Regional Water Quality Control Board
Central Valley Region
Board Meeting – 3/4 June 2026

Response To Written Comments for Tentative General Waste Discharge Requirements for Domestic Wastewater Treatment Systems with Flows Greater Than 0.1 Million Gallons Per Day

At a public hearing scheduled on 3/4 June 2026, the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) will consider the adoption of General Waste Discharge Requirements (WDRs) for Domestic Wastewater Treatment Systems with Flows Greater Than 0.1 Million Gallons Per Day (Large Domestic General Order or Order). This document contains responses to written comments received from interested persons regarding the tentative WDRs (Tentative General Order) circulated on 24 March 2026. Written comments from interested parties were required to be received by the Central Valley Water Board by 5:00 p.m. on 24 April 2026 to receive full consideration. Comments were received from Ms. Debbie Mackey, Executive Officer of the Central Valley Clean Water Association (CVCWA), Ms. Alison Furuya, Vice President of Blackwater Consulting Engineers (Blackwater), and Jo Anne Kipps, private citizen, on 24 April 2026.

Substantial written comments received are summarized below, followed by responses from Central Valley Water Board staff. In addition, staff have made minor changes to the Tentative General Order to improve clarity and fix typographical errors identified by commenters.

COMMENTS

COMMENT 1: All three comment letters provided positive feedback on the Large Domestic General. Each letter offered some form of praise or acknowledgment of the strengths of the proposed Large Domestic General Order. Collectively, the commenters recognized and appreciated elements such as staff's willingness to engage with stakeholders during development of the Order, the effort to improve clarity and consistency across requirements, and several specific components viewed as strong or beneficial, such as the structured pond evaluation process, enhancements to groundwater protection measures, and the overall organization of the Order and its attachments. Although the emphasis differed, ranging from brief notes of appreciation to extended recognition of excellent features, all three commenters conveyed that the General Order incorporates meaningful improvements and reflects substantial work by staff.

> **RESPONSE:** Central Valley Water Board staff appreciate the acknowledgment and praise, as well as the time and effort commenters dedicated both to collaborating with staff during development of the General Order and to reviewing the Large Domestic General Order.

COMMENT 2: Blackwater requested the inclusion of general guidance on establishing influent flow limitations in a Site-specific Notice of Applicability (NOA) and requested the inclusion of a definition of average dry weather flow in the General Order.

> **RESPONSE:** Staff concur with the requested addition of guidance for establishing flow limits and added Section III.C Flow Limitations to the General Order, which reads:
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> > *The flow limitation for each facility enrolled under this Order will be established for either the influent or effluent in the site-specific Notice of Applicability (NOA) and shall be based on the Facility's design treatment capacity and demonstrated storage and disposal capacity as specified in the stamped engineering design documents included in the Discharger's Notice of Intent (NOI) accepted by the Central Valley Water Board. The flow limitation will be specified as a monthly average.*
>
> Staff removed all references to average dry weather flow from the order, changing them to the monthly average of daily flow, and added a definition to Attachment B - Information Sheet for Monthly Average Flow.

COMMENT 3: Blackwater submitted several minor comments requesting corrections, clarifications, and editorial improvements throughout the draft General Order. These included requests to: consistently use defined acronyms (e.g., replacing "Salt Control Program" with "SCP"), verify and correct internal references and footnotes, remove duplicative text, adjust spacing and formatting inconsistencies, clarify monitoring location descriptions, distinguish land application requirements from percolation pond monitoring, revise terminology for disposal area monitoring, and make minor edits for clarity such as removing redundant wording, adjusting phrasing related to spray irrigation, and adding context for referenced flow charts.

> **RESPONSE:** Staff concurred with the majority of these minor editorial and clarifying comments. Appropriate revisions have been made throughout the General Order, including correcting acronyms, removing repeated or cyclical references, fixing spacing and formatting, clarifying monitoring language, correcting footnotes, refining terminology, adjusting references to pond evaluation procedures, and adding brief explanatory text where helpful. These changes improve clarity and internal consistency without altering the regulatory intent of the Order.

COMMENT 4: CVCWA contends that the exemption from pond lining when it "is not necessary to prevent degradation" in Specification II.C.4 of the General Order is too vague and requests clearer criteria, emphasizing that exemptions should consider whether groundwater changes could affect sensitive receptors or specific beneficial uses, rather than relying solely on the broad concept of "degradation."

> **RESPONSE:** The Central Valley Water Board has revised Specification II.C.4. (see revised language below). Any determination that a liner is unnecessary

would be made by the Central Valley Water Board, supported by technical documentation, site-specific evidence, and the full suite of considerations embedded in the Order.

> *4. An exemption from the lining requirements in II.C.3 above may be granted by the Central Valley Water Board, on a case-by-case basis, if it can be demonstrated that pond lining is not necessary to prevent degradation of underlying groundwater in a manner that is inconsistent with the requirements this Order. The Discharger requesting the exemption must demonstrate that not lining the new or expanding pond(s) is adequate based on site-specific hydrogeologic conditions, wastewater characteristics, and the potential for impacts to groundwater quality and downgradient users (similar evaluation as described in Section VI of Attachment C).*

COMMENT 5: CVCWA requests clarification on Provision IV.A.17 of the Tentative Order regarding what level of "threat" would trigger a Pond Hydraulic Evaluation Work Plan. They recommend that this threshold be defined based on whether potential groundwater changes could affect sensitive receptors or specific beneficial uses.

RESPONSE: Staff has revised Provision IV.A.17 to read:

> *The Central Valley Water Board may require a Revised Pond and Sludge Management Evaluation Report for Large WWTPs if the Initial Pond and Sludge Management Unit Evaluation Report is found to be incomplete or if existing pond/sludge management units at the facility appear to be causing or contributing to or threatening to cause or contribute to unreasonable degradation of underlying groundwater. Staff will review the Pond and Sludge Management Evaluation Report and information provided in the NOI to determine if a Revised Pond and Sludge Management Evaluation Report is needed. For Large WWTPs required to prepare a Revised Pond Evaluation Report, the NOA and site-specific MRP will require the following:*

COMMENT 6: CVCWA requests that the Order provide clear direction that a requirement to line existing ponds would be the exception, rather than the rule.

RESPONSE: Staff appreciate and share CVCWA's concerns about the potential costs of lining existing ponds at Wastewater Treatment Plans (WWTPs) and acknowledge that lining all existing ponds at WWTPs across the Central Valley is neither feasible nor practicable. However, the General Order does not require existing ponds to be lined. Any requirements for lining existing ponds would occur through a separate action of the Central Valley Water Board on a case-by-case basis. No changes were made because of the comment.

COMMENT 7: CVCWA requests clarification on the footnote for Specification II.C.12, noting that the reference to the "collection system" creates ambiguity because piping or other collection system components are not appropriate when identifying the lowest

permeable point of a pond. The commenter recommends revising the definition to eliminate this ambiguity.

RESPONSE: Staff revised the footnote for Specification II.C.12.

COMMENT 8: CVCWA is concerned that natural seasonal shifts in pond biology can cause short-term drops in dissolved oxygen, making the current daily monitoring triggers in Specification II.C.8 overly burdensome and not representative of normal operations. They note that daily sampling can be infeasible and costly for small POTWs. To provide more flexibility and reduce unnecessary reporting, CVCWA requests the modification of the language in the first sentence of the specification to remove the reference to specification II.B.2 state "**To prevent objectionable odors from being perceived beyond the limits of the Facility property, the dissolved oxygen content in the upper one foot of any wastewater treatment or storage pond shall not be less than 1.0 mg/L for three consecutive sampling events.**" and that the dissolved oxygen trigger rely on a two-sample follow-up over seven days before daily monitoring is required. They also propose corresponding revisions to when written reports must be submitted.

RESPONSE: Staff modified Specification II.C.8 to read:

8. *The dissolved oxygen content in the upper one foot of any wastewater treatment or storage pond shall not be less than 1.0 mg/L for three consecutive sampling events. If the dissolved oxygen in the pond(s) is below 1.0 mg/L for any single sampling event, the Discharger shall take two samples over the next seven days (unless specified otherwise in the WWTP's site-specific MRP). If either sample is greater than 1.0 m/L, then the Discharger may resume the dissolved oxygen monitoring frequency specified in the site-specific MRP. If both samples are below 1.0 mg/L, the Discharger shall implement daily dissolved oxygen monitoring of that pond until the minimum dissolved oxygen concentration is achieved for at least three consecutive days. If the dissolved oxygen in the pond is below 1.0 mg/L for three consecutive samples, the Discharger shall report the findings to the Central Valley Water Board in accordance with provisions of this Order (Provision IV.B.4 & 5). The written notification shall include a specific plan or actions taken to resolve the low DO results within 30 days of the third sampling event below 1.0 mg/L.*

COMMENT 9: CVCWA and Ms. Kipps request revisions to Specification II.B.2 to match common permit language by replacing it with wording such as: Objectionable odors resulting from wastewater treatment system operation shall not be perceivable beyond the limits of the discharger's property at an intensity that creates or threatens to create nuisance conditions.

RESPONSE: Staff concur with the proposed modifications and have revised specification II.B.2 to read: "Objectionable odors shall not be perceivable beyond

the limits of the dischargers' facility at an intensity that creates or threatens to create nuisance conditions."

COMMENT 10: CVCWA recommends revising the Salinity Action Level process in Requirement II.H.1 so that, after an exceedance, permittees first submit only an initial explanation of any source water changes or system changes by April 1. They request that further evaluation occur only if causes cannot be readily identified or if sensitive receptors or beneficial uses may be affected, with a simplified "desktop study" due by October 1 when needed. CVCWA also seeks a reopener provision allowing the Order to incorporate changes to CV-SALTS program policies, to adjust Salinity Action Levels, or reporting requirements in accordance with program policy, noting that POTWs contribute relatively little to regional salt loading and that reliance on P&O Study findings would avoid unnecessary costs.

RESPONSE: Staff maintains that an evaluation of potential groundwater impacts is necessary whenever a Salinity Action Level exceedance occurs, even when the likely cause appears straightforward. However, staff agree that coordination with the Central Valley Salinity Coalition can reduce the burden and improve consistency. Requirement II.H.1.c has been revised to clarify that dischargers should coordinate with the Salinity Coalition and may rely on information developed by the Coalition, as well as information contained in the discharger's NOI, to support the required evaluation.

In addition, staff incorporated Finding I.B.21, which includes a reopener allowing adjustments to site-specific Salinity Action Levels or reporting requirements as the Salt Control Program advances. Staff also revised Requirement II.H.1 to set the salinity action level based on the highest annual average EC, TDS, or FDS for the last five years prior to issuance of the NOA to better account for potential impacts of drought conditions and necessary changes to source water as a result.

COMMENT 11: CVCWA requests that Limitation III.B.6, establishing a total N effluent limit in the Tentative Order, be revised to read: "Large WWTPs that provide full nitrification and denitrification and that can reliably meet performance-based effluent concentrations of less than 10 mg/L total nitrogen shall comply with a total nitrogen effluent limitation of 10 mg/L (as a monthly average)."

RESPONSE: Staff has implemented the requested changes as proposed, with additional language added at the end of the limitation clarifying that the site-specific NOA will indicate whether this effluent limit applies.

COMMENT 12: CVCWA requests that the Central Valley Water Board provide the basis for the 100 pounds/acre/day biochemical oxygen demand (BOD) loading limit requirement and example calculations of cycle average BOD loading.

RESPONSE: The information sheet provides a citation to the peer-reviewed League of Food Processors *Manual of Good Practice for Land Application of Food Processing/Rinse Water* (League Manual or Manual), which is the source of

the BOD loading limit. The Manual was most recently updated in 2024 through a peer-reviewed revision process.

The Manual presents a tiered risk-based approach to BOD loading. For most sites with adequate soil and groundwater separation (greater than 5 feet between groundwater and soil surface), a cycle-average BOD loading rate of up to 100 pounds/ac/day is considered protective of groundwater quality without the need for increased monitoring efforts. The Manual also explains that the primary mechanism for BOD removal in land application systems is aerobic microbial degradation in the upper soil profile. Research and soil column studies cited in the Manual demonstrate that well-aerated soils can sustain BOD loading rates up to 100 pounds/ac/day (and higher in some cases) without exceeding the soil's oxygen transfer capacity or causing adverse impacts. The Order's MRP Template also provides an example equation for calculating the cycle-average applied BOD load in section IX.B.1.f.

The 100 pounds/acre/day limit is consistent with long-standing regulatory practice in the Central Valley Region, as reflected in previously issued individual WDRs for this category of discharge.

COMMENT 13: CVCWA requests that the Central Valley Water Board reconsider applying Title 22 requirements to all tertiary treated disinfected wastewater under the Tentative Order's Specification II.B.5. They are concerned this may expand Title 22 obligations beyond "recycled water" as defined in the Water Code, potentially including wastewater not used for beneficial or controlled uses. CVCWA asks the Board to ensure consistency with DDW's regulatory interpretation and avoid broadening the scope of water recycling criteria.

RESPONSE: Staff concur and have revised the first sentence of Specification II.B.5 to clarify that the requirements listed below only apply to disinfected wastewater when applied to a disposal area that requires it as specified in the site-specific NOA. The specification now states: "If disinfection is required for a disposal area by the NOA, the discharger shall produce disinfected tertiary treated wastewater that complies with the following specifications:"

COMMENT 14: Section II.D.1 of the Tentative Order states that "[i]f stormwater can run off from a land disposal area, all applied wastewater must meet disinfection requirements" in accordance with Title 22. (Tentative Order, p. 25.) CVCWA asks that this be corrected to state: "treated wastewater." Moreover, the Central Valley Board's authority to "approve for alternative disposal of stormwater runoff from land disposal areas receiving undisinfected wastewater after the Discharger submits a technical report …" should be revised to "treated, but undisinfected wastewater."

RESPONSE: Staff concur and have revised the specification to read:

> *Stormwater runoff from authorized land disposal areas that have received treated wastewater is prohibited, unless all applied wastewater meets disinfection requirements at a level equivalent to at least disinfected*

secondary-23 recycled water (Title 22, § 60301.225). Land disposal of wastewater that has been treated to a higher level is acceptable.

Alternatively, the Central Valley Water Board may approve alternative disposal of stormwater runoff from land disposal areas receiving undisinfected treated wastewater after the Discharger submits a technical report describing how the land disposal area will be operated to prevent pathogens from migrating off the land disposal area with stormwater.

COMMENT 15: CVCWA recommends that the Central Valley Water Board exclude collection systems from the setback provisions, or only apply these provisions of the Plumbing Code to enrollees serving a single parcel.

RESPONSE: Staff concur and have removed setback requirements for collection systems.

COMMENT 16: CVCWA is concerned that the Order, as written, would allow only an all-or-nothing approach to pretreatment requirements for WWTPs designed to treat less than 5 MGD and requests that the Order be revised to provide greater flexibility to customize pretreatment requirements for these smaller facilities.

RESPONSE: Staff concur and have revised Specification II.F.1 to provide the requested flexibility.

COMMENT 17: CVCWA recommends that Specifications II.A.2 and II.C.2 be revised to remove the limitation of emergency bypass to a pond, and to incorporate options for treatment process replacement, such as the temporary use of a mobile package plant to allow treatment system maintenance.

RESPONSE: Staff concur with the recommendation and have revised the definition of bypass in footnote 4, which was moved to Attachment B - Information Sheet, to make it clear that temporarily replacing a portion of the treatment process with an equivalent process to allow system maintenance does not qualify as bypass. Additionally, staff have revised Specification II.C.2 to incorporate language from the 1 March 1991 NPDES Standard Provisions regarding conditions where bypass is allowed.

COMMENT 18: CVCWA requests that Section II.C.2 of the Tentative Order follow similar limitations and considerations for lining new and existing ponds, including consideration of exemptions from pond lining and reporting requirements before lining is required.

RESPONSE: The Order as written establishes a requirement to line new or expanded emergency bypass ponds on a case-by-case basis, and the underlying exemptions and reporting requirements that apply to other new or expanded ponds also apply to emergency bypass ponds. No order modifications are necessary.

COMMENT 19: CVCWA requests clarification regarding Section II.D.6 of the Tentative Order and the definition of lowest elevation.

> **RESPONSE:** Staff concurs that clarification is warranted. The specification has been revised to state: " Freeboard shall be measured as the vertical distance from the water surface to the lowest elevation along the berm crest, including any location where the berm is intersected by an overflow channel or similar conveyance feature. The lowest elevation shall be defined as the minimum crest elevation anywhere along the berm."

COMMENT 20: CVCWA recommends inserting additional language into the MRP Template describing that listed constituents are generally the constituents that will be considered, and only those that are appropriate (site-specific) will be included, and that the frequency shown in the template is the maximum expected frequency, etc.

> **Response:** The MRP Template provides a framework and typical requirements of site-specific MRPs for the types of facilities that qualify for coverage under this Order. The MRP Template is not intended to explicitly limit the scope, requirements, or coverage of the site-specific MRP that will be provided with the NOA. Staff included the following language at the end of page A-2 of the MRP Template.
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> > *The list of constituents/parameters and monitoring frequencies in this MRP Template represents the monitoring generally anticipated for most enrollees under the General Order. However, each site-specific MRP will be tailored to the facility and will include only those monitoring requirements necessary to ensure compliance with the General Order. Accordingly, the constituents and frequencies in a site-specific MRP may differ from those shown in this Template based on site-specific conditions.*

COMMENT 21: CVCWA is concerned that the electronic databases that are required to be used by dischargers that enroll under the Order are not set up to accept data from prospective permittees under the Order with minimal effort by the discharger.

> **Response:** The State Water Resources Control Board's online databases that dischargers are required to submit data to under the Order are set up to accept data from prospective permittees.

COMMENT 22: CVCWA is concerned that the annual report due date established in Table 10 of the MRP Template is not achievable and requests that the due date be extended at least 15 days, or to the end of February, to allow for adequate time for sampling and analysis in December, and time for laboratory results to come in and be evaluated.

> **RESPONSE:** This is the typical due date that is established in MRPs for individual WDRs for prospective permittees. Additionally, this MRP is a template, and the site-specific MRP can be modified appropriately if needed. No changes were made to the MRP Template in response to this comment.

COMMENT 23: CVCWA is concerned that Section IX.C.5.h of the MRP Template is not consistent with the recycled water policy.

> **RESPONSE:** The language in this section is consistent with the recycled water policy, both in its definition of groundwater recharge and what is included and excluded. No changes were made to the MRP Template in response to this comment.

COMMENT 24: Ms. Kipps is concerned that the flow chart figure in Appendix B of Attachment B – Information Sheet does not use standard flow chart symbols, which may cause confusion. To ensure regulatory transparency, the figure should be updated to use standard flow chart symbology to provide a clear schematic of the process staff will use to determine whether additional evaluation is needed for existing wastewater and sludge management units.

> **RESPONSE:** The figure was updated to use the requested flow chart symbols and rearranged to more clearly display decision points and actions.

COMMENT 25: Ms. Kipps requests that the Order clearly describe the process staff will use to determine when an existing pond or sludge discharge poses an "unacceptable threat" to groundwater quality. They note that the Order does not specify whether this determination will be based on downgradient property-line monitoring wells, the use of groundwater mixing zones, or WQO exceedances in areas most affected by pond or sludge-related seepage. For regulatory transparency, Ms. Kipps asserts that the decision-making process must be disclosed. If the Order will not provide this detail, they recommend revising the TGO to require at least a 15-day public review period for tentative NOAs, consistent with existing practice under the Region's Municipal General Order.

> **RESPONSE:** The Order does not establish new limits or require specific facilities to line their ponds. When staff requests additional evaluation, it is limited to a Workplan, authorized under Water Code section 13267, to obtain more detailed and higher quality- information where needed. This authority already exists and is not expanded by the Order.
>
> The Order provides a prescriptive and transparent framework for requesting and conducting these evaluations. This approach is intended to assist the regulated community and support consistent data collection across facilities, thereby helping inform whether future upgrades may be appropriate.
>
> Ms. Kipps' comparison to the Region's NPDES Municipal General Order is not applicable. The NPDES Municipal General Order includes extensive tables of conditional criteria and limits that are applied on a discharger-by-discharger basis based on monitoring results. This General Order does not operate in that manner and does not impose similar conditionally-operative prescriptive requirements. No changes were made to the Order in response to this comment.

COMMENT 26: Ms. Kipps requests that Order Finding A.5.c, which describes eligibility requirements for the Order, be revised to include a requirement of having sufficient

effluent storage and disposal capacity to accommodate maximum requested discharge flow during a year with a rainfall return frequency of 100 years.

RESPONSE: Staff concur and have made the requested revision.

COMMENT 27: Ms. Kipps requests that the General Order be revised to include a requirement that all conveyance, treatment, storage, and disposal units be designed and maintained to withstand a 100-year flood event. For facilities that cannot currently meet this standard, they propose requiring a compliance schedule in the NOA. Ms. Kipps also recommends that NOIs include a Flood Protection Report with FEMA flood-zone information, berm elevation data, and details on existing or planned flood-protection measures.

RESPONSE: Staff concur with the request to add a requirement that all conveyance, treatment, storage, and disposal units be designed and maintained to withstand a 100-year flood event and the recommendation to include requirements to submit information on flood-zone, and flood-protection measures to the NOI and has implemented the requested changes.

COMMENT 28: Ms. Kipps asserts that allowing continued use of unlined or inadequately lined wastewater treatment ponds and wetlands under the General Order could contribute to organic overloading and lead to groundwater exceedances of arsenic, iron, and manganese. She asserts that this approach is inconsistent with the Basin Plans and cannot support exempting facilities from Title 27 containment standards. With the exception of systems in the Tulare Lakebed, Ms. Kipps contends that the General Order should not categorically exempt ponds and wetlands from meeting the 1×10^{-6} cm/s liner hydraulic conductivity requirement.

RESPONSE: The General Order does not categorically authorize continued use of unlined or inadequately lined ponds without further scrutiny. Instead, it requires each enrollee to conduct a detailed, facility-specific evaluation of all existing ponds and sludge management units as part of the Initial Pond and Sludge Management Evaluation Report submitted with the NOI. This evaluation applies to percolation ponds, wetlands, and other combined treatment and disposal units and is intended to determine whether existing facilities pose a risk of degrading underlying groundwater or contributing to exceedances of water quality objectives. This structured assessment ensures that continued use of existing units is supported by site-specific technical information rather than categorical allowances.

With respect to the exemption allowing new or expanded percolation ponds, wetlands, or other combined treatment and disposal units to forgo the liner requirement, any prospective discharger seeking such an exemption must still comply with Water Code section 13260, Order Specification IV.B.9, and the antidegradation analysis requirements of the NOI. As part of this process, the discharger would be required to submit a new Report of Waste Discharge/NOI that includes a site-specific evaluation of potential water quality impacts associated with the proposed unit.

COMMENT 29: Ms. Kipps suggests adding a maximum discharge flow limit to the General Order and excluding from coverage certain facilities already regulated under individual WDRs.

> **RESPONSE:** Staff appreciates Ms. Kipps' recommendations; however, staff does not concur. After review, staff determined that revisions to the Order are not warranted based on this comment. Accordingly, no changes to the Order were made in response.

COMMENT 30: Ms. Kipps recommends adding a new finding to the General Order, citing California Business and Professions Code sections 6735, 7835, and 7835.1 to reinforce that required technical reports must be prepared and signed by appropriately licensed California professionals. Ms. Kipps also proposes revising General Provision A.15 to explicitly require that all workplans, investigations, and technical conclusions involving engineering, geology, or hydrogeology be prepared under the direction of registered professionals, with each submitted report bearing the preparer's name, signature, and professional stamp or license number.

> **RESPONSE:** Staff partially concur with Ms. Kipps' recommendations. Provision IV.A.15 has been revised. No other changes to the Order were made in response.

COMMENT 31: Ms. Kipps states that the General Order's secondary treatment effluent limitations are less stringent than federal secondary treatment standards and lack a pH limitation. Ms. Kipps argues that describing Tables 2 and 3 as "equivalent to federal standards" is inaccurate, and that the Sacramento and San Joaquin Basin Plan does not include secondary treatment effluent limits, rendering the reference to multiple basin plans in Finding B.14 incorrect. Ms. Kipps requests clarification of the regulatory basis for the Table 2 limits and suggests that the TGO adopt a single, region-wide secondary treatment table (using the more stringent Table 3 values) while revising Finding B.14 to clearly explain the rationale. Ms. Kipps recommends identifying federal secondary treatment values in the Order to illustrate differences between federal and General Order requirements and proposes that the Order require an 80 percent removal, or reduction to 40 mg/L, whichever is more restrictive, of both BOD and total suspended solids (TSS) as a best practicable treatment measure.

> **RESPONSE:** The EPA's secondary treatment standards do not apply to the discharges covered by this Order, as this Order specifically excludes discharges to surface water. The receiving waters addressed by this Order, which are groundwater, differ from those regulated by Federal Standards (Waters of the U.S. [surface water]). As a result, the secondary treatment standards outlined in this Order are not identical but are designed to be equivalent. To clarify this point, Staff has revised Finding B.14.
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> This Order aims to provide a streamlined permitting pathway that aligns with the requirements and standards in current individual permits issued by the Central Valley Water Board for dischargers eligible for coverage under this Order. It does not intend to establish new regulatory standards or practices that exceed those

currently in place. Dischargers in the Sacramento and San Joaquin basins are typically issued individual Waste Discharge Requirements (WDRs) that set secondary treatment standards consistent with those outlined in this Order. Staff do not agree with the requested changes to the Order.

COMMENT 32: Ms. Kipps recommends reorganizing portions of the Order for clarity. Specifically, she suggests relocating the long narrative in Effluent Limitation III.B.7 to Section IV.A (General Provisions), placing it before the waste-impoundment provisions, and incorporating Effluent Limitation III.B.5 into a new introductory statement for Section III.B.

RESPONSE: Staff concur with the proposal to incorporate Effluent Limitation III.B.5 into a preface for Section III.B of the Order. Staff does not concur with moving Effluent Limitation III.B.7 to Section IV.A of the Order. The Order has been revised accordingly.

COMMENT 33: Ms. Kipps asks why the Order places effluent limitations after other discharge specifications and after groundwater limitations. They request an explanation for this reorganization and recommend relocating the effluent limitations section to follow the discharge prohibitions (Section II.A), consistent with the format used in most Non-15 WDRs over the past several decades.

RESPONSE: The organization of the effluent limitations section is intentional and consistent with the formatting used in the State Water Resources Control Board's Small Domestic General Order (SDGO). No changes were made.

COMMENT 34: Ms. Kipps requests clarification on the significance of the date "1 January 2008," noting that earlier drafts used a different date, and asks why the Order allows facilities with pre-2008 WDRs to comply with less stringent BOD loading limitations. She contends that documented groundwater degradation from excessive organic loading supports applying the General Order's BOD loading limits to all enrollees. If a facility cannot meet the limits upon enrollment, they suggest allowing a compliance schedule of up to two years, similar to the approach used for effluent limitations. Ms. Kipps states that municipal Non-15 WDRs rarely include BOD loading limits unless industrial wastewater is involved and recommends removing references to the CLFP Manual, noting it is intended for high-BOD industrial rinse water rather than municipal effluent. Ms. Kipps argues that the Manual's BOD loading rates are theoretical, unreviewed, and not field-validated. She acknowledges that older WDRs (pre-2008) allowed less stringent BOD loading limits but asserts that staff now better understand the groundwater impacts of organic overloading. Therefore, the General Order should not relax BOD loading limits unless groundwater monitoring shows nitrate is detectable and arsenic, iron, and manganese do not exceed WQOs.

RESPONSE: The date of 1 January 2008 corresponds to the period during which the California League of Food Processors Manual was issued, and this timeframe provides an appropriate and technically supported reference point for evaluating BOD loading rate practices.

Importantly, the General Order does not relax loading rates for any facilities with less-stringent BOD limitations adopted before 1 January 2008. Those facilities are not being granted more lenient standards under this Order. The provision in the Order applies only to permits adopted after 1 January 2008, because more recently issued WDRs that contain less-stringent BOD limits already include site-specific justification and technical evaluation supporting those limits that were authorized by the Central Valley Water Board. As such, those facilities do not need to be precluded from coverage under this General Order.

Additionally, the Manual was revised in 2024. As part of the 2024 update, the California League of Food Processors conducted a peer-review process of the Manual by contracting with scientists, professors, and engineers from California Polytechnic State University, San Luis Obispo, and the University of California, Davis. The Manual provides science-based guidance for BOD loading rates that, if fully implemented, are considered a best management practice to prevent groundwater degradation due to reduced metals.

For these reasons, staff maintain that the approach in the Order is appropriate, and no changes were made in response to this comment.

COMMENT 35: Ms. Kipps requests that Specification C.3 be revised to state that it applies to “new, reconstructed, and expanded” treatment and storage ponds.

RESPONSE: The term “reconstructed” was intentionally removed from Specification C.3 because determining what qualifies as reconstruction can be subjective and may be difficult to apply consistently. Limiting the provision to new and expanded ponds provides clearer, more enforceable applicability. Accordingly, no changes to the Order were made in response to this comment.

COMMENT 36: Ms. Kipps asserts that unlined or inadequately lined sludge treatment areas and wastewater ponds should not be considered Best Practicable Treatment or Control (BPTC), and that excessive sludge accumulation in such units can cause avoidable groundwater degradation. To align with the State’s Antidegradation Policy, Ms. Kips recommends requiring all sludge impoundments and working surfaces located over high-quality groundwater to be lined to a hydraulic conductivity of 1×10^{-6} cm/s. Ms. Kipps also suggests allowing up to a 10-year compliance schedule in the NOI, or a longer schedule through a Time Schedule Order.

RESPONSE: Staff appreciate Ms. Kipps’ recommendations; however, staff do not concur. Under the State’s Antidegradation Policy, a finding that pond lining constitutes BPTC must be supported by, among other things, an evaluation of technical and economic feasibility. Because the technical and economic feasibility of lining all ponds, sludge beds, and working surfaces varies substantially among facilities, the General Order cannot categorically declare that all sludge impoundments, drying beds, or other treatment units overlying high-quality groundwater must be lined. For many existing facilities, lining all such units would be impracticable (i.e., economically or technically infeasible), particularly where limited acreage prevents taking ponds out of service during

construction. Information provided by CVCWA further demonstrates the magnitude of these constraints. As summarized in CVCWA's comments on this Order, based on actual construction cost data, lining existing ponds and sludge management units is estimated at $3 to $9 per square foot, with total per-acre costs ranging from approximately $183,000 to $549,000, inclusive of engineering, administration, and contingencies.

For these reasons, it would not be appropriate for the General Order to pre-emptively define pond lining as BPTC for all facilities overlying high-quality groundwater. Instead, the General Order relies on site-specific evaluation and existing statutory authority to require further technical analysis or corrective action where warranted.

Accordingly, no changes were made to the Order in response to this comment.

COMMENT 37: Ms. Kipps asserts that the Title 27 exemption finding of the General Order is unsupported and merely conclusionary. Historically, preparing justified Title 27 exemption findings for Non-15 discharges was difficult because many dischargers lacked BPTC, resulting in groundwater impacts that did not meet Basin Plan requirements, meaning they often did not qualify for the exemption. Current Non-15 WDRs, like the General Order, avoid providing a substantive justification and instead rely on unsupported statements. The Order should correct this by broadly identifying treatment and disposal practices that do not meet BPTC because they pose a threat of violating groundwater limitations. It should then require enrollees to implement BPTC where needed and include a reasonable compliance schedule.

RESPONSE: Staff respectfully disagrees with Ms. Kipps' comment. As a preliminary matter, BPTC is a discretionary standard that is only applied in the context of the State Antidegradation Policy (State Water Board, Res. 68-16). It is not relevant to the discussion of the applicability of Title 27 to a particular discharge or category of discharges.

Title 27, which governs discharges of solid waste to land, exempts certain types of discharges from its requirements (see § 20090). The Order states that the discharges it regulates are exempt pursuant to section 20090, subdivisions (a), (b), and (i). Since each of these subdivisions provide clear descriptions of the discharges they exempt, and the Order's findings clearly describe the discharges and facilities regulated and authorized under the Order, it is not clear why Ms. Kipps believes that the determination of exemption applicability is conclusory.

Consistent with section 20090(a), the Order prescribes WDRs that implement, and are thus consistent with, the Water Code and the Board's Basin Plans (including applicable water quality objectives) that regulate discharges of domestic sewage and treated effluent, as well as the treatment and storage facilities associated with municipal wastewater treatment plants. (See Order, § (I)(A)-(B).) Consistent with section 20090(b), the Order prescribes WDRs for discharges of wastewater to land, including but not limited to evaporation ponds and percolation ponds. The WDRs implement the applicable Basin Plans and

explicitly prohibit discharges of hazardous waste. (See Order, §§ (I)(A)-(B), II(A)(5).) Consistent with section 20090(i), to the extent that the Order authorizes waste treatment in fully enclosed facilities, such as tanks or concrete-lined facilities, it does not authorize discharges therefrom that are not otherwise consistent with the Water Code and Basin Plans and exempt from Title 27 under the previously discussed exemptions.

The Order establishes groundwater protection standards, treatment and containment expectations, performance-based effluent and groundwater limitations, monitoring and corrective action requirements that ensure discharges will not violate water quality objectives or unreasonably affect beneficial uses. No changes were made in response to this comment.

COMMENT 38: Ms. Kipps states that, prior to CV-SALTS, Tulare Lake Basin dischargers were required to meet an EC limit based on source water, demonstrating that regional programs historically imposed specific numeric controls. She asserts that nitrogen is readily removable from municipal wastewater and argues that, rather than waiting for the Nitrate Control Program (NCP) to mandate nitrogen reductions, the Order should proactively protect high-quality groundwater by requiring compliance with the Basin Plan nitrate objective (10 mg/L as N). Ms. Kipps notes that while the General Order includes a 10 mg/L total nitrogen effluent limit for facilities with nitrification/denitrification, it does not require compliance with a nitrate groundwater limitation and thus provides no incentive for dischargers to implement nitrogen removal. Ms. Kipps requests the removal of the Order's conditional exclusion of nitrate from groundwater limitations in Groundwater Limitation III.A.1.a—except for the Tulare Lakebed—to better preserve and protect Central Valley groundwater for future municipal and domestic use.

RESPONSE: Staff does not concur with the requested change. Under the NCP, dischargers that select Path B (Management Zone Participation) do not receive an exception from implementation of the nitrate water quality objective (WQO) until their Management Zone has an approved Management Zone Implementation Plan (MZIP). As reflected in the Basin Plan amendments incorporated into the Large Domestic General Order, dischargers of nitrate are prohibited from discharging nitrate unless they are implementing the NCP in a timely manner and must comply with groundwater limitations implementing the WQO for nitrate unless or until an exception is granted. To date, no Management Zones have received MZIP approval, and therefore, no Path B participants currently have nitrate WQO exceptions. The first MZIP is scheduled for consideration by the Central Valley Water Board at its June 2026 public meeting.

Because future MZIP approvals will provide formal exceptions from the nitrate WQO to Path B participants, the Large Domestic General Order must contain provisions that allow enrollees to comply with the CV-SALTS Basin Plan amendments once those exceptions take effect. These provisions include the conditional nitrate-related language that the commenter seeks to remove.

Eliminating that language would leave the Order unable to accommodate compliance pathways required under the NCP once an MZIP is approved.

Accordingly, the requested deletion cannot be incorporated. The language is necessary to ensure the Order remains consistent with adopted Basin Plan amendments and provides a clear compliance mechanism for dischargers participating in Management Zones. For these reasons, no changes were made in response to this comment.

COMMENT 39: Ms. Kipps requests clarification that the term “Shallow Zone” applies only within the Nitrate Control Program to avoid confusion with historically monitored shallow or first-encountered groundwater. She also seeks clarification on how groundwater limitations will be evaluated and enforced, given that NOAs will not undergo public review. Ms. Kipps also recommends including a reopener to address groundwater exceedances of arsenic, iron, or manganese caused by organic overloading and argues that practices creating chronic anoxic conditions should be deemed inconsistent with Basin Plans and ineligible for a Title 27 exemption. Ms. Kipps emphasizes that the Order should strengthen groundwater protection and move treatment practices toward BPTC.

RESPONSE: Staff revised the Information Sheet to note that the Shallow Zone definition relates to the Nitrate Control Program.

Regarding the request for the reopener, a constituent-specific reopener is unnecessary because a Notice of Applicability (NOA) may be amended at any time to address groundwater exceedances or require additional monitoring or corrective action. In addition, for facilities with demonstrated impacts to downgradient beneficial uses, the Central Valley Water Board may require individual WDRs with appropriate time schedules, ensuring site-specific corrective actions and full Basin Plan compliance.

COMMENT 40: Ms. Kipps requests that the MRP Template characterize the entire influent waste stream, not just individual industrial sources, for standard minerals (quarterly/annually) and metals (annually/once every three years). Regarding metals, Table 4 should include a footnote requiring that samples be filtered prior to preservation (e.g., Table 5, footnote 5).

RESPONSE: Staff revised Table 4 of the MRP Template to clarify the entire WWTP influent needs to be sampled for the select constituents when the WWTP is receiving wastewater from industrial sources, not individual industrial waste streams.

COMMENT 41: Ms. Kipps recommends adding quarterly effluent monitoring for chloride to MRP Template Table 5, because chloride is a useful conservative tracer for evaluating the contribution of effluent to groundwater. She also requests quarterly monitoring for disinfection by-products (DBPs) at facilities that use chlorine-based disinfection, with monitoring to include at least Total Trihalomethanes.

RESPONSE: The MRP Template already specifies quarterly or monthly monitoring of standard minerals, which includes chloride; therefore, no additional chloride monitoring is necessary. Staff added an effluent and groundwater monitoring requirement for Large WWTPs that disinfect wastewater using chlorine (MRP Template, Tables 5 and 8).

COMMENT 42: Ms. Kipps notes that the Wastewater Disposal Area Monitoring section of the MRP Template does not address effluent percolation ponds. She requests that the MRP Template require monitoring of each effluent disposal pond, including continuous flow monitoring with daily reporting, annual hydraulic loading rates (ft/yr and gallons/acre/yr), and annual loadings of total nitrogen and TDS (lbs./acre/yr). She also recommends adding a new table specifically for Effluent Disposal Pond Monitoring.

RESPONSE: Staff revised the MRP Template to include flow/volume and free board monitoring requirements for ponds in Table 6. The remaining requested modifications (e.g., hydraulic loading and annual loadings) were not included in the MRP Template.

COMMENT 43: Ms. Kipps requests that the MRP Template, Table 8 (Typical Groundwater Monitoring Requirements), be expanded to include quarterly monitoring for total organic carbon (TOC), noting that TOC drives reducing conditions that can mobilize arsenic, iron, and manganese in groundwater. Ms. Kipps also recommends adding quarterly monitoring for Total Trihalomethanes for facilities that disinfect using chlorine compounds.

RESPONSE: Quarterly TOC monitoring was added to Table 8, as TOC is relevant to evaluating reducing conditions in groundwater. While the Staff does not concur with adding quarterly Total Trihalomethanes to groundwater monitoring. DBP monitoring is addressed through effluent requirements for facilities that disinfect with chlorine compounds, and does not need to be duplicated in groundwater monitoring in the Template MRP. Groundwater monitoring for DBPs, when warranted, will be included in the site-specific MRP.

COMMENT 44: Ms. Kipps states that NOI Section IV(b) requires a water balance only for dischargers with pond treatment systems, but argues that all applicants under the Order should be required to submit water-balance calculations. She requests that every discharger demonstrate sufficient treatment and disposal capacity at the maximum proposed flow during 100-year return frequency flood conditions. The commenter further recommends that dischargers unable to show adequate capacity be issued an NOA with a time schedule and a reduced discharge-flow limit that reflects their current capacity until they can demonstrate adequate treatment and disposal capacity.

RESPOND: Staff revised Attachment C: NOI, Section IV(b) to require all WWTPs to submit water-balance calculations demonstrating sufficient treatment and disposal capacity at the maximum proposed flow during 100-year return frequency flood conditions.

COMMENT 45: Ms. Kipps requests that the NOI be modified such that dischargers are required to report annual hydraulic loading from all effluent disposal activities, including leaky surface impoundments and treatment unit working surfaces. She recommends reporting hydraulic loading for each disposal pond or field in units of million gallons per year, feet per year, and gallons per acre per day. Ms. Kipps also requests reporting annual mass loadings of total dissolved solids (TDS), total nitrogen, and BOD for each disposal area or leaky treatment unit in pounds per year and pounds per acre per year. Ms. Kipps also requests that the MRP be revised to require reporting of annual nitrogen and TDS mass loadings to each effluent percolation pond and recommends revising Section IX.B.2.e to specify that annual mass loading calculations be performed for all disposal fields and percolation ponds.

> **RESPONSE:** The General Order already contains a mechanism for dischargers to provide hydraulic loading and seepage information through the *Initial Pond and Sludge Management Evaluation Report,* which is required for all applicable facilities. Staff revised the Initial Pond and Sludge Management Evaluation Report section of Appendix B (Technical Report Guidance) in Attachment C: NOI, specifically item f, to clarify that the evaluation of the threat to groundwater quality should estimate annual loadings from the ponds to groundwater based on available information for constituents of concern (e.g., organics, salt, and nitrogen).

COMMENT 46: Ms. Kipps notes that NOI Section VII (CEQA) currently requires CEQA documentation only for new or expanding discharges. She requests that dischargers with existing facilities also be required to provide information demonstrating CEQA compliance for their existing infrastructure, including the name and date of CEQA documents, lead-agency approval letters, and brief descriptions of key mitigation measures (e.g., hazards/hazardous materials, geology/soils, water quality protection, and utilities/service systems).

> **RESPONSE:** The NOI has been updated to clarify that existing dischargers proposing no new changes to their facility should provide copies of all CEQA documents prepared for the facility that include mitigation measures that should be or must be implemented by the Central Valley Water Board . This ensures that CEQA compliance for existing infrastructure is appropriately documented.

COMMENT 47: Ms. Kipps requests that definitions be added to the Information Sheet for disposal areas, influent, effluent, recycled water, reuse areas, and the Title 22 recycled-water categories (Disinfected Secondary 2.2, Disinfected 23, and Disinfected Tertiary recycled water). She also recommends revising the definition of “Wastewater System” to explicitly include the disposal of wastewater, solid wastes, and sludge generated from wastewater treatment.

> **RESPONSE:** The Information sheet has been revised to include definitions for some of the requested terms.

COMMENT 48: Ms. Kipps notes that the General Order documents inconsistently identify the decision-maker as either the Executive Officer (EO) or the Central Valley Water Board. She requests that the Order clearly distinguish which actions are delegated to the EO, such as issuing NOAs and granting setback variances, and which require formal Board approval, such as adopting Time Schedule Orders.

> **RESPONSE:** Staff made revisions to clarify the primary decision-maker for certain discretionary elements of Order implementation. The Board retains the authority to delegate certain actions to the Executive Officer or others (see Wat. Code, §§ 13223, 7).

COMMENT 49: Ms. Kipps recommends expanding the NOI groundwater characterization to include dissolved arsenic, iron, and manganese, identified as key indicators of organic overloading with applicable water quality objectives, as well as hardness and bicarbonate alkalinity, which also reflect organic loading conditions. She suggests replacing the term “major anions and cations” with “Standard Minerals” and listing the specific constituents, as they are identified in the footnotes of the MRP Template, Tables 4, 5, and 8. Ms. Kipps also recommends that the NOI include a data-entry section for BOD loading rate limitations from the discharger’s existing WDRs.

> **RESPONSE:** Staff do not concur. The current information required by the NOI is adequate for the purposes of evaluating prospective dischargers. No changes to the NOI were made as a result of these comments.

COMMENT 50: Ms. Kipps disputes the statement in the Domestic Wastewater Constituents of Concern section of the Information Sheet that only the non-volatile fraction of TDS (fixed dissolved solids, FDS) can percolate to groundwater. She states that the biodegradation of the volatile portion of TDS in soil and groundwater produces alkalinity and releases calcium and magnesium, thereby increasing the non-volatile fraction of TDS. As a result, groundwater FDS concentrations may exceed those in the discharge due to in situ geochemical processes.

> **RESPONSE:** Staff revised the language to more clearly characterize why FDS is the primary salinity constituent of concern.

COMMENT 51: Ms. Kipps notes that the Title 22 Engineering Report section of the Information Sheet cites California Code of Regulations, Title 17, sections 7583–7629, of which several of the cited regulatory sections have been repealed and therefore should not be referenced.

> **RESPONSE:** Staff thank Ms. Kipps for identifying this error and have revised the Information Sheet to cite the correct sections of the California Water Code and the California Code of Regulations.