

Los Angeles Regional Water Quality Control Board

February 22, 2013

Mr. Matthew Osgood
President
BMIF/BSLF II Rancho Malibu Ltd.
co/ Vintage Rancho Malibu, LLC
18401 Von Karman Ave. Ste. 350
Irvine, CA 92612

WASTE DISCHARGE REQUIREMENTS (WDRs) / WATER RECYCLING REQUIREMENTS (WRRs) FOR ENCINAL CANYON WATER RECYCLING PLANT (RANCHO MALIBU) AT TRACT 46277, 3600 ENCINAL CANYON ROAD, MALIBU, CALIFORNIA (FILE NO. 90-069, ORDER NO. R4-2013-0019, SERIES NO. 048, CI-7020, GLOBAL ID WDR100001505)

Dear Mr. Osgood:

Our letter of January 24, 2013, transmitted revised tentative Waste Discharge Requirements (WDRs)/Water Recycling Requirements (WRRs) and Monitoring and Reporting Program (MRP) for Encinal Canyon Water Recycling Plant (Rancho Malibu).

Pursuant to Division 7 of the California Water Code, this Regional Board at a public meeting held on February 7, 2013, reviewed the revised tentative WDRs/WRRs and MRP, considered all factors in the case, and adopted WDRs/WRRs Order No. R4-2013-0019 and MRP No. CI 7020 (copies enclosed) relative to this discharge. Standard Provisions, which are a part of the WDRs/WRRs, are also enclosed.

You are required to implement the new Monitoring and Reporting Program No. CI 7020 on the effective date of Order No. R4-2013-0019. Your first monitoring report under these requirements is due to this Regional Board by May 15, 2013.

The Discharger shall comply with the Electronic Submittal of Information (ESI) requirements by submitting all reports and correspondence required under the MRP, including groundwater monitoring data, discharge location data, and pdf monitoring reports to the State Water Resources Control Board GeoTracker database under Global ID WDR100001505. ESI training video is available at:

<https://waterboards.webex.com/waterboards/ldr.php?AT=pb&SP=MC&rID=44145287&rKey=7dad4352c990334b>

Please see Electronic Submittal for Geotracker Users, dated December 12, 2011, at:
<http://www.waterboards.ca.gov/losangeles/resources/Paperless/Paperless%20Office%20for%20OGT%20Users.pdf>.

We are sending the WDRs/WRRs and MRP to the Discharger only. For recipients on the mailing list, an electronic copy will be available at:
http://www.waterboards.ca.gov/losangeles/board_decisions/adopted_orders/

Hard copies of the WDRs/WRRs and MRP will also be furnished upon request.

If you have any questions concerning this letter, please contact Dr. Don Tsai at (213) 620-2264 (or dtsai@waterboards.ca.gov) or me at (213) 576-6683 (or ewu@waterboards.ca.gov).

Sincerely,



Eric Wu, Ph.D., P.E.
Chief of Groundwater Permitting Unit

Enclosures:

- 1) WDRs/WRRs Order No. R4-2013-0019
- 2) Monitoring and Reporting Program CI-7020
- 3) Standard Provisions

cc: Ms. Trisha Coffey, Ashirt Engineering Inc.
Mr. Jeff Bouse, County of Los Angeles, DPW, Environmental Programs Division
Mr. Tim Smith, County of Los Angeles, DPW, Environmental Programs Division
Mr. Chi Diep, CA Dept. of Public Health Drinking Water Programs

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

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**ORDER NO. R4-2013-0019
FILE NO. 90-069
CI NO. 7020**

**WASTE DISCHARGE REQUIREMENTS AND WATER RECYCLING REQUIREMENTS
FOR
A MODIFIED PROJECT AND TITLE 22 RECYCLED WATER DISCHARGE
ISSUED TO
BMIF/BSLF RANCHO MALIBU LTD. PARTNERS
(ENCINAL CANYON WATER RECYCLING PLANT ON TRACT 46277)**

The California Regional Water Quality Control Board, Los Angeles Region (Regional Water Board) finds:

PURPOSE OF ORDER

1. BMIF/BSLF Rancho Malibu Ltd. Partners is subject to Waste Discharge Requirements (WDRs) and Water Recycling Requirements (WRRs) Order No. 91-021 and Monitoring Reporting Program (MRP) CI 7020 adopted by the Regional Water Board on January 28th, 1991 for 70 single family homes, a 25,000 gallons per day (gpd) water recycling plant with disposal by spray irrigation, a 64,000 square feet leachfield with groundwater monitoring and a golf course at about 3600 Encinal Canyon Road on Tract 46277 (hereinafter Rancho Malibu). Rancho Malibu covers 270 acres, of which less than 50 acres were planned for development. No construction has yet taken place.
2. On October 23, 2008, BMIF/BSLF Rancho Malibu Ltd. Partners submitted a revised engineering design for 100% recycled water reuse by irrigation. The revised development includes 46 single family residences and the Encinal Canyon Water Recycling Plant (hereinafter Plant) shown on the Rancho Malibu (Figures 1, 2, and 3). The Plant will produce an average of 17,500 gpd with a peak flow of 35,000 gpd of effluent treated to Title 22 non-potable recycled water quality for disposal through irrigation.
3. The Dischargers are defined as follows:
 - A. **BMIF/BSLF Rancho Malibu Ltd. Partners** – BMIF/BSLF Rancho Malibu Ltd. Partners proposes to build the Plant, but ownership is expected to be transferred to the Los Angeles County Department of Public Works (LACDPW).
 - B. **LACDPW** – While operation of the Plant is anticipated to be transferred to the LACDPW, this will only occur if and when BMIF/BSLF Rancho Malibu Ltd. Partners' Tract No. 46277 has completed all conditions of the transfer agreement to the satisfaction of the LACDPW including the construction, start-up, operation, and demonstration of the Plant's successful performance. If BMIF/BSLF Rancho Malibu Ltd. Partners fails to meet the terms and conditions of the transfer agreement, the LACDPW would not assume operation and maintenance responsibilities. However,

once the LACDPW takes over operation and maintenance of the Plant from BMIF/BSLF Rancho Malibu Ltd. Partners, the LACDPW also becomes the Discharger for the responsibilities of requirements, specified in this permit.

- C. **Home Owners Association (HOA)** – BMIF/BSLF Rancho Malibu Ltd. Partners is anticipated to eventually create a HOA to be responsible for the operation, maintenance, and monitoring of the recycled water irrigation system and irrigation areas. Once the HOA is in place, the HOA also becomes the Discharger and is responsible for the operation, maintenance, and monitoring of the recycled water irrigation system and irrigation areas.
4. On June 24, 2009, the Regional Water Board received a Report of Waste Discharge (ROWD) for a design with 46 homes and more open space. The ROWD was an update to an October 23, 2008, request to modify the existing permit. The purpose of this Order is to allow discharge that is consistent with existing policies and technical information about the location and Plant.
 5. California Water Code (CWC) section 13263(e) provides that all WDRs shall be reviewed periodically and, upon such review, may be revised by the Regional Water Board. These revised WDRs and WRRs include the new engineering design, effluent limitations, updated provisions, and an expanded MRP.
 6. The Onsite Wastewater Treatment System (OWTS) at Rancho Malibu is in the County of Los Angeles, located northwest and outside of the Malibu Civic Center Prohibition area defined in Order R4-2009-007, where OWTSs are prohibited.

DESCRIPTION OF THE SITE

7. Conditions: Rancho Malibu is located near Encinal Canyon in west Los Angeles County, more than 5,000 feet inland from the Pacific Ocean. Despite receiving approval for grading from the California Coastal Commission on March 13, 2001, the California Coastal Sage and Chaparral Ecosystem covering Rancho Malibu has been preserved.
8. Hydrology: Percolating, seasonal, perched water lies above a regional groundwater table greater than 30 feet in depth at the site. Trenching shows thin alluvium, underlain by middle Miocene sedimentary and intrusive basaltic rocks, which are moderately to highly fractured and are seen in outcrops extending to sea level.
9. Slope Stability: Landslide risk was quantified using the shear strength of samples from six test pits in June 2009. The test shows that the proposed irrigation field is not expected to have an adverse effect on the adjacent slope areas with good management.
10. Location: Rancho Malibu is located in the Basin Plan Hydrologic Unit 404.41 Malibu Basin - Camarillo Area - Encinal Canyon Subarea, Department of Water Resources Basin Number 4-22 and at 34° 3' 5"N, 118° 52' 18" W.

DESCRIPTION OF FACILITY AND TREATMENT PROCESS

11. Compliance Status: Rancho Malibu remains undeveloped although WDRs/WRRs Order No. 91-021 and MRP CI 7020 were adopted in 1991. In response to staff's request in July

- 12, 2012 email, the Discharger submitted 21 years of 'no discharge' reports in July 2012 and has complied with all the reporting requirements of the existing WDRs/WRRs Order.
12. Land Use: Rancho Malibu was approved by the County of Los Angeles and the Coastal Commission for a 270 acre subdivision. The area that will be disturbed as a result of the construction of the subdivision is 38.5 acres. The remainder of the property is to be dedicated as either private or public open space. The development includes 46 single family lots and one lot for a wastewater treatment facility, one street lot, and three open space lots. The project will alter or partially fill a total of 1,380 linear feet of ephemeral stream within the development. The Discharger may choose to manage the open space so as to preserve the local chaparral ecosystem.
 13. Plant Design: The proposed Plant will use membrane filtration and chlorine disinfection to produce an average of 17,500 gpd of Title 22 non-potable recycled water used for irrigation and fire suppression. The treatment process utilizes the following components:
 - A. A 7,800-gallon concrete trash trap/screen;
 - B. 14,000-gallon concrete equalization tank;
 - C. Twenty clustered 1,200-gallon anoxic/aerobic treatment tanks;
 - D. Two membrane filtration units;
 - E. A chlorine injection system for effluent disinfection;
 - F. Two 8,000-gallon fiberglass chlorine contact tanks;
 - G. An effluent sampling station;
 - H. One 17,500-gallon off-spec water holding tank;
 - I. An effluent pump station;
 - J. Two recycled water storage tanks, estimated to hold 700,000 gallons each;
 - K. A recycled water sampling station;
 - L. Irrigation pumps and computer management system; and,
 - M. An irrigation distribution system.
 14. Irrigation Control: Areas designated to receive irrigation water will be under the control of the Discharger and will consist of private land with the necessary permanent easements to accommodate irrigation equipment. The areas of irrigation are located within Encinal Canyon in the Malibu Valley Hydrologic Unit. The timing and volume of the irrigation discharge has been calculated to equal evapotranspiration during night and dry weather disposal and will be implemented by a computer irrigation management system and landscape manager. Voluntary discharge to the subsurface through incidental runoff or over-irrigation is limited by this oversight.

15. Storage: The Plant design is for 100% irrigation recycling. However, if effluent cannot be discharged through irrigation or during system malfunction, storage is available in the two 700,000-gallon tanks. The storage plan complies with the California Department of Public Health (CDPH) requirements for alternative disposal.

APPLICABLE PLANS, POLICIES AND REGULATIONS

16. Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan): On June 13, 1994, the Regional Water Board adopted a revised Basin Plan. The Basin Plan (i) designates beneficial uses for surface and groundwater, (ii) establishes narrative and numeric water quality objectives that must be attained or maintained to protect the designated beneficial uses, and (iii) sets forth implementation programs to protect the beneficial uses of the waters of the state. The Basin Plan also incorporates State Water Resources Control Board (State Water Board) Resolution 68-16 (see finding No. 17 below for detail). In addition, the Basin Plan incorporates by reference applicable State and Regional Water Board plans and policies and other pertinent water quality policies and regulations. The Regional Water Board prepared the 1994 update of the Basin Plan to be consistent with previously adopted State and Regional Water Board plans and policies. This Order implements the plans, policies and provisions of the Regional Water Board's Basin Plan.
17. The requirements contained in this Order are in conformance with the goals and objectives of the Basin Plan and implement the requirements of the CWC and Recycled Water Policy.
18. State Water Board Resolution No. 68-16 ("Statement of Policy with Respect to Maintaining High Quality Waters in California", also called the "Antidegradation Policy") requires the Regional Water Board, in regulating the discharge of waste, to maintain high quality waters of the state until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in the Board's policies (e.g., quality that exceeds water quality objectives). The Regional Water Board finds that the discharge, as allowed in these WDRs, is consistent with Resolution No. 68-16 since this Order (1) requires compliance with the requirements sets forth in this Order, including the use of best practicable treatment and control of the discharges, (2) requires implementation of MRP; and (3) requires discharges to be treated to comply with water quality objectives and WRRs.
19. Total Maximum Daily Load (TMDL): Rancho Malibu is on a coastal bluff overlooking Santa Monica Bay. The State Water Board and the Regional Water Board designated beaches on Santa Monica Bay as impaired on the 1996 and 1998 Clean Water Act 303(d) List of Water Quality Limited Segments. On January 24, 2002 and on December 12, 2002, the Regional Water Board adopted TMDL for bacteria during dry and wet weather, respectively, for Santa Monica Bay. A purpose of these WDRs/WRRs is to allow discharge while ensuring that bacteria do not contribute to the existing impairment of beneficial uses of this water body.
20. Waste Discharge: These WDRs/WRRs are proposed pursuant to CWC section 13263 because this project has the potential to affect the quality of the waters of the State, to impact the beneficial uses of those waters, or to cause a nuisance. These WDRs/WRRs conform to CWC section 13241 and the State Water Board Resolution 2009-011, the Recycled Water Policy, because they meet the need for recycled water use.

21. **Watershed Modification:** The Discharger received a Section 401 Water Quality Certification for modifications to the tributaries of Encinal Canyon on June 16, 1999 from the Regional Water Board. The certification is being updated and must be completed before construction can begin.
22. **Water Recycling:** These WRRs are proposed pursuant to CWC section 13523. They prescribe the limits for recycled water and the Discharger's responsibilities for the production and monitoring of recycled water. The Discharger is also responsible for inspecting point-of-use facilities, and ensuring compliance with the WRRs contained in this Order. The distribution and irrigation systems will be maintained by the Discharger and the delivery of recycled water has received the approval of the CDPH. The Regional Water Board has consulted with the CDPH regarding the proposed recycling project and has incorporated their recommendations in this Order.

The Discharger prepared an engineering report on its proposed production, distribution, and use of recycled water for irrigation as required by section 60323 of Title 22, California Code of Regulations (CCR). On August 9, 2004, the CDPH issued conditional approval of the engineering report and provided the Regional Water Board with comments and recommendations on the Discharger's recycling project. The conditions are a post-construction report and inspection demonstrating that the recycling requirements will be achieved.

23. **Groundwater Management:** State Water Board Resolution 2009-0011, the Recycled Water Policy, directs the Regional Water Board to protect groundwater resources, which will be accomplished in this region by the development of Salt and Nutrient Management Plans (SNMP) for each groundwater basin to be included in the Basin Plan. This project has the potential to affect the quality of a water of the State, the groundwater beneath the Southern Slopes of the Santa Monica Mountains, Point Dume. Pursuant to the Recycled Water Policy as implemented by this Regional Water Board, an antidegradation analysis is required for this WDRs/WRRs to meet state requirements for the protection of groundwater. The Recycled Water Policy also directs the Regional Water Board to minimize the Chemicals of Emerging Concern's (CECs) impact to human health and the environment.
24. **Groundwater Beneficial Uses:** Based on 2011 Basin Plan Amendment, Rancho Malibu is in the Malibu Valley Groundwater Basin located in the southern slopes of the Santa Monica Mountains, Point Dume area, where beneficial uses are designated for existing agricultural supply, and potential municipal and domestic water supply (MUN) and industrial service supply. Total dissolved solids, chloride, sulfate and boron groundwater limits are more stringent than secondary drinking water standards and are applied in this WDRs/WRRs.
25. **Coliform:** Basin Plan requirements for coliform levels sufficient to protect potential municipal and domestic supply beneficial uses of groundwater is 1.1 Most Probable Number (MPN)/100 milliliters (mL), as determined over a seven day period. The Plant will produce Title 22 tertiary recycled water containing total and fecal coliform bacteria concentrations not to exceed 2.2 MPN/100mL as determined from the median number over the last seven days as required by the CDPH for recycled water use. However, the groundwater at 30 feet below ground surface shall allow the oxidation of bacteria to meet the groundwater quality objective of 1.1 MPN/100mL.

26. Ocean Plan: On November 16, 2000, the State Water Board adopted a revised Water Quality Control Plan for the Ocean Waters of California (Ocean Plan). The State of California Office of Administrative Law and the United States Environmental Protection Agency approved a revised plan in 2009. The revised plan contains water quality objectives for coastal waters of California. This Order implements receiving water limitations, prohibitions, and provisions that implement the objectives in the Ocean Plan by attaining water quality objectives at the end-of-pipe, with annual testing of priority pollutants and CECs.
27. Area of Special Biological Significance (ASBS): On March 21, 1974, the State Water Board designated a California Marine State Water Quality Protection Area from Mugu Lagoon to Latigo Point (Resolution No. 74-28). The ASBS Number 24 is protected against discharge of water which exceeds 'natural water quality.' The water quality objectives attained by the treatment plant are more stringent than the natural water quality requirements, except for salts, and conform to ASBS policy.

NOTIFICATION

28. California Environmental Quality Act (CEQA): The County of Los Angeles is the lead agency for purposes of the CEQA. The County of Los Angeles certified the Final Supplemental Environmental Impact Report (EIR) for Rancho Malibu (Project No. 91315 with Tentative Tract Map No. 46277, No. 1988050410) on October 1, 2007.
29. The Regional Water Board is a responsible agency for purposes of CEQA. The Regional Water Board has reviewed the EIR and determined that the water produced from the Plant and used for irrigation will not have potentially significant impact on the receiving groundwater quality. This Order requires compliance with the CWC, Division 7, and applicable regulations and policies, including the Basin Plan and CDPH regulations regarding use of recycled water. It also includes monitoring requirements.

On October 1, 2007, the California Department of Fish and Game Streambed Alteration Agreement #1600-2007-0029-R5 authorizes the Discharger to develop Rancho Malibu. The project will alter, or partially fill three ephemeral streams on a 38.5 acre site within the 270 acre Encinal Canyon Project. The Notice of Determination on February 29, 2000, states that 232.6 acres of open space will remain in a natural, undisturbed state, of which 167 acres will be dedicated to a public agency. The October 1, 2007 Notice of Determination states that one of the open space lots will be used for irrigation as needed for disposal within evapotranspiration requirements.

This issuance of WDRs/WRRs by a regulatory agency for the protection of the environment is exempt from the provisions of Chapter 3 [commencing with Public Resources Code Section 21100, et seq., Division 13, CEQA] in accordance with Section 15308, Title 14, California Code of Regulations.

30. Petition: Any person aggrieved by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or a state holiday, the petition must be received by the State Water Board by 5:00 pm on the next business day. Copies of the law and regulations applicable to filling petitions may be

found on the Internet at http://www.waterboards.ca.gov/public_notices/petitions/water_quality/ or will be provided upon request.

31. Public Notice: On December 14, 2012, the Regional Water Board notified the Discharger and interested agencies and persons of its intent to issue WDRs/WRRs Order No. R4-2013-0019 for the production, distribution and use of tertiary treated and disinfected effluent as recycled water, and has provided them with an opportunity to submit written comments.

The Regional Water Board, in a public meeting, heard and considered all comments pertaining to these WDRS/WRRs.

IT IS HEREBY ORDERED that the Discharger shall comply with the following:

1. INFLUENT REQUIREMENTS

- A. Monitoring Point: The influent flow to the treatment system shall be metered by mechanical means after the waste stream leaves the equalization basin in the Plant.
- B. Domestic Waste: Influent waste shall be limited to domestic wastewater only. No water softener discharge is allowed into the collection systems that flow to the treatment unit.
- C. Biological System Start-Up: The Regional Water Board recognizes that advanced biological systems such as the advanced OWTS proposed must undergo a "start-up" period during which the system's biological processes require seeding and stabilization. Also, there are rare cases when the biological system is compromised and reseeded is necessary to assist the recovery of the biological treatment systems more quickly than would be possible by natural re-growth. In such cases, the Discharger may import a sufficient amount of fully nitrified sludge from offsite for the purpose of seeding (or reseeded) the advanced OWTS's biological process. Reseeding, if necessary, shall not cause violations of the effluent limits of this WDRs/WRRs. The date, quantity and source of the sludge shall be reported in the quarterly monitoring reports.
- D. The maximum daily flow of influent from the collection system to the Plant shall not exceed the discharge limit of 35,000 gpd.

2. EFFLUENT LIMITS AND REQUIREMENTS

- A. Monitoring Point: The effluent shall be sampled at locations, specified in Table 1.

Table 1 Monitoring Points

Monitoring Points	Description
Monitoring Point 1	as the effluent leaving the disinfection system
Monitoring Point 2	before discharge to the recycled/reclaimed distribution system

- B. Effluent daily flows shall be measured mechanically with an in-stream flow meter in gallons after treatment and before discharge to the land.

- C. The gallons of effluent produced and recycled shall be recorded daily and reported quarterly with sufficient description and graphical representation that it shall demonstrate and quantify the efficiency of the recycling system.
- D. The tertiary treated and disinfected effluent used as recycled water shall not contain constituents with concentrations exceeding limits listed in Table 2, which include groundwater quality objectives.

Table 2. Effluent Limitations

Constituents	Units	Monthly Average	Daily Maximum/Average ¹
Oil and grease	mg/L	10	15
Total suspended solids	mg/L	15	45
Total dissolved solids	mg/L	-	1,000 ²
Chloride	mg/L	-	250 ²
Sulfate	mg/L	-	250 ²
Boron	mg/L	-	1 ²
Nitrate plus nitrite as nitrogen	mg/L	-	10 ²
Nitrite as nitrogen	mg/L	-	1 ²
Nitrate as nitrogen	mg/L	-	10 ²
Total flow	gpd	-	35,000
pH	pH units	-	6-9
BOD 20° C	mg/L	20	45
Turbidity	NTU	2/5 ²	2/5/10 ¹
MBAS	mg/L	-	0.5
Total Coliform	MPN/100 mL	-	2.2 ^{3,4}
Fecal Coliform	MPN/100 mL	-	2.2 ^{3,4}

- E. Oxidation: The recycled water shall, at all times, be adequately oxidized. The recycled water shall meet the following characteristics:
 - a. The weekly average Biochemical Oxygen Demand value (BOD₅ 20⁰C) does not exceed 20 milligrams/Liter (mg/L). Compliance shall be determined monthly using the average of the analytical results of all 24-hour composite samples taken and reported quarterly.

¹ At Monitoring Point 1: Turbidity must comply with average of 2 NTU within a 24-hour period, 5 NTU more than 5 percent of the time within a 24-hour period, and 10 NTU at any time.

² Groundwater Quality Objective in the Basin Plan.

³ At Monitoring Point 1: Bacteria to be sampled weekly and reported quarterly, with no individual measures to exceed 2.2 MPN/100mL.

⁴ At Monitoring Point 2: Total Coliform to be sampled weekly when recycled water is stored and reported quarterly, with no individual measures to exceed 2.2 MPN/100mL.

- b. The monthly average Total Suspended Solids (TSS) concentration shall not exceed 15 mg/L. Compliance shall be determined monthly using the average of the analytical results of all 24-hour composite samples and reported quarterly.
- F. Turbidity: The turbidity of the effluent shall not exceed an average of 2 NTU within a 24-hour period, 5 NTU more than 5 percent of the time within a 24-hour period, and 10 NTU at any time at Monitoring Point 1. When the turbidity requirements are exceeded, distribution of recycled water shall be suspended until such time the cause of the exceedance has been identified and corrected. The Discharger shall notify the Regional Water Board staff and submit a report according to this Order.
- G. Maximum Contaminant Limits: The recycled water shall not contain trace, toxic and other constituents in concentrations exceeding the applicable maximum contaminant or action levels for drinking water established by the CDPH in sections 64431, 64443, 64444, 64449, 64533, Chapter 15 or at levels that adversely affect the beneficial uses of receiving groundwater. The constituents are listed in Attachments A-1 to A-7 and shall be monitored annually.
- H. Priority Pollutants: Potential municipal beneficial use is designated for the groundwater at the Rancho Malibu. Discharges of Priority Pollutants shall meet the Maximum Contaminant Limits. The report describing exceedance shall include the results of a source assessment and plan for resolution of the discharge exceedance.
- I. Radioactivity: The radioactivity of the recycled water shall not exceed the limits specified in sections 64441 and 64443, Article 5, Chapter 15, title 22 of the California Code of Regulations, or subsequent revisions. Radioactivity (Attachment A-2) shall be monitored annually.
- J. CECs: CECs, listed in Attachment B, shall be monitored annually. The Executive Officer may add or delete chemicals from this list as new analytical methods become available and may also make revisions to approved analytical methods as needed. A revised CECs list will be made available to the Discharger when changes occur. The Discharger shall request a deviation from the attached list, if a change is required, before collecting samples.
- K. Narrative Limits: The wastewater discharged to the disposal system shall not contain salts, metals, nitrogen and phosphorous species, organic chemicals, or priority pollutants at levels that would impact groundwater or surface water that may be in hydraulic connection with groundwater.

3. GROUNDWATER LIMITS AND REQUIREMENTS

- A. No Groundwater Impact: The Discharger is prohibited from altering the quality or elevation of the underlying groundwater.
- B. Irrigation Impact: The Discharger shall prepare an irrigation operation and monitoring plan (IOMP), which must be approved by the Executive Officer, and shall apply water at agronomic rates. IOMP shall be submitted within 90 days of WDRs/WRRs adoption.

- C. Antidegradation: The Discharger shall submit to the Regional Water Board an antidegradation analysis for the disposal facilities for approval by the Executive Officer, within 90 days from the adoption of the WDRs/WRRs. Water quality at existing wells in the vicinity of the project can be contrasted with the effluent quality to complete the analysis.
- D. Groundwater Discharge to Surface: Discharge from the groundwater to the surface or surface water shall be minimized.
- E. Groundwater Monitoring: The Discharger agrees to comply with the groundwater limits at the end-of-pipe effluent point. In the event that the effluent from the treatment plant exceeds the groundwater and effluent limits specified in Tables 2 and 3, the Discharger shall submit a groundwater monitoring plan to the Regional Water Board upon notice by the Executive Officer. The groundwater monitoring plan shall be designed to evaluate impacts of wastewater. The workplan shall be submitted for Executive Officer approval and will describe the installation of a sufficient number of upgradient and downgradient monitoring wells, lysimeters or piezometers in the spray disposal area to evaluate the impacts of the effluent discharges to groundwater. Monitoring point completion shall be in accordance with the standards in Bulletins 74-81 and 74-90 of the California Department of Water Resources. The Discharger shall implement the monitoring plan upon approval by the Executive Officer, including any revisions required by the Executive Officer.

Table 3. Groundwater Limitations

Constituents	Units	Daily Maximum (MUN Beneficial Use)
Total dissolved solids	mg/L	1,000
Chloride	mg/L	250
Sulfate	mg/L	250
Boron	mg/L	1
Nitrate-nitrogen plus nitrite-nitrogen	mg/L	10
Nitrite-nitrogen	mg/L	1
Nitrate-nitrogen	mg/L	10
Total coliform	MPN/100mL	1.1
Fecal coliform	MPN/100mL	1.1

4. RECYCLED WATER REQUIREMENTS

- A. Monitoring Point: The recycled water shall be sampled before discharge to the recycled/reclaimed system at Monitoring Point 3, if the treated water is stored. The recycled water quality effluent limits are the same as for effluent leaving the disinfection unit, but weekly sampling of coliform is necessary to ensure that the stored irrigation water continues to meet recycled water requirements as described below. The Discharger may request a reduced frequency of sampling after six months of compliance after start-up.

- B. Coliform: Recycled water shall be, at all times, adequately disinfected such that the number of total coliform and fecal coliform bacteria shall not exceed the limits in Table 2.

In the event of failure to meet any of the bacteria requirements, the Discharger shall suspend distribution of recycled water until such time of the cause of the failure has been identified and corrected.

- C. Chlorine Disinfection: Chlorine disinfection shall provide a concentration-time (CT) value of not less than 450 milligram-minutes per liter at all times with a modal contact time of at least 90 minutes, based on the design flow herein. The CT is the product of total chlorine residual and modal contact time measured at the same period. The modal contact time is the amount of time that elapsed between the time that a tracer, such as salt or dye, is injected into the influent at the entrance of the chlorination chamber and the time that the highest concentration of the tracer is observed in the effluent from the chamber.
- D. Taste or Odor: The recycled water shall not contain taste or odor-producing substances in concentrations that cause nuisance or adversely affect the beneficial uses of the receiving groundwater.
- E. The recycled water shall not cause a measurable increase in organic chemical contaminants in the groundwater.

5. SPECIFICATIONS FOR THE USE OF RECYCLED WATER

The Discharger shall ensure that the following requirements are met.

- A. Recycled water shall not be used other than as specified herein unless a revision to engineering report has been submitted to and approved by the CDPH for such other uses and/or requirements for these uses have been prescribed by this Regional Water Board, in accordance with Section 13523 of the CWC.
- B. The disinfected tertiary recycled water may be used for those applications specified in Title 22, Division 4, Chapter 3 Water Recycling Criteria of the CCR. Indirect potable uses and groundwater recharge are not covered by this Order.
- C. Treated wastewater discharged to the spray disposal area shall be retained on the designated area and shall not be allowed to escape as surface flow. Incidental runoff is defined as unintended small amounts (volume) of runoff from recycled water use areas, such as unintended, minimal over-spray from sprinklers that escapes the recycled water use area. Water leaving a recycled water use area is not considered incidental if it is part of the facility design, or if it is due to excessive application, intentional overflow, application, or negligence. Irrigation system maintenance shall be consistent with the requirements found in the State Water Board's Recycled Water Policy.
- D. Spray disposal shall not be conducted during periods of rainfall.
- E. Spray disposal water shall not be discharged to geologically unstable areas, shall not result in earth movement and shall not result in soil erosion.

- F. Spray disposal shall not cause conditions that allow breeding of mosquitoes, gnats, midges, or other pests.

6. ALLOWABLE USES OF RECYCLED WATER

- A. The disinfected tertiary treated recycled water shall be used for surface irrigation on Rancho Malibu only.
- B. Recycled water shall not be used for direct human consumption or for the processing of food or drink intended for human consumption.

7. USE AREA REQUIREMENTS

The Discharger shall be responsible to ensure that recycled water is consistent with the following:

- A. Use area is an area of recycled water use with defined boundaries, which may contain one or more facilities where recycled water is used.
- B. All use areas where recycled water is used that are accessible to the public shall be posted with signs that are visible to the public, in a size no less than 4 inches high by 8 inches wide, that include the following wording: "RECYCLED WATER – DO NOT DRINK". Each sign shall display an international symbol to alert people who do not read English.
- C. No physical connection shall be made or allowed to exist between any recycled water piping and any piping conveying potable water, except as allowed under section 7604 of title 17, CCR.
- D. The portions of the recycled water piping system that are in areas subject to access by the general public shall not include any hose bibs. Only quick couplers that differ from those used on the potable water system shall be used on the portions of the recycled water piping system in areas subject to public access.
- E. No impoundment of disinfected recycled water shall occur within 100 feet of any domestic water wells, potable water reservoirs, and streams used as sources of water supply.
- F. No irrigation areas with recycled water shall be located within 150 feet of any domestic water supply well unless all of the following conditions have been met:
 - a. A geological investigation demonstrates that an aquitard exists at the well between the uppermost aquifer being drawn from and the ground surface;
 - b. The well contains an annular seal that extends from the surface into the aquitard;
 - c. The well is housed to prevent any recycled water spray from coming into contact with the wellhead facilities;

- d. The ground surface immediately around the wellhead is contoured to allow surface water to drain away from the well; and,
 - e. The owner of the well approves of the elimination of the buffer zone requirement.
- G. No irrigation shall take place within 150 feet of any reservoir or stream used as a source of domestic water.

8. PROVISIONS

- A. Title 22 Approval: Final approval of a complete Title 22 Engineering Plan, with plumbing design, shall be approved by CDPH before recycled/reclaimed water use begins, but no later than 4 years after adoption of these WDRs/WRRs.
- B. Section 401 Certification: The Discharger must receive a Section 401 Water Quality Certification and Clean Water Act section 404 permit for modifications to the tributaries of Encinal Canyon before construction begins.
- C. Irrigation Operation and Management Plan (Irrigation Plan): Discharger shall submit an operation and management plan to the Regional Water Board for the Executive Officer's approval within 90 days after adoption of WDRs/WRRs. The plan shall describe agronomic rates and propose a set of reasonably practicable measures to ensure compliance with this requirement, which may include the development of water budgets⁵ for use areas, site supervisor training, periodic inspections and the use of smart controllers or other appropriate measures.
- D. Operation and Maintenance Manual: The Discharger shall submit to the Regional Water Board an Operations and Maintenance Manual (O&M Manual) for the treatment plant and disposal facilities for approval by the Executive Officer before discharge, but no later than 4 years after adoption of these WDRs/WRRs. The Discharger shall maintain the O&M Manual in useable condition, and available for reference and use by all personnel. The Discharger shall regularly review, and revise or update as necessary the O&M Manual(s) in order for the document(s) to remain useful and relevant to current equipment and operation practices. Reviews shall be conducted annually, and revisions or updates shall be completed as necessary. The O&M shall include a preventive (fail-safe) procedure and contingency plan for controlling accidental discharge and/or delivery to the Discharger of inadequately treated wastewater. The treatment plant maintenance and operation shall comply with national guidelines.
- E. Disinfection Manual: The disinfection system requires additional operational supervision and maintenance to ensure successful operation at flows ranging from no-flow to the maximum flow. The Discharger shall submit a manual for these systems to the Regional Water Board and keep a copy on site.
- F. Treatment Plant As-Builts: The Discharger shall submit a final engineering report for

⁵ Water budgets allow dischargers to compare the irrigation flow against a model of the evapotranspiration requirements of the landscape to ensure the effluent is recycled and not percolated into the groundwater.

the treatment plant, collection system, discharge systems, including the 'as built' engineering diagrams, to the Executive Officer within 60 days of the beginning of discharge.

- G. Inspection: The Discharger shall have the treatment and disposal system inspected once every year during the life of the permit by an inspector to be retained by the Discharger. During the time Los Angeles County is operating the facility, their own inspection team shall be sufficient, unless additional inspections are requested by the Regional Water Board.
- H. Monitoring and Reporting Program (MRP) Precedence: This Order includes the attached MRP. If there is any conflict between provisions stated in the Monitoring and Reporting Program and the Standard Provisions, those provisions stated in the Monitoring and Reporting Program prevail.
- I. Standard Provisions: This Order includes the attached "Standard Provisions Applicable to Waste Discharge Requirements". If there is any conflict between provisions stated hereinbefore and said "Standard Provisions", the WDRs/WRRs provisions stated hereinbefore prevail.
- J. Copy: The Discharger shall ensure that these requirements are maintained at the Discharger's facilities so as to be available at all times to operating personnel.
- K. Proper Operation: The Discharger shall, at all times, properly operate and maintain all treatment facilities and control systems (and related appurtenances) that are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance includes: effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls (including appropriate quality assurance procedures).
- L. Notification: The Discharger shall report any noncompliance which may endanger public health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times. If the noncompliance has not been corrected; the notification shall provide the time and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. The following occurrence(s) must be reported to the Executive Officer within 24-hours.
 - a. Any bypass from any portion of the treatment facility;
 - b. Any discharge of treated or untreated wastewater resulting from sewer line breaks, obstruction, surcharge or any other circumstances; and,
 - c. Any treatment plant upset which causes the effluent limitation of this order to be exceeded [CWC Sections 13263 and 13267].
- M. The report shall include, but is not limited to, the following information, as appropriate:

- a. Nature and extent of the violation;
 - b. Date and time, when the violation started, when compliance was achieved, and, when delivery was suspended and restored, as applicable;
 - c. Duration of violation;
 - d. Cause(s) of violation;
 - e. Corrective and/or remedial actions taken and/or shall be taken with time schedule for implementation; and,
 - f. Impact of the violation.
- N. Certification: Supervisors and operators of the wastewater recycling facility shall possess a certificate of appropriate grade as specified in title 23, CCR, section 3680 or subsequent revisions.
- O. Material Change: In accordance with section 13522.5 of the CWC, and Title 22, section 60323 of the CCR, the Discharger shall file an engineering report, prepared by a properly qualified engineer registered in California, of any material change or proposed change in character, location or volume of the wastewater discharge, recycled water or its uses to the Regional Water Board and the CDPH.
- P. Extension: For any extension or expansion of the recycled water system or use areas, the Discharger shall submit a report detailing the extension or expansion plan for approval by the CDPH. Following construction, as-built drawings shall be submitted to the CDPH for approval prior to delivery of recycled water. The Executive Officer shall be furnished with as-built drawings and a copy of the CDPH approval. Expansion of the recycled water system requires the existing system to be in compliance and the approval of the Executive Officer.
- Q. Ownership: The Discharger shall notify the Executive Officer, in writing, at least 30 days in advance of any proposed transfer of ownership and/or operation of the recycling facility and responsibility for complying with this Order. The notice shall include a written agreement between the existing and new recycled water Discharger indicating the specific date for the transfer of responsibility for compliance with this Order. The agreement shall include an acknowledgement that the Discharger is liable for any violations that occur up to the transfer date and the new recycled water Discharger is liable from the transfer date on.
- R. Inspection: The Discharger shall allow the Regional Water Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:
- a. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;

- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and,
 - d. Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order, or as otherwise authorized by the CWC, any substances or parameters at any location.
- S. The Discharger must comply with all conditions of these water recycling requirements. Violations may result in enforcement actions, including Regional Water Board orders or court orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of these requirements.
- T. These requirements do not exempt the Discharger from compliance with any other laws, regulations, or ordinances that may be applicable; they do not legalize the recycling and use facilities; and they leave unaffected any further constraint on the use of recycled water at certain sites that may be contained in other statutes or required by other agencies.
- U. In an enforcement action, it shall not be a defense by the Discharger that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment facility, the Discharger shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided. This provision applies, for example, when the primary source of power of the treatment facility fails, is reduced, or is lost.
- V. After notice and opportunity for a hearing, this Order may be modified, revoked and reissued, or terminated for cause, which include but is not limited to: failure to comply with any condition in this Order; endangerment of human health or environment resulting from the permitted activities in this Order; obtaining this Order by misrepresentation or failure to disclose all relevant facts; acquisition of new information that could have justified the application of different conditions if known at the time of Order adoption.
- W. The filing of a request by the Discharger for modification, revocation and reissuance, or termination of the Order, a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.
- X. The Discharger shall furnish, within a reasonable time, any information the Regional Water Board or the CDPH may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The Discharger shall also furnish the Regional Water Board, upon request, with copies of records required to be kept under this Order.
- Y. Trucking Reports: The Discharger shall provide quarterly reports of off-site trucking. The Executive Officer may review these reports and make a determination if the volume removed constitutes a material change from the ROWD and, if permit revision is necessary.

9. PROHIBITIONS

- A. Limited Discharge: There shall be no direct or indirect discharge of wastes to groundwater or surface water, waters of the State, at any time other than specified by this WDRs/WRRs.
- B. Waste Characteristics: Wastes discharged shall not impart tastes, odors, color, foaming or other objectionable characteristics to the receiving groundwater.
- C. Stormwater protection: Adequate facilities shall be provided to divert surface and stormwater away from the treatment plant and disposal system and from areas where any potential pollutants are stored.
- D. Freeboard: Adequate freeboard and/or protection shall be maintained in the recycled water storage tanks and process tanks to ensure that rainfall shall not cause overtopping.
- E. Sludge: There shall be no onsite disposal of sludge. Any offsite disposal of sewage or sludge shall be made only to a legal point of disposal. For purposes of this Order, a legal disposal site is one for which requirements have been established by a California Regional Water Quality Control Board, and which is in full compliance therewith. Any sewage or sludge handling shall be in such a manner as to prevent its reaching surface waters or watercourses.
- F. Odors: Sewage odors shall not be detectable beyond the property owned and controlled by the Discharger.
- G. Nuisance: The discharge of waste shall not create a condition of pollution, contamination, or nuisance.
- H. Noncompliant waste: Any wastes that do not meet the foregoing requirements shall be held in impervious containers and discharged at a legal point of disposal.
- I. Bypass (the intentional diversion of waste stream from any portion of a treatment facility) is prohibited. The Regional Water Board may take enforcement action against the Discharger for bypass unless:
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage. (Severe property damage means substantial physical damage to property, damage to the treatment facilities that cause them to become inoperable, or substantial and permanent loss in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.)
 - b. There were no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment down time. 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 could occur during normal periods of equipment downtime or preventive maintenance.

- c. The Discharger must submit written notice at least 24 hours in advance of the need for a bypass to the Regional Water Board Executive Officer.

- J. Pumping waste from the treatment system for purposes other than normal disposal of process sludge, emergencies, removal of non-compliant waste and regularly scheduled maintenance, indicates loss of system performance, and is also prohibited. All emergency conditions must be reported and may include loss of disposal capability.

- K. WDRs/WRRs Order No. 91-021 is hereby terminated, except for enforcement purposes.

10. EFFECTIVE DATE OF THE ORDER

This Order takes effect upon its adoption.

I, Samuel Unger, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region on February 7, 2013.


Samuel Unger, P.E.
Executive Officer



Figure 1: Rancho Malibu Location Photo



Figure 2: Encinal Canyon Wastewater Treatment Plant Location

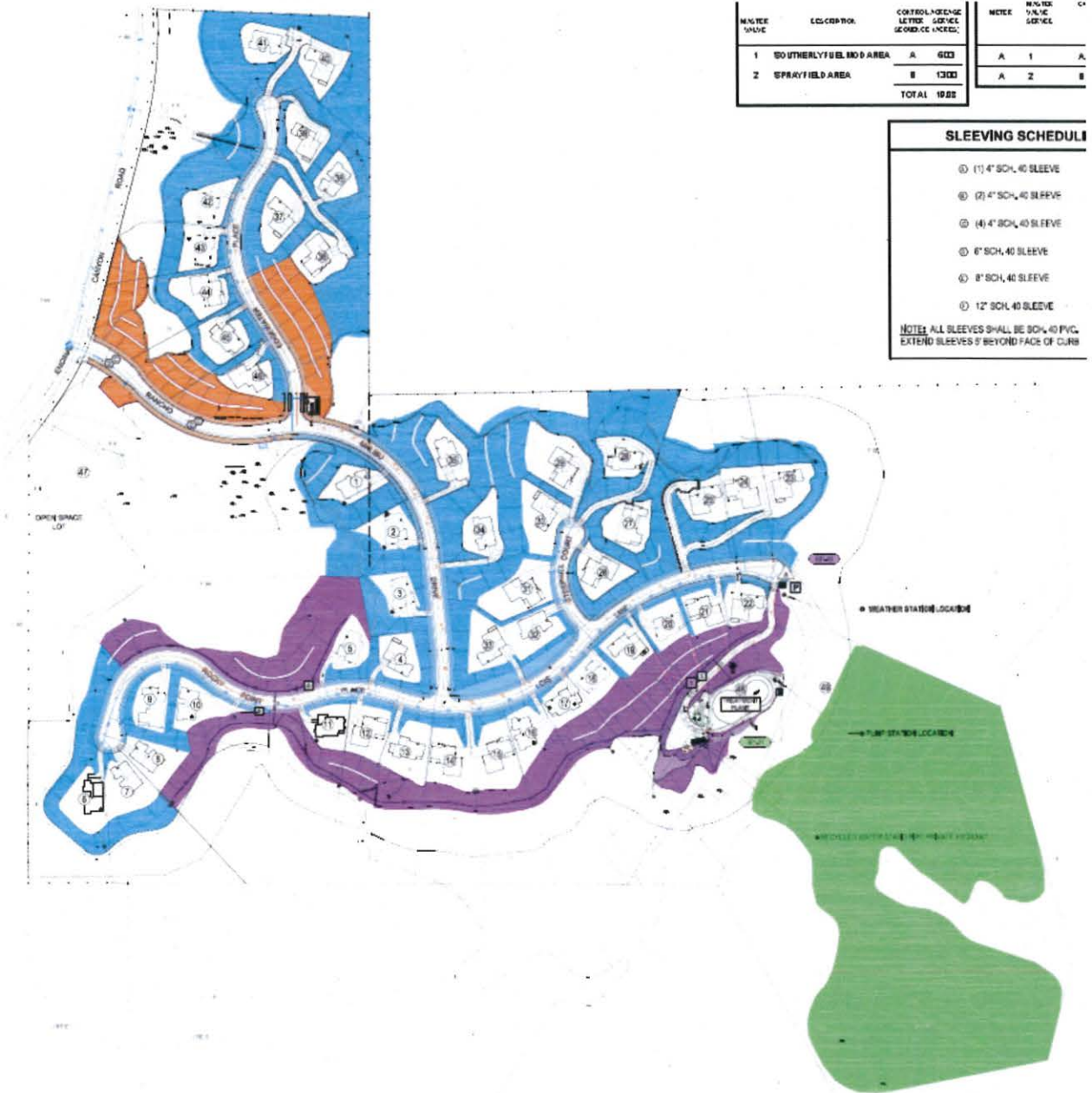


Figure 3: Vicinity Map of Rancho Malibu

Attachment A-1

Table 64431-A – Inorganic Chemicals*	
Chemical	Maximum Contaminant Levels (mg/L)
Aluminum	1
Antimony	0.006
Arsenic	0.05
Asbestos	7 MFL**
Barium	1
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Mercury	0.002
Nickel	0.1
Selenium	0.05
Thallium	0.002
Fluoride	2

California Code of Regulation (CCR) Title 22, Section 64431

**MFL = million fibers per liter; MCL for fibers exceeding 10 μ m in length.

Attachment A-2

Table 4 – Radioactivity*	
Chemical	Maximum Contaminant Levels (pCi/L)
Combined Radium-226 and Radium-228	5
Gross Alpha Particle Activity (Including Radium-226 but Excluding Radon and Uranium)	15
Tritium	20,000
Strontium-90	8
Gross Beta Particle Activity	50
Uranium	20

CCR Title 22, Section 64443

*Last update: September 12, 2003.

Attachment A-3

Table 64444-A – Organic Chemicals*	
Chemical	Maximum Contaminant Levels (mg/L)
(a) Volatile Organic Chemicals	
Benzene	0.001
Carbon Tetrachloride (CTC)	0.0005
1,2-Dichlorobenzene	0.6
1,4-Dichlorobenzene	0.005
1,1-Dichloroethane	0.005
1,2-Dichloroethane (1,2-DCA)	0.0005
1,1-Dichloroethene (1,1-DCE)	0.006
Cis-1,2-Dichloroethylene	0.006
Trans-1,2-Dichloroethylene	0.01
Dichloromethane	0.005
1,2-Dichloropropane	0.005
1,3-Dichloropropene	0.0005
Ethylbenzene	0.3
Methyl-tert-butyl-ether (MTBE)	0.013
Monochlorobenzene	0.07
Styrene	0.1
1,1,2,2-Tetrachloroethane	0.001
Tetrachloroethylene (PCE)	0.005
Toluene	0.15
1,2,4-Trichlorobenzene	0.005
1,1,1-Trichloroethane	0.2
1,1,2-Trichloroethane	0.005
Trichloroethylene (TCE)	0.005
Trichlorofluoromethane	0.15
1,1,2-Trichloro-1,2,2-Trifluoroethane	1.2
Vinyl Chloride	0.0005
Xylenes (m,p)	1.75**
(b) Non-Volatile synthetic Organic Chemicals	
Alachlor	0.002
Atrazine	0.001
Bentazon	0.018
Benzo(a)pyrene	0.0002
Carbofuran	0.018
Chlordane	0.0001
2,4-D	0.07
Dalapon	0.2
1,2-Dibromo-3-chloropropane (DBCP)	0.0002

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Table 64444-A – Organic Chemicals*	
Chemical	Maximum Contaminant Levels (mg/L)
Di(2-ethylhexyl)adipate	0.4
Di(2-ethylhexyl)phthalate	0.004
Dinoseb	0.007
Diquat	0.02
Endothall	0.1
Endrin	0.002
Ethylene Dibromide (EDB)	0.00005
Glyphosate	0.7
Heptachlor	0.00001
Heptachlor Epoxide	0.00001
Hexachlorobenzene	0.001
Hexachlorocyclopentadiene	0.05
Lindane	0.0002
Methoxychlor	0.03
Molinate	0.02
Oxamyl	0.05
Pentachlorophenol	0.001
Picloram	0.5
Polychlorinated Biphenyls	0.0005
Simazine	0.004
Thiobencarb	0.07
Toxaphene	0.003
2,3,7,8-TCDD (Dioxin)	3×10^{-8}
2,4,5-TP (Silvex)	0.05

CCR Title 22, Section 64444

*Last update: September 12, 2003.

**MCL is for either a single isomer or the sum of the isomers.

Attachment A-4

Constituent	Units
Total Trihalomethanes (TTHM)	.08 ppb
Bromodichloromethane	ppb
Bromoform	ppb
Chloroform	ppb
Dibromochloromethane	ppb
Haloacetic acid (five) (HAA5)	.06 ppb
Monochloroacetic acid	ppb
Dichloroacetic acid	ppb
Trichloroacetic acid	ppb
Monobromoacetic acid	ppb
Dibromoacetic acid	ppb
Bromate**	.01ppb
Chlorite***	1 ppb

CCR Title 22, Section 64533, Chapter 15.5 *Last update: January 28, 2004.

** Bromate is listed for plants using ozone disinfection only.

**** Chlorite is listed for plants using chlorine dioxide only.

Attachment A-5

Chemical	Units
Aluminum	.2 mg/L
Copper	1. 0mg/L
Corrosivity	Non corrosive
Foam Agents (MBAS)	.5 mg/L
Iron	.3 mg/L
Manganese	.05 mg/L
Methyl-tert-butyl-ether (MTBE)	.005 mg/L
Odor – Threshold	3 units
Silver	.1 mg/L
Thiobencarb	.001 mg/L
Turbidity	5 units
Zinc	5 mg/L

CCR Title 22, Section 64449

*Last update September 12, 2003.

Attachment A-6

Monitoring for Chemicals with Notification Levels
n-Butylbenzene
sec-Butylbenzene
tert-Butylbenzene
Carbon disulfide
Chlorate
2-Chlorotoluene
4-Chlorotoluene
Diazinon
Dichlorodifluoromethane (Freon 12)
1,4-Dioxane
Ethylene glycol
Formaldehyde
Isopropylbenzene
Manganese
Methyl isobutyl ketone (MIBK)
Naphthalene
n-Nitrosodiethylamine (NDEA)
n-Nitrosodimethylamine (NDMA)
Perchlorate
n-Propylbenzene
Tertiary butyl alcohol (TBA)
1,2,3-Trichloropropane (1,2,3-TCP)
1,2,4-Trimethylbenzene
1,3,5-Trimethylbenzene
Vanadium

Attachment A-7

Monitoring for Remaining Priority Pollutants

Pesticides	Base/Neutral Extractibles	
Aldrin	Acenaphthene	Di-n-butyl phthalate
Dieldrin	Benzidine	Di-n-octyl phthalate
4,4'-DDT	Hexachloroethane	Diethyl phthalate
4,4'-DDE	Bis(2-chloroethyl)ether	Dimethyl phthalate
4,4'-DDD	2-chloronaphthalene	Benzo(a)anthracene
Alpha-endosulfan	1,3-dichlorobenzene	Benzo(a)fluoranthene
Beta-endosulfan	3,3'-dichlorobenzidine	Benzo(k)fluoranthene
Endosulfan sulfate	2,4-dinitrotoluene	Chrysene
Endrin aldehyde	2,6-dinitrotoluene	Acenaphthylene
Alpha-BHC	1,2-diphenylhydrazine	Anthracene
Beta-BHC	Fluoranthene	1,12-benzoperylene
Delta-BHC	4-chlorophenyl phenyl ether	Fluorene
Acid Extractibles	4-bromophenyl phenyl ether	Phenanthrene
2,4,6-trichlorophenol	Bis(2-chloroisopropyl)ether	1,2,5,6-dibenzanthracene
P-chloro-m-cresol	Bis(2-chloroethoxy)methane	Indeno(1,2,3-cd)pyrene
2-chlorophenol	Hexachlorobutadiene	Pyrene
2,4-dichlorophenol	Isophorone	Volatile Organics
2,4-dimethylphenol	Naphthalene	Acrolein
2-nitrophenol	Nitrobenzene	Acrylonitrile
4-nitrophenol	N-nitrosodimethylamine	Chlorobenzene
2,4-dinitrophenol	N-nitrosodi-n-propylamine	Chloroethane
4,6-dinitro-o-cresol	N-nitrosodiphenylamine	1,1-dichloroethylene
Phenol	Bis(2-ethylhexyl)phthalate	Methyl chloride
---	Butyl benzyl phthalate	Methyl bromide
		2-chloroethyl vinyl ether

Attachment B – Effluent Monitoring of CECs

Parameter	Units
17 α -Ethinyl Estradiol	ng/L
17 β -Estradiol	ng/L
Estrone	ng/L
Bisphenol A	ng/L
Nonylphenol and nonylphenol polyethoxylates	ng/L
Octylphenol and octylphenol polyethoxylates	ng/L
Polybrominated diphenyl ethers	ng/L
Acetaminophen	ng/L
Amoxicillin	ng/L
Azithromycin	ng/L
Carbamazepine	ng/L
Caffeine	ng/L
Ciprofloxacin	ng/L
DEET	ng/L
Dilantin	ng/L
Gemfibrozil	ng/L
Ibuprofen	ng/L
Lipitor	ng/L
Primidone	ng/L
Sulfamethoxazole	ng/L
Trimethoprim	ng/L
Salicylic acid	ng/L
TCEP	ng/L
Triclosan	ng/L

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

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(213) 576-6660 • Fax (213) 576-6640
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**MONITORING AND REPORTING PROGRAM CI. NO. 7020
FOR
BMIF/BSLF RANCHO MALIBU LTD. PARTNERS
(ENCINAL CANYON WATER RECYCLING PLANT)
(File No. 90-069)**

This Monitoring and Reporting Program (MRP) No. CI 7020 is issued pursuant to California Water Code section 13267, which authorizes the Regional Water Quality Control Board, Los Angeles Region, (Regional Water Board) to require a person who discharges waste that could affect the quality of the waters of the state to furnish technical or monitoring reports. The reports required herein are necessary to assure compliance with Waste Discharge Requirements (WRDs) and Water Recycling Requirements (WRRs) Order No. R4-2013-0019 and to protect the waters of the state and their beneficial uses. The evidence that supports the need for the reports is set forth in the WDRs/WRRs and the Regional Water Board record.

I. REPORTING REQUIREMENTS

BMIF/BSLF II RANCHO MALIBU LTD. PARTNERS (hereinafter Discharger) shall implement this monitoring program on the effective date of WDRs/WRRs Order No. R4-2013-0019. The first monitoring report under this program, from February to March 2013, shall be received by this Regional Water Board by May 15, 2013.

1. The first quarterly monitoring report under this MRP is due May 15, 2013. Weekly and monthly sampling results shall be submitted quarterly by the dates, specified in Table 1 below.

Table 1 Reporting Period and Due

Reporting Period	Report Due
January ~ March	May 15
April ~ June	August 15
July ~ September	November 15
October ~ December	February 15

2. If there is no discharge during any reporting period, the report shall so state.
3. By March 1st of each year, beginning in the year of the Encinal Canyon Water Recycling Plant (Plant) startup, the Discharger shall submit an annual summary report to the Regional Water Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous calendar year. In addition, the Discharger shall discuss the compliance record and the corrective actions taken or planned which may be needed to bring the discharge into full compliance with the waste discharge/water recycling requirements.

4. The required reports shall be submitted to the Regional Water Board electronically, and to the California Department of Public Health, Drinking Water Field Operations, Los Angeles Region (CDPH).
5. The Discharger shall comply with the Electronic Submittal of Information (ESI) requirements by submitting all reports required under the MRP, including electronic data format (EDF) groundwater monitoring data, discharge location data, and pdf monitoring reports to the State Water Resources Control Board GeoTracker database under Global ID WDR100001505. The monitoring data shall be submitted to the CDPH according to their requirements.
6. Laboratory analyses: All chemical, bacteriological, and toxicity analyses shall be conducted at a laboratory certified for such analyses by the Department of California Public Health Services Environmental Laboratory Accreditation Program (ELAP). A copy of the laboratory certification shall be provided each time a new and/or renewal certification is obtained from ELAP.
7. The method limits (MLs) employed for effluent analyses shall be lower than the permit limits established for a given parameter, unless the Discharge can demonstrate that a particular ML is not attainable and obtains approval for a higher ML from the Executive Officer. The Discharger shall submit a list of the analytical methods employed for each test and the associated laboratory quality assurance/quality control (QA/QC) procedures upon request by the Executive Officer.
8. Water/wastewater samples must be analyzed within allowable holding time limits as specified in 40 CFR Part 136. All QA/QC samples must be run on the same dates when samples were actually analyzed. At least once a year, the Discharger shall maintain and update a list of the analytical methods employed for each test and the associated laboratory QA/QC procedures. The Discharger shall make available for inspection and/or submit the QA/QC documentation upon request by Regional Water Board staff.
9. Each monitoring report must affirm in writing that "All analyses were conducted at a laboratory certified for such analyses by the California Department of Public Health, and in accordance with current United States Environmental Protection Agency (USEPA) guideline procedures or as specified in this Monitoring Program." Proper chain of custody procedures must be followed and a copy of the completed chain of custody form shall be submitted with the report.
10. Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses the compliance record and the corrective actions taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall be located at the front of the report and shall clearly list all non-compliance with discharge requirements, as well as all excursions of effluent limitations.
11. For every item where the requirements are not met, the Discharger shall submit a statement of the cause(s), and actions undertaken or proposed which will bring the discharge into full compliance with waste discharge requirements at the earliest possible time, including a timetable for implementation of those actions.

12. The Discharger shall maintain all records of sampling and analytical results which include date, exact place, time of sampling, dates analyses performed, analyst's name, analytical techniques used, and results of all analyses. Such records shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Water Board.
13. If the Discharger performs analyses on any effluent more frequently than required by this Order using approved analytical methods, the results of those analyses shall be included in the report. Those results shall also be reflected in the calculation of the average values used in demonstrating compliance with average effluent limitations.
14. In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized to demonstrate compliance with the requirements and, where applicable, shall include results of receiving water observations.
15. Any mitigation/remedial activity including any pre-discharge treatment conducted at the site must be reported in the quarterly monitoring report. In addition, if effluent or any necessary groundwater monitoring programs have not yet been implemented, a short description of the status of both shall also be included.
16. The annual report shall also include any updates or changes to documents submitted during the first year after approval of Order R4-2013-0019.

II. WATER QUALITY MONITORING REQUIREMENTS

1. Influent Monitoring
 - A. Monitoring Point: The flow influent to the treatment system shall be measured daily and reported quarterly.
 - B. Potable water: The potable flow used for irrigation at reclaimed water spray areas shall be measured daily and reported quarterly.
2. Effluent Monitoring
 - A. Monitoring Points: The effluent shall be monitored at locations, specified in Table 2.

Table 2 Monitoring Points

Monitoring Points	Description
Monitoring Point 1	as the effluent leaving the disinfection system
Monitoring Point 2	before discharge to the recycled/reclaimed distribution system

- a. All effluent limits shown on Table 1 in WDRs/WRRs Order No. R4-2013-0019 and MRP Table 3 shall be measured at Monitoring Point 1.

- b. Total coliform and fecal coliform, as described in WDRs/WRRs Order No. R4-2013-0019, shall also be sampled at Monitoring Point 2, before discharge from the irrigation storage tanks, to provide evidence of compliance when effluent is stored.
- B. Effluent flows at Monitoring Point 1 shall be measured daily and reported quarterly, except that coliform is sampled weekly and reported quarterly.
- C. The effluent produced, stored and recycled shall be recorded daily and reported quarterly.
- D. The following shall constitute the effluent monitoring program, specified in Table 3:

Table 3 Effluent Monitoring

Constituent	Unit ¹	Type of Sample ²	Minimum Frequency of analysis
Total flow	gal/day	continuous	---
pH	pH units	grab	monthly
BOD ₅ 20 ^o C	mg/L	24-hour composite	weekly/monthly ³
Total suspended solids	mg/L	24-hour composite	weekly/monthly ³
Turbidity	NTU	continuous	---
Total coliform	MPN/100mL	grab	daily/weekly ⁴
Fecal coliform	MPN/100mL	grab	daily/weekly ⁴
Ecoli	MPN/100mL	grab	daily/weekly ⁴
Enterococcus	MPN/100mL	grab	daily/weekly ⁴
Oil and grease	mg/L	grab	monthly
Total dissolved solids	mg/L	grab	monthly/quarterly ⁵
Chloride	mg/L	grab	monthly/quarterly ⁵
Residual chlorine	mg/L	grab	weekly
Boron	mg/L	grab	monthly/quarterly ⁵

¹ mg/L is milligrams per liter, gal/day is gallons per day, NTU is nephelometric.

² Grab sample is an individual sample collected in a short period of time not exceeding 15 minutes. Grab samples shall be collected during normal peak loading conditions for the parameter of interest, which may or may not be during hydraulic peaks. When an automatic composite sampler is not used, composite sampling shall be done as follows: If the duration of the discharge is equal to or less than 24 hours but greater than eight (8) hours, at least eight (8) flow-weighted samples shall be obtained during the discharge period and composited. For discharge duration of less than eight (8) hours, individual 'grab' sample may be substituted.

³ Weekly for 1 month after start-up; then monthly.

⁴ Daily for 12 weeks after start-up; then weekly.

⁵ Monthly for 3 months after start-up; then quarterly.

Constituent	Unit ¹	Type of Sample ²	Minimum Frequency of analysis
Sulfate	mg/L	grab	monthly/quarterly ⁵
Nitrate + Nitrite as nitrogen	mg/L	grab	weekly/monthly ⁶
Nitrate as nitrogen	mg/L	grab	weekly/monthly ⁶
Nitrite as nitrogen	mg/L	grab	weekly/monthly ⁶
MBAS	mg/L	grab	weekly/monthly ⁶
Constituents listed in A-1 to A-7 ⁷	various	grab	annually
CECs ⁸	various	grab	annually

3. Receiving Water Monitoring

- A. In the event that the effluent from the treatment plant exceeds the effluent limits specified in Table 1 of WDRs/WRRs Order No. R4-2013-0019, a groundwater monitoring plan shall be submitted. The groundwater monitoring plan shall be designed to evaluate impacts of wastewater.
- B. After the groundwater monitoring plan is approved by the Executive Officer and installation of upgradient and downgradient monitoring wells, lysimeters or piezometers in the spray disposal area has been completed, the following requirements shall apply;
 - a. Within 30 days after installation of the monitoring points, an installation report including a scaled plot plan, boring logs, water quality data, and as built construction diagrams shall be submitted to the Regional Water Board.
 - b. The report must be prepared by, or under the direction of, a California Registered Geologist, or Certified Engineering Geologist, or a California Registered Civil Engineer with appropriate experience in hydrogeology.
 - c. The Discharger shall establish baseline water quality from all monitoring points. The Discharger shall demonstrate that the discharge from the wastewater treatment plant does not contribute to the deterioration of groundwater quality.
- C. The following shall constitute the groundwater monitoring program, specified in Table 4:

⁶ Weekly for 12 weeks after start-up; then monthly.

⁷ See Constituents listed in attachment A-1 through A-7. See A7 for Priority Pollutants and Attachment B for CECs in WDR/WRR R4-2013-0019. Monitoring for these constituents is a way of addressing issues of public perception about the safety of recycled water.

Table 4 Groundwater Monitoring

Constituents	Units	Type	Minimum Frequency
Total Dissolved Solids	mg/L	grab	quarterly
Sulfate	mg/L	grab	quarterly
Chloride	mg/L	grab	quarterly
Boron	mg/L	grab	quarterly
Nitrate as nitrogen	mg/L	grab	quarterly
Nitrite as nitrogen	mg/L	grab	quarterly
Nitrate + nitrite as nitrogen	mg/L	grab	quarterly
Total coliform	MPN/mL	grab	quarterly
Fecal coliform	MPN/mL	grab	quarterly
E. coli	MPN/mL	grab	quarterly
Enterococcus	MPN/mL	grab	quarterly

4. Provisions Reporting

- A. Bypass Events: Each pumping event must be documented in the quarterly monitoring report, accompanied by the date, time, volume and documentation of written notification of the Executive Officer.
- B. Odors: Odor complaints shall be reported along with documentation of the operator response. Multiple odor complaints during a quarter are considered indicative of a preventable nuisance, and should be documented in the quarterly report with the specific technical measures taken by the Discharger to prevent a reoccurrence.

III. GENERAL PROVISIONS FOR SAMPLING AND ANALYSIS

All chemical, bacteriological, and toxicity analysis shall be conducted at a laboratory certified for such analysis by the California Department of Public Health Environmental Laboratory Accreditation Program, or approved by the Executive Officer. Laboratory analysis must follow methods approved by the United States Environmental Protection Agency (USEPA), and the laboratory must meet USEPA Quality Assurance/Quality Control criteria. Analytical data reported as "less than" or below the detection limit for the purpose of reporting compliance with limitations, shall be reported as "less than" a numerical value or "below the detection limit" for that particular analytical method (also giving the numerical detection limit).

IV. GENERAL PROVISIONS FOR REPORTING

The Discharger shall identify all instances of non-compliance and shall submit a statement of the actions undertaken, or proposed, that will bring the discharge into full compliance with requirements at the earliest time and submit a timetable for correction. The quarterly reports shall contain the following information:

1. A statement relative to compliance with discharge specifications during the reporting period; and,
2. Results of daily observations in the disposal area for any overflow or surfacing of waste, and/or other visible effects of the waste discharge.

V. MONITORING AND REPORTING REQUIREMENTS

1. Monitoring shall be used to determine compliance with the requirements of Order R4-2013-0019. The Discharger must include a map, at a scale of 1 inch equals 1,200 feet or less, that clearly identifies sample locations.
2. Monitoring Requirements: Monitoring for water quality parameters in the effluent shall take place according to the following:
 - A. Sampling protocols (specified in 40 CFR part 136 or AWWA standards where appropriate) and chain of custody procedures.
 - B. The names and addresses of the laboratory or laboratories which conducted the analyses. Include copy or copies of laboratory certifications by the California Department of Public Health Environmental Laboratory Accreditation Program (ELAP) every year or when the Discharger change the laboratory.
 - C. Analytical test methods used and the corresponding detection limits for reporting purposes. Please see the CDPH's website at <http://www.DPH.ca.gov/certlic/drinkingwater/Pages/UCMR.aspx> and <http://www.DPH.ca.gov/certlic/drinkingwater/Pages/Chemicalcontaminants.aspx> for unregulated and regulated chemicals, respectively.
 - D. Quality assurance and control measures for the monitoring program shall include the following.
 - a. The samples shall be analyzed using analytical methods described in 40 CFR part 136; or where no methods are specified for a given pollutant, by commercially available methods approved by the USEPA. The Discharger shall select the analytical methods that provide Detection Levels for the Purpose of Reporting (DLRs) lower than the limits prescribed in this Order. For those constituents that have drinking water notification levels (NLs) and/or public health goals (PHGs), the DLRs shall be equal to or lower than either the NLs or the PHGs (note this is not always feasible). Every effort should be made to analyze chemicals with NLs in Attachment A-6 using the least DLR possible.
 - b. The Discharger shall instruct their laboratories to establish calibration standards so that the DLRs (or its equivalent if there is a different treatment of samples relative to calibration standards) are the lowest calibration standard. At no time shall the Discharger use analytical data derived from extrapolation beyond the lowest point of the calibration curve.

- E. Upon request by the Discharger, the Regional Water Board, in consultation with the USEPA and the State Water Resources Control Board Quality Assurance Program, may establish DLRs, in any of the following situations:
 - a. When the pollutant has no established method under 40 CFR 136 (revised May 14, 1999, or subsequent revision);
 - b. When the method under 40 CFR 136 for a pollutant has a DLR higher than the limit specified in this Order; or,
 - c. When the Discharger agrees to use a test method that is more sensitive than those specified in 40 CFR part 136 and is commercially available.
- F. Samples of final effluent must be analyzed within allowable holding time limits as specified in 40 CFR section 136.3. All QA/QC analyses must be run on the same dates when samples were actually analyzed. The Discharger shall make available for inspection and/or submit the QA/QC documentation upon request by the Executive Officer. Proper chain of custody procedures must be followed and a copy of that documentation shall be submitted with the quarterly report.
- G. For all bacterial analyses, sample dilutions should be performed so the range of values extends from 1 to 800. The detection methods used for each analysis shall be reported with the results of the analyses.
- H. For unregulated chemical analyses, the Discharger shall select methods according to the following approach:
 - a. Use drinking water methods, if available
 - b. Use CDPH-recommended methods for unregulated chemicals, if available;
 - c. If there is no CDPH-recommended drinking water method for a chemical, and more than a single EPA-approved method is available, use the most sensitive of the EPA-approved methods;
 - d. If there is no EPA-approved method for a chemical, and more than one method is available from the scientific literature and commercial laboratory, after consultation with CDPH, use the most sensitive method;
 - e. If no approved method is available for a specific chemical, the Discharger's laboratory may develop or use its own methods and should provide the analytical methods to CDPH for review. Those methods may be used until CDPH-recommended or EPA-approved methods are available.
 - f. If the only method available for a chemical is for wastewater analysis (e.g., a chemical listed as a priority pollutant only), sample and analyze for that chemical in the tertiary treated and disinfected effluent immediately to increase the likelihood of detection. Use this approach until the Discharger's laboratory develops a method for the chemical in

drinking water, or until a CDPH-recommended or EPA-approved drinking water method is available.

- g. The Discharger is required to inform the Regional Water Board, in event that (d), (e), or (f) is occurring.

VI. WASTE HAULING REPORTING

In the event that waste sludge, septage, or other wastes are hauled offsite, the name and address of the hauler shall be reported, along with types and quantities hauled during the reporting period and the location of final point of disposal. In the event that no wastes are hauled during the reporting period, a statement to that effect shall be submitted in the quarterly monitoring report.

VII. OPERATION AND MAINTENANCE REPORTING

The Discharger shall file a technical report for approval by the Executive Officer of this Regional Water Board before discharge, relative to the operation and maintenance program for this facility and annually thereafter. The information to be contained in the report shall include, at a minimum, the following:

1. The name and address of the person or company responsible for the operation and maintenance of the facility;
2. Type of maintenance (preventive or corrective action performed);
3. Frequency of maintenance, if preventive;
4. Planned maintenance pumping out of all tanks; and,
5. Other material as specified in this WDR/WRR such as Operation and Maintenance reports.

VIII. CERTIFICATION STATEMENT

Monitoring reports shall be signed by either the principal Executive Officer or ranking elected official. A duly authorized representative of the aforementioned signatories may sign documents if:

1. The authorization is made in writing by the signatory;
2. The authorization specifies the representative as either an individual or position having responsibility for the overall operation of the regulated facility or activity; and

Each report shall contain the following completed declaration:

"I certify under penalty of law that this document, including all attachments and supplemental information, was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who 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 a fine and imprisonment.

Executed on the ___ day of _____, 20__,

at _____.

_____(Signature)

_____(Title)"

IX. MONITORING FREQUENCIES

Monitoring frequencies may be adjusted to a less frequent basis or parameters dropped by the Executive Officer if the Discharger makes a request and the Executive Officer determines that the request is adequately supported by statistical trends in the monitoring data submitted.

These records and reports are public documents and shall be made available for inspection during normal business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region.

Ordered by:



Samuel Unger, P.E.

Executive Officer

Date: February 7, 2013

STANDARD PROVISIONS
APPLICABLE TO WASTE DISCHARGE REQUIREMENTS

1. DUTY TO COMPLY

The discharger must comply with all conditions of these waste discharge requirements. A responsible party has been designated in the Order for this project, and is legally bound to maintain the monitoring program and permit. Violations may result in enforcement actions, including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board. [CWC Section 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, 13350]

2. GENERAL PROHIBITION

Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the California Water Code (CWC). [H&SC Section 5411, CWC Section 13263]

3. AVAILABILITY

A copy of these waste discharge requirements shall be maintained at the discharge facility and be available at all times to operating personnel. [CWC Section 13263]

4. CHANGE IN OWNERSHIP

The discharger must notify the Executive Officer, in writing at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgement that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date on. [CWC Sections 13267 and 13263]

5. CHANGE IN DISCHARGE

In the event of a material change in the character, location, or volume of a discharge, the discharger shall file with this Regional Board a new Report of Waste Discharge. [CWC Section 13260(c)]. A material change includes, but is not limited to, the following:

- (a) Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the Waste.

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Standard Provisions Applicable to
Waste Discharge Requirements

- (b) Significant change in disposal method, e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.
- (c) Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
- (d) Increase in flow beyond that specified in the waste discharge requirements.
- (e) Increase in the area or depth to be used for solid waste disposal beyond that specified in the waste discharge requirements. [CCR Title 23 Section 2210]

6. REVISION

These waste discharge requirements are subject to review and revision by the Regional Board. [CCR Section 13263]

7. TERMINATION

Where the discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information. [CWC Sections 13260 and 13267]

8. VESTED RIGHTS

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the discharger from his liability under Federal, State or local laws, nor do they create a vested right for the discharger to continue the waste discharge. [CWC Section 13263(g)]

9. SEVERABILITY

Provisions of these waste discharge requirements are severable. If any provision of these requirements are found invalid, the remainder of the requirements shall not be affected. [CWC Section 921]

Standard Provisions Applicable to
Waste Discharge Requirements

10. 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 conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order. [CWC Section 13263(f)]

11. HAZARDOUS RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the Water Code unless the discharger is in violation of a prohibition in the applicable Water Quality Control plan. [CWC Section 1327(a)]

12. PETROLEUM RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Article 3.5 (commencing with Section 8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code. This provision does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Section 311 of the Clean Water Act or the discharge is in violation of a prohibition in the applicable Water Quality Control Plan. [CWC Section 13272]

Standard Provisions Applicable to
Waste Discharge Requirements

13. ENTRY AND INSPECTION

The discharger shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:

- (a) Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- (d) Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order, or as otherwise authorized by the California Water Code, any substances or parameters at any location. [CWC Section 13267]

14. MONITORING PROGRAM AND DEVICES

The discharger shall furnish, under penalty of perjury, technical monitoring program reports; such reports shall be submitted in accordance with specifications prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted. [CWC Section 13267]

All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year, or more frequently, to ensure continued accuracy of the devices. Annually, the discharger shall submit to the Executive Office a written statement, signed by a registered professional engineer, certifying that all flow measurement devices have been calibrated and will reliably achieve the accuracy required.

Unless otherwise permitted by the Regional Board Executive officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. The Regional Board Executive Officer may allow use of an uncertified laboratory under exceptional circumstances, such as when the closest laboratory to the monitoring location is outside the State boundaries and therefore not subject to certification. All analyses shall be required to be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants" [40CFR Part 136] promulgated by the U.S. Environmental Protection Agency. [CCR Title 23, Section 2230]

Standard Provisions Applicable to
Waste Discharge Requirements

15. TREATMENT FAILURE

In an enforcement action, it shall not be a defense for the discharger that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment facility, the discharger shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided. This provision applies, for example, when the primary source of power of the treatment facility fails, is reduced, or is lost. [CWC Section 13263(f)]

16. DISCHARGE TO NAVIGABLE WATERS

Any person discharging or proposing to discharge to navigable waters from a point source (except for discharge of dredged or fill material subject to Section 404 of the Clean Water Act and discharge subject to a general NPDES permit) must file an NPDES permit application with the Regional Board. [CCR Title 2 Section 22357]

17. ENDANGERMENT TO HEALTH AND ENVIRONMENT

The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submission 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 recurrence of the noncompliance. The Executive officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence(s) must be reported to the Executive Office within 24 hours:

- (a) Any bypass from any portion of the treatment facility.
- (b) Any discharge of treated or untreated wastewater resulting from sewer line breaks, obstruction, surcharge or any other circumstances.
- (c) Any treatment plan upset which causes the effluent limitation of this Order to be exceeded. [CWC Sections 13263 and 13267]

18. MAINTENANCE OF RECORDS

The discharger shall retain records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and record of all data used

Standard Provisions Applicable to
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to complete the application for this Order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.

Records of monitoring information shall include:

- (a) The date, exact place, and time of sampling or measurement;
 - (b) The individual(s) who performed the sampling or measurement;
 - (c) The date(s) analyses were performed;
 - (d) The individual(s) who performed the analyses;
 - (e) The analytical techniques or method used; and
 - (f) The results of such analyses.
19. (a) All application reports or information to be submitted to the Executive Office shall be signed and certified as follows:
- (1) For a corporation – by a principal executive officer or at least the level of vice president.
 - (2) For a partnership or sole proprietorship – by a general partner or the proprietor, respectively.
 - (3) For a municipality, state, federal, or other public agency – by either a principal executive officer or ranking elected official.
- (b) A duly authorized representative of a person designated in paragraph (a) of this provision may sign documents if:
- (1) The authorization is made in writing by a person described in paragraph (a) of this provision.
 - (2) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and
 - (3) The written authorization is submitted to the Executive Officer.

Any person signing a document under this Section shall make the following certification:

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"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. [CWC Sections 13263, 13267, and 13268]"

20. OPERATOR CERTIFICATION

Supervisors and operators of municipal wastewater treatment plants and privately owned facilities regulated by the PUC, used in the treatment or reclamation of sewage and industrial waste shall possess a certificate of appropriate grade in accordance with Title 23, California Code of Regulations Section 3680. State Boards may accept experience in lieu of qualification training. In lieu of a properly certified wastewater treatment plant operator, the State Board may approve use of a water treatment plant operator of appropriate grade certified by the State Department of Health Services where reclamation is involved.

Each plan shall be operated and maintained in accordance with the operation and maintenance manual prepared by the municipality through the Clean Water Grant Program [CWC Title 23, Section 2233(d)]

ADDITIONAL PROVISIONS APPLICABLE TO
PUBLICLY OWNED TREATMENT WORKS' ADEQUATE CAPACITY

21. Whenever a publicly owned wastewater treatment plant will reach capacity within four years the discharger shall notify the Regional Board. A copy of such notification shall be sent to appropriate local elected officials, local permitting agencies and the press. The discharger must demonstrate that adequate steps are being taken to address the capacity problem. The discharger shall submit a technical report to the Regional Board showing flow volumes will be prevented from exceeding capacity, or how capacity will be increased, within 120 days after providing notification to the Regional Board, or within 120 days after receipt of notification from the Regional Board, of a finding that the treatment plant will reach capacity within four years. The time for filing the required technical report may be extended by the Regional Board. An extension of 30 days may be granted by the Executive Officer, and longer extensions may be granted by the Regional Board itself. [CCR Title 23, Section 2232]