

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

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**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CA0084271
ORDER R5-2023-0033-01**

**WASTE DISCHARGE REQUIREMENTS FOR THE
CITY OF MOUNTAIN HOUSE
WASTEWATER TREATMENT PLANT
SAN JOAQUIN COUNTY**

The following Discharger is subject to waste discharge requirements (WDRs) set forth in this Order:

Table 1. Discharger Information

Discharger:	City of Mountain House
Name of Facility:	Wastewater Treatment Plant
Facility Street Address:	17103 W. Bethany Road
Facility City, State, Zip:	Mountain House CA 95391
Facility County:	San Joaquin County

Table 2. Discharge Location

Discharge Point	Effluent Description	Discharge Point Latitude (North)	Discharge Point Longitude (West)	Receiving Water
001	Tertiary Treated Effluent	37° 47' 52"	121° 31' 20"	Old River

Table 3. Administrative Information

This Order was Adopted on:	22 June 2023
This Order shall become effective on:	1 August 2023
This Order shall expire on:	31 July 2028
The Discharger shall file a Report of Waste Discharge (ROWD) as an application for reissuance of WDRs in accordance with title 23, California Code of Regulations (CCR), and an application for reissuance of a NPDES permit no later than:	31 July 2027
The United States Environmental Protection Agency (U.S. EPA) and the California Regional Water Quality Control Board, Central Valley Region have classified this discharge as follows:	Major Discharge

I, Patrick Pulupa, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on **22 June 2023 and amended by Order R5-2025-0050 on 22 August 2025.**

PATRICK PULUPA, Executive Officer

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I. FACILITY INFORMATION

Information describing the Wastewater Treatment Plant (Facility) is summarized in Table 1 and in sections I and II of the Fact Sheet (Attachment F). Section I of the Fact Sheet also includes information regarding the Facility's permit application.

II. FINDINGS

The California Regional Water Quality Control Board, Central Valley Region (hereinafter Central Valley Water Board), finds:

- A. Legal Authorities.** This Order serves as waste discharge requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as a National Pollutant Discharge Elimination System (NPDES) permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 2 subject to the WDRs in this Order
- B. California Environmental Quality Act (CEQA).** Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of Chapter 3 of CEQA, (commencing with section 21100) of Division 13 of Public Resources Code.
- C. Background and Rationale for Requirements.** The Central Valley Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for the requirements in this Order, is hereby incorporated into and constitutes Findings for this Order. Attachments A through E and G through H are also incorporated into this Order.
- D. Provisions and Requirements Implementing State Law.** The provisions/requirements in subsections **IV.B, IV.C, and V.B** are included to implement state law only. These provisions/requirements are not required or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.
- E. Monitoring and Reporting.** 40 C.F.R. section 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. Water Code sections 13267 and 13383 authorize the Central Valley Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. This Order and the Monitoring and Reporting Program, provided in Attachment E, establish monitoring and reporting requirements to implement federal and State requirements. The burden, including costs, of these monitoring and reporting requirements bears a reasonable relationship to the need for these reports and the benefits to be obtained therefrom. The Discharger, as owner and operator of the Facility, is responsible for these requirements, which are necessary to determine

compliance with this Order. The need for these requirements is further discussed in the Fact Sheet, Attachment F.

- F. Notification of Interested Persons.** The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of the notification are provided in the Fact Sheet.
- G. Consideration of Public Comment.** The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet.

THEREFORE, IT IS HEREBY ORDERED that Order R5-2017-0119 is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the CWA and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order. This action in no way prevents the Central Valley Water Board from taking enforcement action for violations of the previous Order.

III. DISCHARGE PROHIBITIONS

- A.** Discharge of wastewater from the Facility, as the Facility is specifically described in the Fact Sheet in section II.B, in a manner different from that described in this Order is prohibited.
- B.** The by-pass or overflow of wastes to surface waters is prohibited, except as allowed by Federal Standard Provisions I.G. and I.H. (Attachment D).
- C.** Neither the discharge nor its treatment shall create a nuisance as defined in section 13050 of the Water Code.
- D.** Discharge of waste classified as 'hazardous', as defined in the CCR, title 22, section 66261.1 et seq., is prohibited.
- E. Average Dry Weather Flow.** Discharges exceeding an average dry weather flow of 4 million gallons per day (MGD) are prohibited.
- F.** The Discharger shall not allow pollutant-free wastewater to be discharged into the treatment or disposal system in amounts that significantly diminish the system's capability to comply with this Order. Pollutant-free wastewater means rainfall, groundwater, cooling waters, and condensates that are essentially free of pollutants.

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations – Discharge Point 001

1. Final Effluent Limitations – Discharge Point 001

The Discharger shall maintain compliance with the following effluent limitations at Discharge Point 001. Unless otherwise specified compliance shall be measured at Monitoring Location EFF-001, as described in the Monitoring and Reporting Program, Attachment E:

- a. The Discharger shall maintain compliance with the effluent limitations specified in Table 4:

Table 4. Effluent Limitations

Parameters	Units	Average Monthly	Average Weekly	Maximum Daily
Biochemical Oxygen Demand, 5-day @ 20°Celcius (BOD5)	milligrams per liter (mg/L)	10	15	--
Total Suspended Solids (TSS)	mg/L	10	15	--
Chlorodibromomethane	micrograms per liter (µg/L)	2.1	--	5.3
Dichlorobromomethane	µg/L	1.7	--	4.4
Ammonia Nitrogen, Total (as N)	mg/L	0.9	1.9	--
Nitrate plus Nitrite (as N)	mg/L	10	16	--

- b. **pH:**
 - i. 6.5 Standard Units (SU) as an instantaneous minimum.
 - ii. 8.5 SU as an instantaneous maximum.
- c. **Percent Removal.** The average monthly percent removal of BOD5 and TSS shall not be less than 85 percent.
- d. **Chronic Whole Effluent Toxicity MDEL.** No *Ceriodaphnia dubia* chronic aquatic toxicity test shall result in a “Fail” at the Instream Waste Concentration (IWC) for the sub-lethal endpoint measured in the test AND a percent effect for the survival endpoint greater than or equal to 50 percent.
- e. **Chronic Whole Effluent Toxicity MMEL.** Effective 1 January 2024, no more than one *Ceriodaphnia dubia* chronic aquatic toxicity test initiated in a toxicity calendar month shall result in a “Fail” at the IWC for any endpoint.

f. **Temperature.**

- i. Effective immediately, the maximum temperature of the discharge measured at EFF-002 shall not exceed the natural receiving water temperature by more than 20° Fahrenheit (°F).
- ii. If the Central Valley Water Board receives concurrence from the State Water Board regarding the Thermal Plan exception, the following effluent limitation applies in lieu of the effluent limitation in Section IV.A.1.e.i, above:

The maximum temperature of the discharge measured at EFF-002 shall not exceed the natural receiving water temperature by more than:

- a) 20° F from 1 March through 31 October
- b) 30° F from 1 November through 28/29 February.

g. **Total Coliform Organisms.** Effluent total coliform organisms shall not exceed the following with compliance measured UVS-001 as described in the MRP, Attachment E:

- i. 2.2 most probable number per 100 milliliters (MPN/100 mL), as a 7-day median;
- ii. 23 MPN/100 mL, more than once in any 30-day period; and
- iii. 240 MPN/100 mL, at any time.

h. **Diazinon and Chlorpyrifos.** Effluent diazinon and chlorpyrifos concentrations shall not exceed the sum of one (1.0) as identified below:

i. Average Monthly Effluent Limitation (AMEL)

$$\text{SAMEL} = \text{CD M-avg}/0.079 + \text{CC M-avg}/0.012 \leq 1.0$$

CD M-AVG = average monthly diazinon effluent concentration in µg/L.

CC M-AVG = average monthly chlorpyrifos effluent concentration in µg/L

ii. Average Weekly Effluent Limitation (AWEL)

$$\text{SAWEL} = \text{CD W-avg}/0.14 + \text{CC W-avg}/0.021 \leq 1.0$$

CD W-AVG = average weekly diazinon effluent concentration in µg/L.

CC W-AVG = average weekly chlorpyrifos effluent concentration in µg/L.

- i. **Methylmercury. Effective 31 December 2030**, the effluent calendar year annual methylmercury load shall not exceed 0.37 grams, in accordance with the Delta Mercury Control Program.

2. Interim Effluent Limitations

The Discharger shall maintain compliance with the following interim effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location EFF-001 as described in the MRP, Attachment E.

- a. **Mercury, Total. Effective immediately and until 30 December 2030**, the effluent calendar year annual total mercury load shall not exceed 4.7 grams/year. This interim effluent limitation shall apply in lieu of the final effluent limitation for methylmercury (section IV.A.1.h).

B. Land Discharge Specifications – NOT APPLICABLE

C. Recycling Specifications – NOT APPLICABLE

V. RECEIVING WATER LIMITATIONS

A. Surface Water Limitations

The discharge shall not cause the following in the Old River:

1. **Biostimulatory Substances.** Water to contain biostimulatory substances which promote aquatic growths in concentrations that cause nuisance or adversely affect beneficial uses.
2. **Chemical Constituents.** Chemical constituents to be present in concentrations that adversely affect beneficial uses.
3. **Color.** Discoloration that causes nuisance or adversely affects beneficial uses.
4. **Dissolved Oxygen.** The dissolved oxygen concentration to be reduced below 5.0 mg/L at any time.
5. **Floating Material.** Floating material to be present in amounts that cause nuisance or adversely affect beneficial uses.
6. **Oil and Grease.** Oils, greases, waxes, or other materials to be present in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.
7. **pH.** The pH to be depressed below 6.5 nor raised above 8.5.

8. Pesticides.

- a. Pesticides to be present, individually or in combination, in concentrations that adversely affect beneficial uses.
- b. Pesticides to be present in bottom sediments or aquatic life in concentrations that adversely affect beneficial uses.
- c. Total identifiable persistent chlorinated hydrocarbon pesticides to be present in the water column at concentrations detectable within the accuracy of analytical methods approved by U.S. EPA or the Executive Officer.
- d. Pesticide concentrations to exceed those allowable by applicable antidegradation policies (see State Water Board Resolution No. 68-16 and 40 CFR section 131.12.).
- e. Pesticide concentrations to exceed the lowest levels technically and economically achievable.
- f. Pesticides to be present in concentration in excess of the maximum contaminant levels (MCLs) set forth in CCR, Title 22, division 4, chapter 15.
- g. Thiobencarb to be present in excess of 1.0 µg/L.

9. Radioactivity:

- a. Radionuclides to be present in concentrations that are harmful to human, plant, animal, or aquatic life nor that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life; nor
- b. Radionuclides to be present in excess of the MCLs specified in Table 64442 of section 64442 and Table 64443 of section 64443 of Title 22 of the CCR.

10. Suspended Sediments. The suspended sediment load and suspended sediment discharge rate of surface waters to be altered in such a manner as to cause nuisance or adversely affect beneficial uses.

11. Settleable Substances. Substances to be present in concentrations that result in the deposition of material that causes nuisance or adversely affects beneficial uses.

12. Suspended Material. Suspended material to be present in concentrations that cause nuisance or adversely affect beneficial uses.

13. Taste and Odors. Taste- or odor-producing substances to be present in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, or that cause nuisance, or otherwise adversely affect beneficial uses.

14. Temperature. The discharge shall not cause the following in the Old River:

- a. The creation of a zone, defined by water temperatures of more than 1°F above natural receiving water temperature, which exceeds 25 percent of the cross-sectional area of the river channel at any point.
- b. A surface water temperature rise greater than 4°F above the natural temperature of the receiving water at any time or place.

15. Toxicity. Toxic substances to be present, individually or in combination, in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.

16. Turbidity.

- a. Shall not exceed 2 Nephelometric Turbidity Units (NTU) where natural turbidity is less than 1 NTU;
- b. Shall not increase more than 1 NTU where natural turbidity is between 1 and 5 NTUs;
- c. Shall not increase more than 20 percent where natural turbidity is between 5 and 50 NTUs;
- d. Shall not increase more than 10 NTU where natural turbidity is between 50 and 100 NTUs; nor
- e. Shall not increase more than 10 percent where natural turbidity is greater than 100 NTUs.

B. Groundwater Limitations

A narrative groundwater limitation has been established to ensure that onsite biosolids handling does not cause the underlying groundwater to contain waste constituents in concentrations greater than background water quality or water quality objectives, whichever is greater.

VI. PROVISIONS

A. Standard Provisions

- 1. The Discharger shall comply with all Standard Provisions included in Attachment D.

2. The Discharger shall comply with the following provisions. In the event that there is any conflict, duplication, or overlap between provisions specified by this Order, the more stringent provision shall apply:
 - a. If the Discharger's wastewater treatment plant is publicly owned or subject to regulation by California Public Utilities Commission, it shall be supervised and operated by persons possessing certificates of appropriate grade according to Title 23, CCR, division 3, chapter 26.
 - b. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:
 - i. violation of any term or condition contained in this Order;
 - ii. obtaining this Order by misrepresentation or by failing to disclose fully all relevant facts;
 - iii. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; and
 - iv. a material change in the character, location, or volume of discharge.

The causes for modification include:

- i. New regulations. New regulations have been promulgated under section 405(d) of the CWA, or the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued.
- ii. Land application plans. When required by a permit condition to incorporate a land application plan for beneficial reuse of sewage sludge, to revise an existing land application plan, or to add a land application plan.
- iii. Change in sludge use or disposal practice. Under 40 CFR section 122.62(a)(1), a change in the Discharger's sludge use or disposal practice is a cause for modification of the permit. It is cause for revocation and reissuance if the Discharger requests or agrees.

The Central Valley Water Board may review and revise this Order at any time upon application of any affected person or the Central Valley Water Board's own motion.

- c. If a toxic effluent standard or prohibition (including any scheduled compliance specified in such effluent standard or prohibition) is established under section 307(a) of the CWA, or amendments thereto, for a toxic pollutant that is present in the discharge authorized herein, and

such standard or prohibition is more stringent than any limitation upon such pollutant in this Order, the Central Valley Water Board will revise or modify this Order in accordance with such toxic effluent standard or prohibition.

The Discharger shall comply with effluent standards and prohibitions within the time provided in the regulations that establish those standards or prohibitions, even if this Order has not yet been modified.

- d. This Order shall be modified, or alternately revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the CWA, if the effluent standard or limitation so issued or approved:
 - i. Contains different conditions or is otherwise more stringent than any effluent limitation in the Order; or
 - ii. Controls any pollutant limited in the Order.

The Order, as modified or reissued under this paragraph, shall also contain any other requirements of the CWA then applicable.

- e. The provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.
- f. The Discharger shall take all reasonable steps to minimize any adverse effects to waters of the State or users of those waters resulting from any discharge or sludge use or disposal in violation of this Order. Reasonable steps shall include such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge or sludge use or disposal.
- g. The Discharger shall ensure compliance with any existing or future pretreatment standard promulgated by U.S. EPA under section 307 of the CWA, or amendment thereto, for any discharge to the municipal system.
- h. A copy of this Order shall be maintained at the discharge facility and be available at all times to operating personnel. Key operating personnel shall be familiar with its content.
- i. Safeguard to electric power failure:
 - i. The Discharger shall provide safeguards to assure that, should there be reduction, loss, or failure of electric power, the discharge shall comply with the terms and conditions of this Order.
 - ii. Upon written request by the Central Valley Water Board, the Discharger shall submit a written description of safeguards. Such

safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means. A description of the safeguards provided shall include an analysis of the frequency, duration, and impact of power failures experienced over the past 5 years on effluent quality and on the capability of the Discharger to comply with the terms and conditions of the Order. The adequacy of the safeguards is subject to the approval of the Central Valley Water Board.

- iii. Should the treatment works not include safeguards against reduction, loss, or failure of electric power, or should the Central Valley Water Board not approve the existing safeguards, the Discharger shall, within 90 days of having been advised in writing by the Central Valley Water Board that the existing safeguards are inadequate, provide to the Central Valley Water Board and U.S. EPA a schedule of compliance for providing safeguards such that in the event of reduction, loss, or failure of electric power, the Discharger shall comply with the terms and conditions of this Order. The schedule of compliance shall, upon approval of the Central Valley Water Board, become a condition of this Order.
- j. The Discharger, upon written request of the Central Valley Water Board, shall file with the Board a technical report on its preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. This report may be combined with that required under the Central Valley Water Board Standard Provision contained in section VI.A.2.i of this Order.

The technical report shall:

- i. Identify the possible sources of spills, leaks, untreated waste by-pass, and contaminated drainage. Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks and pipes should be considered.
- ii. Evaluate the effectiveness of present facilities and procedures and state when they became operational.
- iii. Predict the effectiveness of the proposed facilities and procedures and provide an implementation schedule containing interim and final dates when they will be constructed, implemented, or operational.

The Central Valley Water Board, after review of the technical report, may establish conditions which it deems necessary to control accidental discharges and to minimize the effects of such events. Such conditions shall be incorporated as part of this Order, upon notice to the Discharger.

- k. A publicly owned treatment works whose waste flow has been increasing, or is projected to increase, shall estimate when flows will reach hydraulic

and treatment capacities of its treatment and disposal facilities. The projections shall be made in January, based on the last 3 years' average dry weather flows, peak wet weather flows and total annual flows, as appropriate. When any projection shows that capacity of any part of the facilities may be exceeded in 4 years, the Discharger shall notify the Central Valley Water Board by 31 January. A copy of the notification shall be sent to appropriate local elected officials, local permitting agencies and the press. Within 120 days of the notification, the Discharger shall submit a technical report showing how it will prevent flow volumes from exceeding capacity or how it will increase capacity to handle the larger flows. The Central Valley Water Board may extend the time for submitting the report.

- I. The Discharger shall submit technical reports as directed by the Executive Officer. All technical reports required herein that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, sections 6735, 7835, and 7835.1. To demonstrate compliance with Title 16, CCR, sections 415 and 3065, all technical reports must contain a statement of the qualifications of the responsible registered professional(s). As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.
- m. The Central Valley Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13385, 13386, and 13387.
- n. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Central Valley Water Board.
- o. This Order may be reopened to transfer ownership of control of this Order. The succeeding owner or operator must apply in writing requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, address and telephone number of the persons responsible for contact with the Central Valley Water Board, and a statement. The statement shall comply with the signatory and certification requirements in the federal Standard Provisions (Attachment D, section V.B) and state that the new owner or operator assumes full responsibility for compliance with this Order.
- p. If the Discharger submits a timely and complete Report of Waste Discharge for permit reissuance, this permit shall continue in force and

effect until the permit is reissued or the Regional Water Board rescinds the permit.

- q. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this facility, may subject the Discharger to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.
- r. In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition, effluent limitation or receiving water limitation of this Order, the Discharger shall notify the Central Valley Water Board by telephone (916) 464-3291 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Central Valley Water Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe the measures being taken to remedy the current noncompliance and prevent recurrence including, where applicable, a schedule of implementation. Other noncompliance requires written notification as above at the time of the normal monitoring report.

B. Monitoring and Reporting Program (MRP) Requirements

The Discharger shall comply with the MRP, and future revisions thereto, in Attachment E.

C. Special Provisions

1. Reopener Provisions

- a. Conditions that necessitate a major modification of a permit are described in 40 CFR section 122.62, including, but not limited to:
 - i. If new or amended applicable water quality standards are promulgated or approved pursuant to section 303 of the CWA, or amendments thereto, this permit may be reopened and modified in accordance with the new or amended standards.
 - ii. When new information, that was not available at the time of permit issuance, would have justified different permit conditions at the time of issuance.
- b. This Order may be reopened for modification, or revocation and reissuance, as a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special conditions may be, but are not limited to, fish tissue sampling, whole

effluent toxicity, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in this Order as a result of the special condition monitoring data.

- c. **Bay Delta Plan South Delta Salinity Objectives Update.** The State Water Board is currently in the process of updating the South Delta Salinity Objectives contained in the Bay-Delta Plan. The updated salinity objectives may result in needed changes to the salinity requirements in this Order. Therefore, this Order may be reopened to modify salinity requirements, as appropriate, in accordance with changes to the Bay-Delta Plan.
- d. **Mercury.** The Basin Plan's Delta Mercury Control Program was designed to proceed in two phases. The Delta Mercury Control Program is in Phase 2, and the Central Valley Water Board is conducting a Phase 1 Delta Mercury Control Program Review that considers modification to the Delta Mercury Control Program. This Order may be reopened to address changes to the Delta Mercury Control Program.
- e. **Pollution Prevention.** This Order requires the Discharger prepare pollution prevention plans following Water Code section 13263.3(d)(3) for Mercury and Salinity. Based on a review of the pollution prevention plans, this Order may be reopened for addition and/or modification of effluent limitations and requirements for these constituents.
- f. **Water Effects Ratios (WER) and Metal Translators.** A default WER of 1.0 has been used in this Order for calculating criteria for applicable inorganic constituents. In addition, default dissolved-to-total metal translators have been used to convert water quality objectives from dissolved to total when developing effluent limitations. If the Discharger performs studies to determine site-specific WERs and/or site-specific dissolved-to-total metal translators, this Order may be reopened to modify the effluent limitations for the applicable inorganic constituents.
- g. **Ultraviolet (UV) Disinfection Operating Specifications.** The UV operating specifications in this Order are based on the UV guidelines developed by the National Water Research Institute and American Water Works Association Research Foundation titled, "Ultraviolet Disinfection Guidelines for Drinking Water and Water Reuse." If the Discharger conducts a site-specific UV engineering study that identifies site-specific UV operating specifications that will achieve the virus inactivation equivalent to Title 22 disinfected tertiary recycled water, this Order may be reopened to modify the UV operating specifications.
- h. **Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS).** On 17 January 2020, certain Basin Plan Amendments to incorporate new strategies for addressing ongoing salt and nitrate accumulation in the Central Valley became effective. Other provisions

subject to U.S. EPA approval became effective on 2 November 2020, when approved by U.S. EPA. As the Central Valley Water Board moves forward to implement those provisions that are now in effect, this Order may be amended or modified to incorporate new or modified requirements necessary for implementation of the Basin Plan Amendments. More information regarding these Amendments can be found on the [Central Valley Salinity Alternatives for Long-Term Sustainability \(CV-SALTS\) web page](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/):
(https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/)

- i. **Facility Expansion (up to 5.4 MGD).** The Discharger has requested an expansion of allowable flows to be discharged to the Old River. The Order may be reopened to modify the permitted average dry weather discharge flow up to 5.4 MGD upon compliance with the following conditions:
 - i. **Facility Expansion.** The Discharger shall certify that they have completed construction of an expansion project that results in a design treatment capacity up to 5.4 MGD ADWF
 - ii. **Effluent and Receiving Water Limitation Compliance.** The certification of construction completion submitted by the Discharger shall certify that the upgraded Facility can meet the requirements of sections IV.A.1, IV.A.2, and V.A of this Order and that the upgraded Facility can accommodate and de-water the increased sludge volume.
 - iii. **Thermal Plan Compliance.** The Discharger shall provide information demonstrating the increased discharge will comply with section V.A.14 of this Order.
 - iv. **Request for Flow Increase.** The Discharger shall submit a request for an increase in the permitted discharge flow rate, which demonstrates compliance with items i, ii, and iii of this provision.

2. **Special Studies, Technical Reports and Additional Monitoring Requirements**

- a. **Toxicity Reduction Evaluation (TRE):**
 1. **Median Monthly Effluent Target (MMET):** Effective immediately through 31 December 2023, no more than one *Ceriodaphnia dubia* chronic aquatic toxicity test initiated in a calendar month, analyzed using the TST approach, shall result in a "fail" at the IWC for any endpoint.
 2. **TRE:** The Discharger is required to initiate a TRE, as detailed in the Monitoring and Reporting Program (Attachment E, Section V.F), when any combination of two or more MDEL or MMEL violations (following the MMEL effective date) occur within a single calendar month or

within two successive calendar months or when the Discharger has any combination of two or more MMET exceedances or MDEL violations (before the MMEL effective date) within a single calendar month or within two successive calendar months. In addition, if other information indicates toxicity (e.g., results of additional monitoring, results of monitoring at a higher concentration than the IWC, fish kills, intermittent recurring toxicity) or if there is no effluent available to complete a routine monitoring test, MMET test, or MMEL compliance test, the Executive Officer may require a TRE.

3. **Best Management Practices and Pollution Prevention**

- a. **Pollution Prevention Plan for Mercury.** The Discharger shall continue to implement a pollution prevention plan for mercury in accordance with Water Code section 13263.3(d)(3), per the compliance schedule in this Order for methylmercury (section VI.C.7), and further described in the Fact Sheet. The minimum requirements for the pollution prevention plan are outlined in the Fact Sheet (Attachment F, section VI.B.3.a). Progress reports shall be submitted by the due dates in the Technical Reports Table (Attachment E, Table E-11) and may be submitted with the Annual Operations Report. The progress reports shall discuss the effectiveness of the pollution prevention plan in the reduction of mercury in the discharge, include a summary of mercury and methylmercury monitoring results, and discuss updates to the pollution prevention plan.
- b. **Salinity Evaluation and Minimization Plan (SEMP).** The Discharger shall maintain the SEMP (previously known as the Salinity Reduction Plan), submitted on 19 December 2007 which describes the Discharger's approach to identify, evaluate, and implement measures to reduce salinity in the effluent discharged to the Old River. The Discharger shall submit annual progress reports by the due dates in the Technical Report Table (Attachment E, Table E-11). The SEMP shall, at minimum, contain the following:
 - i. **Pollution Prevention Plan.** The Discharger submitted a pollution prevention plan for salinity that meets the requirements of Water Code section 13263.3(d)(3). The Discharger shall continue to implement the pollution prevention plan and evaluate and update the pollution prevention plan annually. The annual progress reports for the SEMP shall include a discussion of the effectiveness of the pollution prevention plan and any updates to the pollution prevention plan.
 - ii. **Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) Participation.** The Discharger shall participate in CVSALTS. The annual progress reports for the SEMP shall include a discussion of the Discharger's participation in CV-SALTS. The Discharger submitted a Notice of Intent to comply with the

Salt Control Program and selected the Alternative Permitting Approach. Accordingly, the Discharger shall participate in the CV-SALTS Prioritization and Optimization (P&O) Study. Furthermore, an evaluation of the effectiveness of the SEMP shall be submitted with the ROWD. The evaluation shall include, at minimum, the calendar annual average concentrations of effluent electrical conductivity during the term of the Order. If the average electrical conductivity concentration for any calendar year exceeds a performance-based **trigger of 1,200 $\mu\text{mhos/cm}$** , the Discharger shall evaluate possible sources of salinity contributing to the exceedance of the trigger and update the SEMP to include a plan of action to control salinity.

- c. **Pyrethroid Management Plan.** If the Pyrethroid Pesticides Water Column Chemistry Monitoring results in an exceedance of any acute and/or chronic pyrethroid numeric trigger, the Discharger shall develop and submit a Pyrethroid Management Plan to the Central Valley Water Board, per the requirements described in Section 4.2.2.4.12 of the Basin Plan, within one year from the date that an exceedance is identified by either the Discharger or Central Valley Water Board staff. If an exceedance is identified, the Discharger shall submit a formal letter notifying the Central Valley Water Board of the exceedance and the Discharger's intent to submit a Pyrethroid Management Plan.

The Pyrethroid Management Plan shall identify management practices to reduce discharges of pyrethroid pesticides, as outlined in Section 4.5.5.2.2.3 of the Basin Plan, and to consider whether there are potential water quality concerns with replacement insecticide products. Dischargers shall begin implementing their pyrethroid management plans within 30 days after receipt of written approval of their management plan. The Pyrethroid Management Plan shall be deemed complete when it can be demonstrated that the acute and chronic pyrethroids triggers are not exceeded in the final effluent and the demonstration is approved by the Executive Officer.

- i. If a Pyrethroid Management Plan is required and approved by 1 February 2027, the Discharger shall provide an end-term progress report to document the management practices that have been implemented to track the effectiveness of the Pyrethroid Management Plan. The end-term progress report, if applicable, shall be submitted to the Central Valley Water Board with the ROWD by the due date in the Technical Reports Table. If a Pyrethroid Management Plan is required during this permit term, mid-term and end-term progress reports will be required by subsequently reissued NPDES permits.

4. Construction, Operation and Maintenance Specifications

- a. **Filtration System Operating Specifications.**

- i. Effective immediately, to ensure the filtration system is operating properly to provide adequate disinfection of the wastewater, the turbidity of the filtered effluent measured at Monitoring Location FIL-001 shall not exceed the following:
 - (a) 2 NTU as a daily average
 - (b) 5 NTU more than 5 percent of the time within a 24-hour period; and
 - (c) 10 NTU, at any time.
- ii. Effective upon initiation of operations of the upgraded Facility and submittal of the certification in Technical Reports Table E-11, the turbidity of the filtered effluent measured at Monitoring Location FIL-001 shall not exceed:
 - (a) 0.2 NTU more than 5 percent of the time within a 24-hour period; and
 - (b) 0.5 NTU at any time.
- b. **UV Disinfection System Operating Specifications.**
 - i. Effective immediately, the UV disinfection system must be operated in accordance with an operations and maintenance program that assures adequate disinfection, and shall meet the following minimum specifications to provide virus inactivation equivalent to Title 22 Disinfected Tertiary Recycled Water:
 - (a) UV Dose. The minimum hourly average UV dose in the UV reactor shall be 100 millijoules per square centimeter (mJ/cm^2).
 - (b) UV Transmittance. The minimum hourly average UV transmittance (at 254 nanometers) in the wastewater measured at UVS-001 shall not fall below 55 percent.
 - (c) The lamp sleeves and cleaning system components must be visually inspected per the manufacturer's operations manual for physical wear (scoring, solarization, seal leaks, cleaning fluid levels, etc.) and to check the efficacy of the cleaning system.
 - (d) The lamp sleeves must be cleaned periodically as necessary to meet the UV dose requirements.
 - (e) Lamps must be replaced per the manufacturer's operations manual, or sooner, if there are indications the lamps are failing to provide adequate disinfection. Lamp age and lamp replacement records must be maintained.

- ii. Effective upon initiation of operations of the upgraded Facility and submittal of the certification in Technical Reports Table E-11, the UV disinfection system must be operated in accordance with an operations and maintenance program that assures adequate disinfection, and shall meet the following minimum specifications to provide virus inactivation equivalent to Title 22 Disinfected Tertiary Recycled Water:
 - (a) UV Dose. The minimum hourly average UV dose in the UV reactor shall be 80 millijoules per square centimeter (mJ/cm²).
 - (b) UV Transmittance. The minimum hourly average UV transmittance (at 254 nanometers) in the wastewater measured at UVS-001 shall not fall below 65 percent.
 - (c) The lamp sleeves and cleaning system components must be visually inspected per the manufacturer's operations manual for physical wear (scoring, solarization, seal leaks, cleaning fluid levels, etc.) and to check the efficacy of the cleaning system.
 - (d) The lamp sleeves must be cleaned periodically as necessary to meet the UV dose requirements.
 - (e) Lamps must be replaced per the manufacturer's operations manual, or sooner, if there are indications the lamps are failing to provide adequate disinfection. Lamp age and lamp replacement records must be maintained.

c. Emergency Storage Basin Operating Requirements

- i. The Facility shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
- ii. Public contact with wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.
- iii. Ponds shall be managed to prevent breeding of mosquitoes. In particular,
 - a) An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface;
 - b) Weeds shall be minimized; and
 - c) Dead algae, vegetation, and debris shall not accumulate on the water surface.

- iv. Freeboard for the total emergency storage basin system shall never be less than 2 feet (measured vertically to the lowest point of overflow).
- v. The discharge of waste classified as “hazardous” as defined in section 2521(a) of Title 23 of the CCR, or “designated” as defined in Water Code section 13173, to the emergency storage basin system is prohibited.
- vi. Objectionable odors originating at the Facility shall not be perceivable beyond the limits of the wastewater treatment and disposal areas (or property owned by the Discharger).

5. Special Provisions for Publicly-Owned Treatment Works (POTWs)

- a. **Sludge/Biosolids Treatment or Discharge Specifications.** Sludge in this document means the solid, semisolid, and liquid residues removed during primary, secondary, or advanced wastewater treatment processes. Solid waste refers to grit and screening material generated during preliminary treatment. Residual sludge means sludge that will not be subject to further treatment at the wastewater treatment plant. Biosolids refer to sludge that has been treated and tested and shown to be capable of being beneficially and legally used pursuant to federal and state regulations as a soil amendment for agricultural, silvicultural, horticultural, and land reclamation activities as specified under 40 C.F.R. Part 503.
- i. Collected screenings, residual sludge, biosolids, and other solids removed from liquid wastes shall be disposed of in a manner consistent with Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste, as set forth in Title 27, CCR, division 2, subdivision 1, section 20005, et seq. Removal for further treatment, storage, disposal, or reuse at sites (e.g., landfill, composting sites, soil amendment sites) that are operated in accordance with valid waste discharge requirements issued by a Regional Water Board will satisfy these specifications.

Sludge and solid waste shall be removed from screens, sumps, ponds, clarifiers, etc. as needed to ensure optimal plant performance.

The treatment of sludge generated at the Facility shall be confined to the Facility property and conducted in a manner that precludes infiltration of waste constituents into soils in a mass or concentration that will violate groundwater limitations in section V.B. of this Order. In addition, the storage of residual sludge, solid waste, and biosolids on Facility property shall be temporary and controlled, and contained in a manner that minimizes leachate formation and precludes infiltration of waste constituents into soils in a mass or concentration that will violate groundwater limitations included in section V.B. of this Order.

- ii. The use, disposal, storage, and transportation of biosolids shall comply with existing federal and state laws and regulations, including permitting requirements and technical standards included in 40 C.F.R. Part 503. If the State Water Board and the Central Valley Water Board are given the authority to implement regulations contained in 40 C.F.R. Part 503, this Order may be reopened to incorporate appropriate time schedules and technical standards. The Discharger must comply with the standards and time schedules contained in 40 C.F.R. Part 503 whether or not they have been incorporated into this Order.
 - iii. The Discharger shall implement onsite sludge/biosolids treatment, processing, and storage for the Facility as described in the Fact Sheet (Attachment F, section II.A). This Order may be reopened to address any proposed change in the onsite treatment, processing, or storage of sludge/biosolids.
- b. **Collection System.** The Discharger is subject to the requirements of, and must comply with, State Water Board Order 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, as amended by State Water Board Order WQ 2013-0058-EXEC, and renewed by State Water Board Order 2022-0103-DWQ and any subsequent order.
 - c. **Continuous Monitoring Systems.** This Order, and the MRP which is part of this Order, require that certain parameters be monitored on a continuous basis. The Facility is not staffed on a full-time basis. Permit violations or system upsets can go undetected during this period. The Discharger shall maintain an electronic system for operator notification for continuous recording device alarms. For systems installed following adoption of this permit, the electronic notification system shall be installed simultaneously.

6. Other Special Provisions

- a. **Disinfection Requirements.** Wastewater shall be oxidized, coagulated, filtered, and adequately disinfected consistent with the State Water Board, Division of Drinking Water (DDW) reclamation criteria, CCR, Title 22, division 4, chapter 3, (Title 22), or equivalent.

7. Compliance Schedules

- a. **Compliance Schedules for Final Effluent Limitations for Methylmercury.** This Order requires compliance with the final effluent limitations for Methylmercury by 31 December 2030. The Discharger shall comply with the time schedule shown in the Technical Reports Table E-11 to ensure compliance with the final effluent limitations. Additional information regarding the compliance schedule, including completed tasks

during the previous permit term, is described in the Fact Sheet (Attachment F, Section VI.B.7).

VII. COMPLIANCE DETERMINATION

- A. BOD₅ and TSS Effluent Limitations (Sections IV.A.1.a and IV.A.1.c).** Compliance with the final effluent limitations for BOD₅ and TSS required in Waste Discharge Requirements section IV.A.1.a shall be ascertained by 24-hour composite samples. Compliance with effluent limitations required in Waste Discharge Requirements section IV.A.1.c for percent removal shall be calculated using the arithmetic mean of BOD₅ and TSS in effluent samples collected over a monthly period as a percentage of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.
- B. Total Mass Loading Effluent Limitations for Total Mercury and Methylmercury (Section IV.A.1.h and Section IV.A.2.a).** The procedures for calculating mass loadings are as follows:
1. The total pollutant mass load for each individual calendar quarter shall be determined using an average of all concentration data collected that quarter and the corresponding total quarterly flow. All effluent monitoring data collected under the monitoring and reporting program, pretreatment program, and any special studies shall be used for these calculations. The total annual mass loading shall be the sum of the individual calendar quarters.
 2. In calculating compliance, the Discharger shall count all non-detect measures at one-half of the detection level. If compliance with the effluent limitation is not attained due to the non-detect contribution, the Discharger shall improve and implement available analytical capabilities and compliance shall be evaluated with consideration of the detection limits.
- C. Average Dry Weather Flow Prohibition (Section III.E).** The average dry weather discharge flow represents the daily average flow when groundwater is at or near normal and runoff is not occurring. Compliance with the average dry weather flow discharge prohibition will be determined annually based on the average daily flow over three consecutive dry weather months (e.g., July, August, and September).
- D. Total Coliform Organisms Effluent Limitations (Section IV.A.1.f).** For each day that an effluent sample is collected and analyzed for total coliform organisms, the 7-day median shall be determined by calculating the median concentration of total coliform bacteria in the effluent utilizing the bacteriological results of the last 7 days. For example, if a sample is collected on a Wednesday, the result from that sampling event and all results from the previous 6 days (i.e., Tuesday, Monday, Sunday, Saturday, Friday, and Thursday) are used to calculate the 7-day median. If the 7-day median of total coliform organisms exceeds a most probable number (MPN) of 2.2 per 100 milliliters, the Discharger will be considered out of compliance.

- E. Mass Effluent Limitations.** The mass effluent limitations contained in the Final Effluent Limitations IV.A.1.a are based on the permitted average dry weather flow and calculated as follows:

$$\text{Mass (lbs/day)} = \text{Flow (MGD)} \times \text{Concentration (mg/L)} \times 8.34 \text{ (conversion factor)}$$

If the effluent flow exceeds the permitted average dry weather flow during wet-weather seasons, the effluent mass limitations contained in Final Effluent Limitations IV.A.1.a shall not apply. If the effluent flow is below the permitted average dry weather flow during wet weather seasons, the effluent mass limitations do apply.

- F. Priority Pollutant Effluent Limitations.** Compliance with effluent limitations for priority pollutants shall be determined in accordance with section 2.4.5 of the SIP, as follows:

1. Dischargers shall be deemed out of compliance with an effluent limitation, if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).
2. Dischargers shall be required to conduct a Pollutant Minimization Program (PMP) in accordance with section 2.4.5.1 of the SIP when there is evidence that the priority pollutant is present in the effluent above an effluent limitation and either:
 - a. sample result is reported as detected, but not quantified (DNQ) and the effluent limitation is less than the RL; or
 - b. sample result is reported as non-detect (ND) and the effluent limitation is less than the method detection limit (MDL).
3. When determining compliance with an average monthly effluent limitation (AMEL) and more than one sample result is available in a month, the discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of DNQ or ND. In those cases, the discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:
 - a. The data set shall be ranked from low to high, reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
 - b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

4. If a sample result, or the arithmetic mean or median of multiple sample results, is below the RL, and there is evidence that the priority pollutant is present in the effluent above an effluent limitation and the discharger conducts a PMP (as described in section 2.4.5.1), the discharger shall **not** be deemed out of compliance.
- G. Temperature Receiving Water Limitation (Section V.A.14).** Compliance with the temperature receiving water limitation will be determined based on the difference in the temperature measured at Monitoring Location RSW-003, or Monitoring Location RSW-004 when excessive water hyacinth growth prevents safe access to Monitoring Location RSW-003, as compared to the downstream temperature measured at Monitoring Location RSW-001.
- H. Turbidity Receiving Water Limitations (Section V.A.16.a-e).** Compliance with the turbidity receiving water limitations will be determined based on the change in turbidity measured at Monitoring Location RSW-003, or Monitoring Location RSW-004 when excessive water hyacinth growth prevents safe access to Monitoring Location RSW-003, as compared to the downstream turbidity measured at Monitoring Location RSW-001.
- I. Temperature Effluent Limitations (Section IV.A.1.e).** Compliance with the final effluent limitations for temperature shall be ascertained using the daily average effluent temperature at Monitoring Location EFF-002 and the temperature of the receiving water measured on the same day by grab sample at Monitoring Location RSW-003, or Monitoring Location RSW-004 when excessive water hyacinth growth prevents safe access to Monitoring Location RSW-003.
- J. Chlorpyrifos and Diazinon Effluent Limitations (Section IV.A.1.g).** Compliance shall be determined by calculating the sum (S), as provided in this Order, with analytical results that are reported as ND concentrations to be considered to be zero.
- K. Use of Delta Regional Monitoring Program and Other Receiving Water Data to Determine Compliance with Receiving Water Limitations.** Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this Order will not be used directly to determine that the discharge is in violation of this Order. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger that is not conducted by the Delta Regional Monitoring Program and submit that monitoring data. As described in section VIII of Attachment E, such data may be used, if scientifically defensible, in conjunction with other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Order.
- L. Dissolved Oxygen Receiving Water Limitation (Section V.A.4).** The Facility provides a high level of treatment including tertiary filtration and nitrification, which results in minimal dissolved oxygen impacts in the receiving water. Once per month

receiving water monitoring is required in the Monitoring and Reporting Program (Attachment E) and is sufficient to evaluate the impacts of the discharge and compliance with this Order. Once per month receiving water monitoring data, measured at Monitoring Locations RSW-001, RSW-002, RSW-003, and RSW-004, will be used to determine compliance with the dissolved oxygen receiving water limitation to ensure the discharge does not cause the dissolved oxygen concentrations in the Old River to be reduced below 5.0 mg/L at any time.

- M. Whole Effluent Toxicity Effluent Limitations.** The discharge is subject to determination of “Pass” or “Fail” from chronic whole effluent toxicity tests using the Test of Significant Toxicity (TST) statistical t-test approach described in National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document (EPA 833-R-10-003, 2010), Appendix A, Figure A-1 and Table A-1 (Chronic Freshwater and East Coast Methods) and Appendix B, Table B-1.

The null hypothesis (H_0) for the TST statistical approach is:

Mean discharge Instream Waste Concentration (IWC) response $\leq$ Regulatory Management Decision (RMD) x Mean control response, where the chronic RMD = 0.75.

A test result that rejects this null hypothesis is reported as “Pass.” A test result that does not reject this null hypothesis is reported as “Fail.”

The relative “Percent Effect” at the discharge IWC is defined and reported as:

Percent Effect = ((Mean control response – Mean discharge IWC response) / Mean control response) x 100.

This is a t-test (formally Student’s t-Test), a statistical analysis comparing two sets of replicate observations, i.e., a control and IWC. The purpose of this statistical test is to determine if the means of the two sets of observations are different (i.e., if the IWC differs from the control, the test result is “Pass” or “Fail”). The Welch’s t-test employed by the TST statistical approach is an adaptation of Student’s t-test and is used with two samples having unequal variances.

- N. Chronic Whole Effluent Toxicity MDEL (Section IV.A.1.d).** If the result of a routine chronic whole effluent toxicity test, using the TST statistical approach, is a “Fail” at the IWC for the survival endpoint measured in the test and the percent effect for the survival endpoint is greater than or equal to 50 percent, the Discharger will be deemed out of compliance with the MDEL.
- O. Chronic Whole Effluent Toxicity MMEL (Section IV.A.1.e).** Effective 1 January 2024, if the result of a routine chronic whole effluent toxicity test, using the TST statistical approach, is a “Fail” at the IWC, the Discharger shall conduct a maximum of two additional MMEL compliance tests during the calendar month. If the routine test and one of the additional MMEL compliance test results in a “Fail” at the IWC, the Discharger will be deemed out of compliance with the MMEL.

ATTACHMENT A – DEFINITIONS

1Q10

The lowest one-day flow with an average reoccurrence frequency of once in ten years.

7Q10

The lowest average seven consecutive day flow with an average reoccurrence frequency of once in ten years.

Acute Aquatic Toxicity Test

A test to determine an adverse effect (usually lethality) on a group of aquatic test organisms during a short-term exposure (e.g., 24, 48, or 96 hours).

Alternative Hypothesis

A statement used to propose a statistically significant relationship in a set of given observations. Under the TST approach, when the Null Hypothesis is rejected, the Alternative Hypothesis is accepted in its place, indicating a relationship between variables and an acceptable level of toxicity.

Arithmetic Mean (μ)

Also called the average, is the sum of measured values divided by the number of samples. For ambient water concentrations, the arithmetic mean is calculated as follows:

$$\text{Arithmetic mean} = \mu = \Sigma x / n$$

where: Σx is the sum of the measured ambient water concentrations, and n is the number of samples.

Average Monthly Effluent Limitation (AMEL)

The highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Effluent Limitation (AWEL)

The highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Bioaccumulative

Those substances taken up by an organism from its surrounding medium through gill membranes, epithelial tissue, or from food and subsequently concentrated and retained in the body of the organism.

Calendar Month(s)

A period of time from a day of one month to the day before the corresponding day of the next month if the corresponding day exists, or if not to the last day of the next month (e.g., from January 1 to January 31, from June 15 to July 14, or from January 31 to February 28).

Calendar Quarter

A period of time defined as three consecutive calendar months.

Calendar Year

A period of time defined as twelve consecutive calendar months.

Chronic Aquatic Toxicity Test

A test to determine an adverse effect (sub-lethal or lethal) on a group of aquatic test organisms during an exposure of duration long enough to assess sub-lethal effects.

Carcinogenic

Pollutants are substances that are known to cause cancer in living organisms.

Coefficient of Variation (CV)

CV is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

Daily Discharge

Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that reasonably represents a calendar day for purposes of sampling (as specified in the permit), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.

Detected, but Not Quantified (DNQ)

DNQ are those sample results less than the RL, but greater than or equal to the laboratory's MDL. Sample results reported as DNQ are estimated concentrations.

Dilution Credit

Dilution Credit is the amount of dilution granted to a discharge in the calculation of a water quality-based effluent limitation, based on the allowance of a specified mixing zone. It is calculated from the dilution ratio or determined through conducting a mixing zone study or modeling of the discharge and receiving water.

Effluent Concentration Allowance (ECA)

ECA is a value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the coefficient of variation for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The

ECA has the same meaning as waste load allocation (WLA) as used in U.S. EPA guidance (Technical Support Document For Water Quality-based Toxics Control, March 1991, second printing, EPA/505/2-90-001).

Enclosed Bays

Enclosed Bays means indentations along the coast that enclose an area of oceanic water within distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between the headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. Enclosed bays include, but are not limited to, Humboldt Bay, Bodega Harbor, Tomales Bay, Drake's Estero, San Francisco Bay, Morro Bay, Los Angeles-Long Beach Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay. Enclosed bays do not include inland surface waters or ocean waters.

Endpoint

An effect that is measured in a toxicity study. Endpoints in toxicity tests may include, but are not limited to survival, reproduction, and growth. A measured response of a receptor to a stressor. An endpoint can be measured in a toxicity test or field survey.

Estimated Chemical Concentration

The estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

Estuaries

Estuaries means waters, including coastal lagoons, located at the mouths of streams that serve as areas of mixing for fresh and ocean waters. Coastal lagoons and mouths of streams that are temporarily separated from the ocean by sandbars shall be considered estuaries. Estuarine waters shall be considered to extend from a bay or the open ocean to a point upstream where there is no significant mixing of fresh water and seawater. Estuarine waters included, but are not limited to, the Sacramento-San Joaquin Delta, as defined in Water Code section 12220, Suisun Bay, Carquinez Strait downstream to the Carquinez Bridge, and appropriate areas of the Smith, Mad, Eel, Noyo, Russian, Klamath, San Diego, and Otay rivers. Estuaries do not include inland surface waters or ocean waters.

Inland Surface Waters

All surface waters of the state that do not include the ocean, enclosed bays, or estuaries.

Instantaneous Maximum Effluent Limitation

The highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

Instantaneous Minimum Effluent Limitation

The lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

Instream Waste Concentration (IWC)

The concentration of effluent in the receiving water after mixing.

Maximum Daily Effluent Limitation (MDEL)

The highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day.

Median

The middle measurement in a set of data. The median of a set of data is found by first arranging the measurements in order of magnitude (either increasing or decreasing order). If the number of measurements (n) is odd, then the median = $X_{(n+1)/2}$. If n is even, then the median = $(X_{n/2} + X_{(n/2)+1})/2$ (i.e., the midpoint between the $n/2$ and $n/2+1$).

Method Detection Limit (MDL)

MDL is the minimum measured concentration of a substance that can be reported with 99 percent confidence that the measured concentration is distinguishable from method blank results, as defined in 40 C.F.R. Part 136, Attachment B.

Minimum Level (ML)

ML is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

Mixing Zone

Mixing Zone is a limited volume of receiving water that is allocated for mixing with a wastewater discharge where water quality criteria can be exceeded without causing adverse effects to the overall water body.

Not Detected (ND)

Sample results which are less than the laboratory's MDL.

Null Hypothesis

A statement used in statistical testing that has been put forward either because it is believed to be true or because it is to be used as a basis for argument, but has not been proved.

Ocean Waters

The territorial marine waters of the State as defined by California law to the extent these waters are outside of enclosed bays, estuaries, and coastal lagoons. Discharges to ocean waters are regulated in accordance with the State Water Board's California Ocean Plan.

Percent Effect

The percent effect at the instream waste concentration (IWC) shall be calculated using untransformed data and the following equation:

$$\text{Percent Effect of the Sample} = \frac{\text{Mean Control Response} - \text{Mean Sample Response}}{\text{Mean Control Response}} \cdot 100$$

Persistent Pollutants

Persistent pollutants are substances for which degradation or decomposition in the environment is nonexistent or very slow.

Pollutant Minimization Program (PMP)

PMP means waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Central Valley Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to Water Code section 13263.3(d), shall be considered to fulfill the PMP requirements.

Pollution Prevention

Pollution Prevention means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is not limited to, input change, operational improvement, production process change, and product reformulation (as defined in Water Code section 13263.3). Pollution prevention does not include actions that merely shift a pollutant in wastewater from one environmental medium to another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State Water Resources Control Board (State Water Board) or Central Valley Water Board.

Regulatory Management Decision (RMD)

The decision that represents the maximum allowable error rates and thresholds for toxicity and non-toxicity that would result in an acceptable risk to aquatic life.

Response

A measured biological effect (e.g., survival, reproduction, growth) as a result of exposure to a stimulus.

Satellite Collection System

The portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility that a sanitary sewer system is tributary to.

Source of Drinking Water

Any water designated as municipal or domestic supply (MUN) in a Central Valley Water Board Basin Plan.

Species Sensitivity Screening

An analysis to determine the single most sensitive species from an array of test species to be used in a single species laboratory test series.

Standard Deviation (σ)

Standard Deviation is a measure of variability that is calculated as follows:

$$\sigma = (\sum [(x - \mu)^2] / (n - 1))^{0.5}$$

where:

x is the observed value;

μ is the arithmetic mean of the observed values; and

n is the number of samples.

Statistical Threshold Value (STV)

The STV for the bacteria receiving water limitation is a set value that approximates the 90th percentile of the water quality distribution of a bacterial population.

Test of Significant Toxicity (TST)

A statistical approach used to analyze aquatic toxicity test data, as described in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, 2010), Appendix A, Figure A-1 and Table A-1 (Chronic Freshwater and East Coast Methods) and Appendix B, Table B-1.

Toxicity Reduction Evaluation (TRE)

TRE is a study conducted in a stepwise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.).

WET Maximum Daily Effluent Limitation (MDEL)

For the purposes of chronic and acute aquatic toxicity, an MDEL is an effluent limitation based on the outcome of the TST approach and the resulting percent effect at the IWC.

WET Median Monthly Effluent Limit (MMEL)

For the purposes of chronic and acute aquatic toxicity, MMEL is an effluent limitation based on a maximum of three independent toxicity tests analyzed using the TST approach during a toxicity calendar month.

WET Median Monthly Effluent Target (MMET)

For the purposes of chronic aquatic toxicity, an MMET is a target based on a maximum of three independent toxicity tests used to determine whether a TRE should be conducted. Not meeting the MMET is not a violation of an effluent limitation.

WET MMET Tests

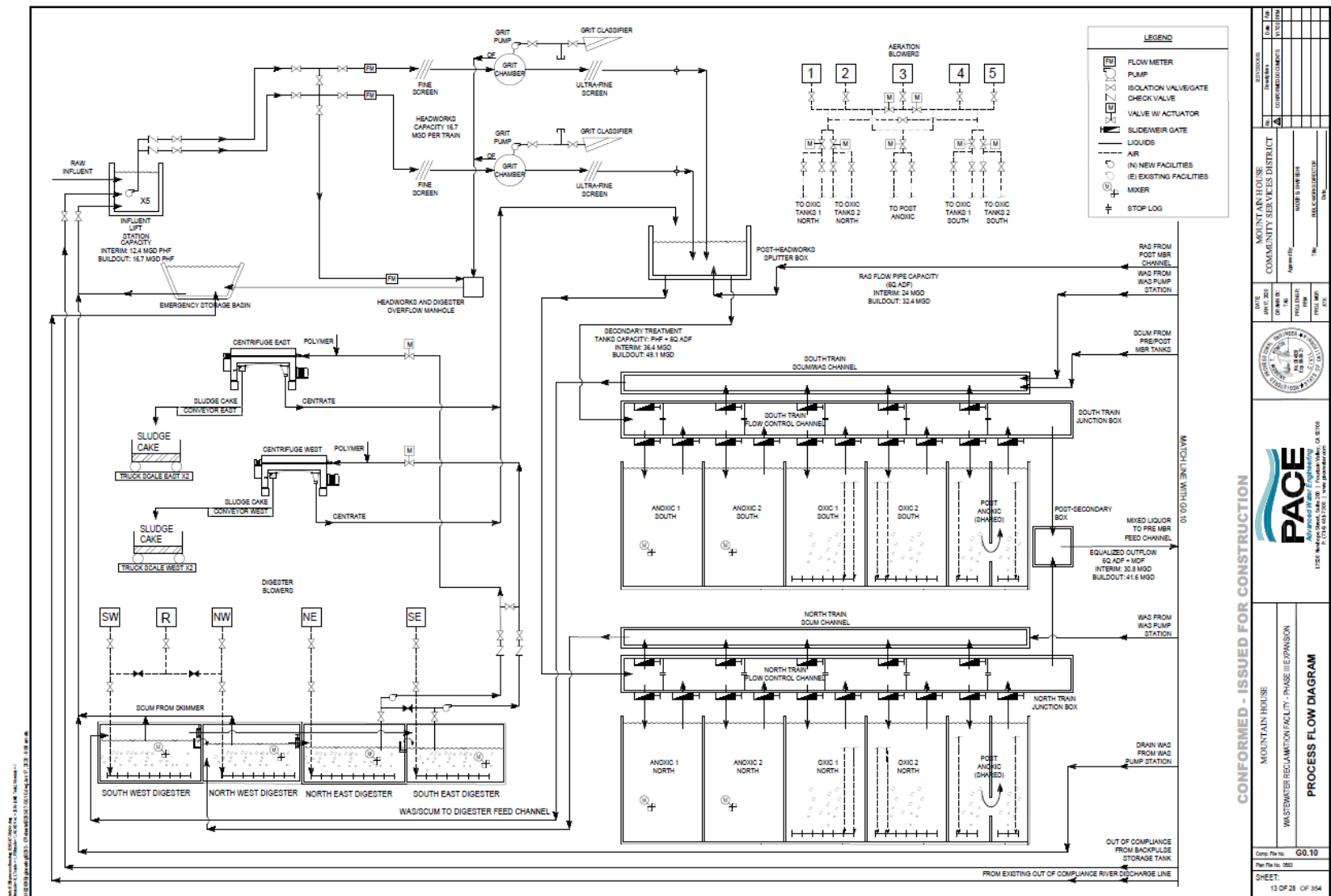
For the purposes of chronic aquatic toxicity, for dischargers not required to comply with numeric chronic toxicity effluent limitations, MMET Tests are a maximum of two tests that are used in addition to the routine monitoring test to determine whether a TRE should be conducted.

ATTACHMENT B – MAP



ATTACHMENT C – FLOW SCHEMATIC

Figure C-1. Current City of Mountain House Wastewater Treatment Plant Flow Schematic (1 of 2)



ORDER R5-2023-0033-01
NPDES CA0084271

ATTACHMENT D – STANDARD PROVISIONS

I. STANDARD PROVISIONS – PERMIT COMPLIANCE

A. Duty to Comply:

1. The Discharger must comply with all of the terms, requirements, and conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof. (40 C.F.R. section 122.41(a); Wat. Code, sections 13261, 13263, 13265, 13268, 13000, 13001, 13304, 13350, 13385.)
2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. (40 C.F.R. section 122.41(a)(1).)

B. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order. (40 C.F.R. section 122.41(c).)

C. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 C.F.R. section 122.41(d).)

D. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes having adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order. (40 C.F.R. section 122.41(e).)

E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 C.F.R. section 122.41(g).)

2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations. (40 C.F.R. section 122.5(c).)

F. Inspection and Entry

The Discharger shall allow the Central Valley Water Board, State Water Board, U.S. EPA, and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to (33 U.S.C. section 1318(a)(4)(B); 40 C.F.R. section 122.41(i); Wat. Code, section 13267, 13383):

1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order (33 U.S.C section 1318(a)(4)(B)(ii); 40 C.F.R. section 122.41(i)(1); Wat. Code, sections 13267, 13383);
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order (33 U.S.C. section 1318(a)(4)(B)(ii); 40 C.F.R. section 122.41(i)(2); Wat. Code, sections 13267, 13383);
3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order (33 U.S.C section 1318(a)(4)(B)(ii); 40 C.F.R. section 122.41(i)(3); Wat. Code, section 13267, 13383); and
4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location. (33 U.S.C section 1318(a)(4)(B); 40 C.F.R. section 122.41(i)(4); Wat. Code, sections 13267, 13383.)

G. Bypass

1. Definitions
 - a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. (40 C.F.R. section 122.41(m)(1)(i).)
 - b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 C.F.R. section 122.41(m)(1)(ii).)
2. Bypass not exceeding limitations. The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not

subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3, I.G.4, and I.G.5 below. (40 C.F.R. section 122.41(m)(2).)

3. Prohibition of bypass. Bypass is prohibited, and the Central Valley Water Board may take enforcement action against a Discharger for bypass, unless (40 C.F.R. section 122.41(m)(4)(i)):
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 C.F.R. section 122.41(m)(4)(i)(A));
 - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance (40 C.F.R. section 122.41(m)(4)(i)(B)); and
 - c. The Discharger submitted notice to the Central Valley Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. (40 C.F.R. section 122.41(m)(4)(i)(C).)
4. The Central Valley Water Board may approve an anticipated bypass, after considering its adverse effects, if the Central Valley Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above. (40 C.F.R. section 122.41(m)(4)(ii).)
5. Notice
 - a. **Anticipated bypass.** If the Discharger knows in advance of the need for a bypass, it shall submit prior notice if possible, at least 10 days before the date of the bypass. The notice shall be sent to the Central Valley Water Board. As of 21 December 2023, all notices shall be submitted electronically to the initial recipient (State Water Board's [California Integrated Water Quality System \(CIWQS\) Program website](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/) (http://www.waterboards.ca.gov/water_issues/programs/ciwqs/), defined in Standard Provisions – Reporting V.J below. Notices shall comply with 40 C.F.R. Part 3, section 122.22, and 40 C.F.R. Part 127. (40 C.F.R. section 122.41(m)(3)(i).)
 - b. **Unanticipated bypass.** The Discharger shall submit a notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below (24-hour notice). The notice shall be sent to the Central Valley Water Board. As of 21 December 2023, all notices shall be submitted electronically to the initial recipient (State Water Board's [California Integrated Water Quality System \(CIWQS\) Program website](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/). (http://www.waterboards.ca.gov/water_issues/programs/ciwqs/), defined in Standard Provisions – Reporting V.J below. Notices shall comply with

40 C.F.R. Part 3, section 122.22, and 40 C.F.R. Part 127. (40 C.F.R. section 122.41(m)(3)(ii).)

H. Upset

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. (40 C.F.R. section 122.41(n)(1).)

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance I.H.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
(40 C.F.R. section 122.41(n)(2).)
2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that (40 C.F.R. section 122.41(n)(3)):
 - a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 C.F.R. section 122.41(n)(3)(i));
 - b. The permitted facility was, at the time, being properly operated (40 C.F.R. section 122.41(n)(3)(ii));
 - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) (40 C.F.R. section 122.41(n)(3)(iii)); and
 - d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above.
(40 C.F.R. section 122.41(n)(3)(iv).)
3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof.
(40 C.F.R. section 122.41(n)(4).)

II. STANDARD PROVISIONS – PERMIT ACTION

A. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition. (40 C.F.R. section 122.41(f).)

B. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit. (40 C.F.R. section 122.41(b).)

C. Transfers

This Order is not transferable to any person except after notice to the Central Valley Water Board. The Central Valley Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the Water Code. (40 C.F.R. section 122.41(l)(3); 122.61.)

III. STANDARD PROVISIONS – MONITORING

A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 C.F.R. section 122.41(j)(1).)

B. Monitoring must be conducted according to test procedures approved under 40 C.F.R. Part 136 for the analyses of pollutants unless another method is required under 40 C.F.R. subchapters N or O. Monitoring must be conducted according to sufficiently sensitive test methods approved under 40 C.F.R. Part 136 for the analysis of pollutants or pollutant parameters or as required under 40 C.F.R. chapter 1, subchapter N or O. For the purposes of this paragraph, a method is sufficiently sensitive when the method has the lowest ML of the analytical methods approved under 40 C.F.R. Part 136 or required under 40 C.F.R. chapter 1, subchapter N or O for the measured pollutant or pollutant parameter, or when:

1. The method minimum level (ML) is at or below the level of the most stringent effluent limitation established in the permit for the measured pollutant or pollutant parameter, and;
 - a. The method ML is at or below the level of the most stringent applicable water quality criterion for the measured pollutant or pollutant parameter, or;
 - b. The method ML is above the applicable water quality criterion but the amount of the pollutant or pollutant parameter in the facility's discharge is

high enough that the method detects and quantifies the level of the pollutant or pollutant parameter in the discharge.

In the case of pollutants or pollutant parameters for which there are no approved methods under 40 C.F.R. Part 136 or otherwise required under 40 C.F.R. chapter 1, subchapters N or O, monitoring must be conducted according to a test procedure specified in this Order for such pollutants or pollutant parameters. (40 C.F.R. sections 122.21(e)(3), 122.41(j)(4); 122.44(i)(1)(iv).)

IV. STANDARD PROVISIONS – RECORDS

- A.** Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 C.F.R. part 503), the Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Central Valley Water Board Executive Officer at any time. (40 C.F.R. section 122.41(j)(2).)
- B.** Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements (40 C.F.R. section 122.41(j)(3)(i));
 - 2. The individual(s) who performed the sampling or measurements (40 C.F.R. section 122.41(j)(3)(ii));
 - 3. The date(s) analyses were performed (40 C.F.R. section 122.41(j)(3)(iii));
 - 4. The individual(s) who performed the analyses (40 C.F.R. section 122.41(j)(3)(iv));
 - 5. The analytical techniques or methods used (40 C.F.R. section 122.41(j)(3)(v)); and
 - 6. The results of such analyses. (40 C.F.R. section 122.41(j)(3)(vi).)
- C.** Claims of confidentiality for the following information will be denied (40 C.F.R. section 122.7(b)):
 - 1. The name and address of any permit applicant or Discharger (40 C.F.R. section 122.7(b)(1)); and
 - 2. Permit applications and attachments, permits and effluent data. (40 C.F.R. section 122.7(b)(2).)

V. STANDARD PROVISIONS – REPORTING

A. Duty to Provide Information

The Discharger shall furnish to the Central Valley Water Board, State Water Board, or U.S. EPA within a reasonable time, any information which the Central Valley Water Board, State Water Board, or U.S. EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Central Valley Water Board, State Water Board, or U.S. EPA copies of records required to be kept by this Order. (40 C.F.R. section 122.41(h); Wat. Code, sections 13267, 13383.)

B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Central Valley Water Board, State Water Board, and/or U.S. EPA shall be signed and certified in accordance with Standard Provisions – Reporting V.B.2, V.B.3, V.B.4, V.B.5, and V.B.6 below. (40 C.F.R. section 122.41(k).)
2. All permit applications shall be signed by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of U.S. EPA). (40 C.F.R. section 122.22(a)(3).)
3. All reports required by this Order and other information requested by the Central Valley Water Board, State Water Board, or U.S. EPA shall be signed by a person described in Standard Provisions – Reporting V.B.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Standard Provisions – Reporting V.B.2 above (40 C.F.R. section 122.22(b)(1));
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, 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.) (40 C.F.R. section 122.22(b)(2)); and
 - c. The written authorization is submitted to the Central Valley Water Board and State Water Board. (40 C.F.R. section 122.22(b)(3).)

4. If an authorization under Standard Provisions – Reporting V.B.3 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Standard Provisions – Reporting V.B.3 above must be submitted to the Central Valley Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 C.F.R. section 122.22(c).)
5. Any person signing a document under Standard Provisions – Reporting V.B.2 or V.B.3 above shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage 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.” (40 C.F.R. section 122.22(d).)
6. Any person providing the electronic signature for such documents described in Standard Provision – V.B.1, V.B.2, or V.B.3 that are submitted electronically shall meet all relevant requirements of Standard Provisions – Reporting V.B, and shall ensure that all of the relevant requirements of 40 C.F.R. part 3 (Cross-Media Electronic Reporting) and 40 C.F.R. part 127 (NPDES Electronic Reporting Requirements) are met for that submission. (40 C.F.R section 122.22(e).)

C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order.
(40 C.F.R. section 122.41(l)(4).)
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Central Valley Water Board or State Water Board for reporting the results of monitoring, sludge use, or disposal practices. As of 21 December 2016, all reports and forms must be submitted electronically to the initial recipient, defined in Standard Provisions – Reporting V.J, and comply with 40 C.F.R. part 3, section 122.22, and 40 C.F.R. part 127. (40 C.F.R. section 122.41(l)(4)(i).)
3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 C.F.R. part 136, or another method required for an industry-specific waste stream under 40 C.F.R. subchapters N or O, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting

form specified by the Central Valley Water Board. (40 C.F.R. section 122.41(l)(4)(ii).)

4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order. (40 C.F.R. section 122.41(l)(4)(iii).)

D. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date. (40 C.F.R. section 122.41(l)(5).)

E. Twenty-Four Hour Reporting

1. The Discharger shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A report shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (combined sewer overflows, sanitary sewer overflows, or bypass events), type of sewer overflow structure (e.g., manhole, combined sewer overflow outfall), discharge volumes untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the sewer overflow event, and whether the noncompliance was related to wet weather.

As of 21 December 2020 all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events must be submitted electronically to the initial recipient (State Water Board) defined in Standard Provisions – Reporting V.J. The reports shall comply with 40 C.F.R. part 3. They may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 C.F.R. section 122.41(l)(6)(i).)

F. Planned Changes

The Discharger shall give notice to the Central Valley Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when (40 C.F.R. section 122.41(l)(1)):

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in section 122.29(b) (40 C.F.R. section 122.41(l)(1)(i)); or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to the effluent limitations in this Order. (40 C.F.R. section 122.41(l)(1)(ii).)

The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in this Order nor to notification requirements under section 122.42(a)(1) (see Additional Provisions—Notification Levels VII.A.1). (40 C.F.R. section 122.41(l)(1)(ii).)

G. Anticipated Noncompliance

The Discharger shall give advance notice to the Central Valley Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with this Order's requirements. (40 C.F.R. section 122.41(l)(2).)

H. Other Noncompliance

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting V.C, V.D, and V.E above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E above. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall contain the information described in Standard Provision – Reporting V.E and the applicable required data in appendix A to 40 C.F.R. part 127. The Central Valley Water Board may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 C.F.R. section 122.41(l)(7).)

I. Other Information

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Central Valley Water Board, State Water Board, or U.S. EPA, the Discharger shall promptly submit such facts or information. (40 C.F.R. section 122.41(l)(8).)

J. Initial Recipient for Electronic Reporting Data

The owner, operator, or the duly authorized representative is required to electronically submit NPDES information specified in appendix A to 40 C.F.R. part 127 to the appropriate initial recipient, as determined by U.S. EPA, and as defined in 40 C.F.R. section 127.2(b). U.S. EPA will identify and publish the list of

initial recipients on its website and in the Federal Register, by state and by NPDES data group [see 40 C.F.R. section 127.2(c)]. U.S. EPA will update and maintain this listing. (40 C.F.R. section 122.41(l)(9).)

VI. STANDARD PROVISIONS – ENFORCEMENT

- A.** The Central Valley Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13385, 13386, and 13387.

VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

A. Publicly-Owned Treatment Works (POTWs)

All POTWs shall provide adequate notice to the Central Valley Water Board of the following (40 C.F.R. section 122.42(b)):

1. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to sections 301 or 306 of the CWA if it were directly discharging those pollutants (40 C.F.R. section 122.42(b)(1)); and
2. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of the Order. (40 C.F.R. section 122.42(b)(2).)
3. Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW. (40 C.F.R. section 122.42(b)(3).)

ATTACHMENT E – MONITORING AND REPORTING PROGRAM

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

The Code of Federal Regulations (40 C.F.R. section 122.48) requires that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 authorize the Central Valley Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. This MRP establishes monitoring and reporting requirements that implement federal and California requirements.

I. GENERAL MONITORING PROVISIONS

- A.** Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring locations specified below and, unless otherwise specified, before the monitored flow joins or is diluted by any other waste stream, body of water, or substance. Monitoring locations shall not be changed without notification to and the approval of the Central Valley Water Board.
- B.** Final effluent samples shall be taken downstream of the last addition of wastes to the treatment or discharge works where a representative sample may be obtained prior to mixing with the receiving waters. Samples shall be collected at such a point and in such a manner to ensure a representative sample of the discharge.
- C.** Chemical, bacteriological, and bioassay analyses of any material required by this Order shall be conducted by a laboratory accredited for such analyses by the State Water Resources Control Board (State Water Board), Division of Drinking Water (DDW; formerly the Department of Public Health), in accordance with the provision of Water Code section 13176. Laboratories that perform sample analyses must be identified in all monitoring reports submitted to the Central Valley Water Board. In the event an accredited laboratory is not available to the Discharger for any onsite field measurements such as pH, dissolved oxygen (DO), turbidity, temperature, and residual chlorine, such analyses performed by a non-accredited laboratory will be accepted provided a Quality Assurance-Quality Control Program is instituted by the laboratory. A manual containing the steps followed in this program for any onsite field measurements such as pH, DO, turbidity, temperature, and residual chlorine must be kept onsite in the treatment facility laboratory and shall be available for inspection by Central Valley Water Board staff. The Discharger must demonstrate sufficient capability (qualified and trained employees, properly calibrated and maintained field instruments, etc.) to adequately perform these field measurements. The Quality Assurance-Quality Control Program must conform to U.S. EPA guidelines or to procedures approved by the Central Valley Water Board.
- D.** Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary, at least yearly, to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices.

- E.** Monitoring results, including noncompliance, shall be reported at intervals and in a manner specified in this Monitoring and Reporting Program.
- F.** Laboratory analytical methods shall be sufficiently sensitive in accordance with the Sufficiently Sensitive Methods Rule (SSM Rule) specified under 40 C.F.R. 122.21(e)(3) and 122.44(i)(1)(iv). A U.S. EPA-approved analytical method is sufficiently sensitive for a pollutant/parameter where:
1. The method minimum level (ML) is at or below the applicable water quality objective for the receiving water, or;
 2. The method ML is above the applicable water quality objective for the receiving water but the amount of the pollutant/parameter in the discharge is high enough that the method detects and quantifies the level of the pollutant/parameter, or;
 3. the method ML is above the applicable water quality objective for the receiving water, but the ML is the lowest of the 40 C.F.R. 136 U.S. EPA-approved analytical methods for the pollutant/parameter.
- G.** The Discharger shall ensure that the results of the Discharge Monitoring Report-Quality Assurance (DMR-QA) Study or the most recent Water Pollution Performance Evaluation Study are submitted annually to the State Water Resources Control Board at the following address or electronically via email to the DMR-QA Coordinator:
- State Water Resources Control Board
Quality Assurance Program Officer
Office of Information Management and Analysis
1001 I Street, Sacramento, CA 95814
- H.** The Discharger shall file with the Central Valley Water Board technical reports on self-monitoring performed according to the detailed specifications contained in this Monitoring and Reporting Program.

II. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order:

Table E-1. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
--	INF-001	A location where a representative sample of the influent into the Facility can be collected prior to entering into the treatment process Latitude: 37°78'36" N - Longitude: 121°52'00" W

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
001	EFF-001	Final treated effluent at the effluent wet well, prior to entering into the outfall pipeline. Latitude: 37°47'52" N - Longitude: 121°31'20" W
001	EFF-002	Final treated effluent at the discharge end of the outfall pipeline, approximately 0.9 miles from the Facility. Latitude: 37°78'59.5" N - Longitude: 121°52'06" W
--	RSW-001	Old River, midstream, approximately 500 feet downstream (northwest) of Discharge Point 001. Latitude: 37° 48' 20" N, Longitude: 121° 32' 03" W
--	RSW-002	Old River, midstream, at Discharge Point 001
--	RSW-003	Old River approximately 1,000 feet upstream (southeast) of Discharge Point 001. Latitude: 37° 47' 05" N, Longitude: 121° 29' 57" W
--	RSW-004 (see Table Note 2)	A location within the Old River, upstream of Discharge Point 001, that is accessible during periods of excessive water hyacinth growth that prevent safe access to Monitoring Location RSW-003.
--	PND-001	A location where a representative sample of wastewater from the emergency storage basin can be collected.
--	PND-002	A location where a representative sample of wastewater from the emergency storage basin can be collected.
--	UVS-001	A location where a representative sample of wastewater can be collected immediately downstream of the UV disinfection system
--	FIL-001	A location where a representative sample of effluent from the tertiary filtration system can be collected immediately following the filters and before the ultraviolet light (UV) disinfection system.

Table E-1 Notes:

1. The North latitude and West longitude information in Table E-1 are approximate for administrative purposes.
2. The Discharger shall only monitor at Monitoring Location RSW-004 during periods in which excessive water hyacinth growth prevents safe access to Monitoring Location RSW-003.

III. INFLUENT MONITORING REQUIREMENTS

A. Monitoring Location INF-001

1. The Discharger shall monitor influent to the Facility at INF-001 in accordance with Table E-2 and the testing requirements described in section III.A.2 below:

Table E-2. Influent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow	MGD	Meter	Continuous
pH	standard units	Grab	1/Day
Biochemical Oxygen Demand, 5-day @ 20°Celsius (BOD ₅)	mg/L	24-hour Composite	3/Week
Total Suspended Solids (TSS)	mg/L	24-hour Composite	3/Week
Electrical Conductivity	µmhos/cm	24-hour Composite	1/Month
Total Dissolved Solids	mg/L	Grab	1/Month

2. **Table E-2 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-2:
 - a. **Applicable to all parameters.** Parameters shall be analyzed using the analytical methods described in 40 CFR part 136; or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.
 - b. **Grab Samples.** All grab samples shall not be collected at the same time each day to get a complete representation of variations in the influent.
 - c. **24-Hour Composite Samples.** All composite samples shall be collected from a 24-hour flow proportional composite.

IV. EFFLUENT MONITORING REQUIREMENTS

A. Monitoring Location EFF-001 and EFF-002

1. The Discharger shall monitor tertiary treated effluent at EFF-001 in accordance with Table E-3 and the testing requirements described in section IV.A.2 below:

Table E-3. Effluent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow	MGD	Meter	Continuous
Biochemical Oxygen Demand, 5-day @ 20°Celcius (BOD5)	mg/L	24-hour Composite	3/Week
BOD5	% removal	Calculate	1/Month
Total Suspended Solids (TSS)	mg/L	24-hour Composite	3/Week
TSS	% removal	Calculate	1/Month
pH	standard units	Meter	Continuous
Chlorodibromomethane	µg/L	Grab	1/Month
Dichlorobromomethane	µg/L	Grab	1/Month
Ammonia Nitrogen, Total (as N)	mg/L	Grab	1/Week
	lbs/day	Calculate	1/Week
Chlorpyrifos	µg/L	Grab	1/Year
Diazinon	µg/L	Grab	1/Year
Dissolved Oxygen	mg/L	Meter	Continuous
Dissolved Organic Carbon	mg/L	24-hour Composite	1/Quarter
Electrical Conductivity @ 25°Celcius	µmhos/cm	Grab	1/Month
Hardness, Total (as CaCO3)	mg/L	Grab	1/Month
Mercury (methyl)	ng/L	Grab	1/Quarter
Mercury (methyl)	grams/year	Calculate	1/Year
Mercury, Total	ng/L	Grab	1/Quarter
Mercury, Total	grams/year	Calculate	1/Year
Nitrate plus Nitrite, Total (as N)	mg/L	Grab	1/Month
Total Dissolved Solids	mg/L	Grab	1/Month

2. **Table E-3 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-3:
 - a. **Applicable to all parameters.** Parameters shall be analyzed using the analytical methods described in 40 CFR part 136 or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.
 - b. **24-hour composite samples** shall be collected from a 24-hour flow proportional composite.

- c. **Handheld Field Meter.** A handheld field meter may be used for **temperature** and **pH**, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.
- d. **Temperature** and **pH** shall be recorded at the time of **ammonia** sample collection.
- e. **Total Mercury and Methyl Mercury.** Unfiltered methyl mercury and total mercury samples shall be taken using **clean hands/dirty hands procedures**, as described in U.S. EPA method 1669: Sampling Ambient Water for Trace Metals at U.S. EPA Water Quality Criteria Levels, for collection of equipment blanks (section 9.4.4.2). The analysis of methyl mercury and total mercury shall be by U.S. EPA method 1630 and 1631 (Revision E), respectively, with a **reporting limit of 0.05 ng/L for methyl mercury and 0.5 ng/L for total mercury**.
- f. **Priority Pollutants.** For all priority pollutant constituents listed in Table E-3 (chlorodibromomethane and dichlorobromomethane) the RL shall be consistent with sections 2.4.2 and 2.4.3 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy or SIP) and the SSM Rule specified under 40 C.F.R. sections 122.21(e)(3) and 122.44(i)(1)(iv).
- g. **Chlorpyrifos and Diazinon** shall be sampled using U.S. EPA Method 625M, Method 8141, or equivalent GC/MS method with a lower Reporting Limit than the Basin Plan Water Quality Objectives of 0.015 µg/L and 0.1 µg/L for chlorpyrifos and diazinon, respectively.
- h. **Ammonia** sampling shall be concurrent with whole effluent toxicity monitoring.

B. Monitoring Location EFF-002

1. The Discharger shall monitor tertiary treated effluent at EFF-002 in accordance with Table E-4 and the testing requirements described in section IV.B.2 below:

Table E-4. Effluent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Temperature	°F	Meter	Continuous (see table note 2a)	See table note 2b

2. **Table E-4 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-4:
 - a. Temperature shall be recorded at the time of ammonia sample collection at Monitoring Location EFF-001.
 - b. Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. part 136 or by methods approved by the Central Valley Water Board or the State Water Board.

V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

- A. **Chronic Toxicity Testing.** The Discharger shall meet the following chronic toxicity testing requirements:
 1. **Instream Waste Concentration (IWC) for Chronic Toxicity.** The chronic toxicity IWC is 100 percent effluent.
 2. **Routine Monitoring Frequency.** The Discharger shall perform routine chronic toxicity testing once per toxicity calendar quarter in quarters in which there is expected to be at least 15 days of discharge to the receiving water. While the Discharger is conducting a TRE, the Executive Officer may authorize a reduction in the frequency of routine monitoring to a minimum of two (2) chronic aquatic toxicity tests per toxicity calendar year. The Discharger shall return to the routine monitoring schedule either at the conclusion of the TRE or one year after the initiation of the TRE, whichever occurs sooner.
 3. **Toxicity Calendar Month.** The calendar month is defined as the period of time beginning on the day of the initiation of the routine monitoring to the day before the corresponding day of the next month if the corresponding day exists, or if not to the last day of the next month (e.g., from January 1 to January 31, from June 15 to July 14, or from January 31 to February 28).
 4. **Chronic Toxicity MMET Testing.** If a routine chronic toxicity monitoring test results in a "fail" at the IWC, then a maximum of two chronic toxicity MMET tests shall be completed. The chronic toxicity MMET tests shall be initiated within the same calendar month that the routine chronic toxicity monitoring test was initiated that resulted in the "fail" at the IWC. If the first chronic toxicity MMET test results in a "fail" at the IWC, then the second chronic toxicity MMET test is unnecessary and is waived.
 5. **Chronic Toxicity MMEL Compliance Testing.** If a routine chronic toxicity monitoring test results in a "fail" at the IWC, then a maximum of two chronic toxicity MMEL compliance tests shall be completed. The chronic toxicity MMEL compliance tests shall be initiated within the same calendar month that the routine monitoring chronic toxicity test was initiated that resulted in the "fail" at the IWC. If the first chronic toxicity MMEL compliance test results in a "fail" at the

IWC, then the second chronic toxicity MMEL compliance test is unnecessary and is waived.

6. **Additional Routine Monitoring Tests for TRE Determination.** In order to determine if a TRE is necessary an additional routine monitoring test is required when there is one violation of the chronic toxicity MDEL or MMEL, but not two violations in a single calendar month. This additional routine monitoring test is not required if the Discharger is already conducting a TRE. This additional routine monitoring test shall be initiated within two weeks after the calendar month in which the MMEL or MDEL violation occurred. The calendar month of the violation and the calendar month of the additional routine monitoring shall be considered "successive calendar months" for purposes of determining whether a TRE is required. This additional routine monitoring test is also used for compliance purposes and could result in the need to conduct MMEL compliance testing per Section V.B.5 above.
6. **Sample Volumes.** Adequate sample volumes shall be collected to provide renewal water to complete the test in the event that the discharge is intermittent.
7. **Test Species.** The testing shall be conducted using the most sensitive species, which is *Ceriodaphnia dubia*. The Discharger shall conduct chronic toxicity tests with water flea (*Ceriodaphnia dubia*) unless otherwise specified in writing by the Executive Officer. The Executive Officer has the authority to allow the temporary use of the next appropriate species as the most sensitive species when the discharger submits documentation, and the Executive Officer determines that the discharger has encountered unresolvable test interference or cannot secure a reliable supply of test organisms.
8. **Test Methods.** Discharger shall conduct the chronic toxicity tests on effluent samples at the instream waste concentration for the discharge in accordance with species and test methods in Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms (EPA/821/R02/013, 2002; Table IA, 40 C.F.R. part 136).
9. **Dilution and Control Water.** Dilution water and control water shall be prepared and used as specified in the test methods manual. If dilution water and control water is different from test organism culture water, then a second control using culture water shall also be used.
10. **Test Failure.** If the effluent chronic toxicity test does not meet all test acceptability criteria (TAC) specified in the referenced test method in EPA/821-R-02-013, the Discharger must conduct a Replacement Test as soon as possible, as specified in subsection B.10, below.
11. **Replacement Test.** When a required toxicity test for routine monitoring, MMET tests, or MMEL compliance tests is not completed, a new toxicity test to replace the toxicity test that was not completed shall be initiated as soon as possible. The new toxicity test shall replace the routine monitoring, MMET tests, or MMEL

compliance tests, as applicable, for the calendar month in which the toxicity test that was not completed was required to be initiated, even if the new toxicity test is initiated in a subsequent month. The new toxicity test for routine monitoring, MMET tests, or MMEL compliance tests, as applicable, and any MMET tests or MMEL compliance tests required to be conducted due to the results of the new toxicity test shall be used to determine compliance with the effluent limitations for the calendar month in which the toxicity test that was not completed was required to be initiated. The new toxicity test and any MMET tests or MMEL compliance tests required to be conducted due to the results of the new toxicity test shall not be used to substitute for any other required toxicity tests.

If it is determined that any specific monitoring event was not initiated in the required time period due to circumstances outside of the Discharger's control that were not preventable with the reasonable exercise of care, the Discharger is not required to initiate the specific monitoring event in the required time period if the Discharger promptly initiates, and ultimately completes a replacement test.

B. Quality Assurance and Additional Requirements. Quality assurance measures, instructions, and other recommendations and requirements are found in the test methods manual previously referenced. Additional requirements are below.

1. The discharge is subject to determination of "Pass" or "Fail" from a chronic toxicity test using the Test of Significant Toxicity (TST) statistical t-test approach described in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, 2010), Appendix A, Figure A-1 and Table A-1 (Chronic Freshwater and East Coast Methods) and Appendix B, Table B-1.
2. The null hypothesis (Ho) for the TST statistical approach is:

Mean discharge IWC response $\leq$ RMD x Mean control response, where the chronic RMD = 0.75.

A test result that rejects this null hypothesis is reported as "Pass." A test result that does not reject this null hypothesis is reported as "Fail."

3. The relative "Percent Effect" at the discharge IWC is defined and reported as:

Percent Effect = ((Mean control response – Mean discharge IWC response) / Mean control response) x 100.

This is a t-test (formally Student's t-Test), a statistical analysis comparing two sets of replicate observations, i.e., a control and IWC. The purpose of this statistical test is to determine if the means of the two sets of observations are different (i.e., if the IWC or receiving water concentration differs from the control, the test result is "Pass" or "Fail"). The Welch's t-test employed by the TST statistical approach is an adaptation of Student's t-test and is used with two samples having unequal variances.

- C. WET Testing Notification Requirements.** The Discharger shall notify the Central Valley Water Board of test results exceeding the chronic toxicity effluent limitation as soon as the Discharger learns of the exceedance, but no later than 24-hours after receipt of the monitoring results.
- D. WET Testing Reporting Requirements.** The Discharger shall submit the full laboratory report and, if applicable, progress reports on TRE investigations for all toxicity testing as an attachment to CIWQS for the reporting period (e.g., monthly, quarterly, semi-annually or annually) and provide the data (i.e., Pass/Fail) in the PET tool for uploading into CIWQS. The laboratory report shall include:
1. The valid toxicity test results for the TST statistical approach, reported as “Pass” or “Fail” and “Percent Effect” at the IWC for the discharge, the dates of sample collection and initiation of each toxicity test, and all results for effluent parameters monitored concurrently with the toxicity test(s).
 2. The statistical analysis used in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, 2010) Appendix A, Figure A-1 and Table A-1, and Appendix B, Table B-1.
 3. Statistical program (e.g., TST calculator, CETIS, etc.) output results, including graphical plots, for each toxicity test.
- E. Most Sensitive Species Screening.** The Discharger shall perform subsequent species sensitivity screening to re-evaluate the most sensitive species. The species sensitivity screening shall be conducted at least once every fifteen years or if the effluent used in the last species sensitivity screening is no longer representative. Species sensitivity screening shall be conducted as follows and the results of the most recent sensitivity screening submitted with the Report of Waste Discharge.
1. **Frequency of Testing for Species Sensitivity Screening.** Species sensitivity screening for chronic toxicity shall include, at a minimum, chronic WET testing four consecutive calendar quarters using the water flea (*Ceriodaphnia dubia*), fathead minnow (*Pimephales promelas*), and green alga (*Pseudokirchneriella subcapitata*). The tests shall be performed at an IWC of no less than 100 percent effluent.
 2. **Determination of Most Sensitive Species.** If a single test in the species sensitivity screening testing results in a “Fail” using the TST statistical approach, then the species used in that test shall be established as the most sensitive species. If there is more than a single test that results in a “Fail”, then of the species with results of a “Fail”, the species that exhibits the highest percent effect shall be established as the most sensitive species. If none of the tests in the species sensitivity screening results in a “Fail”, but at least one of the species exhibits a percent effect greater than **10** percent, then the single species that exhibits the highest percent effect shall be established as the most sensitive species. In all other circumstances, the Executive Officer shall have discretion to

determine which single species is the most sensitive considering the test results from the species sensitivity screening.

F. Toxicity Reduction Evaluations (TRE)

- 1. TRE Implementation.** The Discharger is required to initiate a TRE when any combination of two or more MDEL or MMEL violations (following the MMEL effective date) occur within a single calendar month or within two successive calendar months or when the Discharger has any combination of two or more MMET exceedances or MDEL violations (before the MMEL effective date) within a single calendar month or within two successive calendar months. In addition, if other information indicates toxicity (e.g., results of additional monitoring, results of monitoring at a higher concentration than the IWC, fish kills, intermittent recurring toxicity) or if there is no effluent available to complete a routine monitoring test, MMET test, or MMEL compliance test, the Executive Officer may require a TRE.
 - a. Preparation and Implementation of Detailed TRE Action Plan.** The Discharger shall conduct TREs in accordance with the 2007 approved TRE Work Plan. Within 30 days of the test result that triggered the TRE, the Discharger shall submit to the Executive Officer a TRE Action Plan. The TRE Action Plan shall include the following information, and comply with additional conditions set by the Executive Officer:
 - i. Specific actions the Discharger will take to investigate and identify the cause(s) of toxicity, including a TRE WET monitoring schedule;
 - ii. Specific actions the Discharger will take to mitigate the impact of the discharge and prevent the recurrence of toxicity; and
 - iii. A schedule for these actions, progress reports, and the final report.
 - b.** The Central Valley Water Board recognizes that toxicity may be episodic and identification of causes and reduction of sources of toxicity may not be successful in all cases. The TRE may be ended at any stage if monitoring finds there is no longer toxicity.

VI. LAND DISCHARGE MONITORING REQUIREMENTS – NOT APPLICABLE

VII. RECYCLING MONITORING REQUIREMENTS – NOT APPLICABLE

VIII. RECEIVING WATER MONITORING REQUIREMENTS

The Discharger is required to participate in the Delta Regional Monitoring Program. Delta Regional Monitoring Program data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Order. Delta Regional Monitoring Program monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple

discharges into the Delta; Delta Regional Monitoring Program monitoring stations would not normally be able to identify the source of any specific constituent but would be used to identify water quality issues needing further evaluation. Delta Regional Monitoring Program monitoring data, along with the individual Discharger data, may be used to help establish background receiving water quality for reasonable potential analyses (RPA's) in an NPDES permit after evaluation of the applicability of the data for that purpose. Delta Regional Monitoring Program data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in the exceedance of a water quality objective.

A. Monitoring Location RSW-001, RSW-002, RSW-003 and RSW-004

1. The Discharger shall monitor Old River at RSW-001, RSW-002, RSW-003 and RSW-004 in accordance with Table E-5 and the testing requirements described in section VIII.A.2 below:

Table E-5. Receiving Water Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency (see Table Notes a and c)
Flow Direction	N/A	Visual Observation	1/Month
pH	standard units	Grab	1/Month (see Table Note b)
Dissolved Oxygen	mg/L	Grab	1/Month (see Table Note b)
Dissolved Organic Carbon	mg/L	Grab	1/Month (see Table Note d)
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/Month (see Table Note b)
Hardness, Total (as CaCO ₃)	mg/L	Grab	1/Month
Temperature	°C	Grab	1/Month (see Table Note b)
Turbidity	NTU	Grab	1/Month (see Table Note b)

2. Table E-5 Notes:

- a. Monitoring is only required at Monitoring Location RSW-004 during water hyacinth growth season, when Monitoring Location RSW-003 is inaccessible by boat.

- b. A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this MRP shall be maintained at the Facility.
 - c. Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. part 136 or by methods approved by the Central Valley Water Board or the State Water Board.
 - d. Dissolved Organic Carbon monitoring shall be conducted concurrently with pH and hardness sampling.
- 3. In conducting the receiving water sampling, a log shall be kept of the receiving water conditions throughout the reach bounded by RSW-003 and RSW-001 when discharging to the Old River. Attention shall be given to the presence of:
 - a. Floating or suspended matter;
 - b. Discoloration;
 - c. Bottom deposits;
 - d. Aquatic life;
 - e. Visible films, sheens, or coatings;
 - f. Fungi, slimes, or objectionable growths; and
 - g. Potential nuisance conditions.

Notes on receiving water conditions shall be summarized in the monitoring report.

B. Groundwater Monitoring – NOT APPLICABLE

IX. OTHER MONITORING REQUIREMENTS

A. Emergency Storage Basin Monitoring Locations

1. Monitoring Locations PND-001 and PND-002

- a. The Discharger shall keep a log related to the use of the emergency storage basin system. In particular, the Discharger shall record the following when any type of wastewater is directed to each basin:
 - i. The date(s) when the wastewater is directed to the basin;
 - ii. The type(s) of wastewater (e.g., untreated due to plant upset, tertiary treated) directed to the basin;
 - iii. The total volume of wastewater directed to the basin (The total volume of wastewater directed to the basin may be estimated);

- iv. The duration of time wastewater is collected in the basin; prior to redirection back to the wastewater treatment plant;
- v. The date when all wastewater in the basin has been redirected to the wastewater treatment plant; and
- vi. The freeboard available in the basin.
- vii. The basin log shall be submitted with the monthly self-monitoring reports required in section X.B of this MRP.

B. Filtration System and Ultraviolet Light (UV) Disinfection System

1. **Monitoring Locations UVS-001 and FIL-001.** The Discharger shall monitor the filtration system at Monitoring Location FIL-001 and the UV disinfection system at Monitoring Location UVS-001 in accordance with Table E-6 and the testing requirements described in section IX.B.2 below:

Table E-6. Filtration System and UV Disinfection System Monitoring Requirements

Parameter	Units	Sample Type	Monitoring Location	Minimum Sampling Frequency
Flow	MGD	Meter	UVS-001	Continuous (see table note a)
Turbidity	NTU	Meter	FIL-001	Continuous (see table note a, b)
Number of UV banks in operation	Number	Observation	N/A	Continuous (see table note a)
UV Transmittance	Percent (%)	Meter	UVS-001	Continuous (see table note a)
UV Dose (see table note d)	mJ/cm ²	Calculated	N/A	Continuous (see table note a)
Total Coliform Organisms	MPN/100mL	Grab	UVS-001	5/Week

2. **Table E-6 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-6:
 - a. **Applicable to all parameters.** Parameters shall be analyzed using the analytical methods described in 40 CFR part 136; or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.

- b. **Continuous analyzers.** The Discharger shall report documented routine meter maintenance activities including date, time of day, and duration, in which the analyzer(s) is not in operation. If analyzer(s) fail to provide continuous monitoring for more than two hours and influent and/or effluent from the disinfection process is not diverted for retreatment, the Discharger shall obtain and report hourly manual and/or grab sample results.
- c. **Turbidity.** Report daily average and maximum turbidity.
- d. **UV Dose.** Report daily minimum hourly average UV dose and daily average UV dose. The minimum hourly average dose shall consist of lowest hourly average dose provided in any channel that had at least one bank of lamps operating during the hour interval. For channels that did not operate for the entire hour interval, the dose will be averaged based on the actual operation time.

C. Pyrethroid Pesticides Monitoring

1. **Water Column Chemistry Monitoring Requirements.** The Discharger shall conduct effluent and receiving water (Old River) baseline monitoring in accordance with Table E-7. Quarterly monitoring shall be conducted for **one year** concurrent with the Effluent and Receiving Water Characterization Monitoring (see section IX.D of this MRP for specific dates). The discharger shall also submit a minimum of one quality assurance/quality control (QA/QC) sample during the year to be analyzed for the constituents listed in Table E-7.

The monitoring shall be conducted in the effluent at Monitoring Location EFF-001 and downstream receiving water at Monitoring Location RSW-001 during outgoing tide and the results of such monitoring be submitted to the Central Valley Water Board with the quarterly self-monitoring reports. The Discharger shall use Environmental Laboratory Accreditation Program (ELAP)-accredited laboratories and methods validated by Central Valley Water Board staff for pyrethroid pesticides water column chemistry monitoring. A current list of ELAP approved laboratories and points of contact can be found on the [Central Valley Water Board's Pyrethroid Pesticides TMDL and Basin Plan Amendment Webpage](https://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/central_valley_pesticides/pyrethroid_tmdl_bpa/index.html), (https://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/central_valley_pesticides/pyrethroid_tmdl_bpa/index.html).

Monitoring can either be conducted by the Discharger or can be done as part of a group monitoring effort. If the Discharger chooses to participate in a group monitoring effort, the timing and the other study requirements of the monitoring can be modified by the Executive Officer.

Table E-7. Pyrethroid Pesticides Monitoring

Parameter	CAS Number	Sample Units	Sample Type	Analytical Method	Reporting Level
Total Bifenthrin	82657-04-3	ng/L	Grab	See table note 1	1.3
Total Cyfluthrin	68359-37-5	ng/L	Grab	See table note 1	1.3
Total Cypermethrin	52315-07-8	ng/L	Grab	See table note 1	1.7
Total Esfenvalerate	51630-58-1	ng/L	Grab	See table note 1	3.3
Total Lambda-cyhalothrin	91465-08-6	ng/L	Grab	See table note 1	1.2
Total Permethrin	52645-53-1	ng/L	Grab	See table note 1	10
Freely Dissolved Bifenthrin	82657-04-3	ng/L	Calculated	Calculated from total concentration	--
Freely Dissolved Cyfluthrin	68359-37-5	ng/L	Calculated	Calculated from total concentration	--
Freely Dissolved Cypermethrin	52315-07-8	ng/L	Calculated	Calculated from total concentration	--
Freely Dissolved Esfenvalerate	51630-58-1	ng/L	Calculated	Calculated from total concentration	--
Freely Dissolved Lambda-cyhalothrin	91465-08-6	ng/L	Calculated	Calculated from total concentration	--
Freely Dissolved Permethrin	52645-53-1	ng/L	Calculated	Calculated from total concentration	--
Dissolved Organic Carbon (DOC)		mg/L	Grab	--	--
Total Organic Carbon (TOC)		mg/L	Grab	--	--

Table E-7 Notes:

1. The Discharger shall use ELAP-accredited laboratories and methods validated by Central Valley Water Board staff for pyrethroid pesticides water column chemistry monitoring. A current [list of ELAP-approved laboratories](https://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/central_valley_pesticides/pyrethroid_tmdl_bpa/index.html) (https://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/central_valley_pesticides/pyrethroid_tmdl_bpa/index.html) and points of contact can be found on the (Central Valley Water Board's Pyrethroid Pesticides TMDL and Basin Plan Amendment Webpage).

The freely dissolved concentration of each quantified pyrethroid pesticide in a sample may be directly measured or estimated using partition coefficients. Methods for direct measurement must be approved by the Executive Officer before they are used to determine the freely dissolved pyrethroid concentrations that are used for determining exceedances of the pyrethroid pesticides numeric triggers.

To estimate the freely dissolved concentration of a pyrethroid pesticide with partition coefficients, the following equation shall be used:

$$C_{\text{dissolved}} = \frac{C_{\text{total}}}{1 + (K_{\text{OC}} \times [\text{POC}]) + (K_{\text{DOC}} \times [\text{DOC}])}$$

Where:

C dissolved = concentration of a an individual pyrethroid pesticide that is in the freely dissolved phase (ng/L),

C total = total concentration of an individual pyrethroid pesticide in water (ng/L),

KOC = organic carbon-water partition coefficient for the individual pyrethroid pesticide (L/kg),

[POC] = concentration of particulate organic carbon in the water sample (kg/L), which can be calculated as [POC]=[TOC]-[DOC],

[TOC] = total organic carbon in the sample (kg/L)

KDOC = dissolved organic carbon-water partition coefficient (L/kg),

[DOC] = concentration of dissolved organic carbon in the sample (kg/L).

Site-specific or alternative study-based partition coefficients approved by the Executive Officer may be used for KOC and KDOC in the above equation. If site-specific or alternative study-based partition coefficients are not available or have not been approved, the following partition coefficients shall be used for KOC and KDOC in the above equation:

Table E-8. Pyrethroid Pesticide Partition Coefficients

Pyrethroid Pesticide	Receiving water KOC (L/kg)	Receiving water KDOC (L/kg)	Effluent KOC (L/kg)	Effluent KDOC (L/kg)
Bifenthrin	4,228,000	1,737,127	15,848,932	800,000
Cyfluthrin	3,870,000	2,432,071	3,870,000	2,432,071
Cypermethrin	3,105,000	762,765	6,309,573	200,000
Esfenvalerate	7,220,000	1,733,158	7,220,000	1,733,158
Lambda-cyhalothrin	2,056,000	952,809	7,126,428	200,000
Permethrin	6,075,000	957,703	10,000,000	200,000

2. **Water Column Toxicity Monitoring Requirements.** When discharging to the Old River, the Discharger shall monitor the toxicity of the downstream receiving water using U.S. EPA method EPA-821-R-02-012 (Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition, USEPA, October 2002, or most recent edition). Except as specified in this order, water column toxicity testing shall follow the measurement quality objectives provided in the Surface Water Ambient Monitoring Program (SWAMP) Quality Assurance Program Plan (SWRCB, 2018). When feasible, the Discharger shall use the Southern California Coastal Water Research Project (SCCWRP) guidance (Schiff and Greenstein, 2016) on test organism age and size for *Hyalella azteca*.

For consistency with U.S. EPA Method EPA-821-R-02-012 and ELAP accreditation, *Hyalella azteca* water column toxicity testing for baseline monitoring must be performed at 20 degrees Celsius.

Quarterly monitoring shall be conducted for one year concurrent with the Pyrethroid Pesticides Water Column Chemistry Monitoring during Effluent and Receiving Water Characterization Monitoring (see section IX.D of this MRP for specific dates). Downstream receiving water monitoring shall be conducted at monitoring location RSW-001 during outgoing tide when discharging to the Old River and the results of such monitoring be submitted to the Central Valley Water Board with the quarterly self-monitoring reports. Monitoring can either be conducted by the Discharger or can be done as part of a group monitoring effort. If the Discharger chooses to participate in a group monitoring effort, the timing of the monitoring can be modified by the Executive Officer.

3. **Exceedance of Numeric Triggers.** If the Pyrethroid Pesticides Water Column Chemistry Monitoring result in an exceedance of any prohibition numeric trigger, the Discharger shall submit a formal letter notifying the Central Valley Water Board of the exceedance and the Discharger's intent to submit a Pyrethroid Management Plan. The Pyrethroid Management Plan, as outlined in Section VI.C.3 of this Order, shall be submitted to the Central Valley Water Board within one year from the date that an exceedance is identified by either the Discharger or Central Valley Water Board staff. Pyrethroid concentrations that exceed the acute and/or chronic pyrethroid numeric triggers as outlined in Table 4-2 of the Basin Plan constitute an exceedance. In the absence of a pyrethroid numeric trigger exceedance, observed toxicity in the water column does not constitute a violation of the pyrethroid conditional prohibition.

Identification of an exceedance provides the information that the Pyrethroid Pesticides Water Column Chemistry Monitoring was designed to collect, per Chapter V of the Basin Plan; therefore, once an exceedance is identified, the Discharger may cease conducting subsequent Pyrethroid Pesticides Monitoring.

D. Effluent and Receiving Water Characterization

Since the Discharger is participating in the Delta Regional Monitoring Program as described in Attachment E, section VIII, this section only requires effluent characterization monitoring. **However, the Report of Waste Discharge (ROWD) for the next permit renewal shall include, at minimum, one representative ambient background characterization monitoring event for priority pollutant constituents during the term of the permit.** The ambient background characterization monitoring event shall be conducted at Monitoring Location RSW-003 during outgoing tide. Data from the Delta Regional Monitoring Program may be utilized to characterize the receiving water in the permit renewal. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with the ROWD. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point.

1. Monitoring Frequency

Samples shall be collected from the effluent (Monitoring Location EFF-001) and analyzed for the constituents listed in Table E-9, below. Quarterly monitoring shall be conducted **during the year 2025 (four consecutive samples, evenly distributed throughout the year)** and the results of such monitoring shall be submitted to the Central Valley Water Board with the quarterly self-monitoring reports. Each individual monitoring event shall provide representative sample results for the effluent.

2. **Analytical Methods.** Constituents shall be collected and analyzed consistent with the Discharger's Analytical Methods Report (MRP, X.D.2) using sufficiently sensitive analytical methods and Reporting Levels (RLs) per the SSM Rule specified in 40 C.F.R. 122.21(e)(3) and 122.44(i)(1)(iv). The "Reporting Level" is synonymous with the "Method Minimum Level" described in the SSM Rule. The results of the monitoring shall be submitted to the Central Valley Water Board with the quarterly self-monitoring reports. Each individual monitoring event shall provide representative sample results for the effluent and upstream receiving water, if receiving water is sampled.
3. **Analytical Methods Report Certification.** Prior to beginning the Effluent and Receiving Water Characterization monitoring, the Discharger shall provide a certification acknowledging the scheduled start date of the Effluent and Receiving Water Characterization monitoring and confirming that samples will be collected and analyzed as described in the previously submitted Analytical Methods Report. If there are changes to the previously submitted Analytical Methods Report, the Discharger shall outline those changes. A one-page certification form will be provided by Central Valley Water Board staff with the permit's Notice of Adoption that the Discharger can use to satisfy this requirement. The certification form shall be submitted electronically via CIWQS submittal by the due date in the Technical Reports Table E-11.

4. The Discharger shall conduct effluent and receiving water characterization monitoring in accordance with Table E-9 and the testing requirements described in the section IX.D.5 below.

**Table E-9 Effluent and Receiving Water Characterization Monitoring
VOLATILE ORGANICS**

CTR Number	Volatile Organic Parameters	CAS Number	Units	Effluent Sample Type
25	2-Chloroethyl vinyl Ether	110-75-8	µg/L	Grab
17	Acrolein	107-02-8	µg/L	Grab
18	Acrylonitrile	107-13-1	µg/L	Grab
19	Benzene	71-43-2	µg/L	Grab
20	Bromoform	75-25-2	µg/L	Grab
21	Carbon Tetrachloride	56-23-5	µg/L	Grab
22	Chlorobenzene	108-90-7	µg/L	Grab
24	Chloroethane	75-00-3	µg/L	Grab
26	Chloroform	67-66-3	µg/L	Grab
35	Methyl Chloride	74-87-3	µg/L	Grab
23	Dibromochloromethane	124-48-1	µg/L	Grab
27	Dichlorobromomethane	75-27-4	µg/L	Grab
33	Ethylbenzene	100-41-4	µg/L	Grab
89	Hexachlorobutadiene	87-68-3	µg/L	Grab
	Hexachlorobenzene		µg/L	Grab
	Hexachloroethane		µg/L	Grab
34	Methyl Bromide (Bromomethane)	74-83-9	µg/L	Grab
94	Naphthalene	91-20-3	µg/L	Grab
	3-Methyl-4-Chlorophenol		µg/L	Grab
38	Tetrachloroethene (PCE)		µg/L	Grab
39	Toluene	108-88-3	µg/L	Grab
40	trans-1,2-Dichloroethylene	156-60-5	µg/L	Grab
43	Trichloroethene	79-01-6	µg/L	Grab
44	Vinyl Chloride	75-01-4	µg/L	Grab
21	Methyl-tert-butyl ether (MTBE)	1634-04-4	µg/L	Grab
41	1,1,1-Trichloroethane	71-55-6	µg/L	Grab
42	1,1,2-Trichloroethane	79-00-5	µg/L	Grab
28	1,1-Dichloroethane	75-34-3	µg/L	Grab
30	1,1-Dichloroethylene (DCE)	75-35-4	µg/L	Grab
31	1,2-Dichloropropane	78-87-5	µg/L	Grab
32	1,3-Dichloropropylene	542-75-6	µg/L	Grab
37	1,1,2,2-Tetrachloroethane	79-34-5	µg/L	Grab
101	1,2,4-Trichlorobenzene	120-82-1	µg/L	Grab
29	1,2-Dichloroethane	107-06-2	µg/L	Grab
75	1,2-Dichlorobenzene	95-50-1	µg/L	Grab
76	1,3-Dichlorobenzene	541-73-1	µg/L	Grab
77	1,4-Dichlorobenzene	106-46-7	µg/L	Grab

SEMI-VOLATILE ORGANICS

CTR Number	Semi-Organic Volatile Parameters	CAS Number	Units	Effluent Sample Type
60	1,2-Benzo(a)Anthracene	56-55-3	µg/L	Grab
85	1,2-Diphenylhydrazine	122-66-7	µg/L	Grab
45	2-Chlorophenol	95-57-8	µg/L	Grab
46	2,4-Dichlorophenol	120-83-2	µg/L	Grab
47	2,4-Dimethylphenol	105-67-9	µg/L	Grab
49	2,4-Dinitrophenol	51-28-5	µg/L	Grab
82	2,4-Dinitrotoluene	121-14-2	µg/L	Grab
55	2,4,6-Trichlorophenol	88-06-2	µg/L	Grab
83	2,6-Dinitrotoluene	606-20-2	µg/L	Grab
50	2-Nitrophenol	88-75-5	µg/L	Grab
71	2-Chloronaphthalene	91-58-7	µg/L	Grab
78	3,3-Dichlorobenzidine	91-94-1	µg/L	Grab
62	3,4-Benzo(b)Fluoranthene	205-99-2	µg/L	Grab
52	4-Chloro-3-methylphenol	59-50-7	µg/L	Grab
48	2-Methyl-4,6-Dinitrophenol	534-52-1	µg/L	Grab
51	4-Nitrophenol	100-02-7	µg/L	Grab
69	4-Bromophenyl Phenyl Ether	101-55-3	µg/L	Grab
72	4-Chlorophenyl Phenyl Ether	7005-72-3	µg/L	Grab
56	Acenaphthene	83-32-9	µg/L	Grab
57	Acenaphthylene	208-96-8	µg/L	Grab
58	Anthracene	120-12-7	µg/L	Grab
59	Benzidine	92-87-5	µg/L	Grab
61	Benzo(a)Pyrene	50-32-8	µg/L	Grab
63	Benzo(ghi)Perylene	191-24-2	µg/L	Grab
64	Benzo(k)Fluoranthene	207-08-9	µg/L	Grab
65	Bis (2-Chloroethoxy) Methane	111-91-1	µg/L	Grab
66	Bis (2-Chloroethyl) Ether	111-44-4	µg/L	Grab
67	Bis (2-Chloroisopropyl) Ether	108-60-1	µg/L	Grab
68	Bis(2-Ethylhexyl) Phthalate	117-81-7	µg/L	Grab
70	Butylbenzyl Phthalate	85-68-7	µg/L	Grab
73	Chrysene	218-01-9	µg/L	Grab
81	Di-n-butyl Phthalate	84-74-2	µg/L	Grab
84	Di-n-Octyl Phthalate	117-84-0	µg/L	Grab
74	Dibenzo(a,h)anthracene	53-70-3	µg/L	Grab
79	Diethyl Phthalate	84-66-2	µg/L	Grab
80	Dimethyl Phthalate	131-11-3	µg/L	Grab
86	Fluoranthene	206-44-0	µg/L	Grab
87	Fluorene	86-73-7	µg/L	Grab
90	Hexachlorocyclopentadiene	77-47-4	µg/L	Grab
92	Indeno(1,2,3-cd) Pyrene	193-39-5	µg/L	Grab
93	Isophorone	78-59-1	µg/L	Grab
98	N-Nitrosodiphenylamine	86-30-6	µg/L	Grab

CTR Number	Semi-Organic Volatile Parameters	CAS Number	Units	Effluent Sample Type
96	N-Nitrosodimethylamine	62-75-9	µg/L	Grab
97	N-Nitrosodi-n-Propylamine	621-64-7	µg/L	Grab
95	Nitrobenzene	98-95-3	µg/L	Grab
53	Pentachlorophenol (PCP)	87-86-5	µg/L	Grab
99	Phenanthrene	85-01-8	µg/L	Grab
54	Phenol	108-95-2	µg/L	Grab
100	Pyrene	129-00-0	µg/L	Grab

INORGANICS

CTR Number	Inorganic Parameters	CAS Number	Units	Effluent Sample Type
NL	Aluminum	7429-90-5	µg/L	24-hour Composite
1	Antimony, Total	7440-36-0	µg/L	24-hour Composite
2	Arsenic, Total	7440-38-2	µg/L	24-hour Composite
15	Asbestos	1332-21-4	µg/L	24-hour Composite
3	Beryllium, Total	7440-41-7	µg/L	24-hour Composite
4	Cadmium, Total	7440-43-9	µg/L	24-hour Composite
5a	Chromium, Total	7440-47-3	µg/L	24-hour Composite
	Chromium VI			24-hour Composite
6	Copper, Total	7440-50-8	µg/L	24-hour Composite
14	Iron, Total	7439-89-6	µg/L	24-hour Composite
7	Lead, Total	7439-92-1	µg/L	24-hour Composite
8	Mercury, Total	7439-97-6	µg/L	Grab
NL	Mercury, Methyl	22967-92-6	µg/L	Grab
NL	Manganese, Total	7439-96-5	µg/L	24-hour Composite
9	Nickel, Total	7440-02-0	µg/L	24-hour Composite
10	Selenium, Total	7782-49-2	µg/L	24-hour Composite
11	Silver, Total	7440-22-4	µg/L	24-hour Composite
12	Thallium, Total	7440-28-0	µg/L	24-hour Composite
13	Zinc, Total	7440-66-6	µg/L	24-hour Composite

NON-METALS/MINERALS

CTR Number	Non-Metal/Mineral Parameters	CAS Number	Units	Effluent Sample Type
NL	Boron	7440-42-8	µg/L	24-hour Composite
NL	Chloride	16887-00-6	mg/L	24-hour Composite
14	Cyanide, Total (as CN)	57-12-5	µg/L	Grab
NL	Sulfate	14808-79-8	mg/L	24-hour Composite
NL	Sulfide (as S)	5651-88-7	mg/L	24-hour Composite
NL	Sulfite (as SO ₃)	14265-45-3	mg/L	24-hour Composite

PESTICIDES/PCBs/DIOXINS

CTR Number	Pesticide/PCB/Dioxin Parameters	CAS Number	Units	Effluent Sample Type
110	4,4-DDD	72-54-8	µg/L	24-hour Composite
109	4,4-DDE	72-55-9	µg/L	24-hour Composite
108	4,4-DDT	50-29-3	µg/L	24-hour Composite
112	alpha-Endosulfan	959-98-8	µg/L	24-hour Composite
103	alpha-BHC (Benzene hexachloride)	319-84-6	µg/L	24-hour Composite
102	Aldrin	309-00-2	µg/L	24-hour Composite
113	beta-Endosulfan	33213-65-9	µg/L	24-hour Composite
104	beta-BHC (Benzene hexachloride)	319-85-7	µg/L	24-hour Composite
107	Chlordane	57-74-9	µg/L	24-hour Composite
106	delta-BHC (Benzene hexachloride)	319-86-8	µg/L	24-hour Composite
111	Dieldrin	60-57-1	µg/L	24-hour Composite
114	Endosulfan Sulfate	1031-07-8	µg/L	24-hour Composite
115	Endrin	72-20-8	µg/L	24-hour Composite
116	Endrin Aldehyde	7421-93-4	µg/L	24-hour Composite
117	Heptachlor	76-44-8	µg/L	24-hour Composite
118	Heptachlor Epoxide	1024-57-3	µg/L	24-hour Composite
105	gamma-BHC (Benzene hexachloride or Lindane)	58-89-9	µg/L	24-hour Composite
119	Polychlorinated Biphenyl (PCB) 1016	12674-11-2	µg/L	24-hour Composite
120	PCB 1221	11104-28-2	µg/L	24-hour Composite
121	PCB 1232	11141-16-5	µg/L	24-hour Composite
122	PCB 1242	53469-21-9	µg/L	24-hour Composite
123	PCB 1248	12672-29-6	µg/L	24-hour Composite
124	PCB 1254	11097-69-1	µg/L	24-hour Composite
125	PCB 1260	11096-82-5	µg/L	24-hour Composite

CONVENTIONAL PARAMETERS

CTR Number	Conventional Parameters	CAS Number	Units	Effluent Sample Type
NL	pH	--	SU	Grab
NL	Temperature	--	°F	Grab

NON-CONVENTIONAL PARAMETERS

CTR Number	Nonconventional Parameters	CAS Number	Units	Effluent Sample Type
NL	Foaming Agents (MBAS)	MBAS	mg/L	24-hour Composite
NL	Hardness (as CaCO3)	471-34-1	mg/L	Grab
	Flow		MGD	Meter
NL	Specific Conductance (Electrical Conductivity or EC)	EC	µmhos/cm	Grab or 24-hour Composite
NL	Total Dissolved Solids (TDS)	TDS	mg/L	Grab or 24-hour Composite

NUTRIENTS

CTR Number	Nutrient Parameters	CAS Number	Units	Effluent Sample Type
NL	Ammonia (as N)	7664-41-7	mg/L	Grab or 24-hour Composite
NL	Nitrate (as N)	14797-55-8	mg/L	Grab or 24-hour Composite
NL	Nitrite (as N)	14797-65-0	mg/L	Grab or 24-hour Composite
NL	Phosphorus, Total (as P)	7723-14-0	mg/L	24-hour Composite

OTHER CONSTITUENTS OF CONCERN

CTR Number	Other Constituents of Concern	CAS Number	Units	Effluent Sample Type
NL	1,1,2-Trichloro-1,2,2-Trifluoroethane	76-13-1	µg/L	Grab
NL	Fluoride	16984-48-8	mg/L	24-hour Composite
NL	Tributyltin	688-73-3	µg/L	24-hour Composite

5. **Table E-9 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-9:
- Applicable to All Parameters.** Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. Part 136 or by methods approved by the Central Valley Water Board or the State Water Board.
 - Grab Samples.** A grab sample is defined as an individual discrete sample collected over a period of time not exceeding 15 minutes. It can be taken manually, using a pump, scoop, vacuum, or other suitable device.
 - 24-hour Composite Samples.** All 24-hour composite samples shall be collected from a 24-hour flow proportional composite.
 - Redundant Sampling.** The Discharger is not required to conduct effluent monitoring for constituents that have already been sampled in a given month, as required in Table E-3 with the exception of hardness which shall be sampled concurrently with the hardness-dependent metals (cadmium, chromium III, lead, nickel, silver, and zinc).
 - Concurrent Sampling.** Effluent and receiving water sampling shall be performed at approximately the same time, on the same date.
 - Sample Type.** All receiving water samples shall be taken as grab samples. Effluent samples shall be taken as described in Table E-9.
 - Bis (2-ethylhexyl) phthalate.** In order to verify if bis (2-ethylhexyl) phthalate is truly present, the Discharger shall take steps to assure that sample containers, sampling apparatus, and analytical equipment are not sources of the detected contaminant.

- h. **Total Mercury and Methyl Mercury.** Unfiltered methyl mercury and total mercury samples shall be taken using clean hands/dirty hands procedures, as described in U.S. EPA method 1669: Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels, for collection of equipment blanks (section 9.4.4.2). The analysis of methyl mercury and total mercury shall be by U.S. EPA method 1630 and 1631 (Revision E), respectively, with a reporting limit of 0.05 ng/L for methyl mercury and 0.5 ng/L for total mercury.

X. REPORTING REQUIREMENTS

A. General Monitoring and Reporting Requirements

1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.
2. Upon written request of the Central Valley Water Board, the Discharger shall submit a summary monitoring report. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year(s).
3. **Compliance Time Schedules.** For compliance time schedules included in the Order, the Discharger shall submit to the Central Valley Water Board, on or before each compliance due date, the specified document or a written report detailing compliance or noncompliance with the specific date and task. If noncompliance is reported, the Discharger shall state the reasons for noncompliance and include an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Central Valley Water Board by letter when it returns to compliance with the compliance time schedule.
4. The Discharger shall report to the Central Valley Water Board any toxic chemical release data it reports to the State Emergency Response Commission within 15 days of reporting the data to the Commission pursuant to section 313 of the "Emergency Planning and Community Right to Know Act" of 1986.

B. Self-Monitoring Reports (SMRs)

1. The Discharger shall electronically submit SMRs using the State Water Board's [California Integrated Water Quality System \(CIWQS\) Program website](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/) (http://www.waterboards.ca.gov/water_issues/programs/ciwqs/). The CIWQS website will provide additional information for SMR submittal in the event there will be a planned service interruption for electronic submittal.
2. The Discharger shall report in the SMR the results for all monitoring specified in this MRP under sections III through IX. The Discharger shall submit monthly SMRs including the results of all required monitoring using U.S. EPA-approved test methods or other test methods specified in this Order. SMRs are to include all new monitoring results obtained since the last SMR was submitted. If the Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of

the data submitted in the SMR. Monthly SMRs are required even if there is no discharge. If no discharge occurs during the month, the monitoring report must be submitted stating that there has been no discharge.

3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Table E-10. Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On	Monitoring Period	SMR Due Date
Continuous	Permit effective date	All	Submit with monthly SMR
1/Day	Permit effective date	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	Submit with monthly SMR
1/Week 3/Week	Permit effective date	Sunday through Saturday	Submit with monthly SMR
1/Month	Permit effective date	1st day of calendar month through last day of calendar month	First day of second calendar month following month of sampling
1/Quarter	Permit effective date	1 January through 31 March 1 April through 30 June 1 July through 30 September 1 October through 31 December	1 May 1 August 1 November 1 February of following year
1/Year	Permit effective date	1 January through 31 December	1 February of following year

4. **Reporting Protocols.** The Discharger shall report with each sample result the applicable Reporting Level (RL) and the current laboratory's Method Detection Limit (MDL), as determined by the procedure in 40 C.F.R. part 136.

The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

- a. Sample results greater than or equal to the RL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).
- b. Sample results less than the RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or

DNQ. The estimated chemical concentration of the sample shall also be reported.

For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ. The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy ($\pm$ a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

- c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.
 - d. Dischargers are to instruct laboratories to establish calibration standards so that the Minimum Level (ML) value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from extrapolation beyond the lowest point of the calibration curve.
5. **Multiple Sample Data.** When determining compliance with an AMEL, AWEL, or MDEL for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:
- a. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
 - b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.
6. **The Discharger shall submit SMRs** in accordance with the following requirements:
- a. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations. The Discharger is not required to duplicate the submittal of data that is entered

in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.

- b. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the waste discharge requirements; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.
 - c. The Discharger shall attach all final laboratory reports from all contracted commercial laboratories, including quality assurance/quality control information, with all its SMRs for which sample analyses were performed.
7. The Discharger shall submit in the SMRs calculations and reports in accordance with the following requirements:
- a. **Calendar Annual Average Limitations.** For constituents with effluent limitations specified as “calendar annual average” the Discharger shall report the calendar annual average in the December SMR. The annual average shall be calculated as the average of the samples gathered for the calendar year.
 - b. **Removal Efficiency (BOD₅ and TSS).** The Discharger shall calculate and report the percent removal of BOD₅ and TSS in the SMRs. The percent removal shall be calculated as specified in section VII.A of the Waste Discharge Requirements.
 - c. **Total Coliform Organisms Effluent Limitations.** The Discharger shall calculate and report the 7-day median of total coliform organisms for the effluent. The 7-day median of total coliform organisms shall be calculated as specified in section VII.D of the Waste Discharge Requirements.
 - d. **Dissolved Oxygen Receiving Water Limitations.** The Discharger shall report monthly in the self-monitoring report the dissolved oxygen concentrations in the effluent (EFF-001) and the receiving water (Monitoring Locations RSW-001, RSW-002, and RSW-003, or Monitoring Location RSW-004 when excessive water hyacinth growth prevents safe access to Monitoring Location RSW-003).
 - e. **Turbidity Receiving Water Limitations.** The Discharger shall calculate and report the turbidity increase in the receiving water applicable to the natural turbidity condition specified in section V.A.16.a-e. of the Waste Discharge Requirements.

- f. **Temperature Effluent Limitation.** For every day receiving water temperature samples are collected at Monitoring Location RSW-003, or Monitoring Location RSW-004 when excessive water hyacinth growth prevents safe access to Monitoring Location RSW-003, the Discharger shall calculate and report the difference between the effluent temperature and the upstream receiving water temperature based on the difference in the effluent temperature at Monitoring Location EFF-002 and receiving water temperature of grab samples collected at Monitoring Location RSW-003. The effluent temperature shall be taken from the continuous effluent data for the same time that the river grab sample was collected.
- g. **Temperature Receiving Water Limitations.** The Discharger shall calculate and report the temperature increase in the receiving water temperature based on the difference in temperature at Monitoring Locations RSW-001 and RSW-003, or Monitoring Location RSW-004 when excessive water hyacinth growth prevents safe access to Monitoring Location RSW-003.
- h. **Chlorpyrifos and Diazinon Effluent Limitations.** The Discharger shall calculate and report the value of SAMEL and SAWEL for the effluent, using the equations in section IV.A.1.g of the Order, and consistent with the Compliance Determination Language in section VII.J of the Waste Discharge Requirements.

C. Discharge Monitoring Reports (DMRs)

1. DMRs are U.S. EPA reporting requirements. The Discharger shall electronically certify and submit DMRs together with SMRs using Electronic Self-Monitoring Reports module eSMR 2.5 or any upgraded version. Electronic DMR submittal will be in addition to electronic SMR submittal.
[Information about electronic DMR submittal](http://www.waterboards.ca.gov/water_issues/programs/discharge_monitoring/)
(http://www.waterboards.ca.gov/water_issues/programs/discharge_monitoring/) is available on the Internet.

D. Other Reports

1. **The Discharger shall report BMPs** that are maintained or implemented at the facility including documentation of conditions prior to implementation, a description of the BMPs, and period of implementation. The Discharger shall maintain and make available to the Central Valley Water Board upon request a log of inspection for requested parameters. The Discharger shall certify within the report that the log has been maintained.
2. **Analytical Methods Report.** The Discharger shall complete and submit an Analytical Methods Report, electronically via CIWQS submittal, by the due date shown in the Technical Reports Table E-11. The Analytical Methods Report shall include the following for each constituent to be monitored in accordance with this Order: 1) applicable water quality objective, 2) reporting level (RL), 3) method

detection limit (MDL), and 4) analytical method. The analytical methods shall be sufficiently sensitive with RLs consistent with the SSM Rule per 40 C.F.R. §122.21(e)(3) and §122.44(i)(1)(iv), and with the Minimum Levels (MLs) in the SIP, Appendix 4. The “Reporting Level or RL” is synonymous with the “Method Minimum Level” described in the SSM Rule. If an RL is not less than or equal to the applicable water quality objective for a constituent, the Discharger shall explain how the proposed analytical method complies with the SSM Rule as outlined above in Attachment E, Section I.F. Central Valley Water Board staff will provide a tool with the permit’s Notice of Adoption to assist the Discharger in completing this requirement. The tool will include the constituents and associated applicable water quality objectives to be included in the Analytical Methods Report.

3. **Annual Operations Report.** The Discharger shall submit a written report to the Central Valley Water Board, electronically via CIWQS submittal, containing the following by the due date in the Technical Reports Table E-11:
 - a. The names, certificate grades, and general responsibilities of all persons employed at the Facility.
 - b. The names and telephone numbers of persons to contact regarding the plant for emergency and routine situations.
 - c. A statement certifying when the flow meter(s) and other monitoring instruments and devices were last calibrated, including identification of who performed the calibration.
 - d. A statement certifying whether the current operation and maintenance manual, and contingency plan, reflect the wastewater treatment plant as currently constructed and operated, and the dates when these documents were last revised and last reviewed for adequacy.
 - e. The Discharger may also be requested to submit an annual report to the Central Valley Water Board with both tabular and graphical summaries of the monitoring data obtained during the previous year. Any such request shall be made in writing. The report shall discuss the compliance record. If violations have occurred, the report shall also discuss the corrective actions taken and planned to bring the discharge into full compliance with the waste discharge requirements.
4. **Recycled Water Policy Annual Reports.** In accordance with Section 3 of the Water Quality Control Policy for Recycled Water (Recycled Water Policy), the Discharger shall electronically submit an annual report of monthly data to the State Water Board by 30 April annually covering the previous calendar year using the State Water Board’s [GeoTracker website](https://geotracker.waterboards.ca.gov/) (<https://geotracker.waterboards.ca.gov/>). Information for setting up and using the GeoTracker system can be found in the *ESI Guide for Responsible Parties*

document on the State Water Board's website for [Electronic Submittal of Information](https://www.waterboards.ca.gov/ust/electronic_submittal/index.html) (https://www.waterboards.ca.gov/ust/electronic_submittal/index.html).

The annual report to GeoTracker must include volumetric reporting of the items listed in Section 3.2 of the [Recycled Water Policy](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2018/121118_7_final_amendment_oal.pdf) (https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2018/121118_7_final_amendment_oal.pdf). A pdf of the upload confirmation from GeoTracker for the Recycled Water Policy Annual Report shall be uploaded into CIWQS annually as a technical report per Table E-11, to demonstrate compliance with this reporting requirement.

5. **Report of Waste Discharge (ROWD).** For the 5-year permit renewal, the Discharger shall submit a written report to the Central Valley Water Board, electronically via CIWQS submittal, containing, at minimum, the following by the due date in the Technical Reports Table E-11:
 - a. Report of Waste Discharge (Form 200);
 - b. NPDES Form 1 (not needed if submitting Form 2A);
 - c. NPDES Form 2S;
 - e. **Salinity Evaluation and Minimization Plan (SEMP).** The Discharger shall evaluate the effectiveness of the SEMP and provide a summary with the Report of Waste Discharge; and
 - f. **Mixing Zone Requests.** A mixing zone analysis for constituents the Discharger is requesting the continuation of dilution credits and mixing zones in the calculation of water quality-based effluent limits (e.g., chlorodibromomethane and dichlorobromomethane).
7. **Technical Report Submittals.** This Order includes requirements to submit a ROWD, special study technical reports, progress reports, and other reports identified in the MRP (hereafter referred to collectively as "technical reports"). The Technical Reports Table E-11 and subsequent table notes below summarize all technical reports required by this Order and the due dates for submittal. All technical reports shall be submitted electronically via CIWQS submittal. Technical reports should be uploaded as a PDF, Microsoft Word, or Microsoft Excel file attachment.

Table E-11. Technical Reports

Report #	Technical Report	Due Date	CIWQS Report Name
Intentionally left blank	Standard Reporting Requirements	Intentionally left blank	Intentionally left blank
1	Report of Waste Discharge including Salinity Evaluation and Minimization Plan Summary of Effectiveness	31 July 2027	ROWD

Report #	Technical Report	Due Date	CIWQS Report Name
2	Analytical Methods Report	1 October 2023	MRP X.D.2
3	Analytical Methods Report Certification	1 December 2024	MRP IX.D.3.
4	Annual Operations Report	1 February 2024	MRP X.D.3
5	Annual Operations Report	1 February 2025	MRP X.D.3
6	Annual Operations Report	1 February 2026	MRP X.D.3
7	Annual Operations Report	1 February 2027	MRP X.D.3
8	Annual Operations Report	1 February 2028	MRP X.D.3
9	Recycled Water Policy Annual Report Submittal Confirmation	30 April 2024	MRP X.D.4
10	Recycled Water Policy Annual Report Submittal Confirmation	30 April 2025	MRP X.D.4
11	Recycled Water Policy Annual Report Submittal Confirmation	30 April 2026	MRP X.D.4
12	Recycled Water Policy Annual Report Submittal Confirmation	30 April 2027	MRP X.D.4
13	Recycled Water Policy Annual Report Submittal Confirmation	30 April 2028	MRP X.D.4
Intentionally left blank	Compliance Schedule for Final Effluent Limitations for Methylmercury WDR Section VI.C.7.a (see table note)	Intentionally left blank	Intentionally left blank
14	Mercury Pollution Prevention Plan Annual Progress Reports	1 February 2024	WDR VI.C.3.a
15	Mercury Pollution Prevention Plan Annual Progress Reports	1 February 2025	WDR VI.C.3.a
16	Mercury Pollution Prevention Plan Annual Progress Reports	1 February 2026	WDR VI.C.3.a
17	Mercury Pollution Prevention Plan Annual Progress Reports	1 February 2027	WDR VI.C.3.a
18	Mercury Pollution Prevention Plan Annual Progress Reports	1 February 2028	WDR VI.C.3.a
19	Notification of Full Compliance Signed by Legally Responsible Official (LRO)	31 December 2030	WDR VI.C.7.a
Intentionally left blank	Other Reports	Intentionally left blank	Intentionally left blank
20	Salinity Evaluation and Minimization Plan Progress Report	1 March 2024	WDR VI.C.3.b
21	Salinity Evaluation and Minimization Plan Progress Report	1 March 2025	WDR VI.C.3.b
22	Salinity Evaluation and Minimization Plan Progress Report	1 March 2026	WDR VI.C.3.b
23	Salinity Evaluation and Minimization Plan Progress Report	1 March 2027	WDR VI.C.3.b
24	Salinity Evaluation and Minimization Plan Progress Report	1 March 2028	WDR VI.C.3.b

Report #	Technical Report	Due Date	CIWQS Report Name
25	Certification of Initiation of Operations of Facility Upgrades	1 April 2024	WDR VI.C.4.a

Table E-11 Notes:

1. Beginning 1 February 2024 and annually thereafter until the Facility achieves compliance with the final effluent limitations for methylmercury, the Discharger shall submit annual progress reports on the previously-submitted pollution prevention plan for mercury. **This annual report may be combined with the Annual Operations Report and submitted as one report.** The progress reports shall discuss the effectiveness of the pollution prevention plan in the reduction of mercury in the discharge, include a summary of mercury and methylmercury monitoring results, and discuss updates to the pollution prevention plan.
2. The Salinity Evaluation and Minimization Plan Summary of Effectiveness may be submitted separately or with the ROWD.

ATTACHMENT F – FACT SHEET

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ATTACHMENT F – FACT SHEET

As described in section II.C of this Order, the Central Valley Water Board incorporates this Fact Sheet as findings of the Central Valley Water Board supporting the issuance of this Order. This Fact Sheet discusses the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

This Order has been prepared under a standardized format to accommodate a broad range of discharge requirements for Dischargers in California. Only those sections or subsections of this Order that are specifically identified as “not applicable” have been determined not to apply to this Discharger. Sections or subsections of this Order not specifically identified as “not applicable” are fully applicable to this Discharger.

I. PERMIT INFORMATION

The following table summarizes administrative information related to the Facility.

Table F-1 Facility Information

Waste Discharge ID:	5B391078003
CIWQS Facility Place ID:	241598
Discharger:	City of Mountain House
Name of Facility:	Wastewater Treatment Plant
Facility Address:	17103 W. Bethany Road
Facility City, State Zip:	Mountain House, CA 95391
Facility County:	San Joaquin
Facility Contact, Title and Phone Number:	Ronald Tobey, Chief Plant Operator, (925) 914-0855 Greg Wiltfong, Regional Manager, (530) 392-6322
Authorized Person to Sign and Submit Reports:	Karen Morgan, Utilities Manager, (209) 832-5648
	Ronald Tobey, Chief Plant Operator, (925) 914-0855 Greg Wiltfong, Regional Manager, (530) 392-6322
Mailing Address:	251 E. Main Street, Mountain House, CA 95391
Billing Address:	SAME
Type of Facility:	Publicly Owned Treatment Works (POTW)
Major or Minor Facility:	Major
Threat to Water Quality:	1
Complexity:	A
Pretreatment Program:	Not Applicable

Recycling Requirements:	Not Applicable
Facility Permitted Flow:	Existing Plant: 4.0 million gallons per day (MGD), average dry weather flow. Expanded Plant: 5.4 MGD, average dry weather flow
Facility Design Flow:	Existing Plant: 4.0 MGD, average dry weather flow. Expanded Plant: 5.4 MGD, average dry weather flow.
Watershed:	Sacramento-San Joaquin Delta
Receiving Water:	Old River
Receiving Water Type:	Estuary

- A.** The City of Mountain House (hereinafter Discharger) is the owner and operator of the Wastewater Treatment Plant (hereinafter Facility), a Publicly Owned Treatment Works (POTW).

For the purposes of this Order, references to the “discharger” or “permittee” in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

- B.** The Facility discharges wastewater to the Old River, a water of the United States, within the Sacramento-San Joaquin Delta. The Discharger was previously regulated by Order R5-2017-0119 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0084271 adopted on 8 December 2017 and expires on 31 January 2023. Attachment B provides a map of the area around the Facility. Attachment C provides a flow schematic of the Facility.
- C.** When applicable, state law requires dischargers to file a petition with the State Water Board, Division of Water Rights and receive approval for any change in the point of discharge, place of use, or purpose of use of treated wastewater that decreases the flow in any portion of a watercourse. The State Water Board retains separate jurisdictional authority to enforce any applicable requirements under Water Code section 1211. This is not an NPDES permit requirement.
- D.** The Discharger filed a report of waste discharge (ROWD) and submitted an application for reissuance of its waste discharge requirements (WDRs) and NPDES permit on 21 January 2022. The application was deemed complete on 20 July 2022. A site visit was conducted on 13 July 2022, to observe operations and collect additional data to develop permit limitations and requirements for waste discharge.
- E.** Regulations at 40 C.F.R. section 122.46 limit the duration of NPDES permits to a fixed term not to exceed five years. Accordingly, Table 3 of this Order limits the duration of the discharge authorization. Under 40 C.F.R. section 122.6(d), States authorized to administer the NPDES program may administratively continue State-issued permits beyond their expiration dates until the effective date of the new permits, if State law allows it. Pursuant to California Code of Regulations (CCR), title

23, section 2235.4, the terms and conditions of an expired permit are automatically continued pending reissuance of the permit if the Discharger complies with all federal NPDES requirements for continuation of expired permits.

II. FACILITY DESCRIPTION

The Discharger provides sewerage service for the community of Mountain House and serves a population of approximately 21,750. The current design daily average flow capacity of the Facility is 4.0 MGD, with plans to expand the capacity up to 5.4 MGD.

A. Description of Wastewater and Biosolids Treatment and Controls

The Discharger has completed construction of modifications and improvements to the Facility to improve treatment reliability and production of effluent quality that meets Title 22 recycled water applications, and the average dry weather flow treatment capacity has increased to 4 MGD. The Facility improvements included installation of five new influent pumps, new ultra-fine screening and grit removal headworks, replacing the sequencing batch reactors (SBRs) and disk filters with membrane bioreactors (MBRs), and upgrading the UV disinfection system. The capacity of the influent pump station has increased to 18 MGD to sustain peak wet weather flows.

The Facility consists of the following unit operations: influent pumping, flow measurement, fine screening, grit removal, emergency storage, MBRs for biological treatment and filtration, UV disinfection, effluent pumping, effluent disposal, and solids handling.

The Facility also includes two lined, aerated storage reservoirs for use during emergency situations and during plant maintenance. The storage reservoirs have a capacity of approximately 12 million gallons, which provide automatic short-term emergency storage. Level and flow metering, aeration equipment, and discharge pumping facilities are available to allow a metered return to the regular process stream.

Sludge handling at the Facility includes two stage aerobic digesters, a drum thickener, and a centrifuge. Sludge supernatant is returned to the anoxic reactor headworks prior to proceeding to the fine screens. Solids are collected in a truck and removed by a hauler (currently Synagro) for disposal at a licensed biosolids facility. The Facility produces approximately 150 dry metric tons of dried biosolids annually. Transportation and disposal/reuse of the biosolids is regulated by U.S. EPA under 40 C.F.R. part 503.

B. Discharge Points and Receiving Waters

1. The Facility is located in section 3, T2S, R4E, MDB&M, as shown in Attachment B, a part of this Order.

2. Treated municipal wastewater is discharged at Discharge Point 001 to the Old River, a water of the United States, within the legal boundary of Sacramento-San Joaquin Delta at a point latitude 37° 47' 52" N and longitude 121° 31' 20" W.
3. The Old River, in the vicinity of the discharge, is tidally influenced. River flow moves upstream during the incoming or flood tide, while downstream flows occur during the outgoing or ebb tide. Upstream San Joaquin River releases, tidal influences, the South Delta Temporary Barriers Project, and State Water Project pumping at Clifton Court Forebay affect the amount of flow in the Old River. A more detailed discussion of the Old River hydrodynamics and dilution is provided in section IV.C.2.c of this Fact Sheet.

C. Summary of Existing Requirements and Self-Monitoring Report (SMR) Data

Effluent limitations contained in Order R5-2017-0119 for discharges from Discharge Point 001 (Monitoring Locations EFF-001 and EFF-002) and representative monitoring data from the term of Order R5-2017-0119 are as follows:

Table F-2 Historic Effluent Limitations

Parameter	Units	Historic Effluent Limitations	Highest Average Monthly Discharge	Highest Average Weekly Discharge	Highest Daily Discharge
Flow	MGD	MDEL 3.0 (see table note 2)	--	--	1.85
	MGD	MDEL 5.4 (see table note 3)	--	--	--
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	AMEL 10 AWEL 15	6.63	11.74	22.8
	% Removal	AMEL 85	--	--	99.3%
pH	Standard Units	MDEL 6.5 – 8.5	--	--	6.4 – 7.98
Total Suspended Solids	mg/L	AMEL 10 AWEL 15	19.02	22.16	43.5
	% Removal	AMEL 85	--	--	99.9%
Chlorodibromo methane	µg/L	AMEL 2.1 MDEL 5.9	0.62	--	0.62
Ammonia Nitrogen, Total (as N)	mg/L	AMEL 0.8 AWEL 1.7	8.6	19.87	38.2
	lbs/day (see table note 4)	AMEL 20 AWEL 43	65.5	34	272.8

Parameter	Units	Historic Effluent Limitations	Highest Average Monthly Discharge	Highest Average Weekly Discharge	Highest Daily Discharge
	lbs/day (see table note 5)	AMEL 36 AWEL 77			
Chlorpyrifos	µg/L	SAMEL ≤ 1.0 (see table note 6) SAWEL ≤ 1.0 (see table note 7)	ND	ND	--
Diazinon	µg/L	SAMEL ≤ 1.0 (see table note 6) SAWEL ≤ 1.0 (see table note 7)	ND	ND	--
Electrical Conductivity @ 25°C)	µmhos/cm	1200 (see table note 8)	1100	--	--
Methylmercury	µmhos/cm	AMEL 0.37 (see table note 9)	0.05	--	--
Nitrate Plus Nitrite (as N)	mg/L	AMEL 10 AWEL 16	8.86	8.86	--
Temperature	°F	MDEL (see table note 10)	--	--	87.5
Total Coliform Organisms	MPN/100 mL	AWEL 2.2 (see table note 11) MDEL 23 (see table note 12)	--	801	1600
Acute Toxicity	% survival	MDEL 70 (see table note 13) / 90 (see table note 14)	--	--	100

Table F-2 Notes:

- DC – Based on the design capacity of the Facility.
TTC – Based on tertiary treatment capability. These effluent limitations reflect the capability of a properly operated tertiary treatment plant.
CFR – Based on secondary treatment standards contained in 40 C.F.R part 133.
BP – Based on water quality objectives contained in the Basin Plan.
PB – Based on Facility performance.
NAWQC – Based on U.S. EPA's National Ambient Water Quality Criteria for the protection of freshwater aquatic life.
MCL – Based on the Primary Maximum Contaminant Level.
Title 22 – Based on CA Division of Drinking Water Reclamation Criteria, CCR, Division 4, Chapter 3 (Title 22).
TMDL – Based on the WLA's in the applicable TMDL.
TP – Based on the Thermal Plan.

2. Effective until the Discharger demonstrates compliance with Special Provision VI.C.6.b of this Order, the average daily discharge flow shall not exceed 3.0 MGD.
3. Effective upon compliance with Special Provision VI.C.6.b of this Order, the average daily discharge flow shall not exceed 5.4 MGD.
4. Based on an average daily discharge flow of 3.0 MGD. Effective immediately and until Executive Offer's written approval of flow increase (Special Provision VI.C.6.b).
5. Based on an average daily discharge flow of 5.4 MGD. Effective upon Executive Offer's written approval of flow increase (Special Provision VI.C.6.b).
6. Average Monthly Effluent Limitation
$$S_{AMEL} = \frac{C_{DM-AVG}}{0.079} + \frac{C_{CM-AVG}}{0.012} \leq 1.0$$

C_{DM-AVG} = average monthly diazinon effluent concentration in µg/L.
 C_{CM-AVG} = average monthly chlorpyrifos effluent concentration in µg/L.
7. Average Weekly Effluent Limitation
$$S_{AWEL} = \frac{C_{DW-AVG}}{0.14} + \frac{C_{CW-AVG}}{0.021} \leq 1.0$$

C_{DW-AVG} = average weekly diazinon effluent concentration in µg/L.
 C_{CW-AVG} = average weekly chlorpyrifos effluent concentration in µg/L.
8. Applied as an annual average effluent limitation.
9. The effluent calendar year annual methylmercury load shall not exceed 0.37 grams, in accordance with the Delta Mercury Control Program, effective 31 December 2030.
10. Effective immediately, the maximum temperature of the discharge, measured at Monitoring Location EFF-002 shall not exceed the natural receiving water temperature at Monitoring Location RSW-003 by more than 20°F, year-round.
11. Applied as a 7-day median effluent limitation.
12. Not to be exceeded more than once in any 30-day period.
13. 70% minimum of any one bioassay.
14. 90% median for any three consecutive bioassays.

D. Compliance Summary

On 16 November 2018, the Executive Officer issued Expedited Payment Letter Program Order No. R5-2019-0513 for Mandatory Minimum Penalties (MMPs) in the amount of \$15,000 for violations of total ammonia and total coliform effluent limitations occurring between 01 July 2015 and 30 June 2018. The matter was settled by payment of MMPs.

On 16 July 2019, the Executive Officer issued Expedited Payment Letter Program Order No. R5-2019-0513 for Mandatory Minimum Penalties (MMPs) in the amount of \$138,000 for violations of ammonia, total coliform, and biochemical oxygen demand (BOD) effluent limitations occurring between 01 July 2018 and 31 January 2019. The

matter was settled by payment of MMPs.

On 8 November 2019, the Executive Officer issued Expedited Payment Letter Program Order No. R5-2019-0535 for Mandatory Minimum Penalties (MMPs) in the amount of \$129,000 for violations of ammonia, total coliform and total suspended solids effluent limitations occurring between 01 February 2019 and 30 June 2019. The matter was settled by payment of MMPs.

On 08 January 2021, the Executive Officer issued Expedited Payment Letter Program Order No. R5-2020-0567 for Mandatory Minimum Penalties (MMPs) in the amount of \$120,000 for violations of ammonia and total coliform effluent limitations occurring between 01 July 2019 and 31 July 2020. The matter was settled by payment of MMPs.

On 01 November 2021, the Executive Officer issued Expedited Payment Letter Program Order No. R5-2021-0531 for Mandatory Minimum Penalties (MMPs) in the amount of \$27,000 for violations of ammonia and total coliform effluent limitations occurring between 01 August 2020 and 31 May 2021. The matter was settled by payment of MMPs.

On 06 July 2022, the Executive Officer issued Expedited Payment Letter Program Order No. R5-2022-0508 for Mandatory Minimum Penalties (MMPs) in the amount of \$36,000 for violations of ammonia, total coliform, and biochemical oxygen demand (BOD) effluent limitations occurring between 01 June 2021 and 28 February 2022. The matter was settled by payment of MMPs.

E. Planned Changes

The Discharger has plans to ultimately expand treatment capacity to 5.4 MGD to accommodate population growth. The Facility is currently using four out of the six filter bays in the MBR system. Once another expansion is needed, the remaining two filter bays will be equipped with new filters and permeate pumps, along with some minor adjustments made to the control strategy in the operating system. The need for an expansion of treatment capacity to 5.4 MGD is dependent upon the rate of population growth.

III. APPLICABLE PLANS, POLICIES, AND REGULATIONS

The requirements contained in this Order are based on the requirements and authorities described in this section.

A. Legal Authorities

This Order serves as WDRs pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code

(commencing with section 13370). It shall serve as an NPDES permit for point source discharges from this Facility to surface waters.

B. California Environmental Quality Act (CEQA)

Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of Chapter 3 of CEQA, (commencing with section 21100) of Division 13 of the Public Resources Code.

C. State and Federal Laws, Regulations, Policies, and Plans

1. **Water Quality Control Plan.** Requirements of this Order specifically implement the applicable Water Quality Control Plans.

- a. **Basin Plan.** The Central Valley Water Board adopted a Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fifth Edition, May 2018 (hereinafter Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Requirements in this Order implement the Basin Plan. In addition, the Basin Plan implements State Water Board Resolution 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Beneficial uses applicable to the Old River within the Sacramento-San Joaquin Delta are as follows:

Table F-3 Basin Plan Beneficial Uses

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	Old River	<u>Existing:</u> Municipal and domestic supply (MUN); agricultural supply, including irrigation and stock watering (AGR); industrial process supply (PROC); industrial service supply (IND); water contact recreation (REC-1); non-contact water recreation (REC-2); warm freshwater habitat (WARM); cold freshwater habitat (COLD); warm and cold migration of aquatic organisms (MIGR); warm spawning, reproduction, and/or early development (SPWN); wildlife habitat (WILD), and navigation (NAV).

- b. **Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California.** The Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (ISWEBE Plan) was adopted by the State Water Resources Control Board (State Water Board) on 1 December 2020, under authority provided by

Water Code sections 13140 and 13170. Except as otherwise indicated, this ISWEBE Plan establishes provisions for toxicity, water quality and sediment quality that apply to all inland surface waters, enclosed bays, and estuaries and coastal lagoons of the state, including both waters of the United States and surface waters of the state. The State Water Board rescinded the ISWEBE Plan on 5 October 2021 in Resolution No. 2021-0044. The portions of the ISWEBE Plan, including the Toxicity Provisions, remain in effect.

- c. **Bay-Delta Plan.** The Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan) was adopted in May 1995 by the State Water Board superseding the 1991 Bay-Delta Plan. The Bay-Delta Plan identifies the beneficial uses of the estuary and includes objectives for flow, salinity, and endangered species protection.

The State Water Board adopted Decision 1641 (D-1641) on 29 December 1999 and revised on 15 March 2000. D-1641 implements flow objectives for the Bay-Delta Estuary, approves a petition to change points of diversion of the Central Valley Project and the State Water Project in the Southern Delta, and approves a petition to change places of use and purposes of use of the Central Valley Project. The water quality objectives of the Bay-Delta Plan are implemented as part of this Order.

- d. **Thermal Plan.** The State Water Board adopted the Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California (Thermal Plan) on 7 January 1971 and amended this plan on 18 September 1975. This plan contains temperature objectives for surface waters. Requirements of this Order implement the Thermal Plan.

The Thermal Plan is applicable to the discharge from the Facility. For the purposes of the Thermal Plan, the Discharger is considered to be an Existing Discharger of Elevated Temperature Waste to an Estuary, as defined in the Thermal Plan. The Thermal Plan in section 5.A contains the following temperature objectives for surface waters that are applicable to this discharge:

“5. Estuaries

A. Existing dischargers

(1) Elevated temperature waste discharges shall comply with the following:

- a. The maximum temperature shall not exceed the natural receiving water temperature by more than 20°F.*
- b. Elevated temperature waste discharges either individually or combined with other discharges shall not create a zone, defined by water temperatures of more than 1°F above natural receiving*

water temperature, which exceeds 25 percent of the cross-sectional area of a main river channel at any point.

- c. No discharge shall cause a surface water temperature rise greater than 4°F above the natural temperature of the receiving waters at any time or place.*
- d. Additional limitations shall be imposed when necessary to assure protection of beneficial uses.”*

The Thermal Plan allows regional boards to provide exceptions to specific water quality objectives in the Thermal Plan so long as the exceptions comply with CWA section 316(a) and federal regulations. The applicable exception is promulgated in 40 C.F.R. section 125.73(a), which provides that, *“Thermal discharge effluent limitations or standards established in permits may be less stringent than those required by applicable standards and limitations if the discharger demonstrates to the satisfaction of the director that such effluent limitations are more stringent than necessary to assure the protection and propagation of a balanced, indigenous community of shellfish, fish and wildlife in and on the body of water into which the discharge is made. This demonstration must show that the alternative effluent limitation desired by the discharger, considering the cumulative impact of its thermal discharge together with all other significant impacts on the species affected, will assure the protection and propagation of a balanced indigenous community of shellfish, fish and wildlife in and on the body of water into which the discharge is to be made.”* The Thermal Plan requires that the State Water Board concur with any exceptions prior to them becoming effective.

On 30 June 2017, the Discharger submitted a Thermal Plan Exception Justification Report (Report). The Report evaluated the Discharger's compliance with the current effluent and receiving water limitations for temperature for the monitoring period from May 2013 through February 2017. The Report demonstrated that the Discharger could consistently comply with the receiving water limitations during this period and at the permitted discharge rate. However, the Discharger could not consistently comply with the effluent limitation. Of the 89 temperature measurements during the May 2013 through February 2017 monitoring period, the effluent exhibited greater than 20°F difference from the receiving water four times, the greatest temperature difference being 26.0°F on 2 December 2015. The seasonal trend of effluent to receiving water temperature differential suggests compliance is routinely feasible in the spring and summer months, where the differential is typically at or under 10°F, whereas the differential nears 20°F in late fall and winter months. A temperature differential in excess of 20°F has occurred in late-November through February. The Report requested an exception to Thermal Plan objective 5.A.(1)a, which limits the effluent temperature to be no more than 20°F above the natural receiving water temperature, and an alternative effluent limitation for temperature.

On 31 August 2018, the Discharger submitted a revised Thermal Plan Exception Justification Report that included the same information in the 2017

Report plus a treatment feasibility and cost analysis of compliance with the current temperature effluent limitations without an exception, and results of technical reviews by California Department of Fish and Wildlife (CDFW), National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS) concurring with the findings in the Thermal Plan exception request.

The Discharger's 2017 and 2018 Reports proposed the following final temperature effluent limitations applicable to discharges from the Facility at Discharge Point No. 001:

“d. Temperature. The maximum temperature of the discharge shall not exceed the natural receiving water temperature by more than 20°F from 1 March through 31 October and more than 30°F from 1 November through 28/29 February.”

The Report characterized the aquatic and wildlife communities of Old River in the vicinity of the discharge and evaluated the effects on the proposed Thermal Plan exception and alternative effluent limitation on protection and propagation of a balanced, indigenous population of fish, benthos, zooplankton, phytoplankton, and wildlife in and on Old River based on near-field plume and far-field fully mixed temperature assessments. The Report provides the technical basis that demonstrates the alternative effluent limitation that would result from the proposed Thermal Plan exception, at a discharge rate of 3 MGD average dry weather flow, would have no species-specific, habitat, or community level adverse thermal effects on the aquatic ecology of Old River. Moreover, considering the cumulative impact of the Discharger's thermal discharge together with all other significant impacts on the species affected, the proposed Thermal Plan exception and alternative effluent limitation would assure the protection and propagation of a balanced indigenous community of shellfish, fish and wildlife in and on Old River. The process to approve the Thermal Plan exception includes: 1) technical review of the appropriateness of the requested exception and proposed alternative temperature limitations by the CDFW, NMFS and USFWS; 2) Central Valley Water Board adoption of the Thermal Plan Exception; and 3) State Water Resources Control Board approval of the Thermal Plan Exception.

CDFW, NMFS, and USFWS reviewed the Report and did not object to allowance of the proposed exception and alternative effluent limitation. The fishery agencies technically assisted the Discharger in developing the proper goals, questions, and objectives to be addressed by the thermal effects study, and to design the field study elements to obtain the needed information for the study questions. After the thermal effects study was completed, the fishery agencies provided technical assistance for the review of the studies and do not object to allowance of the proposed exceptions. Central Valley Water Board staff has considered the applicability of the Thermal Plan exceptions for the Facility's discharge. Based on all evidence in the record, including a supplemental report submitted by the Discharger on 31 August 2018, staff finds that the Discharger has adequately demonstrated through

comprehensive thermal effect studies that the alternative limitations will assure the protection and propagation of a balanced indigenous community of shellfish, fish and wildlife in and on the Sacramento River and Delta.

The Central Valley Water Board has considered the applicability of the requested Thermal Plan exception for the Facility's discharge. Based on all evidence in the record including the Report and the fish agencies concurrence, the Board finds that the Discharger has adequately demonstrated through comprehensive thermal effect studies that an effluent limitation based on the Thermal Plan objective 5.A.(1)a is more stringent than necessary to assure the protection and propagation of a balanced, indigenous community of shellfish, fish and wildlife in and on the body of water into which the discharge is made. The Board also finds that the alternative effluent limitation, considering the cumulative impact of its thermal discharge together with all other significant impacts on the species affected, will assure the protection and propagation of a balanced indigenous community of shellfish, fish and wildlife in and on Old River and the Delta. The Thermal Plan exception and alternative effluent limitation are not effective until the Central Valley Water Board receives concurrence from the State Water Board.

On 28 January 2025, the Discharger submitted a request to reopen Order R5-2023-0033 to amend the permitted discharge flow rate, consistent with the provisions in WDRs Section VI.C.2.i. The provisions required the Discharger to demonstrate that the upgraded Facility and expanded discharge flow rate from 3 to 4 MGD can comply with the Thermal Plan effluent and receiving water limitations, and any applicable Thermal Plan exceptions. As part of the request, the Discharger submitted a technical memo demonstrating that the discharge, at a flow rate of 4 MGD average dry weather flow, can meet the temperature effluent limit approved by the Thermal Plan exception and temperature receiving water limits. Central Valley Water Board staff find that the increase in discharge flow does not change any of the aforementioned thermal impacts analysis or determinations.

- e. **Sediment Quality.** The State Water Board adopted the Water Quality Control Plan for Enclosed Bays and Estuaries – Part 1, Sediment Quality on 16 September 2008, and it became effective on 25 August 2009. This plan supersedes other narrative sediment quality objectives and establishes new sediment quality objectives and related implementation provisions for specifically defined sediments in most bays and estuaries. Requirements of this Order implement sediment quality objectives of this Plan.
- 2. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** U.S. EPA adopted the NTR on 22 December 1992, and later amended it on 4 May 1995 and 9 November 1999. About forty criteria in the NTR applied in California. On 18 May 2000, U.S. EPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR

criteria that were applicable in the state. The CTR was amended on 13 February 2001. These rules contain federal water quality criteria for priority pollutants.

3. **State Implementation Policy.** On 2 March 2000, the State Water Board adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy or SIP). The SIP became effective on 28 April 2000, with respect to the priority pollutant criteria promulgated for California by the U.S. EPA through the NTR and to the priority pollutant objectives established by the Central Valley Water Board in the Basin Plan. The SIP became effective on 18 May 2000, with respect to the priority pollutant criteria promulgated by the U.S. EPA through the CTR. The State Water Board adopted amendments to the SIP on 24 February 2005, that became effective on 13 July 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.
4. **Antidegradation Policy.** Federal regulation 40 C.F.R. section 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution 68-16 ("Statement of Policy with Respect to Maintaining High Quality of Waters in California") (State Anti-Degradation Policy). The State Anti-Degradation Policy is deemed to incorporate the federal antidegradation policy where the federal policy applies under federal law. The State Anti-Degradation Policy requires that existing water quality be maintained unless degradation is justified based on specific findings. The Central Valley Water Board's Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. The permitted discharge must be consistent with the antidegradation provision of 40 C.F.R. section 131.12 and the State Anti-Degradation Policy. The Board finds this order is consistent with the Federal and State Water Board antidegradation regulations and policy.
5. **Anti-Backsliding Requirements.** Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 40 C.F.R. section 122.44(l) restrict backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed.
6. **Domestic Water Quality.** In compliance with Water Code section 106.3, it is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring discharges to meet maximum contaminant levels (MCLs) designed to protect human health and ensure that water is safe for domestic use.

7. **Endangered Species Act Requirements.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code, sections 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the state. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.
8. **Emergency Planning and Community Right to Know Act.** Section 13263.6(a) of the Water Code, requires that “the Regional Water Board shall prescribe effluent limitations as part of the waste discharge requirements of a POTW for all substances that the most recent toxic chemical release data reported to the state emergency response commission pursuant to section 313 of the Emergency Planning and Community Right to Know Act of 1986 (42 U.S.C. Sec. 11023) (EPCRA) indicate as discharged into the POTW, for which the State Water Board or the Regional Water Board has established numeric water quality objectives, and has determined that the discharge is or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to, an excursion above any numeric water quality objective”.

The most recent toxic chemical data report does not indicate any reportable off-site releases or discharges to the collection system for this Facility. Therefore, a reasonable potential analysis based on information from EPCRA cannot be conducted. Based on information from EPCRA, there is no reasonable potential to cause or contribute to an excursion above any numeric water quality objectives included within the Basin Plan or in any State Water Board plan, so no effluent limitations are included in this permit pursuant to Water Code section 13263.6(a).

However, as detailed elsewhere in this Order, available effluent data indicate that there are constituents present in the effluent that have a reasonable potential to cause or contribute to exceedances of water quality standards and require inclusion of effluent limitations based on federal and state laws and regulations.

9. **Storm Water Requirements.** U.S. EPA promulgated federal regulations for storm water on 16 November 1990 in 40 C.F.R. parts 122, 123, and 124. The NPDES Industrial Storm Water Program regulates storm water discharges from wastewater treatment facilities. Wastewater treatment plants are applicable industries under the storm water program and are obligated to comply with the federal regulations. The State Water Resources Control Board Water Quality Order 2014-0057-DWQ, General Permit for Storm Water Discharges Associated with Industrial Activities (NPDES General Permit No. CAS000001), does not require facilities to obtain coverage if discharges of storm water are regulated under another individual or general NPDES permit adopted by the State Water

Board or Regional Water Board (Finding I.B.20). All storm water at the Facility is captured and directed to the Facility headworks for treatment and disposal under this Order. Therefore, coverage under the General Storm Water Permit is not required.

- 11. Statewide General Waste Discharge Requirements for Sanitary Sewer Systems.** The State Water Board issued General Waste Discharge Requirements for Sanitary Sewer Systems, Water Quality Order 2006-0003-DWQ (General Order) on 2 May 2006. The State Water Board amended the MRP for the General Order through Order WQ 2013-0058-EXEC on 6 August 2013. The State Water Board renewed the General Order and adopted Order 2022-0103-DWQ on 6 December 2022. Order 2022-0103-DWQ becomes effective on 5 June 2023. The General Order requires public agencies that own or operate sanitary sewer systems with greater than 1 mile of pipes or sewer lines to enroll for coverage under the General Order. The General Order requires agencies to develop sanitary sewer management plans (SSMPs) and report all sanitary sewer overflows (SSOs), among other requirements and prohibitions.

The Discharger is subject to the requirements of, and must comply with, State Water Board Order 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, as amended by State Water Board Order WQ 2013-0058-EXEC, and renewed by State Water Board Order 2022-0103-DWQ and any subsequent order.

- 12. Sewage Sludge and Biosolids.** This Order does not authorize any act that results in violation of requirements administered by U.S. EPA to implement 40 C.F.R. Part 503, Standards for the Use or Disposal of Sewage Sludge. These standards regulate the final use or disposal of sewage sludge that is generated during the treatment of domestic sewage in a municipal wastewater treatment facility. The Discharger is responsible for meeting all applicable requirements of 40 C.F.R. Part 503 that are under U.S. EPA's enforcement authority.

- 13. Findings on Water Quality Impacts in Disadvantaged or Tribal Communities and Environmental Justice Concerns.** Consistent with Water Code section 13149.2, the Central Valley Water Board has taken into account environmental justice, tribal impact, and racial equity considerations in issuing this Order. The discharges regulated by this Order may impact one or more disadvantaged communities or tribal communities. The Facility regulated by this Order discharges treated municipal wastewater to Old River and is subject to discharge limitations given potential to cause or contribute to exceedances of water quality objectives for certain constituents, including ammonia, total coliform, and temperature. Specific to temperature discharge limitations, the Discharger requested and this Order includes, subject to State Water Board concurrence, a less stringent effluent limitation than contained within the State Water Board's Thermal Plan. This alternative limitation has been reviewed by state and federal wildlife and fishery agencies and is supported by comprehensive studies assuring the protection and propagation of a balanced indigenous community of shellfish, fish, and wildlife in Old River, as detailed in

Section III.C.1.d above. This Order addresses potential adverse impacts to water quality from the Facility's discharge by setting prohibitions and limits on the discharge of wastewater, requiring ongoing monitoring and reporting of the discharged wastewater and receiving water, and imposing other specifications on the facility's wastewater treatment operations.

D. Impaired Water Bodies on CWA 303(d) List

1. Under section 303(d) of the 1972 CWA, states, territories, and authorized tribes are required to develop lists of water quality limited segments. The waters on these lists do not meet water quality standards, even after point sources of pollution have installed the minimum required levels of pollution control technology. On 6 April 2018 U.S. EPA gave final approval to California's 2014 – 2016 section 303(d) List of Water Quality Limited Segments. The Basin Plan references this list of Water Quality Limited Segments (WQLSs), which are defined as "...those sections of lakes, streams, rivers or other fresh water bodies where water quality does not meet (or is not expected to meet) water quality standards even after the application of appropriate limitations for point sources (40 C.F.R. part 130, et seq.)." The Basin Plan also states, "Additional treatment beyond minimum federal standards will be imposed on dischargers to [WQLSs]. Dischargers will be assigned or allocated a maximum allowable load of critical pollutants so that water quality objectives can be met in the segment." The listing for the southern portion of the Sacramento-San Joaquin Delta, which includes the Old River includes: chlorpyrifos, DDT, diazinon, electrical conductivity, group A pesticides, invasive species, mercury, and unknown toxicity.
2. Total Maximum Daily Loads (TMDLs). Table F-4, below, identifies the 303(d) listings and any applicable TMDLs for the Old River and southern portion of Delta. This permit includes WQBELs that are consistent with the assumptions and considerations of the applicable waste load allocations (WLAs) in the 2007 TMDL for diazinon and chlorpyrifos and the 2011 TMDL for methylmercury.
3. The 303(d) listings and TMDLs have been considered in the development of the Order.

Table F-4 303 (d) List for Old River (San Joaquin River to Delta-Mendota Canal) and the Sacramento-San Joaquin Delta (Southern Portion)

Pollutant	Potential Sources	TMDL Status
Old River (San Joaquin River to Delta-Mendota Canal)		
Chlorpyrifos	Source Unknown	Adopted and Effective (10 October 2007)
Electrical Conductivity	Source Unknown	To be determined (see table note)
Low Dissolved Oxygen	Hydromodification, Source Unknown	To be determined (see table note)
Oxygen, Dissolved	Source Unknown	Planned for Completion (2035)
Total Dissolved Solids	Source Unknown	Planned for Completion (2035)

Pollutant	Potential Sources	TMDL Status
Old River (San Joaquin River to Delta-Mendota Canal)		
Sacramento-San Joaquin Delta (Southern Portion)		
Chlorpyrifos	Source Unknown	Adopted and Effective (10 October 2007)
DDT	Source Unknown	Planned for Completion (2027)
Diazinon	Source Unknown	Adopted and Effective (10 October 2007)
Electrical Conductivity	Source Unknown	Planned for Completion (2027)
Group A Pesticides	Source Unknown	Planned for Completion (2027)
Invasive Species	Source Unknown	To be determined (see table note)
Mercury	Agricultural Return Flows	Adopted and Effective (20 October 2011)
Unknown Toxicity	Source Unknown	To be determined (see table note)

Table F-4 Note:

1. This impairment is not currently prioritized for TMDL development during the permit period. The date of completion for a TMDL will be updated in future permit revisions should the prioritization of this impairment change.

E. Other Plans, Policies and Regulations

1. **Title 27.** The discharge authorized herein, and the treatment and storage facilities associated with the discharge of treated municipal wastewater, except for discharges of residual sludge and solid waste, are exempt from the requirements of Title 27, CCR, section 20005 et seq (hereafter Title 27). The exemption, pursuant to Title 27 CCR section 20090(a), is based on the following:
 - a. The waste consists primarily of domestic sewage and treated effluent;
 - b. The waste discharge requirements are consistent with water quality objectives; and
 - c. The treatment and storage facilities described herein are associated with a municipal wastewater treatment plant.

IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. There are two principal bases for effluent limitations in the Code of Federal Regulations: 40 C.F.R. section 122.44(a) requires that permits include applicable technology-based limitations and standards; and 40 C.F.R. section 122.44(d) requires that permits include water quality-based effluent limitations to

attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water.

A. Discharge Prohibitions

1. **Prohibition III.A (No discharge or application of waste other than that described in this Order).** This prohibition is based on Water Code section 13260 that requires filing of a ROWD before discharges can occur. The Discharger submitted a ROWD for the discharges described in this Order; therefore, discharges not described in this Order are prohibited.
2. **Prohibition III.B (No bypasses or overflow of untreated wastewater, except under the conditions at CFR section 122.41(m)(4)).** As stated in section I.G of Attachment D, Standard Provisions, this Order prohibits bypass from any portion of the treatment facility. Federal regulations, 40 C.F.R. section 122.41(m), define “bypass” as the intentional diversion of waste streams from any portion of a treatment facility. This section of the federal regulations, 40 C.F.R. section 122.41(m)(4), prohibits bypass unless it is unavoidable to prevent loss of life, personal injury, or severe property damage. In considering the Regional Water Board’s prohibition of bypasses, the State Water Board adopted a precedential decision, Order No. WQO 2002-0015, which cites the federal regulations, 40 C.F.R. section 122.41(m), as allowing bypass only for essential maintenance to assure efficient operation.
3. **Prohibition III.C (No controllable condition shall create a nuisance).** This prohibition is based on Water Code section 13050 that requires water quality objectives established for the prevention of nuisance within a specific area. The Basin Plan prohibits conditions that create a nuisance.
5. **Prohibition III.D (No discharge of hazardous waste).** This prohibition is based on CCR, title 22, section 66261.1 et seq, that prohibits discharge of hazardous waste.
6. **Prohibition III.E (Average Dry Weather Flow).** This prohibition is based on the design average dry weather flow treatment capacity rating for the Facility and ensures the Facility is operated within its treatment capacity.

B. Technology-Based Effluent Limitations

1. Scope and Authority

Section 301(b) of the CWA and implementing U.S. EPA permit regulations at 40 C.F.R. section 122.44 require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards at 40 C.F.R. part 133.

Regulations promulgated in 40 C.F.R. section 125.3(a)(1) require technology-based effluent limitations for municipal Dischargers to be placed in NPDES permits based on Secondary Treatment Standards or Equivalent to Secondary Treatment Standards.

The Federal Water Pollution Control Act Amendments of 1972 (PL 92-500) established the minimum performance requirements for POTWs [defined in section 304(d)(1)]. Section 301(b)(1)(B) of that Act requires that such treatment works must, as a minimum, meet effluent limitations based on secondary treatment as defined by the U.S. EPA Administrator.

Based on this statutory requirement, U.S. EPA developed secondary treatment regulations, which are specified in 40 C.F.R. part 133. These technology-based regulations apply to all municipal wastewater treatment plants and identify the minimum level of effluent quality attainable by secondary treatment in terms of BOD₅, TSS, and pH.

2. Applicable Technology-Based Effluent Limitations

- a. **BOD₅ and TSS.** Federal regulations at 40 C.F.R. part 133, establish the minimum weekly and monthly average level of effluent quality attainable by secondary treatment for BOD₅ and TSS. A daily maximum effluent limitation for BOD₅ and TSS is also included in the Order to ensure that the treatment works are not organically overloaded and operate in accordance with design capabilities. In addition, 40 C.F.R. section 133.102, in describing the minimum level of effluent quality attainable by secondary treatment, states that the 30-day average percent removal shall not be less than 85 percent. This Order contains a limitation requiring an average of 85 percent removal of BOD₅ and TSS over each calendar month. This Order requires Water Quality Based Effluent Limitations (WQBELs) that are equal to or more stringent than the secondary technology-based treatment described in 40 CFR part 133 (See section IV.C.3.c.v of the Fact Sheet for a discussion on Pathogens which includes WQBELs for BOD₅ and TSS.)
- b. **pH.** The secondary treatment regulations at 40 C.F.R. part 133 also require that pH be maintained between 6.0 and 9.0 standard units. This Order, however, requires more stringent WQBELs for pH to comply with the Basin Plan's water quality objectives for pH.

Summary of Technology-based Effluent Limitations Discharge Point 001

Table F-5 Summary of Technology-based Effluent Limitations

Parameter	Units	Effluent Limitations
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	AMEL 30 (see table note 1) AWEL 45 (see table note 1)

Parameter	Units	Effluent Limitations
	% Removal	AMEL 85
Total Suspended Solids	mg/L	AMEL 30 (see table note 1) AWEL 45 (see table note 1)
	% Removal	AMEL 85
pH	Standard Units	Instantaneous Max 6.0 (see table note 1) Instantaneous Min 9.0 (see table note 1)

Table F-5 Note:

- Note that more stringent WQBELs for BOD₅, pH, and TSS are applicable and are established as final effluent limitations in this Order (see section IV.C.3.c of this Fact Sheet).

C. Water Quality-Based Effluent Limitations (WQBELs)

1. Scope and Authority

CWA section 301(b) and 40 C.F.R. section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards. This Order contains requirements, expressed as a technology equivalence requirement, more stringent than secondary treatment requirements that are necessary to meet applicable water quality standards. The rationale for these requirements, which consist of tertiary treatment or equivalent requirements or other provisions, is discussed in section IV.C.XX of this Fact Sheet.

Section 122.44(d)(1)(i) of 40 C.F.R. requires that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, WQBELs must be established using: (1) U.S. EPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided in section 122.44(d)(1)(vi).

The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated beneficial uses of the receiving water as specified in the Basin Plan and achieve applicable water quality objectives and criteria that are contained in other state plans and policies, or any applicable water quality criteria contained in the CTR and NTR.

Finally, 40 C.F.R. section 122(d)(1)(vii) requires effluent limits to be developed consistent with any available WLAs developed and approved for the discharge.

2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

The Basin Plan designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. In addition, the Basin Plan implements State Water Board Resolution No. 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply.

The Basin Plan on page 2-1 states: "Protection and enhancement of existing and potential beneficial uses are primary goals of water quality planning..." and with respect to disposal of wastewaters states that "...disposal of wastewaters is [not] a prohibited use of waters of the State; it is merely a use which cannot be satisfied to the detriment of beneficial uses."

The federal CWA section 101(a)(2), states: "it is the national goal that wherever attainable, an interim goal of water quality which provides for the protection and propagation of fish, shellfish, and wildlife, and for recreation in and on the water be achieved by July 1, 1983." Federal Regulations, developed to implement the requirements of the CWA, create a rebuttable presumption that all waters be designated as fishable and swimmable. Federal Regulations, 40 CFR sections 131.2 and 131.10, require that all waters of the State regulated to protect the beneficial uses of public water supply, protection and propagation of fish, shellfish and wildlife, recreation in and on the water, agricultural, industrial and other purposes including navigation. 40 C.F.R. section 131.3I defines existing beneficial uses as those uses actually attained after 28 November 1975, whether or not they are included in the water quality standards. Federal Regulation, 40 C.F.R. section 131.10 requires that uses be obtained by implementing effluent limitations, requires that all downstream uses be protected and states that in no case shall a state adopt waste transport or waste assimilation as a beneficial use for any waters of the United States.

- a. **Receiving Water and Beneficial Uses.** Refer to III.C.1. above for a complete description of the receiving water and beneficial uses.
- b. **Effluent and Ambient Background Data.** The reasonable potential analysis (RPA), as described in section IV.C.3 of this Fact Sheet, was based on data from 1 February 2018 through 31 January 2022, which includes effluent and ambient background data submitted in SMRs.
- c. **Assimilative Capacity/Mixing Zone**
 - i. The CWA directs the states to adopt water quality standards to protect the quality of its waters. U.S. EPA's current water quality standards regulation authorizes states to adopt general policies, such as mixing

zones, to implement state water quality standards (40 CFR sections 122.44 and 122.45). The U.S. EPA allows states to have broad flexibility in designing its mixing zone policies. Primary policy and guidance on determining mixing zone and dilution credits is provided by the SIP and the Basin Plan. If no procedure applies in the SIP or the Basin Plan, then the Central Valley Water Board may use the U.S. EPA Technical Support Document for Water Quality-Based Toxics Control (EPA/505/2-90-001) (TSD).

For non-Priority Pollutant constituents, the allowance of mixing zones by the Central Valley Water Board is discussed in the Basin Plan, Policy for Application of Water Quality Objectives, which states the following, in part: *“In conjunction with the issuance of NPDES and storm water permits, the Regional Board may designate mixing zones within which water quality objectives will not apply provided the discharger has demonstrated to the satisfaction of the Regional Board that the mixing zone will not adversely impact beneficial uses. If allowed, different mixing zones may be designated for different types of objectives, including, but not limited to, acute aquatic life objectives, chronic aquatic life objectives, human health objectives, and acute and chronic whole effluent toxicity objectives, depending in part on the averaging period over which the objectives apply. In determining the size of such mixing zones, the Regional Board will consider the applicable procedures and guidelines in the EPA’s Water Quality Standards Handbook and the [TSD]. Pursuant to EPA guidelines, mixing zones designated for acute aquatic life objectives will generally be limited to a small zone of initial dilution in the immediate vicinity of the discharge.”*

For Priority Pollutants, the SIP supersedes the Basin Plan mixing zone provisions. Section 1.4.2 of the SIP states, in part, “...with the exception of effluent limitations derived from TMDLs, in establishing and determining compliance with effluent limitations for applicable human health, acute aquatic life, or chronic aquatic life priority pollutant criteria/objectives or the toxicity objective for aquatic life protection in a basin plan, the Regional Board may grant mixing zones and dilution credits to dischargers...The applicable priority pollutant criteria and objectives are to be met through a water body except within any mixing zone granted by the Regional Board. **The allowance of mixing zones is discretionary and shall be determined on a discharge-by-discharge basis.** The Regional Board may consider allowing mixing zones and dilution credits only for discharges with a physically identifiable point of discharge that is regulated through an NPDES permit issued by the Regional Board.” [emphasis added]

For incompletely mixed discharges, the Discharger must complete an independent mixing zone study to demonstrate to the Central Valley

Water Board that a dilution credit is appropriate. In granting a mixing zone, section 1.4.2.2 of the SIP requires the following to be met:

“A mixing zone shall be as small as practicable. The following conditions must be met in allowing a mixing zone:

A mixing zone shall not:

1. *compromise the integrity of the entire water body;*
2. *cause acutely toxic conditions to aquatic life passing thorough the mixing zone;*
3. *restrict the passage of aquatic life;*
4. *adversely impact biologically sensitive or critical habitats, including, but not limited to, habitat of species listed under federal or State endangered species laws;*
5. *produce undesirable or nuisance aquatic life;*
6. *result in floating debris, oil, or scum;*
7. *produce objectionable color, odor, taste, or turbidity;*
8. *cause objectionable bottom deposits;*
9. *cause nuisance;*
10. *dominate the receiving water body or overlap a mixing zone from different outfalls; or*
11. *be allowed at or near any drinking water intake. A mixing zone is not a source of drinking water. To the extent of any conflict between this determination and the Sources of Drinking Water Policy (Resolution No. 88-63), this SIP supersedes the provisions of that policy.”*

Section 1.4.2.1 of the SIP establishes the authority for the Central Valley Water Board to consider dilution credits based on the mixing zone conditions in a receiving water. Section 1.4.2.1 in part states:

“The dilution credit, D, is a numerical value associated with the mixing zone that accounts for the receiving water entrained into the discharge. The dilution credit is a value used in the calculation of effluent limitations (described in section 1.4). Dilution credits may be limited or denied on a pollutant-by-pollutant basis, which may result in a dilution credit for all, some, or no priority pollutants in the discharge.”

ii. **South Delta/Old River Hydrodynamics.**

Stage and flow in the Old River and other portions of the South Delta are managed by the operation of four temporary rock weir barriers,

installed by the California Department of Water Resources (DWR). Three of the barriers are used to improve water levels for agricultural purposes and are installed from spring to fall, typically from April through November. The fourth barrier, Head of Old River, restricts San Joaquin River flow from entering the Old River. The Head of Old River barrier is installed for about 1 month in the spring, typically April, to reduce entrainment of emigrating juvenile San Joaquin fall-run Chinook salmon in the South Delta. In the fall, for 1 month, typically October, the Head of Old River barrier is installed to maintain flow rates in the San Joaquin River, thereby improving dissolved oxygen conditions in the Stockton Deep Water Ship Channel. The lowest flows in the Old River occur when all barriers are installed.

A component of the South Delta Improvement Program (SDIP) is to replace the temporary barriers with a permanent flow control gate at Head of Old River, as a fish control gate, and up to three permanent flow control gates at Middle River, Grant Line Canal, and the Old River, respectively. The operation of the three flow control gates would vary over the course of the irrigation season. The fish control gate is intended to prevent migrating and out-migrating salmon from entering the Old River from the San Joaquin River. The flow control structures are intended to assist in maintaining water levels and water quality for agricultural users in the South Delta.

In June 2009, the National Marine Fisheries Service (NMFS) offered a biological opinion that directs the DWR to halt implementation of the SDIP until 3 years of fish predation studies at the temporary barriers are completed. There is currently no schedule for project completion.

Discharge Point 001 is located within the tidal zone of the Old River, which affects the movement and dilution of effluent. River flow moves upstream during the incoming or flood tide, while downstream flows occur during the outgoing or ebb tide. Old River flow conditions at Discharge Point 001 are also affected by San Joaquin River flows, the operations of the barriers installed in the South Delta, export pumping rates of the State Water Project and the Central Valley Project (Jones Pumping Plant), and agricultural diversions in the South Delta. The complex dynamics of the stream flow, tidal flows, barrier operations, and state and federal pumping operations must be considered in evaluations of dilution for the discharge.

The flow of diluting water at the point of discharge varies with the tidal cycle. Typically, as net river flows drop, at some point in the tidal cycle, the incoming tide balances against the downstream river flow, resulting in river flow stagnation and very little dilution of effluent. Below this net river flow, the direction of the river flow reverses with incoming tides resulting in short periods of time with zero net river flows. Additionally, with flow reversals, some volume of river water is multiple-dosed with the effluent as the river flows downstream past the point of discharge,

reverses, moves upstream past the discharge a second time, then again reverses direction and passes the discharge point a third time as it moves down the river. A particular volume of river water may move back and forth past the discharge point many times, each time receiving an additional load of wastewater, due to tidal action. This is exacerbated with the barriers installed in the South Delta. The barriers minimize inflow from the San Joaquin River and restrict downstream flows. Therefore, flows while the barriers are in place are primarily tidal, since the Head of Old River barrier directs the majority of San Joaquin River flows north towards Stockton. In addition, the agricultural barriers allow flood tides through, but restrict the ebb tides. This process maintains water levels for irrigation, but reduces downstream flow in the Old River.

- iii. **Dilution/Mixing Zone Study Results.** On 24 April 2017, the Discharger submitted a study (2017 Study) requesting a human health dilution credit of 5:1 for chlorodibromomethane. The 2017 Study was based on two studies previously submitted and performed by the Discharger titled *The Tidal Dilution Study of the Mountain House Wastewater Treatment Plant Discharge into Old River* (2005 Study) and *Mountain House Wastewater Treatment Plant Dye Study and Discharge Modeling* (2009 Study).
 - (a) **Tidal Dilution Study of the Mountain House Wastewater Treatment Plant Discharge into Old River, September 2005.** The 2005 Study used the Delta Simulation Model Version 2 (DSM2), a one-dimensional tidal hydraulic and water quality model, to simulate the dilution of the Facility's effluent. The DSM2 was used to simulate the April through July 2004 hydrologic period under three Delta operations scenarios with an assumed Facility discharge rate of 6.5 MGD. The three operations scenarios were a historical 2004 scenario, which used 2004 values for inflows, export pumping, agricultural diversions, and operations of the four barriers, a no-barrier scenario, which used the same inflows and diversions as the historical 2004 scenario but without the installation of the barriers, and a future operations scenario. The 2005 Study found that the worst-case conditions for effluent dilution in the Old River occurred under the historical 2004 scenario. The 2005 Study found that during June of the historical 2004 scenario, the Old River in the vicinity of Discharge Point 001 (after initial mixing) contained a maximum daily average of 30 percent effluent, demonstrating that despite relatively stagnant conditions, there is some capacity to dilute effluent. Furthermore, the 2005 Study found that the maximum daily average concentration of the Facility's effluent at the Jones Pumping Plant was 1 percent under both the historical and future operation scenarios, and 2 percent under the no-barrier scenario. The 2005 Study also indicated that the effluent plume

would be vertically and horizontally mixed within the entire tidal flow of the river within 150 feet upstream and downstream of Discharge Point 001.

- (b) **Mountain House Wastewater Treatment Plant Dye Study and Discharge Modeling, March 2009.** The intent of the 2009 Study was to confirm the findings in the 2005 Study and evaluate the effects of varying export pumping rates, barrier operations, and agricultural diversion rates in the South Delta on the Facility's effluent. The Study used the Visual Plumes model and the Fischer Delta Model (FDM) to simulate the Facility discharge. The Visual Plumes model was used to evaluate near-field effluent dilution and the FDM was used to evaluate far-field effluent concentrations that would result from continuous long-term discharge of the effluent. The FDM was set up to simulate the Facility's discharge from October 2007 through September 2008 in order to evaluate concentrations of effluent that would result in the far-field from a long-term discharge. In addition, six more scenarios were simulated to assess the effects of barrier operations, export pumping rates, and agricultural diversion rates on the long-term buildup of effluent in the Old River at key locations in the Delta. To verify the FDM for use in simulating the discharge to the Old River, a field dye study was conducted in September 2008.

The 2009 Study found the following:

1. Using the near-field dye study, the effluent plume was well-mixed over the depth of the river and nearly mixed laterally at 700 feet from Discharge Point 001, which was greater than the measurement of 150 feet from the 2005 Study.
2. Removing the barriers leads to a large increase in river flow, resulting in decreased effluent concentrations, similar to the 2005 Study results.
3. There was little or no effect of removing the barriers on the effluent concentration at the Jones Pumping Plant.
4. Export pumping rates were either doubled or halved, and the effects were measured at both Discharge Point 001 and the Jones Pumping Plant. When the pumping rates were doubled, the 95 percentile effluent concentration was higher at Discharge Point 001, however the median concentration was lower. When the pumping rates were halved, the 95 percentile effluent concentration and the median concentration were both higher at Discharge Point 001. At the Jones Pumping Plant, doubling the pumping rate decreased the 95 percentile and median effluent concentration, while halving the pumping rates increased the 95 percentile and median effluent concentrations.

5. Agricultural discharge rates were either doubled or halved, and the effects were measured at both Discharge Point 001 and the Jones Pumping Plant. At Discharge Point 001, doubling the agricultural diversion rates increased the effluent concentration in the Old River, while halving the agricultural diversion rates decreased the effluent concentration. At the Jones Pumping Plant, doubling the agricultural diversion rate decreased the effluent concentration in the Old River, while halving the agricultural diversion rates had little to no effect on the effluent concentration.
6. The far-field results from the 2009 Study were similar to the far-field results in the 2005 Study.

The 2017 Study requests a dilution of 5:1 for chlorodibromomethane and a human health mixing zone spanning 1,000 feet west and 1,000 feet east of Discharge Point 001 based on the findings in the 2005 and 2009 Studies. The mixing zone is based on the 95 percentile effluent concentration, which also addresses the variability in barrier operations and water operations.

iv. Evaluation of Available Dilution for Human Health Criteria (Chlorodibromomethane and Dichlorobromomethane).

The SIP requires a mixing zone must be as small as practicable and comply with eleven (11) mixing zone prohibitions under section 1.4.2.2.A. Based on Central Valley Water Board staff evaluation, the mixing zone extends up to 1000 feet west and 1,000 feet east of Discharge Point 001 and a maximum available dilution credit of 5:1 meets the eleven prohibitions of the SIP as follows:

- (1) Shall not compromise the integrity of the entire water body – The TSD states that, *“If the total area affected by elevated concentrations within all mixing zones combined is small compared to the total area of a water body (such as a river segment), then mixing zones are likely to have little effect on the integrity of the water body as a whole, provided that the mixing zone does not impinge on unique or critical habitats.”* The mixing zone is not applicable to aquatic life criteria. The mixing zone does not compromise the integrity of the entire water body.
- (2) Shall not cause acutely toxic conditions to aquatic life passing through the mixing zone – The mixing zone is not applicable to aquatic life criteria. Therefore, acutely toxic conditions will not occur in the mixing zone.
- (3) Shall not restrict the passage of aquatic life – The human health mixing zone is not applicable to aquatic life criteria. Therefore, the mixing zone will not restrict the passage of aquatic life.

- (4) Shall not adversely impact biologically sensitive or critical habitats, including, but not limited to, habitat of species listed under federal or State endangered species laws – The mixing zone is not applicable to aquatic life criteria. The mixing zone will not impact biologically sensitive or critical habitats.
- (5-9) Shall not produce undesirable or nuisance aquatic life; result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits; cause nuisance – The allowance of the mixing zone will not produce undesirable or nuisance aquatic life, result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits; or cause nuisance. This Order requires the discharge to meet Title 22 (or equivalent) tertiary filtration, which will ensure continued compliance with these mixing zone requirements. Therefore, the allowance of the mixing zone will not produce undesirable or nuisance aquatic life, result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits, or cause nuisance.
- (10) Shall not dominate the receiving water body or overlap a mixing zone from different outfalls – The mixing zone is small relative to the water body, so it will not dominate the water body. Furthermore, the mixing zone does not overlap mixing zones from other outfalls. There are no outfalls or mixing zones in the vicinity of the discharge.
- (11) Shall not be allowed at or near any drinking water intake – The mixing zone is not near a drinking water intake.

A pollutant-by-pollutant evaluation is provided in subsection v below to evaluate whether the mixing zones for each pollutant are as small as practicable and comply with the State and federal antidegradation requirements.

v. Evaluation of Available Dilution for Specific Constituents (Pollutant-by-Pollutant Evaluation).

When determining whether to allow dilution credits for a specific pollutant, several factors must be considered, such as, available assimilative capacity, facility performance, and compliance with state and federal antidegradation requirements.

The receiving water contains assimilative capacity for chlorodibromomethane (CDBM) and dichlorobromomethane (DCBM) and the human health mixing zone meets the mixing zone prohibitions of the SIP section 1.4.2.2.A.

The SIP also requires that “[a] mixing zone shall be as small as practicable” and states in Section 1.4.2.2.B that “[t]he RWQCB shall deny or significantly limit a mixing zone and dilution credits as necessary to protect beneficial uses, meet the conditions of this Policy, or comply with other regulatory requirements.” The State Anti-Degradation Policy, which incorporates the federal antidegradation policy (State Water Board Order WQ 86-17 [Fay]), requires that existing quality of waters be maintained unless degradation is justified based on specific findings. Item 2 of the State Anti-Degradation Policy states:

“Any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in the best practicable treatment or control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.”

The mixing zones allowed in this Order are as small as practicable and will result in the Discharger implementing best practicable treatment or control of the discharge necessary to assure that pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained.

A pollutant-by-pollutant evaluation is provided below that evaluates facility performance and percent assimilative capacity used for each pollutant.

- (a) **Chlorodibromomethane (CDBM).** As outlined above, a human health mixing zone extending 1000 feet downstream of the Facility’s outfall and a dilution credit of 5:1 meets the mixing zone prohibitions of Section 1.4.2.2.A of the SIP. In this case, however, to ensure the mixing zone is as small as practicable and considering section 1.4.2.2.B of the SIP, the Central Valley Water Board finds the mixing zone must be limited. The dilution credit for chlorodibromomethane has been adjusted based on Facility performance resulting in a dilution credit of 4:1 for the human health mixing zone.

This Order includes effluent limitations for chlorodibromomethane consistent with previous Order R5-2017-0119 based on the allowance of the mixing zone. Therefore, no additional use of assimilative capacity is being authorized by this Order. The effluent limits continue to result in the implementation of best

practicable treatment or control of the discharge necessary to assure that a pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained.

- (b) **Dichlorobromomethane (DCBM).** As outlined above, a human health mixing zone extending 1000 feet downstream of the Facility's outfall and a dilution credit of 5:1 meets the mixing zone prohibitions of Section 1.4.2.2.A of the SIP. In this case, however, to ensure the mixing zone is as small as practicable and considering section 1.4.2.2.B of the SIP, the Central Valley Water Board finds the mixing zone must be limited. The dilution credit for dichlorobromomethane has been adjusted based on Facility performance resulting in a dilution credit of 2:1 for the human health mixing zone.

The allowance of a mixing zone and dilution credits are a discretionary act by the Central Valley Water Board. The mixing zone and dilution credit for dichlorobromomethane permitted in this Order will result in a minor increase in the discharge (i.e., use 9.7 percent of the available assimilative capacity in the receiving water). According to U.S. EPA's memorandum on Tier 2 Antidegradation Reviews and Significance Thresholds, any individual decision to lower water quality for nonbioaccumulative chemicals that is limited to 10 percent of the available assimilative capacity represents minimal risk to the receiving water and is fully consistent with the objectives and goals of the Clean Water Act. Per U.S. EPA guidance a simple antidegradation analysis is appropriate in this case. Furthermore, considering existing Facility performance and the de minimis impact on the receiving water, the effluent limits will result in the implementation of best practicable treatment or control of the discharge necessary to assure that a pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained.

Based on the findings above, this Order grants mixing zones and dilution credits that have been used for the calculation of WQBELs for chlorodibromomethane and dichlorobromomethane. The allowable dilution credits are shown in Table F-6, below. The percent assimilative used was calculated for antidegradation purposes comparing current permitted discharge to the revised permitted discharge with the mixing zone at the harmonic mean flow of 20:1 dilution. Use of the harmonic mean flow is appropriate for antidegradation purposes which considers the long-term effect of an allowed permitted increase in the mass loading on the

receiving water. The percent assimilative capacity used calculations are summarized in Table F-7, below.

Table F-6 Mixing Zones and Dilution Credits

Parameter	Mixing Zone Type	Allowed Dilution Credit
CDBM	Human Health	4:1
DCBM	Human Health	2:1

Table F-7 Percent Assimilative Capacity Used Calculations

Parameter	CDBM	DCBM
Water Quality Objective/ Criteria	0.41 µg/L	0.56 µg/L
Maximum Background Concentration	ND	ND
Existing Permitted Condition	2.1 µg/L	--
Revised Permitted Condition	2.1 µg/L	1.7
Percent Assimilative Capacity Used	0%	9.7%

Table F-7 Notes:

1. Existing Permitted Condition is the existing average monthly effluent limitation or applicable water quality objective/criteria if there is currently no effluent limitation.
 2. Revised Permitted Condition is new average monthly effluent limitation implemented in this Order with the allowed mixing zone(s).
 3. Assimilative Capacity calculated using mass balance equation with a harmonic mean flow of 20:1 dilution.
- d. **Conversion Factors.** The CTR contains aquatic life criteria for arsenic, cadmium, chromium III, chromium VI, copper, lead, nickel, silver, and zinc, which are presented in dissolved concentrations. U.S. EPA recommends conversion factors to translate dissolved concentrations to total concentrations. The default U.S. EPA conversion factors contained in Appendix 3 of the SIP were used to convert the applicable dissolved criteria to total recoverable criteria.
- e. **Hardness-Dependent CTR Metals Criteria.** The CTR and the NTR contain water quality criteria for seven metals that vary as a function of hardness. The lower the hardness the lower the water quality criteria. The metals with hardness-dependent criteria include cadmium, copper, chromium III, lead, nickel, silver, and zinc. This Order has established the criteria for hardness-dependent metals based on the hardness of the receiving water (actual ambient hardness) as required by the SIP and the CTR.

The ambient hardness for the Old River ranges from 37 mg/L to 280 mg/L based on collected ambient data from December 2017 through January

2022. Given the high variability in ambient hardness values, there is no single hardness value that describes the ambient receiving water for all possible scenarios (e.g., minimum, maximum). Because of this variability, staff has determined that based on the ambient hardness concentrations measured in the receiving water, the Central Valley Water Board has discretion to select ambient hardness values within the range of 37 mg/L (minimum) up to 280 mg/L (maximum).

The Central Valley Water Board finds that the use of the ambient hardness values and associated acute and chronic criteria shown in Table F-8 to conduct the reasonable potential analysis (RPA) and calculate WQBELs, protect beneficial uses under all ambient receiving water conditions and comply with the SIP, CTR, and Basin Plan.

Table F-8. Summary of Criteria for CTR Hardness-dependent Metals

CTR Metals	Ambient Hardness (mg/L)	Acute Criteria (µg/L, total)	Chronic Criteria (µg/L, total)
Copper	61	8.8	6.1
Chromium III	61	1200	140
Cadmium	61 (acute) 61 (chronic)	2.6	1.7
Lead	59	42	1.6
Nickel	61	310	34
Silver	58	1.6	--
Zinc	61	79	79

Table F-8 Notes:

1. **Criteria (µg/L total).** Acute and chronic criteria were rounded to two significant figures in accordance with the CTR (40 C.F.R. section 131.38(b)(2)).
2. **Ambient hardness (mg/L).** Values in Table F-8 represent actual observed receiving water hardness measurements.

3. Determining the Need for WQBELs

Clean Water Act section 301(b)(1)(C) requires effluent limitations necessary to meet water quality standards, and 40 C.F.R. section 122.44(d) requires NPDES permits to include conditions that are necessary to achieve water quality standards established under section 303 of the CWA, including State narrative criteria for water quality. Federal regulations at 40 C.F.R 122.44(d)(1)(i) state, "Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines are or may be discharged at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality." Additionally, 40 C.F.R. section 122(d)(1)(vii) requires effluent limits to be developed consistent with any available WLAs developed and approved for the

discharge. The process to determine whether a WQBEL is required as described in 40 C.F.R. section 122.44(d)(1)(i) is referred to as a reasonable potential analysis or RPA. Central Valley Water Board staff conducted RPAs for nearly 200 constituents, including the 126 U.S. EPA priority toxic pollutants. This section includes details of the RPAs for constituents of concern for the Facility. The entire RPA is included in the administrative record and a summary of the constituents of concern is provided in Attachment G.

For priority pollutants, the SIP dictates the procedures for conducting the RPA. For non-priority pollutants the Central Valley Water Board is not restricted to one particular RPA method; therefore, the RPAs have been conducted based on U.S. EPA guidance considering multiple lines of evidence and the site-specific conditions of the discharge. Ammonia, acute toxicity, chlorine residual, nitrate plus nitrite, pH, pathogens, and temperature are not priority pollutants. Due to the site-specific conditions of the discharge, the Central Valley Water Board has used professional judgment in determining the appropriate method for conducting the RPA for these non-priority pollutant parameters based on a qualitative assessment as recommended by U.S. EPA guidance. U.S. EPA's September 2010 NPDES Permit Writer's Manual, page 6-30, states, "State implementation procedures might allow, or even require, a permit writer to determine reasonable potential through a qualitative assessment process without using available facility-specific effluent monitoring data or when such data are not available...A permitting authority might also determine that WQBELs are required for specific pollutants for all facilities that exhibit certain operational or discharge characteristics (e.g., WQBELs for pathogens in all permits for POTWs discharging to contact recreational waters)." U.S. EPA's TSD also recommends that factors other than effluent data should be considered in the RPA, "When determining whether or not a discharge causes, has the reasonable potential to cause, or contributes to an excursion of a numeric or narrative water quality criterion for individual toxicants or for toxicity, the regulatory authority can use a variety of factors and information where facility-specific effluent monitoring data are unavailable. These factors also should be considered with available effluent monitoring data." With regard to POTWs, U.S. EPA recommends that, "POTWs should also be characterized for the possibility of chlorine and ammonia problems." (TSD, p. 50)

a. **Constituents with Total Maximum Daily Load (TMDL).**

40 C.F.R. section 122.44(d)(1)(vii) provides: "When developing water quality-based effluent limits under [section 122.44(d)(1)], the permitting authority shall ensure that: (A) The level of water quality to be achieved by limits on point sources established under this paragraph is derived from, and complies with all applicable water quality standards; and (B) Effluent limits developed to protect a narrative water quality criterion, a numeric water quality criterion, or both, are consistent with the assumptions and requirements of any available WLA for the discharge prepared by the State and approved by U.S. EPA pursuant to [Total Maximum Daily Loads regulations]." U.S. EPA construes 40 C.F.R. section 122.44(d)(1)(vii)(B) to

mean that “when WLAs are available, they must be used to translate water quality standards into NPDES permit limits.” 54 Fed. Reg. 23868, 23879 (June 2, 1989).

The Old River is subject to TMDLs for diazinon, chlorpyrifos, methylmercury and WLAs under those TMDLs are available. The Central Valley Water Board developed WQBELs for these pollutants pursuant to 40 C.F.R. section 122.44(d)(1)(vii), which does not require or contemplate a reasonable potential analysis.

i. Diazinon and Chlorpyrifos.

- (a) **WQO.** The Central Valley Water Board completed a TMDL for diazinon and chlorpyrifos in the Sacramento – San Joaquin Delta Waterways and amended the Basin Plan to include diazinon and chlorpyrifos WLAs and water quality objectives. The Basin Plan Amendment for the Control of Diazinon and Chlorpyrifos Runoff into the Sacramento – San Joaquin Delta was adopted by the Central Valley Water Board on 23 June 2006 and became effective on 10 October 2007.

The amendment modified Basin Plan Chapter 3 (Water Quality Objectives) to establish site-specific numeric objectives for diazinon and chlorpyrifos in the Delta waterways and identified the requirements to meet the additive formula already in Basin Plan Chapter 4 (Implementation) for the additive toxicity of diazinon and chlorpyrifos.

The amendment states that “The waste load allocations for all NPDES-permitted dischargers...shall not exceed the sum (S) of one (1) as defined below.

$$S = C_d/WQO_d + C_c/WQO_c \leq 1.0$$

Where:

C_d = diazinon concentration in $\mu\text{g/L}$ of point source discharge

C_c = chlorpyrifos concentration in $\mu\text{g/L}$ of point source discharge

WQO_d = acute or chronic diazinon water quality objective in $\mu\text{g/L}$

WQO_c = acute or chronic chlorpyrifos water quality objective in $\mu\text{g/L}$

Available samples collected within the applicable averaging period for the water quality objective will be used to determine

compliance with the allocations and loading capacity. For purposes of calculating the sum (S) above, analytical results that are reported as 'non-detectable' concentrations are considered to be zero."

Appendix 42 of the Diazinon and Chlorpyrifos TMDL lists waterways subject to the TMDL and includes the Old River.

- (b) **WQBELs.** WQBELs for diazinon and chlorpyrifos are required per the TMDL. This Order includes effluent limits calculated based on the WLAs contained in the TMDL, as follows:

Average Monthly Effluent Limitation (AMEL)

$$S(\text{AMEL}) = C_d (\text{M-avg})/0.079 + C_c (\text{M-avg})/0.012 \leq 1.0$$

Where:

$C_d(\text{M-avg})$ = average monthly diazinon effluent concentration in $\mu\text{g/L}$

$C_c (\text{M-avg})$ = average monthly chlorpyrifos effluent concentration in $\mu\text{g/L}$

Average Weekly Effluent Limitation (AWEL)

$$S(\text{AWEL}) = C_d (\text{W-avg})/0.14 + C_c (\text{W-avg})/0.021 \leq 1.0$$

Where:

$C_d(\text{W-avg})$ = average weekly diazinon effluent concentration in $\mu\text{g/L}$

$C_c (\text{W-avg})$ = average weekly chlorpyrifos effluent concentration in $\mu\text{g/L}$

- (c) **Plant Performance and Attainability.** Chlorpyrifos and diazinon were not detected in the four effluent sampling events conducted between February 2018 and January 2022. Furthermore, since these pesticides have been banned for public use, they are not expected to be present in the influent to the Facility. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible.

ii. **Mercury.**

- (a) **WQO.** The Basin Plan contains fish tissue objectives for all Delta waterways listed in Appendix 43 of the Basin Plan, which states, "...the average methylmercury concentrations shall not exceed 0.08 and 0.24 mg methylmercury/kg, wet weight, in muscle tissue of trophic level 3 and 4 fish, respectively (150-500 mm total length). The average methylmercury concentrations shall not exceed 0.03 mg methylmercury/kg, wet weight, in whole fish less than 50 mm in length." The Delta Mercury Control Program contains aqueous methylmercury WLA's that are calculated to achieve these fish tissue objectives. Methylmercury reductions are assigned to

dischargers with concentrations of methylmercury greater than 0.06 ng/L (the concentration of methylmercury in water to meet the fish tissue objective). The Facility is allocated 0.37 grams/year of methylmercury by 31 December 2030, as listed in Table IV-7B of the Basin Plan.

The CTR contains a human health criterion of 50 ng/L for total mercury for waters from which both water and aquatic organisms are consumed. However, in 40 C.F.R. part 131, U.S. EPA acknowledges that the human health criteria may not be protective of some aquatic or endangered species and that “...*more stringent mercury limits may be determined and implemented through the use of the State’s narrative criterion.*” In the CTR, U.S. EPA reserved the mercury criteria for freshwater and aquatic life and may adopt new criteria at a later date.

- (b) **RPA Results.** Section 1.3 of the SIP states, “*The RWQCB shall conduct the analysis in this section of each priority pollutant with an applicable criterion or objective, **excluding priority pollutants for which a TMDL has been developed**, to determine if a water quality-based effluent limitation is required in the Discharger’s permit.*” (emphasis added)

The MEC for mercury was 8.19 ng/L based on 16 samples collected between February 2018 and January 2022. The maximum observed upstream receiving water mercury concentration was 2.9 ng/L based on one sample collected between February 2018 and January 2022

The maximum effluent methylmercury concentration was 0.055 ng/L based on 16 samples collected between February 2018 and January 2022. No upstream receiving water methylmercury samples were collected between February 2018 and January 2022.

- (c) **WQBEL’s.** The Basin Plan’s Delta Mercury Control Program includes WLA’s for POTW’s in the Delta, including for the Discharger. This Order contains a final WQBEL for methylmercury based on the WLA. Effective 31 December 2030, the total calendar annual methylmercury load shall not exceed 0.37 grams.
- (d) **Plant Performance and Attainability.** Based on available effluent methylmercury data, the Central Valley Water Board finds the Discharger is unable to immediately comply with the final WQBEL’s for methylmercury. Therefore, a compliance schedule in accordance with the State Water Board’s Compliance Schedule Policy and the Delta Mercury Control Program has been established in section VI.C.7.a of this Order. The final WQBEL’s for methylmercury are effective 31 December 2030.

- b. **Constituents with No Data or Insufficient Data.** Reasonable potential cannot be determined for the following constituents because effluent data

are limited or ambient background concentrations are not available. The Discharger is required to continue to monitor for these constituents in the effluent using analytical methods that provide the best feasible detection limits. When additional data become available, further analysis will be conducted to determine whether to add numeric effluent limitations or to continue monitoring.

i. **Salinity**

- (a) **WQO.** The Basin Plan contains a chemical constituent objective that incorporates state MCLs, contains a narrative objective, and contains numeric water quality objectives for certain specified water bodies for electrical conductivity, total dissolved solids, sulfate, and chloride. The U.S. EPA Ambient Water Quality Criteria for Chloride recommends acute and chronic criteria for the protection of aquatic life. There are no U.S. EPA water quality criteria for the protection of aquatic life for electrical conductivity, total dissolved solids, and sulfate. Additionally, there are no U.S. EPA numeric water quality criteria for the protection of agricultural, livestock, and industrial uses. Numeric values for the protection of these uses are typically based on site specific conditions and evaluations to determine the appropriate constituent threshold necessary to interpret the narrative chemical constituent Basin Plan objective. The Central Valley Water Board must determine the applicable numeric limit to implement the narrative objective for the protection of agricultural supply. Table F-9, below, contains various recommended levels for EC or TDS, sulfate, and chloride.

Table F-9 Salinity Water Quality Criteria/Objectives

Parameters	Secondary MCL Recommended Level	Secondary MCL Upper Level	Secondary MCL Short-term Maximum	U.S. EPA NAWQC	Maximum Calendar Annual Average Effluent Concentration	Maximum Daily Effluent Concentration
EC (µmhos/cm) or TDS (mg/L)	EC 900 or TDS 500	EC 1,600 or TDS 1,000	EC 2,200 or TDS 1,500	N/A	EC 1022 TDS 540	EC 1100 TDS 1000
Sulfate (mg/L)	250	500	600	N/A	51	70
Chloride (mg/L)	250	500	600	860 1-hour / 230 4-day	145	170

Table F-9 Notes:

1. **Agricultural Water Quality Objectives.** Applicable agricultural water quality objectives vary. Procedures for establishing the applicable numeric limitation to implement the narrative chemical constituent objective can be found in the Policy for Application of Water Quality Objectives, section 4.2.2.1.9 of the Basin Plan. However, the Basin Plan does not require improvement over naturally occurring background concentrations. In cases where the natural background concentration of a particular constituent exceeds an applicable water quality objective, the natural background concentration will be considered to comply with the objective.
2. **Secondary MCLs.** Secondary MCLs are for protection of public welfare and are stated as a recommended level, upper level, and a short-term maximum level.
3. **Chloride.** The Secondary MCL for chloride is 250 mg/L, as a recommended level, 500 mg/L as an upper level, and 600 mg/L as a short-term maximum.
4. **Electrical Conductivity or Total Dissolved Solids.** The Secondary MCL for EC is 900 $\mu\text{mhos/cm}$ as a recommended level, 1600 $\mu\text{mhos/cm}$ as an upper level, and 2200 $\mu\text{mhos/cm}$ as a short-term maximum, or when expressed as TDS is 500 mg/L as a recommended level, 1000 mg/L as an upper level, and 1500 mg/L as a short-term maximum.

The Bay-Delta Plan includes water quality objectives for electrical conductivity for the South Delta in the vicinity of the discharge. The Bay-Delta Plan includes water quality objectives at three locations in the South Delta for electrical conductivity. The water quality objectives are a 14-day running average electrical conductivity of 700 $\mu\text{mhos/cm}$ from 1 April through 31 August and a 14-day running average electrical conductivity of 1,000 $\mu\text{mhos/cm}$ from 1 September through 31 March. On 1 June 2011, the Superior Court for Sacramento County entered a judgment and peremptory writ of mandate in the matter of City of Tracy v. State Water Resources Control Board (Case No. 34- 2009-8000-392-CU-WM-GDS), ruling that the South Delta salinity objectives shall not apply to the City of Tracy and other municipal dischargers pending reconsideration of the South Delta salinity objectives and adoption of a proper program of implementation that includes municipal dischargers. Therefore, at the time this Order was adopted, the South Delta salinity objectives were not applicable to the Discharger.

5. **Sulfate.** The Secondary MCL for sulfate is 250 mg/L as a recommended level, 500 mg/L as an upper level, and 600 mg/L as a short-term maximum.

(a) **RPA Results.**

- (1) **Chloride.** Chloride concentrations in the effluent ranged from 130 mg/L to 170 mg/L, with an average of 145 mg/L. These levels do not exceed the Secondary MCL. No upstream receiving water chloride samples were collected this permit term due to participation in the Delta RMP.
- (2) **Electrical Conductivity or Total Dissolved Solids.** A review of the Discharger's monitoring reports shows an average effluent EC of 838 $\mu\text{mhos/cm}$, with a range from 530 $\mu\text{mhos/cm}$ to 1100 $\mu\text{mhos/cm}$. These levels do not

exceed the Secondary MCL. The background receiving water EC averaged 1001 $\mu\text{mhos/cm}$. The average TDS effluent concentration was 484 mg/L with concentrations ranging from 307 mg/L to 1000 mg/L. These levels do not exceed the Secondary MCL. The background receiving water TDS ranged from 290 mg/L to 310 mg/L, with an average of 300 mg/L. The applicable water quality objective to implement the Basin Plan's narrative chemical constituents objective for salinity is the Bay-Delta Plan South Delta salinity objectives, which are under development. Therefore, there is insufficient information to conduct the RPA at this time.

- (3) **Sulfate.** Sulfate concentrations in the effluent ranged from 37 mg/L to 70 mg/L, with an average of 51 mg/L. These levels do not exceed the Secondary MCL. No upstream receiving water chloride samples were collected this permit term due to participation in the Delta RMP.

(b) **WQBELs.**

The State Water Board is currently revising the Bay-Delta Plan to include salinity objectives that would be applicable to the discharge. Pending the Bay-Delta Plan amendment, this Order retains similarly protective salinity controls from Order R5-2017-0119 and requires the Discharger to implement measures to reduce the salinity in its discharge to the Old River. Electrical conductivity is an indicator parameter for salinity and controlling electrical conductivity should ensure compliance with objectives for other salinity parameters. Therefore, this Order does not include effluent limitations for chloride, sulfate, or total dissolved solids.

As discussed above, the discharge does not have reasonable potential to cause or contribute to an in-stream excursion of water quality objectives for salinity. On 17 January 2020, certain amendments to the Basin Plan incorporating a Program to Control and Permit Salt Discharges to Surface and Groundwater (Salt Control Program) became effective. Other amendments became effective on 2 November 2020 when approved by the U.S. EPA. The Salt Control Program is a three-phased program, with each phase lasting 10 to 15 years. The Basin Plan requires all salt dischargers to comply with the provisions of the program. Two compliance pathways are available for salt dischargers during Phase 1.

The Phase 1 Compliance pathways are: 1) Conservative Salinity Permitting Approach, which utilizes the existing

regulatory structure and focuses on source control, conservative salinity limits on the discharge, and limits the use of assimilative capacity and compliance time schedules; and, 2) Alternative Salinity Permitting Approach, which is an alternative approach to compliance through implementation of specific requirements such as participating in the Salinity Prioritization and Optimization Study (P&O) rather than the application of conservative discharge limits.

The Discharger submitted a Notice of Intent for the Salinity Control Program indicating its intent to meet the Alternative Salinity Permitting Approach. This Order requires implementation of a Salinity Evaluation and Minimization Plan, participation in the Salinity P&O Study, and includes a performance-based trigger for EC consistent with the Alternative Salinity Permitting Approach.

- c. **Constituents with Reasonable Potential.** The Central Valley Water Board finds that the discharge has a reasonable potential to cause or contribute to an instream excursion above a water quality standard for ammonia, BOD₅, chlorodibromomethane, dichlorobromomethane, nitrate plus nitrite, pH, temperature, total coliform organisms, and TSS. WQBELs for these constituents are included in this Order. A summary of the RPA is provided in Attachment G, and a detailed discussion of the RPA for each constituent is provided below.

i. **Ammonia**

- (a) **WQO.** The 2013 U.S. EPA National Ambient Water Quality Criteria (NAWQC) for the protection of freshwater aquatic life for total ammonia (2013 Criteria), recommends acute (1-hour average; criteria maximum concentration or CMC) and chronic (30-day average; criteria continuous concentration or CCC) standards based on pH and temperature. U.S. EPA also recommends that no 4-day average concentration should exceed 2.5 times the 30-day CCC. The 2013 Criteria reflects the latest scientific knowledge on the toxicity of ammonia to certain freshwater aquatic life, including toxicity data on sensitive freshwater unionid mussels, non-pulmonary snails, and other freshwater organisms.

The Central Valley Clean Water Association (CVCWA) organized a coordinated effort for POTWs within the Central Valley Region, the Freshwater Mussel Collaborative Study for Wastewater Treatment Plants, to determine how the latest scientific knowledge on the toxicity of ammonia reflected in the 2013 Criteria could be implemented in the Central Valley

Region. Through this effort a Criteria Recalculation Report was developed in January 2020 using toxicity studies for the freshwater mussel species present in Central Valley Region waters.

The Criteria Recalculation Report implemented U.S. EPA's Recalculation Procedure utilizing toxicity bioassays conducted on resident mussel species to replace the toxicity data for the eastern mussel species in the national dataset to develop site-specific ammonia criteria for waters within the Central Valley Region, including all surface waters in the Sacramento River, San Joaquin River, and Tulare Lake Basin Plans.

U.S. EPA Office of Science and Technology reviewed and approved the Criteria Recalculation Report with a more conservative approach for utilizing the acute-to-chronic ratio procedure for developing the site-specific chronic criterion. The Central Valley Water Board finds that the site-specific ammonia criteria provided in the January 2020 Criteria Recalculation Report implements the Basin Plan's narrative toxicity objective to protect aquatic life beneficial uses of the receiving water.

Site-specific Criteria for Old River. The recalculated site-specific criteria developed in the Criteria Recalculation Report for the acute and chronic criteria are presented based on equations that vary according to pH and temperature for situations where freshwater mussels are present and where they are absent. In this case, for the Old River freshwater mussels have been assumed to be present. In addition, the recalculated criteria include equations that provide enhanced protection for important salmonid species in the genus *Oncorhynchus*, that can be implemented for receiving waters where salmonid species are present. Because the Old River has a beneficial use of cold freshwater habitat and the presence of salmonids in the Old River is well-documented, the criteria equations for waters where salmonids are present were used.

The acute (1-hour average) criterion or CMC was calculated using paired effluent pH and temperature data, collected during the period from January 2018 and January 2022. The most stringent CMC of 2.6 mg/L (ammonia as N) calculated has been implemented in this Order.

The chronic (30-day average) criterion or CCC was calculated using paired downstream receiving water pH and temperature data, collected during the period from January 2018 and January 2022. The most stringent 30-day rolling average CCC

of 1.2 mg/L (ammonia as N) has been implemented in this Order.

The chronic (4-day average) concentration is derived in accordance with the U.S. EPA criterion as 2.5 times the 30-day CCC. Based on the 30-day CCC of 1.2 mg/L (ammonia as N), the 4-day average concentration that should not be exceeded is 3.0 mg/L (ammonia as N).

- (b) **RPA Results.** The Facility is a POTW that treats domestic wastewater. Untreated domestic wastewater contains ammonia in concentrations that is harmful to aquatic life and exceed the Basin Plan narrative toxicity objective. The Discharger currently uses nitrification to remove ammonia from the waste stream. Inadequate or incomplete treatment may result in the discharge of ammonia to the receiving stream, which creates the basis for the discharge to have a reasonable potential to cause or contribute to an instream excursion above the site-specific acute and chronic criteria for ammonia provided by the January 2020 Criteria Recalculation Report. Therefore, the Central Valley Water Board finds the discharge has reasonable potential for ammonia and WQBELs are required.
- (c) **WQBELs.** The Central Valley Water Board calculates WQBELs in accordance with SIP procedures for non-CTR constituents, and ammonia is a non-CTR constituent. The SIP procedure assumes a 4-day averaging period for calculating the long-term average discharge condition (LTA). However, U.S. EPA recommends modifying the procedure for calculating permit limits for ammonia using a 30-day averaging period for the calculation of the LTA corresponding to the 30-day CCC. Therefore, while the LTAs corresponding to the acute and 4-day chronic criteria were calculated according to SIP procedures, the LTA corresponding to the 30-day CCC was calculated assuming a 30-day averaging period. This Order contains a final average monthly effluent limitation (AMEL) and average weekly effluent limitation (AWEL) for ammonia of 0.9 mg/L and 1.9 mg/L, respectively, which are based on the site-specific ammonia criteria for Old River.
- (d) **Plant Performance and Attainability.** The Facility upgrades will include tertiary treatment and will fully nitrify the wastewater. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible.

ii. **Chlorodibromomethane.**

- (a) **WQO.** The CTR includes criterion of 0.41 µg/L for CDBM for the protection of human health for waters from which both water and organisms are consumed.
- (b) **RPA Results.** The maximum effluent concentration (MEC) for CDBM was 0.62 µg/L based on 37 samples collected between February 2018 and January 2022. CDBM was not detected in the upstream receiving water based on one sample collected between February 2018 and January 2022. Therefore, CDBM in the discharge has a reasonable potential to cause or contribute to an instream excursion above the CTR criterion for the protection of human health.
- (c) **WQBELs.** The receiving water contains assimilative capacity for CDBM, therefore, as discussed further in Section IV.C.2.c of this Fact Sheet, a dilution credit of 4:1 was allowed in the development of the WQBELs for CDBM. This Order contains a final average monthly effluent limitation (AMEL) and maximum daily effluent limitation (MDEL) for CDBM of 2.1 µg/L and 5.3 µg/L, respectively, based on the CTR criterion for the protection of human health.
- (d) **Plant Performance and Attainability.** Analysis of the effluent data shows that the MEC of 0.62 µg/L is less than the applicable WQBELs. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible.

iii. **Dichlorobromomethane (DCBM)**

- (a) **WQO.** The CTR includes criterion of 0.56 µg/L for DCBM for the protection of human health for waters from which both water and organisms are consumed.
- (b) **RPA Results.** The maximum effluent concentration (MEC) for DCBM was 0.56 µg/L based on 5 samples collected between February 2018 and January 2022. DCBM was not detected in the upstream receiving water based on one sample collected between February 2018 and January 2022. Therefore, DCBM in the discharge has a reasonable potential to cause or contribute to an instream excursion above the CTR criterion for the protection of human health.
- (c) **WQBELs.** The receiving water contains assimilative capacity for DCBM, therefore, as discussed further in Section IV.C.2.c of this Fact Sheet, a dilution credit of 2:1 was allowed in the development of the WQBELs for DCBM. This Order contains a final average monthly effluent limitation (AMEL) and maximum daily effluent limitation (MDEL) for DCBM of 1.7 µg/L and

4.4 µg/L, respectively, based on the CTR criterion for the protection of human health.

- (d) **Plant Performance and Attainability.** Analysis of the effluent data shows that the MEC of 0.56 µg/L is less than the applicable WQBELs. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible.

iv. **Nitrate and Nitrite**

- (a) **WQO.** DDW has adopted Primary MCLs for the protection of human health for nitrite and nitrate that are equal to 1 mg/L and 10 mg/L (measured as nitrogen), respectively. DDW has also adopted a Primary MCL of 10 mg/L for the sum of nitrate and nitrite, measured as nitrogen.

U.S. EPA has developed a primary MCL and an MCL goal of 1 mg/L for nitrite (as nitrogen). For nitrate, U.S. EPA has developed Drinking Water Standards (10 mg/L as Primary MCL) and NAWQC for protection of human health (10 mg/L for non-cancer health effects).

- (b) **RPA Results.** The Facility is a POTW that treats domestic wastewater. Untreated domestic wastewater contains ammonia in concentrations that is harmful to aquatic life and exceed the Basin Plan's narrative toxicity objective. Inadequate or incomplete treatment may result in the discharge of nitrate and/or nitrite to the receiving stream in concentrations that may exceed the Primary MCL and would violate the Basin Plan's narrative chemical constituents' objective. Therefore, the Central Valley Water Board finds the discharge has a reasonable potential to cause or contribute to an instream excursion above the Primary MCL and WQBELs are required for nitrate plus nitrite.
- (c) **WQBELs.** This Order retains the average monthly effluent limitation (AMEL) and average weekly effluent limitation (AWEL) for nitrate plus nitrite of 10 µg/L and 16 µg/L, respectively, from Order R5-2017-0119, which are based on the Basin Plan's narrative chemical constituents objective for protection of the MUN beneficial use. These effluent limitations are included in this Order to assure the treatment process adequately nitrifies and denitrifies the waste stream to protect the beneficial use of municipal and domestic supply.
- (d) **Plant Performance and Attainability.** The maximum effluent nitrate plus nitrite concentration of 8.9 mg/L is below the WQBEL's. The Central Valley Water Board concludes,

therefore, that immediate compliance with these effluent limitations is feasible.

v. **Pathogens**

- (a) **WQO.** DDW has developed reclamation criteria, CCR, Division 4, Chapter 3 (Title 22), for the reuse of wastewater. Title 22 requires that for spray irrigation of food crops, parks, playgrounds, schoolyards, and other areas of similar public access, wastewater be adequately disinfected, oxidized, coagulated, clarified, and filtered, and that the effluent total coliform levels not exceed 2.2 MPN/100 mL as a 7-day median; 23 MPN/100 mL, not to be exceeded more than once in a 30-day period; and 240 MPN/100 mL, at any time.

Title 22 is not directly applicable to surface waters; however, the Central Valley Water Board finds the stringent disinfection criteria are appropriate since the undiluted effluent may be used for the irrigation of food crops and/or for body-contact water recreation. Coliform organisms are intended as an indicator of the effectiveness of the entire treatment train and the effectiveness of removing other pathogens.

- (b) **RPA Results.** Raw domestic wastewater inherently contains human pathogens that threaten human health and life, and constitute a threatened pollution and nuisance under CWC section 13050 if discharged untreated to the receiving water. The beneficial uses of Old River include municipal and domestic supply, water contact recreation, and agricultural irrigation supply, and there is, at times, less than 20:1 dilution. To protect these beneficial uses, the Central Valley Water Board finds that the wastewater must be disinfected and adequately treated to prevent disease. Although the Discharger provides disinfection, inadequate or incomplete disinfection creates the potential for pathogens to be discharged. Therefore, the Central Valley Water Board finds the discharge has reasonable potential for pathogens and WQBELs are required.
- (c) **WQBELs.** Special Provisions VI.C.6.a of this Order requires, "Wastewater shall be oxidized, coagulated, filtered, and adequately disinfected pursuant to the State Water Board, DDW reclamation criteria, CCR, Title 22, division 4, chapter 3, (Title 22), or equivalent." In accordance with the requirements of Title 22, this Order includes effluent limitations for total coliform organisms of 2.2 MPN/100 mL as a 7-day median; 23 MPN/100 mL, not to be exceeded more than once in a 30-day period; and 240 MPN/100 mL as an instantaneous maximum.

The tertiary treatment process, or equivalent, is capable of reliably treating wastewater to a turbidity level of 2 nephelometric turbidity units (NTU) as a daily average. Failure of the filtration system such that virus removal is impaired would normally result in increased particles in the effluent, which result in higher effluent turbidity. Turbidity has a major advantage for monitoring filter performance. Coliform testing, by comparison, is not conducted continuously and requires several hours, to days, to identify high coliform concentrations. Therefore, in addition to total coliform organisms effluent limitations, this Order includes operational specifications for turbidity of 2 NTU as a daily average; 5 NTU, not to be exceeded more than 5 percent of the time within a 24-hour period; and 10 NTU as an instantaneous maximum.

Final WQBELs for BOD₅ and TSS are also required based on the technical capability of the tertiary process. The tertiary treatment standards for BOD₅ and TSS are indicators of the effectiveness of the tertiary treatment process. The principal design parameter for wastewater treatment plants is the daily BOD₅ and TSS loading rates and the corresponding removal rate of the system. The application of tertiary treatment processes results in the ability to achieve lower levels for BOD₅ and TSS than the technology-based secondary standards. Therefore, this Order requires AMELs for BOD₅ and TSS of 10 mg/L, which is technically based on the capability of a tertiary system.

This Order contains effluent limitations for BOD₅, total coliform organisms, and TSS and requires a tertiary level of treatment, or equivalent, necessary to protect the beneficial uses of the receiving water. The Central Valley Water Board has previously considered the factors in Water Code section 13241 in establishing these requirements.

- (d) **Plant Performance and Attainability.** The Facility provides tertiary treatment and utilizes a UV disinfection system designed to achieve Title 22 criteria. Therefore, the Central Valley Water Board concludes that immediate compliance with these effluent limitations is feasible for tertiary treated discharges from the Facility.

vi. **pH**

- (a) **WQO.** The Basin Plan includes a water quality objective for surface waters (except for Goose Lake) that the “pH shall not be depressed below 6.5 nor raised above 8.5.”

- (b) **RPA Results.** Raw domestic wastewater inherently has variable pH. Additionally, some wastewater treatment processes can increase or decrease wastewater pH which if not properly controlled, would violate the Basin Plan's numeric objective for pH in the receiving water. Therefore, reasonable potential exists for pH and WQBELs are required.
- (c) **WQBELs.** Effluent limitations for pH of 6.5 as an instantaneous minimum and 8.5 as an instantaneous maximum are included in this Order based on protection of the Basin Plan objectives for pH.
- (d) **Plant Performance and Attainability.** Effluent pH ranged from 6.4 to 7.98. Therefore, the Central Valley Water Board concludes that immediate compliance with the effluent limitations is feasible.

vii. **Temperature**

- (a) **WQO.** The Thermal Plan requires that, "The maximum temperature shall not exceed the natural receiving water temperature by more than 20°F."
- (b) **RPA Results.** Treated domestic wastewater is an elevated temperature waste, which could cause or threaten to cause the receiving water temperature to exceed temperature objectives established in the Thermal Plan. Therefore, reasonable potential exists for temperature and WQBELs are required.

The Facility is a POTW that treats domestic wastewater, which is an elevated temperature waste. This provides the basis for the discharge to have a reasonable potential to cause or contribute to an excursion above Thermal Plan requirements.

- (c) **WQBELs.** To ensure compliance with the Thermal Plan, an effluent limitation for temperature is included in this Order.

If the Central Valley Water Board receives concurrence from the State Water Board regarding the Thermal Plan exception described in Section III.C.1.d of this Fact Sheet, the following effluent limitation applies in lieu of the Thermal Plan effluent limitation for temperature:

The maximum temperature of the discharge measured at EFF-002 shall not exceed the natural receiving water temperature by more than:

- a) 20° F from 1 March through 31 October
- b) 30° F from 1 November through 28/29 February.

- (d) **Plant Performance and Attainability.** Monitoring data indicates that the discharge occasionally exceeds the receiving water temperature by more than 20°F during the coldest periods of the winter. If the State Water Board concurs with the Thermal Plan exception, the Central Valley Water board concludes that immediate compliance with the effluent limitations is feasible.

4. WQBEL Calculations

- a. This Order includes WQBELs for ammonia, BOD₅, chlorodibromomethane, dichlorobromomethane, methylmercury, nitrate plus nitrite, pH, temperature, and TSS. The general methodology for calculating WQBELs based on the different criteria/objectives is described in subsections IV.C.4.b through e, below. See Attachment H for the WQBEL calculations.
- b. **Effluent Concentration Allowance.** For each water quality criterion/objective, the ECA is calculated using the following steady-state mass balance equation from section 1.4 of the SIP:

$$\begin{aligned} \text{ECA} &= C + D (C - B) \text{ where } C > B, \text{ and} \\ \text{ECA} &= C \text{ where } C \leq B \end{aligned}$$

where:

ECA = effluent concentration allowance
D = dilution credit
C = the priority pollutant criterion/objective
B = the ambient background concentration.

According to the SIP, the ambient background concentration (B) in the equation above shall be the observed maximum with the exception that an ECA calculated from a priority pollutant criterion/objective that is intended to protect human health from carcinogenic effects shall use the arithmetic mean concentration of the ambient background samples.

- c. **Primary and Secondary MCLs.** For non-priority pollutants with primary MCLs to protect human health (e.g., nitrate plus nitrite), the AMEL is set equal to the primary MCL and the AWEL is calculated using the AWEL/AMEL multiplier, where the AWEL multiplier is based on a 98th percentile occurrence probability and the AMEL multiplier is from Table 2 of the SIP.

For non-priority pollutants with secondary MCLs that protect public welfare (e.g., taste, odor, and staining), WQBELs were calculated by setting the LTA equal to the secondary MCL and using the AMEL multiplier to set the AMEL. The AWEL was calculated using the MDEL/AMEL multiplier from Table 2 of the SIP.

- d. **Aquatic Toxicity Criteria.** For priority pollutants with acute and chronic aquatic toxicity criteria, the WQBELs are calculated in accordance with section 1.4 of the SIP. The ECAs are converted to equivalent long-term averages (i.e. LTA_{acute} and $LTA_{chronic}$) using statistical multipliers and the lowest LTA is used to calculate the AMEL and MDEL using additional statistical multipliers. For non-priority pollutants, WQBELs are calculated using similar procedures, except that an AWEL is determined utilizing multipliers based on a 98th percentile occurrence probability.
- e. **Human Health Criteria.** For priority pollutants with human health criteria, the WQBELs are calculated in accordance with section 1.4 of the SIP. The AMEL is set equal to the ECA and the MDEL is calculated using the MDEL/AMEL multiplier from Table 2 of the SIP. For non-priority pollutants with human health criteria, WQBELs are calculated using similar procedures, except that an AWEL is established using the MDEL/AMEL multiplier from Table 2 of the SIP.

$$AMEL = mult_{AMEL} \left[\min \left(\overbrace{M_A ECA_{acute}}^{LTA_{acute}}, M_C ECA_{chronic} \right) \right]$$

$$MDEL = mult_{MDEL} \left[\min \left(M_A ECA_{acute}, \underbrace{M_C ECA_{chronic}}_{LTA_{chronic}} \right) \right]$$

$$MDEL_{HH} = \left(\frac{mult_{MDEL}}{mult_{AMEL}} \right) AMEL_{HH}$$

where:

$mult_{AMEL}$ = statistical multiplier converting minimum LTA to AMEL
 $mult_{MDEL}$ = statistical multiplier converting minimum LTA to MDEL
 M_A = statistical multiplier converting acute ECA to LTA_{acute}
 M_C = statistical multiplier converting chronic ECA to $LTA_{chronic}$

Summary of Water Quality-Based Effluent Limitations Discharge Point 001

Table F-10 Summary of Water Quality-Based Effluent Limitations

Parameter	Units	Effluent Limitations
Ammonia Nitrogen, Total (as N)	mg/L	AMEL 0.9 AWEL 1.9
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	AMEL 10 AWEL 15
Chlorpyrifos	µg/L	See table note 1
Chlorodibromomethane	µg/L	AMEL 2.1 MDEL 5.3

Parameter	Units	Effluent Limitations
Diazinon	µg/L	See table note 2
Dichlorobromomethane	µg/L	AMEL 1.7 MDEL 4.4
Methylmercury	grams/year (see table note 3)	AMEL 0.37
Nitrate Plus Nitrite (as N)	mg/L	AMEL 10 AWEL 16
pH	Standard units	Instantaneous Min 6.5 Instantaneous Max 8.5
Temperature	°F	See table note 4
Total Coliform Organisms	MPN/100 mL (see table note 5 and 6)	7-day median 2.2 30-day period 23 Instantaneous Max 240
Total Suspended Solids	mg/L	AMEL 10 AWEL 15

Table F-10 Notes:

1. Average Monthly Effluent Limitation

$$S_{AMEL} = \frac{C_{DM-AVG}}{0.079} + \frac{C_{CM-AVG}}{0.012} \leq 1.0$$

CD M-AVG = average monthly diazinon effluent concentration in µg/L.

CC M-AVG = average monthly chlorpyrifos effluent concentration in µg/L.

2. Average Weekly Effluent Limitation

$$S_{AWEL} = \frac{C_{DW-AVG}}{0.14} + \frac{C_{CW-AVG}}{0.021} \leq 1.0$$

CD W-AVG = average weekly diazinon effluent concentration in µg/L.

CC W-AVG = average weekly chlorpyrifos effluent concentration in µg/L.

- The effluent calendar year annual methylmercury load shall not exceed 0.37 grams, in accordance with the Delta Mercury Control Program, effective 31 December 2030.
- Effective immediately, the maximum temperature of the discharge at Monitoring Location EFF-002 shall not exceed the natural receiving water temperature at Monitoring Location RSW-003 by more than 20°F, year-round. If the Central Valley Water Board receives concurrence from the State Water Board regarding the Thermal Plan exception, the effluent limitation in WDRs Section IV.A.1.e.ii applies.
- Applied as a 7-day median effluent limitation.
- Not to be exceeded more than once in any 30-day period.

5. Whole Effluent Toxicity (WET)

The State Water Board's toxicity provisions, which include numeric objectives for acute and chronic aquatic toxicity, are applicable to this discharge and are hereafter referred to as the Toxicity Provisions.

- a. **Acute Toxicity.** The acute aquatic toxicity water quality objective is expressed as a null hypothesis and an alternative hypothesis with a regulatory management decision (RMD) of 0.80, where the following null hypothesis, H_0 , shall be used:

H_0 : Mean response (ambient water) $\leq 0.80 \cdot$ mean response (control)

And where the following alternative hypothesis, H_a , shall be used:

H_a : Mean response (ambient water) $> 0.80 \cdot$ mean response (control)

Attainment of the water quality objective is demonstrated by conducting acute aquatic toxicity testing and rejecting this null hypothesis in accordance with the TST statistical approach. When the null hypothesis is rejected, the alternative hypothesis is accepted in its place, and there is no exceedance of the acute aquatic toxicity water quality objective. Failing to reject the null hypothesis (referred to as a “fail”) is equivalent to an exceedance of the acute aquatic toxicity water quality objective.

The table below is acute WET testing performed by the Discharger from 12 February 2020 through 26 October 2022.

Table F-11. Acute Whole Effluent Toxicity Testing Results

Date	Rainbow Trout (<i>Oncorhynchus mykiss</i>) Percent Survival at IWC (100% Effluent)
2/12/2020	100
5/11/2020	100
8/10/2020	100
10/12/2020	100
3/16/2021	100
6/16/2021	100
9/13/2021	100
12/13/2021	100
3/9/2022	100
5/19/2022	100
7/20/2022	100
10/26/2022	100

- i. **RPA.** No dilution has been granted for acute whole effluent toxicity. Therefore, acute toxicity testing has been conducted at an instream waste concentration (IWC) of 100 percent effluent. A test result that fails the Test of Significant Toxicity (TST) demonstrates the discharge has a reasonable potential to cause or contribute to an exceedance of the Statewide Toxicity Provisions aquatic toxicity

numeric objectives and Basin Plan's narrative toxicity objective. Based on acute toxicity testing conducted between 12 February 2020 and 26 October 2022, the discharge does not have reasonable potential to cause or contribute to an instream exceedance of the Statewide Toxicity Provisions aquatic toxicity numeric objectives and Basin Plan's narrative toxicity objective.

- b. **Chronic Toxicity.** The chronic aquatic toxicity water quality objective is expressed as a null hypothesis and an alternative hypothesis with a regulatory management decision (RMD) of 0.75, where the following null hypothesis, H_0 , shall be used

H_0 : Mean response (ambient water) $\leq 0.75 \cdot$ mean response (control)

And where the following alternative hypothesis, H_a , shall be used:

H_a : Mean response (ambient water) $> 0.75 \cdot$ mean response (control)

Attainment of the water quality objective is demonstrated by conducting chronic aquatic toxicity testing and rejecting this null hypothesis in accordance with the Test of Significant Toxicity (TST) statistical approach described in National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document (EPA 833-R-10-003, 2010), Appendix A, Figure A-1 and Table A-1 (Chronic Freshwater and East Coast Methods) and Appendix B, Table B-1. When the null hypothesis is rejected, the alternative hypothesis is accepted in its place, and there is no exceedance of the chronic aquatic toxicity water quality objective. Failing to reject the null hypothesis (referred to as a "fail") is equivalent to an exceedance of the chronic aquatic toxicity water quality objective.

To evaluate compliance with the Statewide Toxicity Provisions aquatic toxicity numeric objectives, acute and chronic whole effluent toxicity testing data has been evaluated in the development of this Order.

The table below is chronic WET testing performed by the Discharger from 19 February 2018 through 24 October 2022.

**Table F-12 Chronic Whole Effluent Toxicity Testing Results –
Test of Significant Toxicity at the IWC (100% Percent Effluent)**

Date	Water Flea (<i>Ceriodaphnia dubia</i>) Survival		Water Flea (<i>Ceriodaphnia dubia</i>) Reproduction	
	Pass/ Fail	Percent Effect	Pass/ Fail	Percent Effect
2/19/2018	Pass	0	Pass	-18.53

Date	Water Flea (<i>Ceriodaphnia dubia</i>) Survival		Water Flea (<i>Ceriodaphnia dubia</i>) Reproduction	
	Pass/ Fail	Percent Effect	Pass/ Fail	Percent Effect
5/7/2018	Pass	0	Pass	-3.65
9/10/2018	Pass	0	Pass	-28.36
11/12/2018	Pass	0	Pass	-30.87
3/18/2019	Pass	0	Pass	-6.97
6/17/2019	Pass	0	Pass	16.24
8/12/2019	Pass	0	Pass	3.2
11/4/2019	Pass	0	Pass	-65.41
2/10/2020	Pass	0	Pass	-17.89
5/11/2020	Pass	-11.11	Pass	-7.1
8/10/2020	Pass	0	Pass	9.89
10/12/2020	Pass	0	Pass	-14.29
3/16/2021	Pass	0	Pass	4.59
6/16/2021	Pass	0	Fail	22.3
9/13/2021	Pass	0	Pass	-12.77
9/30/2021	Pass	0	Pass	11.67
12/13/2021	Pass	10	Fail	21.47
3/10/2022	Pass	0	Pass	11.6
6/1/2022	Pass	0	Fail	21.0
7/20/2022	Pass	-11.1	Pass	-3.2
10/24/2022	Pass	0	Pass	-22.2

- i. **RPA.** No dilution has been granted for chronic whole effluent toxicity. Therefore, chronic toxicity testing has been conducted at an instream waste concentration (IWC) of 100 percent effluent. A test result that fails the Test of Significant Toxicity (TST) or has a percent effect greater than 10 percent at the IWC demonstrates the discharge has a reasonable potential to cause or contribute to an exceedance of the Statewide Toxicity Provisions aquatic toxicity numeric. Based on chronic toxicity testing conducted between 19 February 2018 and 24 October 2022, there were one or more fails of the TST and the percent effect exceeded 10 percent; therefore, the discharge has a reasonable potential to cause or contribute to an instream exceedance of the Statewide Toxicity Provisions numeric chronic aquatic toxicity objective and Basin Plan's narrative toxicity objective.
- ii. **WQBELs.** Effluent limitations have been established in Section IV.A.1 of this Order for chronic whole effluent toxicity to ensure compliance with the Toxicity Provisions.

The Toxicity Provisions direct the Board to include chronic toxicity effluent limitations if reasonable potential is demonstrated for chronic aquatic toxicity in accordance with the Toxicity Provisions. The Toxicity Provisions further direct the Board to apply one of four scenarios if the Board issues, reissues, renews, or reopens the NPDES permit after the effective date of the Provisions and prior to January 1, 2024. Under scenario 1, which applies to non-stormwater NPDES discharges with no numeric chronic aquatic toxicity effluent limitations in their current permit and when *Ceriodaphnia dubia* is identified as the most sensitive species, the permit must include the Chronic Whole Effluent Toxicity Maximum Daily Effluent Limitation (MDEL) and Median Monthly Effluent Target (MMET) using *Ceriodaphnia dubia* as the most sensitive species if a Median Monthly Effluent Limitation (MMEL) is not required by federal law. The MMET shall be in effect only through December 31, 2023, and starting January 1, 2024, the discharger must comply with the MMEL.

The Board has determined that Scenario 1 applies and that an MMEL is not required by federal law. Accordingly, the Discharger must comply with the MDEL and the MMET using *Ceriodaphnia dubia*. The MMET shall be in effect only through December 31, 2023. Starting January 1, 2024, the Discharger must comply with the MDEL and MMEL using *Ceriodaphnia dubia*.

The following effluent limitations have been included in Section IV.A.1:

Chronic Whole Effluent Toxicity Maximum Daily Effluent Limitation (MDEL). No *Ceriodaphnia dubia* chronic aquatic toxicity test shall result in a “Fail” at the Instream Waste Concentration (IWC) for the sub-lethal endpoint measured in the test AND a percent effect for the survival endpoint greater than or equal to 50 percent.

Chronic Whole Effluent Toxicity Monthly Median Effluent Limitation (MMEL). Effective 1 January 2024, no more than one *Ceriodaphnia dubia* chronic aquatic toxicity test initiated in a toxicity calendar month shall result in a “Fail” at the IWC for any endpoint.

D. Final Effluent Limitation Considerations

1. Mass-based Effluent Limitations

40 C.F.R section 122.45(f)(1) requires effluent limitations be expressed in terms of mass, with some exceptions, and 40 C.F.R. section 122.45(f)(2) allows pollutants that are limited in terms of mass to additionally be limited in terms of other units of measurement. This Order includes effluent limitations expressed in terms of mass and concentration. In addition, pursuant to the exceptions to mass limitations provided in 40 C.F.R. section 122.45(f)(1), some effluent limitations are not expressed in terms of mass, such as pH and temperature, and when the applicable standards are expressed in terms of concentration

(e.g., CTR criteria and MCLs) and mass limitations are not necessary to protect the beneficial uses of the receiving water.

Mass-based effluent limitations were calculated based upon the permitted and design flow (Average Dry Weather Flow) of the Facility established in Table F-1.

2. Averaging Periods for Effluent Limitations

40 C.F.R. section 122.45 (d) requires average weekly and average monthly discharge limitations for POTWs unless impracticable. For chlorodibromomethane and dichlorobromomethane, average weekly effluent limitations have been replaced with maximum daily effluent limitations in accordance with section 1.4 of the SIP. Furthermore, for pH and total coliform organisms, weekly average effluent limitations have been replaced or supplemented with effluent limitations utilizing shorter averaging periods. The rationale for using shorter averaging periods for these constituents is discussed in section IV.C.3 of this Fact Sheet.

3. Satisfaction of Anti-Backsliding Requirements

The CWA specifies that a revised permit may not include effluent limitations that are less stringent than the previous permit unless a less stringent limitation is justified based on exceptions to the anti-backsliding provisions contained in CWA sections 402(o) or 303(d)(4), or, where applicable, 40 C.F.R. section 122.44(l).

The effluent limitations in this Order are at least as stringent as the comparable effluent limitations in the previous Order, save for a few exceptions that are consistent with anti-backsliding requirements of the CWA, as detailed below.

- a. **CWA section 402(o)(1) and 303(d)(4).** CWA section 402(o)(1) prohibits the establishment of less stringent water quality-based effluent limits “except in compliance with Section 303(d)(4).” CWA section 303(d)(4) has two parts: paragraph (A) which applies to nonattainment waters and paragraph (B) which applies to attainment waters.
 - i. For waters where standards are not attained, CWA section 303(d)(4)(A) specifies that any effluent limit based on a TMDL or other WLA may be revised only if the cumulative effect of all such revised effluent limits based on such TMDLs or WLAs will assure the attainment of such water quality standards.
 - ii. For attainment waters, CWA section 303(d)(4)(B) specifies that a limitation based on a water quality standard may be relaxed where the action is consistent with the antidegradation policy. The Old River is considered an attainment water for ammonia, temperature, and acute toxicity because the receiving water is not listed as impaired on the 303(d) list for these constituents. The exceptions in section 303(d)(4) address both waters in attainment with water quality standards and

those not in attainment, i.e. waters on the section 303(d) impaired waters list. As discussed in section IV.D.4, below, relaxation or removal of the effluent limits complies with federal and state antidegradation requirements. Thus, relaxation of effluent limitations for temperature and ammonia and removal of the effluent limitations for acute toxicity from Order R5-2017-0119 meets the exception in CWA section 303(d)(4)(B).

- b. **CWA section 402(o)(2).** CWA section 402(o)(2) provides several exceptions to the anti-backsliding regulations. CWA section 402(o)(2)(B)(i) allows a renewed, reissued, or modified permit to contain a less stringent effluent limitation for a pollutant if information is available which was not available at the time of permit issuance (other than revised regulations, guidance, or test methods) and which would have justified the application of a less stringent effluent limitation at the time of permit issuance. CWA section 402(o)(2)(E) allows a renewed, reissued, or modified permit to contain a less stringent effluent limitation if the permittee has installed the treatment facilities required to meet the effluent limitations in the previous permit and has properly operated and maintained the facilities but has nevertheless been unable to achieve the previous effluent limitations, in which case the limitations in the reviewed, reissued, or modified permit may reflect the level of pollutant control actually achieved.

As described further in section IV.C.3.b of this Fact Sheet, updated information that was not available at the time Order R5-2017-0119 was issued indicates that acute toxicity do not exhibit reasonable potential to cause or contribute to an exceedance of water quality objectives in the receiving water. Additionally, updated information that was not available at the time Order R5-2017-0119 was issued indicates that less stringent effluent limitations for ammonia based on updated ammonia criteria satisfy requirements in CWA section 402(o)(2). The updated information that supports the relaxation of effluent limitations for these constituents includes the following:

For ammonia, the MDEL has changed from the previous Order. However, the effluent limit is not less stringent. In this case, the waste load allocation (WLA) in this Order and the previous Order are identical. The WLA provides a definition of effluent quality that is necessary to meet the water quality standards of the receiving water and is used to derive WQBELs that are used to enforce the WLA.

The TSD warns that, *“Direct use of a WLA as a permit limit creates a significant risk that the WLA will be enforced incorrectly, since effluent variability and the probability basis for the limit are not considered specifically.”* (TSD, p. 96) The SIP and TSD include identical procedures for calculating WQBELs that use the statistical variability of the effluent to convert the WLA to AMELs and MDELs.

The new effluent data used to calculate WQBELs for this Order has different statistical variability (i.e., coefficient of variation (CV) is different) than used in the previous Order. Changes in the CV can result in small changes to the effluent limits. However, the slight changes in effluent limits do not allow for an increase in the pollutants discharged. The TSD states, *“Since effluents are variable and permit limits are developed based on a low probability of exceedance, the permit limits should consider effluent variability and ensure that the requisite loading from the WLA is not exceeded under normal conditions. In effect then, the limits must “force” treatment plant performance, which, after considering acceptable effluent variability, will only have a low statistical probability of exceeding the WLA and will achieve the desired loadings.”* (TSD, p. 97) Therefore, although there are slight differences in the effluent limit, the WLA is identical, so the level of treatment needed to maintain compliance with the effluent limit remains the same. Consequently, the effluent limit is not less stringent than the previous Order, and there is no backsliding.

WQBELs for ammonia were calculated based on monitoring data collected between January 2018 and January 2022, which is representative of current treatment plant performance. Therefore, Central Valley Water Board staff considers this effluent data to be the most representative and reliable dataset to use to determine current Facility performance and development of WQBELs.

As described further in Section III.C.1.d, the less stringent temperature effluent limitation, as authorized by the Thermal Plan and supported by comprehensive studies, does not violate anti-backsliding provisions. The Discharger completed comprehensive studies evaluating compliance with existing temperature limitations, protectiveness of alternative limitations, and the technical and economic feasibility of additional controls. The studies showed that the Discharger has been unable to consistently comply with temperature effluent limitations in late fall and winter months; that the existing limitation is more stringent than necessary to assure the protection and propagation of a balanced, indigenous community of shellfish, fish and wildlife in and on the body of water into which the discharge is made; and the alternative effluent limitation, considering the cumulative impact of the thermal discharge together with all other significant impacts on the species affected, will assure the protection and propagation of a balanced indigenous community of shellfish, fish and wildlife in and on Old River and the Delta. Accordingly, the requirements in CWA section 402(o)(2) have been satisfied.

4. Antidegradation Policies

As discussed in section II.E of this Fact Sheet, the Discharger is in the process of completing an upgrade and expansion project that will increase the design capacity of the Facility. Orders R5-2007-0039, R5-2013-0004-01, and R5-2017-0119 provided antidegradation findings and authorized an increase

in the average dry weather flow up to 5.4 MGD. This Order does not provide for an increase in flow or mass of pollutants to the receiving water beyond levels authorized in Order R5-2017-0119. Therefore, a complete antidegradation analysis is not necessary in this Order. The Order requires compliance with applicable federal technology-based standards and with WQBEL's where the discharge could have reasonable potential to cause or contribute to an exceedance of water quality standards. The permitted discharge is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Antidegradation Policy. Compliance with these requirements will result in the use of BPTC of the discharge. The impact on existing water quality will be insignificant.

This Order removes effluent limitations for acute toxicity per standard approach under the new Statewide Toxicity Provisions, because chronic toxicity testing is generally protective of both acute and chronic toxicity. This will not result in a decrease in the level of treatment or control, or a reduction in water quality. Therefore, the Central Valley Water Board finds that the removal of the effluent limitations for acute toxicity does not result in an allowed increase in pollutants or any additional degradation of the receiving water. Thus, the removal of effluent limitations is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Antidegradation Policy.

This Order relaxes effluent limitations for ammonia due to a change in the variability of the effluent data. The relaxation of WQBELs for these parameters will not result in an increase in pollutant concentration or loading, a decrease in the level of treatment or control, or a reduction of water quality. Therefore, the Central Valley Water Board finds that the relaxation of the effluent limitations does not result in an increase in pollutants or any additional degradation of the receiving water. Thus, the relaxation of effluent limitations is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Anti-Degradation Policy.

In addition, the mass-based effluent limitations for ammonia have been removed based on 40 C.F.R. section 122.45(d) and (f). The relaxation of these effluent limits will not result in a decrease in the level of treatment or control or a reduction in water quality. Furthermore, a concentration based AMEL and AWEL remain for ammonia, as well as a flow prohibition that limits the amount of flow that can be discharged to the receiving water during periods of discharge. The combination of concentration-based effluent limits and a flow prohibition in this Order are equivalent to mass-based effluent limitations, which were redundant limits contained in previous Orders by multiplying the concentration-based effluent limits and permitted average dry weather flow by a conversion factor to determine the mass-based effluent limitations.

Finally, this Order relaxes effluent limitations for temperature, as detailed in Section III.C.1.d and subject to concurrence by the State Water Resources Control Board. The relaxation of these effluent limits will not result in a

decrease in the level of treatment or control or a reduction in water quality. The Discharger completed comprehensive studies evaluating compliance with existing temperature limitations, protectiveness of alternative limitations, and the technical and economic feasibility of additional controls. The studies showed that the Discharger has been unable to consistently comply with temperature effluent limitations in late fall and winter months; that the existing limitation is more stringent than necessary to assure the protection and propagation of a balanced, indigenous community of shellfish, fish and wildlife in and on the body of water into which the discharge is made; and the alternative effluent limitation, considering the cumulative impact of the thermal discharge together with all other significant impacts on the species affected, will assure the protection and propagation of a balanced indigenous community of shellfish, fish and wildlife in and on Old River and the Delta.

- a. **Surface Water.** The permitted surface water discharge is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Anti-Degradation Policy. Compliance with these requirements will result in the use of BPTC of the discharge. The impact on existing water quality will be insignificant.

5. Stringency of Requirements for Individual Pollutants

This Order contains both technology-based effluent limitations and WQBELs for individual pollutants. The technology-based effluent limitations consist of restrictions on BOD₅, TSS, and pH. Restrictions on BOD₅, TSS, and pH are discussed in section IV.B.2. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. These limitations are not more stringent than required by the CWA.

WQBELs have been derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant WQBELs were derived from the CTR, the CTR is the applicable standard pursuant to 40 C.F.R. section 131.38. The procedures for calculating the individual WQBELs for priority pollutants are based on the CTR implemented by the SIP, which was approved by U.S. EPA on 18 May 2000. Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

Summary of Final Effluent Limitations Discharge Point 001

Table F-13 Summary of Final Effluent Limitations

Parameter	Units	Effluent Limitations	Basis
Biological Oxygen Demand (5 day @ 20° C)	mg/L	AMEL 10 AWEL 15	TTC

Parameter	Units	Effluent Limitations	Basis
	% Removal	85	CFR, TTC
pH	Standard Units	Instantaneous Max 8.5 Instantaneous Min 6.5	BP
Total Suspended Solids	lbs/day	AMEL 10 AWEL 15	TTC
	% Removal	85	CFR, TTC
Chlorodibromomethane	µg/L	AMEL 2.1 AWEL 5.3	CTR
Dichlorobromomethane	µg/L	AMEL 1.7 AWEL 4.4	CTR
Ammonia Nitrogen, Total (as N)	mg/L	AMEL 0.8 AWEL 1.7	NAWQ C
Chlorpyrifos	µg/L	AMEL (see table note 2) AWEL (see table note 3)	TMDL
Diazinon	µg/L	AMEL (see table note 2) AWEL (see table note 3)	TMDL
Methylmercury	grams/year	0.37 (see table note 4)	TMDL
Nitrate Plus Nitrite (as N)	mg/L	AMEL 10 AWEL 16	MCL
Temperature	°F	(see table note 5)	TP
Total Coliform Organisms	MPN/100 mL	7-day median 2.2 30-day period 23 Instantaneous Max 240	Title 22

Table F-13 Notes:

- DC – Based on the design capacity of the Facility.
TTC – Based on tertiary treatment capability. These effluent limitations reflect the capability of a properly operated tertiary treatment plant.
CFR – Based on secondary treatment standards contained in 40 C.F.R part 133.
BP – Based on water quality objectives contained in the Basin Plan.
PB – Based on Facility performance.
NAWQC – Based on U.S. EPA's National Ambient Water Quality Criteria for the protection of freshwater aquatic life.
MCL – Based on the Primary Maximum Contaminant Level.
Title 22 – Based on CA Division of Drinking Water Reclamation Criteria, CCR, Division 4, Chapter 3 (Title 22).
TMDL – Based on the WLA's in the applicable TMDL.
TP – Based on the Thermal Plan.
- Average Monthly Effluent Limitation

$$S_{AMEL} = \frac{C_{DM-AVG}}{0.079} + \frac{C_{CM-AVG}}{0.012} \leq 1.0$$

C_{DM-AVG} = average monthly diazinon effluent concentration in $\mu\text{g/L}$.

C_{CM-AVG} = average monthly chlorpyrifos effluent concentration in $\mu\text{g/L}$.

3. Average Weekly Effluent Limitation

$$S_{AWEL} = \frac{C_{DW-AVG}}{0.14} + \frac{C_{CW-AVG}}{0.021} \leq 1.0$$

C_{DW-AVG} = average weekly diazinon effluent concentration in $\mu\text{g/L}$.

C_{CW-AVG} = average weekly chlorpyrifos effluent concentration in $\mu\text{g/L}$.

4. The effluent calendar year annual methylmercury load shall not exceed 0.37 grams, in accordance with the Delta Mercury Control Program, effective 31 December 2030.
5. Effective immediately, the maximum temperature of the discharge, measured at Monitoring Location EFF-002 shall not exceed the natural receiving water temperature at Monitoring Location RSW-003 by more than 20°F, year-round.

E. Interim Effluent Limitations

1. **Compliance Schedule for Methylmercury.** This Order contains a final effluent limitation for methylmercury based on the Basin Plan's Delta Mercury Control Program that became effective on 20 October 2011. The Discharger has complied with the application requirements in paragraph 4 of the State Water Board's Compliance Schedule Policy, and the Discharger's application demonstrates the need for additional time to implement actions to comply with the final effluent limitations, as described below. Therefore, a compliance schedule for compliance with the effluent limitations for methylmercury is established in the Order.

A compliance schedule is necessary because the Discharger must implement actions, including a Phase 1 Methylmercury Control Study and possible upgrades to the Facility, to comply with the final effluent limitations.

The Discharger has made diligent efforts to quantify pollutant levels in the discharge and the sources of the pollutant in the waste stream. The Discharger conducted quarterly monitoring for mercury and methylmercury during the term of Order R5-2017-0119. The Discharger has developed and continues to implement a pollution prevention plan for mercury, which was submitted to the Central Valley Water Board on 19 December 2007, and provided annual progress reports during the term of Order R5-2017-0119.

The compliance schedule is as short as possible. The Central Valley Water Board will use the Phase 1 Control Studies' results and other information to consider amendments to the Delta Mercury Control Program during the Phase 1 Delta Mercury Control Program Review. Therefore, at this time, it is uncertain what measures must be taken to consistently comply with the WLA for methylmercury. The interim effluent limits and final compliance date may be modified at the completion of Phase 1.

Interim performance-based limitations have been included in this Order. The interim limitations were determined as described in section IV.E.2, below, and are in effect until the final limitations take effect. The interim numeric effluent limitations and source control measures will result in the highest discharge quality that can reasonably be achieved until final compliance is attained.

1. **Interim Limits for Mercury.** The Compliance Schedule Policy requires the Central Valley Water Board to establish interim requirements and dates for their achievement in the NPDES permit. Interim numeric effluent limitations are required for compliance schedules longer than 1 year. Interim effluent limitations must be based on current treatment plant performance or previous final permit limitations, whichever is more stringent. When feasible, interim limitations must correspond with final permit effluent limitations with respect to averaging bases (e.g., AMEL, MDEL, AWEL, etc.) for effluent limitations for which compliance protection is intended.

The interim effluent limitations for total mercury are based on Facility performance. The Delta Mercury Control Program requires POTW's to limit their discharges of inorganic (total) mercury to Facility performance-based levels during Phase 1. The interim inorganic (total) mercury effluent mass limit is to be derived using current, representative data and shall not exceed the 99.9th percentile of the 12-month running effluent inorganic (total) mercury mass loads. At the end of Phase 1, the interim inorganic (total) mercury mass limit will be re-evaluated and modified as appropriate. The Delta Mercury Control Program also requires interim limits established during Phase 1 and allocations will not be reduced as a result of early actions that result in reduced inorganic (total) mercury and/or methylmercury in discharges.

This Order retains the interim performance-based effluent limitation for total mercury from Order R5-2013-0004-01, which is consistent with the intent of the TMDL to not penalize dischargers for early actions to reduce mercury. Total mercury samples collected since the operation of tertiary filtration from July 2007 through March 2012 were used in the determination of the performance-based interim effluent limit in Order R5-2013-0004-01. The interim effluent limitation for total mercury shall apply in lieu of the final effluent limitation for methylmercury.

The Central Valley Water Board finds that the Discharger can undertake source control and treatment plant measures to maintain compliance with the interim limitations included in this Order. Interim limitations are established when compliance with final effluent limitations cannot be achieved by the existing discharge. Discharge of constituents in concentrations in excess of the final effluent limitations, but in compliance with the interim effluent limitations, can significantly degrade water quality and adversely affect the beneficial uses of the receiving stream on a long-term basis. The interim limitations, however, establish an enforceable ceiling concentration until compliance with the effluent limitation can be achieved.

F. Land Discharge Specifications – Not Applicable

G. Recycling Specifications – Not Applicable

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

1. CWA section 303(a-c), requires states to adopt water quality standards, including criteria where they are necessary to protect beneficial uses. The Central Valley Water Board adopted water quality criteria as water quality objectives in the Basin Plan. The Basin Plan states that “[t]he numerical and narrative water quality objectives define the least stringent standards that the Regional Water Board will apply to regional waters in order to protect the beneficial uses.” The Basin Plan includes numeric and narrative water quality objectives for various beneficial uses and water bodies. This Order contains receiving surface water limitations based on the Basin Plan numerical and narrative water quality objectives for ammonia, bacteria, biostimulatory substances, color, chemical constituents, dissolved oxygen, floating material, oil and grease, pH, pesticides, radioactivity, suspended sediment, settleable substances, suspended material, tastes and odors, temperature, toxicity, and turbidity.
- a. **Bacteria.** On 7 August 2018 the State Water Board adopted Resolution No. 2018-0038 establishing Bacteria Provisions, which are specifically titled “Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Bacteria Provisions and a Water Quality Standards Variance Policy” and “Amendment to the Water Quality Control Plan for Ocean Waters of California—Bacteria Provisions and a Water Quality Standards Variance Policy.” The Bacteria Water Quality Objectives established in the Bacteria Provisions supersede any numeric water quality objective for bacteria for the REC-1 beneficial use contained in a water quality control plan before the effective date of the Bacteria Provisions.

The Bacteria Water Quality Objectives correspond with the risk protection level of 32 illnesses per 1,000 recreators and use *E. coli* as the indicator of pathogens in freshwaters and enterococci as the indicator of pathogens in estuarine waters and ocean waters.

The Bacteria Provisions provide that where a permit, waste discharge requirement (WDR), or waiver of WDR includes an effluent limitation or discharge requirement that is derived from a water quality objective or other guidance to control bacteria (for any beneficial use) that is more stringent than the Bacteria Water Quality Objective, the Bacteria Water Quality Objective would not be implemented in the permit, WDR, or waiver of WDR. This Order includes effluent limitations and discharge requirements equivalent to the DDW Title 22 disinfected tertiary reclamation criteria that are more stringent than the Statewide Bacteria Objectives. Therefore, the Statewide Bacteria Objectives have not been implemented in this Order.

B. Groundwater – Not Applicable

VI. RATIONALE FOR PROVISIONS

A. Standard Provisions

Standard Provisions, which apply to all NPDES permits in accordance with 40 C.F.R. section 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 C.F.R. section 122.42, are provided in Attachment D. The discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42.

Sections 122.41(a)(1) and (b) through (n) of 40 C.F.R. establish conditions that apply to all state issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. Section 123.25(a)(12) of 40 C.F.R. allows the state to omit or modify conditions to impose more stringent requirements. In accordance with 40 C.F.R. section 123.25, this Order omits federal conditions that address enforcement authority specified in 40 C.F.R. sections 122.41(j)(5) and (k)(2) because the enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387(e).

B. Special Provisions

1. Reopener Provisions

- a. **Mercury.** This provision allows the Central Valley Water Board to reopen this Order in the event mercury is found to be causing toxicity based on acute or chronic toxicity test results, or if a TMDL program is adopted. In addition, this Order may be reopened if the Central Valley Water Board determines that a mercury offset program is feasible for dischargers subject to NPDES permits.
- b. **Pollution Prevention.** This Order requires the Discharger prepare pollution prevention plans following Water Code section 13263.3(d)(3) for mercury and salinity. This reopener provision allows the Central Valley Water Board to reopen this Order for addition and/or modification of effluent limitations and requirements for these constituents based on a review of the pollution prevention plans.
- c. **Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS).** On 17 January 2020, certain Basin Plan Amendments to incorporate new strategies for addressing ongoing salt and nitrate accumulation in the Central Valley became effective. Other provisions subject to U.S. EPA approval became effective on 2 November 2020, when approved by U.S. EPA. As the Central Valley Water Board moves forward to implement those provisions that are now in effect, this Order

may be amended or modified to incorporate new or modified requirements necessary for implementation of the Basin Plan Amendments. More information regarding these Amendments can be found on the [Central Valley Salinity Alternatives for Long-Term Sustainability \(CV-SALTS\) web page](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/):
(https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/)

- d. **Water Effects Ratio (WER) and Metal Translators.** A default WER of 1.0 has been used in this Order for calculating criteria for applicable inorganic constituents. In addition, default dissolved-to-total metal translators have been used to convert water quality objectives from dissolved to total when developing effluent limitations. If the Discharger performs studies to determine site-specific WERs and/or site-specific dissolved-to-total metal translators, this Order may be reopened to modify the effluent limitations for the applicable inorganic constituents.
- e. **Ultraviolet Light (UV) Disinfection Operating Specifications.** UV system operating specifications are required to ensure that the UV system is operated to achieve the required pathogen removal. UV disinfection system specifications and monitoring and reporting requirements are required to ensure that adequate UV dosage is applied to the wastewater to inactivate pathogens (e.g., viruses) in the wastewater. UV dosage is dependent on several factors such as UV transmittance, UV power setting, wastewater turbidity, and wastewater flow through the UV disinfection system. The UV specifications in this Order are based on the National Water Research Institute (NWRI) and American Water Works Association Research Foundation (AWWRF) "Ultraviolet Disinfection Guidelines for Drinking Water and Water Reuse" first published in December 2000 and revised as a Third Edition dated August 2012 (NWRI guidelines). If the Discharger conducts a site-specific UV engineering study that identifies site-specific UV operating specifications that will achieve the virus inactivation required by Title 22 for disinfected tertiary recycled water, this Order may be reopened to modify the UV specifications, in accordance with Reopener Provision VI.C.1.e.
- f. **Facility Expansion.** In January 2025, the Discharger submitted a request to expand the permitted ADWF discharge to Old River to 4.0 MGD following the completion of certain upgrades at the Facility. As required by this reopener provision, the Discharger certified that the upgraded facility meets the requirements of sections IV.A.1, IV.A.2, and V.A of this Order and that the upgraded Facility can accommodate and de-water the increased sludge volume. The Discharger also provided information demonstrating the increased discharge will comply with section V.A.14 of this Order.

The Discharger has requested an expansion of allowable flows to be discharged up to 5.4 MGD to the Old River following the completion of the

Facility's expansion. This provision requires the Discharger to certify that the upgraded facility can meet the requirements of sections IV.A.1, IV.A.2, and V.A of this Order and that the upgraded Facility can accommodate and de-water the increased sludge volume. The Discharger is required to provide information demonstrating the increased discharge will comply with section V.A.14 of this Order. Therefore, this Order may be reopened to modify the permitted average dry-weather flow up to 5.4 MGD upon compliance with the above conditions.

2. Special Studies, Technical Reports and Additional Monitoring Requirements

a. Toxicity Reduction Evaluation (TRE)

1. **Median Monthly Effluent Target (MMET).** As explained in Fact Sheet section IV.C.5.b.ii, a Median Monthly Effluent Target (MMET) using *Ceriodaphnia dubia* as the most sensitive species has been included pursuant to the Toxicity Provisions. The MMET shall be in effect only through December 31, 2023.
2. **TRE:** Pursuant to the Toxicity Provisions, the Discharger is required to initiate a TRE when any combination of two or more MDEL or MMEL violations (following the MMEL effective date) occur within a single calendar month or within two successive calendar months. Prior to the effective date of the MMEL, a TRE is also required when the Discharger has any combination of two or more MMET exceedances or MDEL violations within a single calendar month or within two successive calendar months. In addition, if other information indicates toxicity (e.g., results of additional monitoring, results of monitoring at a higher concentration than the IWC, fish kills, intermittent recurring toxicity), the Central Valley Water Board may require a TRE. A TRE may also be required when there is no effluent available to complete a routine monitoring test or MMET test. MRP Section V.F. provides additional details regarding the TRE.

3. Best Management Practices and Pollution Prevention

- a. **Water Code section 13263.3(d)(3) Pollution Prevention Plans.** A pollution prevention plans for mercury and salinity are required in this Order per Water Code section 13263.3(d)(1)(C). The pollution prevention plans required in section VI.C.3.a. and in section VI.C.7.a of this Order, shall, at a minimum, meet the requirements outlined in Water Code section 13263.3(d)(3). The minimum requirements for the pollution prevention plans include the following:
 - i. An estimate of all of the sources of a pollutant contributing, or potentially contributing, to the loadings of a pollutant in the treatment plant influent.

- ii. An analysis of the methods that could be used to prevent the discharge of the pollutants into the Facility, including application of local limits to industrial or commercial dischargers regarding pollution prevention techniques, public education and outreach, or other innovative and alternative approaches to reduce discharges of the pollutant to the Facility. The analysis also shall identify sources, or potential sources, not within the ability or authority of the Discharger to control, such as pollutants in the potable water supply, airborne pollutants, pharmaceuticals, or pesticides, and estimate the magnitude of those sources, to the extent feasible.
 - iii. An estimate of load reductions that may be attained through the methods identified in subparagraph ii.
 - iv. A plan for monitoring the results of the pollution prevention program.
 - v. A description of the tasks, cost, and time required to investigate and implement various elements in the pollution prevention plan.
 - vi. A statement of the Discharger's pollution prevention goals and strategies, including priorities for short-term and long-term action, and a description of the Discharger's intended pollution prevention activities for the immediate future.
 - vii. A description of the Discharger's existing pollution prevention programs.
 - viii. An analysis, to the extent feasible, of any adverse environmental impacts, including cross-media impacts or substitute chemicals that may result from the implementation of the pollution prevention program.
 - ix. An analysis, to the extent feasible, of the costs and benefits that may be incurred to implement the pollution prevention program.
- b. Salinity Evaluation and Minimization Plan (SEMP).** The Basin Plan includes a Salt Control Program for discharges to groundwater and surface water. The Salt Control Program is a phased approach to address salinity in the Central Valley Region. During Phase I the focus will be on conducting a Prioritization and Optimization (P&O) Study to provide information for subsequent phases of the Salt Control Program. During Phase I, the Salt Control Program includes two compliance pathways for dischargers to choose; a Conservative Salinity Permitting Approach and an Alternative Salinity Permitting Approach.

The Discharger submitted a notice to intent for the Salt Control Program on 29 November 2022 indicating its intent to meet the Alternative Salinity Permitting Approach. Under the Alternative Permitting Approach, the

Basin Plan requires dischargers implement salinity minimization measures to maintain existing salinity levels and participate in the P&O Study. The Discharger's NOI demonstrated adequate participation in the P&O and this Order requires continued participation to meeting the requirements of the Alternative Salinity Permitting Approach. This Order also requires continued implementation of the Discharger's SEMP and includes a performance-based salinity trigger to ensure salinity levels do not increase. In accordance with the Basin Plan, the salinity trigger was developed based on existing facility performance and considers possible temporary increases that may occur due to water conservation and/or drought.

- c. **Pyrethroid Management Plan.** On 8 June 2017, the Central Valley Water Board adopted Resolution R5-2017-0057, which adopted the Basin Plan Amendment (BPA) for the Control of Pyrethroid Pesticide Discharges. Per the Basin Plan, Section 4.2.2.4.12, if concentrations of pyrethroids are found to exceed the acute and/or chronic pyrethroid triggers (Table 4-2 of the Basin Plan), the Discharger must submit a draft pyrethroid management plan for approval by the Executive Officer within one year from the date that an exceedance is identified by either the Discharger or Central Valley Water Board staff.

4. Construction, Operation, and Maintenance Specifications

- a. **Filtration System Operating Specifications.** Turbidity is included as an operational specification as an indicator of the effectiveness of the filtration system for providing adequate disinfection. The tertiary treatment process utilized at this Facility is capable of reliably meeting a turbidity limitation of 2 NTU as a daily average. Failure of the treatment system such that virus removal is impaired would normally result in increased particles in the effluent, which result in higher effluent turbidity and could impact UV dosage. Turbidity has a major advantage for monitoring filter performance, allowing immediate detection of filter failure and rapid corrective action. Effective immediately, the operational specification requires that turbidity prior to disinfection shall not exceed 2 NTU as a daily average; 5 NTU, more than 5 percent of the time within a 24-hour period, and an instantaneous maximum of 10 NTU.

Effective upon initiation of operations of the upgraded Facility and submittal of the certification in Technical Reports Table E-11, the operational specification requires that turbidity prior to disinfection shall not exceed 0.2 NTU more than 5 percent of the time and a daily maximum of 0.5 NTU.

- b. **UV Disinfection System Operating Specifications.** This Order requires that wastewater shall be oxidized, coagulated, filtered, and adequately disinfected pursuant to the DDW reclamation criteria, CCR, Title 22, division 4, chapter 3, (Title 22), or equivalent. To ensure that the UV

disinfection system is operated to achieve the required pathogen removal, this Order includes effluent limits for total coliform organisms, filtration system operating specifications, and UV disinfection system operating specifications. Compliance with total coliform effluent limits alone does not ensure that pathogens in the municipal wastewater have been deactivated by the UV disinfection system. Compliance with the effluent limits and the filtration system and UV disinfection operating specifications demonstrates compliance with the equivalency to Title 22 disinfection requirement.

The NWRI guidelines include UV operating specifications for compliance with Title 22. For water recycling in accordance with Title 22, the UV system shall be an approved system included in the Treatment Technology Report for Recycled Water, December 2009 (or a later version, as applicable) published by the DDW. The UV system shall also conform to all requirements and operating specifications of the NWRI guidelines. A memorandum dated 1 November 2004 issued by DDW to Regional Water Board executive offices recommended that provisions be included in permits for water recycling treatment plants employing UV disinfection requiring dischargers to establish fixed cleaning frequency of lamp sleeves, as well as, include provisions that specify minimum delivered UV dose that must be maintained (per the NWRI Guidelines).

For facilities utilizing cloth media filtration as part of the treatment process train upstream of UV disinfection, the NWRI guidelines recommend a minimum hourly average UV dose of 100 mJ/cm². Therefore, this Order includes UV operating specifications requiring a minimum hourly average UV dose of 100 mJ/cm² and a minimum hourly average UV transmittance of 55 percent, per the NWRI guidelines.

For facilities utilizing membrane filtration as a part of the treatment process, the NWRI guidelines recommend a minimum hourly average UV dose of 80 mJ/cm². Therefore, this Order includes UV operating specifications requiring a minimum hourly average UV dose of 80 mJ/cm² and a minimum hourly average UV transmittance of 65 percent, per the NWRI guidelines for the upgraded facility.

If the Discharger conducts a site-specific UV engineering study that demonstrates a lower UV dose meets a Title 22 equivalent virus removal, this Order may be reopened to revise the UV operating specifications accordingly.

5. Special Provisions for POTWs

- a. **Sludge/Biosolids Treatment or Discharge Specifications.** Sludge in this Order means the solid, semisolid, and liquid residues removed during primary, secondary, or advanced wastewater treatment processes. Solid waste refers to grit and screening material generated during preliminary treatment. Residual sludge means sludge that will not be subject to further

treatment at the wastewater treatment plant. Biosolids refer to sludge that has been treated and tested and shown to be capable of being beneficially and legally used pursuant to federal and state regulations as a soil amendment for agricultural, silvicultural, horticultural, and land reclamation activities as specified under 40 C.F.R. part 503. This Order does not regulate offsite use or disposal of biosolids, which are regulated instead under 40 C.F.R. part 503; administered by U.S. EPA. The Sludge/Biosolids Treatment or Discharge Specifications in this Order implement the California Water Code to ensure sludge/biosolids are properly handled onsite to prevent nuisance, protect public health, and protect groundwater quality.

- b. **Collection System.** The State Water Board issued General Waste Discharge Requirements for Sanitary Sewer Systems, Water Quality Order 2006-0003-DWQ (General Order) on 2 May 2006. The State Water Board amended the MRP for the General Order through Order WQ 2013-0058-EXEC on 6 August 2013. The State Water Board renewed the General Order and adopted Order 2022-0103-DWQ on 6 December 2022. Order 2022-0103-DWQ becomes effective on 5 June 2023. The General Order requires public agencies that own or operate sanitary sewer systems with greater than 1 mile of pipes or sewer lines to enroll for coverage under the General Order. The General Order requires agencies to develop sanitary sewer management plans (SSMPs) and report all sanitary sewer overflows (SSOs), among other requirements and prohibitions.

The Discharger is subject to the requirements of, and must comply with, State Water Board Order 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, as amended by State Water Board Order WQ 2013-0058-EXEC, and renewed by State Water Board Order 2022-0103-DWQ and any subsequent order. The General Order contains requirements for operation and maintenance of collection systems and for reporting and mitigating sanitary sewer overflows that are more extensive, and therefore, more stringent than the requirements under federal standard provisions.

- c. **Continuous Monitoring Systems.** This Order, and the MRP contained as part of this Order, require that certain parameters be monitored on a continuous basis. The Facility is not staffed 24 hours a day. Permit violations or system upsets can go undetected during the time when there is no staff on-site. The Discharger is required to establish an electronic system for operator notification based on continuous recording device alarms. For any future Facility upgrades, the Discharger shall upgrade the continuous monitoring and notification system simultaneously.

6. Other Special Provisions

- a. **Disinfection Requirements.** Consistent with previous Order R5-2017-0119 this Order requires wastewater to be oxidized, coagulated, filtered,

and adequately disinfected consistent with DDW reclamation criteria, CCR, Title 22, division 4, chapter 3 (Title 22), or equivalent. The disinfection requirements are discussed in detail above in Section IV.C.3, Determining the Need for WQBELs (see Pathogens).

7. Compliance Schedules

This Order includes an updated compliance schedule for methylmercury previously included in Order R5-2012-0115-02 and R5-2017-0113. In general, an NPDES permit must include final effluent limitations that are consistent with CWA section 301 and with 40 C.F.R. section 122.44(d). There are exceptions to this general rule. The State Water Board's Resolution 2008-0025 "Policy for

Compliance Schedules in National Pollutant Discharge Elimination System Permits" (Compliance Schedule Policy) allows compliance schedules for new, revised, or newly interpreted water quality objectives or criteria, or in accordance with a Total Maximum Daily Load (TMDL). All compliance schedules must be as short as possible, and may not exceed ten years from the effective date of the adoption, revision, or new interpretation of the applicable water quality objective or criterion, unless a TMDL allows a longer schedule. Where a compliance schedule for a final effluent limitation exceeds one year, the Order must include interim numeric effluent limitations for that constituent or parameter, interim requirements and dates toward achieving compliance, and compliance reporting within 14 days after each interim date. The Order may also include interim requirements to control the pollutant, such as pollutant minimization and source control measures.

In accordance with the Compliance Schedule Policy and 40 C.F.R. section 122.47, a discharger who seeks a compliance schedule must demonstrate additional time is necessary to implement actions to comply with a more stringent permit limitation. The discharger must provide the following documentation as part of the application requirements:

- b. Diligent efforts have been made to quantify pollutant levels in the discharge and the sources of the pollutant in the waste stream, and the results of those efforts;
- c. Source control efforts are currently underway or completed, including compliance with any pollution prevention programs that have been established;
- d. A proposed schedule for additional source control measures or waste treatment;
- e. Data demonstrating current Facility performance to compare against existing permit effluent limits, as necessary to determine which is the more stringent interim, permit effluent limit to apply if a schedule of compliance is granted;

- f. The highest discharge quality that can reasonably be achieved until final compliance is attained;
- g. The proposed compliance schedule is as short as possible, given the type of facilities being constructed or programs being implemented, and industry experience with the time typically required to construct similar facilities or implement similar programs; and
- h. Additional information and analyses to be determined by the Regional Water Board on a case-by-case basis.

Based on information submitted with the ROWD, SMRs, and other miscellaneous submittals, it has been demonstrated to the satisfaction of the Central Valley Water Board that the Discharger needs time to implement actions to comply with the final effluent limitations for methylmercury.

The Delta Mercury Control Program is composed of two phases. Phase 1 is currently underway and continues through the Phase 1 Delta Mercury Control Program Review. Phase 1 emphasizes studies and pilot projects to develop and evaluate management practices to control methylmercury. Phase 1 includes provisions for: implementing pollution minimization programs and interim mass limits for inorganic (total) mercury point sources in the Delta and Yolo Bypass; controlling sediment-bound mercury in the Delta and Yolo Bypass that may become methylated in agricultural lands, wetlands, and open-water habitats; and reducing total mercury loading to the San Francisco Bay, as required by the *Water Quality Control Plan for the San Francisco Bay*. As part of Phase 1, the CVCWA Coordinated Methylmercury Control Study Work Plan was approved by the Executive Officer on 7 November 2013. The final CVCWA Methylmercury Control Study was submitted to the Central Valley Water Board on 19 October 2018 and revised on 26 October 2018.

As part of Phase 1, the Delta Mercury Control Program also required dischargers to participate in a Mercury Exposure Reduction Program (MERP). The objective of the MERP is to reduce mercury exposure of Delta fish consumers most likely affected by mercury. The Discharger elected to provide financial support in a collective MERP with other Delta dischargers, rather than be individually responsible for any MERP activities. An exposure reduction work plan for Executive Officer approval was submitted on 20 October 2013, which addressed the MERP objective, elements, and the Discharger's coordination with other stakeholders.

At the end of Phase 1, the Central Valley Water Board will conduct a Phase 1 Delta Mercury Control Program Review that considers: modification of methylmercury goals, objectives, allocations and/or the Final Compliance Date; implementation of management practices and schedules for methylmercury controls; and adoption of a mercury offset program for dischargers who cannot meet their load and WLAs after implementing all reasonable load reduction strategies. The review will also consider other potential public and

environmental benefits and negative impacts (e.g., habitat restoration, flood protection, water supply, and fish consumption) of attaining the allocations. The fish tissue objectives, linkage analysis between objectives and sources, and the attainability of the allocations will be re-evaluated based on the findings of Phase 1 control studies and other information. The linkage analysis, fish tissue objectives, allocations, and time schedules shall be adjusted at the end of Phase 1, or subsequent program reviews, if appropriate.

Phase 2 begins after the Phase 1 Delta Mercury Control Program Review. During Phase 2, dischargers shall implement methylmercury control programs and continue inorganic (total) mercury reduction programs. Compliance monitoring and implementation of upstream control programs also shall occur in Phase 2. Any compliance schedule contained in an NPDES permit must be “...an enforceable sequence of actions or operations leading to compliance with an effluent limitation...” per the definition of a compliance schedule in CWA section 502(17). See also 40 C.F.R. section 122.2 (definition of schedule of compliance). The compliance schedule for methylmercury below meets these requirements:

Table F-14. Phase 1 Delta Mercury Control Program

Task	Date Due
i. Submit CVCWA Coordinated Methylmercury Control Study Work Plan	Complete (7 November 2013)
ii. Submit Pollution Prevention Plan (PPP) for Mercury (per WDR Section VI.C.3.a)	Complete (1 August 2014)
iii. Implement CVCWA Coordinated Methylmercury Control Study Work Plan	Complete
iv. Annual Progress Reports	See Technical Reports Table
v. Submit CVCWA Coordinated Methylmercury Control Study Progress Report	Complete (20 October 2015)
vi. Submit Final CVCWA Coordinated Methylmercury Control Study	Complete (19 October 2018 and 26 October 2018)

Table F-14 Notes:

2. The PPP for Mercury shall be implemented in accordance with WDR Section VI.C.3.a.
3. Beginning 1 February 2020 and annually thereafter until the Facility achieves compliance with the final effluent limitations for methylmercury, the Discharger shall submit annual progress reports on the previously submitted pollution prevention plan for mercury. This annual report may be combined with the Annual Operations Report and submitted as one report. The progress reports shall discuss the effectiveness of the pollution prevention plan in the reduction of

mercury in the discharge, include a summary of mercury and methylmercury monitoring results, and discuss updates to the pollution prevention plan.

Table F-15. Phase 2 Delta Mercury Control Program

Task	Date Due
vii. Implement methylmercury control programs	TBD
viii. Full Compliance	See Technical Reports Table

Table F-15 Note:

To be determined. Following Phase 1 the Central Valley Water Board will conduct a Phase 1 Delta Mercury Control Program Review that considers: modification of methylmercury goals, objectives, allocations, final compliance date, etc. Consequently, the start of Phase 2 and the final compliance date is uncertain at the time this Order was adopted.

Federal regulations at 40 C.F.R. section 122.47(a)(1) require that, “Any schedules of compliance under this section shall require compliance as soon as possible...” The Compliance Schedule Policy also requires that compliance schedules are as short as possible and may not exceed 10 years, except when “...a permit limitation that implements or is consistent with the waste load allocations specified in a TMDL that is established through a Basin Plan amendment, provided that the TMDL implementation plan contains a compliance schedule or implementation schedule.” As discussed above, the Basin Plan’s Delta Mercury Control Program includes compliance schedule provisions and allows compliance with the WLAs for methylmercury by 2030. Until the Phase 1 Control Studies are complete and the Central Valley Water Board conducts the Phase 1 Delta Mercury Control Program Review, it is not possible to determine the appropriate compliance date for the Discharger that is as soon as possible.

Therefore, this Order establishes a compliance schedule for the final WQBELs for methylmercury with full compliance required by 31 December 2030, which is consistent with the Final Compliance Date of the TMDL. At completion of the Phase 1 Delta Mercury Control Program Review, the final compliance date for this compliance schedule will be re-evaluated to ensure compliance is required as soon as possible. Considering the available information, the compliance schedule is as short as possible in accordance with federal regulations and the Compliance Schedule Policy.

VII. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

CWA section 308 and 40 C.F.R. sections 122.41(h), (j)-(l), 122.44(i), and 122.48 require that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 authorize the Central Valley Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. The Monitoring and Reporting Program (MRP), Attachment E of this Order establishes monitoring, reporting, and recordkeeping requirements that implement federal and state requirements. The burden, including costs, of these monitoring and reporting requirements bears a

reasonable relationship to the need for the reports and the benefits to be obtained therefrom. The Discharger, as owner and operator of the Facility, is required to comply with these requirements, which are necessary to determine compliance with this Order. The following provides additional rationale for the monitoring and reporting requirements contained in the MRP for this facility.

Water Code section 13176, subdivision (a), states: "The analysis of any material required by [Water Code sections 13000-16104] shall be performed by a laboratory that has accreditation or certification pursuant to Article 3 (commencing with section 100825) of Chapter 4 of Part 1 of Division 101 of the Health and Safety Code." The DDW accredits laboratories through its Environmental Laboratory Accreditation Program (ELAP).

Section 13176 cannot be interpreted in a manner that would violate federal holding time requirements that apply to NPDES permits pursuant to the CWA. (Wat. Code sections 13370, subd. (c), 13372, 13377.). Section 13176 is inapplicable to NPDES permits to the extent it is inconsistent with CWA requirements. (Wat. Code section 13372, subd. (a).) Lab accreditation is not required for field tests such as tests for color, odor, turbidity, pH, temperature, dissolved oxygen, electrical conductivity, and disinfectant residual. The holding time requirements are 15 minutes for dissolved oxygen, pH and temperature (40 C.F.R. section 136.3(e), Table II) The Discharger maintains an ELAP accredited laboratory on-site and conducts analysis within the required hold times.

A. Influent Monitoring

1. Influent monitoring is required to collect data on the characteristics of the wastewater and to assess compliance with effluent limitations (e.g., BOD₅ and TSS reduction requirements). The monitoring frequencies and sample types have been retained from Order R5-2017-0119.

B. Effluent Monitoring

1. Pursuant to the requirements of 40 C.F.R. section 122.44(i)(2) effluent monitoring is required for all constituents with effluent limitations. Effluent monitoring is necessary to assess compliance with effluent limitations, assess the effectiveness of the treatment process, and to assess the impacts of the discharge on the receiving stream and groundwater.
2. Effluent monitoring frequencies and sample types have been retained from Order R5-2017-0119, except as noted in Table F-16, below.
3. This Order includes effluent monitoring for dissolved organic carbon (once per quarter) to calculate site-specific freshwater aluminum criteria in accordance with the 2018 United State Environmental Protection Agency (U.S. EPA) National Ambient Water Quality Criteria (NAWQC) for aluminum in freshwater.
4. **Pyrethroid Pesticides Monitoring.** A Basin Plan Amendment and TMDL for the Control of Pyrethroid Pesticide Discharges in the Sacramento and San Joaquin River basins (Resolution R5-2017-0057) was approved by the Central Valley

Water Board on 8 June 2017 and is now effective. The Pyrethroids Control Program established by Resolution R5-2017-0057 requires monitoring by domestic and municipal wastewater dischargers discharging at least 1 MGD for the concentrations of pyrethroid pesticides, total and dissolved organic carbon in the water column, and water column toxicity testing. Monitoring is required to evaluate the potential impacts of discharges of pyrethroid pesticides to receiving waters.

C. Receiving Water Monitoring

1. Surface Water

- a. **Delta Regional Monitoring Program.** The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program will provide data to better inform management and policy decisions regarding the Delta.

The Discharger is required to participate in the Delta Regional Monitoring Program. Delta Regional Monitoring Program data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Order. Delta Regional Monitoring Program monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta Regional Monitoring Program monitoring stations would not normally be able to identify the source of any specific constituent but would be used to identify water quality issues needing further evaluation. Delta Regional Monitoring Program monitoring data may be used to help establish background receiving water quality for an RPA in an NPDES permit after evaluation of the applicability of the data for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta Regional Monitoring Program data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving

water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

Participation in the Delta Regional Monitoring Program by a Discharger shall consist of providing funds and/or in-kind services to the Delta Regional Monitoring Program.

Since the Discharger is participating in the Delta Regional Monitoring Program, this Order does not require receiving water characterization monitoring for purposes of conducting the RPA. However, the ROWD for the next permit renewal shall include, at minimum, one representative ambient background characterization monitoring event for priority pollutant constituents during the term of the permit. Data from the Delta Regional Monitoring Program may be utilized to characterize the receiving water in the permit renewal. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with the ROWD. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the Discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of the RPA.

- b. Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream. Receiving surface water monitoring frequencies and sample types have been retained from Order No. R5-2017-0119, except as noted in Table F-16, below.
- c. This Order includes receiving water monitoring for dissolved organic carbon (once per quarter) to calculate site-specific freshwater aluminum criteria in accordance with the 2018 United State Environmental Protection Agency (U.S. EPA) National Ambient Water Quality Criteria (NAWQC) for aluminum in freshwater.
- d. This Order retains the receiving water monitoring location (Monitoring Location RSW-004) from Order R5-2017-0119, in an area accessible to the Discharger during periods of excessive growth of water hyacinth. The Discharger may conduct receiving water temperature monitoring at Monitoring Location RSW-004 when excessive water hyacinth growth prevents safe access to Monitoring Location RSW-003.

- e. In accordance with section 1.3 of the SIP, periodic monitoring is required for priority pollutants for which criteria or objectives apply and for which no effluent limitations have been established. This Order requires the ROWD for the next permit renewal shall include, at minimum, one representative ambient background characterization monitoring event for priority pollutant constituents during the term of the permit, in order to collect data to conduct an RPA for the next permit renewal.

2. Ground Water – Not Applicable

Table F-16 Summary of Monitoring Changes

Parameter, Units	Type of Monitoring	Prior Sample Frequency	Revised Sample Frequency	Reason for Change
DCBM	Effluent	1/Quarter	1/Month	To evaluate compliance with average monthly effluent limit
Dissolved Organic Carbon	Effluent	--	1/Quarter	Needed for aluminum criteria calculations
Dissolved Organic Carbon	Receiving Water	--	1/Quarter	Needed for aluminum criteria calculations
Methylmercury	Effluent	--	1/Year	Calculation for annual mass loading added in accordance with Delta Mercury Control Program
Mercury, Total	Effluent	--	1/Year	Calculation for annual mass loading added in accordance with Delta Mercury Control Program

D. Whole Effluent Toxicity Testing Requirements

Aquatic toxicity testing is necessary to evaluate the aggregate toxic effect of a mixture of toxicants in the effluent on the receiving water. Acute toxicity testing is conducted over a short time period and measures mortality, while chronic toxicity testing is conducted over a short or longer period and may measure mortality, reproduction, and growth. For this permit, aquatic toxicity testing is to be performed following methods identified in the Code of Federal Regulations, title 40, part 136, or other U.S. EPA-approved methods, or included in the following U.S. EPA method

manuals: Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition (EPA-821-R-02-013). Quarterly chronic whole effluent toxicity testing is required to demonstrate compliance with the chronic toxicity effluent limitations/targets.

1. The discharge is subject to determination of "Pass" or "Fail" from a chronic toxicity test using the Test of Significant Toxicity (TST) statistical t-test approach described in National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document (EPA 833-R-10-003, 2010), Appendix A, Figure A-1 and Table A-1 (Chronic Freshwater and East Coast Methods) and Appendix B, Table B-1.

2. The null hypothesis (H_0) for the TST statistical approach is:

Mean discharge IWC response $\leq$ RMD x Mean control response, where the chronic RMD = 0.75.

A test result that rejects this null hypothesis is reported as "Pass." A test result that does not reject this null hypothesis is reported as "Fail."

3. The relative "Percent Effect" at the discharge IWC is defined and reported as:

Percent Effect = $((\text{Mean control response} - \text{Mean discharge IWC response}) / \text{Mean control response}) \times 100$.

This is a t-test (formally Student's t-Test), a statistical analysis comparing two sets of replicate observations, i.e., a control and IWC. The purpose of this statistical test is to determine if the means of the two sets of observations are different (i.e., if the IWC or receiving water concentration differs from the control, the test result is "Pass" or "Fail"). The Welch's t-test employed by the TST statistical approach is an adaptation of Student's t-test and is used with two samples having unequal variances.

4. **Sensitive Species Screening.**

Under the Toxicity Provisions, dischargers shall perform subsequent species sensitivity screening to re-evaluate the most sensitive species if the effluent used in the species sensitivity screening is no longer representative of the effluent or if a species sensitivity screening has not been performed in the last fifteen years. Subsequent species sensitivity screening may also be required prior to every order issuance, renewal, or reopening, if reopening to address aquatic toxicity. Pursuant to Section V.E of the MRP, the Discharger is required to perform species sensitivity screening at least once every fifteen years or if the effluent used in the last species sensitivity screening is no longer representative of the effluent and submit the results with the Report of Waste Discharge.

Species sensitivity screening for chronic toxicity shall include, at a minimum, chronic WET testing four consecutive calendar quarters using the water flea

(Ceriodaphnia dubia), fathead minnow (Pimephales promelas), and green alga (Pseudokirchneriella subcapitata). The tests shall be performed at an IWC of no less than 100 percent effluent and one control.

The most sensitive species to be used for chronic toxicity testing was determined in accordance with the process outlined in the MRP section V.E. The species that exhibited the highest percent effect was the water flea (Ceriodaphnia dubia), with a percent effect of 22 percent. Consequently, Ceriodaphnia dubia has been established as the most sensitive species for chronic WET testing.

5. **Toxicity Reduction Evaluation (TRE).** The Toxicity Provisions require dischargers to conduct a TRE in accordance with a TRE Work Plan, as approved by the Board. The Monitoring and Reporting Program of this Order requires preparation and implementation of a TRE Action Plan in accordance with the Discharger's 2007 approved TRE Work Plan. Within 30 days of the requirement to initiate a TRE, the Discharger shall submit to the Executive Officer a TRE Action Plan including the components identified in Section V.F of the Monitoring and Reporting Program.

E. Other Monitoring Requirements

1. Biosolids Monitoring

Biosolids monitoring for compliance with 40 C.F.R. part 503 regulations is not included in this Order since it is a program administered by [U.S. EPA's part 503 Biosolids Program](https://www.epa.gov/biosolids/compliance-and-annual-reporting-guidance-about-clean-water-act-laws) (<https://www.epa.gov/biosolids/compliance-and-annual-reporting-guidance-about-clean-water-act-laws>)

2. Water Supply Monitoring

Water supply monitoring was required in the previous Order to evaluate the source salinity in the wastewater. Water supply monitoring is not needed to evaluate salinity concentrations in the effluent since the Discharger is enrolled in the CV-SALTS Salinity Control Program.

3. Filtration System Monitoring

Filtration system monitoring and reporting are required to determine compliance with the operation specifications for turbidity in Special Provision VI.C.4.a. This Order retains the point of compliance from Order R5-2017-0119 at an internal compliance point following the tertiary filters and prior to the UV disinfection system (Monitoring Location FIL-001) in order to ensure the operational specifications for turbidity are being met prior to the disinfection process.

4. UV Disinfection System Monitoring

UV system monitoring and reporting are required to ensure that the UV system is operated to adequately inactivate pathogens in the wastewater. UV disinfection system monitoring is imposed to achieve equivalency to requirements established by the DDW, and the NWRI, Guidelines.

5. Pyrethroid Pesticides Monitoring

On 8 June 2017, the Central Valley Water Board adopted Resolution R5-2017-0057, which adopted the Basin Plan Amendment (BPA) for the Control of Pyrethroid Pesticide Discharges. Pyrethroid pesticides and toxicity monitoring has been included in this Order in accordance with the Pyrethroids Pesticides BPA, which is required for POTWs with design average dry weather flow greater than or equal to 1 million gallons per day.

6. Effluent and Receiving Water Characterization Monitoring

In accordance with section 1.3 of the SIP, periodic monitoring is required for priority pollutants for which criteria or objectives apply and for which no effluent limitations have been established. This Order requires quarterly effluent characterization monitoring event during the year 2025 (four consecutive samples, collected every quarter) and one representative ambient background characterization monitoring event in the year 2025 for priority pollutant constituents located in Appendix A to 40 C.F.R. part 423 during the term of the permit, in order to collect data to conduct an RPA for the next permit renewal.

7. Discharge Monitoring Report-Quality Assurance (DMR-QA) Study Program

Under the authority of section 308 of the CWA (33 U.S.C. section 1318), U.S. EPA requires all dischargers under the NPDES Program to participate in the annual DMR-QA Study Program. The DMR-QA Study evaluates the analytical ability of laboratories that routinely perform or support self-monitoring analyses required by NPDES permits. There are two options to satisfy the requirements of the DMR-QA Study Program: (1) The Discharger can obtain and analyze a DMR-QA sample as part of the DMR-QA Study; or (2) Per the waiver issued by U.S.EPA to the State Water Board, the Discharger can submit the results of the most recent Water Pollution Performance Evaluation Study from their own laboratories or their contract laboratories. A Water Pollution Performance Evaluation Study is similar to the DMR-QA Study. Thus, it also evaluates a laboratory's ability to analyze wastewater samples to produce quality data that ensure the integrity of the NPDES Program. The Discharger shall submit annually the results of the DMR-QA Study or the results of the most recent Water Pollution Performance Evaluation Study to the State Water Board. The State Water Board's Quality Assurance Program Officer will send the DMR-QA Study results or the results of the most recent Water Pollution Performance Evaluation Study to U.S. EPA's DMR-QA Coordinator and Quality Assurance Manager.

VIII. PUBLIC PARTICIPATION

The Central Valley Water Board has considered the issuance of WDRs that will serve as an NPDES permit for the City of Mountain House Wastewater Treatment Plant. As a step in the WDR adoption process, the Central Valley Water Board staff has developed tentative WDRs and has encouraged public participation in the WDR adoption process.

A. Notification of Interested Persons

The Central Valley Water Board notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and provided an opportunity to submit written comments and recommendations. Additionally, consistent with Water Code section 189.7, the Central Valley Water Board conducted outreach to potentially affected disadvantaged and/or tribal communities concerning tentative WDRs. Notification was provided through posting of the Notice of Public Hearing concerning the WDRs at the Mountain House Wastewater Treatment Plant on 3 May 2023, City of Mountain House on 4 May 2023, and also at the Tracy Post Office. Additionally, notice was posted on the Central Valley Water Board's Tentative Orders webpage.

The public had access to the agenda and any changes in dates and locations through the [Central Valley Water Board's website](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/) (http://www.waterboards.ca.gov/centralvalley/board_info/meetings/)

B. Written Comments

Interested persons were invited to submit written comments concerning tentative WDRs as provided through the notification process. Comments were due either in person or by mail to the Executive Office at the Central Valley Water Board at the address on the cover page of this Order.

To be fully responded to by staff and considered by the Central Valley Water Board, the written comments were due at the Central Valley Water Board office by 5:00 p.m. on 1 June 2023.

C. Public Hearing

The Central Valley Water Board held a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: **22 June 2023**

Time: **9:00 a.m.**

Location: Online

AND

Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Dr., Suite #200
Rancho Cordova, CA 95670

Interested persons were invited to attend. At the public hearing, the Central Valley Water Board heard testimony pertinent to the discharge, WDRs, and permit. For accuracy of the record, important testimony was requested in writing.

D. Reconsideration of Waste Discharge Requirements

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water board to review the action in accordance with Water Code section 13320 and CCR, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., within 30 calendar days of the date of adoption of this Order at the following address, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day:

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

Or by email at waterqualitypetitions@waterboards.ca.gov

[Instructions on how to file a petition for review](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instructions.html)

(http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instructions.html) are available on the Internet.

E. Information and Copying

The Report of Waste Discharge, other supporting documents, and comments received are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Central Valley Water Board by calling (916) 464-3291.

F. Register of Interested Persons

Any person interested in being placed on the mailing list for information regarding the WDRs and NPDES permit should contact the Central Valley Water Board, reference this facility, and provide a name, address, and phone number.

G. Additional Information

Requests for additional information or questions regarding this order should be directed to Saranya Elankovan at (916) 464 4742 or saranya.elankovan@waterboards.ca.gov.

ATTACHMENT G – SUMMARY OF REASONABLE POTENTIAL ANALYSIS

Constituent	Units	MEC	B	C	CMC	CCC	Water & Org	Org. Only	Basin Plan	MCL	Reasonable Potential
Ammonia Nitrogen, Total (as N)	mg/L	38.2			Xx (see table note 2)	Xx (see table note 3)	--	--	--	--	Yes
Chloride	mg/L	170		250	Xx (see table note 2)	Xxx (see table note 4)	--	--	--	250	No
Chlorodibromomethane	µg/L	0.62	0.08	0.41	--	--	0.41	34	--	80 (see table note 5)	Yes
Dichlorodibromomethane	µg/L	0.564	0.04	0.56	--	--	0.56	46	--	80 (see table note 5)	Yes
Electrical Conductivity @ 25°C	µmhos/cm	1,100 (see table note 6)	3769 (see table note 6)	900	--	--	--	--	--	900	Yes (see table note 7)
Mercury, Total Recoverable	ng/L	8.2	2.9	12	--	--	50	51	--	2000	No (see table note 7)
Methylmercury	µg/L	0.05		--	--	--	--	--	--	--	No (see table note 7)
Nitrate, Total (as N)	mg/L	5.1		10	--	--	--	--	--	10	No (see table note 7)
Nitrite, Total (as N)	mg/L	0.14		1	--	--	--	--	--	1	No
Sulfate	mg/L	70 (see table note 6)	Xx (see table note 6)	250	--	--	--	--	--	250	No

Constituent	Units	MEC	B	C	CMC	CCC	Water & Org	Org. Only	Basin Plan	MCL	Reasonable Potential
Total Dissolved Solids	mg/L	1000 (see table note 6)	310 (see table note 6)	500	--	--	--	--	--	500	Insufficient Information ⁷

Attachment G Table Notes:

1. All inorganic concentrations are given as a total concentration.
2. U.S. EPA National Recommended Ambient Water Quality Criteria, Freshwater Aquatic Life Protection, 1-hour average.
3. U.S. EPA National Recommended Ambient Water Quality Criteria, Freshwater Aquatic Life Protection, 30-day average.
4. U.S. EPA National Recommended Ambient Water Quality Criteria, Freshwater Aquatic Life Protection, 4-day average.
5. Represents the Primary MCL for total trihalomethanes, which includes bromoform, chlorodibromomethane, chloroform, and dichlorobromomethane.
6. Represents the maximum observed annual average concentration for comparison with the MCL.
7. See section IV.C.3 of the Fact Sheet for a discussion of the RPA results.

Abbreviations used in this table:

MEC = Maximum Effluent Concentration
 B = Maximum Receiving Water Concentration or lowest detection level, if non-detect
 C = Criterion used for Reasonable Potential Analysis
 CMC = Criterion Maximum Concentration (CTR or NTR)
 CCC = Criterion Continuous Concentration (CTR or NTR)
 Water & Org = Human Health Criterion for Consumption of Water & Organisms (CTR or NTR)
 Org Only = Human Health Criterion for Consumption of Organisms Only (CTR or NTR)
 Basin Plan = Numeric Site-Specific Basin Plan Water Quality Objective
 MCL = Drinking Water Standards Maximum Contaminant Level
 NA = Not Available
 ND = Non-detect

ATTACHMENT H-1 – CALCULATION OF WQBELS

HUMAN HEALTH WQBELS CALCULATIONS

Parameter	Units	Criteria	Mean Background Concentration	Effluent CV	Dilution Factor	MDEL/AMEL Multiplier	AMEL Multiplier	AMEL	MDEL	AWEL
Chlorodibromomethane	µg/L	0.41	0.085	1.09	4	2.6	2.03	2.1	5.3	--
Dichlorobromomethane	µg/L	0.56	0.04	1.07	2	2.59	2.02	1.7	4.4	--
Nitrate Plus Nitrite, Total (as N)	mg/L	10	0.004	0.47	--	1.79	1.42	10	--	16

Attachment H-1 Table Notes:

- CV was established according to section 1.4 of the SIP.

Abbreviations used in this table:

CV = Coefficient of Variation
MDEL = Maximum Daily Effluent Limitation
AMEL = Average Monthly Effluent Limitation
MDEL = Maximum Daily Effluent Limitation
AWEL = Average Weekly Effluent Limitation

ATTACHMENT H-2 – CALCULATION OF WQBELS

AQUATIC LIFE WQBELS CALCULATIONS

Parameter	Units	CMC Criteria	CCC Criteria	B	Effluent CV	CMC Dilution Factor	CCC Dilution Factor	ECA Multiplier _{acute}	LTA _{acute}	ECA Multiplier _{chronic}	LTA _{chronic}	AMEL Multiplier ₉₅	AWEL Multiplier	MDEL Multiplier ₉₉	AMEL	AWEL	MDEL
Ammonia Nitrogen, Total (as N)	mg/L	2.6	1.2		1.5	-	-	0.14	0.37	0.55	0.66	2.4	5.16	-	0.9	1.9	-

Attachment H-2 Table Notes:

1. AMEL calculated according to section 1.4 of the SIP using a 95th percentile occurrence probability.
2. AWEL calculated according to section 1.4 of the SIP using a 98th percentile occurrence probability.
3. MDEL calculated according to section 1.4 of the SIP using a 99th percentile occurrence probability.

Abbreviations used in this table:

B = Maximum Receiving Water Concentration or lowest detection level, if non-detect
 CMC = Criterion Maximum Concentration (CTR or NTR)
 CCC = Criterion Continuous Concentration (CTR or NTR)
 CV = Coefficient of Variation (established in accordance with section 1.4 of the SIP)
 ECA = Effluent Concentration Allowance
 LTA = Aquatic Life Calculations – Long-Term Average
 MDEL = Maximum Daily Effluent Limitation
 AMEL = Average Monthly Effluent Limitation
 MDEL = Maximum Daily Effluent Limitation
 AWEL = Average Weekly Effluent Limitation