**

Parameter	Units	Effluent Limitations					Basis
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	
Flow	MGD	0.810	---	---	---	---	
Biochemical Oxygen Demand (BOD) (5-day @ 20°C)	mg/L	30	45	---	---	---	40 CFR 133
	lbs/day	200	300	---	---	---	
pH	standard units	---	---	---	6.0	9.0	40 CFR 133
Total Suspended Solids (TSS)	mg/L	30	45	---	---	---	40 CFR 133
	lbs/day	200	300	---	---	---	
Removal Efficiency for BOD and TSS	%	85	---	---	---	---	40 CFR 133
Copper, Total Recoverable	µg/L	2.9	---	5.8	---	---	CTR, SIP
	lbs/day	0.020	---	0.039	---	---	
Lead, Total Recoverable	µg/L	7.0	---	14	---	---	CTR, SIP
	lbs/day	0.047	---	0.095	---	---	
Zinc, Total Recoverable	µg/L	47	---	95	---	---	CTR, SIP
	lbs/day	0.32	---	0.64	---	---	
Free Cyanide	µg/L	4.3	---	8.5	---	---	CTR, SIP
	lbs/day	0.03	---	0.06	---	---	
Chlorine, Total Residual	mg/L	0.01	---	---	---	0.02	Basin Plan
	lbs/day	0.07	---	---	---	0.1	

13. Fact Sheet, Page F-20, IV. E. Interim Effluent Limitations. Delete the entire section, and replace with "Not applicable".
14. Fact Sheet, Page F-22, IV. E. Table F-11 Interim Effluent Limitations. Delete Table F-11.
15. Attachment I, Page I-1, Summary Water Quality-Based Effluent Limit Calculations. Delete Attachment I.

I, Robert E. Perdue, Executive Officer, do hereby certify the following is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on September 17, 2009.

  
 \_\_\_\_\_  
 ROBERT E. PERDUE, Executive Officer

## **ATTACHMENT A – PUBLIC PARTICIPATION**

The California Regional Water Quality Control Board, Colorado River Basin Region (Regional Water Board) is considering the amendment of Waste Discharge Requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for City of Holtville’s Wastewater Treatment Plant. As a step in the WDR adoption process, the Regional Water Board staff has developed tentative WDRs. The Regional Water Board encourages public participation in the WDR adoption process.

### **A. Notification of Interested Parties**

The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Notification was published in the following newspaper: Imperial Valley Press. In addition, copies of the proposed permit were sent to interested agencies and persons.

### **B. Written Comments**

The Regional Water Board staff’s determinations are tentative. Interested persons are invited to submit written comments concerning this tentative Special Board Order. Comments should be submitted either in person or by mail to the Executive Officer at the Regional Water Board at the address above on the cover page of this Order.

Comments made in reference to the Biological Assessment and USEPA’s approval letter should be directed to:

Matthew Mitchell  
USEPA  
75 Hawthorne Street (WTR-5)  
San Francisco, CA 94105

Comments made in reference to the Tentative Special Board Order should be directed to:

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

To be fully responded to by staff and considered by the Regional Water Board and USEPA, written comments should be received at the Regional Water Board and USEPA offices by 5:00 p.m. on August 14, 2009.

### **C. Public Hearing**

The Regional Water Board will hold a public hearing on the tentative Special Board Order during its regular Board meeting on the following date and time and at the following location:

Date: September 17, 2009  
Time: 10:00 a.m.  
Location: Palm Desert Council Chambers  
City of Palm Desert  
73-510 Fred Waring Drive  
Palm Desert, CA 92260

Interested persons are invited to attend. At the public hearing, the Regional Water Board will take testimony pertinent to the discharge and tentative Special Board Order. For accuracy of the record, however, a written copy of the proposed oral testimony to be given should be provided prior to or at the hearing.

Please be aware that dates and venues of the Regional Water Board's public meeting and hearing may change. The latest information concerning any scheduling changes can be found at the Regional Water Board's website: <http://www.waterboards.ca.gov/coloradriver/>.

If you are disabled and require special accommodations to participate in this public meeting and hearing, please contact Hilda Vasquez at (760) 776-8950 no later than ten (10) days before the scheduled event.

### **D. Waste Discharge Requirements Petitions**

Any person aggrieved by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with Water Code Section 13320 and the California Code of Regulations, Title 23, Sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, 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. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)

or will be provided upon request.

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

## **E. Information and Copying**

Information related to the discharge facility and this proposed amendment, including any comments received on the proposed amendment, 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 Regional Water Board by calling (760) 346-7491.

## **F. Register of Interested Persons**

Any person interested in being placed on the mailing list for information regarding this tentative Special Board Order should contact the Regional Water Board, reference this facility, and provide a name, address, and phone number.

## **G. Additional Information**

Requests for additional information or questions regarding this draft Special Board Order should be directed to John Carmona, Senior Water Resources Control Engineer, at (760) 340-4521.