

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD COLORADO RIVER BASIN REGION

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ORDER R7-2021-0024



Order Information

Dischargers: Westwind Enterprises, LTD.
Facility: Rio Bend RV and Golf Resort OWTS
Address: 1589 Drew Road
County: Imperial County
WDID: 7A131003001
GeoTracker ID: WDR100036265
Prior Order: R7-2017-0015, 97-500(40)

I, PAULA RASMUSSEN, Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on June 15, 2021.

Original signed by

PAULA RASMUSSEN
Executive Officer

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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

ORDER R7-2021-0024

WASTE DISCHARGE REQUIREMENTS
FOR
WESTWIND ENTERPRISES, LTD., OWNER/OPERATOR
RIO BEND RV AND GOLF RESORT
ONSITE WASTEWATER TREATMENT SYSTEMS
SOUTH OF SEELEY, IMPERIAL COUNTY

The California Regional Water Quality Control Board, Colorado River Basin Region (Regional Water Board) hereby makes the following **Findings**:

1. Westwind Enterprises, LTD. (Discharger), owns and operates Rio Bend RV and Golf Resort (Facility), which consists of 451 Recreational Vehicle (RV) spaces and a recreation building with a laundry room. Domestic wastewater generated at the Facility is treated and discharged through septic tanks to a leach field and two evaporation/percolation ponds.
2. The Facility address is 1589 Drew Road, El Centro, California 92243, approximately 14.5 miles northwest of El Centro City. The Facility is registered as having an El Centro address; however, the actual location is south of Seeley.
3. The disposal ponds are in the NE $\frac{1}{4}$ of Section 23, Township 16 South, Range 12 East, San Bernardino Base and Meridian, 2.5 miles north of Hwy 8 in Imperial County. The Latitude is 32.76641°N and the Longitude is -115.692346°W. The Facility location is shown in **Attachment A** – Vicinity Map, made part of the Order by reference.
4. The Facility was most recently regulated by Order R7-2017-0015, which was adopted by the Regional Water Board on June 30, 2017. The prior order regulated a group of Onsite Wastewater Treatment Systems (OWTS) that serviced domestic wastewater from 223 RV spaces, ultimately discharging to two onsite ponds, and was assigned California Integrated Water Quality System WDID 7A131003001 and GeoTracker Global Identification WDR100036265.
5. A second group of OWTS at the Facility was most recently regulated under General Order 97-500, *General Waste Discharge Requirements for On-Site Subsurface Disposal Systems for Mobile Home and Recreational Vehicle Parks and other Similar Facilities* (General Order), enrolled under specific order number 97-500(40). Order 97-500(40) regulated the discharge of wastewater from 228 spaces to a leach field and was assigned California Integrated Water Quality System WDID 7A131290001 and GeoTracker Global Identification WDR100036268.
6. On February 13, 2020, the Regional Water Board was notified of a spill of wastewater from the leach field servicing the second group of OTWS onto the nearby

golf course. The Discharger stated that the leach field disposal system was overloaded due to high occupancy, causing domestic wastewater to surface in the golf course. The Discharger proposes to install a lift station at the leach field to pump excess wastewater to the two existing evaporation/percolation ponds.

7. On May 14, 2020, the Regional Water Board received an application and Report of Waste Discharge (ROWD) for Waste Discharge Requirements (WDRs) submitted by the Discharger, that reported proposed changes to the OWTS and disposal system.
8. This Order updates the WDRs to reflect changes in Facility operations. Further, all wastewater disposal systems at the site will now be regulated by this Order as a single facility. Accordingly, this Order supersedes Orders 2017-0015 and 97-500(40) upon the effective date of this Order, except for enforcement purposes.

Onsite Wastewater Treatment System

9. The combined treatment and disposal systems service 451 RV spaces that discharge into 80 septic tanks. Each tank can handle the wastewater generated by 5 to 8 RV spaces. Domestic wastewater from 223 spaces of those 451 is collected and discharged into two unlined, onsite ponds.
10. The ponds are operated at an average wastewater depth of 2.5 and 3.5 feet to prevent aquatic vegetation growth and mosquito breeding and promote aeration via oxygen diffusion from the atmosphere. The main pond has a volume of approximately 13,580 cubic feet. The pond volume is designed to take the wastewater flow of the park at full occupation during the peak winter season of January through March as well as the months of September through December when occupancy is expected to vary from 30% to 70%. For the five off-season months of April through August when occupancy is less than 10%, the smaller pond is used for disposal. The smaller pond has a volume of 1,400 cubic feet, equivalent to 12 percent of full occupancy of the Facility.
11. During the off season, all wastewater flow from the 223 spaces is discharged to the small pond. During this time, any sludge which collects on the bottom of the main pond is removed and disposed of at a properly designated location. Any vegetation growth in the pond is also removed at this time. Conversely, during the peak season months, the main pond receives all the wastewater and the small pond is then serviced.
12. During construction, the ponds were excavated below ground surface. The silty clay material excavated from the upper layer of the soil was stockpiled and used as liner material at the bottom of the ponds to minimize percolation of wastewater. To ensure acceptable percolation rates in the ponds, the ponds were over-excavated to a depth of at least one foot; the silty clay material was then placed back in the pond bottom to give a nominal percolation rate between 5 and 60 minutes per inch. Onsite tests were also performed in the bottom of the pond to verify the percolation rate. The full water elevation of the ponds is designed to have a freeboard of two feet.

13. The discharge from the remaining 228 RV spaces gravity flows to the north and into an existing leach field. The leach field is currently not able to handle the flows created during peak season when the park is at its highest occupancy. To alleviate the stress on the existing leach field, an improvement system has been designed to divert some of this effluent flow to the existing evaporation/percolation ponds. The Discharger states that the disposal pond system was designed to support operational requirements at the Facility for future expansion of the resort for a total of 900 RV spaces, the recreation building and laundry room, with a total disposal capacity of 88,000 gallons per day.
14. The improvements to the OWTS consist of two new pumps, two 5,000 gallon holding tanks, and a 750-gallon holding tank. The pumps and holding tanks are designed for a total daily discharge rate of 22,800 gallons per day (gpd), which is 100 gallons per space. The design improvements are as follows:
 - a. Two single phase, 240-volt, 1.5HP submersible effluent pumps (duplex pumps) specified with a control panel with alarm light, horn, pump run light, elapsed time meter, and event counters. The duplex pumps operate on alternate run cycles. On, off, and high-water alarm floats are used for pump controls. The two 5,000-gallon pump tanks (10,000-gallon total) have a liquid capacity of about 154 gallons per inch of liquid depth.
 - b. The "on/off" float is set at 20 inches below the inlet invert with a 1.75- inch range for approximately 250-gallon individual dosings when the pump is operating at 50 gallons per minute (gpm). Approximately 92 dosings per day, 46 to the oxidation ponds and 46 to the existing leach field, occur with about a 5.0-minute pump run time per cycle when the system is operated at full capacity of 22,800 gallons per day. An 8-inch overflow outlet pipe is set at 12 inches below the inlet invert to allow for 1,232 gallons of storage above the "on" float before liquid levels overflow to the 750-gallon holding tank. The alarm (high water level) float is set 2 inches above the overflow outlet invert.
 - c. The duplex pumps have 2.0-inch discharge lines with 2.0-inch diameter check valves and unions installed, just before the shut-off valve for the pump. A 2-inch flow meter and a distribution valve are located after the shut-off valve. Two transport lines extend from the distribution valve.
 - d. A 2.0-inch diameter discharge (transport) line that extends from the distribution valve connects to the 750-gallon polyethylene holding tank that gravity flows to an existing 8-inch sewer pipe and cleanout that flows to the existing leach field.
 - e. A 2.5-inch diameter discharge (transport) line extends 1,600 linear feet from the distribution valve and connects to an existing sewer manhole from an 8-inch pipeline that gravity flows into the existing evaporation/percolation ponds.
15. The Discharger's Self-Monitoring Reports (SMR) from November 2017 through September 2018 characterize wastewater in the evaporation/percolation ponds as follows:

<u>Constituent</u>	<u>units</u>	<u>Average</u>	<u>Maximum</u>	<u>Minimum</u>
Flow	gpd	~20,000	~10,000	~30,000
Total Dissolved Solids	mg/L	1076	1366	946
Nitrate as N	mg/L	1	4	<0.10
Nitrite as N	mg/L	<0.15	<0.15	<0.15
Total Nitrogen	mg/L	68	130	10.7
pH	pH Units	7.3	7.6	6.9
Dissolved Oxygen	mg/L	4.1	5.1	2.3

Minimal data was available in the Discharger's file for Order R7-2017-0015. Additionally, no annual monitoring data in the file for per the requirements of General Order 97-500(40).

Hydrogeologic Conditions

16. Annual precipitation in the Seely area averages about 3 inches, the average temperature is 91 degrees, and the annual evapotranspiration rate approximately 70 inches.
17. The New River is adjacent to and bends around on the north, east, and south of the Facility. The RV Park is situated on an elevated plateau that is approximately 40 feet above the New River. In a soil investigation report conducted prior to construction, the depth to groundwater at the site of the evaporation/percolation ponds was found to be 22 feet below ground surface (bgs). The evaporation/percolation ponds are on a lower plateau where the bottom elevation of the ponds is about 15 feet above groundwater.
18. The Discharger states that the Facility is adequately protected from a 100-year storm event.
19. There are no domestic wells within 1000 feet of the on-site evaporation/percolation ponds.
20. Groundwater in the area of the Facility is generally known to be too brackish for domestic use. Prior to a change in zoning from General Agricultural to Recreational, the land at the site of the RV park and evaporation/percolation ponds was used for agricultural purposes. Tile drain systems are located throughout the Imperial Valley to dewater sediments to a depth below the root zone of crops and to prevent the accumulation of salts near the ground surface; however, below the tile drains,

recharge groundwater from agricultural drainage has historically been high in salinity, with TDS concentrations greater than 5000 mg/L.

21. Water supply to the community is from the Imperial Irrigation District (IID). The Facility has an onsite water treatment system that distributes domestic water to the residents and tenants of the Facility. Total dissolved solids (TDS) concentrations in the water supply ranges from 720 mg/L to 880 mg/L.
22. Regional groundwater flow in the area is generally to the northwest.
23. The Discharger reports that the soil in the vicinity of the OWTS show the upper 2-3 feet below ground surface (bgs) to be a silty clay. From a depth of 5-8 eight feet bgs the soil is mostly sand.

Basin Plan, Beneficial Uses, and Regulatory Considerations

24. The Water Quality Control Plan for the Colorado River Basin Region (Basin Plan), adopted on November 17, 1993 and most recently amended on January 8, 2019, designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Pursuant to Water Code section 13263, subdivision (a), WDRs must implement the Basin Plan and take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Water Code section 13241.
25. The Facility is located within the Imperial Valley Hydrologic Subunit, and the Basin Plan designates the following beneficial uses for groundwater:
 - a. Municipal and Domestic Supply (MUN), and
 - b. Industrial Supply (IND).
26. The Basin Plan notes that the actual MUN usage of the Imperial Hydrologic Unit “is limited only to a small portion of that ground water unit.” Pursuant to State Water Board Resolution 88-63 (as revised by Resolution 2006-0008), also known as the “Sources of Drinking Water” Policy, all surface waters and groundwaters of the state are considered to be suitable, or potentially suitable, for municipal or domestic water supply and should be so designated by the Regional Water Boards. However, a waterbody may be exempted from such designation if the TDS in the waterbody exceeds 3,000 mg/L and the waterbody is not reasonably expected to supply a public water system. The Basin Plan incorporates the Sources of Drinking Water Policy by reference. First-encountered groundwater beneath the Facility is not currently used for municipal supply purposes likely because of its relatively high salt concentrations (TDS > 3,000 mg/L) and is not reasonably expected to supply a public water system.

27. The Facility is situated adjacent to the New River that has the following designated beneficial uses:
- a. Freshwater Replenishment (FRSH),
 - b. Water Contact Recreation (REC I),¹
 - c. Non-contact Water Recreation (REC II),
 - d. Warm Freshwater Habitat (WARM),
 - e. Wildlife Habitat (WILD), and
 - f. Rare and endangered species (RARE).²
28. This Order establishes WDRs pursuant to division 7, chapter 4, article 4 of the Water Code for discharges that are not subject to regulation under Clean Water Act section 402 (33 U.S.C. § 1342).
29. These WDRs implement numeric and narrative water quality objectives for groundwater and surface waters established by the Basin Plan and other applicable state and federal laws and policies. The numeric objectives for groundwater designated for municipal and domestic supply include the maximum contaminant levels (MCLs) specified in California Code of Regulations, title 22, section 64421 et seq. Groundwater for use as domestic or municipal water supply (MUN) must not contain taste or odor-producing substances in concentrations that adversely affect beneficial uses as a result of human activity.
30. The discharge authorized by this Order, except for discharges of residual sludge and solid waste, are exempt from the solid waste requirements of California Code of Regulations, title 27, section 20005 et seq. This exemption is based on section 20090, subdivision (b) of title 27 of the California Code of Regulations, which provides that discharges of wastewater to land, including but not limited to evaporation ponds, percolation ponds, or subsurface leach fields are not subject to the requirements of title 27 as long as:
- a. The applicable regional water board has issued WDRs, reclamation requirements, or waived such issuance;

¹ Although some fishing occurs in the downstream reaches, an advisory has been issued by the Imperial County Health Department warning against the consumption of any fish caught from the river and advisories against body contact with the water.

² Rare, endangered, or threatened wildlife exists in or utilizes some of these waterway(s). If the RARE beneficial use may be affected by a water quality control decision, responsibility for substantiation of the existence of rare, endangered, or threatened species on a case-by-case basis is upon the California Department of Fish and Wildlife on its own initiative and/or at the request of the Regional Water Board; and such substantiation must be provided within a reasonable time frame as approved by the Regional Water Board.

- b. The discharge is in compliance with the applicable water quality control plan; and
 - c. The wastewater does not need to be managed according to chapter 11, division 4.5, title 22 of the California Code of Regulations as a “hazardous waste.”
31. Consistent with Water Code section 13241, the Regional Water Board, in establishing the requirements contained herein, considered factors including, but not limited to, the following:
- a. Past, present, and probable future beneficial uses of water;
 - b. Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto;
 - c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area;
 - d. Economic considerations;
 - e. The need for developing housing within the region; and
 - f. The need to develop and use recycled water.
32. Water Code section 13267 authorizes the Regional Water Board to require technical and monitoring reports. The monitoring and reporting requirements in Monitoring and Reporting Program (MRP) R7-2021-0024 are necessary to demonstrate compliance with this Order. The State Water Resources Control Board’s (State Water Board) electronic database, GeoTracker, facilitates the submittal and review of monitoring and reporting data. The burden, including costs, of the MRP bears a reasonable relationship to the need for the information and the benefits to be obtained from that information.
33. Pursuant to Water Code section 13263, subdivision (g), the discharge of waste is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.

Antidegradation Analysis

34. State Water Board Resolution 68-16, entitled *Statement of Policy with Respect to Maintaining High Quality Waters in California* (Resolution 68-16), generally prohibits the Regional Water Board from authorizing discharges that will result in the degradation of high quality waters, unless it is demonstrated that any change in water quality will (a) be consistent with maximum benefit to the people of the state, (b) not unreasonably affect beneficial uses, and (c) not result in water quality less than that prescribed in state and regional policies (e.g., the violation of one or more

water quality objectives). The discharger must also employ best practicable treatment or control (BPTC) to minimize the degradation of high quality waters. High quality waters are surface waters or areas of groundwater that have a baseline water quality better than required by water quality control plans and policies.

35. Constituents discharged from the Facility effluent that have the potential to degrade groundwater include nitrogen, TDS, total coliform, and RV waste products. Each of these constituents is discussed below:
- a. **Nitrogen.** The Primary Maximum Contaminant Level (MCL) found in California Code of Regulations, title 22, section 64431 for nitrate plus nitrite as nitrogen is 10 mg/L. To account for the fate of transport for the various components of total nitrogen, as a conservative value, it is assumed that all nitrogen present converts to nitrate/nitrite. The potential degradation of groundwater is believed to be greatest under the leach field and the ponds. Background groundwater total nitrogen at the site is unknown. To evaluate potential degradation to groundwater due to discharges of nitrogen, this Order adds semi-annual total nitrogen and nitrate + nitrite as nitrogen monitoring in the groundwater monitoring wells.
 - b. **TDS.** The Secondary MCL specified in California Code of Regulations, title 22, section 64449 for TDS ranges between the “recommended” consumer acceptance level of 500 mg/L and the “upper” consumer acceptance level of 1,000 mg/L, if it is neither reasonable nor feasible to provide more suitable water. Potable water supply has a total dissolved solids (TDS) concentration between 720 to 880 mg/L. The typical incremental addition of dissolved salts from domestic water usage in wastewater treatment plants ranges from 150 to 380 mg/L. The potential degradation of groundwater is believed to be greatest underneath the leach field and the ponds. Background groundwater total dissolved solids at the site is unknown. To evaluate the degradation by TDS due to the discharge, this Order adds semi-annual TDS monitoring in the groundwater monitoring wells.
 - c. **Total Coliform.** Typical coliform concentration in domestic raw wastewater is about 10^7 to 10^8 most probable number (MPN)/100 mL, and 10^5 to 10^6 for typical secondary treated domestic effluent wastewater. (U.S. environmental Protection Agency, *Design Manual: Municipal Wastewater Disinfection*, EPA/625/1-86/021, October 1986.) The depth to groundwater, is approximately 22 feet below ground surface, it is possible that pathogen-indicator bacteria will reach groundwater in excess of that prescribed in California Code of Regulations, title 22, section 64426.1. To evaluate the degradation by bacteria due to the discharge, this Order adds semi-annual *E. coli* monitoring in the groundwater monitoring wells.
 - d. **RV Waste Products.** RV holding tanks or portable toilets may contain chemicals that can pollute groundwater quality. Some commercially available

products used to control holding tank/portable toilet odors may contain harmful chemicals such as formaldehyde, zinc, or phenol. The harmful chemicals can kill the bacteria in the wastewater treatment system and cause wastewater to be inadequately treated. The best and least expensive method to prevent groundwater pollution from these harmful chemicals is to educate RV owners about the pollution hazard. To ensure degradation by RV waste products is not taking place, this Order adds annual groundwater monitoring for Volatile Organic Compounds (VOCs).

36. The discharge of wastewater from the OWTS to the leach field and ponds, as permitted herein, reflects BPTC. The discharge is confined to a reasonable area. The WDRs contained in this Order minimize degradation to areal groundwater; they are designed to ensure that the discharge does not create a condition of pollution or nuisance, and that the beneficial uses of groundwater will be maintained, consistent with the antidegradation provisions of Resolution 68-16.
37. Degradation of groundwater by some of the typical waste constituents associated with domestic waste, namely nitrogen, TDS, and total coliform, is consistent with the maximum benefit to the people of the state. The Facility provides recreation and tourism to the local area. The economic prosperity of surrounding communities and associated industries is of maximum benefit to the people of the state and provides sufficient justification for allowing any limited groundwater degradation that may occur pursuant to this Order.

Stormwater

38. Federal regulations for stormwater discharges were promulgated by the U.S. Environmental Protection Agency (USEPA) on November 16, 1990 (40 C.F.R. parts 122, 123, and 124) to implement the Clean Water Act's stormwater program set forth in Clean Water Act section 402(p) (33 U.S.C. § 1342(p)). In relevant part, the regulations require specific categories of facilities that discharge stormwater associated with industrial activity to "waters of the United States" to obtain National Pollutant Discharge Elimination System (NPDES) permits and to require control of such pollutant discharges using Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to prevent and reduce pollutants and any more stringent controls necessary to meet water quality standards.
39. The State Water Board adopted Water Quality Order 2014-0057-DWQ (NPDES No. CAS000001), *General Permit for Storm Water Discharges Associated with Industrial Activities* (Industrial General Permit) on July 1, 2015. Facilities used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage with a design flow of one million gallons per day or more, or that are required to have an approved pretreatment program under 40 Code of Federal Regulations part 403, must enroll under the Industrial General Permit, unless there is no discharge of industrial stormwater to waters of the United States. Because the Facility has a design

treatment capacity of 0.088 million gallons per day (MGD) (i.e., less than 1 MGD) and is not required to have an approved pretreatment program under 40 Code of Federal Regulations part 403, the Facility is not required to enroll in the Industrial General Permit at this time.

40. The State Water Board also adopted Order 2009-0009-DWQ (NPDES NO. CAS000002), *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Construction General Permit), which regulates Dischargers whose projects disturb one or more acres of soil, or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres. If appropriate, the Discharger must enroll in the Construction General Permit during construction of the updated wastewater treatment system.

CEQA and Public Participation

41. Pursuant to California Code of Regulations, title 14, section 15301, the issuance of these WDRs, which govern the operation of an existing facility involving negligible or no expansion of use beyond that previously existing, is exempt from the provisions of the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq.
42. The Regional Water Board has notified the Discharger and all known interested agencies and persons of its intent to update WDRs for this discharge and has provided them with an opportunity for a public meeting and to submit comments.
43. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED that Order R7-2017-0015 is rescinded and Notice of Applicability 97-500(40) is terminated 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, and regulations adopted thereunder, the Discharger shall comply with the following:

A. Effluent Limitations

1. The 30-day monthly average daily dry weather discharge from the OWTS into the evaporation/percolation basins and the leach field shall not exceed 0.088 MGD.
2. The discharge to the ponds shall not contain a total dissolved solids (TDS) concentration that exceeds 300 mg/L above the water supply to the Facility.
3. Effluent from the OWTS shall not have a pH below 6.0 or above 9.0.

4. The ponds shall be maintained so they will continuously operate in aerobic conditions. The dissolved oxygen content in the upper zone (one foot) of the evaporation/percolation ponds shall not be less than 1.0 mg/L.

B. Discharge Prohibitions

1. The discharge of waste classified as “hazardous,” as defined in California Code of Regulations, title 27, section 20164, or “designated,” as defined in Water Code section 13173 and California Code of Regulations, title 27, section 20164, is prohibited.
2. The discharge of treated wastewater at a location other than the leach field or the evaporation/percolation ponds is prohibited.
3. The discharge of wastewater to surface waters or surface drainage courses is prohibited.
4. Surfacing or ponding of wastewater outside of the evaporation/percolation ponds or the leach field is prohibited.
5. The discharge of wastewater to a location or in a manner different from that described in this Order is prohibited.
6. The discharge of wastewater to land not owned or controlled by the Discharger, or not authorized for such use, is prohibited.
7. Bypass or overflow of untreated or partially-treated waste is prohibited.
8. The storage, treatment, or disposal of wastes from the Facility shall not cause contamination, pollution, or nuisance as defined in Water Code section 13050, subdivisions (k), (l), and (m).

C. Receiving Water Limitations

1. The discharge of wastewater from the Facility shall not cause groundwater to exceed applicable water quality objectives, acquire taste, odor, toxicity, or color that create nuisance conditions, impair beneficial uses, or contain constituents in excess of California Maximum Contaminant Levels (MCLs), as set forth in title 22 of the California Code of Regulations (including, but not limited to, section 64426.1 for bacteriological constituents; section 64431 for inorganic chemicals; section 64444 for organic chemicals; and section 64678 for lead and copper).

D. Discharge Specifications

1. The Discharger shall maintain sufficient freeboard in the evaporation/infiltration basins to accommodate seasonal precipitation and to contain a 100-year storm event, but in no case no less than two (2) feet

of freeboard (measured vertically). Freeboard shall be utilized for wake and waves of fluid motion and emergency or natural disaster purposes only.

2. All treatment, storage, and disposal areas shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
3. Ponds shall have sufficient capacity to accommodate allowable wastewater flow, design seasonal precipitation, ancillary inflow, and infiltration during the non-irrigation season. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns.
4. The evaporation/infiltration ponds shall be managed to prevent breeding of mosquitoes. In particular:
 - a. An erosion control program should ensure that small coves and irregularities are not created around the perimeter of the water surface.
 - b. Weeds shall be minimized through control of water depth, harvesting, or herbicides.
 - c. Dead algae, vegetation, and debris shall not accumulate on the water surface.
5. Adequate measures shall be taken to ensure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.
6. Public contact with wastewater shall be precluded through such means as fences, signs, or other acceptable alternatives.
7. Objectionable odors originating at the Facility shall not be perceivable beyond the limits of the Facility boundaries.
8. There shall be no surface flow of wastewater away from the leach field.
9. The Discharger shall not accept wastewater in excess of the treatment capacity of the Facility.

E. Sludge and Solids Disposal

1. Disposal of oil and grease, biosolids, screenings, and other solids collected from liquid wastes shall be pursuant to title 27 of the California Code of Regulations.
2. Sludge use and disposal shall comply with federal and state laws and regulations, including permitting requirements, and technical standards in 40 Code of Federal Regulations part 503.

3. Any proposed change in use or disposal of biosolids requires the approval of the Regional Water Board's Executive Officer and U.S. Environmental Protection Agency Regional Administrator, who must be notified at least 90 days in advance of the change.
4. The Discharger shall maintain a permanent log of all solids hauled away from the Facility for use/disposal elsewhere and shall provide a summary of the volume, type (screenings, grit, raw sludge, digested sludge), use (agricultural, composting, etc.), and the destination in accordance with the MRP of this Order. Sludge that is stockpiled at the Facility shall be sampled and analyzed for those constituents listed in the sludge monitoring section of the MRP of this Order and as required by 40 Code of Federal Regulations part 503. The results of the analyses shall be submitted to the Regional Water Board as part of the MRP.

F. Special Provisions

1. Groundwater Monitoring Network Workplan

- a. Within **90 days** of adoption of this Order, the Discharger shall submit a technical report in the form of a workplan with milestones, time schedule for implementation, and technical rationale for the installation of a groundwater monitoring well network in the vicinity of the evaporation/percolation ponds and leach field for approval by the Regional Water Board's Executive Officer. The groundwater monitoring well network shall include, at a minimum, one upgradient and two downgradient monitoring wells.

G. Standard Provisions

1. **Noncompliance.** The Discharger shall comply with all the terms, requirements, and conditions of this Order and MRP R7-2021-0024. Noncompliance is a violation of the Porter-Cologne Water Quality Control Act (Water Code, § 13000 et seq.) and grounds for: (1) an enforcement action; (2) termination, revocation and reissuance, or modification of these waste discharge requirements; or (3) denial of an Order renewal application.
2. **Enforcement.** The Regional Water Board reserves the right to take any enforcement action authorized by law. Accordingly, failure to timely comply with any provisions of this Order may subject the Discharger to enforcement action. Such actions include, but are not limited to, the assessment of administrative civil liability pursuant to Water Code sections 13323, 13268, and 13350, a Time Schedule Order (TSO) issued pursuant to Water Code section 13308, or referral to the California Attorney General for recovery of judicial civil liability.
3. **Proper Operation and Maintenance.** The Discharger shall at all times properly operate and maintain all systems and components of collection, treatment, and control installed or used by the Discharger to achieve compliance with this Order. Proper operation and maintenance includes but is not limited to, effective

performance, adequate process controls, and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities/systems when necessary to achieve compliance with this Order. All systems in service or reserved shall be inspected and maintained on a regular basis. Records of inspections and maintenance shall be retained and made available to the Regional Water Board upon request.

4. **Reporting of Noncompliance.** The Discharger shall report any noncompliance that may endanger human health or the environment. Information shall be provided orally to the Regional Water Board office and the Office of Emergency Services within twenty-four (24) hours of when the Discharger becomes aware of the incident. If noncompliance occurs outside of business hours, the Discharger shall leave a message on the Regional Water Board's office voicemail. A written report shall also be provided within five business days of the time the Discharger becomes aware of the incident. The written report shall contain a description of the noncompliance and its cause, the period of noncompliance, the anticipated time to achieve full compliance, and the steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. All other forms of noncompliance shall be reported with the Discharger's next scheduled Self-Monitoring Report (SMR), or earlier if requested by the Regional Water Board's Executive Officer.
5. **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.
6. **Material Changes.** Prior to any modifications which would result in any material change in the quality or quantity of wastewater treated or discharged, or any material change in the location of discharge, the Discharger shall report all pertinent information in writing to the Regional Water Board, and if required by the Regional Water Board, obtain revised requirements before any modifications are implemented.
7. **Operational Personnel.** The Facility shall be supervised and operated by persons possessing the necessary expertise in the operation and maintenance of the wastewater treatment system.
8. **Familiarity with Order.** The Discharger shall ensure that all site-operating personnel are familiar with the content of this Order and maintain a copy of this Order at the site.
9. **Inspection and Entry.** The Discharger shall allow the Regional Water Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
 - a. Enter the premises regulated by this Order, or the place where records are kept under the conditions of this Order;

- b. Have access to and copy, at reasonable times, records kept under the conditions of this Order;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
 - d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Order or as otherwise authorized by the Water Code, any substances or parameters at this location.
10. **Records Retention.** The Discharger shall retain copies of all reports required by this Order and the associated MRP. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report, or application. Records may be maintained electronically. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Water Board's Executive Officer.
11. **Change in Ownership.** This Order is not transferable to any person without written approval by the Regional Water Board's Executive Officer. Prior to any change in ownership of this operation, the Discharger shall notify the Regional Water Board's Executive Officer in writing at least 30 days in advance. The notice must include a written transfer agreement between the existing owner and the new owner. At a minimum, the transfer agreement must contain a specific date for transfer of responsibility for compliance with this Order and an acknowledgment that the new owner or operator is liable for compliance with this Order from the date of transfer. The Regional Water Board may require modification or revocation and reissuance of this Order to change the name of the Discharger and incorporate other requirements as may be necessary under the Water Code.
12. **Backup Generators.** Standby, power generating facilities shall be available to operate the Facility during a commercial power failure.
13. **Format of Technical Reports.** The Discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with California Code of Regulations, title 23, division 3, chapter 30, as groundwater raw data uploads electronically over the Internet into the State Water Board's [GeoTracker database](#). Documents that were formerly mailed by the Discharger to the Regional Water Board, such as regulatory documents, narrative monitoring reports or materials, and correspondence, shall be uploaded into GeoTracker in the appropriate Microsoft Office software application format, such as Word or Excel files, or as a Portable Document Format (PDF) file. Large documents must be split into appropriately labelled, manageable file sizes and uploaded into GeoTracker.

14. **Qualified Professionals.** In accordance with Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of California registered professionals (i.e., civil engineer, engineering geologist, geologist, etc.) competent and proficient in the fields pertinent to the required activities. All technical reports required under this Order that contain work plans, describe the conduct of investigations and studies, or contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately-qualified professional(s), even if not explicitly stated. Each technical report submitted by the Discharger shall contain a statement of qualifications of the responsible licensed professional(s) as well as the professional's signature and/or stamp of the seal. Additionally, all field activities are to be conducted under the direct supervision of one or more of these professionals.
15. **Certification Under Penalty of Perjury.** All technical reports required in conjunction with this Order shall include a statement by the Discharger, or an authorized representative of the Discharger, certifying under penalty of perjury under the laws of the State of California, that the reports were prepared under his or her supervision in accordance with a system designed to ensure that qualified personnel properly gathered and evaluated the information submitted, and that based on his or her inquiry of the person or persons who manage the system, the information submitted is, to the best of his or her knowledge and belief, true, complete, and accurate.
16. **Violation of Law.** This Order does not authorize violation of any federal, state, or local laws or regulations.
17. **Property Rights.** This Order does not convey property rights of any sort, or exclusive privileges, nor does it authorize injury to private property or invasion of personal rights.
18. **Modification, Revocation, Termination.** This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for an Order modification, rescission, or reissuance, or the Discharger's notification of planned changes or anticipated noncompliance, does not stay any Order condition. Causes for modification include, but are not limited to, the violation of any term or condition contained in this Order, a material change in the character, location, or volume of discharge, a change in land application plans or sludge use/disposal practices, or the adoption of new regulations by the State Water Board, Regional Water Board (including revisions to the Basin Plan), or federal government.
19. **Severability.** The provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of these requirements shall not be affected.

Any person aggrieved by this Regional Water Board action may petition the State Water Board for review in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. The State Water Board must receive the petition by 5:00 p.m. on the 30th day after the date of this Order; if the 30th day 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. Copies of the statutes and regulations applicable to filing petitions are available on the State Water Board's website and can be provided upon request.

Order Attachments

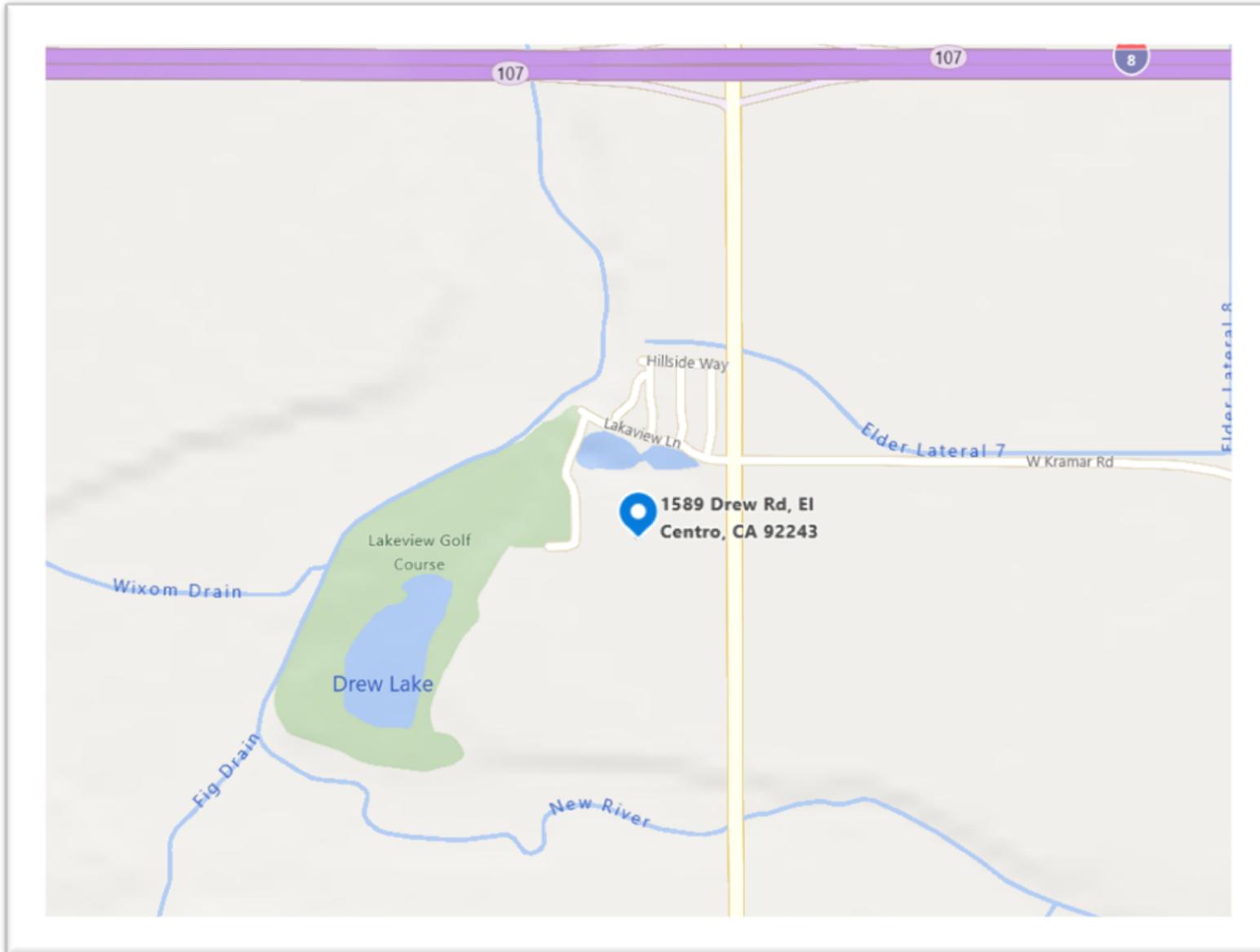
Attachment A — Vicinity Map

Attachment B — Site Map

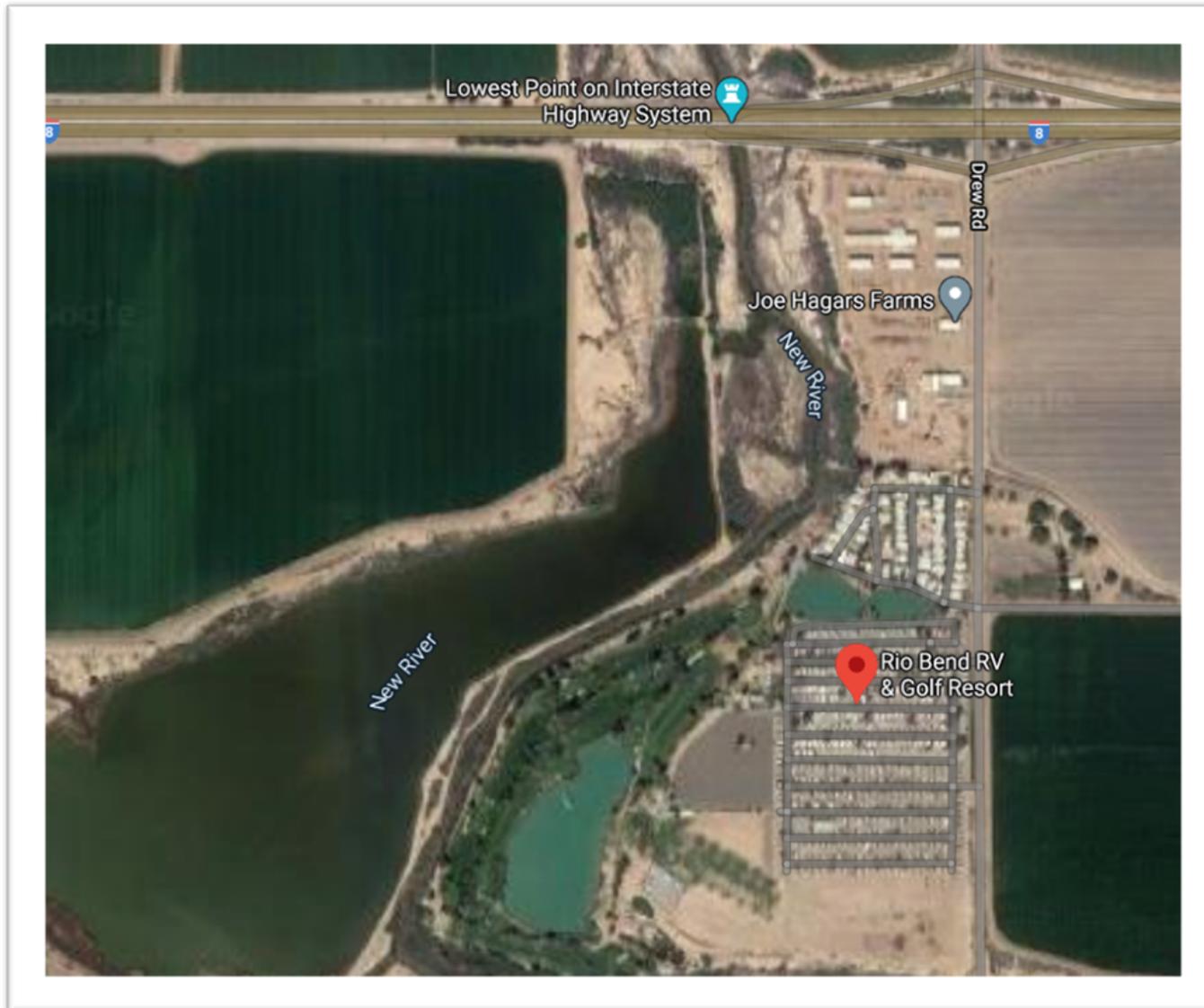
Attachment C — OWTS Proposed Improvements

Monitoring and Reporting Program R7-2021-0024

Attachment A—Vicinity Map



Attachment B—Site Map



Attachment C—OWTS Improvements Layout



KEY LEGEND

- | | |
|------------------------------------|-------------------------------|
| ① 5000 GAL PUMP TANK | ⑥ EXISTING 8" SEWER CLEAN-OUT |
| ② 750 GAL HOLDING TANK | ⑦ 2" SCH. 40 TRANSPORT LINE |
| ③ NEW PUMP CONTROL PANEL | ⑧ 8" OVERFLOW PIPE |
| ④ 8" PVC SDR-35 GRAVITY SEWER PIPE | ⑨ 2.5" SCH. 40 TRANSPORT LINE |
| ⑤ EXISTING 8" SEWER LINE | |



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

MONITORING AND REPORTING PROGRAM R7-2021-0024 FOR
WESTWIND ENTERPRISES, LTD., OWNER/OPERATOR
RIO BEND RV AND GOLF RESORT
ONSITE WASTEWATER TREATMENT SYSTEMS
SOUTH OF SEELEY, IMPERIAL COUNTY

This Monitoring and Reporting Program (MRP) is issued pursuant to Water Code section 13267 and describes requirements for monitoring the relevant wastewater system and groundwater quality. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Regional Water Board or its Executive Officer.

The Discharger owns and operates the wastewater treatment system that is subject to Order R7-2021-0024. The reports required herein are necessary to ensure that the Discharger complies with the Order. Pursuant to Water Code section 13267, the Discharger shall implement the MRP and shall submit monitoring reports described herein.

A. Sampling and Analysis General Requirements

1. **Testing and Analytical Methods.** The collection, preservation, and holding times of all samples shall be in accordance with U.S. Environmental Protection Agency (USEPA)-approved procedures. All analyses shall be conducted in accordance with the latest edition of either the USEPA's *Guidelines Establishing Test Procedures for Analysis of Pollutants Under the Clean Water Act* (40 C.F.R. part 136) or *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods Compendium* (SW-846), unless otherwise specified in the MRP or approved by the Regional Water Board's Executive Officer.
2. **Laboratory Certification.** All analyses shall be conducted by a laboratory certified by the State Water Board, Division of Drinking Water's Environmental Laboratory Accreditation Program (ELAP), unless otherwise approved by the Regional Water Board's Executive Officer.
3. **Reporting Levels.** All analytical data shall be reported with method detection limits (MDLs) and with either the reporting level or limits of quantitation (LOQs) according to 40 Code of Federal Regulations part 136, Appendix B. The laboratory reporting limit for all reported monitoring data shall be no greater than the practical quantitation limit (PQL).
4. **Sampling Location(s).** Samples shall be collected at the location(s) specified in the WDRs. If no location is specified, sampling shall be conducted at the most representative sampling point available.

5. **Representative Sampling.** All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. The time, date, and location of each grab sample shall be recorded on the chain of custody form for the sample. If composite samples are collected, the basis for sampling (time or flow weighted) shall be approved by Regional Water Board staff.
6. **Instrumentation and Calibration.** All monitoring instruments and devices used by the Discharger shall be properly maintained and calibrated to ensure their continued accuracy. Any flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices. In the event that continuous monitoring equipment is out of service for a period greater than 24 hours, the Discharger shall obtain representative grab samples each day the equipment is out of service. The Discharger shall correct the cause(s) of failure of the continuous monitoring equipment as soon as practicable. The Discharger shall report the period(s) during which the equipment was out of service and if the problem has not been corrected, shall identify the steps which the Discharger is taking or proposes to take to bring the equipment back into service and the schedule for these actions.
7. **Field Test Instruments.** Field test instruments (such as those used to test pH, dissolved oxygen, and electrical conductivity) may be used provided that:
 - a. The user is trained in proper use and maintenance of the instruments;
 - b. The instruments are field calibrated prior to monitoring events at the frequency recommended by the manufacturer;
 - c. Instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
 - d. Field calibration reports are submitted.
8. **Records Retention.** 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, for a minimum of five (5) years from the date of the sampling or measurement. This period may be extended by request of the Regional Water Board's Executive Officer at any time. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurement(s);
 - b. The individual(s) who performed the sampling or measurement(s);
 - c. The date(s) analyses were performed;
 - d. The individual(s) who performed the analyses;

- e. The analytical techniques or method used; and
- f. All sampling and analytical results, including:
 - i. units of measurement used;
 - ii. minimum reporting limit for the analyses;
 - iii. results less than the reporting limit but above the method detection limit (MDL);
 - iv. data qualifiers and a description of the qualifiers;
 - v. quality control test results (and a written copy of the laboratory quality assurance plan);
 - vi. dilution factors, if used; and
 - vii. sample matrix type.

B. Monitoring

1. The discharge flow rate to the evaporation percolation ponds and the leach field shall be calculated/estimated monthly and reported as an average daily flow. Discharge flow monitoring shall be reported quarterly.
2. The evaporation/percolation ponds shall be monitored according to the following schedule:

Table 1. Evaporation/Percolation Pond Monitoring

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Monitoring Frequency</u>	<u>Reporting Frequency</u>
Total Dissolved Solids	mg/L ³	Grab	Monthly	Monthly
Nitrate as N	mg/L	Grab	Monthly	Monthly
Total Nitrogen	mg/L	Grab	Monthly	Monthly
pH	pH Units	Grab	Monthly	Monthly
Volatile Organic Compounds	µg/L ⁴	Grab	Annually	Annually

3. **Groundwater Monitoring.** Once there is an approved groundwater monitoring network in place, the Discharger shall monitor groundwater as follows:

³ milligrams per Liter
⁴ micrograms per Liter

Table 2. Groundwater Monitoring

Constituents	Units	Sample Type	Monitoring Frequency	Reporting Frequency
Depth to groundwater	ft	measurement	Semi-Annually	Semi-Annually
pH	S.U.	Grab	Semi-Annually	Semi-Annually
Total Dissolved Solids	mg/L	Grab	Semi-Annually	Semi-Annually
Total Nitrogen	mg/L	Grab	Semi-Annually	Semi-Annually
Volatile Organic Compounds	µg/L ⁵	Grab	Annually	Annually

4. One septic tank for every 20 septic tank systems shall be sampled annually for the leach field disposal and evaporation/percolation pond systems. The samples shall be analyzed for the following:

Table 3. Septic Tank Monitoring

Constituent	Units	Type of Sample	Monitoring Frequency	Reporting Frequency
Total Dissolved Solids	mg/L ⁶	Grab	Annually	Annually
Discharge Flow Rate	gpd ⁷	Estimate	Annually	Annually
Nitrate as N	mg/L	Grab	Annually	Annually
Total Nitrogen	mg/L	Grab	Annually	Annually
pH	pH Units	Grab	Annually	Annually
Volatile Organic Compounds	µg/L	Grab	Annually	Annually

⁵ micrograms per Liter

⁶ milligrams per Liter

⁷ gallons per day

5. All septic tanks shall be inspected and/or pumped at least as frequently as described below. Inspections of sludge and scum depth are not required if the tanks are pumped at least annually.

Table 4. Septic Tank Inspections

Parameter	Units	Measurement Type	Inspection/Reporting Frequency
Sludge depth and scum thickness in each compartment of each tank	Feet	Staff Gauge	Annually
Distance between bottom of scum layer and bottom of outlet device	Inches	Staff Gauge	Annually
Distance between top of sludge layer and bottom of outlet device	Inches	Staff Gauge	Annually

6. Septic tanks shall be pumped when any one of the following conditions exists:
 - a. The combined thickness of sludge and scum exceeds one-third of the tank depth of the first compartment;
 - b. The scum layer is within 3 inches of the outlet device; or
 - c. The sludge layer is within 8 inches of the outlet device.

In lieu of septic tank measuring, the septic tank may be pumped annually.

7. If a septic tank is pumped during the year, the pumping report shall be submitted with the annual report. At a minimum, the record shall include the date, nature of service, service company name, and service company license number.

C. Water Supply Monitoring

1. The Discharger shall collect samples from the water supply sampling station, the sampling shall include the following:

Table 5. Water Supply Monitoring

Constituents	Units	Sample Type	Sample Frequency	Reporting Frequency
Total Dissolved Solids (TDS)	mg/L	Grab	Semi-Annually	Semi-Annually

D. Reporting Requirements

1. Monthly Self-Monitoring Reports (SMRs) shall be submitted by the 15th day of the following month following the monitoring period. Quarterly SMRs shall be

submitted by January 15th, April 15th, July 15th, and October 15th. Annual SMRs shall be submitted by January 31st of the following year.

2. Monthly and quarterly SMRs shall include, at a minimum, the following:
 - a. **Cover Letter.** A transmittal letter summarizing the essential points in the report.
 - b. **Summary of Monitoring Data.** Tables of the data collected. Each row shall be a monitoring event and each column shall be a separate parameter at a single location (or a single average, as appropriate).
 - c. **Compliance Summary.** Identification of any violations found since the last report was submitted, and actions taken or planned for correcting each violation. If the Discharger previously submitted a report describing corrective actions and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory. If no violations have occurred since the last submittal, this shall be stated.
3. Annual SMRs shall include, at a minimum, the following:
 - a. **Cover Letter.** A transmittal letter summarizing the essential points in the report.
 - b. **Maps.** Maps depicting the Facility layout and the location of sampling points.
 - c. **Summary of Monitoring Data.** Tables of the data collected. The tables shall include all the data collected to-date at each monitoring point, organized in chronological order, with the oldest data in the top row and progressively newer data in rows below the top row. Each row shall be a monitoring event and each column shall be a separate parameter at a single location (or a single average, as appropriate).
 - d. **Graphical Display.** Graphs depicting monitoring parameters through time, with the concentrations being the y-axis and time being the x-axis. Logarithmic scales can be used for values that vary by orders of magnitude. Individual graphs can combine multiple locations or multiple chemicals if that allows the data to be compared more easily.
 - e. **Compliance Summary.** Identification of any violations found since the last annual report was submitted, and actions taken or planned for correcting each violation. If the Discharger previously submitted a report describing corrective actions and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory. If no violations have occurred since the last submittal, this shall be stated.

4. SMRs shall be certified under penalty of perjury to be true and correct. Each SMR submitted to the Regional Water Board shall contain the following completed declaration:

“I declare under the penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Executed on the _____ day of _____ at _____

_____ (Signature)

_____ (Title)”

5. The SMRs and any other information requested by the Regional Water Board shall be signed by a principal executive officer or ranking elected official. A duly authorized representative of the Discharger may sign the documents if:
 - a. The authorization is made in writing by the person described above,
 - b. The authorization specified an individual or person having responsibility for the overall operation of the regulated disposal system, and
 - c. The written authorization is submitted to the Regional Water Board’s Executive Officer.
6. The results of any analysis performed more frequently than required at the locations specified in this MRP shall be reported to the Regional Water Board.
7. As specified in Standard Provision F.13, the Discharger shall comply with Electronic Submittal of Information (ESI) requirements by submitting all correspondence and reports required under MRP R7-2021-0024 and any future revision(s) thereto, including groundwater monitoring data and discharge location data (latitude and longitude), correspondence, and PDF monitoring reports to the State Water Board’s GeoTracker database. Documents too large to be uploaded into GeoTracker should be broken down into smaller electronic files and labelled properly prior to uploading into GeoTracker.
8. As specified in Standard Provision F.14, technical reports shall be prepared by or under the direction of appropriately qualified professional(s). Each technical report submitted shall contain a statement of qualification of the responsible licensed professional(s) as well as the professional’s signature and/or stamp of the seal.