

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

ORDER NO. 94-23

WATER RECLAMATION REQUIREMENTS
FOR THE
VISTA IRRIGATION DISTRICT
FOR PURVEYANCE OF RECLAIMED WATER
IN THE BUENA SANITATION DISTRICT
SAN DIEGO COUNTY

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), finds that:

1. On January 25, 1982, this Regional Board adopted Order No. 82-02, "Water Reclamation Requirements for the Vista Irrigation District for Purveyance of Reclaimed Water in the Buena Sanitation District, San Diego County." Order No. 82-02 established water reclamation requirements for the use of reclaimed water within the Buena Sanitation District.
2. As a part of the FY 1993/94 Waste Discharge Order Update Program, Order No. 82-02 has been reviewed by the Regional Board staff in accordance with criteria established in the Administrative Procedures Manual adopted by the State Water Resources Control Board. This Order, which supersedes Order No. 82-02, updates the Findings and Requirements of Order No. 82-02.
3. The reclaimed water purveyed by the Vista Irrigation District is treated at the Buena Sanitation District's Shadowridge Water Reclamation Plant. Order No. 93-82, "Waste Discharge Requirements for the Buena Sanitation District, Shadowridge Water Reclamation Plant, San Diego County," was adopted by this Regional Board on September 20, 1993. Order No. 93-82 establishes waste discharge requirements for the Shadowridge Water Reclamation Plant.
4. Pursuant to Section 13521 of the California Code of Regulations, the State Department of Health Services has established statewide reclamation criteria for use of reclaimed water.
5. Pursuant to Section 13523 of the California Code of Regulations, the Regional Board, after consulting with and receiving the recommendations of the State Department of Health Services, shall prescribe water reclamation requirement for water which is used or proposed to be used as reclaimed water, if it determines such action to be

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necessary to protect the public health, safety, or welfare. The purpose of this Order is to prescribe water reclamation requirements for use of reclaimed water by Vista Irrigation District for landscape irrigation.

6. These reclamation requirements govern the use of reclaimed water for landscape irrigation. Such activity constitutes only a minor modification to land and such activity is thereby exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.) in accordance with Section 15304, Chapter 3, Title 14, California Code of Regulation.
7. The Regional Board has notified the user and all known interested parties of its intent to update the water reclamation requirements for use of reclaimed water for landscape irrigation within the Buena Sanitation District.
8. The Regional Board, in a public meeting, heard and considered all comments pertaining to the use of reclaimed water for landscape irrigation within the Buena Sanitation District.

IT IS HEREBY ORDERED, that the Vista Irrigation District shall comply with the following requirements for the purveyance of reclaimed water:

A. PROVISIONS

1. Reclaimed water shall only be purveyed to areas for which valid waste discharge requirements, as established in Order No. 93-82 are in force. Such water shall be used only for landscape irrigation and agricultural purposes. Prior to purveying reclaimed water to any other area or to persons using such water for any other purpose, the Vista Irrigation District shall obtain proper authorization from the Buena Sanitation District and water reclamation requirements from this Regional Board.
2. Purveyance of reclaimed water from the Buena Sanitation District Shadowridge Water Reclamation Plant to reclaimed water users shall be under the direct control of the Vista Irrigation District at all times.
3. Bypassing or direct discharge of reclaimed water to Agua Hedionda Creek or tributaries thereof, or to any inland watercourse, is prohibited.

4. Purveyance of reclaimed water shall not cause a pollution, contamination, or nuisance, as defined by Section 13050 of the California Water Code.
5. Reclaimed water shall not be purveyed to persons who use, transport, or store such water in a manner which causes a pollution, contamination, or nuisance as defined by Section 13050 of the California Water Code.
6. Reclaimed water shall not be purveyed to users unless such water is in compliance with the effluent limitations for the Buena Sanitation District's Shadowridge Water Reclamation Plant specified in Order No. 93-82 and unless such water conforms with the provisions of Article 4, Title 22, Division 4 of the California Code of Regulation in their present form or as they may be amended.
7. The Vista Irrigation District (purveyor) shall implement and enforce the approved rules and regulations for reclaimed water users. The purveyor shall submit an annual report certifying that the users have implemented the Rules and Regulations established by the purveyor.
8. The Vista Irrigation District (purveyor) shall within 90 days of the adoption of this order, develop and submit to the Regional Board a program of Best Management Practices (BMP) for the reclaimed water users governing the irrigation practices, management and maintenance to avoid runoff, ponding, and overspray. The purveyor shall oversee that the reclaimed water users have implemented the BMP upon approval of the BMP program by the Regional Board Executive Officer.
9. The Vista Irrigation District (purveyor) shall, within 90 days of the adoption of this Order, develop and submit to the Regional Board a program to conduct compliance inspections of reclaimed water reuse sites to determine the status of compliance with the approved rules and regulations for reclaimed water users. The purveyor shall implement the inspection program upon its approval by the Regional Board Executive Officer.
10. The Vista Irrigation District (purveyor) shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:
 - (a) Enter upon the reclaimed water purveyor's premises where a regulated facility or activity is located

- or conducted, or where records must be kept under the conditions of this Order;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
 - (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practice, or operations regulated or required under this Order; and
 - (d) Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the California Water Code, any substances or parameters at any location.
11. This Order is not transferrable to any person except after notice to the Executive Officer. The Regional Board may require modification or revocation and reissuance of this Order to change the name of the purveyor and incorporate such other requirements as may be necessary under the California Water Code. The purveyor shall submit notice of any proposed transfer of this Order's responsibility and coverage to a new purveyor as described under Reporting Requirement C.1.
12. This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the purveyor from liability under federal, state or local laws, nor create a vested right for the purveyor to continue the waste discharge.
13. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.
14. The potable water supply shall not be used to supplement the reclaimed water supply except through an approved air gap. In other areas where the potable water supply is piped to premises where sewage is pumped, treated or reclaimed (e.g., sewage treatment plants or pumping stations, golf course, etc.) the potable water supply shall be protected at the property line in accordance with the State Department of Health Services' **Regulations Relating to Cross-Connections**.

B. RECLAIMED WATER USE RULES AND REGULATIONS

1. The Vista Irrigation District (purveyor) shall have **Rules and Regulations for Reclaimed Water Users** governing the design and construction of reclaimed water use facilities and the use of reclaimed water. The Rules and Regulations shall be reviewed and updated if necessary by the purveyor when a new Order or Addendum is adopted by the Regional Board, and shall, at a minimum, contain the following provisions:
 - a. Provisions implementing Title 22, Division 4, Chapter 3, **Wastewater Reclamation Criteria**, and Title 17, Division 1, Chapter 5, Group 4, Article 1 & 2, of the California Code of Regulations;
 - b. Provisions implementing the State Department of Health Services (DOHS) **Guidelines For Use of Reclaimed Water** and **Guidelines for Use of Reclaimed Water for Construction Purposes** and measures that are deemed necessary for protection of public health, such as the American Water Works Association (AWWA) California/Nevada Section, **Guidelines for the Distribution of Non-Potable Water** or alternate measures, acceptable to DOHS, providing equivalent protection of public health;
 - c. Provisions authorizing the Regional Board, the purveyor, or an authorized representative of these parties, upon presentation of proper credentials, to inspect the facilities of any reclaimed water user to ascertain whether the user is complying with the purveyor's rules and regulations;
 - d. Provision for written notification, in a timely manner, to the purveyor by the reclaimed water user of any material change or proposed change in the character of the use of reclaimed water;
 - e. Provision for submission of a preconstruction report to the purveyor by the reclaimed water user in order to enable the purveyor to determine whether the user will be in compliance with the purveyor's rules and regulations;
 - f. Provision requiring reclaimed water users to designate a reclaimed water supervisor responsible for the reclaimed water system at each use area under the user's control. Reclaimed water supervisors should be responsible for the installation, operation, and maintenance of the

- irrigation system, enforcement of the purveyor's reclaimed water user rules and regulations, prevention of potential hazards, and maintenance of the reclaimed water distribution system plans in "as built" form;
- g. Provision authorizing the purveyor to cease supplying reclaimed water to any person who uses, transports, or stores such water in violation of the purveyor's rules and regulations;
 - h. Provision requiring notification and concurrence of the State Department of Health Services and the San Diego County Department of Health Services, Environmental Health Services for new reclaimed water users. The notification of Environmental Health Services shall include a site distribution plan for new and retrofit facilities and a cross-connection control inspection plan for sites containing both potable and reclaimed water distribution lines;
 - i. Provision requiring all windblown spray and surface runoff of reclaimed water applied for irrigation onto property not owned or controlled by the purveyor or reclaimed water user shall be prevented by implementation of best management practices;
 - j. Provision requiring all reclaimed water storage facilities owned and/or operated by reclaimed water users to be protected against erosion, overland runoff, and other impacts resulting from a 100-year, 24 hour frequency storm unless the Regional Board Executive Officer approves relaxed storm protection measures for the facility;
 - k. Provision requiring all reclaimed water storage facilities owned and/or operated by reclaimed water users to be protected against 100 - year frequency peak stream flows as defined by the San Diego County flood control agency unless the Regional Board Executive Officer approves relaxed storm protection measures for the facility;
 - l. Provision for notification to reclaimed water users that the Regional Board may initiate enforcement action against any reclaimed water user who discharges reclaimed water in violation of any applicable discharge prohibitions prescribed by the Regional Board or in a manner which creates, or threatens to create conditions

of pollution, contamination, or nuisance, as defined in Water Code Section 13050; and

- m. Provision for notification to reclaimed water users that the Regional Board may initiate enforcement action against the purveyor, which may result in the termination of the reclaimed water supply, if any person uses, transports, or stores such water in violation of the purveyor's rules and regulations or in a manner which creates, or threatens to create conditions of pollution, contamination, or nuisance, as defined in Water Code Section 13050.
2. The revised rules and regulations shall be subject to the approval of the Regional Board Executive Officer; the State Department of Health Services; and the San Diego County Department of Health Services, Environmental Health Services. The revised rules and regulations or a letter certifying that the purveyor's rules and regulations contain the updated provisions in the Order, shall be submitted to the Regional Board within 90 days of adoption of this Order by the Regional Board.

C. REPORTING REQUIREMENTS

1. The purveyor must notify the Executive Officer, in writing at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new purveyor. The notice must include a written agreement between the existing and new purveyor containing a specific date for the transfer of this Order's responsibility and coverage between the current purveyor and the new purveyor. This agreement shall include an acknowledgement that the existing purveyor is liable for violations up to the transfer date and that the new purveyor is liable from the transfer date on.
2. The purveyor shall report any noncompliance with this Order to the Executive Officer of the Regional Board. Any information shall be provided orally within 24 hours from the time the purveyor becomes aware of the circumstances. A written submission shall also be provided to the Executive Officer within 5 days of the time the purveyor becomes aware of the circumstances. The written submission shall contain (a) a description of the noncompliance and its cause; (b) 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 (c) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The 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.

3. All applications, reports, or information submitted to the Executive Officer shall be signed and certified as follows:
 - (a) The Report of Waste Discharge shall be signed as follows:
 - (1) For a corporation - by a principal executive officer of at least the level of vice-president.
 - (2) For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.
 - (3) For a municipality, state, federal or other public agency - by either a principal executive officer or ranking elected official.
 - (b) All other reports required by this Order and other information required by the Executive Officer shall be signed by a person designated in paragraph (a) of this provision, or by a duly authorized representative of that person. An individual is a duly authorized representative only if:
 - (1) The authorization is made in writing by a person described in paragraph (a) of this provision;
 - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity; and
 - (3) The written authorization is submitted to the Executive Officer.
 - (c) Any person signing a document under this Section shall make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the

information submitted in this document and all attachments 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."

4. The purveyor shall submit reports required under this Order, or other information required by the Executive Officer, to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
9771 Clairemont Mesa Blvd, Suite B
San Diego, California 92124-1331

5. The Vista Irrigation District (purveyor) shall submit a quarterly reclaimed water users summary report containing the following information:

- a) Total volume of reclaimed water supplied to all reclaimed water users for each month of the reporting period.
- b) Total number of reclaimed water use sites.
- c) Address of the reclaimed water use site
- d) Basin Plan name and number of hydrologic subarea underlying the reclaimed water use site

6. The Vista Irrigation District (purveyor) shall submit an annual reclaimed water users compliance report containing the following information:

- a) **Reclaimed water use site summary information**

The following information shall be submitted for each reclaimed water use site.

- 1) Name of the reclaimed water use site
- 2) Owner of the reclaimed water use facility
- 3) Name of the reclaimed water use supervisor
- 4) Phone number of the reclaimed water use supervisor
- 5) Mailing address of the reclaimed water use supervisor, if different from site address
- 6) Volume of reclaimed water delivered to the reclaimed water use site on a monthly basis.

- b) **Reclaimed water use site inspections**

Number of reclaimed water use site inspections conducted by purveyor staff and identification of sites inspected for the reporting period.

c) **Reclaimed water user violations of the purveyor's rules and regulations**

The purveyor shall identify all reclaimed water users known by the purveyor to be in violation of the purveyor's rules and regulations for reclaimed water users. The report shall include a description of the noncompliance and its cause, including the period of noncompliance, 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.

7. The reports specified by Reporting Requirements Nos. C.5 and C.6 of this Order shall be submitted to the Executive Officer in accordance with the following schedule:

<u>Reporting Frequency</u>	<u>Report Period</u>	<u>Report Due</u>
Quarterly	January-March	April 30
	April-June	July 30
	July-September	October 30
	October-December	January 30
Annually	January-December	January 30

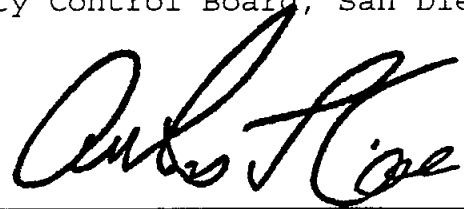
D. **NOTIFICATIONS**

1. California Water Code Section 13263(g) states:

"No discharge of waste into waters of the State, whether or not such discharge is made pursuant to waste discharge requirements, shall create a vested right to continue such discharge. All discharges of waste into waters of the State are privileges, not rights"
2. These requirements have not been officially reviewed by the United States Environmental Protection Agency and are not issued pursuant to Section 402 of the Clean Water Act.

3. The California Water Code provides that any person who intentionally or negligently violates any waste discharge requirements issued, reissued, or amended by this Regional Board is subject to a civil monetary remedy of up to 20 dollars per gallon of waste discharged or, if a cleanup and abatement order is issued, up to 15,000 dollars per day of violation or some combination thereof.
4. The California Water Code provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or falsifying any information provided in the monitoring reports is guilty of a misdemeanor.
5. This Order becomes effective on the date of adoption by the Regional Board. This Order hereby supersedes Order No. 82-02, **Water Reclamation Requirements for the Vista Irrigation District, San Diego County.**

I, Arthur L. Coe, 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, San Diego Region, on February 10, 1994.



Arthur L. Coe
Executive Officer