

Los Angeles Regional Water Quality Control Board

June 10, 2019

Mr. Roy I. Nishimori, President
San Miguel Produce, Inc.
4444 Navalair Road
Oxnard, CA 93033

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO. 7018 2290 0001 8905 2664

WASTE DISCHARGE REQUIREMENTS, WATER RECLAMATION REQUIREMENTS, AND REVISED MONITORING AND REPORTING PROGRAM FOR WASTEWATER DISCHARGES FROM SAN MIGUEL PRODUCE, INC. – SAN MIGUEL PRODUCE, INC., 4444 NAVALAIR ROAD, OXNARD, CALIFORNIA 93033 (FILE NO. 04-168, WDR NO. R4-2019-0064, CI NO. 9784, GLOBAL ID WDR100002214)

Dear Mr. Nishimori:

Our letter of March 20, 2019, transmitted tentative Waste Discharge Requirements (WDRs), Water Reclamation Requirements (WRRs) and a Monitoring and Reporting Program (MRP) for the discharge of treated produce processing wastewater from a wastewater treatment system (WWTS) at San Miguel Produce, Inc., 4444 Navalair Road, Oxnard, California (Site).

Pursuant to Division 7 of the California Water Code, the California Regional Water Quality Control Board, Los Angeles Region, at a public hearing held on May 9, 2019, reviewed the tentative WDRs, WRRs and MRP, considered all factors in the case, and adopted Order No. R4-2019-0064 and MRP CI No. 9784 (copies enclosed) relative to the discharge. The adopted WDRs, WRRs and MRP will be posted on the Regional Board's website at:

http://www.waterboards.ca.gov/losangeles/board_decisions/adopted_orders/.

Mr. Nishimori (the Discharger), as owner of the San Miguel Produce, Inc., shall comply with the Electronic Submittal of Information (ESI) requirements by submitting all reports required under the WDRs, WRRs and MRP, including groundwater monitoring data, discharge location data, and searchable Portable Document Format (pdf) copies of monitoring reports, to the State Water Resources Control Board GeoTracker database under Global ID WDR100002214.

If you have any questions, please contact the Project Manager, Mr. Peter Raftery at (213) 620-6156 (peter.raftery@waterboards.ca.gov), or me at (213) 576-6683 (eric.wu@waterboards.ca.gov).

Sincerely,



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

IRMA MUÑOZ, CHAIR | RENEE PURDY, EXECUTIVE OFFICER

320 West 4th St., Suite 200, Los Angeles, CA 90013 | www.waterboards.ca.gov/losangeles

Enclosure:

- 1) WDRs and WRRs (Order No. R4-2019-0064)
- 2) MRP No. CI-9784
- 3) Standard Provisions Applicable to Waste Discharge Requirements

cc:

Ms. Betsy Elzufon, Larry Walker Associates
Mr. Charles Genkle, Ventura County Environmental Health Division
Mr. Terry Lund, San Miguel Produce, Inc.
Mr. Winston Wright, Ventura County Planning Division

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

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**ORDER NO. R4-2019-0064
CI NO. 9784
FILE NO. 04-168**

**WASTE DISCHARGE REQUIREMENTS
AND WATER RECLAMATION REQUIREMENTS
FOR
SAN MIGUEL PRODUCE, INC.**

The following Discharger is subject to the Waste Discharge Requirements (WDRs) and Water Reclamation Requirements (WRRs) set forth in this Order:

Table 1. Discharger Information

Discharger/Permittee	San Miguel Produce, Inc. (Discharger and Permittee)
Facility Name	San Miguel Produce - Wastewater Treatment System
Facility Address	4444 Navalair Road
	Oxnard, CA 93033
	Ventura County

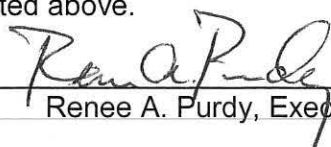
Table 2. Discharge Location

Discharge Point	Discharge Description	Discharge Point Latitude (North)	Discharge Point Longitude (West)	Receiving Groundwater
Effluent of UV Disinfection Unit	Disinfected Secondary-treated wastewater	34.139302 °	-119.105602 °	Perched and unconfined aquifers of the Oxnard Subbasin of the Santa Clara River Valley Groundwater Basin (DWR Basin No. 4-4.02).

Table 3. Administrative Information

This Order was adopted on:	May 9, 2019
This Order shall become effective on:	May 9, 2019

I, Renee A. Purdy, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on the date indicated above.



 Renee A. Purdy, Executive Officer

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

PURPOSE OF ORDER

1. Mr. Roy I. Nishimori is the owner of San Miguel Produce, Incorporated (Discharger), at 4444 Navalair Road in Oxnard, California (Site [Figures 1 and 2]). The San Miguel Produce wastewater treatment system (SMPWWTS), operated by the Discharger, discharges disinfected, secondary-treated wastewater from the Discharger's produce processing facility to groundwater via spray irrigation and water truck spray dust control.
2. The Discharger was previously regulated under WDRs/WRRs contained in Order No. R4-2012-0108, adopted by this Regional Board on June 7, 2012.
3. On October 31, 2018, the Regional Board directed the Discharger to submit a Report of Waste Discharge (ROWD) in order to renew the Discharger's WDRs/WRRs to discharge treated wastewater from the SMPWWTS for irrigation and dust control. On November 30, 2018, the Discharger filed the ROWD for the SMPWWTS. To verify the information provided in the ROWD, Regional Board staff conducted an inspection of the San Miguel Produce wastewater treatment system on February 22, 2019.
4. The purpose of this Order is to renew WDRs/WRRs for the SMPWWTS. This Order includes updates of the treatment process, effluent limitations, groundwater limitations, and Monitoring and Reporting Program (MRP) CI No. 9784 to ensure that the SMPWWTS discharge of waste complies with water quality objectives set forth in the *Water Quality Control Plan for the Los Angeles Region: Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan) and is protective of beneficial uses.

BACKGROUND

5. The Site was developed for its current use in the mid-1980s. A Report of Waste Discharge (ROWD) submitted to the Regional Board in 2003, indicates the Discharger processed, packed, and shipped fresh vegetables at the 27-acre Site. The Site included 13 acres of farm land, a single-story office building with a septic tank and leach field, a refrigerated warehousing and processing (washing and cutting) facility, an ice-house, vegetable vacuum cooling equipment, and miscellaneous out-buildings and equipment storage/maintenance areas. A wastewater treatment system designed to treat 25,000 gpd was installed and began operating in 2003. In 2003, the processing equipment operated 6 days per week and discharged between 10,000 and 13,000 gallons of wastewater per day.
6. In 2012, when the Discharger was issued WDRs/WRRs in Order No. R4-2012-0108, wastewater flow regularly exceeded the 25,000 gpd capacity of the wastewater treatment system and the 25,000 gpd wastewater flow limit of the WDRs/WRRs. Wastewater flows as high as 75,000 gpd occurred in 2012. Since 2012, more than 1,000 exceedances of effluent and groundwater limits have been documented, leading the Regional Board to issue Notices of Violation (NOVs) in 2014, 2017, and 2018.
7. By January 2019, in response to NOVs issued by the Regional Board in 2014, 2017, and 2018, the Discharger had moved a significant part of the wastewater producing operations (washing, cutting, and packaging) from the Site. As a result, future wastewater daily flows are expected to be less than 12,560 gpd, and within the 25,000 gpd design capacity of the wastewater treatment system.

8. Potable water is supplied to San Miguel Produce by the City of Oxnard’s municipal water supply distribution system. This is the water used for produce processing. This water complies with all primary state and federal drinking water standards. Additionally, Table 4 summarizes results for total dissolved solids (TDS), sulfate, and chloride, as provided in the City of Oxnard’s 2016-2017 Annual Water Quality Reports, compared to the groundwater quality objectives (GQOs) set forth in the Basin Plan.

Table 4 – Drinking Water Quality (milligrams/Liter, mg/L) ^(1,2)			
Period	TDS⁽³⁾	Sulfate	Chloride
2016	663	264	68
2017	635	234	64
GQOs	3000	1000	500

Notes: 1) A boron GQO for the perched and unconfined aquifers of the Oxnard Subbasin of the Santa Clara River Basin has not been established, 2) Displayed values are averages for year, 3) Total dissolved solids.

CURRENT FACILITY AND TREATMENT PROCESS DESCRIPTION

9. SMPWWTS and Vicinity

- A. The SMPWWTS (34.139302 ° N, -119.105602 ° W) is on a 27-acre parcel (Site) at 4444 Navalair Road in Oxnard, California (Figures 1, 2, and 3). A portion of the Site is occupied by an office, produce processing facilities, equipment storage/maintenance buildings, the wastewater treatment system, and the spray disposal area. The remaining portion of the Site is used for row crops. The SMPWWTP ultraviolet (UV) light disinfection system discharge valve is approximately 690 feet south of Navalair Road. From the UV unit, the treated wastewater is either transferred to a tank truck and used for dust control or pumped to storage tanks where it is temporarily held until discharged via spray irrigation to an area of inedible vegetation not harvested for sale.
- B. The SMPWWTS overlies the perched and unconfined aquifers of the Oxnard Subbasin of the Santa Clara River Valley Groundwater Basin (DWR Basin No. 4-4.02) (Figure 1).

10. SMPWWTS Treatment

- A. The SMPWWTS is a secondary treatment system with UV disinfection, treating wastewater generated from vacuum cooling of produce brought to the facility from local farms and wastewater generated during produce quality control activities only.
- B. The SMPWWTS has a design flowrate of 25,000 gpd. Based on discharge records for the period April 2013 to March 2018 (prior to operations relocation) the approximate maximum monthly average daily effluent discharge from the SMPWWTS was 114,009 gpd and the maximum daily flow was 197,212 gpd. Monthly minimum and average daily recorded effluent flows reflect periods of flowmeter failure, cannot be considered accurate, and are not provided here.

- C. All washing, cutting, and packaging operations were relocated to 600 East Hueneme Road or moved out of state by the end of January 2019. All septage is processed through the septic tank and leach field serving the Site office building.
- D. The current SMPWWTS is modified from the original design configuration. Figure 4a is a wastewater treatment diagram with wastewater flow under the original configuration, with twelve 10,000-gallon tanks added, while Figure 4b is a wastewater treatment diagram with wastewater flow under the current configuration, also with the twelve 10,000-gallon tanks added.

As currently configured, the SMPWWTS collects wastewater via a system of drains, pipes, concrete swales, and sumps, and passes the wastewater through a vibrating screen (SWECO on diagrams) at the treatment system. After the removal of coarse material at the SWECO, wastewater enters an aeration sump and is transferred to a 48,000-gallon aeration bioreactor, then passes to an initial clarifier for sludge removal, and then passes to a second clarifier for additional sludge removal. From the second clarifier, liquids pass in series through three 10,000-gallon settling tanks. Sludge from the clarifiers and settling tanks is removed and hauled for legal disposal. From the third settling tank the treated wastewater is transferred to an effluent box, pumped through a media filter, and disinfected using UV irradiation. The UV disinfected wastewater is then either directed to a tank truck and used for Site dust control or pumped into nine 10,000-gallon holding tanks for later dust control or disposal via land application at agronomic rates. Treated wastewater used for irrigation passes through a second media filter, is disinfected with chlorine, and then applied to non-edible crops.

As originally designed, the wastewater passes through the SWECO into an influent anoxic box that is dosed with return activated sludge (RAS) from the clarifier. The influent anoxic box discharges to the aeration bioreactor. The aeration bioreactor discharges to the clarifier. The contents of the clarifier are either used as RAS at the influent anoxic box, transferred to the aerobic digester for further treatment, or passed to the effluent box. From the aerobic digester treated wastewater is decanted and returned to the clarifier and sludge is captured and hauled for legal disposal. From the effluent box, wastewater is pumped through a media filter, and disinfected using UV irradiation. The disinfected wastewater is then either directed to a tank truck and used for Site dust control or pumped into twelve 10,000-gallon holding tanks for storage and later use for dust control or irrigation of inedible plants. As with the current configuration, under the original configuration, the treated wastewater would be used for irrigation of inedible crops after passing through a second media filter and being disinfected with chlorine.

During the February 22, 2019 Site inspection, facility management indicated the SMPWWTS would be returned to the original design configuration soon.

- E. Recycled Water Use
 - i. The SMPWWTS is designed to treat 25,000 gallons per day (gpd) to produce disinfected, secondary-treated wastewater meeting the required effluent limitations. Treated wastewater meeting these limitations can be used for Site irrigation.

- ii. Recycled water has been used at the Site for dust control and to irrigate nonedible crops. Irrigation has been at agronomic rates, public access has been restricted, there have been signs posted stating that the water being used is non-potable and not safe to drink.
- iii. During periods of rainfall, treated wastewater is stored in tanks at the Site.

HYDROGEOLOGY AND MONITORING WELLS

11. The SMPWWTS overlies the perched and unconfined aquifers of the Oxnard Subbasin of the Santa Clara River Valley Basin.
12. The Oxnard Subbasin includes a main, coarse-grained recharge area known as the Oxnard Forebay (Forebay), a confined aquifer system (recharged at the Forebay), and local, shallow, perched and unconfined aquifers. The Forebay is near the Santa Clara River, generally between the community of Saticoy and State Route 101. The confined aquifer system extends throughout the main part of the Oxnard Basin and crops out on the sea floor.
13. Several aquifers are identified in the Oxnard Subbasin. Two primary aquifers are the Oxnard Aquifer and the Fox Canyon Aquifer.
14. The Oxnard Aquifer consists of sands and gravels deposited in an alluvial fan. In the Forebay the Oxnard Aquifer is coarse-grained with high hydraulic conductivity. Near the ocean, the Oxnard Aquifer includes relatively thick zones of fine-grained, low hydraulic conductivity material.
15. The San Pedro Formation is immediately beneath the Oxnard Aquifer. The upper portion of the San Pedro Formation contains relatively thin sand and gravel deposits. The middle portion is thick (to 1,000 feet) and contains silt and clay. The lower portion (the Fox Canyon Aquifer) is a widespread, 100 to 300-foot thick, high hydraulic conductivity gravel layer.
16. The Oxnard Aquifer and Fox Canyon Aquifer are in contact with, and recharged through, the gravels of the Forebay, but are separated from each other, seaward of the Forebay, throughout much of the Oxnard Basin, by the silts and clays of the middle portion of the San Pedro Formation.
17. Shallow perched and unconfined aquifers are present beneath the Site. They are underlain by the high hydraulic conductivity sands and gravels of the Oxnard Aquifer and, at the base of the low-hydraulic conductivity middle San Pedro Formation, by the Fox Canyon Aquifer. The Fox Canyon Aquifer extends westward beneath the SMPWWTS offshore and crops out on the ocean floor in contact with seawater.
18. Depth to groundwater, as measured in August 2018 in the three wells screened within the shallow aquifer at the Site, ranged from approximately 6.32 (MW-1) to 9.85 (MW-3) feet below ground surface. Corresponding groundwater elevations ranged from 8.33 (MW-1) to 3.04 (MW-3) feet above mean sea level. In August 2018, apparent groundwater flow was to the west-southwest, similar to the downslope direction of the ground surface, and the groundwater gradient was approximately 0.011 feet per foot.

19. The Discharger owns and currently samples groundwater monitoring wells MW-1, MW-2, and MW-3. The wells are shown on Figure 3.

COMPLIANCE HISTORY

20. The SMPWWTS was issued NOVs in 2014, 2017, and 2018, for exceedences of effluent and groundwater limitations. Based on data provided to the Regional Board by the Discharger, during the period from April 2013 to March 2018, the Discharger had 1,049 effluent limitation exceedences and 121 groundwater limitation exceedences. The largest number was for exceedences of the daily flow limitation of 25,000 gpd. Daily effluent flows exceeded the 25,000 gpd limitation 773 times from April 2013 to March 2018. The maximum daily effluent flow during that period was 197,212 gpd in October 2016. The exceedences are summarized in Table 5.
21. In 2017, in response to the NOVs, the Discharger began relocating produce washing, cutting, and packing operations from the Site at 4444 Navalair Road to a new facility at 600 East Hueneme Road, also in Oxnard, and to an out of state facility. The relocation was completed in January 2019. The Site is no longer used for produce washing and cutting. Wastewater generated at the 600 East Hueneme Road facility is discharged to the City of Oxnard's wastewater treatment plant.
22. Following the relocation, only produce vacuum cooling occurs at 4444 Navalair Road. The maximum wastewater discharge flowrate from vacuum cooling is expected to be 12,560 gpd. This is well under the 25,000 gpd design capacity of the existing wastewater treatment system.

Pollutant/Characteristic	Effluent	Groundwater
Total Flow	773	---
Turbidity	99	---
Total coliform	59	7
Total Suspended Solids	16	---
Total residual chlorine	28	---
Total Nitrogen	31	18
Nitrite as Nitrogen	5	---
Total Trihalomethanes	2	---
BOD ₅ 20°C ⁽¹⁾	14	---
Oil & grease	5	---
MBAS ⁽²⁾	16	---
Toluene	1	---
Total Dissolved Solids	---	31
Sulfate	---	26
Chloride	---	13
Enterococcus	---	8
Fecal coliform	---	-
Nitrate as Nitrogen	---	18
Total Exceedences	1049	121

Table Notes:

- 1) Biochemical Oxygen Demand; 2) Methylene Blue Active Substance
23. In the past, the wastewater treatment system was modified from the original design in an attempt to adequately treat flows exceeding the system design capacity. Changes included the addition of three 10,000-gallon settling tanks, nine 10,000-gallon treated wastewater storage tanks, and modifications to the uses of several of the original system's tanks. The Discharger indicates the modifications will be soon be removed and the system returned to the original design configuration.

APPLICABLE LAWS, PLANS, POLICIES, AND REGULATIONS

24. This Order serves as WDRs/WRRs pursuant to Division 7, Chapter 4, Article 4 of the California Water Code (commencing with section 13260). WDRs/WRRs have been established because discharges from the San Miguel Produce Wastewater Treatment Plant have the potential to affect the quality of the waters of the State, to impact the beneficial uses of those waters, and/or to cause a nuisance. The Regional Board developed the requirements of this Order based on information submitted as part of the application, through MRPs, and other available information.
25. California Water Code section 13263 requires that the Regional Board, when prescribing waste discharge requirements, take into consideration the factors in section 13241. The Regional Board has considered those factors in establishing the WDRs/WRRs in this Order as indicated in, but not limited to, Findings 8, 10.E, 11-18, 28.A, 28.B, and 29-36.
26. Pursuant to California Water Code section 13263(g), the discharge of waste is a privilege, not a right, and adoption of this Order does not create a vested right to continue discharging.
27. California Environmental Quality Act - This Order involves the renewal of WDRs/WRRs for an existing facility and there is no expansion of use of the facility. Therefore, this action to prescribe WDRs/WRRs is exempt from the provisions of CEQA (Public Resources Code section 21000 et seq.) in accordance with California Code of Regulations, Title 14, section 15301
28. Water Quality Control Plan for the Los Angeles Region: Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (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 achieve those objectives for all waters addressed through the Basin Plan. The Basin Plan also incorporates State Water Board Resolution No. 68-16 (see finding below for detail). In addition, the Basin Plan incorporates applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations. The requirements in this Order implement the Basin Plan.
- A. *Beneficial Uses* - The SMPWWTS overlies the perched and unconfined aquifers of the Oxnard Subbasin of the Santa Clara River Valley Groundwater Basin (DWR Basin No. 4-4.02). The Basin Plan identifies beneficial uses for regional waters, including those based on State Water Board Resolution No. 88-63 ("Sources of Drinking Water Policy"), which established state policy that all surface and ground waters of the State, with certain exceptions, are considered

suitable or potentially suitable for municipal or domestic water supply. Beneficial uses applicable to the receiving groundwater are shown in Table 6.

Table 6 – Basin Plan Beneficial Uses of Groundwater	
Receiving Water	Beneficial Use(s)
Perched and unconfined aquifers of the Oxnard subbasin of the Santa Clara River Valley Groundwater Basin (DWR Basin No. 4-4.02)	<p><u>Existing:</u> Municipal and domestic water supply and agricultural supply</p> <p><u>Potential:</u> Industrial service supply</p>

- B. *Groundwater Quality Objectives* - The Basin Plan (Chapter 3) contains Groundwater Quality Objectives (GQOs) for the unconfined and perched aquifers. The GQOs are 3,000, 1,000, and 500 milligrams per liter (mg/L) for total dissolved solids, sulfate, and chloride, respectively. A boron GQO has not been established for the perched and unconfined aquifers of the Oxnard Subbasin.
- C. *Title 22, California Code of Regulations (CCR)* - To protect sources of drinking water, the Basin Plan (Chapter 3) incorporates the primary and secondary maximum contaminant levels (MCLs) for inorganic, organic, and radioactive contaminants in drinking water as water quality objectives. These MCLs are codified in Title 22 CCR, Division 4. This incorporation by reference is prospective including future changes to the incorporated provisions as the changes take effect. The primary MCLs (see Attachments A-1 to A-6 of the MRP) are applicable water quality objectives for a receiving water to protect beneficial uses when that receiving water is designated as municipal and domestic supply. The Basin Plan also specifies that “Ground waters shall not contain taste or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses.” Therefore, the secondary MCLs, which are limits based on aesthetic and organoleptic standards, are applicable water quality objectives for a receiving water to protect beneficial uses when that receiving water is designated as municipal and domestic supply. These water quality objectives are implemented in this Order to protect the designated beneficial uses.
- D. *State Water Board Resolution No. 68-16, Antidegradation Policy* - State Water Board Resolution No. 68-16 “Statement of Policy with Respect to Maintaining High Quality of Waters in California” (also called the “Antidegradation Policy”) requires the Regional Board, in regulating the discharges of waste, to maintain high quality waters of the State unless it is demonstrated that any change in quality is 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 State Water Board’s policies (e.g., quality that exceeds water quality objectives). Further, any activity that produces waste must meet waste discharge requirements that will result in the best practicable treatment or control (BPTC) of the discharge necessary to assure that (a) pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained. Application of treated wastewater for irrigation is limited to agronomic rates and therefore is not expected to measurably impact

groundwater quality. This Order requires the effluent to meet MCLs for drinking water and groundwater quality objectives in the Basin Plan.

29. The SMPWWTS's discharge is high quality, disinfected, secondary-treated effluent meeting groundwater quality objectives in the Basin Plan and MCLs for drinking water. The Regional Board finds that the discharge, as allowed in this Order, is consistent with Resolution No. 68-16 since this Order: (1) requires compliance with the requirements set forth in this Order, including the use of best practicable treatment and control of the discharge, (2) requires implementation of the MRP, and (3) requires that the discharges comply with effluent limitations to meet water quality objectives. This Order establishes limitations and requirements that will not unreasonably threaten present and anticipated beneficial uses or result in receiving ground water quality that exceeds water quality objectives set forth in the Basin Plan. This means that where the stringency of the limitations for the same waste constituent differs according to beneficial use, the most stringent limitation applies as the governing limitation for that waste constituent, unless otherwise justified. This Order contains tasks for ensuring use of best practicable treatment or control and that the highest water quality consistent with maximum benefit to the people of the State will be achieved.
30. Domestic Water Quality – Pursuant to California Water Code section 106.3 and State Water Board Resolution No. 2016-0010, it is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring discharges to meet MCLs implemented by the Basin Plan that are designed to protect human health and ensure that water is safe for domestic use.

RECYCLED WATER USE

31. The California Legislature has declared that a substantial portion of the future water requirements of the state may be economically met by beneficial use of recycled water (Water Code section 13511). The Legislature also expressed its intent that the State undertake all possible steps to encourage development of water recycling facilities so that recycled water may be made available to help meet the growing water demands of the state (Water Code section 13512). This Order requires best practicable treatment or control, which is a combination of treatment, storage, and application methods that implement the requirements of Title 22 CCR and the Basin Plan. The use of recycled water in place of both raw and potable water supplies for the non-potable uses allowed under this Order improves water supply availability and helps to ensure that higher quality water will continue to be available for human uses. Treatment technologies required under this Order include tertiary treatment and disinfection for pathogen removal. As required by Resolution No. 68-16, the Regional Board finds that very little, if any, degradation of water may occur as the result of the use of disinfected tertiary treated effluent as a source of recycled water, since limited percolation to groundwater is expected to take place through irrigation.
32. To support recycled water used, the State Water Board initially adopted Resolution No. 77-1, *Policy with Respect to Water Reclamation in California*, which includes principles that encourage and recommend funding for water recycling and its use in water-short areas of the state. On September 26, 1988, the Regional Water Board also adopted Resolution No. 88-012, Supporting Beneficial Use of Available Reclaimed Water in Lieu of

Potable Water for the Same Purpose, which encourages the beneficial use of recycled wastewater and supports water recycling projects.

33. *Recycled Water Policy* – More recently, the State Water Board adopted Resolution No. 2009-0011, *Policy for Water Quality Control for Recycled Water* (Recycled Water Policy). The Recycled Water Policy became effective on May 14, 2009. This Recycled Water Policy is intended to support the State Water Board’s Strategic Plan to promote sustainable local water supplies. Increasing the acceptance and promoting the use of recycled water is a means towards achieving sustainable local water supplies and can result in reduction in greenhouse gases, a significant driver of climate change. The Recycled Water Policy is also intended to encourage beneficial use of, rather than solely disposal of, recycled water generated from municipal wastewater sources in a manner that fully implements state and federal water quality laws.
34. The State Water Board’s Division of Drinking Water (DDW) has primary statewide responsibility for protecting public health with respect to the use and application of recycled water. It has established statewide water recycling criteria in Title 22 CCR, Division 4, Chapter 3 (hereafter referred to as Title 22 CCR). Approved uses of recycled water under Title 22 CCR depend on the level of treatment, disinfection, and potential for public contact.
35. Section 13523 of the California Water Code provides that a Regional Board, after consulting with and receiving recommendations from DDW or its delegated local health agency, and after any necessary hearing, shall, if it determines such action to be necessary to protect the health, safety, or welfare of the public, prescribe water reclamation requirements (WRRs) for water that is used or proposed to be used as recycled water. California Water Code section 13523 further provides that, at a minimum, the WRRs shall include, or be in conformance with, the statewide water recycling criteria established by DDW pursuant to California Water Code section 13521.
36. Pursuant to California Water Code section 13523, the Regional Board has consulted with DDW regarding the proposed recycling project. On February 1, 2019, the DDW notified the Regional Board that the proposed reuse of non-municipal wastewater is not covered under Title 22 CCR, and that a Title 22 CCR Engineering Report for water reuse is not needed.
37. The WDRs/WRRs in this Order are proposed pursuant to California Water Code section 13523. The WDRs/WRRs prescribe the requirements and 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 WDRs/WRRs contained in this Order. The distribution and irrigation systems will be maintained by the Discharger.
38. The use of recycled wastewater for dust control and irrigation of crops not intended for sale could affect public health, safety, or welfare; requirements for such use are therefore necessary in accordance with section 13523 of the California Water Code.

CLIMATE CHANGE ADAPTATION

39. In Southern California, the predicted impacts of climate change are numerous and include extreme drought and extremely heavy rainfall. These impacts will affect water quality in

multiple ways, including changes in stream flow, aquatic habitats, surface water temperature, pollutant levels, sedimentation, algal growth, and salinity levels and acidification in coastal areas. Executive Order B-30-15, issued on April 29, 2015, recognizing the challenges posed by climate change, directed state agencies to take climate change into account in their planning decisions, guided by the following principles. Priority should be given to actions that both build climate preparedness and reduce greenhouse gas emissions; where possible, flexible and adaptive approaches should be taken to prepare for uncertain climate impacts; actions should protect the state's most vulnerable populations; and natural infrastructure solutions should be prioritized. Similarly, Regional Board Resolution No. R18-004, issued on May 10, 2018, prioritizes actions to be used for adapting to and mitigating the impacts of climate change on the Los Angeles Region's water resources and their beneficial uses, including provisions in WDRs to ensure that Dischargers are planning for the predicted impacts of climate change on their facilities.

MONITORING AND REPORTING REQUIREMENTS

40. Section 13267(b) of the California Water Code states, in part, that "In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging or who proposes to discharge within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste outside of its region that could affect the quality of waters of the state within its region shall furnish under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs of these reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports." The Discharger operates a facility that discharges waste to waters of the state, which is subject to this Order. The information and reports required by MRP No. CI-8342 are necessary to ensure compliance with these WDRs/WRRs.

NOTIFICATION

41. These WDRs/WRRs are intended to regulate the discharge from the SMPWWTS as described above.
42. The Regional Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDRs/WRRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations.
43. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.
44. Any person aggrieved by this action of the Regional Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the Regional Board's action, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state

holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions will be provided upon request or may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

IT IS HEREBY ORDERED that, in order to meet the provisions contained in Division 7 of the California Water Code (commencing with section 13000) and regulations adopted thereunder, the Discharger shall comply with the following requirements, including all attachments, in all operations and activities at the SMPWWTS:

I. EFFLUENT LIMITATIONS

- A. Discharges from the SMPWWTS shall not exceed the maximum effluent volume of 25,000 gpd.
- B. Treated effluent shall not contain the listed constituents at concentrations exceeding the effluent limitations in Table 7 below.

Table 7 – Effluent Limitations			
Constituents	Units ⁽¹⁾	30-Day Average	Daily Maximum
Oil and grease	mg/L	10 ⁽²⁾	15 ⁽²⁾
BOD ₅ @20°C ^(3, 4)	mg/L	30	45
Total nitrogen ⁽⁵⁾	mg/L	10	---
Nitrite-N ⁽⁶⁾	mg/L	1	---
Nitrate-N ⁽⁶⁾	mg/L	10	---
Total suspended solids ⁽⁶⁾	mg/L	30	45
Total Dissolved Solids ⁽⁶⁾	mg/L	3,000	---
Sulfate ⁽⁶⁾	mg/L	1,000	---
Chloride ⁽⁶⁾	mg/L	500	---
MBAS ^(6, 7)	mg/L	0.5	---

Notes:

- 1) mg/L=milligrams per liter
- 2) Limits based on best professional judgement
- 3) BOD: Biochemical Oxygen Demand
- 4) Limits based on secondary treatment requirements, 40 C.F.R. section 133.102
- 5) Total nitrogen= nitrate-N + nitrite-N + ammonia-N + organic nitrogen
- 6) Based on the Water Quality Objectives in the Basin Plan
- 7) Methylene Blue Active Substances

- C. The pH of discharged effluent shall at all times be within the range of 6.5 to 8.5.
- D. Effluent shall, at all times, be adequately disinfected.
- E. Turbidity Limits: Samples shall be collected at a time when wastewater flow and characteristics are most demanding (e.g., during peak flows) on treatment facilities and

disinfection processes. To ensure the effectiveness of UV disinfection, Title 22, Chapter 3, requires that the turbidity of the effluent shall not exceed any of the following:

1. A daily average of 2.2 Nephelometric Turbidity Units (NTU);
 2. 5 NTU more than 5 percent of the time (72 minutes) within any 24-hour period; and
 3. 10 NTU at any time.
- F. Total Coliform Limitations: The total coliform concentration (median number of coliform organisms in effluent) shall not exceed 2.2 MPN per 100 ml, as determined from the bacteriological results of the last 7 days for which analyses have been completed. Based on the Basin Plan groundwater quality objectives, a single sample may be used during the monitoring period to determine attainment of the effluent limitation.
- G. Maximum Contaminant Levels: The effluent shall not contain pollutants designated Priority Pollutants (Attachment A) or trace, toxic and other constituents in concentrations that exceed the applicable MCLs for drinking water established by the State Water Board's Division of Drinking Water (DDW) in sections 64431, 64442, 64443, 64444, 64449, and 64533 of Title 22 CCR, Division 4, or subsequent revisions, or at levels that adversely affect the beneficial uses of receiving groundwater. The effluent shall, at all times, not exceed the following MCLs (Attachments A-1 through A-6). In the event of a violation of any primary or secondary MCL, the Discharger shall notify and submit a report in accordance with Provision VI.M of this Order.
1. Primary MCLs specified in Title 22 CCR, Division 4, Chapter 15 (Domestic Water Quality and Monitoring Regulations):
 - i. Inorganic chemicals in CCR, Title 22, Division 4, Chapter 15, Section 64431, Table 64431-A, except for nitrogen compounds (Attachment A-1 of this Order);
 - ii. Radionuclides in Title 22 CCR, Division 4, Chapter 15, Section 64442, Table 64442 (Attachment A-2 of this Order) and Section 64443, Table 64443 (Attachment A-3 of this Order); and
 - iii. Organic chemicals in Title 22 CCR, Division 4, Chapter 15, Section 64444, Table 64444-A (Attachment A-4 of this Order).
 2. Secondary MCLs specified in Title 22 CCR, Division 4, Chapter 15 (Domestic Water Quality and Monitoring Regulations), Section 64449, Table 64449-A (Attachment A-5 of this Order).
 3. Primary MCLs for disinfection byproducts specified in Title 22 CCR, Division 4, Chapter 15.5 (Disinfectant Residuals, Disinfection Byproducts, and Disinfection Byproduct Precursors) Article 2, Section 64533, Table 64533-A (Attachment A-6 of this Order).

II. GROUNDWATER LIMITATIONS

- A. The SMPWWTS is prohibited from negatively altering the quality or elevation of the underlying groundwater.
- B. The discharge of treated wastewater from the SMPWWTS shall not cause an exceedance of the following groundwater limitations in Table 8 below. Compliance with the groundwater limitations shall be determined by the groundwater samples collected from monitoring wells located within the Site boundary. The specific monitoring well locations shall be determined per Section IV.B.2 of the MRP (Attachment B).

Table 8 – Basin Plan Groundwater Limitations		
Constituents	Units ⁽¹⁾	Limitations ⁽²⁾
Nitrate as N plus Nitrite as N	mg/L	10 ⁽³⁾
Nitrate	mg/L	45 ⁽³⁾
Nitrate as N	mg/L	10 ⁽³⁾
Nitrite as N	mg/L	1 ⁽³⁾
Total Dissolved Solids	mg/L	3,000 ⁽³⁾
Sulfate	mg/L	1,000 ⁽³⁾
Chloride	mg/L	500 ⁽³⁾
Total coliform	MPN/100mL	1.1 ^(3,4)
Fecal coliform	MPN/100mL	1.1 ^(3,4)

Notes:

1) mg/L=milligrams per liter; MPN/100 mL=most probable number per 100 milliliters.

2) The point of compliance for the groundwater limitations is the groundwater as measured in the downgradient monitoring well(s).

3) Based on the Groundwater Quality Objectives in the Basin Plan.

4) Over any seven consecutive day period the concentration of coliform organisms shall be less than 1.1 mg/L. however, a single sample may be collected for a sampling period and the results for that sample will be considered the value for the sampling period.

III. RECYCLED WATER SPECIFICATIONS FOR IRRIGATION

- A. Recycled water used as a source of supply for nonedible vegetation irrigation shall always meet water quality limitations listed in Section I above, and if necessary, be adequately oxidized and disinfected. Recycled water shall be distributed uniformly on adequate acreage or disposal area.
- B. Hydraulic loading of recycled water shall be at agronomic rates designed to minimize the percolation of process wastewater and irrigation water below the root zone (i.e., deep percolation).
- C. Recycled water used for irrigation shall be retained on the areas of use and shall not be allowed to escape as surface flow.

- D. Recycled water shall be applied at such a rate and volume as not to exceed vegetation demand and soil moisture conditions. Special precautions shall be taken to prevent clogging of drip tubes, to prevent over-watering and to exclude the production of runoff. Pipelines shall be maintained so as to prevent leaks.
- E. Recycled water shall not be applied within 100 feet of any well used for domestic purposes.
- F. The use of the recycled water shall not cause the concentration of organic and inorganic chemicals (i.e., heavy metals, arsenic, or cyanide) in the receiving water to exceed the limits contained in Title 22 CCR, sections 64431 (Inorganic chemicals) and 64444 (Organic chemicals).
- G. Recycled water shall not be used for irrigation during periods of rainfall and/or runoff.
- H. Recycled water use shall not result in breeding of mosquitoes, gnats, or other pests.
- I. Recycled water used for irrigation shall not result in earth movement in geologically unstable areas.
- J. All disposal areas with public access and landscape impoundments shall be posted to warn the public that recycled water is being stored or used.
- K. Recycled water distribution systems shall be inspected at least monthly to ensure proper operation, absence of leaks, and absence of illegal connections.
- L. All areas where recycled water is used shall be posted with conspicuous signs that include the following wording in a size no less than 4 inches high by 8 inches wide: "ATTENTION: NON-POTABLE WATER - DO NOT DRINK" or "RECYCLED WATER USED FOR IRRIGATION – DO NOT DRINK." Perimeter warning signs indicating that the treated wastewater is in use shall be posted at least every 500 feet, with a minimum of at least one sign on each corner of each irrigation area at access road entrances.
- M. The portions of the wastewater piping system that are in areas subject to access by the 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 wastewater piping system in areas subject to public access.
- N. Discharges to the land application area shall be managed to minimize erosion, runoff, and over irrigation from the land application area. There shall be no standing water in the land application area 24 hours after wastewater is applied.
- O. The perimeter of the land application areas shall be bermed or graded to prevent ponding along public roads or other public areas.
- P. The resulting effect of the wastewater discharge on the soil pH shall not exceed the buffering capacity of the soil profile.

- Q. Constituent concentrations in groundwater shall not exceed the MCLs specified in Attachments A-1 to A-6.

IV. GENERAL REQUIREMENTS

- A. The SMPWWTS and areas where any potential wastes are stored shall be adequately protected from inundation and damage by storm flows and runoff.
- B. Adequate facilities shall be provided to protect the SMPWWTS, treatment system devices, collection system and disposal facilities from damage by storm flows and run-off or run-on generated by a 100-year return storm.
- C. The SMPWWTS and the collection system that is a part of the treatment and disposal system shall be maintained in such a manner that prevents untreated wastewater from surfacing or overflowing at any location.
- D. No disposal areas with treated wastewater shall be located within 100 feet of any domestic water supply well unless all the following conditions have been met:
1. A geological investigation demonstrates that an aquitard exists at the well between the uppermost aquifer being drawn from and the ground surface;
 2. The well contains an annular seal that extends from the surface into the aquitard;
 3. The well is housed to prevent any treated wastewater spray from coming into contact with the wellhead facilities;
 4. The ground surface immediately around the wellhead is contoured to allow surface water to drain away from the well; and
 5. The owner of the well approves of the elimination of the buffer zone requirement.
- E. There shall be no storage or impoundment of treated wastewater within 100 feet of any domestic water supply well.
- F. No disposal of sludge, waste, and treated wastewater shall take place within 100 feet of any reservoir or stream used as a source of domestic water.
- G. Any wastes that do not meet the foregoing requirements shall be held in impervious containers and discharged at a legal point of disposal.
- H. The Discharger shall notify well owners within 500 feet radius from the boundary of percolation ponds when there is any exceedance on the effluent limitations and/or groundwater limitations.
- I. The Discharger shall provide verbal and written updates to the Regional Board regarding the effectiveness of the wastewater treatment system and effluent and groundwater quality one month from the adoption of the WDRs/WRRs, and every

three months thereafter until the Discharger maintains three consecutive quarters of compliance with all effluent limitations.

V. PROHIBITIONS

- A. Any discharge of wastewater from the SMPWWTS (including the wastewater collection system) at any point other than specifically described in this Order is prohibited.
- B. There shall be no waste overflows or discharge of untreated or partially-treated waste from the SMPWWTS's treatment, storage or disposal facilities to adjacent drainage or waterways, adjacent properties, or to waters of the State at any time. The discharge of any wastewater to surface waters or surface water drainage courses is prohibited without an NPDES permit.
- C. Treated wastewater discharged shall not contain tastes, odors, color, foaming, any materials, or other objectionable characteristics in concentrations that would:
 - 1. Affect human, animal, or plant life;
 - 2. Cause nuisance or adversely affect any beneficial uses and quality of the receiving groundwater; and
 - 3. Impact surface or groundwater quality.
- D. Odors originating at the SMPWWTS, shall not be perceivable any time outside the boundary of the Site.
- E. The SMPWWTS shall not be altered without the approval by the Regional Board.
- F. There shall be no onsite disposal of sludge. Sludge-drying activities are allowed, but only as an intermediate treatment prior to offsite disposal. Any offsite disposal of wastewater 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 USEPA, and which is in full compliance therewith. Any wastewater or sludge handling shall be in such a manner as to prevent its reaching surface waters or watercourses.
- G. Bypass (the intentional diversion of waste streams from any portion of the SMPWWTS) is prohibited. The Regional Board may take enforcement action against the Discharger for bypass, unless:
 - 1. 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 SMPWWTS that causes it to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass.
 - 2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-

up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance.

3. Notice
 - i. Anticipated bypass: If the Discharger knows in advance of the need for a bypass, they shall submit written notice to the Regional Board, if possible at least 10 days before the date of the bypass.
 - ii. Unanticipated bypass: The Discharger shall provide verbal notice to the Regional Board Executive Officer of an unanticipated bypass within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the Discharger becomes aware of the circumstances.

VI. PROVISIONS

- A. This Order includes "Attachment C - Standard Provisions Applicable to Waste Discharge Requirements" (Standard Provisions). If there is any conflict between provisions stated herein and the Standard Provisions, the provisions stated herein prevail.
- B. The Discharger shall operate and maintain facilities, treatment operations, associated collection systems and outfalls in ways that preclude adverse impacts to surface or groundwater from impacts predicted to occur due to climate change.
- C. The Discharger shall comply with MRP No. CI-9784 (Attachment B), which is part of this Order, and any revisions thereto as ordered by the Executive Officer. The submittal dates of the Discharger self-monitoring reports shall be no later than the submittal date specified in the MRP. If there is any conflict between the provisions stated herein and the MRP, the provisions stated herein prevail.
- D. The Discharger shall file with the Regional Board, under penalty of perjury, annual and quarterly reports on self-monitoring work performed according to the detailed specifications contained in the MRP attached hereto and incorporated herein by reference, as directed by the Executive Officer. The results of any monitoring done in addition to what is required or done more frequently than required at the location and/or times specified in the MRP shall be reported to the Regional Board. The Discharger shall comply with all of the provisions and requirements of the MRP.
- E. The Discharger shall notify this Regional Board by telephone or electronic means within 24 hours of knowledge of any discharge from the SMPWWTS exceeding the effluent limitations prescribed in this Order; written confirmation shall follow within 5 working days from date of notification, unless otherwise specified in this Order. The report shall include, but is not limited to, the following information, as appropriate:
 1. Nature and extent of the violation;
 2. Date and time: when the violation started, when compliance was achieved, and when wastewater treatment was suspended and restored, as applicable;

3. Duration of violation;
 4. Cause(s) of violation;
 5. Corrective and/or remedial actions taken and/or will be taken with a time schedule for implementation to prevent future violations; and
 6. Impact of the violation.
- F. This Order does 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 site(s) that may be contained in other statutes or required by other agencies.
- G. This Order does not alleviate the responsibility of the Discharger 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.
- H. After notice and opportunity for a hearing, this Order may be modified, revoked and reissued, or terminated for cause, that includes, but is not limited to: failure to comply with any condition in this Order, endangerment of human health, adverse impacts on water quality and/or beneficial uses of the receiving water resulting from the permitted activities in this Order, obtaining this Order by misrepresentation or failure to disclose all relevant facts, and acquisition of new information that could have justified the application of different conditions if known at the time of Order adoption.
- I. The filing of a request by the Discharger for modification, revocation and reissuance, or termination of this Order; or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.
- J. The Discharger shall furnish, within a reasonable time, any information that the Regional Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The Discharger shall also provide the Regional Board, upon request, with copies of records required to be kept under this Order for at least three (3) years.
- K. Spill Clean-Up Contingency Plan (SCCP) Requirements – Within 90 days of the effective date of this Order, the Permittee is required to submit a SCCP. At a minimum, this SCCP shall include sections on spill clean-up and containment measures, public notification, and monitoring. The Discharger shall review and amend this SCCP as appropriate after each spill from the SMPWWTS. The Discharger shall include a discussion in the annual summary report of any modifications to the SCCP and the application of the SCCP to all spills during the year.
- L. Construction, Operation, and Maintenance Requirements

The Discharger shall, at all times, properly operate and maintain the SMPWWTS, including its wastewater collection, treatment, and disposal facilities (and related

appurtenances) to ensure compliance with this Order. Proper operation and maintenance includes, but is not limited to effective performance, repairs and upgrades when needed, adequate funding, adequate operator staffing and training, adequate operator supervision, and adequate laboratory and process controls (including appropriate quality assurance/quality control procedures).

M. Spill Reporting Requirements

1. **Initial Notification** – Although the State and Regional Boards do not have duties as first responders, this requirement is an appropriate mechanism to ensure that the agencies that do have first responder duties are notified in a timely manner in order to protect public health and beneficial uses. For certain spills, overflows and bypasses, the Discharger shall make notifications as required below:

- i. In accordance with the requirements of Health and Safety Code section 5411.5, the Discharger shall provide notification to the local health officer or the director of environmental health with jurisdiction over the affected water body of any unauthorized release of waste that causes, or probably will cause, a discharge to any waters of the state as soon as possible, but no later than two (2) hours after becoming aware of the release.
- ii. In accordance with the requirements of California Water Code section 13271, the Discharger shall provide notification to the California Emergency Management Agency (Cal EMA) of the release of reportable quantities of hazardous substances or wastewater that causes, or probably will cause, a discharge to any waters of the state as soon as possible, but not later than two (2) hours after becoming aware of the release. The phone number for reporting these releases to the Cal EMA is (800) 852-7550.

At a minimum, the following information shall be provided to the Regional Board:

- a. The location, date, and time of the release;
- b. The water body that may be impacted by the discharge;
- c. An estimate of the amount of waste released and the amount that reached the receiving water as of the time of notification;
- d. If ongoing, the estimated flow rate of the release at the time of the notification;
- e. The name, organization, phone number, and email address of the reporting representative; and
- f. A certification that the State Office of Emergency Services and the local health officer or directors of environmental health with jurisdiction over the possibly affected water bodies have been notified of the discharge.

2. **Monitoring** – For spills, overflows and bypasses reported under Section VI.M.1., the Discharger shall monitor as required below:

To define the geographical extent of the spill's impact, the Discharger shall obtain grab samples (if feasible, accessible, and safe) for all spills, overflows or bypasses of any volume that reach any waters of the State (including surface and ground waters). The Discharger shall analyze the samples for total and fecal coliforms, E. coli (if fecal coliform test shows positive), enterococcus, and relevant pollutants of concern, upstream and downstream of the point of entry of the spill (if feasible, accessible and safe). This monitoring shall be done on a daily basis from the time the spill is known until the results of two (2) consecutive sets of bacteriological monitoring indicate the return to the background level or the County Department of Public Health authorizes cessation of monitoring.

3. **Reporting** – The initial notification required under Section VI.M.1. shall be followed by:

i. As soon as possible, but not later than twenty-four (24) hours after becoming aware of an unauthorized discharge of waste from its wastewater treatment plant to a water of the state, the Discharger shall submit a statement to the Regional Board via email. If the discharge is 1,000 gallons or more, this statement shall certify that Cal EMA has been notified of the discharge in accordance with California Water Code section 13271. The statement shall also certify that the local health officer or director of environmental health with jurisdiction over the affected water bodies has been notified of the discharge in accordance with Health and Safety Code section 5411.5. The statement shall also include at a minimum the following information:

- a. Agency, Order No., and MRP CI No.;
- b. The location, date, and time of the discharge;
- c. The water body that received the discharge;
- d. A description of the level of treatment of the waste discharged;
- e. An initial estimate of the amount of waste released and the amount that reached the impacted water body;
- f. The Cal EMA control number and the date and time that notification of the incident was provided to Cal EMA; and
- g. The name of the local health officer or director of environmental health representative notified (if contacted directly); the date and time of notification; and the method of notification (e.g., phone, fax, email).

ii. A written preliminary report shall be submitted to the Regional Board within five (5) working days after disclosure of the incident via the State

Water Board GeoTracker database under Global ID WDR100002214. The final written report shall be included in the next quarterly monitoring report submitted to the GeoTracker database above. The written report shall document the information required in Section VI.M.4. below, monitoring results and any other information required in provisions of the Standard Provisions (Attachment C) including corrective measures implemented or proposed to be implemented to prevent/minimize future occurrences.

- iii. The Discharger shall include a certification in the annual summary report (due according to the schedule in the MRP) that states that the wastewater treatment system emergency equipment, including alarm systems, backup pumps, standby power generators, and other critical emergency pump station components were maintained and tested in accordance with the Discharger's preventive maintenance plan. Any deviations from or modifications to the preventive maintenance plan shall be approved by the Executive Officer.
4. **Records** – The Discharger shall prepare and maintain a record of all spills, overflows or bypasses of raw or partially treated wastewater from its collection system or the SMPWWTS. This record shall be made available to the Regional Board upon request and a spill summary shall be included in the annual report, as required in the MRP. The record shall contain:
- i. The date and time of each spill, overflow, or bypass;
 - ii. The location of each spill, overflow, or bypass;
 - iii. The estimated volume of each spill, overflow, or bypass including gross volume, amount recovered and amount not recovered, and the monitoring results as required by Section VI.M.2.;
 - iv. The cause of each spill, overflow, or bypass;
 - v. Whether each spill, overflow, or bypass entered a receiving water and, if so, the name of the water body and whether it entered via storm drains or other man-made conveyances; and
 - vi. Any corrective measures implemented or proposed to be implemented to prevent/minimize future occurrences.

VII. REOPENER

The Regional Board will review this Order periodically and will revise requirements when necessary. The waste discharge requirements and monitoring and reporting requirements in this Order were developed based on currently available technical information and applicable water quality laws, regulations, policies, and plans, and are intended to assure compliance with them. If applicable laws and regulations change, including but not limited to, establishment of total maximum daily loads, or once new information is obtained that will change the overall discharge and its potential to impact waters of the state, it may be

appropriate to reopen this Order. This Order may also specifically be reopened to make revisions consistent with an approved salt and nutrient management plan.

VIII. TERMINATION

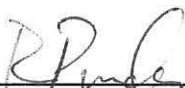
Except for enforcement purposes, Order No. R4-2012-0108, adopted by the Regional Board on June 7, 2012, is hereby terminated.

The Regional Board's termination of prior waste discharge requirements and/or monitoring and reporting requirements do not extinguish any violations that may have occurred during the time those requirements were in effect. The Regional Board reserves the right to take enforcement actions to address violations of prior prohibitions, limitations, specifications, requirements, or provisions of rescinded requirements as allowed by law.

IX. EFFECTIVE DATE

This Order becomes effective immediately upon its adoption.

I, Deborah J. Smith, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region on **May 9, 2019**.



Renee A. Purdy
Executive Officer

ATTACHMENT B

**MONITORING AND REPORTING PROGRAM NO. CI-9784
FOR
SAN MIGUEL PRODUCE, INC.
(SAN MIGUEL PRODUCE WASTEWATER TREATMENT SYSTEM)
(File No. 04-168)**

This Monitoring and Reporting Program (MRP) (No. CI-9784) is issued pursuant to California Water Code section 13267, which authorizes the Regional Water Quality Control Board, Los Angeles Region (Regional Board) to require San Miguel Produce, Incorporated (Discharger), which discharges tertiary-treated wastewater generated from the San Miguel Produce wastewater treatment system (SMPWWTS) to groundwater via spray irrigation and water truck spray dust control, to furnish technical or monitoring reports.

The reports required herein are necessary to:

- Determine compliance with Waste Discharge Requirements (WDRs)/Water Reclamation Requirements (WRRs) in Order No. R4-2019-0064 and ensure protection of the waters of the State and their beneficial uses.
- Assess treatment system performance, identify operational problems, and improve performance.
- Provide information on wastewater characteristics and flows for use in interpreting water quality data.

The need for the reports is summarized in the WDRs/WRRs and based on the evidence in the Regional Board's files.

I. SUBMITTAL OF REPORTS

- A. The Discharger shall comply with the Electronic Submittal of Information (ESI) requirements by submitting all reports required under this MRP electronically via the Water Boards' GeoTracker database under Global ID WDR100002214. Effluent and groundwater monitoring data shall be submitted in electronic deliverable format (EDF) and monitoring reports shall be submitted in portable document format (PDF). The data and reports shall be received by the Regional Board on the dates indicated as follows:
1. **Quarterly Monitoring Reports** shall be received by the Regional Board by the 30th day of the month following the end of each quarterly monitoring period according to Table 1 below. The first Quarterly Monitoring Report under this program must be received by the Regional Board by July 30, 2019.
 2. **Annual Summary Reports** shall be received by the Regional Board by March 1 of each year. The first Annual Summary Report under this program must be received by the Regional Board no later than March 1, 2020.

Table 1 – Reporting Period and Due Date	
Reporting Period	Report Due Date
January - March	April 30
April - June	July 30
July - September	October 30
October - December	January 30

- B. If there is no discharge during any reporting period, the report shall still be submitted and so state.
- C. Data collected from monitoring wells shall be included in the quarterly monitoring reports and annual summary report. For each well, the data shall include the well identification, construction specifications, wellhead elevation relative to mean sea level (MSL), and the methods used to purge and sample the well. The California Department of Water Resources sets standards for the construction of groundwater wells, as described in *California Well Standards* (Bulletin 74-90, June 1991) and *Water Well Standards: State of California* (Bulletin 74-81, December 1981). These well standards, and any more stringent standards adopted by the state or county pursuant to Water Code section 13801, apply to all monitoring wells used to monitor the impacts of wastewater storage or disposal governed by waste discharge and/or monitoring and reporting requirements.
- D. In accordance with California Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. All reports submitted to the Regional Board pursuant to waste discharge and/or monitoring and reporting requirements that contain work plans for investigations and studies, that describe the conduct of investigations and studies, or that contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), such as a licensed engineer or a certified hydrogeologist in the State of California, even if not explicitly stated. Each report submitted by the Discharger shall bear the professional's signature and stamp.
- E. All monitoring reports must include, at minimum, the following:
 - 1. Well or location identification, date and time of sampling;
 - 2. Sampler identification, laboratory identification, and chain of custody; and
 - 3. Quarterly observation of groundwater levels, recorded to 0.01 feet mean sea level (MSL), and flow direction.

II. MONITORING REQUIREMENTS

- A. Monitoring shall be used to determine compliance with waste discharge requirements and shall include, but need not be limited to, implementation and documentation in Quarterly Monitoring Reports and Annual Summary Reports of the following:
1. Locations of each groundwater well where representative samples can be obtained and the rationale for the selection. The Discharger must include a map, at a scale of 1 inch equals 500 feet or less, that clearly identifies the locations of the SMPWWTS and all groundwater monitoring wells.
 2. For groundwater monitoring, outline the methods and procedures to be used for measuring water levels; purging wells; collecting samples; decontaminating equipment; containing, preserving, and shipping samples; and maintaining appropriate documentation. Also include the procedures for handling, storing, testing, and disposing of purge and decontamination waters generated from the sampling events.
 3. Name(s) of laboratory or laboratories, which conducted the analyses. Include a copy or copies of laboratory certifications by the Environmental Laboratory Accreditation Program (ELAP) of the State Water Board's Division of Drinking Water (DDW) every year or when the Discharger changes their contract laboratory.
 4. Analytical test methods used and the corresponding Detection Limits for Purposes of Reporting (DLR) for unregulated and regulated chemicals. For unregulated and regulated chemicals, please see the DDW's website at: http://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/EDT.shtml
 5. Quality assurance and control measures.
- B. The samples shall be analyzed using analytical methods described in 40 C.F.R. Part 136; or where no methods are specified for a given pollutant, by commercially available methods approved by the United States Environmental Protection Agency (USEPA), DDW, and/or Regional Board. The Discharger shall select the analytical methods that provide reporting limits (RLs) lower than the limits prescribed in waste discharge requirements.
- C. The Discharger shall instruct its laboratories to establish calibration standards so that the RLs (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.
- D. Upon request by the Discharger, the Regional Board, in consultation with the USEPA or DDW and the State Water Board Quality Assurance Program, may establish RLs in any of the following situations:

1. When the pollutant has no established method under 40 C.F.R. Part 136 (revised August 28, 2017, or subsequent revision);
 2. When the method under 40 C.F.R. Part 136 for the pollutant has a RL higher than the limit specified in this Order; or
 3. When the Discharger agrees to use a test method that is more sensitive than those specified in 40 C.F.R. Part 136 and is commercially available.
- E. Samples of influent and disinfected effluent must be analyzed within allowable holding time limits as specified in 40 C.F.R. section 136.3. All quality assurance/quality control (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 Regional Board. Proper chain of custody procedures must be followed, and a copy of that documentation shall be submitted with the quarterly monitoring report.
- F. Constituents of emerging concern (CECs): In recent years, the Regional Board has required monitoring of a select group of anthropogenic chemicals, particularly pesticides, pharmaceuticals, and personal care products, known collectively as CECs, in monitoring and reporting program requirements. The monitoring results permit us to better understand the propensity, persistence and effects of CECs in our environment. The Regional Board's recently adopted permits contain requirements for effluent monitoring for CECs, including identification of the CECs detected in the effluent, sample type, sampling frequency, and sampling methodology.
1. The Discharger shall select methods according to the following approach:
 - i. Use USEPA drinking water methods, if available;
 - ii. Use DDW-recommended methods for CECs, if available;
 - iii. If there is no DDW-recommended drinking water method for a chemical, and more than a single USEPA-approved method is available, use the most sensitive USEPA-approved method;
 - iv. If there is no USEPA-approved method for a chemical, and more than one method is available from the scientific literature and commercial laboratory, after consultation with DDW, use the most sensitive method; or
 - v. 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 DDW or the Regional Board for review and approval. Those methods may be used until DDW-recommended or USEPA-approved methods are available.
 - vi. In the event that subsections II.F.1.iv. or II.F.1.v. are applicable, the Discharger shall inform the Regional Board.

2. Monitoring results shall be reported as part of the annual summary report. Analysis under this section is for monitoring purposes only as there are currently no standards for these constituents.

III. REPORTING REQUIREMENTS

The Discharger shall submit all reports to the Regional Board by the dates indicated in Section I. All quarterly monitoring reports and annual summary reports shall clearly list all non-compliance with WDRs/WRRs, including all excursions beyond effluent limitations and groundwater limitations. All quarterly monitoring reports and annual summary reports shall contain a separate section titled "Summary of Non-Compliance", which discusses the compliance records and corrective actions taken or planned that may be needed to bring the discharge into full compliance with WDRs/WRRs.

A. Quarterly Monitoring Reports

1. These reports shall include, at a minimum, the following information:
 - i. The daily volume of effluent discharged.
 - ii. The date and time of sampling and analyses of the influent, effluent, and groundwater.
 - iii. All analytical results for samples of influent, effluent, and groundwater collected during the monitoring period.
 - iv. Documentation of all QA/QC procedures that were followed during sampling and laboratory analyses.
 - v. Records of any operational problems, wastewater treatment system upsets, equipment breakdowns or malfunctions, and any unpermitted discharges.
 - vi. Discussion of compliance, non-compliance, or violation of waste discharge requirements/water reclamation requirements.
 - vii. All corrective and/or preventive action(s) taken or planned, with the actual or proposed implementation schedule.
2. For the purpose of reporting compliance with numerical limitations, analytical data shall be reported using the following reporting protocols:
 - i. Sample results greater than or equal to the RL must be reported "as measured" by the laboratory (i.e., the measured chemical concentration in the sample);
 - ii. Sample results less than the RL, but greater than or equal to the laboratory's method detection limit (MDL), must be reported as "Detected, but Not Quantified" (DNQ). The laboratory must write the estimated chemical concentration of the sample next to DNQ as well as the words

“Estimated Concentration” (may be shortened to Est. Conc.); or

- iii. Sample results less than the laboratory’s MDL must be reported as “Non-Detected” (ND).
3. If the Discharger samples and performs analyses (other than for process/operational control, startup, research, or equipment testing) on any sample more frequently than required in this MRP using approved analytical methods, the results of those analyses shall be included in the reports. These results shall be included in the calculation of the average used in demonstrating compliance with average effluent limitations, groundwater limitations, etc.
4. Daily operation logs shall be provided to the Regional Board upon request.

B. Annual Summary Reports

These reports shall include, at a minimum, the following information:

1. Tabular and graphical summaries of the monitoring data (quality of influent, effluent, and groundwater; quantity of influent and effluent discharged, by discharge location) obtained during the previous calendar year. A comparison of laboratory results to the effluent limitations contained in these WDRs/WRRs, noting exceedances. Notations of any exceedances of limitations or other requirements shall be summarized and submitted at the beginning of the report.
2. Discussion of the compliance record and corrective and/or preventive action(s) taken or planned that may be needed to bring the treated effluent, including the treated effluent used for irrigation and dust control, into full compliance with the requirements in the WDRs/WRRs.
3. An in-depth discussion of the results of the final effluent monitoring and groundwater monitoring conducted during the previous year including:
 - i. Any changes to groundwater quality resulting from effluent discharges; and
 - ii. Any changes to the groundwater flow pattern resulting from effluent discharges.
4. Temporal and spatial trends in the groundwater data shall be analyzed, with reference to comparisons between discharge locations with respect to distances from the monitoring wells and comparisons to data collected during previous years.
5. The description of any changes and/or anticipated changes to any treatment system processes or facilities, including any impacts to operation, shall be provided.

6. A list of the analytical methods employed for each test and associated laboratory QA/QC procedures shall be included. The annual summary report shall restate the laboratories used by the Discharger to monitor compliance with the accompanying Order and provide their certification status.
7. The report shall confirm operator certification and provide a list of current operating personnel, their responsibilities, and their corresponding grade of certification.

IV. WATER QUALITY MONITORING REQUIREMENTS

A. Effluent Monitoring

1. The Discharger shall monitor its discharge of treated effluent immediately downstream of the treatment system, including the final disinfection.
2. The following shall constitute the effluent monitoring program, specified in Table 3 below:

Table 3 – Effluent Monitoring			
Constituent	Unit^[1]	Type of Sample^[2]	Minimum Frequency of Analysis
Total Flow	gpd	Recorder	Continuous ^[3]
UV	mW-s/cm ^[2]	Grab	Weekly
Turbidity	NTU	Grab	Weekly
pH	pH units	Grab	Monthly
Fecal Coliform	MPN/100mL	Grab	Monthly
Total Coliform	MPN/100mL	Grab	Monthly
Total Suspended Solids	mg/L	Grab	Monthly
BOD _{5@20°C}	mg/L	Grab	Monthly
Oil and Grease	mg/L	Grab	Monthly
Ammonia Nitrogen	mg/L	Grab	Monthly
Nitrate as Nitrogen	mg/L	Grab	Monthly
Nitrite as Nitrogen	mg/L	Grab	Monthly
Organic Nitrogen	mg/L	Grab	Monthly
Total Nitrogen	mg/L	Grab	Monthly
Total Dissolved Solids	mg/L	Grab	Monthly
Sulfate	mg/L	Grab	Quarterly
Chloride	mg/L	Grab	Quarterly
MBAS ^[4]	mg/L	Grab	Quarterly

Table 3 – Effluent Monitoring			
Constituent	Unit ^[1]	Type of Sample ^[2]	Minimum Frequency of Analysis
Priority Pollutants in Attachment A ^[5]	µg/L	Grab	Annually
Constituents listed in Attachments A-1 to A-6	Analyte specific	Grab	Every 5 years ^[6]
CECs in Attachment D	various	Grab	Every 5 years ^[7]

Notes:

- 1) gpd: gallons per day
NTU: nephelometric turbidity unit
mW-s/cm²: milliwatt seconds per square centimeter
MPN/100mL: Most Probable Number/100 milliliter
mg/L: milligrams/liter
µg/L: micrograms/liter
- 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.
- 3) The Discharger shall report the daily minimum, maximum, and average values for the reporting period.
- 4) MBAS: Methylene Blue Active Substances
- 5) See Attachment A (Appendix A to 40 CFR Part 423) for the priority pollutant list
- 6) Effluent monitoring for the constituent in Attachments A-1 through A-6 shall be performed once during the first 12 months following WDR/WRR adoption, and once every 5 years thereafter.
- 7) The Discharger shall monitor the CECs in the effluent discharge once during the first 12 months following WDR/WRR adoption, and once every 5 years thereafter. Analyses of CECs is for monitoring of occurrence purposes only. Analytical results obtained will not be used for compliance determination purposes.

B. Groundwater Monitoring

1. The Discharger shall monitor the groundwater at and surrounding the SMPWWTS to assess the water quality impact of the SMPWWTS's discharges to groundwater.
2. The Discharger shall continue to conduct groundwater monitoring from all existing wells (MW-1, MW-2, and MW-3).
3. The required groundwater monitoring constituents/parameters, sample type, and frequencies are specified in Table 4 below.

Table 4 – Groundwater Monitoring			
Constituent/Parameter	Units^[1]	Sample Type	Minimum Sampling and Analysis^[2]
Water level/elevation ^[3]	Feet	Grab	Quarterly
pH	pH units	Grab	Quarterly
Total Coliform	MPN/100mL	Grab	Quarterly
Fecal Coliform	MPN/100mL	Grab	Quarterly
Nitrate as nitrogen	mg/L	Grab	Quarterly
Nitrite as nitrogen	mg/L	Grab	Quarterly
Organic Nitrogen	mg/L	Grab	Quarterly
Total Dissolved Solids	mg/L	Grab	Quarterly
Sulfate	mg/L	Grab	Quarterly
Chloride	mg/L	Grab	Quarterly
Priority Pollutants in Attachment A ^[4]	µg/L	Grab	Annually
Constituents listed in Attachments A-1 to A-6	Analyte specific	Grab	Every 5 years
CECs in Attachment D	Various	Grab	Every 5 years

Notes:

- 1) MPN/100mL: Most Probable Number/100 milliliter
mg/L: milligrams/liter
µg/L: micrograms/liter
- 2) Samples with annual and 5-year sampling intervals shall be collected during the dry season.
- 3) Groundwater levels must be measured to the nearest 0.01 foot, and groundwater elevations referenced to mean sea level.
- 4) See Attachment A (Appendix A to 40 CFR Part 423) for the priority pollutant list
- 5) Groundwater monitoring for the constituent in Attachments A-1 through A-6 shall be performed once during the first 12 months following WDR/WRR adoption, and once every 5 years thereafter.
- 6) Groundwater monitoring for the CECs in Attachment D shall be performed once during the first 12 months following WDR/WRR adoption, and once every 5 years thereafter. Analyses of CECs is for monitoring of occurrence purposes only. Analytical results obtained will not be used for compliance determination purposes.

V. GENERAL MONITORING AND REPORTING REQUIREMENTS

- A. The Discharger shall comply with all Standard Provisions (Attachment C) related to monitoring, reporting, and recordkeeping.
- B. For every requirement of the MRP that is not met, the Discharger shall submit a statement of the actions taken or proposed that will bring the treated effluent into full compliance with requirements at the earliest possible time and submit a timetable for implementation of the corrective actions.

- C. 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
 3. The written authorization is submitted to the Regional Board Executive Officer.
- D. The monitoring reports 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

- E. The Discharger shall retain records of all monitoring information, including records of all calibration and maintenance of monitoring instruments, and copies of all reports required by this Order, for a period of at least 3 years from the date of sampling, measurement, or reporting. This period may be extended by request of the Regional Board at any time and shall be extended during the course of any unresolved administrative proceeding or judicial litigation regarding the regulated activity.
- F. Records of monitoring information shall include:
1. The date, exact place, and time of sampling or measurements;
 2. The individual(s) who performed the sampling or measurements;
 3. The date(s) analyses were performed;
 4. The individual(s) who performed the analysis;
 5. The analytical techniques or methods used; and
 6. The results of such analyses.

- G. The Discharger shall submit to the Regional Board, together with the first monitoring report required by this Order, a list of all chemicals and proprietary additives that could affect the quality of the treated effluent. Any subsequent changes in types and/or quantities shall be reported promptly. An annual summary of the quantities of all chemicals, listed by both trade and chemical names that are used in the treatment process shall be included in the annual report.

VI. WASTE HAULING REPORTING

In the event that waste sludge, septage, or other wastes are hauled off site, the name and address of the hauler shall be reported, along with types and quantities hauled during the reporting period, and the final disposal location(s). 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.

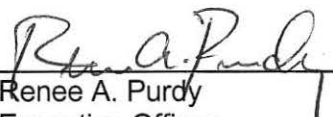
VIII. MONITORING FREQUENCIES

The Regional Board Executive Officer is delegated authority to revise this MRP, including monitoring frequencies and parameters. The Discharger may make a request (with justification) to reduce the monitoring frequency or to modify the list of monitoring constituents. The Discharger shall not make any adjustment until the Executive Officer provides written approval after determining that the request is adequately justified.

IX. PUBLIC DOCUMENTS

All records and reports submitted in compliance with WDRs/WRRs Order No. 2019-0064 and Monitoring and Reporting Program No. CI-9784 are public documents and will be made available for inspection during business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region, upon request by interested parties. Only proprietary information, and only at the request of the Discharger, will be treated as confidential.

Ordered by:


Renee A. Purdy
Executive Officer

Date: May 9, 2019

ATTACHMENT C

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. (Water Code, Sections 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, and 13350). Failure to comply with any waste discharge requirement, monitoring and reporting requirement, or other order or prohibition issued, reissued or amended by the Los Angeles Water Board or State Water Resources Control Board is a violation of these waste discharge requirements and the Water Code, which can result in the imposition of civil liability. (California Water Code, Section 13350, subdivision (a).)

2. GENERAL PROHIBITION

Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by California Water Code section 13050. In addition, the discharge of waste classified as hazardous, as defined in California Code of Regulations, Title 23, Section 2521, subdivision (a) is also prohibited.

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. (Water Code, 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 forward. (Water Code, 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. (California Water Code, Section 13260, subdivision (c)). A material change includes, but is not limited to, the following:

Standard Provisions Applicable to
Waste Discharge Requirements

- (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.
- (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. (California Code of Regulations, Title 23, Section 2210)

6. REVISION

These waste discharge requirements are subject to review and revision by the Regional Board. (Water Code, Sections 13263)

7. NOTIFICATION

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. (California Water Code, 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. (Water Code, Section 13263, subdivision (g).)

9. SEVERABILITY

Provisions of these waste discharge requirements are severable. If any provisions of these requirements are found invalid, the remainder of the requirements shall not be affected.

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. (Water Code, Section 13263, subdivision (f).)

11. NOTIFICATION REQUIREMENT

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. (Water Code, Section 13271, subdivision (a).)

12. OIL OR 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. (Water Code, Section 13272)

Standard Provisions Applicable to
Waste Discharge Requirements

13. INVESTIGATIONS AND INSPECTIONS

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. (Water Code, Section 13267)
- (e) Except for material determined to be confidential in accordance with applicable law, all reports prepared in accordance with the terms of this Order shall be available for public inspection at the office of the Los Angeles Water Board. Data on waste discharges, water quality, geology, and hydrogeology shall not be considered confidential.

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. (Water Code, 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.

The analysis of any material required pursuant to Division 7 of the Water Code shall be performed by a laboratory that has accreditation or certification pursuant to Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101 of the Health and Safety Code. However, this requirement does not apply to field tests, such as test for color, odor, turbidity, pH, temperature, dissolved oxygen, conductivity, and disinfectant residual chlorine. (Water Code, Section 13176). Unless otherwise permitted by the Regional Board Executive officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Water Resources Control Board's Division of

Standard Provisions Applicable to
Waste Discharge Requirements

Drinking Water. 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 United States, Environmental Protection Agency (USEPA). (California Code of Regulation, Title 23, Section 2230)

The Quality Assurance-Quality Control Program must conform to the USEPA Guidelines "Laboratory Documentation Requirements for Data Validation", January 1990, USEPA Region 9) or procedures approved by the Los Angeles Regional Water Quality Control Board.

All quality assurance and quality control (QA/QC) analyses must be run on the same dates when samples were actually analyzed. All QA/QC data shall be reported, along with the sample results to which they apply, including the method, equipment, analytical detection and quantitation limits, the percent recovery, and explanation for any recovery that falls outside the QC limits, the results of equipment and method blanks, the results of spiked and surrogate samples, the frequency of quality control analysis, and the name and qualifications of the person(s) performing the analyses. Sample results shall be reported unadjusted for blank results or spike recoveries. In cases where contaminants are detected in QA/QC samples (e.g., field, trip, or lab blanks); the accompanying sample results shall be appropriately flagged.

The Discharger shall make all QA/QC data available for inspection by Regional Board staff and submit the QA/QC documentation with its respective quarterly report. Proper chain of custody procedures must be followed and a copy of that documentation shall be submitted with the quarterly report.

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. (Water Code, Section 13263, subdivision (f).)

16. DISCHARGE TO NAVIGABLE WATERS

A person who discharges pollutants or proposes to discharge pollutants or proposes to discharge pollutants to the navigable waters of the United States within the jurisdiction of this state or a person who discharges dredged or fill material or proposes to discharge dredged or fill material into the navigable waters of the United States within the jurisdiction of this state shall file a report of waste discharge in compliance with the procedures set forth in Water Code section 13260. (Water Code, Section 13376)

Standard Provisions Applicable to
Waste Discharge Requirements

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. (Water Code, 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 off all reports required by this Order, and record 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 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.

Standard Provisions Applicable to
Waste Discharge Requirements

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:

“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. [California Water Code Sections 13263, 13267, and 13268]”

20. OPERATOR CERTIFICATION

Supervisors and operators of municipal wastewater treatment plants and privately owned facilities regulated by the Public Utilities Commission, used in the treatment or reclamation of sewage and industrial waste shall possess a certificate of appropriate grade in accordance with California Code of Regulations, title 23, section 3680. State Boards may accept experience in lieu of qualification training. (California Code of Regulations, Title, 23, Sections 3680 and 3680.2.) 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 Public Health where reclamation is involved. (California Code of Regulations, Title, 23, Section 3670.1, subdivision (b).)

Standard Provisions Applicable to
Waste Discharge Requirements

ADDITIONAL PROVISIONS APPLICABLE TO
PUBLICLY OWNED TREATMENT WORKS' ADEQUATE CAPACITY

21. Whenever a regional board finds that a publicly owned wastewater treatment plant will reach capacity within four years, the board shall notify the discharger. Such notification shall inform the discharger that the regional board will consider adopting a time schedule order pursuant to Section 13300 of the Water Code or other enforcement order unless the discharger can demonstrate that adequate steps are being taken to address the capacity problem. The notification shall require the discharger to submit a technical report to the regional board within 120 days showing how flow volumes will be prevented from exceeding existing capacity or how capacity will be increased. A copy of such notification shall be sent to appropriate local elected officials, local permitting agencies and the press. 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. Longer extensions may be granted by the regional board itself. (California Code of Regulations, Title, 23, Section 2232.)