



California Regional Water Quality Control Board

Los Angeles Region



Linda S. Adams
Cal/EPA Secretary

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Arnold Schwarzenegger
Governor

January 11, 2010

Mr. Buddy Bosh
Spuds Extreme Sports Bar and Grill
4519 W. Sierra Highway
Acton, CA 93510

GENERAL WASTE DISCHARGE REQUIREMENTS FOR SMALL COMMERCIAL AND MULTIFAMILY RESIDENTIAL SUBSURFACE SEWAGE DISPOSAL SYSTEMS – SPUDS EXTREME SPORTS BAR AND GRILL, 4519 W. SIERRA HIGHWAY, ACTON, CALIFORNIA (FILE NO. 09-021, ORDER NO. 01-031, SERIES NO. 112, CI-9508)

Dear Mr. Bosh:

We have completed our review of your application for Waste Discharge Requirements (WDR) for wastewater discharged from Spuds Extreme Sports Bar and Grill to an onsite wastewater treatment system (OWTS).

You own and plan to operate the Spuds Extreme Sports Bar and Grill (Facility) located at 4519 W. Sierra Highway in Acton, a rural community in Los Angeles County. Figure 1 is the location and Photo 1 is the aerial image of the subject site. The Facility is currently being renovated into a 40-seat sports bar/restaurant. Because the community does not have a public sewer collection system, a conventional OWTS serves as the wastewater disposal mechanism for the Facility. The existing OWTS was approved by the Los Angeles County Department of Public Health (LACDPH), the local oversight for OTWS design and approval.

The nearest surface water or stream is located approximately 1,700 feet due west of the Facility (Figure 2 and Photo 1). There are no community water wells within 1,500 feet of the Facility. However, there are two private wells within 1,600 feet of the Facility (Figure 2). Both wells are well beyond the minimum 100-foot setback as required by LACDPH. These are older wells and are likely used for irrigation.

The project site will be supplied with potable water from Los Angeles County Water Work District #37. The potable water supply met the sustainability requirements from LACDPH. Los Angeles County Water District #37 obtains its water from three large wells located approximately 2.5 miles due southeast of the Facility (Figure 2). This water system also obtains water from Antelope Valley East Kern Water Company.

Based on the preliminary tenant improvements on the site, the estimated wastewater flow will be 680 gallons per day. The Facility will utilize the existing OWTS, which consists of two 1,500-gallon septic tanks, one 750-gallon grease interceptor and six 100-foot leach lines, which are 6 feet deep (Figure 3). Because the leach line area is located well above the Facility, the effluent is pumped to this area. A preliminary assessment of the system did not reveal any apparent OWTS system deficiencies such as effluent ponding or effluent backup in the sump pump.

California Environmental Protection Agency



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The project area overlies the Acton Valley Groundwater Basin, within the Acton Hydrologic Subarea of the Santa Clara-Calleguas Hydrologic unit. The subject basin is bounded by Sierra Pelona to the north and the San Gabriel Mountains to the south, east and west.

Acton Valley Groundwater Basin is an alluvial basin encompassing an area of approximately 17 square miles. The basin consists primarily of two water bearing units, quaternary terrace deposits and undifferentiated valley alluvium. Groundwater in this basin is replenished by deep percolation of direct rainfall and infiltration of surface water runoff. The estimated groundwater storage capacity within both the alluvial and terrace deposits is approximately 45,000 acre-feet.

Historical data from Los Angeles County Department of Public Works revealed that the relative groundwater levels in the immediate area of the project site is 190 feet below ground surface. A review of nearby clean-up sites through Geotracker revealed that groundwater at 3807 W. Sierra Highway was observed at 210 feet below grade.

Regional Board staff have reviewed the information provided and have determined that the proposed discharge meets the conditions specified in Order No. 01-031, "*General Waste Discharge Requirements for Small Commercial and Multifamily Residential Subsurface Sewage Disposal Systems*," adopted by this Regional Board on February 22, 2001. The waste discharged from the Facility satisfies the following criteria for enrollment under Order No. 01-031.

- **Discharge volume less than 20,000 gallons per day (gpd):** The Facility will discharge an estimated 680 gpd based on the number of employees and customers.
- **Waste discharged from small commercial facility:** A small commercial facility is defined as one that discharges less than 20,000 gpd of commercial or domestic wastewater. The owner/operator estimates that he will discharge 680 gpd.
- **Notification to adjacent property owners:** On April 27, 2009, the Discharger mailed notification letters to the adjacent property owners. As of May 27, 2009, Regional Board staff received comments from four residents within 1,500 feet of the Facility. The main issue in all of the comments is the potential odor that will emit from the OWTS. On December 8, 2009, Regional Board staff inspected three restaurants located within five miles of the Facility to determine if odor can be detected from those OWTSs. No odor was detected during the inspection. In addition, provision G.4. in Waste Discharge Requirements Order No. 01-031 requires that "Odors of sewage origin shall not be detectable." If odor is detected from the OWTS at the Facility, the residents are asked to notify Regional Board staff and the County of Los Angeles, Department of Public Health, Environmental Health Division promptly for enforcement.
- **The Facility could not connect to a sewer system:** The community does not have a public sewer collection system. The Palmdale Wastewater Treatment Plant is approximately 20 miles away from the Facility.
- **Groundwater monitoring requirements:** No groundwater monitoring is required for the Facility because it discharges less than 2,000 gpd and the disposal system has more than 10 feet vertical separation.

- **CEQA Requirements:** The State Water Resources Control Board (SWRCB) has adopted a Mitigated Negative Declaration in compliance with CEQA for new small domestic systems in connection with the adoption of Order No. 01-031. The potential significant environmental impacts from discharges from new small wastewater treatment systems can be mitigated to a level of insignificance by compliance with the Order.
- **Facility Inspection:** On April 22, 2009, Regional Board Staff inspected the facility to verify the information submitted by the Discharger and confirmed that the information provided was accurate. On December 8, 2009, Regional Board staff re-inspected the Facility and three other restaurants within 5 miles of the Facility in response to the odor comments from nearby residents. No odor was detected from the OWTS of those restaurants. Because the Facility has a similar OWTS, Regional Board staff do not anticipate any odor from the system.
- **Annual Fee Schedule:** An application fee in the amount \$1,226.40 was received on April 2, 2009.


Enclosed are your Waste Discharge Requirements, consisting of Order No. 01-031, Monitoring and Reporting Program No. CI-9508 and Standard Provisions Applicable to Waste Discharge Requirements. Please note that the discharge limits in Attachment A of Order No. 01-031 are applicable to your discharge. Should changes to the OWTS be needed, revised engineering drawings showing the change must be filed with the Regional Board a minimum of thirty days prior to the change. The Discharger must receive approval of such change. **Also, be aware that this permit is solely for the septic discharges from the bathrooms and that no other waste shall be discharged to the onsite wastewater treatment system.**

The Monitoring and Reporting Program requires you to implement the monitoring program on the effective date of coverage under this permit. All monitoring reports shall be sent to the Regional Board, ATTN: Information Technology Unit. Please note that the Regional Board Executive Officer may require you to develop and implement a groundwater-monitoring program based on the results of the technical information pertaining to your septic disposal system. When submitting monitoring or technical reports to the Regional Board per these requirements, please include a reference to "Compliance File No. CI-9508" which will assure that the reports are directed to the appropriate file and staff. Also, please do not combine other reports with your monitoring reports. Submit each type of report as a separate document.

We are sending a copy of Order No. 01-031 only to the applicant. A copy of the Order is available at our website: http://www.waterboards.ca.gov/losangeles/adopted_orders.

If you have any additional questions, please contact Project Manager, Mr. David Koo at (213) 620-6155 or Unit Chief, Dr. Rebecca Chou at (213) 620-6156.

Sincerely,


Tracy J. Egoscue
Executive Officer

Chief Deputy EO.

California Environmental Protection Agency



Mr. Buddy Bosh
Spuds Extreme Sports Bar and Grill

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January 11, 2010

Enclosures

- 1) General WDR Order No. 01-031
- 2) Standard Provisions
- 3) Monitoring and Reporting Program CI-9508

cc: Mr. Behzad Saleh, County of Los Angeles Public Health – Environmental Health
Mr. Lyndon Ong Yiu, The Friday Group
Mr. Lewis Rotunno
Mr. Douglas Caples & Ms. Leisa Caples
Mr. Frank De Milio & Ms. Ann De Milio
Ms. Jacqueline Ayer

California Environmental Protection Agency



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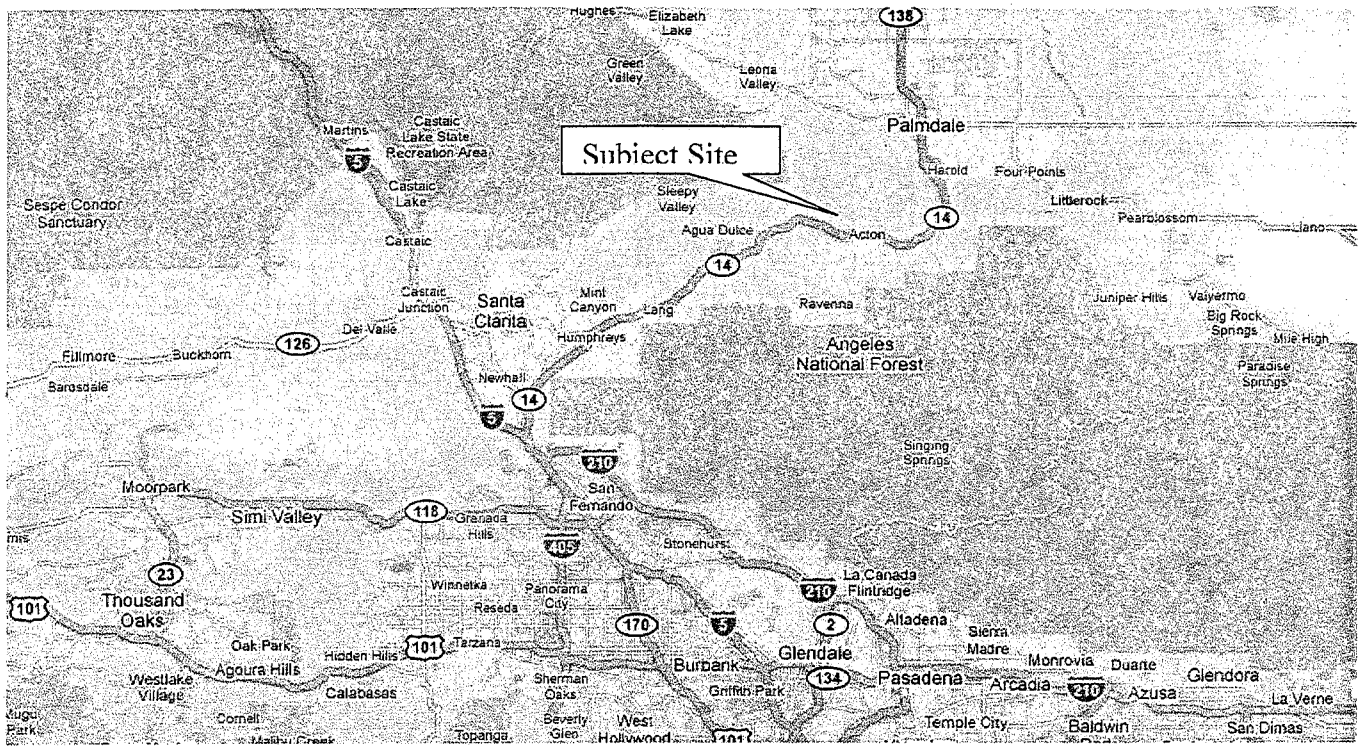


Figure 1 – Area Map

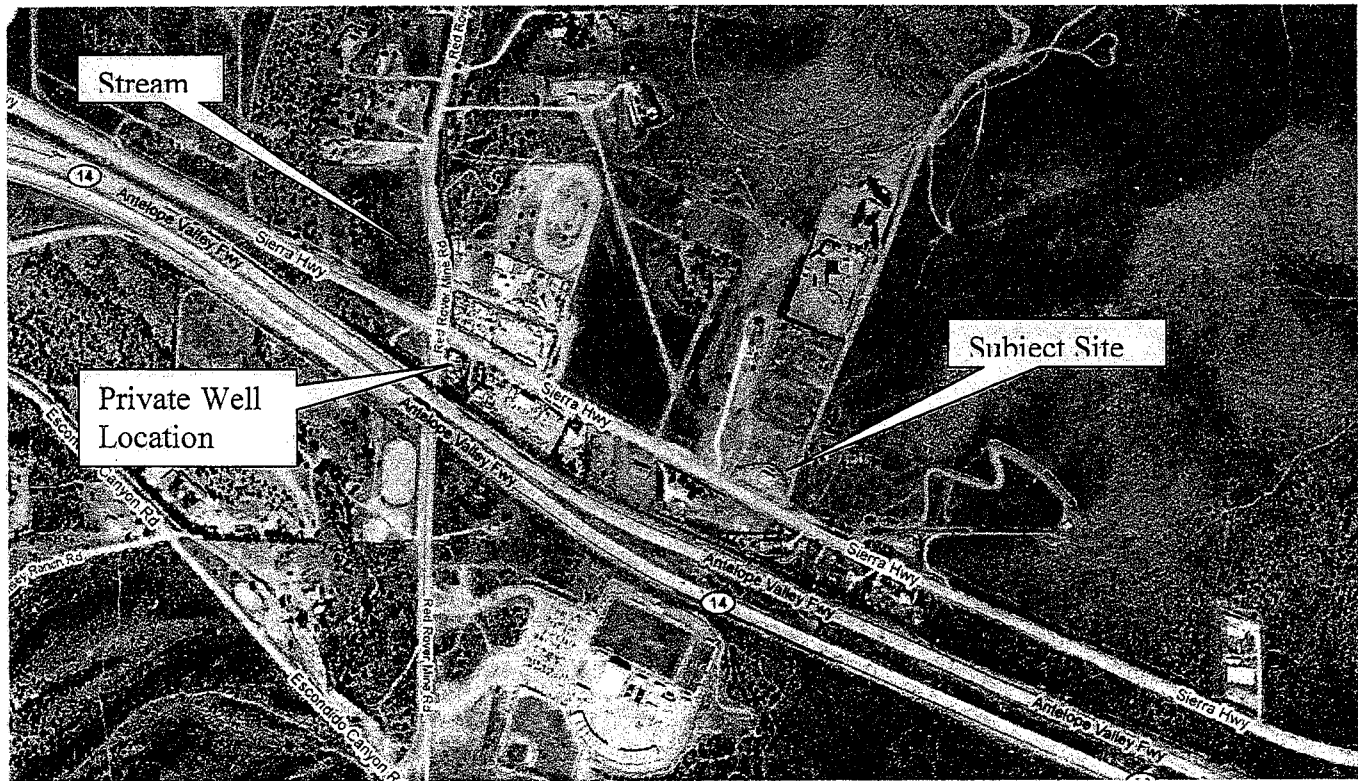


Photo 1 – Aerial Image

| | | |
|-----------------------------------|---|--|
| <p>FIGURE 1 & PHOTO 1</p> | <p>Spuds Sports Bar and Grill 4519 W. Sierra Hwy, Acton, CA</p> | <p>Spuds Sports Bar and Grill 4519 W. Sierra Hwy, Acton CA</p> |
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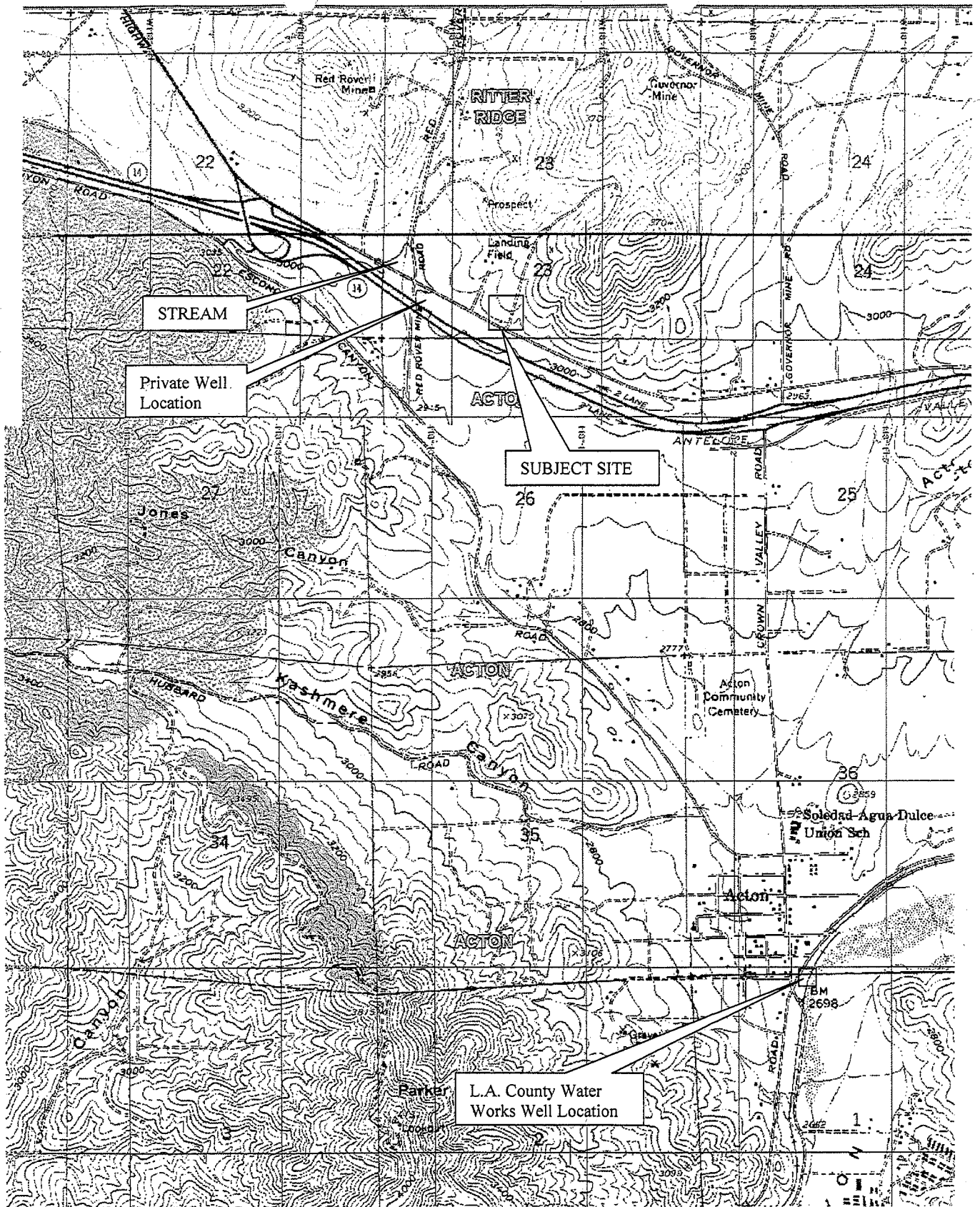
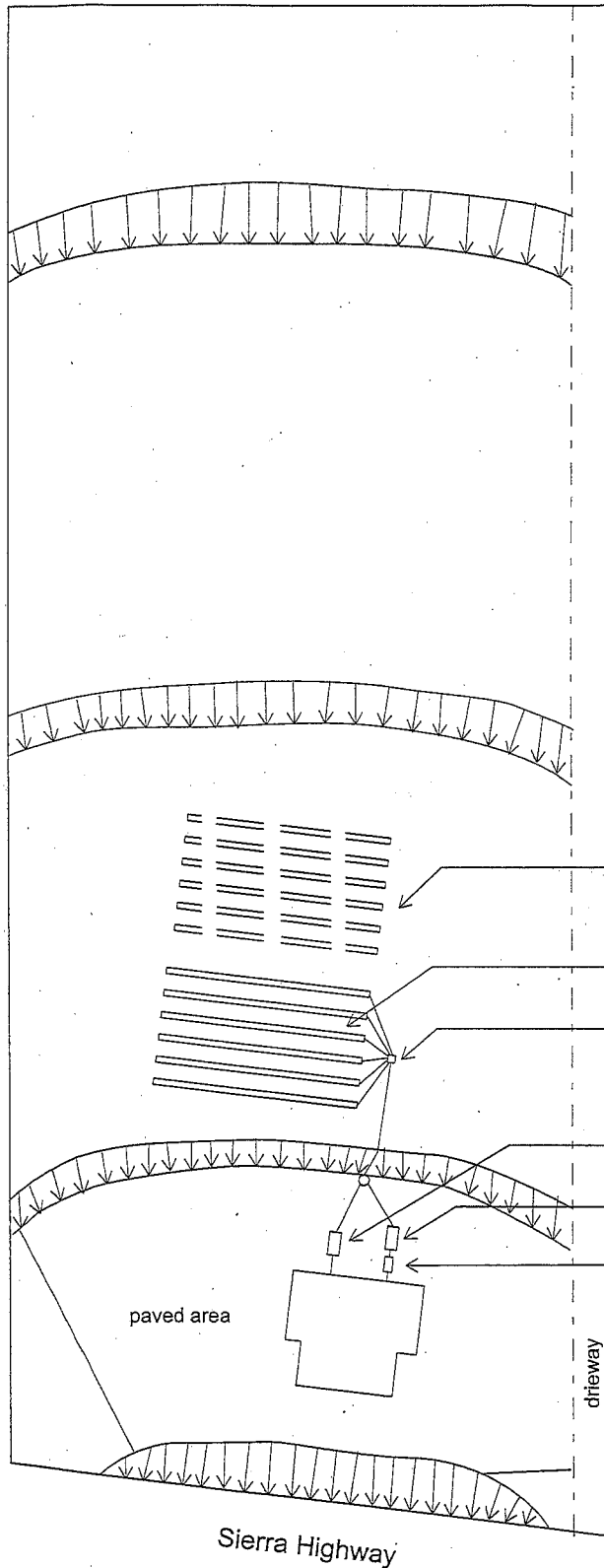


FIGURE 2

Spuds Sports Bar and Grill
4519 W. Sierra Hwy, Acton CA

Site Topography , Private Well and Stream Location



Future area: (6) 100' x 3' x 6'
3' rock under leach line

Present System: (6) 100' x 3' x 6'
3' rock under leach line

Distribution box

1,500 gallon tank

1,500 gallon tank

750 Gal. Grease
Interceptor

paved area

driveway

SPUDS EXTREME SPORTS BAR AND GRILL
4519 W. SIERRA HWY, ACTON

FIGURE 3

Spud's Extreme Sports Bar and Grill
4519 W. Sierra Hwy, Acton CA 93510

Existing Onsite Wastewater System

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

ORDER No. 01-031

GENERAL WASTE DISCHARGE REQUIREMENTS
FOR
SMALL COMMERCIAL AND MULTIFAMILY RESIDENTIAL
SUBSURFACE SEWAGE DISPOSAL SYSTEMS

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

1. The California Water Code (CWC) section 13260(a)(1) requires that any person discharging wastes, or proposing to discharge wastes other than into a community wastewater collection system, which could affect the quality of the waters of the State, shall file a Report of Waste Discharge with the Regional Water Quality Control Board. The Regional Board shall then prescribe requirements for the discharge or proposed discharge of wastes.
2. The California Water Code, section 13263(j), provides that a Regional Board may prescribe general waste discharge requirements for discharges produced by similar operations, involving similar types of waste, and requiring similar treatment standards.
3. The Regional Board adopted a Revised Water Quality Control Plan (Basin Plan) for the Los Angeles Region on June 13, 1994. The Water Quality Control Plan designates beneficial uses and establishes water quality objectives for groundwater and surface water within the Los Angeles Region. Existing beneficial uses designated for groundwater and surface water include, among others: municipal supply, industrial service supply, industrial process supply, fresh water replenishment, aquaculture, wildlife habitat, and agricultural supply. To the extent that the Basin Plan designates additional or different beneficial uses, the Basin Plan shall control.
4. Discharges from small (less than 20,000 gallons per day) commercial and multifamily sewage disposal systems infiltrate groundwater. The effluent from small commercial and multifamily sewage disposal systems is considered a discharge of waste that could affect the quality of waters of the State. Any surfacing of treated or untreated waste poses a serious threat to public health and beneficial uses of groundwater, near-shore waters, and contiguous beaches. Discharges of greater than 20,000 gallons will normally be required to obtain individual waste discharge requirements from the Regional Board.

5. Discharges to land from small domestic small commercial and multifamily sewage disposal systems have certain common characteristics, such as similar constituents, concentrations of constituents, disposal techniques, flow ranges and they require the same or similar treatment standards. These types of discharges are more appropriately regulated under general Waste Discharge Requirements (general WDRs).
6. These general WDRs apply to discharges throughout the entire Los Angeles Region (Los Angeles and Ventura County), however, the Regional Board has determined that groundwater underlying small commercial and multifamily sewage disposal systems in areas of shallow groundwater and coastal regions has been shown to be in hydraulic connection with nearby surface waters and that groundwater and surface water contamination in areas of shallow groundwater and coastal regions has been attributed to discharges from septic systems. Therefore, these WDRs include considerations specifically addressing areas of shallow groundwater and coastal areas.
7. Since this effluent is considered a discharge of waste that could affect the quality of waters of the State, a discharger would ordinarily be required to file a Report of Waste Discharge and the Regional Board would then prescribe requirements for the discharge of wastes. However, under the California Water Code, section 13269, the Regional Board may waive requirements to file a Report of Waste Discharge, provided that such a waiver is not against the public interest. In the 1950s, the Regional Board's predecessor agency granted such waivers for residential septic systems in 45 local agencies in the Region, including the County of Los Angeles. However, these waivers do not formally cover several local agencies that are actively permitting septic systems.
8. If Waste Discharge Requirements were issued to each small commercial and multifamily residential septic system on an individual basis, it would be a very lengthy process. Due to limited Regional Board resources, a streamlined expansion of a permitting program is necessary. The adoption of these general Waste Discharge Requirements for discharges from small commercial and multifamily sewage disposal systems would:
 - (a) Simplify and expedite the application process for the Discharger;
 - (b) Increase efficiency of Regional Board staff; and
 - (c) Reduce Regional Board time expended on preparing and considering individual Waste Discharge Requirements.

9. Only small commercial and multifamily sewage disposal systems with a maximum daily flow of 20,000 gallons or less that discharge to land are eligible for coverage under these general WDRs. Single family residences with small domestic systems, for purposes of these general WDR's, are specifically excluded. It remains the discretion of the Regional Board to require WDRs for discharges from single family residences when necessary to protect water quality.
10. This Order establishes minimum standards only for small domestic systems. The discharger must comply with any more stringent standards in the applicable Basin Plan. In the event of a conflict between the provisions of this Order and the Basin Plan, the more stringent provision prevails.
11. By enrolling small commercial and multifamily sewage disposal systems under Waste Discharge Requirements, the Regional Board can also issue Monitoring and Reporting Programs that require dischargers to monitor their effluent, groundwater that may be affected by the discharge, and, in some cases, nearby surface waters that may be affected by the discharge. The results of the monitoring will be reported to the Regional Board. The Regional Board expects that this monitoring will assist in the delineation of impacts of effluent from small commercial and multifamily sewage disposal systems on groundwater and surface water.
12. The majority of the small commercial and multifamily sewage disposal systems in the Los Angeles Region do not currently have Waste Discharge Requirements, nor do they have corresponding Monitoring and Reporting Programs. Small commercial and multifamily sewage disposal systems (septic systems, for example) typically provide only primary treatment to wastewater before it is discharged to groundwater through a seepage pit or leachfield disposal system. The effluent from these systems is not monitored, and, as a result, the effluent quality is generally not known.
13. These general Waste Discharge Requirements (for the discharge of commercial and residential wastes to small commercial and multifamily sewage disposal systems), would benefit the public, the staff and the Regional Board by accelerating the review process without loss of regulatory jurisdiction and oversight.
14. All requirements contained in this Order, as they are met, will be in conformance with the goals of the Basin Plan.
15. These general Waste Discharge Requirements are not intended to alter or supersede existing restrictions or conditions imposed by other government agencies on the project.

16. Dischargers seeking coverage under these general WDRs shall file: (1) a standard application for WDRs (Report of Waste Discharge), a Form 200, or an equivalent document; and (2) a first annual fee of \$200 (corresponding to the appropriate Threat to Water Quality and Complexity of 3(C) in the fee schedule listed in section 2200 of title 23, California Code of Regulations (CCR)). In addition to information required by Form 200 and the RoWD, the application must include:
 - (a) A list of all property owners, including current mailing addresses, within 1,500 feet of the adjacent parcels owned by the same applicant, or contiguous to the property line (rural) and 500 feet of the property line (urban);
 - (b) Documentation that Discharger has notified all property owners identified in (a) above, of their intent to seek enrollment under the general WDRs and that all property owners identified in (a) above shall have 30 days to provide comments, in writing, to the Regional Board Executive Officer.
 - (c) Documentation that the local lead agency has satisfied the requirements of the California Environmental Quality Act (Chapter 3, Division 13, Public Resources Code); and
 - (d) An acceptable hydrogeologic report or a statement to waive a hydrogeologic report.
17. Upon review by the Executive Officer, a determination will be made as to whether or not coverage under these general WDRs is appropriate. A letter from the Regional Board's Executive Officer shall notify the discharger when coverage under these general WDRs has begun.
18. Although a discharge may be eligible for coverage under this general WDR, the Executive Officer may determine that the discharge would be better regulated under an individual WDR, under another general WDR, or under a National Pollutant Discharge Elimination System (NPDES) permit for discharges to surface waters. If a discharge is located in an environmentally sensitive area or within 100 feet of any stream, channel, or other watercourse or waterbody, or in an area where groundwater is less than 20 feet below grade, the Executive Officer must, within 120 days after submission of a complete RoWD, consider if an individual permit is necessary in lieu of the general WDRs and is more appropriate in the interest of water quality. If a discharge is regulated under an individual or general WDR, or a waiver, or under an NPDES permit, the

applicability of this general WDR to the discharge is immediately terminated on the effective date of the WDR.

19. This general WDR is intended to cover both new and existing small domestic systems. The adoption of WDRs for existing small domestic systems is exempt from the California Environmental Quality Act (CEQA) under CCR, Title 14, Section 15261 or Section 15301 as ongoing or existing projects.
20. The State Water Resources Control Board (SWRCB) has adopted a Mitigated Negative Declaration in compliance with CEQA for new small domestic systems in connection with the adoption of Order No. 97-10 DWQ. The potential significant environmental impacts from discharges from new small wastewater treatment systems can be mitigated to a level of insignificance by compliance with this Order.
21. Pursuant to Section 13263 of the CWC, the Regional Board, in establishing the requirements contained herein, considered factors including, but not limited to, the following:
 - (a) Past, present, and probable future beneficial uses of water;
 - (b) Environmental characteristics of the hydrographic unit under consideration including the quality of water available thereto;
 - (c) Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area;
 - (d) Economic considerations;
 - (e) The need for developing housing within the Region; and
 - (f) The need to develop and use recycled water.
22. These WDRs are exempt from chapter 15 requirements pursuant to CCR, title 23, chapter 15, section 2511(a).
23. This Order does not preempt or supersede the authority of municipalities, flood control agencies, or other local agencies to prohibit, restrict, or control discharges of waste subject to their jurisdiction.

The Regional Board has notified interested agencies and persons of its intent to prescribe Waste Discharge Requirements as described in this Order, and has provided them with an opportunity to submit their written views and recommendations for the tentative requirements.

The Regional Board, in a public meeting, heard and considered all comments pertaining to the dischargers to be regulated under this Order and to the tentative requirements.

IT IS HEREBY ORDERED THAT: in order to meet the provisions contained in Division 7 of the CWC and regulations adopted thereunder, dischargers of small commercial and multifamily sewage disposal systems, with a maximum average daily flow not to exceed 20,000 gallons, that discharge to land and meet all conditions of applicability, shall comply with the following:

A. ELIGIBILITY:

1. Existing and future discharges of treated wastewater to subsurface sewage disposal systems.
2. To be covered under this Order, discharges must meet the following criteria:
 - a. Pollutant concentrations in the discharge shall not cause nor contribute to violation of any applicable water quality objective for the receiving waters, including discharge prohibitions:
 - b. The discharge shall not cause nor contribute to acute or chronic toxicity in receiving waters: and
 - c. The discharge shall pass through an appropriate treatment system to meet the requirements of the Order.
3. For the purpose of renewal of existing individual permits with this general permit, provided that all the conditions of this general permit are met, renewal is effective upon issuance of a notification by the Executive Officer and issuance of a new monitoring program.
4. When an individual permit with more specific requirements is issued to a discharger, the applicability of this Order to that discharger is automatically terminated on the effective date of the individual permit.

B. AUTHORIZATION:

1. To be authorized under this Order, the discharger must submit, to the Regional Board, a Report of Waste Discharge and a completed Form 200. Upon receipt of the application, the Executive Officer shall determine the applicability of Order to such a discharge. If the discharge is eligible, the Executive Officer shall notify the discharger that the discharge is authorized under the terms and conditions of this Order and prescribe an appropriate monitoring and reporting program. For

new discharges, the discharge shall not commence until receipt of the Executive Officer's written determination.

C. RESPONSIBILITY:

1. For existing small commercial and multifamily sewage disposal systems, an entity or agency (hereinafter called the Discharger) must accept permanent responsibility for the Waste Discharge Requirements and the Monitoring and Reporting Program for the small commercial and multifamily sewage disposal systems. In the case of a commercial development, this entity or agency must be the property owner. In the case of a multifamily residential development, this entity or agency must be the homeowners' association, the condominium owners' association, or the property owner. The Discharger must comply with all conditions of these Waste Discharge Requirements.
2. For future commercial or multifamily residential developments, the applicant (Developer) is responsible for compliance with this Order up to the time that a written agreement between the applicant and the Discharger becomes effective. The applicant shall provide a copy of the transfer agreement to the Regional Board 30 days before its effective date. Violations may result in enforcement actions, including Regional Board Order or court orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of Waste Discharge Requirements by the Regional Board.
3. 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. The notice must include a written agreement between the existing and new Discharger containing a specific date for the transfer of responsibility under this Order and compliance between the current Discharger and the new Discharger. Such agreement shall include an acknowledgment that the existing Discharger is liable for violations up to the transfer date and that the new Discharger is liable on and after the transfer date (CWC section 13267 and 13263).

D. INFLUENT LIMITATIONS:

1. Wastes discharged into the wastewater treatment and disposal system shall be limited to commercial and multifamily residential wastewater only; no industrial wastes¹ shall be discharged into the septic system.
2. The maximum daily flow of influent from the collection system shall not exceed 20,000 gallons per day. This flow limitation also applies to effluent discharged to the disposal system (seepage pits/leachfields).

¹ For the purposes of this General WDR, industrial wastes are defined as any unwanted materials from an industrial operation.

E. RECEIVING WATER LIMITATIONS:

1. Receiving water, for the purpose of the general WDRs, shall be defined as groundwater at a point no greater than fifty (50) feet hydraulically downgradient of the furthest extent of the disposal area, or the property line of the Discharger, whichever is less. Compliance with receiving water limitations shall be determined using a minimum of three (3) appropriately located groundwater monitoring wells. The number, location and construction details of all monitoring wells are subject to approval of the Executive Officer. Disposal systems in close proximity to each other may, in order to reduce monitoring costs and complexity, and at the Executive Officers discretion, propose a joint receiving water monitoring program.
2. The pH in the receiving water shall at all times be between 6.5 to 8.5 pH units.
3. The receiving water shall not contain constituents in excess of the following limits:

| <u>Constituent</u> | <u>Units</u> | <u>Maximum</u> |
|----------------------|--------------|----------------|
| TDS | mg/L | (a) |
| Sulfate | mg/L | (a) |
| Chloride | mg/L | (a) |
| Boron | mg/L | (a) |
| Total Nitrogen (b) | mg/L | 10 |
| Nitrate-nitrogen (b) | mg/L | 10 |
| Nitrite-nitrogen (b) | mg/L | 1 |
| Total Coliform | MPN/100mL | <1.1(c) |
| Fecal Coliform | MPN/100mL | <1.1(c) |
| Enterococcus | MPN/100mL | <1.1(c) |

(a) Limits shall be based on the groundwater basin objectives and/or beneficial uses listed in Attachment A. In the letter of determination the Executive Officer shall indicate the Basin Plan limitations in Attachments A and B that are applicable to the particular discharge.

(b) Total nitrogen includes ammonia-n, organic nitrogen, nitrite-n and nitrate-n.

(c) Prior to disposal in areas of shallow groundwater and coastal regions where a minimum of ten (10) feet of vertical separation cannot be maintained between the bottom of the disposal system and the historic high or anticipated high groundwater level and only in areas where the Executive Officer has determined that wastes will not deleteriously affect an aquifer that is suitable for domestic purposes, effluent shall be disinfected to levels consistent with the beneficial uses of groundwater and the nearest surface water body.

4. Wastewater discharged to the seepage pits/leachfields shall not result in concentrations of salts, heavy metals, or organic pollutants from being present in the receiving water at levels that would impact the designated beneficial uses of groundwater or, in the event that groundwater is in hydraulic connection with surface waters, the designated beneficial uses of surface water.

5. The disposal of wastes shall not impart tastes, odors, color, foaming, or other objectionable characteristics to the receiving water.
6. Any wastes that do not meet the foregoing requirements shall be held in impervious containers and discharged at a legal point of disposal.

F. PROHIBITIONS:

1. Any additional hookups to the small commercial and multifamily sewage disposal systems system without prior written approval from the Regional Board Executive Officer are prohibited.
2. The surfacing or overflow of sewage from the wastewater treatment and disposal system at any time and at any location and the direct or indirect discharge of wastes to waters of the State (including storm drains, groundwater or surface water drainage courses) is prohibited.
3. Installation or construction of any part of the small commercial and multifamily sewage disposal systems within 150 feet of any water well is prohibited.
4. New installation or construction, from and after the effective date of this Order, of any part of the small commercial and multifamily sewage disposal system within 100 feet of any stream, channel, or other watercourse, or water body, is prohibited.
5. No part of the wastewater treatment and disposal system shall extend to a depth where wastes may deleteriously affect an aquifer that is usable for domestic purposes. In no case may the seepage pit or leach field extend to within 10 feet of the zone of historic or anticipated high ground water level. The Discharger must submit certification that the seepage pits or leach fields meet this requirement. In areas of shallow groundwater and coastal areas where a minimum of 10 feet of vertical separation between the bottom of the disposal system and the historic or anticipated high ground water level cannot be maintained and the Executive Officer has determined that wastes will not deleteriously affect an aquifer that is usable for domestic purposes, the Executive Officer may, at his discretion, allow the installation and operation of a wastewater treatment and disposal system, provided that the effluent receives additional treatment to include, at a minimum, disinfection to limits specified in Section E.
6. Under no circumstances shall there be a groundwater separation of less than five feet.
7. The disposal of wastes in geologically unstable areas or so as to cause earth movement is prohibited.

8. The onsite disposal of sludge is prohibited.
9. Any offsite disposal of sewage or sludge other than to a legal point of disposal is prohibited. For purposes of this Order, a legal disposal site is one for which requirements have been established by a 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 water or watercourses.
10. The discharge of wastes containing any substance in concentration toxic to human, animal, plant, or aquatic life is prohibited.
11. Bypass or overflow of treated or untreated waste is prohibited.
12. The discharge of waste to land not owned or controlled by the Discharger is prohibited.
13. The discharge of wastes from small domestic systems which is not authorized by this general WDR or other Order or waiver by the Regional Board is prohibited.

G. REQUIREMENTS:

1. The siting, design, construction, operation, maintenance and monitoring of all wastewater treatment and disposal systems covered by these WDRs must comply with all of the applicable provisions of the Basin Plan.
2. The wastewater treatment and disposal systems shall be protected from damage by storm flows or runoff generated by a 100-year storm. Adequate facilities shall be provided to divert surface and storm water away from the wastewater treatment plant, seepage pits, and areas where any potential pollutants are stored.
3. The discharger shall not discharge waste in excess of the maximum design and disposal capacity of the small domestic system.
4. Odors of sewage origin shall not be detectable.
5. Septic tank cleanings shall be performed only by a duly authorized service.
6. The discharger shall maintain logs of all septic tank cleanings for a period of no less than five years. At a minimum the logs shall include the date of the cleaning, and the name, address, phone number, and license number (if applicable) of the cleaner.
7. Dischargers who accept wastes from RVs or other mobile waste systems must ensure that such wastes (with constituents including, but not limited to,

- formaldehyde, zinc, and phenol) do not deleteriously affect the septic system or impact the ground water.
8. The discharger shall ensure that the contents of the treatment systems are disposed of in accordance with all applicable laws and ordinances.
 9. The subsurface wastewater disposal system(s) shall be maintained so that at no time will sewage surface at any location.
 10. No part of the disposal system(s) shall extend to a depth where waste may pollute groundwater.
 11. A monitoring program for groundwater shall be established to determine if discharges from the disposal system have impacted or are impacting water quality.

H. PROVISIONS:

1. 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. Neither the treatment nor the discharge of waste shall create a condition of pollution, contamination or nuisance, as defined by section 13050 of the CWC (H&SC section 5411, CWC section 13263).
3. This Order does not relieve the discharger from responsibility to obtain other necessary local, State, and Federal permits to construct facilities necessary for compliance with this Order, nor does this Order prevent imposition of additional standards, requirements, or conditions by any other regulatory agency.
4. The discharger shall immediately remove any wastes that are discharged at the site regulated by this Order in violation of these requirements.
5. Within six months after a community wastewater collection (sewer) system becomes available, each commercial and multifamily residential development shall connect to the community sewer system and properly close the septic system(s).
6. 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).

7. The Discharger shall maintain, for inspection by Regional Board staff, the as-built construction and operation details of the wastewater treatment and disposal system.
8. 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 septic system, the Discharger shall, to the extent necessary to maintain compliance with this Order, control all discharges until the system is restored or an alternative method of treatment is provided.
9. The Discharger is responsible for the actions of all tenants and employees of the regulated facility with regards to compliance with this Order and should develop and provide them with a pollution prevention plan in order to minimize pollutant discharges to the wastewater treatment and disposal system. The pollution prevention plan should include the following topics:
 - (a) Proper disposal of materials handled at the regulated facility;
 - (b) Methods to wash tools and other objects so that no contaminants are introduced into the septic system; and
 - (c) Methods to wash hands so that no contaminants are introduced into the septic system.
10. A spill response plan shall be developed and kept on site by the Discharger. The spill response plan shall detail all appropriate actions to be taken in order to protect human health and the environment in case of any spill related to the operation of the treatment and disposal system.
11. The Discharger shall provide safeguards to the wastewater treatment and disposal system in a manner such that, in the event of an electric power failure, the Discharger shall comply with the terms and conditions of its Order.
12. New small commercial and multifamily sewage disposal systems shall reserve sufficient land area for possible - future 100 percent replacement of the subsurface disposal area until such time as the discharger's facility is connected to a municipal sewerage system.
13. 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).

14. The filing of a request by the discharger for an Order modification, revocation and issuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.
15. The discharger shall furnish, within a reasonable time, any information the Regional Board or the SWRCB may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the discharger's coverage under this Order. The Discharger shall also furnish to the Regional Board or the SWRCB, upon request, copies of records required to be kept by this Order.
16. Prior to any modifications in the discharger's facility which would result in a material change in the quality or quantity of wastewater treated or discharged, or any material change in the location of discharge, the discharger shall report all pertinent information in writing to the RWQCB and obtain confirmation that such modifications do not disqualify the discharger from coverage under these general WDRs. Either confirmation or new WDRs must be obtained before any modifications are implemented.
17. After notice and opportunity for a hearing, coverage of an individual discharge under this Order may be terminated or modified for cause, including but not limited to the following:
 - (a) Violation of any term or condition contained in this Order;
 - (b) Obtaining this Order by misrepresentation or failure to disclose all relevant facts; or
 - (c) A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
18. These waste discharge requirements are subject to review and revision by the Regional Board (CCR section 13263).
19. These waste discharge requirements contained in this Order will remain in effect for a period of ten (10) years after receipt of the Regional Board Executive Officer's written determination of applicability. Should the Discharger wish to continue discharging to groundwater under the terms and conditions contained in this Order for a period of time in excess of ten (10) years, the Discharger must file an updated Report of Waste Discharge with this Regional Board, no later than 120 days in advance of the expiration date of the Order, for consideration of issuance of new or revised waste discharge requirements. Any discharge of waste ten (10) years after the date of enrollment, without obtaining new Waste Discharge Requirements from the Regional Board is a violation of provisions of CWC section 13264. The Regional Board is authorized to take appropriate enforcement

action for any noncompliance with this provision including assessment of penalties.

20. 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)).
21. Provisions of these waste discharge requirements are severable. If any provision of these requirements are found invalid, the remainder of these requirements shall not be affected (CWC section 921).
22. 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 effluent 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)).
23. All regulated disposal systems shall be readily accessible for sampling and inspection.
24. 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).

25. 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).
26. 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 Officer 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.
27. 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 132630).
28. 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 that 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, steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, whether the spill response plan was implemented and an initial assessment of the noncompliance on human health and the environment. 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 Officer within 24 hours:
 - (a) Any bypass from any portion of the wastewater treatment system;
 - (b) Any discharge of treated or untreated wastewater resulting from sewer line breaks, obstruction, surcharge or any other circumstances; and
 - (c) Any wastewater treatment system upset which causes any limitation in this Order to be exceeded (CWC sections 13263 and 132673).

29. 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 records of all data used 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 measurements;
 - (b) The individual(s) who performed the sampling or measurements;
 - (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.
30. All application reports or information to be submitted to the Executive Officer shall be signed and certified as follows:
- (a) For a corporation -- by a principal executive officer or at least the level of vice-president;
 - (b) For a partnership or sole proprietorship -- by a general partner or the proprietor, respectively; and
 - (c) For a municipality, State, Federal, or other public agency -- by either a principal executive officer or ranking elected official.
31. A duly authorized representative of the person designated above may sign documents if:
- (a) The person described above makes the authorization in writing described above;
 - (b) The authorization specifies an individual or person having responsibility for the overall operation of the regulated disposal system; and

- (c) The written authorization is submitted to the Executive Officer.

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.

I. MONITORING AND REPORTING REQUIREMENTS:

The Executive Officer is hereby authorized to use his or her discretion to prescribe a Monitoring and Reporting Program for each authorized discharger. The program may include participation of the Discharger in a regional monitoring program.

Monitoring:

1. The Discharger shall establish a groundwater monitoring program so that the groundwater downgradient from discharge areas can be measured, sampled, and analyzed to determine if discharges from the disposal system impact water quality. In addition, the Discharger must complete a study to determine the degree of the hydraulic connection between the disposal system and surface water should the treatment and disposal system be located within 500 feet of a surface water body, or at the discretion of the Executive Officer.
2. Should monitoring data indicate impacts to groundwater or surface water, the Discharger shall submit, within 90 days after determination of the problem, plans for measures that will be taken, or have been taken, to mitigate any long-term effects that result from the subsurface disposal of wastes. Any water quality impact to surface and groundwater such as, but not limited to, risks to human health from pathogens, and accelerated eutrophication of surface waters from nutrients in wastewater shall be reported.

Reporting:

1. The Monitoring and Reporting program may require submittal of monthly, quarterly, or annual monitoring reports, among others, to the Regional Board. Monthly monitoring reports shall be submitted to the Regional Board by the 15th day of the following month. Quarterly reports shall be submitted by January 15, April 15, July 15, and October 15 of each year. Annual reports shall be submitted by January 30 of the following year.
2. The annual monitoring report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. In addition, the Discharger shall discuss the compliance record and the corrective actions taken or planned that may be needed to bring the discharge into full compliance with the general WDRs.

3. 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 in such a manner to illustrate clearly whether the discharge complies with WDRs. The average daily flow shall be calculated using the arithmetic mean of the monthly values obtained throughout the reporting period.
4. The results of any monitoring done more frequently than required at the location and/or times specified in the Monitoring and Reporting Program shall be reported to the Regional Board. The results of such monitoring shall be included in the calculation and reporting of the values required in the discharge monitoring report form. Such increased frequency shall be indicated on the discharge monitoring report form.
5. Summaries of all performed maintenance and inspection activities and all instances of noncompliance with the WDRs shall be reported with the monitoring reports as required.
6. The discharger shall implement the above monitoring program on the first day of the month following the effective date of coverage under these general WDRs.

CERTIFICATION

I, Dennis A. Dickerson, 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 22, 2001.



Dennis A. Dickerson
Executive Officer

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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WDR

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]

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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
Waste Discharge Requirements

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:

Standard Provisions Applicable to
Waste Discharge Requirements

"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]

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

MONITORING AND REPORTING PROGRAM NO. CI-9508
FOR

BUDDY BOSH
(SPUDS EXTREME SPORTS BAR AND GRILL)

ENROLLMENT UNDER GENERAL WASTE DISCHARGE REQUIREMENTS
ORDER NO. 01-031 (SERIES NO. 112)
FILE NO. 09-021

I. REPORTING REQUIREMENTS

- A. Buddy Bosh (hereinafter Discharger) shall implement this monitoring program on the effective date of this enrollment January 11, 2010 under Regional Board Order No. 01-031. The first monitoring report under this program, for January to March 2010, shall be received at the Regional Board by April 15, 2010.

Monitoring reports shall be received by the dates in the following schedule:

| <u>Reporting Period</u> | <u>Report Due</u> |
|-------------------------|-------------------|
| January – March | April 15 |
| April – June | July 15 |
| July – September | October 15 |
| October – December | January 15 |

- B. If there is no discharge during any reporting period, the report shall so state. Monitoring reports must be addressed to the Regional Board, Attention: Information Technology Unit.
- C. By January 30 of each year, the Discharger shall submit an annual summary report to the Regional 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 explain 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 requirements (WDRs).
- D. Laboratory analyses – All chemical, bacteriological, and toxicity analyses shall be conducted at a laboratory certified for such analyses by the California Department of Health Services Environmental Laboratory Accreditation Program (ELAP). The laboratory must meet the United States Environmental Protection Agency (USEPA) Quality Assurance/Quality Control (QA/QC) criteria. Pollutants shall be

January 11, 2010

analyzed using the methods described in 40 CFR Part 136; or where no methods are specified for a given pollutant, methods approved by the Regional Board shall be utilized.

- E. The method limits (MLs) employed for effluent analyses shall be lower than the permit limits established for a given parameter, unless the Discharger can demonstrate that a particular ML is not attainable and obtains approval for a higher ML from the Regional Board Executive Officer (Executive Officer). The Discharger shall submit a list of the analytical methods employed for each test and the associated laboratory QA/QC procedures upon the request of the Regional Board.
- F. Each monitoring report must affirm in writing that "All analyses were conducted at a laboratory certified for such analyses by the California Department of Health Services, and in accordance with current USEPA guideline procedures or as specified in this Monitoring Program." Proper chain of custody procedures must be followed and a copy of the chain of custody shall be submitted with the report.
- G. 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 WDRs. This section shall be located at the front of the report and shall clearly list all non-compliance with WDRs, as well as all excursions of effluent limitations.
- H. The Discharger shall maintain all sampling and analytical results, including strip charts; date; exact place, and time of sampling; dates analyses were 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 Board.
- I. 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.
- J. Any mitigation/remedial activity including any pre-discharge treatment conducted at the site must be reported in the quarterly monitoring report.

II. SEPTIC TANK AND DISPOSAL SYSTEM MONITORING REQUIREMENTS

The quarterly reports shall contain the following information:

1. Average and maximum daily waste flow and average water usage rate for each month of the quarter, in gallons per day. In the absence of a flow meter, a water bill can be used to estimate the flow discharge.
2. Estimated population served during each month of the reporting period.
3. Results of at least monthly observations in the disposal area for any overflow or surfacing of wastes.

In addition, the Discharger shall annually submit an operation and maintenance report on the septic system. 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. Periodic pumping out of the septic tank; and
5. Maintenance records of the septic disposal system.

III. GROUNDWATER MONITORING PROGRAM

A groundwater monitoring program will not be required at this time. In the future, the Executive Officer may determine that a groundwater monitoring program is needed to fully evaluate the impact from your wastewater discharge in groundwater.

IV. 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 the final point of disposal. In the event that no wastes are hauled during the reporting period, a statement to that effect shall be submitted.

V. MONITORING FREQUENCIES

Specifications in this monitoring program are subject to periodic revisions. Monitoring requirements may be modified or revised by the Executive Officer based on review of monitoring data submitted pursuant to this Order. Monitoring frequencies may be adjusted to a less frequent basis or parameters and locations dropped by the Executive Officer if the Discharger makes a request and the request is backed by statistical trends of monitoring data submitted.

VI. CERTIFICATION STATEMENT

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 _____ at _____.

(Signature)

(Title)"

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:


Tracy J. Egoscue
Executive Officer
Chief Deputy EO for

Date: January 11, 2010