

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF WATER QUALITY  
JUNE 3, 2014**

**ITEM 5**

**SUBJECT**

CONSIDERATION OF PROPOSED GENERAL WASTE DISCHARGE REQUIREMENTS FOR RECYCLED WATER USE

**DISCUSSION**

In 2009, The State Water Resources Control Board (State Water Board) adopted a Policy for Water Quality Control for Recycled Water (Recycled Water Policy) to increase the use of recycled water from municipal wastewater sources, in a manner that implements state and federal water quality laws. One of the goals of the Recycled Water Policy is to increase the use of recycled water over 2002 levels by at least one million acre-feet per year by 2020 and at least two million acre-feet per by 2030. Also included in the goals of the Policy is the substitution of as much recycled water for potable water as possible by 2030.

On January 17, 2014, the Governor proclaimed a State of Emergency due to severe drought conditions and directed the State Water Board to take actions necessary to make water immediately available. In response to the Governor's drought proclamation, staff prepared a proposed General Waste Discharge Requirements for Recycled Water Use (General Order) and an associated California Environmental Quality Act (CEQA) Initial Study/Negative Declaration.

The proposed General Order does not authorize direct or indirect potable uses of recycled water, but will authorize the use of recycled water for beneficial uses such as irrigation of crops, dust control, and certain industrial processes. The proposed General Order will allow the use of recycled water that meets the water recycling regulations and reuse criteria specified in California Code of Regulations, title 22, division 4, chapter 3 (hereafter title 22), with the exception of groundwater recharge activities. These regulations authorize the use of secondary- and tertiary-treated water pursuant to criteria set forth in the regulations. In addition, the order requires recycled water use to be consistent with existing State Water Board policies, Salt and Nutrient Management Plans, and the Regional Water Quality Control Boards' Water Quality Control Plans. When recycled water is used in compliance with title 22, it is protective of public health and safe for approved uses.

On April 25, 2014, staff circulated the proposed General Order and associated CEQA document for public review and comment. That same day, the Governor proclaimed a continued State of Emergency due to severe drought conditions and directed the State Water Board to adopt statewide general waste discharge requirements to facilitate the use of treated wastewater that meets standards set by the California Department of Public Health (CDPH), in order to reduce demand on potable water supplies. The proclamation also directed the State Water Board to suspend compliance with CEQA to allow the State Water Board to adopt this proposed General Order as quickly as possible. In compliance with the Governor's proclamation, staff revised the Notice of Public Meeting and proposed General Order, and removed references to the associated CEQA document.

Written comments are due on May 27, 2014 by 12 noon.

**POLICY ISSUE**

Should the State Water Board adopt the proposed General Order for Recycled Water Use?

**FISCAL IMPACT**

None.

**REGIONAL WATER BOARD IMPACT**

If adopted, the General Order will be available to the Regional Water Quality Control Boards to use for recycled water projects that meet the eligibility criteria in the General Order.

**STAFF RECOMMENDATION**

Staff recommends that the State Water Board adopt the proposed General Order for Recycled Water Use.

<p>State Water Board action on this item will assist the Water Boards in reaching Goals 3 and 6 of the Strategic Plan Update: 2008-2012 to increase sustainable local water supplies and enhance consistency across the Water Boards. In addition, it will fulfill the Governor's April 25, 2014, Executive Order that directs the State Water Board to adopt statewide general waste discharge requirements to facilitate the use of treated wastewater that meets standards set by CDPH.</p>
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# DRAFT

## STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2014- GENERAL WASTE DISCHARGE REQUIREMENTS FOR RECYCLED WATER USE

The State Water Resources Control Board, (State Water Board) finds that:

1. On January 17, 2014, California's Governor proclaimed a [Drought State of Emergency](#) and directed state officials to take all necessary actions to prepare for drought conditions. On March 1, 2014, the Governor signed bipartisan drought relief legislation, Senate Bill (SB) 103 and 104, modifying the Budget Act of 2013 (Stats. 2013, ch. 20 and 354) to provide additional funds for drought relief. (Stats. 2014, ch. 2. And 3, respectively)
2. California experiences frequent drought conditions. The recent emergency actions follow a similar Declaration of Statewide Drought in effect from 2008 through 2011 ([Executive Order S-06-08](#)) and Drought Declaration State of Emergency in effect from 2009 through 2011 ([Executive Order S-11-09](#)). Drought conditions in California also persisted from 1987 through 1992. Paleoclimatologists have reconstructed medieval climate episodes from tree ring studies, sediment deposition, and other sources. These studies show that the most severe droughts during the past 1,000 years have lasted from 20 to more than 150 years.<sup>1</sup>
3. "Recycled water" means water which, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur and is therefore considered a valuable resource. (Wat. Code, § 13050(n).) Coverage under these General Waste Discharge Requirements (WDRs) for Recycled Water Use (General Order) is limited to treated municipal wastewater for non-potable uses. An estimated 0.9 million to 1.4 million acre-feet of "new water" could be realized by 2030 through recycling of municipal wastewater that is discharged into the ocean or saline bays. Because discharges to the ocean or brackish water bodies support few, if any, downstream beneficial uses, such discharges are excellent sources of wastewater for future recycling efforts.<sup>2</sup>
4. Recycled water use can help to reduce local water scarcity. It is not the only option for bringing supply and demand into a better balance, but it is a viable cost effective solution that is appropriate in many cases. The feasibility of recycled water use depends on local circumstances, which affect the balance of costs and benefits. In drought conditions, recycled water can be particularly valuable, given the scarcity of alternative supplies. In normal precipitation years recycled water use can allow reduced groundwater extraction allowing aquifers to recharge.

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<sup>1</sup> Michael Dettinger, *Droughts, Epic Droughts and Droughty Centuries—Lessons from California's Paleoclimatic Record: A PACLIM 2001 Meeting Report*, (Summer 2001) Interagency Ecological Program Newsletter, at p. 50.

<sup>2</sup> California Department of Water Resources, Bulletin 160-2009, p. 11-7

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5. The California Legislature has declared that a substantial portion of the future water requirements of the state may be economically met by beneficial use of recycled water. (Wat. Code, § 13511.) The Legislature also expressed its intent that the state undertake all possible steps to encourage development of water recycling facilities so that recycled water may be made available, to help meet the growing water requirements of the state. (Wat. Code, § 13512.)
6. On February 3, 2009, the State Water Board adopted [\*Resolution 2009-0011\*](#), *Adoption of a Policy for Water Quality Control for Recycled Water* (Recycled Water Policy). The Recycled Water Policy promotes the use of recycled water to achieve sustainable local water supplies and reduce greenhouse gas emissions.
7. Water recycling is an essential part of an overall program to manage local and regional water resources. Many local governing bodies have adopted resolutions establishing their intent to proceed with planning, permitting, and implementation of recycled water projects. These projects will provide water supply and municipal wastewater disposal benefits for communities.
8. The California Department of Public Health (CDPH) has primary statewide responsibility for protecting public health. It has established statewide water recycling criteria in California Code of Regulations, title 22, division 4, chapter 3 (hereafter referred to as title 22). Approved uses of recycled water under title 22 depend on the level of treatment, disinfection, and potential for public contact. CDPH has categorized recycled water based on treatment and disinfection levels. There are four categories of recycled water relevant to this General Order, they are listed here and defined in the indicated title 22 section:
  - a. Undisinfected secondary recycled water (Cal. Code Regs., tit. 22, § 60301.900.)
  - b. Disinfected secondary-23 recycled water (Cal. Code Regs., tit. 22, § 60301.225.)
  - c. Disinfected secondary-2.2 recycled water (Cal. Code Regs., tit. 22, § 60301.220.)
  - d. Disinfected tertiary recycled water (Cal. Code Regs., tit. 22, § 60301.230.)
9. When used in compliance with the Recycled Water Policy, title 22, and all applicable state and federal water quality laws, the State Water Board finds that recycled water is safe for approved uses, and strongly supports recycled water as a safe alternative to raw and potable water supplies for approved uses.
10. This General Order authorizes certain beneficial recycled water use consistent with title 22. Activities that are not authorized by this order include:

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- a. Activities designed to replenish groundwater resources. Groundwater replenishment activities include surface spreading basins, percolation ponds, or injection through groundwater wells.<sup>3</sup>
  - b. Disposal of treated wastewater by means of percolation ponds, excessive hydraulic loading of recycled water in use areas, etc. where the primary purpose of the activity is disposal of treated wastewater.
  - c. Recycled water for domestic or animal water supply.
11. There are many sources of salts and nutrients in surface and groundwater, including water soluble inorganic and organic constituents in imported water, leaching of naturally occurring salts in soils as a result of irrigation and precipitation, animal wastes, fertilizers and other soil amendments, municipal use including water softeners, industrial wastewater, and oil field wastewater. In coastal areas and areas adjacent to the Sacramento-San Joaquin Delta, seawater intrusion is also a source of salinity in groundwater, particularly in over-drafted basins. Imported water is a major source of salt. In water year 2010, 45 percent of the surface water used in the San Joaquin Valley was imported from the Sacramento-San Joaquin Delta through the Delta Mendota Canal, Folsom South Canal, and California Aqueduct (DWR).<sup>4</sup> In an average year, more than 800,000 tons of salt are imported from the Sacramento-San Joaquin River Delta Estuary (Delta) into the northern portion of the San Joaquin Valley, and another two million tons of salt are imported into the Tulare Basin.<sup>5</sup> Southern California also imports significant water supplies from the Delta. In addition, it imports 4.4 million acre-feet of water each year from the Colorado River. Colorado River water has, on average, twice the salinity of northern California water sources, and water imported from the Delta is blended with Colorado River supplies to control salinity. The use of recycled water for irrigation has the potential to increase salts and other constituents in groundwater, but is not expected to be a significant source of salt loading relative to other potential sources, particularly when recycled water is used in the same watershed in which it would otherwise be discharged.
12. Use of recycled water has the potential to increase nutrients in surface water and groundwater supplies. In order to minimize the nutrient loading, this order requires that recycled water used for irrigation purposes be applied at agronomic rates.

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3 Injection well is defined in Water Code section 13051.

4 Water Recycling and Desalination Section, California Department of Water Resources.

5 Department of Water Resources, Water Facts-Salt Balance in the San Joaquin Valley <[http://www.water.ca.gov/pubs/environment/salt\\_balance\\_in\\_the\\_san\\_joaquin\\_valley\\_water\\_facts\\_20\\_/water\\_facts\\_20.pdf](http://www.water.ca.gov/pubs/environment/salt_balance_in_the_san_joaquin_valley_water_facts_20_/water_facts_20.pdf)>, accessed 3 April 2014.

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13. The Recycled Water Policy calls on local water and wastewater entities together with other stakeholders who contribute salt and nutrients to a groundwater basin or sub-basin, to fund and develop Salt and Nutrient Management Plans to comprehensively address all sources of salts and nutrients. The State Water Board herein reasserts the need for comprehensive salt and nutrient management planning and directs that salinity and nutrient increases should be managed in a manner consistent with the Recycled Water Policy. It is the intent of the Recycled Water Policy that every groundwater basin/sub-basin in California ultimately have a consistent Salt and Nutrient Management Plan. The appropriate way to address salt and nutrient issues is through the development of regional or subregional Salt and Nutrient Management Plans.
14. The Recycled Water Policy includes monitoring requirements for Constituents of Emerging Concern<sup>6</sup> (CECs) for the use of recycled water for groundwater recharge by surface and subsurface application methods. The monitoring requirements and criteria for evaluating monitoring results in the Recycled Water Policy are based on recommendations from a Science Advisory Panel.<sup>7</sup> Because this order does not authorize groundwater replenishment activities, monitoring for CECs is not required by this General Order.
15. Priority pollutants are listed in Appendix A of 40 Code of Federal Regulations (CFR) Part 423. Presently, there are 126 priority pollutants listed. However, not all priority pollutants are present in wastewater, and those that are present are generally removed in the treatment process. Some priority pollutants may be generated in the treatment process either as daughter products, or be generated in disinfection processes (disinfection by-products). The applicant shall determine the Potentially Present Priority Pollutants List (P4 List) and submit that with the Notice of Intent (NOI). Once approved, recycled water shall be monitored consistent with the P4 List approved by the Regional Water Quality Control Board (Regional Water Board).

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6 For this Policy, CECs are defined to be chemicals in personal care products, pharmaceuticals including antibiotics, antimicrobials; industrial, agricultural, and household chemicals; hormones; food additives; transformation products, inorganic constituents; and nanomaterials.

7 The Science Advisory Panel was convened in accordance with provision 10.b. of the Recycled Water Policy. The panel's recommendations were presented in the report, *Monitoring Strategies for Chemicals of Emerging Concern (CECs) in Recycled Water – Recommendations of a Science Advisory Panel*, dated June 25, 2010.

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**REGULATORY ISSUES**

16. Pursuant to Water Code section 13263(i) the State Water Board or a Regional Water Board may prescribe general WDRs for a category of discharges if the State Water Board or that Regional Water Board finds or determines that all of the following criteria apply to the discharges in that category:
  - a. The discharges are produced by the same or similar operations.
  - b. The discharges involve the same or similar types of waste.
  - c. The discharges require the same or similar treatment standards.
  - d. The discharges are more appropriately regulated under general WDRs than individual WDRs.

Recycled water discharges regulated under this General Order will be consistent with the requirements of title 22, therefore general WDRs are appropriate. All discharges regulated under this General Order will be from similar operations and will be consistent with the description of recycled water uses described herein. Individual WDRs are not necessary because the recycled water uses and requirements would be similar if individual WDRs were issued.

17. Pursuant to Water Code section 13241 and 13263, the State Water Board, in establishing the requirements contained herein, considered factors including, but not limited to, the following:
  - a. Past, present, and probable future beneficial uses of water;
  - b. Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto;
  - c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area;
  - d. Economic considerations;
  - e. The need for developing housing within the region(s); and
  - f. The need to develop and use recycled water.
18. Technical and monitoring reports specified in this General Order are required pursuant to Water Code section 13267. Failing to furnish the reports by the due date or falsifying information in the reports are misdemeanors that may result in assessment of civil liabilities against the Discharger. Water Code section 13267 states, in part:

In conducting an investigation specified in subdivision (a), the regional 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

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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.... (f) the State Board may carry out the authority granted to a regional board pursuant to this section.

The technical reports required by this General Order, the NOI, and the Monitoring and Reporting Program (MRP) are necessary to assure compliance with this General Order. The burden and cost of preparing the reports is reasonable and consistent with the best interest of the people of the state in maintaining water quality.

19. This General Order does not preempt or supersede the authority of municipalities, flood control agencies, or other local agencies to prohibit, restrict, or control discharges of wastewater subject to their jurisdiction.
20. The General Order is applicable to recycled water projects where recycled water for non-potable use is used or transported, and is not intended to regulate the treatment of wastewater. Compliance with this General Order does not relieve producers or distributors from the obligation to comply with applicable WDRs for discharges from wastewater treatment plants, other than the recycled water uses described herein.
21. A 1996 Memorandum of Agreement (MOA) between CDPH and the State Water Board on the use of recycled water establishes basic principles relative to the agencies and the Regional Water Boards. In addition, the MOA allocates primary areas of responsibility and authority between these agencies, and provides for methods and mechanisms necessary to assure ongoing, continuous future coordination of activities relative to the use of recycled water in California. This General Order implements the applicable provisions of the water recycling regulations of title 22 and California Code of Regulations, title 17 (title 17).



### ANTIDegradation ANALYSIS

22. [State Water Board Resolution No. 68-16](#), the *Statement of Policy with Respect to Maintaining High Quality of Waters in California* (the Antidegradation Policy) requires that disposal of waste into the waters of the state be regulated to achieve the highest water quality consistent with the maximum benefit to the people of the state. The quality of some waters is higher than established by adopted policies and that higher quality water shall be maintained to the maximum extent possible consistent with the Antidegradation Policy. The Antidegradation Policy requires the following:
- a. Higher quality water will be maintained until it has been demonstrated to the state that any change will be consistent with the maximum benefit to the people of the state, will not unreasonably affect present and anticipated beneficial use of the water, and will not result in water quality less than that prescribed in the policies.
  - b. Any activity that produces a waste or may produce waste or increased volume or concentration of waste and discharges to existing high quality waters will be required to meet waste discharge requirements that will result in the Best Practicable Treatment or Control (BPTC) of the discharge necessary to assure pollution or nuisance will not occur, and the highest water quality consistent with the maximum benefit to the people of the state will be maintained.
23. This General Order regulates discharges to numerous water bodies, each with its own chemical characteristics. There is not sufficient data to determine which receiving waters are high quality waters. To the extent a discharge covered under this General Order may be to high quality waters, this General Order is consistent with the Antidegradation Policy as described in the findings below. Salt and Nutrient Management Plans will require analysis on an ongoing basis to evaluate inputs to the basin, the salt and nutrient mass balance, and the available assimilative capacity.
24. This General Order requires best practicable treatment or control (BPTC), which is a combination of treatment, storage, and application methods that implement the requirements of title 22 and the Regional Water Board Basin Plans. Recycled water is generated by treating (primarily) domestic wastewater adequately to make the water suitable for a direct beneficial use that would not otherwise occur. The required level of treatment and/or disinfection corresponds to the proposed use of the recycled water. In addition, this General Order includes requirements regarding the storage and application of recycled water to protect water quality and limit public contact to recycled water, where appropriate. Wastewater treatment can be accomplished many different ways, but generally consists of physical, chemical, and/or biological methods. Depending upon the use of the recycled water, disinfection may be performed. In addition to the treatment processes, the General Order also requires the following control measures:

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- a. Recycled water use shall not create unacceptable groundwater and/or surface water degradation.
    - i. Regional Water Boards have discretion regarding permitting storage of recycled water in unlined ponds. Applicants may improve storage facilities if deemed necessary by a Regional Water Board.
    - ii. Application of recycled water is limited to agronomic rates, which limits the potential for significant amounts of recycled water to impact groundwater quality and allows crops to take up wastewater constituents such as nitrogen compounds.
    - iii. Recycled water use shall be controlled to prevent significant runoff from application areas. This General Order authorizes use of recycled water on land, where recycled water is further treated in natural soil processes.
  - b. Recycled water shall not create nuisance conditions.
    - i. Title 22 requires wastewater to be oxidized, which removes putrescible matter and requires dissolved oxygen. Maintaining dissolved oxygen in the wastewater will generally prevent nuisance odors.
    - ii. Application of recycled water is controlled to prevent airborne spray.
    - iii. Application of recycled water to saturated soil is prohibited. Application to saturated soil reduces the soil treatment processes and may create conditions for mosquito breeding.
  - c. Recycled water shall only be used consistent with the title 22 recycled water specifications.
    - i. The applicant must obtain approval of a title 22 engineering report before the Regional Water Board can issue an NOA.
    - ii. Acceptable uses of recycled water, use area signage, and monitoring frequency are specified in title 22.
    - iii. Backflow prevention, cross connection tests, and setback requirements for surface impoundments, wells, etc. are contained in title 22.
25. In an arid climate, such as the climate that exists in most of California, the maximum benefit to the people of the state can only be achieved by ensuring long- and short-term protection of economic opportunities, human health, and environmental protection. In order to do that, we must better match water uses to water quality and encourage use of local supplies to the extent possible, including reusing water that would otherwise flow to the ocean or other salt sinks without supporting beneficial uses during transmission. The use of recycled water in place of both raw and potable water supplies for the non-potable uses allowed under this order improves water supply availability and helps to ensure that higher quality water will continue to be available for higher-level human uses and for instream uses for fish and wildlife, which have been negatively impacted as a result of over-appropriation of surface water supplies and of environmental impacts associated with the construction and operation of dams and other water diversion works. It also reduces the need for groundwater pumping that has

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resulted in permanent loss of aquifer storage capacity and land subsidence in some parts of the state.

As required by the Antidegradation Policy, the State Water Board finds that the limited degradation of water that may occur as the result of recycling under the conditions of this General Order provides maximum benefit to the people of California, provided recycled water treatment and use are managed to ensure long-term reasonable protection of beneficial uses of waters of the state. Recycled water available for reuse under this order has been treated at a wastewater treatment plant to levels that comply with permits issued by the State Water Board or Regional Water Boards pursuant to the Clean Water Act for discharges to waters of the United States or the Porter Cologne Water Quality Control Act for discharges to land. Treatment technologies required under these laws and permits include primary, secondary, and/or tertiary treatment and disinfection for pathogen removal.

Title 22 imposes limitations on the uses of recycled water, based on the level of treatment and the specific use in order to protect human health. By restricting the use of recycled water to title 22 requirements, this order ensures that recycled water is used safely. To the extent that the use of recycled water as a source supply results in point source discharges of used recycled water, that water will undergo subsequent treatment consistent with the Clean Water Act and/or the Porter Cologne Water Quality Act, as applicable. To the extent that the use of recycled water results in some waste constituents entering the environment after effective source control, treatment, and control measures are implemented, the conditions of this General Order limiting the use of water to agronomic rates provides BPTC, particularly taking into consideration that those constituents are also introduced into the environment as a result of the import, use and discharge of raw and potable water due to technological and practical limitations affecting the ability to detect and treat some of those constituents, including some disinfection by-products.

26. Constituents of concern that have the potential to degrade groundwater include salinity, nutrients, pathogens (represented by coliform bacteria), and disinfection by-products. The Regional Water Board has discretion in enrolling Dischargers under this General Order. If the discharge is not consistent with Basin Plan requirements, the Discharger may elect to improve treatment, or a site-specific order can be prepared. Each of the recycled water constituents of concern are discussed below:

- a. Salinity is a measure of total dissolved solids (TDS) in water. Excessive salinity can reduce the beneficial uses of water. Salinity can be affected by the use of recycled water with elevated concentrations of TDS.

It is anticipated that in many cases, recycled water will consist of a portion of the total applied irrigation water. Other sources of irrigation water are likely to be potable water, imported water, agricultural water supply wells, irrigation

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districts (surface water supplies), and precipitation. Blending sources of irrigation water will generally reduce concentrations of, and/or loading rates of salinity constituents. As a result, salinity increases are unlikely to impair an existing and/or potential beneficial use of groundwater.

- b. Nitrogen is a nutrient present in recycled water that may be at a concentration that can degrade groundwater quality. This General Order limits the application of nitrogen to agronomic rates. When applied to cropped (or landscaped) land, some of the nitrogen in recycled water will be taken up by the plants, lost to the atmosphere through volatilization of ammonia or denitrification or stored in the soil matrix. As a result, nitrogen increases are unlikely to impair an existing and/or potential beneficial use of groundwater
- c. Pathogens and other microorganisms may be present in recycled water based on the disinfection status. Coliform bacteria are used as a surrogate (indicator) because they are present in untreated wastewater, survive in the environment similar to pathogenic bacteria, and are easy to detect and quantify. Pathogens are generally limited in their mobility when applied to land.

Setbacks from recycled water use areas are required in title 22 as a means of reducing pathogenic risks by coupling pathogen inactivation rates with groundwater travel time to a well or other potential exposure route (e.g. water contact activities). In general, a substantial unsaturated zone reduces pathogen survival compared to saturated soil conditions. Fine grained soil particles (silt or clay) reduce the rate of groundwater transport and therefore are generally less likely to transport pathogens. Setbacks also provide attenuation of other recycled water constituents through physical, chemical, and biological processes.

When needed, disinfection can be performed in a number of ways. Title 22 contains water recycling criteria, which lists disinfection requirements for specifically listed activities.

- d. Disinfection by-products consist of organic and inorganic substances produced by the interaction of chemical disinfectants with naturally occurring substances in the water source. Common disinfection by-products include trihalomethanes, haloacetic acids, bromate, and chlorite. There are several treatment technologies available to remove disinfection by-products. The most common method to remove low concentrations of these constituents is granulated active carbon adsorption, which involves passes the disinfected water through a vessel that contains the granulated active carbon.
27. The use of recycled water that would otherwise be discharged to a watercourse can adversely affect the availability of water for beneficial uses of water downstream of the discharge point, including instream uses. Water Code section 1211 requires that: (1) the owner of any wastewater treatment plant obtain the approval of the State Water Board before making any change in the point of

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discharge, place of use, or purpose of use of treated wastewater where changes to the discharge or use of treated wastewater have the potential to decrease the flow in any portion of a watercourse, and (2) the State Water Board review the proposed changes pursuant to the provisions of Water Code section 1700 *et seq.* In order to approve the proposed change, the State Water Board must determine that the proposed change will not operate to the injury of any legal User of the water involved. (Wat. Code, §1702.) The State Water Board also has an independent obligation to consider the effect of the proposed change on public trust resources and to protect those resources where feasible. (*National Audubon Society v. Superior Court* (1983) 33 Cal.3d 419 [189 Cal. Rptr. 346].) In order to ensure that any proposed changes in the point of discharge, place of use, or purpose of use of treated wastewater does not operate to the injury of any legal water User or unreasonably affect fish or wildlife dependent on continued discharges of that wastewater, this General Order requires the applicant to provide confirmation that the owner of the treatment plant has complied with these requirements.

28. This General Order authorizes specified uses of recycled water statewide. If the use of recycled water as allowed by this General Order could result in unacceptable water quality degradation as described below, the Regional Water Board's Executive Officer may elect to continue coverage under an existing order for the discharge or propose a new site-specific order for consideration by the Regional Water Board. The Executive Officer shall support the need for a site-specific order, by making one or more of the following findings in the NOI response letter:
- a. The proposed discharge will degrade water quality to an unacceptable extent. The degradation may be from salinity, nitrogen chemical compounds, pathogens, disinfection by-products, or other substances.
  - b. The proposed method of recycled water storage in unlined ponds will degrade water quality to an unacceptable extent. The degradation may be from salinity, nitrogen compounds, pathogens, disinfection by-products, or other substances.
  - c. The proposed discharge or method of recycled water storage will cause or contribute to pollution or nuisance, or otherwise fail to comply with the applicable Basin Plan or State Water Board plans or policies.
  - ~~d. The proposed discharge is not consistent with the California Environmental Quality Act (CEQA) negative declaration prepared in support of this General Order.~~
  - e. The proposed discharge does not implement mitigation measures adopted in a site-specific California Environmental Quality Act (CEQA) document.
  - f. The proposed discharge is not consistent with a Total Maximum Daily Load (TMDL) wasteload or load allocation or Implementation Plan as adopted by the Regional Water Board and made part of the Regional Water Board's Basin Plan.

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- g. The proposed discharge is not consistent with the Salt and Nutrient Management Plan approved by the Regional Water Board for the basin into which the discharge is proposed.

**PURPOSE AND APPLICABILITY**

- 29. This document serves as a statewide General Order authorizing the use of recycled water by Producers, Distributors, and Users for all title 22 uses except groundwater recharge. The intent of this order is to streamline the permitting process and delegate the responsibility of administering water recycling programs to recycled water Producers and/or Distributors to the fullest extent possible. The following may apply for coverage under the order and agree to become the Administrator:
  - a. Producers of recycled water: Producers may be publically or privately owned. A Producer will typically produce recycled water that meets the requirements of title 22. A Producer may also act as an Administrator.
  - b. Distributors of recycled water: In some cases, a Distributor may provide additional treatment (such as disinfection) to meet title 22 water recycling criteria for its intended use, and distribute it to Users. A Distributor is not required to take physical possession of the recycled water and may act simply as an Administrator.
  - c. A legal entity: A joint powers agreement or equivalent contractual agreement between a Producer, Distributor, irrigation district, or other entity. Similar to a Distributor, a legal entity is not required to take physical possession of the recycled water and may act simply as an Administrator.
- 30. To obtain coverage under this General Order, the applicant shall submit an NOI (Attachment A) and application fee to the Regional Water Board of jurisdiction. The applicant shall declare responsibility for the administration of the recycled water program authorized pursuant to this General Order. A duly authorized representative for each entity involved in the production and distribution of recycled water shall each sign the NOI form as appropriate. The Administrator shall be billed for an annual fee until coverage under the General Order is terminated. The applicant describes a program they will administer to distribute recycled water to Users and ensure that recycled water use complies with the requirements of title 22 and this General Order. Upon authorization by the Regional Water Board, the applicant then becomes the Administrator.
- 31. A National Pollutant Discharge Elimination System (NPDES) permit is required if recycled water will be conveyed in ephemeral streams, year-round streams, or irrigation ditches that discharge to a surface water body (waters of the United States).

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**BASIN PLANS AND BENEFICIAL USES**

32. Beneficial uses of waters of the state are determined by each Regional Water Board and are listed in their respective Basin Plans. Beneficial uses for waters of the state are: municipal supply (MUN), industrial service supply (IND), industrial process supply (PROC), fresh water replenishment (FRESH), aquaculture (AQUA), wildlife habitat (WILD), water contact recreation (REC-1), agricultural supply (AGR), groundwater recharge (GWR), and Native American culture (CUL). Table 2 lists the existing beneficial uses of waters of the state for each region. Some beneficial uses only apply to certain geographical areas within regions.

**Table 2: Summary of Identified Beneficial Uses by Region**

<u>Region</u>	<u>Existing Beneficial Uses<sup>a</sup></u>
1 North Coast	MUN, AGR, IND, PROC, FRESH, CUL
2 San Francisco Bay	MUN, AGR, IND, PROC, FRESH, GWR
3 Central Coast	MUN, AGR, IND,
4 Los Angeles	MUN, AGR, IND, PROC, AQUA
5 Central Valley - Sacramento and San Joaquin Rivers	MUN, AGR, IND, PROC
5 Central Valley - Tulare Lake	MUN, AGR, IND, PROC, REC-1, WILD
6 Lahontan	MUN, AGR, IND, FRESH, WILD, AQUA
7 Colorado River	MUN, AGR, IND
8 Santa Ana	MUN, AGR, IND, PROC
9 San Diego	MUN, AGR, IND, PROC, FRESH, GWR

<sup>a</sup> To the extent that the applicable Basin Plan designates additional or different beneficial uses than listed above, the Basin Plan shall control.

33. Basin Plans establish water quality objectives to protect beneficial uses. The objectives may be narrative, numerical, or both. This General Order requires the Administrator to ensure that Users abide by those objectives in receiving water. Determination of applicable water quality objectives is part of the application process.

### CEQA AND PUBLIC NOTICE

34. ~~On \_\_\_\_\_, in accordance with CEQA, the State Water Board, acting as the lead agency, adopted Resolution \_\_\_\_\_, which certified a Negative Declaration for this project and determined that the project will have less-than-significant impacts on the environment. On April 25, 2014, the Governor issued an Executive Order declaring a continued state of emergency due to severe drought conditions. Directive no. 10 of the Executive Order directs the State Water Board to adopt statewide general waste discharge requirements to facilitate the use of treated wastewater that meets standards set by the Department of Public Health, in order to reduce demand on potable water supplies. This General Order is intended to satisfy the directive No. 10 requirement. Directive No. 19 of the Executive Order provides that the California Environmental Quality Act requirement to conduct an environmental review is suspended to allow the State Water Board to adopt this General Order as quickly as possible.~~
35. The State Water Board has notified the Producers, Distributors and interested agencies and persons of its intent to prescribe WDRs, and has provided them the opportunity to attend a public meeting and to submit their written views and recommendations.
36. The State Water Board, in a public meeting, heard and considered all comments pertaining to this matter.

**IT IS HEREBY ORDERED** that all agencies that file an NOI indicating their intention to be regulated under the provisions of this General Order, and receive authorization from the appropriate Regional Water Board shall comply with the following:

#### **A. PROHIBITIONS**

1. The treatment, storage, distribution, or use of recycled water shall not cause or contribute to a condition of pollution as defined in Water Code section 13050(l) or nuisance as defined in Water Code section 13050(m).
2. No recycled water shall be applied to irrigation areas during periods when soils are saturated.
3. Recycled water shall not be allowed to escape from the use area(s) as surface flow that would either pond and/or enter surface waters.
4. Recycled water shall not be allowed to escape from the use area(s) as an airborne spray that would visibly wet vegetation or any other surface.
5. Spray or runoff shall not enter a dwelling or food handling facility, and shall not contact any drinking water fountain, unless specifically protected with a shielding device. If the recycled water is undisinfected or secondary-23 quality then spray or runoff shall not enter any place where the public may be present during irrigation.



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6. The use of recycled water shall not cause rising groundwater discharging to surface waters to degrade surface water quality, exceed surface water quality objectives or adversely affect beneficial uses.
7. The incidental discharge of recycled water to surface waters shall not unreasonably affect present and anticipated beneficial uses of water, and not result in water quality less than that prescribed in water quality control plans or policies.
8. No recycled water shall be discharged from treatment facilities, irrigation holding tanks, storage ponds, or other containment, other than for permitted use in accordance with this General Order, Regional Water Board issued WDRs, NPDES permits, or a contingency plan in an approved Water Use Program.
9. This General Order does not authorize the use of recycled water for domestic or animal water supply.
10. There shall be no cross connection between potable water supply and piping containing recycled water. All Users of recycled water shall provide for appropriate backflow protection for potable water supplies as specified in title 17, section 7604 or as specified by the CDPH.
11. This General Order authorizes certain beneficial recycled water uses consistent with title 22. The following activities are not authorized by this General Order:
  - a. Activities designed to replenish groundwater resources. Groundwater replenishment activities may include surface spreading basins, percolation ponds, or by direct injection.
  - b. Disposal of treated wastewater by means of percolation ponds, excessive hydraulic loading of application areas, etc. where the primary purpose of the activity is the disposal of treated wastewater.

**B. SPECIFICATIONS:**

1. Recycled water production, distribution, and use shall be in compliance with all of the following requirements:
  - a. All title 22 requirements.
  - b. All requirements of this General Order.
  - c. A CDPH approved title 22 Engineering Report (and amendments).
  - d. The Notice of Applicability (NOA) issued by the Regional Water Board.
  - e. The use area authorization issued by the recycled water Administrator.
  - f. Any applicable water quality related CEQA mitigation measure.

The Administrator shall discontinue delivery of recycled water for projects that do not comply with the requirements. The Regional Water Board shall be copied on any correspondence concerning non-compliance between the Administrator and User.

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2. Application of recycled water to the use area shall be at agronomic rates and shall consider soil, climate, and nutrient demand, consistent with applicable provisions of the Recycled Water Policy.
3. No change in the point of discharge from a wastewater treatment plant shall be authorized by this General Order until the Administrator certifies that the owner of the wastewater treatment plant providing the wastewater has contacted the State Water Board's Division of Water Rights and either:
  - a. The State Water Board's Deputy Director for Water Rights (or his or her designee) has indicated that an order approving the change is not required or,
  - b. The owner or operator of the treatment plant has obtained approval for the proposed change pursuant to Water Code section 1211 from the State Water Board. Thereafter, the use of recycled water may only occur in compliance with all requirements prescribed by the State Water Board pursuant to approval of the proposed change.
4. An NPDES permit must be obtained from the Regional Water Board of jurisdiction if recycled water will be conveyed in ephemeral streams, year-round streams, or irrigation ditches that discharge to a surface water body (waters of the United States).

**C. WATER RECYCLING ADMINISTRATION REQUIREMENTS**

1. Applicants seeking coverage under this General Order shall submit an NOI in accordance with Attachment A. Responsibilities for an Administrator shall be described in the NOI.
2. This General Order becomes effective when the Regional Water Board issues a Notice of Applicability (NOA). The Regional Water Board will coordinate with CDPH to include title 22 engineering report approval requirements as needed.
3. Under this General Order, the Administrator's program shall be implemented to accomplish compliance with Specification B.1. Upon Regional Water Board approval of the Administrator's program, which shall accompany the NOI, the Administrator may authorize specific water recycling projects on a case-by-case basis once the elements of the water recycling program are in place.
4. The Administrator shall establish and enforce rules or regulations for recycled water uses governing the design and construction of recycled water use facilities and the use of recycled water in accordance with Specification B.1.
5. The Administrator shall submit to CDPH documentation of the proper installation and maintenance of title 22 mandated backflow prevention devices and the absence of cross connections prior to commencing use of recycled water at sites meeting any of the following criteria:
  - a. Where the proposed use is a new use that is not covered in the CDPH water recycling criteria.

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- b. Dual plumbed systems (per title 22 definition - within building plumbing and residential irrigation).
6. The Administrator shall ensure recycled water meets the quality standards of this General Order and shall be responsible for the operation and maintenance of major transport facilities and associated appurtenances. The Administrator shall require Users to apply and/or use recycled water in accordance with all applicable CDPH water recycling criteria and to comply with this General Order, including requirements to apply only at agronomic rates and not cause unauthorized degradation, pollution, or nuisance. The Producer shall communicate to Users the nutrient levels in the recycled water.
7. The Administrator shall conduct periodic inspections of the User's facilities and operations to determine compliance with conditions of the Administrator requirements and this General Order. The Administrator shall take whatever actions are necessary, including the termination of delivery of recycled water to the User, to correct any User violations.
8. The Administrator shall comply with all applicable items of the attached Standard Provisions and Reporting Requirements (Attachment C) or any amendments thereafter.
9. The Administrator shall require Users to comply with the Administrator's use area conditions. Use Area requirements shall be consistent with Specification B.1.
10. The Administrator shall develop recycled water use requirements for title 22 approved uses such as dust control, concrete mixing, etc. Users of recycled water for such activities shall complete a recycled water release form or equivalent tracking documentation when receiving recycled water from the Administrator. This General Order allows transportation of recycled water by tanker-truck.
11. A copy of the Water Recycling Permit must be provided to Users by the Administrator. The Users must have the documents available for inspection by Regional Water Board staff, State/County officials, and/or the Administrator.
12. The Administrator shall comply with the attached self-monitoring program including any amendments issued by the Regional Water Board. This monitoring program shall be consistent with any applicable Salt and Nutrient Management Plan for the basin/sub-basin. The Administrator is responsible for collecting reports from Users. Users are responsible for submitting on-site observation reports and use data to the Administrator, who will compile and file an annual report with the Regional Water Board. The Administrator, at its discretion, may assume the User's responsibility for on-site observation reports and use data.
13. The Administrator shall assure that cross-connections between potable water and non-potable water systems have not been created and that backflow prevention devices are in proper working order by conducting or requiring User testing in accordance with CDPH water recycling criteria and title 17 section

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7605. Reports of testing and maintenance shall be maintained by the Administrator.

14. The Administrator and Users shall maintain in good working order and operate as efficiently as possible any facility or control system to achieve compliance with this General Order.
15. The Administrator shall require that personnel receive training to assure proper operation of recycling facilities, worker protection, and compliance with this General Order. In accordance with title 17, section 7586, the Administrator shall require Recycled Water Supervisor(s) to be familiar with the Administrator permit conditions.
16. The Administrator shall assure that all above ground equipment, including pumps, piping, storage reservoir, and valves which may at any time contain recycled water are identified with appropriate warning signs as required by title 22.

**D. GENERAL PROVISIONS**

1. The Administrator shall document compliance with all conditions of this General Order and of water recycling criteria specified in title 22 and title 17.
2. This General Order provides authorization for tanker-truck distribution of recycled water as allowed by an approved title 22 engineering report.
3. An Administrator shall strive to achieve a goal of recycling the maximum possible amount of recycled water.
4. When directed by the Regional Water Board, an Administrator shall prepare and submit a Salt and Nutrient Management Plan, acceptable to the Regional Water Board, to insure that the overall impact of permitted water recycling projects does not degrade groundwater resources. Unless otherwise directed by the Regional Water Board, in lieu of developing an individual Salt and Nutrient Management Plan the Administrator shall participate in a Regional Water Board's existing salt and nutrient management planning effort to meet the requirements of this provision.
5. Regional Water Board staff will conduct inspections/audits of water recycling projects. The Administrator and Users shall permit the Regional Water Board or its authorized representatives, in accordance with Water Code section 13267(c):
  - a. Entry upon premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this General Order.
  - b. Access to and copy of, at reasonable times, any records that must be kept as a condition of this General Order.
  - c. Inspection, at reasonable times, of any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this General Order.

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- d. To sample or monitor, at reasonable times, for the purpose of assuring compliance with this General Order.
6. The Regional Water Board may terminate or modify an Administrator's coverage under this General Order for cause, including, but not limited to:
  - a. Violation of any term or condition contained in this General Order;
  - b. Obtaining this General Order by misrepresentation, or failure to disclose fully all relevant facts;
  - c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized water recycling;
  - d. Endangerment to public health or environment that can only be regulated to acceptable levels by General Order modification or termination.
7. The Regional Water Board may add additional Producers at any time, pursuant to conditions specified in Provisions C.1 and C.2.
8. The Regional Water Board upon a finding of non-compliance with this General Order may revoke an Administrator's authority to issue use authorizations and water recycling permits.
9. The State Water Board will review this General Order periodically and may revise the requirements as deemed necessary.
10. Users shall comply with all requirements of applicable WDRs or waivers of WDRs, including without limitation WDRs or waivers regulating agricultural discharges to irrigated lands.

**CERTIFICATION**

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on June 3, 2014.

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Jeanine Townsend  
Clerk to the Board

Attachments:

- A. Notice of Intent (NOI) - General Instructions
- B. Self-Monitoring Program
- C. Standard Provisions & Reporting Requirements for Water Recycling Orders
- D. Definition of Terms

## ATTACHMENT A

### NOTICE OF INTENT (NOI) -- GENERAL INSTRUCTIONS

#### Who May Apply

This order is intended to serve as a state-wide General Order for recycled water projects. It may be used to replace individual waste discharge requirements/water recycling requirements/master reclamation permits and may be issued to any of the following:

- a. Producers of recycled water. Producers may be publically or privately owned. A Producer will typically produce recycled water that meets the requirements of title 22. A Producer may also act as an Administrator.
- b. Distributors of recycled water. In some cases, a Distributor may provide additional treatment (such as disinfection) to meet title 22 water recycling criteria for its intended use, and distribute it to Users. A Distributor is not required to take physical possession of the recycled water and may act simply as an Administrator.
- c. A legal entity such as a joint powers agreement or equivalent contractual agreement between a Producer, Distributor, irrigation district, or other entity. Similar to a Distributor, a legal entity is not required to take physical possession of the recycled water and may act simply as an Administrator.

Applicants that have been previously issued an order authorizing water recycling may be able to submit an abbreviated information package. Such applicants should contact Regional Water Board staff to determine the application information needs.

#### Where to Apply

An applicant should submit an NOI to their applicable Regional Water Board and CDPH, Drinking Water Field Operations Branch. The NOI cannot be considered complete until CDPH provides a title 22 Engineering Report approval letter.

#### When to Apply

An applicant should normally file the NOI 90 days prior to the project start.

#### What to File

The NOI shall include a Water Recycling Program technical report, containing the following information (at a minimum):

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**SECTION I - FACILITY/WASTE TREATMENT INFORMATION**

Description of existing and/or proposed treatment, storage and transmission facilities for water recycling (much of this may be from current orders/reports, but should be updated). This shall include the type and level of wastewater treatment for water recycling applications, estimated seasonal flows of recycled water, and a summary of monitoring data that describes the chemical, physical, and disinfection characteristics of the recycled water. A copy of the approved title 22 engineering report shall be included in the submittal.

**SECTION II – RECYCLED WATER APPLICATION**

Describe how recycled water will be used. This should include:

- a. Administrator owned/controlled uses (e.g. irrigation type/acreage/locations)
- b. Contracted User Applications
  1. List of Users receiving or proposing to receive recycled water (including a list of uses of recycled water for each User).
  2. An estimated amount of recycled water used at Use Area(s) of each User. Also include a water balance and nutrient balance analysis to illustrate agronomic rate application of recycled water in the Use Areas.
  3. Descriptions/maps of use areas.

**SECTION III - DESCRIPTION OF WATER RECYCLING PERMIT PROGRAM**

The Administrator's water recycling program should be fully described as follows:

- a. Description of the Administrator agency's authority, rules, and/or regulations
- b. Design and implementation of program
- c. Cross connection testing responsibilities and procedures
- d. Self-monitoring program including the Potentially Present Priority Pollutant list (P4 List).
- e. Use area inspection program
- f. Operations and Maintenance program
- g. Compliance program
- h. Employee and User Training
- i. Emergency procedures and notification

**SECTION IV - ADDITIONAL SITE SPECIFIC CONDITIONS**

If existing orders have additional site specific conditions and/or restrictions not covered in the General Order, they shall be described here. If a CEQA document for the project was prepared, include a copy of the certified or adopted document(s).

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**SECTION V – WATER RECYCLING PROGRAM ADMINISTRATION**

Describe organization and responsibilities of pertinent personnel involved in the water recycling program. Provide the name(s), title(s) and phone number(s) of contact person(s) who are charged with operation/oversight of the water recycling program.



**ATTACHMENT B**  
**MONITORING AND REPORTING PROGRAM**

A. GENERAL

Reporting responsibilities of water recycling agencies are specified in Water Code sections 13255(a), 13267(b), 13268, 13383, and 13387(b). The Administrator is responsible for ensuring the monitoring and reporting program is implemented. The Administrator shall coordinate with the Producer, Distributor, and User (as needed) to ensure all required monitoring is performed. The Administrator will prepare monitoring reports that will be submitted to the Regional Water Board. The principal purpose of a monitoring program is to:

1. To document compliance with water quality requirements and prohibitions established by this General Order; and
2. To facilitate self-policing by the water recyclers.

B. RECYCLED WATER MONITORING

An Administrator shall develop and implement a water recycling monitoring program. Delegation of responsibilities for the Producer, Distributor, and Users must be clearly defined and included in the Administrator's Water Recycling Permits.

1. Recycled Water Effluent Quality—Producer Program

The Producer's self-monitoring program is applicable during periods when recycled water is in use. The self-monitoring program shall include the observations, sampling, measurements, and analyses prescribed in Table B-1.

2. Description of Sampling and Observation Stations

Recycled Water

Station	Description
E—001	Location at the recycled water production facility where a representative sample of treated effluent being diverted for recycling can be obtained and the total diverted flow can be measured.

3. Monitoring of Recycled Water Users - Administrator/User Program

- a. The Administrator will set individual User monitoring requirements based on the size, volume used, complexity, etc. for use areas. Producer conducted monitoring, or User monitoring if approved by the Administrator, shall be conducted at least annually. The monitoring program shall include monitoring

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for the Potentially Present Priority Pollutant List (P4 List) that is approved in the NOA. The P4 List monitoring shall be conducted once per year, except when the recycled water production facility has a design production flow for the entire water reuse system of one million gallons per day or less. For these smaller facilities, the recycled water shall be monitored for priority pollutants once every five years and at the commencement of the recycled water project.

- b. All recycled use areas, while recycled water is being used, shall be inspected at a frequency, specified by the Administrator's use area permit, for the following:

Standard Observations

- i. Evidence of runoff of recycled water from the site (show affected area on a sketch, estimate volume).
- ii. Odor of wastewater origin from irrigation site. If present, indicate apparent source, characterization, and direction of travel.
- iii. Evidence of ponding of recycled water, and evidence of mosquitoes breeding within the irrigation area due to ponded water.
- iv. Warning signs properly posted to inform public that irrigation or water use is recycled water which is not safe for drinking.
- v. Evidence of leaks or breaks in the irrigation system pipelines or tubing.
- vi. Evidence of broken or otherwise faulty drip irrigation system emitters or spray irrigation sprinklers.
- vii. Evidence of overflows, leaks, erosion of dikes, etc. of storage pond(s) or impoundment(s).
- viii. All violations shall be followed by a discussion of when and how deficiencies were corrected.

- c. Description of Sampling and Observation Stations

- i. Land Observation Stations

Station	Description
L-1 to L-n	Locations at a sufficient number of points at use areas in order to ensure compliance with water recycling requirements.

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ii. Impoundment Stations

Station	Description
P-1 to P-n	Locations at points along the periphery of each storage, ornamental, golf course, or other pond or impoundment.

4. Inspection Program

An Administrator shall also conduct periodic random inspections of Users to ensure compliance with title 22 recycling criteria and the Water Recycling Permit issued to the User. Inspections shall be performed when recycled water is being used. Any significant repairs or modifications made to the system involving compliance with this General Order shall be described in the Annual Report.

C. REPORTING REQUIREMENTS

1. Values obtained from effluent monitoring in compliance with an NPDES permit or WDR for a facility may be reported in lieu of duplicate testing under the monitoring program if representative of the recycled water. The monitoring reports required by this General Order shall be submitted separately from NPDES or WDR monitoring reports and these data will be considered as data collected under this order.

2. Significant Violation Reporting

Violations of the title 22 recycling criteria that impact or threaten to impact public health or water quality shall be reported to the Regional Water Board by phone within 24 hours, followed by a written report within 15 days describing corrective actions taken.

3. Annual Report to the Regional Water Board

a. An annual report for each calendar year shall be submitted to the Regional Water Board by the Administrator by March 15 of each year. The report shall contain a statement by the reporting official, under penalty of perjury, that to the best of the signer's knowledge the report is true and correct.

b. The report shall include the following:

Tabulation of monitoring program recycled water analyses (see Table B-1).

- i. A tabular summary of recycled water use by each User.
- ii. A list of new authorized recycled water Users, including the name of customers, application, source and projected annual flow to be delivered.
- iii. A summary of the total daily recycled water delivered.
- iv. Tabulation of User site inspections conducted.

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- v. A summary of effluent violations related to recycled water use, violations found during inspection of recycled water Use Areas, corrective actions taken and any changes to, or revoking of User authorizations by the Administrator.
- vi. In addition, there shall be a comprehensive discussion of the progress and results of the water recycling program. The discussion shall also include:
  - 1) An update regarding current and future development of the water recycling program, including planning, design and construction of facilities, preparation of required reports and technical documents and progress toward regulatory approvals.
  - 2) Progress and evaluation of any special studies or projects being undertaken related to the program.

**TABLE B-1: Schedule Sampling & Analysis**

	E-001		Sampling Station-L	Sampling Station- P
	Grab	Cont.	Obs.	Obs.
Type Of Sample	Grab	Cont.	Obs.	Obs.
Flow rate		D	D*	D*
Total Coliform <sup>1</sup> (MPN/100mL)	D*/#			
Turbidity (NTU)	NTU	D**/#		
Applicable Standard Observations			A***	A***
Priority Pollutants	A			

<sup>1</sup> Total coliform organisms when required based on title 22 requirements.

Type of Sample

Grab = Instantaneous grab sample

Cont. = Continuous monitoring (recorder)

Obs. = Observation

MPN = most probable number

NTU = nephelometric turbidity units

Sampling Frequency

D= Daily

A = Annually

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- \* Records of recycled water use at each site may be compiled from billing period readings (divided by number of days to obtain daily flow) and submitted with the annual report.
- \*\* Equivalent routine effluent (NPDES/WDR) monitoring data collected on days and during times (grab samples) recycled water is being produced can be submitted in fulfillment of these requirements.
- \*\*\* User sites to be inspected a minimum of annually for "Applicable Standard Observations" based on the size and complexity of each site in accordance with the Administrator's Water Recycling Program.
- # Unless current NPDES or WDR sampling frequency is less. Turbidity would apply to tertiary water only and is based on a 24-hour composite sample.

## ATTACHMENT C

### STANDARD PROVISIONS AND REPORTING REQUIREMENTS

#### A. GENERAL PROVISIONS

##### 1. Duty to Comply

- a. A water recycler must comply with all of the conditions of this General Order. Any General Order non-compliance constitutes a violation of the Porter-Cologne Water Quality Control Act and/or Basin Plan and is subject to enforcement action.
- b. The filing of a request by the Administrator for a modification, revocation and reissuance, termination, a notification of planned changes, or anticipated non-compliance does not stay any General Order condition.

##### 2. Duty to Mitigate

The Administrator shall take all reasonable steps to minimize or prevent any discharge in violation of this General Order which has a reasonable likelihood of adversely affecting public health or the environment, including such accelerated or additional monitoring as requested by the State or Regional Water Board to determine the nature and impact of the violation.

##### 3. Property Rights

This General 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 the property of another, nor protect the discharger from liabilities under federal, state or local laws.

##### 4. Duty to Provide Information

The Administrator shall furnish, within a reasonable time, any information the Regional Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the General Order coverage. The Administrator shall also furnish to the Regional Water Board, upon request, copies of records required to be kept by its General Order.

##### 5. Availability

A copy of this General Order shall be maintained at the Administrator facilities and be available at all times to operating personnel.

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B. TREATMENT RELIABILITY

1. The Administrator shall, at all times, properly operate and maintain all facilities and systems of treatment disposal and control (and related appurtenances) which are installed or used to achieve compliance with this General Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. All of these procedures shall be described in an Operation and Maintenance Manual. The Administrator shall keep in a state of readiness all systems necessary to achieve compliance with the conditions of this General Order. All systems, both those in service and reserve, shall be inspected and maintained on a regular basis. Records shall be kept of the tests and made available to the Regional Water Board.
2. Recycled water treatment facilities subject to this General Order shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to California Code of Regulations title 23, division 4, chapter 14.

C. GENERAL REPORTING REQUIREMENTS

1. Signatory Requirements

- a. All reports required by the General Order and other information requested by the Regional Water Board shall be signed by the Administrator principal owner or operator, or by a duly authorized representative of that person.

Duly authorized representative is one whose:

- 1) Authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as general manager in a partnership, manager, operator, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position), and
- 2) Written authorization is submitted to the Regional Water Board. If an authorization becomes no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements above must be submitted to the Regional Water Board prior to or together with any reports, information, or applications to be signed by an authorized representative.

b. Certification

All reports signed by a duly authorized representative under Provision C.1 shall contain the following certification:

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“I Certify under penalty of law that this document and all attachments are prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who managed the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, 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.”

2. Should the responsible reporting party discover that it failed to submit any relevant facts or that it submitted incorrect information in any report, it shall promptly submit the missing or correct information.

All violations of any requirements in this General Order, including title 22 requirements shall be submitted in the annual self-monitoring reports.

3. False Reporting

Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this General Order, including monitoring reports or reports of compliance or non-compliance shall be subject to enforcement procedures as identified in Section D of these Provisions.

**D. ENFORCEMENT**

1. The provision contained in this enforcement section shall not act as a limitation on the statutory or regulatory authority of the Regional Water Board.
2. Any violation of the General Order constitutes violation of the Water Code and regulations adopted thereunder, and are the basis for enforcement action, General Order termination, General Order revocation and reissuance, denial of an application for General Order reissuance, or a combination thereof.
3. The Regional Water Board may impose administrative civil liability, may refer a discharger to the State Attorney General to seek civil monetary penalties, may seek injunctive relief or take other appropriate enforcement action as provided in the Water Code for violation of the General Order.



## ATTACHMENT D

### DEFINITION OF TERMS

**Administrator:** An Administrator is an entity (producer, distributor, or legal entity) that submits an NOI application fee to the Regional Water Board for coverage under this General Order. An Administrator may issue use permits for uses of recycled water consistent with title 22. An Administrator is responsible for coordinating, collecting data, and reporting the monitoring reports to the Regional Water Board.

**Agronomic Rates:** The irrigation and nitrogen requirements of a plant needed for optimal growth and production. Nitrogen requirements may be as cited in professional publications for California or recommended by the County Agricultural Commissioner, a Certified Agronomist or Certified Soil Scientist. Irrigation rates may be established through the California Irrigation Management Information System (CIMIS), available at <<http://www.cimis.water.ca.gov/cimis/welcome.jsp>>.

**Coagulated Wastewater:** Oxidized wastewater in which colloidal and finely divided suspended matter have been destabilized and agglomerated upstream from a filter by the addition of suitable floc-forming chemicals.

**Conventional Treatment:** A treatment chain that utilizes a sedimentation unit process between the coagulation and filtration processes and produces an effluent that meets the definition for disinfected tertiary recycled water.

**Disinfected Secondary-23:** Recycled water that has been oxidized and disinfected so that the median concentration of total coliform bacteria in the disinfected effluent does not exceed a most probable number (MPN) of 23 per 100 milliliters using the bacteriological results of the last seven days for which analyses have been completed, and the number of coliform bacteria does not exceed an MPN of 240 per 100 milliliters in more than one sample in any 30 day period.

**Disinfected Secondary-2.2:** Recycled water that has been oxidized and disinfected so that the median concentration of total coliform bacteria in the disinfected effluent does not exceed a most probable number (MPN) of 2.2 per 100 milliliters utilizing the bacteriological results of the last seven days for which analyses have been completed, and the number of coliform organisms does not exceed an MPN of 23 per 100 milliliters in more than one sample in any 30 day period.

**Disinfected Tertiary Recycled Water:** A filtered and subsequently disinfected wastewater that meets the following criteria:

- (a) The filtered wastewater which has been disinfected by either:
  - (1) A chlorine disinfection process following filtration that provides a contact time (CT, the product of total chlorine residual and modal contact time measured at the same point) value of not less than 450 milligram-minutes per liter at all times with a modal contact time of at least 90 minutes, based on peak dry weather design flow; or

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(2) A disinfection process that, when combined with the filtration process, has been demonstrated to inactivate and/or remove 99.999 percent of the plaque forming units of F-specific bacteriophage MS2, or polio virus in the wastewater. A virus that is at least as resistant to disinfection as polio virus may be used for purposes of the demonstration.

(b) The median concentration of total coliform bacteria measured in the disinfected effluent does not exceed an MPN of 2.2 per 100 milliliters utilizing the bacteriological results of the last seven days for which analyses have been completed and the number of total coliform bacteria does not exceed an MPN of 23 per 100 milliliters in more than one sample in any 30 day period. No sample shall exceed an MPN of 240 total coliform bacteria per 100 milliliters.

**Disinfected Wastewater:** Wastewater in which the pathogenic organisms have been reduced by chemical, physical or biological means. For the purposes of this General Order, disinfected wastewater is safe for use when applied consistent with the requirements of title 22.

**Distributor:** A private or public agency which receives recycled water from a Producer for the purpose of distribution to Users. In some cases, a distributor may provide additional treatment (such as disinfection) to meet title 22 water recycling criteria for its intended use, and distributes it to Users. A Distributor may not take physical possession of the recycled water and may act simply as an Administrator.

**Dual Plumbed System:** A system that utilizes separate piping systems for recycled water and potable water within a facility and where the recycled water is used for either of the following purposes:

- a) To serve plumbing outlets (excluding fire suppression systems) within a building or
- b) Outdoor landscape irrigation at individual residences.

**Filtered Wastewater:** An oxidized wastewater that meets the criteria in the subsection 1 or 2:

- (1) Has been coagulated and passed through natural undisturbed soils or a bed of filter media pursuant to the following:
  - a. At a rate that does not exceed 5 gallons per minute per square foot of surface area in mono, dual or mixed media gravity, upflow or pressure filtration systems, or does not exceed 2 gallons per minute per square foot of surface area in travelling automatic backwash filters; and
  - b. So that the turbidity of the filtered wastewater does not exceed any of the following:
    - i. An average 2 NTU within a 24-hour period;
    - ii. 5 NTU more than 5 percent of the time within a 24-hour period; and
    - iii. 10 NTU at any time

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- (2) Has been passed through a microfiltration, ultrafiltration, nanofiltration, or reverse osmosis membrane so that the turbidity of the filtered wastewater does not exceed any of the following:
- a. 0.2 NTU more than 5 percent of the time within a 24-hour period; and
  - b. 0.5 NTU at any time

**F-specific bacteriophage MS-2:** A strain of a specific type of virus that infects coliform bacteria that is traceable to the American Type Culture Collection (ATCC 15597B1) and is grown on lawns of E. Coli (ATCC 15597).

**Legal Entity:** A legal entity is an entity formed by a legal document (such as a joint powers agreement or equivalent contractual agreement) between a Producer, Distributor, irrigation district, or other entity. Similar to a Distributor, a legal entity may not take physical possession of the recycled water and may act simply as an Administrator.

**Modal Contact Time:** The amount of time elapsed between the time that a tracer, such as salt or dye, is injected into the effluent at the entrance to a chamber and the time that the highest concentration of the tracer is observed in the effluent from the chamber.

**Nonrestricted Recreational Impoundment:** An impoundment of recycled water, in which no limitations are imposed on body-contact water recreational activities.

**NTU (Nephelometric Turbidity Unit):** A measurement of turbidity as determined by the ratio of the intensity of light scattered by the sample to the intensity of incident light scattered by the sample to the intensity of incident light as measured by method 2130 B. in Standard Methods for the Examination of Water and Wastewater, 20<sup>th</sup> ed.; Eaton, A.D., Clesceri, L.S., and Greenberg, A.E., Eds; American Public Health Association: Washington, DC, 1995; p.2-8.

**Oxidized Wastewater:** Wastewater in which the organic matter has been stabilized, is nonputrescible, and contains dissolved oxygen.

**Potentially Present Priority Pollutants List (P4 List):** Priority pollutants are listed in Appendix A to 40 CFR Part 423. Presently, there are 126 priority pollutants listed. However, not all priority pollutants will normally be present in wastewater, and many that are will be removed in the treatment process. Some priority pollutants may be generated in the treatment process either as daughter products, or be generated in disinfection processes (disinfection byproducts). The applicant shall determine the P4 List and submit that with the NOI. Once approved, recycled water shall be monitored consistent with the approved P4 List and the self-monitoring program.

**P4 List:** See Potentially Present Priority Pollutants List

**Recycled Water Producer:** Any entity that produces recycled water.

**Recycled Water:** Means water which, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur therefore considered a valuable resource. (Wat. Code, § 13050(n).) Coverage under these General Waste Discharge Requirements (WDRs) for Recycled Water Use (General Order) is limited to treated municipal wastewater for non-potable uses.

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**Recycled Water Supervisor:** A person designated, by the Administrator that acts as the coordinator between the supplier and User. The Recycled Water Supervisor shall have authority to ensure recycled water use complies with the General Order, NOA, and title 22 requirements.

**Regional Water Board:** All references to a Regional Water Board include the Executive Officer, who may act for the Regional Water Board in carrying out this order. See Water Code section 13223.

**Restricted access golf course:** A golf course where public access is controlled so that areas irrigated with recycled water cannot be used as if they were part of a park, playground, or school yard and where irrigation is conducted only in areas and during periods when the golf course is not being used by golfers.

**Restricted Recreational Impoundment:** An impoundment of recycled water in which recreation is limited to fishing, boating, and other non-body-contact water recreational activities.

**Spray Irrigation:** The application of recycled water to crops to maintain vegetation or support growth of vegetation by applying it from sprinklers.

**Surface Irrigation:** Application of recycled water by means other than spraying such that contact between the edible portion of any food crop and recycled water is prevented (i.e., drip or flood irrigation).

**Use Area:** An area of recycled water use with defined boundaries. A use area may contain one or more facilities.

**User Supervisor:** A person designated, by the owner or manager of the property upon which recycled water will be applied, to discharge the responsibility of the owner or manager of the property for: (a) installation, operation and maintenance of a system that enables recycled water to be used; (b) for prevention of potential hazards; (C) implementing and complying with conditions of all Water Reuse Orders/Permits and associated documents; and (d) coordination with the cross-connection control program of the supplier of drinking water and the local health/environmental health agency. (A Recycled Water Supervisor and User Supervisor may be one in the same in some instances).