Resolution No. R14-0XX
ATTACHMENT A

Amendments to the *Water Quality Control Plan for the Los Angeles Region* to Incorporate the Statewide Onsite Wastewater Treatment Systems Policy

Amendments

In Chapter 4 "Strategic Planning and Implementation" of the Basin Plan, the following changes are made to be consistent with the State Water Board's Onsite Wastewater Treatment Systems Policy (Resolution No. 2012-0032).

The following language will replace the first paragraph of the subsection titled "Regulating Septic Systems," under the section titled "Control of Point Source Pollutants," as provided in Regional Board Resolution No. R09-007, with deletions shown in strikethrough format and additions shown in underline format.

Regulating ~~Septic Systems~~ Onsite Wastewater Treatment Systems

~~The California Water Code, Chapter 4, Article 5, sets forth criteria for prohibiting individual disposal systems (i.e., residential septic tanks). Alternatively, the Regional Boards has the authority to regulate discharges, including discharges from residential units, multiple-dwelling units, non-domestic septic tank systems, and large developments.~~

The State and Regional Boards have the authority to regulate discharges, including discharges from residential units, multiple-dwelling units, non-domestic septic tank systems, and large developments. Requirements for siting, design, operation, maintenance, and management of onsite wastewater treatment systems are specified in the State Water Resources Control Board's *Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems* (OWTS Policy). The OWTS Policy establishes tiered implementation requirements based upon levels of potential threat to water quality posed by the onsite wastewater treatment system. The OWTS Policy includes a conditional waiver of waste discharge requirements for onsite wastewater treatment systems that comply with the policy. The OWTS Policy applies to all areas within the State where onsite wastewater treatment systems are used.

While the OWTS Policy provides for regulation of onsite wastewater treatment systems under a conditional waiver, the policy does not limit the Los Angeles Water Board's authority to require reports of waste discharge and to issue individual or general waivers or waste discharge requirements consistent with applicable State and regional water quality control plans, when such actions are needed to protect water quality. Additionally, the OWTS Policy upholds and does not supersede or modify any TMDLs, discharge prohibitions imposed on onsite wastewater treatment systems, and/or local agency requirements.

The OWTS Policy, including future revisions, is incorporated into this Basin Plan and shall be implemented according to the policy's provisions.

The California Water Code section 13280 *et seq.* sets forth criteria for prohibiting onsite wastewater treatment systems (aka residential septic tanks).

The last paragraph of the subsection titled "Regulating Septic Systems," under the section titled "Control of Point Source Pollutants," as provided in Regional Board Resolution No. R09-007, will be deleted as shown in strikethrough format.

~~Other Areas~~

~~In other areas, where groundwater constitutes an important source of drinking water, the Regional Board has adopted general WDRs (Order 91-94) for certain private residential subsurface sewage disposal systems. A lot with size less than 1 acre is not eligible for these general WDRs; for those lots between one and less than five acres in size, the General WDRs require either hydrogeologic study or mitigation measures. WDRs are not required for lot sizes greater than five acres.~~

Table 4-11: "Waiver Conditions from WDRs", will be modified as shown in strikethrough/underline format.

Table 4-11. Waiver Conditions from WDRs.

Regional Board waivers
~~Single family dwelling subsurface sewage disposal systems which are installed and operated in compliance with local ordinances *(as modified by General Permit Order No. 91-94)*.~~
Single family dwelling swimming pool waste disposal installations which are constructed and operated in compliance with local ordinances (Resolution No. 53-5).
The on-site disposal of uncontaminated and unpolluted rotary mud resulting from the drilling of one oil well in such a manner that it will not be dumped or allowed to drain into any waters of the State.
State Board Waivers
Onsite Wastewater Treatment Systems disposal of domestic strength and, in limited instances, high strength wastewater *(Resolution No. 2012-0032)*.
Temporary construction dewatering discharge when end-of-pipe treatment is not feasible and the quality of the discharge is acceptable.
Discharges from private and public recreational impoundments caused by: a) continuous addition of domestic water and no additives are used to maintain the lake quality b) wet weather conditions and herbicides are used on a seasonal basis for maintenance of the aesthetic conditions in the impoundment c) water spilled from an impoundment through the addition of new water, wind action, or rainfall, or over a spillway.

The following language of the first paragraph in the subsection titled "Septic Systems," under the section titled "Control of Nonpoint Source Pollutants" on page 4-47 will be modified as shown in underline/strikethrough format.

~~Septic Systems~~ ***Onsite Wastewater Treatment Systems***

Many areas in the Region rely on ~~septic systems~~ onsite wastewater treatment systems (OWTS) for disposal of domestic household waste. ~~Septic systems~~OWTS ~~"~~treat~~"~~ household wastes by first removing organic solids through settling and decomposition in the tank portion of the system. Further treatment of organic chemicals, nutrients, and bacteria occurs as the effluent released from the tank percolates through the soil. Proper construction of ~~septic systems~~ OWTS is imperative. Poorly designed and constructed systems will not function properly and can result in pollution of surface and/or ground waters (Figure 4-5). ~~Septic systems~~ OWTS used in undersized lots or unsuitable soils are also subject to malfunction and can lead to untreated or poorly treated sewage seeping into yards, roadside ditches, streams, lagoons, or into ground water -- creating a public nuisance and health hazard. Even well~~-~~ functioning ~~septic systems~~ OWTS can pollute ground water under adverse conditions (e.g., unsuitable sites.)

The following language of the fourth through sixth paragraphs in the subsection titled "Septic Systems," under the section titled "Control of Nonpoint Source Pollutants" on page 4-47 will be modified as shown in underline/strikethrough format.

~~The Regional Board discourages the prolonged use of septic systems, except in isolated areas where connection to a wastewater collection system is not feasible and there is no threat to groundwater quality. Septic systems are not acceptable in areas where there are unsuitable soils, inadequate lot sizes, or other factors that can lead to contamination of either surface or ground water. In assessing areas of concern, high priority is given to rapidly developing areas where local ground water is the sole or primary source of drinking water. One such area is the Aqua Dulce area of the Sierra Pelona Valley in northern Los Angeles County. Ground water is the primary source of drinking water for residents in this unsewered area. High concentrations of nitrate, however, have been found in some of the wells in the area. In response, the Regional Board has contracted with the University of California at Riverside to use isotope techniques to trace the source (or sources) of nitrogen in ground water in the area.~~

~~In addition, in response to other concerns that ground water was not sufficiently protected from the effects of new developments that rely on septic systems, the Regional Board developed an Interim Policy for septic systems in areas that rely on ground water for domestic purposes. Under this Interim Policy, the Regional Board adopted *General Waste Discharge Requirements for Residential Subsurface Sewage Disposal Systems in Areas Where Ground Water is Used For Domestic Purposes* (Order No. 91-94, adopted July 22, 1991). These requirements are intended to simplify and expedite the application process and processing of requests for use of septic systems in residential areas while assuring the protection of water quality. As part of the requirements, the Regional Board requires either a hydrogeologic study or certain mitigation measures.~~

~~Recommendations for future steps for control of problems from septic systems include:~~

- ~~evaluate the adequacy of existing local regulations for installation and maintenance of septic systems;~~

- ~~continue to discourage or limit the use of septic systems in new developments;~~

- ~~encourage alternative waste treatment systems; and~~

- ~~encourage and support funding for wastewater treatment plants in outlying areas where water quality problems and/or population density require wastewater collection and treatment.~~

The State Water Board's OWTS Policy, which is incorporated by reference into this Basin Plan, addresses these water quality concerns through requirements for the siting, design, operation, maintenance, and management of these systems.

The following language incorporating the OWTS Policy will be added to Chapter 5 "Plans and Policies" of the Basin Plan, under the section titled "State Board Policies" as indicated below in underline format.

***Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems* (OWTS Policy)**

The *Water Quality Control Policy for the Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems* (Resolution No. 2012-0032) was adopted by the SWRCB on June 19, 2012. The purpose of this policy is to allow the continued use of onsite wastewater treatment systems, while protecting water quality and public health. The policy implements California Water Code, Chapter 4.5, Division 7, sections 13290-13291.7 by establishing a statewide, risk-based, tiered approach for the regulation and management of OWTS installations and replacements and sets the level of performance and protection required of OWTS in each tier. The policy requires additional management actions where OWTS contribute to water quality degradation that adversely affects beneficial uses.

The policy only authorizes subsurface disposal of domestic strength, and in limited instances high strength, wastewater and establishes minimum requirements for the permitting, monitoring, and operation of OWTS to protect beneficial uses of waters of the State and prevent or correct conditions of pollution and nuisance. The policy conditionally waives the requirement for owners of OWTS to apply for and receive WDRs in order to operate their systems as long as the conditions set forth in the policy are met. Nothing in the policy supersedes or requires modification of TMDLs or prohibitions of discharges from OWTS set forth in the Basin Plan or in WDRs.