

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

ORDER R7-2013-0021

**WASTE DISCHARGE REQUIREMENTS
FOR
OSCAR AND RETHA BASHFORD, OWNERS/OPERATORS
BASHFORD'S HOT MINERAL SPA
EVAPORATION-INFILTRATION PONDS DISPOSAL FACILITIES
Northwest of Niland - Imperial County**

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

1. Oscar and Retha Bashford, Owners/Operators of Bashford's Hot Mineral Spa (hereinafter referred to as the Discharger), 10590 Hot Mineral Spa Road, Niland, CA 92257, submitted an updated Report of Waste Discharge, dated January 28, 2013.
2. The Discharger is discharging a maximum of 24,000 gallons-per-day (GPD) of domestic sewage from a mobile home and recreational vehicle park consisting of 65 mobile home spaces, 77 recreational vehicle spaces, a laundry room and five restrooms. The wastewater is discharged into five evaporation-infiltration ponds (hereinafter referred to as the ponds) with a total design capacity of 37,500 GPD. The ponds are periodically alternated to maximize infiltration and minimize the increase in salinity due to evaporation. The ponds are located in the SW 1/4, SW 1/4 of Section 1, T9S, R12E, SBB&M. Sufficient area has been reserved at the site to expand the ponds capacity for a discharge from a total of 600 mobile home and RV spaces. The street address of the park is 10590 Hot Mineral Spa Road, northwest of Niland.
3. The Dischargers report that wastewater from a swimming pool and hot pool is discharged periodically onto landscape plantings.
4. This discharge has been subject to Waste Discharge Requirements (WDRs) adopted in Order 95-070.
5. This Order updates the WDRs to comply with current laws and regulations as set forth in the California Water Code and the California Code of Regulations.
6. There are no wells within 500 feet of the discharge facilities described in Finding No. 2, above. The water supply for the park is provided by Coachella Valley Water District (CVWD). The water has a total dissolved solids (TDS) concentration of approximately 140 mg/L. The depth-to-ground water in the vicinity of the discharge is about 240 feet, and the TDS content is approximately 3,300 mg/L. Local ground water is warm and mineralized, and used in hot pools.
7. There are no significant faults in the discharge area. The ponds are situated about 3,000 feet south of the park on a nearly impermeable clay floodplain. Annual precipitation for the local area averages about three inches. CVWD estimates that the evaporation rate exceeds 90 inches-per-year at this location.

8. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan), which was adopted on November 17, 1993, and amended on November 16, 2012, designates the beneficial uses of ground and surface waters in this Region.
9. The designated beneficial uses of ground waters in the Imperial Hydrologic Unit are:
 - a. Municipal supply (MUN)
 - b. Industrial supply (IND)
10. State Water Resources Control Board (State Water Board) Resolution 68-16 ("Policy with Respect to Maintaining High Quality Waters of the State") (hereinafter Resolution 68-16) requires a Regional Water Board in regulating the discharge of waste to maintain high quality waters of the State (i.e., background water quality) until 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 as described in plans and policies (e.g. violation of any water quality objective). Moreover, the discharge is required to meet WDRs that result in the best practicable treatment or control (BPTC) of the discharge necessary to assure pollution or nuisance will not occur, and highest water quality consistent with maximum benefit to the people will be maintained.
11. Groundwater in the area of the proposed discharge is too saline for municipal use. The Regional Water Board finds that groundwater near the site is not and cannot reasonably be expected to be a source of municipal or domestic supply. Consequently, effluent limitations that would be protective of a municipal beneficial use, as prescribed in Title 22, CCR, for nitrogen, pathogens and TDS, are not necessary for this discharge. Therefore, the treated discharge, as regulated by these WDRs, into the evaporation/percolation ponds is consistent with applicable water quality objectives in the Basin Plan.
12. The Regional Water Board has notified the discharger and all known interested agencies and persons of its intent to update WDRs for said discharge and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
13. The Regional Water Board in a public meeting heard and considered all comments pertaining to this discharge.
14. 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 (Public Resources Code, Section 21000 et. seq.).

IT IS HEREBY ORDERED, that Order 95-070 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. Prohibitions

1. The direct discharge of any wastewater to any surface waters or surface drainage courses is prohibited.

2. Bypass or overflow of untreated or partially treated waste is prohibited.
3. The discharge of waste to land not owned or controlled by the Discharger is prohibited.
4. Discharge of treated wastewater at a location or in a manner different from that described in Finding 2, above, is prohibited.

B. 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. A minimum freeboard of two feet shall be maintained at all times in the basins.
3. Ponds shall be managed to prevent breeding of mosquitoes as follows:
 - 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 through control of water depth, harvesting, or herbicides.
 - c. Dead algae, vegetation, and debris shall not accumulate on the water surface.
4. Public contact with undisinfected wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.
5. The discharge shall not cause degradation of ground water.
6. No wastewater other than domestic wastewater shall be discharged into the sewage disposal system described in Finding No. 2, above.
7. There shall be no discharge, bypass, or flow of treated or untreated wastewater to surface waters.
8. Disposal by ponding shall be conducted in such a manner that there shall be no stranded or exposed sewage solids.
9. A surface aerobic environment shall be maintained in each basin.
10. The discharge volume from this facility shall not exceed 37,500 gallons-per-day.
11. The ponds shall be maintained and operated so as to maximize infiltration and minimize the increase in salinity of the infiltrating wastewater by evaporation.

C. Provisions

1. The Discharger shall comply with "Monitoring and Reporting Program R7-2013-0021" and future revisions thereto, as specified by the Regional Water Board's Executive Officer.

2. 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 Water Board and obtain revised requirements before any modifications are implemented.
3. Prior to any change in ownership or management of this operation, the Discharger shall transmit a copy of this Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Water Board..
4. The Discharger shall ensure that all site operating personnel are familiar with the content of this Order, and shall maintain a copy of this Order at the site.
5. This Order does not authorize violation of any federal, state, or local laws or regulations.
6. Facilities shall be available to keep the sewage system in operation in the event of commercial power failure.
7. The Discharger shall allow the Regional Water 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 Order, or the place where records must be kept under the conditions of this Order;
 - b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Order;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
 - d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.
8. The Discharger shall comply with all of the conditions of this Order. Any noncompliance with this Order constitutes a violation of the Porter-Cologne Water Quality Control Act and is grounds for enforcement action.
9. This 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 personal rights, nor any infringement of federal, state, or local laws or regulations.
10. Unless otherwise approved by the Regional Water 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.
11. All regulated disposal systems shall be readily accessible for sampling and inspection.

12. 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.
13. Adequate measures shall be taken to assure that unauthorized persons are effectively excluded from contact with the wastewater disposal facilities.
14. By September 15, 2013, the Discharger shall provide an inventory of all hazardous materials which will be handled at the facility.
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 Water Board. Orders or court orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of these WDRs by the Regional Water Board..
16. 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 conditions of this Order.
17. The Discharger shall retain records of all monitoring information including all calibration and maintenance records, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of three 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 Water Board's Executive Officer.
18. All maintenance performed shall be reported with the monitoring reports as required.
19. 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 Water Board's Executive Officer. Such specifications are subject to periodic revisions as may be warranted.
20. The Discharger shall obtain prior written approval from the Regional Water 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 Water Board's Executive Officer.
21. The Regional Water 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 Order.
22. The Discharger shall remove and relocate any wastes which are discharged at this site in violation of these requirements.
23. The Regional Water Board will review this Order periodically and may revise requirements when necessary.

24. All employees of this facility shall receive training on how to minimize pollutant discharges to the wastewater disposal system. This instruction should include the following topics:
- a. Proper disposal of materials handled at the facility.
 - b. Methods to wash tools and other objects so that no contaminants are introduced into the disposal system.
 - c. Methods to wash hands so that no contaminants are introduced into the disposal system.
25. The Discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Regional Water 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 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 Water Board's Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis, if the oral report has been received within 24-hours.
26. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.

I, Robert Perdue, 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 May 16, 2013.


Executive Officer

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

MONITORING AND REPORTING PROGRAM R7-2013-0021
FOR
OSCAR AND RETHA BASHFORD, OWNERS/OPERATORS
BASHFORD'S HOT MINERAL SPA
EVAPORATION-INFILTRATION PONDS DISPOSAL FACILITIES
Northwest of Niland - Imperial County
Location of Discharge: SW 1/4, SW 1/4 of Section 1, T9S, R12E, SBB&M

MONITORING

1. This Monitoring and Reporting Program (MRP) describes requirements for monitoring a wastewater system and groundwater quality (when needed). This MRP is issued pursuant to California Water Code (Wat. Code) section 13267. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Executive Officer.
2. Water Code section 13267 states, in part:

“In conducting an investigation specified in subdivision (a), the Regional Water Board may require that any person who has discharged, discharges, or is suspected of having discharged or 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 that 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.”
3. Water Code section 13268 states, in part:

“(a) (1) Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of § 13267, or failing or refusing to furnish a statement of compliance as required by subdivision (b) of Section 13399.2, or falsifying any information provided therein, is guilty of a misdemeanor, and may be liable civilly in accordance with subdivision (b). (b) (1) Civil liability may be administratively imposed by a regional board in accordance with Article 2.5 (commencing with § 13323) of Chapter 5 for a violation of subdivision (a) in an amount which shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.”
4. The Discharger owns and operates the wastewater system that is subject to Order R7-2013-0021. The reports are necessary to ensure that the Discharger complies with the

Order. Pursuant to Water Code section 13267, the Discharger shall implement the MRP and shall submit the monitoring reports described herein.

5. All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. The time, date, and location of each grab sample shall be recorded on the sample chain of custody form. If composite samples are collected, the basis for sampling (time or flow weighted) shall be approved by Regional Water Board staff.
6. Field test instruments (such as those used to test pH, dissolved oxygen, and electrical conductivity) may be used provided that:
 - a. The user is trained in proper use and maintenance of the instruments;
 - b. The instruments are field calibrated prior to monitoring events at the frequency recommended by the manufacturer;
 - c. Instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
 - d. Field calibration reports are submitted as described in the "Reporting" section of this MRP.
7. The collection, preservation and holding times of all samples shall be in accordance with U. S. Environmental Protection Agency approved procedures. Unless otherwise approved by the Regional Water Board Executive Officer, all analyses shall be conducted by a laboratory certified by the California Department of Public Health. All analyses shall be conducted in accordance with the latest edition of the "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40 CFR Part 136), promulgated by the USEPA.
8. 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 five (5) years from the date of the sample, measurement, report or application. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurement(s);
 - b. The individual(s) who performed the sampling or measurement(s);
 - c. The date(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical techniques or method used; and
 - f. The results of such analyses.

REPORTING

1. The Discharger shall arrange the data in tabular form so that the specified information is readily discernible. The data shall be summarized in such a manner as to clearly illustrate whether the facility is operating in compliance with WDRs.

2. Reporting of monitoring information shall include:

- a. The date, exact place, and time of sampling or measurement(s);
- b. The individual(s) who performed the sampling or measurement(s);
- c. The date(s) analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or method used; and
- f. The results of such analyses.

3. Each report shall contain the following statement:

"I declare under the penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is 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.

4. A duly authorized representative of the Discharger may sign the documents if:

- a. The authorization is made in writing by the person described above;
- b. The authorization specified an individual or person having responsibility for the overall operation of the regulated disposal system; and
- c. The written authorization is submitted to the Regional Water Board's Executive Officer.

5. Report immediately any failure in the waste disposal system to the Regional Water Board and the Director of the County Environmental Health Department by telephone with follow-up by letter.

6. Note any changes in the operating procedure for the season.

7. Monitoring reports shall be certified under penalty of perjury to be true and correct, and shall contain the required information at the frequency designated in this monitoring report.

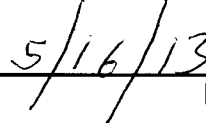
8. Annual monitoring reports shall be submitted to the Regional Water Board by January 15 of each year.

9. Submit monitoring reports to:

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

Ordered By:

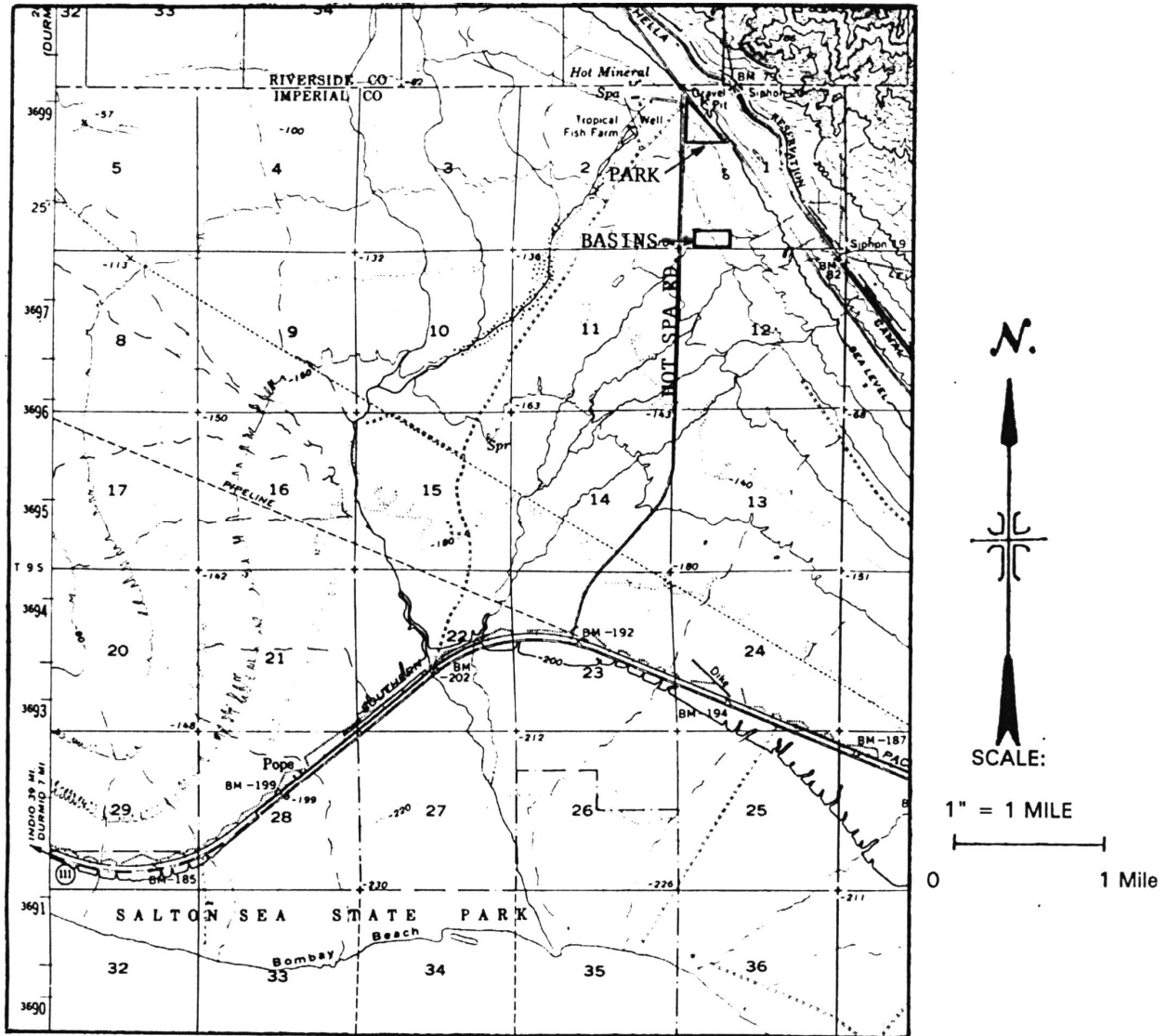

Executive Officer



Date

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD -7

Order 2013-0021



SITE MAP

OSCAR AND RETHA BASHFORD, OWNERS/OPERATORS
BASH FORD'S HOT MINERAL SPA
EVAPORATION-INFILTRATION PONDS DISPOSAL FACILITIES
Northwest of Niland - Imperial County
SW 1/4, SW 1/4 of Section 1, T9S, R12E, SBB&M
USGS Frink 15 mm. Topographic Map

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