**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**
**SANTA ANA REGION**

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# ORDER NO. R8-2026-0001
# NPDES NO. CA8000316

# WASTE DISCHARGE REQUIREMENTS AND MASTER RECYCLING PERMIT FOR THE WESTERN RIVERSIDE COUNTY REGIONAL WASTEWATER AUTHORITY WESTERN RIVERSIDE COUNTY REGIONAL WASTEWATER TREATMENT PLANT RIVERSIDE COUNTY

The following Discharger is subject to waste discharge requirements (WDRs) set forth in this Order:

**Table 1. Discharger Information**

| | |
|---|---|
| **Discharger** | Western Riverside County Regional Wastewater Authority (WRCRWA) |
| **Operator** | Western Municipal Water District (WMWD) |
| **Name of Facility** | Western Riverside County Regional Wastewater Treatment Plant |
| **Facility Address** | 14634 River Road |
| | Eastvale, CA 92880 |
| | Riverside County |

**Table 2. Discharge Location**

| Discharge Point | Effluent Description | Discharge Point Latitude (North) | Discharge Point Longitude (West) | Receiving Water |
|---|---|---|---|---|
| 001 | Tertiary treated and disinfected wastewater and stormwater overflow | 33° 55’ 11” N | 117° 36’ 25” W | Prado Basin Management Zone (PBMZ) & Reach 3 of the Santa Ana River |
| 002 | Tertiary treated and disinfected recycled water | 33° 55’ 35” N | 117° 36’ 15” W | Temescal Groundwater Management Zone (GMZ) |
| 003 | Tertiary treated and disinfected recycled water | 33° 55’ 35” N | 117° 36’ 15” W | Chino North "Max Benefit" GMZ (or Chino 1, 2, and 3 "Antidegradation" GMZs) - see Fact Sheet |
| 004 | Tertiary treated and disinfected recycled water | 33° 55’ 35” N | 117° 36’ 15” W | Chino East GMZ |
| 005 | Tertiary treated and disinfected recycled water | 33° 55’ 35” N | 117° 36’ 15” W | Chino South GMZ |

| Discharge Point | Effluent Description | Discharge Point Latitude (North) | Discharge Point Longitude (West) | Receiving Water |
|---|---|---|---|---|
| 006 | Tertiary treated and disinfected recycled water | 33° 55’ 35” N | 117° 36’ 15” W | Arlington GMZ |
| 007 | Tertiary treated and disinfected Wastewater | 33° 55’ 25” N | 117° 34’ 16” W | Lake Norconian |

**Table 3. Administrative Information**

| | |
|---|---|
| This Order was adopted on: | **October 23, 2026** |
| This Order shall become effective on: | **November 1, 2026** |
| This Order shall expire on: | **October 31, 2031** |
| The Discharger shall file a Report of Waste Discharge as an application for reissuance of WDRs in accordance with title 23, California Code of Regulations, and an application for reissuance of a National Pollutant Discharge Elimination System (NPDES) permit no later than: | **180 days prior to the Order expiration date** |
| The U.S. Environmental Protection Agency (U.S. EPA) and the California Regional Water Quality Control Board, Santa Ana Region have classified this discharge as follows: | **Major** |

I, Eric T. Lindberg, Executive Officer, do hereby certify that this Order No. R8-2026-0001 with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on October 23, 2026.



**Eric T. Lindberg, Executive Officer**

## CONTENTS

I. Facility Information ..... 5
II. Findings ..... 5
III. Discharge Prohibitions ..... 6
IV. Effluent Limitations and Discharge Specifications ..... 6
A. Effluent Limitations – Discharge Point (DP) 001 & DP-007 ..... 6
1. Final Effluent Limitations for DP-001 & DP-007 under conditions without 20:1 dilution in the receiving water ..... 6
2. Toxicity Requirements ..... 10
3. Effluent Limitations- DP-001 Under Conditions of 20:1 or More Dilution ..... 11
B. Land Discharge Specifications – Not Applicable ..... 13
C. Recycling Specifications – DP-002 through 006 ..... 13
D. Storm Water Discharge Specifications – DP-001 ..... 19
V. Receiving Water Limitations - Groundwater ..... 20
VI. Provisions ..... 20
A. Standard Provisions ..... 20
B. MRP Requirements ..... 22
C. Special Provisions ..... 22
1. Reopener Provisions ..... 22
2. Special Studies, Technical Reports, and Additional Monitoring Requirements ..... 23
3. Best Management Practices and Pollution Prevention ..... 26
4. Construction, Operation and Maintenance Specifications ..... 27
5. Special Provisions for Publicly Owned Treatment Works (POTWs) ..... 28
6. Other Special Provisions ..... 30
7. Compliance Schedules – Not Applicable ..... 31
VII. Compliance Determination ..... 31
A. General. ..... 31
B. Multiple Sample Data. ..... 31
C. Average Monthly Effluent Limitation (AMEL). ..... 32
D. Average Weekly Effluent Limitation (AWEL). ..... 32
E. Maximum Daily Effluent Limitation (MDEL). ..... 32
F. Instantaneous Minimum Effluent Limitation. ..... 32
G. Instantaneous Maximum Effluent Limitation. ..... 32
H. 12-Month Running Average Effluent Limitation. ..... 33
I. TDS Increment Limit. ..... 33
J. Priority Pollutants. ..... 33
K. Compliance Determination. ..... 34

## TABLES

Table 1. Discharger Information ..... 1
Table 2. Discharge Location ..... 1
Table 3. Administrative Information ..... 2
Table 4. Effluent Limitations at DP-001 and DP-007 Under Conditions Without 20:1 Dilution in the Receiving Water ..... 6
Table 5. Effluent Limitations at DP-001 Under 20:1 Dilution ..... 12
Table 6. Recycled Water Discharge Specifications ..... 13
Table 7. Recycled Water Effluent TDS Limitations ..... 14

## ATTACHMENTS

Attachment A – Definitions ..... A-1
Attachment B – WRCRWA Service Area Map ..... B-1

Attachment C – Flow Schematic ..... C-1
Attachment D – Standard Provisions ..... D-1
Attachment E – Monitoring and Reporting Program ..... E-1
Attachment F – Fact Sheet ..... F-1
Attachment G – U.S. EPA Priority Pollutant List ..... G-1
Attachment H – Minimum levels ..... H-1
Attachment I – Triggers for Monitoring Priority Pollutants ..... I-1
Attachment J – Storm Water Pollution Prevention Plan (SWPPP) ..... J-1
Attachment K – Storm Water Monitoring and Reporting Requirements ..... K-1

## I. FACILITY INFORMATION

Information describing the Western Riverside County Regional Wastewater Authority and its Regional Wastewater Treatment Plant is summarized in Table 1 and in sections I and II of the Fact Sheet (Attachment F). Section I of the Fact Sheet also includes information regarding the Facility's permit application.

## II. FINDINGS

The California Regional Water Quality Control Board, Santa Ana Region (Santa Ana Water Board), finds:

**A. Legal Authorities.** This Order serves as waste discharge requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260) and as a master recycling permit pursuant to section 13523.1 of article 4, chapter 7, division 7 of the California Water Code. This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as a National Pollutant Discharge Elimination System (NPDES) permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 2 subject to the WDRs in this Order.

**B. Background and Rationale for Requirements.** The Santa Ana Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for the requirements in this Order, is hereby incorporated into and constitutes Findings for this Order. Attachments A through E and G through L are also incorporated into this Order.

**C. Provisions and Requirements Implementing State Law.** The provisions/requirements in subsections IV.C, V, VI.A.2.c, and VI.C.6 of this Order are included to implement state law only. The provisions/requirements in subsections IV.C, V, VI.A.2.c, and VI.C.6 of this Order are not required or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.

**D. Substantial Pretreatment Program Modification Approval (Local Limits).** The Discharger submitted a local limits evaluation report (hereinafter Submission) that included the relaxation of several local limits, which constitutes a substantial pretreatment program modification pursuant to 40 CFR Part 403.18(b)(2). The Santa Ana Water Board's staff reviewed the Submission and concluded that it meets the content requirements of 40 CFR Part 403.9(b) and is consistent with requirements under 40 CFR Part 403.8(f). Therefore, the Submission is approved with the adoption of this Order.

**E. Notification of Interested Parties.** The Santa Ana Water Board notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of the notification are provided in the Fact Sheet (Attachment F).

**F. Consideration of Public Comment.** The Santa Ana Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet (Attachment F).

THEREFORE, IT IS HEREBY ORDERED that this Order supersedes and rescinds Order R8-2015-0013 and Amendment Order R8-2019-0066, except for purposes of enforcement of the previous orders, and, in order to meet the provisions contained in division 7 of the Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the CWA and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order. This action in no way prevents the Santa Ana Water Board from taking enforcement action for violations of the previous orders.

## III. DISCHARGE PROHIBITIONS

**A.** Wastewater discharged at DP-001 shall be limited to stormwater overflow and tertiary treated and disinfected effluent that meets the conditions in sections IV.A.1, except for discharges of treated wastewater that meets the conditions specified in section IV.A.3 when the flow in the Santa Ana River results in a dilution of 20:1 or more at the point of discharge.

**B.** The direct discharge of secondary treated wastewater to Reach 3 of Santa Ana River other than when the flow[1] in the Santa Ana River results in a dilution of 20:1 or more at the point of discharge is prohibited.

**C.** The discharge of wastewater at a location or in a manner different from those described in this Order is prohibited.

**D.** The bypass or overflow of untreated wastewater or wastes to surface waters or surface water drainage courses is prohibited, except as allowed in Standard Provision I.G. of Attachment D, Federal Standard Provisions.

**E.** The discharge of any radiological, chemical, or biological warfare agent or high-level radiological waste is prohibited.

## IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

### A. Effluent Limitations – Discharge Point (DP) 001 & DP-007

#### 1. Final Effluent Limitations for DP-001 & DP-007 under conditions without 20:1 dilution in the receiving water

a. The Discharger shall maintain compliance with the following effluent limitations at DP 001 and DP-007, with compliance measured at Monitoring Locations M-001 and M-007, respectively, as described in the Monitoring and Reporting Program (MRP), Attachment E:

**Table 4. Effluent Limitations at DP-001 and DP-007 Under Conditions Without 20:1 Dilution in the Receiving Water**

[1] Exclusive of discharges to surface waters from upstream publicly owned treatment works.

| Parameter | Units | Average Monthly | Average Weekly | Maximum Daily | Monthly Median | Instantaneous Maximum |
|---|---|---|---|---|---|---|
| Biochemical Oxygen Demand 5-day @ 20°C ($BOD_5$) at DP-001 | mg/L | 20 | 30 | --- | -- | --- |
| | lbs/day[1] | 2,335 | 3,503 | --- | -- | --- |
| Total Suspended Solids (TSS) at DP-001 | mg/L | 20 | 30 | --- | -- | --- |
| | lbs/day[1] | 2,335 | 3,503 | --- | -- | --- |
| $BOD_5$ at DP-007 | mg/L | 20 | 30 | --- | -- | --- |
| | lbs/day[1] | 1,084 | 1,626 | --- | -- | --- |
| TSS at DP-007 | mg/L | 20 | 30 | --- | -- | --- |
| | lbs/day[1] | 1,084 | 1,626 | --- | -- | --- |
| Ammonia Nitrogen at DP-001 | mg/L | 5 | --- | --- | -- | --- |
| | lbs/day[1] | 584 | --- | --- | -- | --- |
| Ammonia Nitrogen at DP-007 | mg/L | 0.95 | | | | |
| | lbs/day[1] | 52 | | | | |
| Copper, Total Recoverable[5] | µg/L | 9.0 | --- | 20.5 | -- | -- |
| Lead, Total Recoverable[5] | µg/L | 4.5 | --- | 8.4 | -- | -- |
| Cyanide, Free | µg/L | 4.2 | --- | 8.8 | --- | --- |
| Bis (2-Ethylhexyl) Phthalate | µg/L | 4.0 | --- | 8.0 | --- | --- |
| Dieldrin | µg/L | 0.00014 | --- | 0.00028 | --- | --- |
| Total Residual Chlorine[6] | mg/L | --- | --- | --- | --- | 0.1 |
| Chronic Toxicity[2,6] *Ceriodaphnia dubia* as test species survival and reproduction | Pass/Fail (TST), % Effect | --- | --- | Pass or % Effect <50[4] | Pass[3] | --- |

1 Mass-based effluent limitations were calculated as mass rate = Design Flow in MGD x concentration in mg/L x 8.34. The design flow of the Facility is shown in Table F-1 of Attachment F of this Order. For DP-007, the design flow capacity is 6.5 MGD to top off the lake as needed.

2 As specified in section IV.A.2 of this Order and section V. of the MRP (Attachment E).

3 No more than one Ceriodaphnia dubia chronic aquatic toxicity test initiated in a calendar month shall result in a "Fail" at the in-stream waste concentration (IWC) for any endpoint. The Median Monthly Effluent Limit (MMEL) is an enforceable effluent limitation.

4 No *Ceriodaphnia dubia* chronic aquatic toxicity test shall result in a "Fail" at the IWC for the sub-lethal endpoint measured in the test and a percent effect for the survival endpoint or sub-lethal endpoint (when survival endpoint is not available) greater than or equal to 50 percent.

5 The effluent limitations for copper and lead do not apply at DP-007.

6 For DP-007, the compliance with these parameters must be measured at Monitoring Location M-007, as described in Attachment E of the Order.

b. **Percent Removal:** The average monthly percent removal of BOD 5-day 20°C and total suspended solids shall not be less than 85 percent.

c. **Total Dissolved Solids (TDS)** – The lower of the two total dissolved solids (TDS) limits specified in i or ii, below, shall apply:

i. The 12-month flow-weighted running average TDS concentration and shall not exceed 625 mg/L at DP-001 and 1,050 mg/L at DP-007, unless:

(a) The Discharger demonstrates to the satisfaction of the Santa Ana Water Board's Executive Officer (Executive Officer) that:

(1) Discharges in excess of the TDS limits are due to the quality of water supply sources utilized in the Discharger's service area, and that all reasonable steps, as agreed upon by the Executive Officer, have been taken to ensure that the best quality supplies are obtained and utilized in the Discharger's service area; or

(2) Discharges in excess of the TDS limits are due solely to chemical additions in the treatment process needed to meet waste discharge requirements, and the Discharger has taken all steps to optimize chemical additions so as to minimize the increases.

(b) The Discharger implements a plan, with the approval of the Executive Officer, to offset discharges in excess of the TDS limits.

ii. The 12-month flow-weighted running average TDS concentration shall not exceed the 12-month flow weighted running average TDS concentration in the water supply by more than 250 mg/L, unless:

(a) The Discharger demonstrate to the satisfaction of the Executive Officer that TDS discharges in excess of the 250 mg/L mineral increment are due solely to chemical additions in the treatment process needed to meet waste discharge requirements, and the Discharger has taken all steps to optimize chemical additions so as to minimize the TDS increases.

(b) The Discharger implements a plan, with the approval of the Executive Officer, to offset discharges in excess of the 250 mg/L mineral increment.

d. **Total Inorganic Nitrogen (TIN):**

i. The 12-month flow-weighted running average Total Inorganic Nitrogen (TIN) concentration of the discharge shall not exceed 10 mg/L, unless the Discharger implements a plan, with the approval of the Executive Officer, to offset TIN discharges in excess of the TIN limits.

e. **Disinfected Tertiary Treated Wastewater:**

The discharge shall at all times be oxidized, filtered, and subsequently disinfected wastewater and shall meet the following limitations:

i. **Turbidity:**

When filtration is through natural undisturbed soils, a bed of filter media, or cloth filter media the turbidity of the filter effluent shall not exceed any of the following:

(a) Average of 2 Nephelometric Turbidity Units (NTU) within any 24-hour period;

(b) 5 NTU more than 5 percent of the time in any 24-hour period; and

(c) 10 NTU more than one minute in any 24-hour period.

ii. **Turbidity:**

The turbidity of disinfected tertiary wastewater that is passed through a microfiltration, ultrafiltration, nanofiltration, or reverse osmosis membrane shall not exceed any of the following:

(a) 0.2 NTU more than 5 percent of the time within any 24-hour period; and

(b) 0.5 NTU at any time.

iii. **Disinfection:**

The discharge shall meet the following:

(a) When a chlorine disinfection process based on Free Chlorine Residual (FCR) is utilized following filtration, the Discharger shall provide a FCRCT of at least 35 milligram-minutes per liter (mg-min/L), calculated using a $T_{10}$ baffling factor (BF) of 0.9, at all times to achieve 5-log virus inactivation pursuant to Title 22, section 60301.230(a)(2). Additionally, the combined Chlorine Contact Basin (CCB) effluent sample point must maintain a minimum FCR of 1.0 mg/L at all times.

(b) The Discharger shall operate and maintain the free-chlorine disinfection process as approved by the Division of Drinking Water (DDW) in its letter dated June 17, 2021, and consistent with Title 22, section 60301.230(a)(2). When combined with filtration, the disinfection process shall continue to demonstrate inactivation and/or removal of at least 99.999% of the plaque-forming units of F-specific bacteriophage MS2 or polio virus in the wastewater. A virus that is at least as resistant to disinfection as polio virus may be used for purposes of the demonstration.

iv. **Coliform Organisms:**

The disinfected wastewater shall meet the following:

(a) The weekly median concentration of total coliform bacteria shall not exceed a Most Probable Number (MPN) of 2.2 total coliform bacteria per 100 milliliters (mL).

To comply with the limit, the 7-day median MPN must not exceed 2.2 per 100 mL on any day during the week. However, only one violation is recorded for each calendar week, even if the 7-day median MPN value is greater than 2.2 for more than one day in the week. Calendar week means a week beginning with Sunday and ending with Saturday.

(b) The total coliform bacteria shall not exceed an MPN of 23 total coliform bacteria per 100 mL in more than one sample in any 30-day period.

(c) No total coliform bacteria sample shall exceed an MPN of 240 total coliform bacteria per 100 mL.

f. **Total Chlorine Residual:**

The discharge shall not exceed the following:

i. The total time during which the total chlorine residual values are above 0.1 mg/L (instantaneous maximum value) shall not exceed 7 hours and 26 minutes in any calendar month);

ii. No individual excursion from 0.1 mg/L value shall exceed 5 minutes; and

iii. No individual excursion shall exceed 5.0 mg/L.

g. **pH:**

The pH of the discharge shall be maintained between 6.5 to 8.5 pH units.

Compliance with pH limits shall be determined as follows:

i. The total time during which the pH is outside the range of 6.5 to 8.5 pH units shall not exceed 7 hours and 26 minutes in any calendar month; and

ii. No individual excursion from the above range shall exceed 60 minutes.

**2. Toxicity Requirements**

The numeric chronic toxicity effluent limitation is expressed as a null hypothesis ($H_0$) and regulatory management decision (b value) of 0.75 for the chronic toxicity methods in Attachment E – MRP. The null hypothesis for the effluent discharge from the Facility is:

$H_0$: Mean response (100% effluent) ≤ 0.75 mean response (control)

Results obtained from a single-concentration chronic toxicity test shall be evaluated using the Test of Significant Toxicity hypothesis testing approach (EPA 833-R-10-004, 2010) in Attachment E – MRP. Compliance with the Maximum Daily Effluent Limitation (MDEL) for chronic toxicity is demonstrated by rejecting

the null hypothesis, resulting in a “Pass”, and “Percent Effect” < 50, as described in section V.A. of Attachment E.

The Median Monthly Effluent Limit (MMEL) for chronic toxicity is exceeded when two or more toxicity tests in a calendar month result in a “Fail” in accordance with the TST approach. The MDEL and MMEL for chronic toxicity are set at the in-stream waste concentration (IWC) for the discharge (100% effluent) and are expressed using the TST statistical approach (“Pass” or “Fail”, “Percent Effect”).

**3. Effluent Limitations- DP-001 Under Conditions of 20:1 or More Dilution**

a. The discharge of treated and disinfected effluent when the river flow[2] in the Santa Ana River results in a dilution of 20:1 (receiving water flow: wastewater flow) or more at DP-001, shall maintain compliance with the following effluent limitations, with compliance measured at monitoring location M-001, as described in the attached MRP (Attachment E):

[2] Exclusive of discharges to surface waters from upstream publicly owned treatment works.

**Table 5. Effluent Limitations at DP-001 Under 20:1 Dilution**

| Parameter | Units | Effluent Limitations | | | |
|---|---|---|---|---|---|
| | | Average Monthly | Average Weekly | Instantaneous Minimum | Instantaneous Maximum |
| $BOD_5$ | mg/L | 30 | 45 | --- | --- |
| TSS | mg/L | 30 | 45 | --- | --- |
| Copper, Total Recoverable | µg/L | 9.0 | --- | 20.5 | --- |
| Lead, Total Recoverable | µg/L | 4.5 | --- | 8.4 | --- |
| Cyanide, Free | µg/L | 4.2 | --- | 8.8 | --- |
| Bis (2-Ethylhexyl) Phthalate | µg/L | 4.0 | --- | 8.0 | --- |
| Dieldrin | µg/L | 0.00014 | --- | 0.00028 | --- |
| Total Residual Chlorine | mg/L | --- | --- | --- | 2.1 |
| pH | pH Units | | | 6.5 (section IV.A.1.g applies) | 8.5 (section IV.A.1.g applies) |

b. Treated wastewater shall at all times be adequately oxidized and disinfected wastewater and shall meet the following limitations, with compliance measured at monitoring location M-001:

i. The weekly average number of total coliform bacteria does not exceed a median MPN of 23 total coliform bacteria per 100 mL as determined from the daily total coliform bacteria concentration values for the last 7 days (7-day rolling median) for which analysis have been completed.

To comply with the limit, the 7-day median MPN must not exceed 23 per 100 mL on any day during the week. However, only one violation is recorded for each calendar week, even if the 7-day median MPN value is greater than 23 for more than one day in the week. Calendar week means a week beginning with Sunday and ending with Saturday.

ii. The total coliform bacteria shall not exceed an MPN of 240 of total coliform bacteria per 100 mL in more than one sample in any 30-day period.

c. The monthly removal average of biochemical oxygen demand and suspended solids concentrations of the discharge at least be greater than eighty five percent (85%) of the monthly average influent concentration.

## B. Land Discharge Specifications – Not Applicable

## C. Recycling Specifications – DP-002 through 006

1. Unless otherwise specified hereinafter, compliance with the following limitations shall be measured at Monitoring Location REC-001 as described in the attached MRP (Attachment E). If the Discharger determines that the location of REC-001 is not located at a representative monitoring location for recycled water discharges through DP-002 to DP-006, the Discharger shall submit for approval by the Executive Officer alternative monitoring location(s) not specified herein where representative samples of recycled water could be obtained for laboratory testing and analysis.
2. The Discharger shall comply with the following limitations for the production and use of recycled water supplied for all DDW approved recycled water uses:
    a. Physical and Biological Limitations:

**Table 6. Recycled Water Discharge Specifications**

| Parameter | Units | Discharge Specifications | | | |
|---|---|---|---|---|---|
| | | Average Monthly | Average Weekly | Instantaneous Minimum | Instantaneous Maximum |
| $BOD_5$ | mg/L | 20 | 30 | | |
| TSS | mg/L | 20 | 30 | | |

    b. **Total Dissolved Solids (TDS):** The following TDS limitations apply to recycled water uses that would affect underlying Groundwater Management Zones (GMZs).
        i. For recycled water use on sites overlying the Temescal GMZ (DP-002), the 12-month flow weighted running average TDS concentration shall not exceed 770 mg/L, unless the Discharger implements an approved offset program.
        ii. For recycled water use on sites overlying the Chino North “Maximum Benefit” GMZ and Chino 1, Chino 2, and Chino 3 “antidegradation” GMZs (DP-003) the following TDS limitations apply:
            (a) If maximum benefit is demonstrated (see Provisions VI.C.6.a.), the 12-month flow-weighted running average TDS concentration of recycled water discharged at approved use sites overlying the Chino North “Maximum Benefit” GMZ (DP-003) shall not exceed 625 mg/L.
            (b) If maximum benefit is not demonstrated (see Provisions VI.C.6.b.), the 12-month flow weighted running average TDS concentration of recycled water discharged at approved use sites overlying the Chino 1, Chino 2, and Chino 3 “antidegradation” GMZs (DP-003) shall not exceed the following:

**Table 7. Recycled Water Effluent TDS Limitations**

| Groundwater Management Zone | TDS Limit (mg/L) |
|---|---|
| Chino 1 | 280 |
| Chino 2 | 250 |
| Chino 3 | 260 |

iii. For recycled water use on sites overlying the Chino East GMZ (DP-004), the 12-month flow-weighted running average TDS concentration shall not exceed 730 mg/L, unless the Discharger implements an approved offset program.

iv. For recycled water use on sites overlying the Chino South GMZ (DP-005), the 12-month flow-weighted running average TDS concentration shall not exceed 680 mg/L, unless the Discharger implements an approved offset program.

v. For recycled water use on sites overlying Arlington GMZ (DP-006), the 12-month flow-weighted running average TDS concentration shall not exceed 980 mg/L, unless the Discharger implements an approved offset program.

c. Recycled water use in the Chino North GMZ in excess of the initial cap of 886 acre-feet per year (AFY) may be approved by the Executive Officer or the board following review and acceptance of a demonstration of the projected TDS and nitrate concentration impacts of the proposed additional use, provided that the demonstration is consistent with the projections prepared in support of the Chino Basin Maximum Benefit Salt and Nutrient Management Plan (SNMP). The demonstration may rely upon the most recently completed fate and transport modeling and projections prepared in support of the SNMP. Upon written approval by the Executive Officer, recycled water use in excess of 886 AFY may proceed without amendment of this Order, unless otherwise required by law.

d. Recycled water, as described in section 60307(a) of Division 4, Chapter 3, Title 22, California Code of Regulations, supplied for irrigation of food crops, parks and playground, school yards, residential landscaping and other irrigation uses not specified in section 60304(a) of Division 4, Chapter 3, Title 22, California Code of Regulations or not prohibited in other sections of the California Code of Regulations shall at all times be adequately oxidized, filtered, and disinfected tertiary treated wastewater and shall meet the following limitations:

i. <u>Turbidity:</u>

When filtration is through natural undisturbed soils or a bed of filter media, the turbidity of the filter effluent shall not exceed any of the following:

(a) Average of 2 NTU within any 24-hour period;

(b) 5 NTU more than 5 percent of the time in any 24-hour period; and

(c) 10 NTU more than one minute in any 24-hour period.

ii. Turbidity:

The turbidity of disinfected tertiary recycled water that is passed through microfiltration, ultrafiltration, nanofiltration, or reverse osmosis membrane shall not exceed any of the following:

(a) 0.2 NTU more than 5 percent of the time within any 24-hour period; and

(b) 0.5 NTU at any time.

iii. Disinfection:

The Discharger shall comply with the following:

(a) When a disinfection process combined with the filtration process is utilized, the combined process shall demonstrate inactivation and/or removal of 99.999 percent of the plaque-forming units of F-specific bacteriophage MS2, or polio virus in the wastewater. A virus that is at least as resistant to disinfection as polio virus may be used for purposes of the demonstration.

(b) When a chlorine disinfection process based on Free Chlorine Residual (FCR) is utilized following filtration, the Discharger shall provide a FCRCT of at least 35 milligram-minutes per liter (mg-min/L), calculated using a $T_{10}$ baffling factor (BF) of 0.9, at all times to achieve 5-log virus inactivation pursuant to Title 22, section 60301.230(a)(2). Additionally, the combined Chlorine Contact Basin (CCB) effluent sample point must maintain a minimum FCR of 1.0 mg/L at all times.

(c) The pH shall not exceed 9.0 and the wastewater temperature shall be maintained at or above 10 °C at all times to ensure achievement of 5-log virus inactivation.

(d) The flow rate through each CCB shall not exceed the Peak Wet Weather Design Flow of 11.7 MGD.

(e) Under the FCR disinfection process, the combined filter effluent turbidity prior to disinfection must not exceed the following:

(1) 5 NTU at any time

(2) 2 NTU 24-hour average

(f) The Discharger must monitor for ammonia prior to the free chlorine addition and optimize the secondary treatment system to prevent ammonia breakthrough.

(g) The Facility must be operated with an automatic reliability feature that must be triggered when the minimum FCRCT, FCR, or turbidity targets are not achieved.

(h) Online ammonia analyzers, turbidity analyzers, free chlorine analyzers, total chlorine analyzers and flow meters must be installed and properly calibrated based on manufacturers recommendations to ensure proper disinfection at all times. Turbidity, ammonia, total chlorine, and free chlorine analyzers must be inspected and checked against a reference bench-top unit routinely to determine accuracy. If an online analyzer reading varies from the bench-top reading, the online analyzer must be recalibrated by a procedure recommended by the manufacturer. Flow meters must be inspected and checked against other flow determination methods routinely to determine accuracy.

(i) The Facility must be operated in accordance with an approved operations plan, which specifies clearly the operational limits and responses required for critical alarms. The operations plan must be submitted to and approved by DDW prior to issuance of the permit. A copy of the approved operations plan must be maintained at the treatment plant and be readily available to operations personnel and regulatory agencies. A quick reference plant operations data sheet must be posted at the treatment plant and include the following information:

(1) The alarm set points for tertiary turbidity, high flow, low FCR, low contact time, and low FCRCT.

(2) The values of high tertiary turbidity, high flow, low FCR, and low FCRCT when recycled water flow must be diverted.

(3) The required frequency of calibration for critical online instruments; such as online turbidity meters, ammonia analyzers, and chlorine analyzers.

(j) The Discharger must maintain records of compliance with these conditions, made available to DDW or the Santa Ana Water Board upon request. In addition, the Discharger must report a summary of compliance with an approved operations plan as part of its annual reporting to the Santa Ana Water Board.

iv. <u>Coliform:</u>

The Discharger shall comply with the following:

(a) The weekly median concentration of total coliform bacteria shall not exceed an MPN of 2.2 total coliform bacteria per 100 mL.

To comply with the limit, the 7-day median MPN must not exceed 2.2 per 100 mL on any day during the week. However, only one violation is recorded for each calendar week, even if the 7-day median MPN value is greater than 2.2 for more than one day in the week. Calendar week means a week beginning with Sunday and ending with Saturday.

(b) The number of total coliform bacteria shall not exceed an MPN of 23 total coliform bacteria per 100 mL in more than one sample in any 30-day period.

(c) No total coliform bacteria sample shall exceed an MPN of 240 total coliform bacteria per 100 mL.

e. Recycled water supplied for irrigation of food crops where the edible portion is produced above ground and not contacted by the recycled water shall at all times be adequately oxidized and disinfected so that the average weekly total coliform bacteria in the disinfected effluent does not exceed a MPN of 2.2 per 100 mL utilizing the bacteriological results of the last seven days for which analyses have been completed, and the number of total coliform bacteria does not exceed an MPN of 23 per 100 mL in more than one sample.

f. Recycled water supplied for the uses listed below shall be adequately oxidized and disinfected water so that:

i. The average weekly total coliform bacteria in the disinfected effluent does not exceed an MPN of 23 per 100 mL utilizing the bacteriological results of the last seven days for which analyses have been completed. To comply with the limit, the 7-day median MPN must not exceed 23 per 100 mL on any day during the week. However, only one violation is recorded for each calendar week, even if the 7-day median MPN value is greater than 23 for more than one day in the week, and

ii. The number of total coliform bacteria does not exceed an MPN of 240 per 100 mL in more than one sample in any 30-day period.

The uses are:

i. Industrial boiler feed, nonstructural fire-fighting, backfill consolidation around non-potable piping, soil compaction, mixing concrete, dust control on roads and streets, cleaning roads, sidewalks and outdoor work areas and industrial process water that will not come into contact with workers.

ii. Irrigation of cemeteries, freeway landscaping, restricted access golf courses, ornamental nursery stock and sod farms where access by the general public is not restricted, pasture for animals producing milk for human consumption, and any nonedible vegetation where access is controlled so that irrigated area cannot be used as if it were part of a park, playground or school yard.

g. Recycled water supplied for uses specified in sections 60304 and 60307 of Title 22 where filtration is provided pursuant section 60301.320(a) and coagulation is not used as part of the treatment process, shall at all times comply with the following:

i. The turbidity of the influent to the filters is continuously measured and the influent turbidity does not exceed 5 NTU for more than 15 minutes and never exceeds 10 NTU;

ii. The filter effluent turbidity shall not exceed 2 NTU; and

iii. Should the filter influent turbidity exceed 5 NTU for more than 15 minutes, chemical addition shall be automatically activated if available, if not, the wastewater shall be diverted.

3. The Discharger shall be responsible for assuring that recycled water is delivered and utilized in conformance with this Order and the recycling criteria contained in Title 22, Division 4, Chapter 3, sections 60301 through 60355, California Code of Regulations. The Discharger shall conduct periodic inspections of the facilities of the recycled water users to monitor compliance by the users with this Order.

4. The Discharger shall establish and enforce the Rules and Regulations for Recycled Water Users, governing the design and construction of recycled water use facilities and the use of recycled water in accordance with the uniform statewide recycling criteria established pursuant to California Water Code section 13521.

   a. Use of recycled water by the Discharger shall be consistent with its Rules and Regulations for Recycled Water Use.

   b. Any revisions made to the Rules and Regulations shall be subject to the review of the Santa Ana Water Board, the State Water Board's DDW, and the County Environmental Health Department. The revised Rules and Regulations or a letter certifying that the Discharger's Rules and Regulations contain the updated provisions in this Order, shall be submitted to the Santa Ana Water Board and DDW within 180 days of adoption of this Order by the Santa Ana Water Board.

5. The Discharger shall, within 90 days of the adoption of this Order, review and update as necessary its program to conduct compliance inspections of recycled water reuse sites. Inspections shall determine the status of compliance with the Discharger's Rules and Regulations for Recycled Water Use.

6. The storage, delivery, or use of recycled water shall not individually or collectively, directly or indirectly, result in a pollution or nuisance, or adversely affect water quality, as defined in the California Water Code.

7. Prior to delivering recycled water to any new user, the Discharger shall submit to the Santa Ana Water Board, the DDW and the Riverside County Environmental Health Department a report containing the following information for review and approval:

   a. The average number of persons estimated to be served at each use site area on a daily basis.

   b. The specific boundaries of the proposed use site area, including a map showing the location of each facility, drinking water fountain, and impoundment to be used.

   c. The person or persons responsible for operation of the recycled water system at each use area.

   d. The specific use to be made of the recycled water at each use area.

e. The methods to be used to assure that the installation and operation of the recycled system will not result in cross connections between the recycled water and potable water piping systems. This shall include a description of the pressure, dye or other test methods to be used to test the system.

f. Plans and specifications which include the following:

i. Proposed piping system to be used.

ii. Pipe locations of both the recycled and potable systems.

iii. Type and location of the outlets and plumbing fixtures that will be accessible to the public.

iv. The methods and devices to be used to prevent backflow of recycled water into the potable water system.

v. Plan notes relating to specific installation and use requirements.

8. The use of recycled water at new use sites shall only commence after the DDW grants final approval for such use. The Discharger shall provide the Santa Ana Water Board with a copy of the DDW approval letter within 30 days of the approval notice.

9. The Discharger shall require each user of recycled water to designate an on-site supervisor responsible for the operation of the recycled water distribution system within the recycled water use area. The supervisor shall be responsible for enforcing this Order, prevention of potential hazards, the installation, operation and maintenance of the distribution system, maintenance of the distribution and irrigation system plans in "as-built" form, and for the distribution of the recycled wastewater in accordance with this Order and assume all required responsibilities as outlined in the approved Discharger's Rules and Regulations for Recycled Water Use.

10. Recycled water shall at all times be maintained within the property lines of any user. There shall be no direct or indirect discharge of recycled water into drainage systems that could affect surface water quality standards.

**D. Storm Water Discharge Specifications – DP-001**

1. Storm water discharges shall not:

a. Cause or contribute to a violation of any applicable water quality standards contained in the Basin Plan or in the State or Federal regulations.

b. Cause or threaten to cause pollution, contamination, or nuisance.

c. Contain a hazardous substance equal to or in excess of a reportable quantity listed in 40 CFR 110.6, 117.21 and/or 40 CFR 302.6.

d. Adversely impact human health or the environment.

e. Result in noncompliance with the lawful requirements of municipalities, counties, drainage districts, and other local agencies on storm water discharges into storm drain systems or other courses under their jurisdiction.

2. Storm water discharges from the Facility shall comply with the Stormwater Requirements in Attachments J and K.
3. The Dischargers shall implement BMPs that comply with the BAT/BCT requirements of this Order to reduce or prevent discharges of pollutants in its storm water discharge in a manner that reflects best industry practice considering technological availability and economic practicability and achievability.
4. The Discharger must update and implement the Storm Water Pollution Prevention Plan for the Facility in accordance with Attachment J of this Order.

## V. RECEIVING WATER LIMITATIONS - GROUNDWATER

The discharge of waste or use of recycled water shall not cause the underlying groundwater to be degraded, to exceed water quality objectives, unreasonably affect beneficial uses, or cause a condition of pollution or nuisance.

## VI. PROVISIONS

### A. Standard Provisions

1. The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.
2. The Discharger shall comply with the following provisions. In the event that there is any conflict, duplication, or overlap between provisions specified by this Order, the more stringent provision shall apply:
    a. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this facility, may subject the Discharger to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.
    b. In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition, (e.g., maximum daily effluent limitation), or receiving water limitation of this Order, the Discharger shall notify the Santa Ana Water Board by telephone (951) 782-4130 or by email at info8@waterboards.ca.gov within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, and/or email within 24 hours. The email notifications allow for proper documentation and can help to outline the issue that has occurred, unless the Santa Ana Water Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe the measures being taken to remedy the current noncompliance and, prevent recurrence including, where applicable, a schedule of implementation. Other noncompliance requires written notification as above at the time of the normal monitoring report.
    c. Neither the treatment nor discharge of pollutants shall create nuisance as defined by section 13050 of the Water Code.

d. The Discharger shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncomplying discharge.

e. This Order may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:

   i. Violation of any terms or conditions of this Order;

   ii. Obtaining this Order by misrepresentation or failure to disclose fully all relevant facts; or

   iii. In addition to any other grounds specified herein, this Order may be modified or revoked at any time if, on the basis of any data, the Santa Ana Water Board determines that the continued discharges may cause unreasonable degradation of water quality.

f. If an effluent standard or discharge prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under section 307 (a) of the Clean Water Act for a toxic pollutant which is present in the discharge, and such standard or prohibition is more stringent than any limitation for that pollutant in this Order, this Order may be modified or revoked and reissued to conform to the effluent standard or discharge prohibition.

g. The Discharger shall file with the Santa Ana Water Board a Report of Waste Discharge at least 180 days before making any material change in the character, location, or volume of the discharge. A material change includes, but is not limited to, the following:

   i. Adding a major industrial waste discharge to a discharge of essentially domestic sewage or adding a new process or product by an industrial facility resulting in a change in the character of the waste.

   ii. Significantly changing the disposal method or location, such as changing the disposal to another drainage area or water body.

   iii. Significantly changing the method of treatment.

   iv. Increasing the treatment plant design capacity beyond that specified in this Order.

h. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.

i. The Discharger shall maintain a copy of this Order at the site so that it is available to site operating personnel at all times. Key operating personnel shall be familiar with its content.

j. The Discharger shall optimize chemical additions needed in the treatment process to meet waste discharge requirements so as to minimize total dissolved solid increases in the treated wastewater.

k. Collected screening, sludge, and other solids removed from liquid wastes shall be disposed of in a manner approved by the Executive Officer.

l. This Order is not transferable to any person except after notice to the Santa Ana Water Board. The notice must be in writing and received by the Santa Ana Water Board at least 120 days in advance of any proposed transfer. The notice must include a written agreement between the existing and new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the existing and the new discharger. This agreement must include an acknowledgement that the existing Discharger is liable for violations occurring before the transfer date and that the new discharger is liable from the transfer date and thereafter. The Santa Ana Water Board may require modification or revocation and reissuance of this Order to change the name of the discharger and incorporate other requirements as may be necessary.

m. The treatment facilities shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods within a 100-year return frequency.

## B. MRP Requirements

The Discharger shall comply with the MRP, and future revisions thereto, in Attachment E of this Order. This MRP may be modified by the Executive Officer at any time during the term of this Order and may include an increase in the number of parameters to be monitored, the frequency of the monitoring or the number and size of samples to be collected. Any increase in the number of parameters to be monitored, the frequency of the monitoring or the number and size of samples to be collected may be reduced back to the levels specified in the original MRP at the discretion of the Executive Officer.

## C. Special Provisions

### 1. Reopener Provisions

a. This Order will be reopened to address any changes in State or federal statutes, plans, policies or regulations that would affect the quality requirements for the discharges.

b. This Order may be reopened to include effluent limitations for pollutants determined to be present in the discharge in concentrations that pose a reasonable potential to cause or contribute to violations of water quality objectives.

c. This Order may be reopened and modified if new or revised water quality objectives or total maximum daily loads (TMDLs) come into effect for contiguous water bodies (whether statewide, regional, or site-specific). In such cases, effluent limitations in this Order may be modified as necessary to reflect the updated water quality objectives and wasteload allocations in the

TMDLs. Adoption of effluent limitations contained in this Order is not intended to restrict in any way future modifications based on legally adopted water quality objectives, TMDLs, or as otherwise permitted under federal regulations governing NPDES permit modifications.

d. This Order may be reopened and modified in accordance with the requirements set forth at 40 CFR Parts 122 and 124, to include the appropriate conditions or limits to address demonstrated effluent toxicity based on newly available information, or to implement any EPA-approved new State water quality standards applicable to effluent toxicity. Also, this Order may be reopened to specify the most sensitive test species once the species sensitivity screening is completed by the Discharger as required under section V.A.6. of Attachment E. However, reopening is not required if the species sensitivity screening indicates the most sensitive species is the same as the species as the most sensitive species already specified in this Order.

e. This Order may be reopened for modification to revise the aquatic toxicity provisions if the Supreme Court determines that the test of significant toxicity cannot be used in NPDES permits and the State Water Board suspends or revises the aquatic toxicity water quality standards.

f. This Order may be reopened for modification, or revocation and reissuance, as a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special conditions may be, but are not limited to, fish tissue sampling, whole effluent toxicity, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in this Order as a result of the special condition monitoring data.

g. This Order may be reopened to include an appropriate bioaccumulation based effluent limit for mercury if test results (as required in Attachment E of this Order) show that the concentration levels of methylmercury in the fish tissue are at or above 0.3 milligrams per kilogram.

h. This Order may be reopened to incorporate appropriate biosolids requirements if the State Water Resources Control Board and the Santa Ana Water Board are given the authority to implement regulations contained in 40 CFR Part 503.

i. This Order may be reopened to incorporate appropriate California Code Title 22 based requirements for indirect potable reuse of recycled water produced at the Facility.

j. This Order may be reopened, if necessary and appropriate, to specify revised waste discharge requirements based on the results of any investigation required.

**2. Special Studies, Technical Reports, and Additional Monitoring Requirements**

a. By December 1, 2026, the Discharger shall notify the Executive Officer of its continued involvement with the comprehensive mercury investigation program currently being conducted by a group of Santa Ana River system dischargers. If the Discharger discontinues its involvement with this comprehensive program, the Discharger shall, within 60 days of that date, submit for the approval of the Executive Officer its plan for the annual testing of mercury levels in fish flesh samples collected from the Santa Ana River, upstream of, at, and downstream of the point of the discharge point. Upon approval, the Discharger shall implement the plan.

b. **Toxicity Reduction Requirements**

i. The Discharger shall conduct chronic toxicity monitoring of discharges as specified in the MRP (Attachment E).

ii. Within 90 days of the effective date of this Order, the Discharger shall update, as necessary, its Initial Investigation Toxicity Reduction Evaluation (TRE) work plan and shall submit a copy to the Santa Ana Water Board for approval. If the Santa Ana Water Board does not disapprove the work plan within 60 days, the work plan shall become effective. The Discharger shall use U.S. EPA manual *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants* (EPA/833B-99/002, August 1999), or most current version, as guidance. The TRE work plan shall describe the steps the Discharger intends to follow if required by Toxicity Reduction Requirement b.iii., below. The work plan shall include at a minimum:

(a) A description of the investigation and evaluation techniques that will be used to identify potential causes/sources of toxicity, effluent variability, and/or efficiency of the treatment system in removing toxic substances.

(b) A description of the methods to be used for investigating and maximizing in-house treatment efficiency, good housekeeping practices, and a list of chemicals used in the operation of the Facility; and,

(c) A description of the evaluation process to be used to determine if implementation of a more detailed Toxicity Reduction Evaluation and Toxicity Identification Evaluation (TRE/TIE) is necessary. If a TIE is necessary, an indication of the person who would conduct the TIEs (i.e., an inhouse expert or an outside contractor).

iii. **TRE Trigger:** The Discharger shall implement the TRE work plan whenever the results of chronic toxicity tests of the effluent show any combination of two or more MDEL violations or MMEL exceedances within a single calendar month or within two successive calendar months. In addition, if other information indicates toxicity (e.g., results of additional monitoring, fish kills, intermittent recurring toxicity, etc.), then the Santa Ana Water Board may require the implementation of a TRE. Routine monthly chronic toxicity monitoring shall resume during a TRE.

iv. **TRE Process:** The Discharger shall update, as necessary, its detailed Toxicity Reduction Evaluation and Toxicity Identification Evaluation (TRE/TIE) work plan that shall describe the steps the Discharger intends to follow if the implemented Initial Investigation TRE fails to identify the cause of, or to rectify, the toxicity. The Discharger shall use U.S. EPA manual *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants* (EPA/833B-99/002, August 1999), or most current version, as guidance.

v. In addition, if a TIE needs to be implemented to identify the cause(s) of toxicity, the Discharger shall use as guidance, at a minimum, U.S. EPA manuals: *Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures* (EPA/600/6-91/003, 1991); *Methods for Aquatic Toxicity Identification Evaluations, Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/080, 1993); *Methods for Aquatic Toxicity Identification Evaluations, Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/081, 1993); and *Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I* (EPA/600/6-91/005F, 1992). The TIE should be conducted on the species demonstrating the most sensitive toxicity response. If during the life of this Order the aforementioned U.S. EPA manuals are revised or updated, the revised/updated manuals may also be used as guidance. The detailed TRE/TIE work plan shall include:

(a) Further actions to investigate and identify the cause of toxicity;

(b) Actions the Discharger will take to mitigate the impact of the discharge and to prevent the recurrence of toxicity; and

(c) A schedule for these actions, progress reports, and final report.

vi. The Discharger shall implement the TRE/TIE workplan if the Initial Investigation Toxicity Reduction Evaluation (IITRE) fails to identify the cause of, or rectify, the toxicity, or if in the opinion of the Executive Officer the IITRE does not adequately address an identified toxicity problem.

vii. The Discharger shall continue to conduct the routine effluent monitoring and MMEL compliance tests while the TRE and/or TIE process is taking place. Additional routine monitoring and TRE Work Plans are not required once a TRE is begun.

viii. The Discharger shall assure that adequate resources are available to implement the required TRE/TIE. The Santa Ana Water Board recognizes that toxicity may be episodic and identification of causes and reduction of sources of toxicity may not be successful in all cases. The TRE may be ended at any stage if routine monitoring finds there is no longer toxicity. The Santa Ana Water Board may consider the results of any TRE/TIE studies in an enforcement action.

**3. Best Management Practices and Pollution Prevention**

a. **Pollutant Minimization Program**

i. The Discharger shall develop and conduct a Pollutant Minimization Program (PMP) as further described below when there is evidence (e.g., sample results reported as detected but not quantified (DNQ) when the effluent limitation is less than the minimum detection level (MDL), sample results from analytical methods more sensitive than those methods required by this Order, presence of whole effluent toxicity, health advisories for fish consumption, results of benthic or aquatic organism tissue sampling) that a priority pollutant is present in the effluent above an effluent limitation and either:

(a) A sample result is reported as DNQ and the effluent limitation is less than the reporting level (RL); or

(b) A sample result is reported as not detected (ND) and the effluent limitation is less than the MDL, using definitions described in Attachment A and reporting protocols described in MRP section X.B.4.

ii. The PMP shall include, but not be limited to, the following actions and submittals acceptable to the Santa Ana Water Board:

(a) An annual review and semi-annual monitoring of potential sources of the reportable priority pollutant(s), which may include fish tissue monitoring and other bio-uptake sampling;

(b) Quarterly monitoring for the reportable priority pollutant(s) in the influent to the wastewater treatment system;

(c) Submittal of a control strategy designed to proceed toward the goal of maintaining concentrations of the reportable priority pollutant(s) in the effluent at or below the effluent limitation;

(d) Implementation of appropriate cost-effective control measures for the reportable priority pollutant(s), consistent with the control strategy; and

(e) By April 1st of each year an annual status report shall be sent to the Santa Ana Water Board that includes the following:

(1) All PMP monitoring results for the previous year;

(2) A list of potential sources of the reportable priority pollutant(s);

(3) A summary of all actions undertaken pursuant to the control strategy; and

(4) A description of actions to be taken in the following year.

**4. Construction, Operation and Maintenance Specifications**

a. The Discharger's wastewater treatment plant shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Title 23, Division 3, Chapter 14, California Code of Regulations.

b. The Discharger shall provide safeguards to assure that should there be reduction, loss, or failure of electric power, the Discharger will comply with the requirements of this Order.

c. The Discharger shall update as necessary, the "Operation and Maintenance Manual (O&M Manual)" which it has developed for the treatment facility to conform to latest plant changes and requirements. The O&M Manual shall be readily available to operating personnel onsite. The O&M Manual shall include the following:

i. Description of the treatment plant table of organization showing the number of employees, their duties and qualifications, and plant attendance schedules (daily, weekends and holidays, part-time, etc.). The description should include documentation that the personnel are knowledgeable and qualified to operate the treatment facility so as to achieve the required level of treatment at all times.

ii. Detailed description of safe and effective operation and maintenance of treatment processes, process control instrumentation and equipment.

iii. Description of laboratory and quality assurance procedures.

iv. Process and equipment inspection and maintenance schedules.

v. Description of safeguards to ensure that, should there be reduction, loss, or failure of electric power, the Discharger will be able to comply with requirements of this Order.

vi. Description of preventive (fail-safe) and contingency (response and cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. These plans shall identify the possible sources (such as loading and storage areas, power outage, waste treatment unit failure, process equipment failure, tank and piping failure) of accidental discharges, untreated or partially treated waste bypass, and polluted drainage.

d. **Asset Management Program.** The Discharger shall develop an asset management program to cover the POTW. The Discharger shall:

i. Develop and utilize an asset management program within two years of the effective date of this Order. This program shall include a detailed inventory of critical assets; condition rating and/or likelihood of failure of said assets; rehabilitation and replacement planning, capacity assurance planning, and maintenance strategy to ensure the Discharger’s system meets a desired level of service and plan for future needs and requirements; and funding source to support the planned asset maintenance, rehabilitation, and replacement activities. Critical assets

may include, but are not limited to sewer lines, manholes, outfalls, pump stations, force mains, and wastewater treatment facility assets.

ii. Create and submit to the Santa Ana Water Board an Asset Management Plan (AMP) within one year of the effective date of this Order. The AMP shall be updated and re-evaluated every five years. The AMP shall include the following components: a Rehabilitation and Replacement Plan identifying and prioritizing upcoming rehabilitation and replacement projects for critical assets and outlining a proposed schedule for completion of each project; a Maintenance Plan identifying major maintenance activities, frequency performed for critical assets, and estimates of ongoing and projected costs of maintenance activities; and a Sewer Collection System Map incorporating assets from the asset management inventory. Finally, the AMP shall include estimated costs for the Rehabilitation and Replacement Plan and the Maintenance Plan. Expenses may include operational, administrative, interest, or capital expenses. The cost estimate shall include a determination of whether the planned expenditures are capital or operational and the source of funds: user or connection fees, grants, bonds, or reserves.

**5. Special Provisions for Publicly Owned Treatment Works (POTWs)**

a. **Sewer Collection System Requirements**: The Discharger's collection system is part of the system that is subject to this Order. As such, the Discharger must properly operate and maintain its collection system (40 CFR § 122.41(e)). The Discharger must report any non-compliance (40 CFR §§ 122.41(l)(6) and (7)) and mitigate any discharge from the collection system in violation of this Order (40 CFR § 122.41(d)). See the Order at Standard Provision VI.A.2.b. and Attachment D, sections I.D, V.E, V.H, and I.C.

Furthermore, the Discharger is subject to the requirements of, and must comply with, State Water Board Order 2022-0103-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (General Order) and any subsequent order. The General Order contains requirements for operation and maintenance of collection systems and more clearly and specifically stipulates requirements for reporting and mitigating sanitary sewer overflows. The Discharger and other governmental agencies that are discharging wastewater into the facility are required to obtain enrollment for regulation under the General Order and any subsequent order.

b. **Pretreatment Program**

i. The Discharger shall update as necessary and implement an acceptable pretreatment program. Within 180 days of permit adoption, as required under 40 CFR § 122.44(j)(2)(ii), the Discharger shall provide to the Santa Ana Water Board a written technical evaluation of the need to revise local limits under 40 CFR § 403.5(c)(1).

ii. The Discharger shall update as necessary the appropriate contractual agreements with all governmental agencies[3]. The contractual agreements shall give the Discharger the authority to implement and enforce the U.S. EPA approved pretreatment program within the sewer service areas of the treatment facility. The Discharger shall assure that any other steps necessary to provide this implementation and enforcement authority (e.g. adoption of ordinances, etc.) are taken by all governmental agencies. If a governmental agency has an U.S. EPA approved pretreatment program for any portion of the service area of the treatment facility, the Discharger's pretreatment program shall contain provisions ensuring that that governmental agency's program is implemented. In the event that any agency discharging to the Discharger's facility fails to effectively implement its individual U.S. EPA approved pretreatment program, the Discharger shall implement and enforce its approved program within that agency's service area.

iii. The Discharger shall ensure that the pretreatment programs for all contributory agencies discharging to the Discharger's treatment facility are implemented and enforced. The Discharger shall be responsible and liable for the performance of all Control Authority pretreatment requirements contained in 40 CFR Part 403, including any subsequent regulatory revisions to Part 403. Where Part 403 or subsequent revisions place mandatory actions upon the Discharger as Control Authority but does not specify a timetable for completion of the actions, the Discharger shall submit for approval of the Executive Officer, a schedule for implementation of the required actions and shall implement the approved schedule. The schedule for implementation shall be submitted within six months from the date that such mandatory actions are established. For violations of pretreatment requirements, the Discharger shall be subject to enforcement actions, penalties, fines and other remedies by the U.S. EPA, or other appropriate parties, as provided in the CWA, as amended (33 USC 1351 et seq.). The U.S. EPA or the Santa Ana Water Board may also initiate enforcement action against an industrial user (IU) for non-compliance with applicable standards and requirements as provided in the CWA.

iv. The Discharger shall perform the pretreatment functions as required in 40 CFR Part 403 including, but not limited to:

(a) Enforce the pretreatment requirements under 40 CFR §§ 403.5 and 403.6;

(b) Implement the necessary legal authorities as provided in 40 CFR § 403.8(f)(1);

(c) Implement the programmatic functions as provided in 40 CFR § 403.8(f)(2);

[3] Member agencies and sewering agencies discharging wastewater into the facility.

(d) Publish a list of significant non-compliance as required by 40 CFR § 403.8(f)(2)(vii); and

(e) Provide the requisite funding and personnel to implement the pretreatment program as provided in 40 CFR § 403.8(f)(3).

v. The following wastes shall not be introduced into the treatment works:

(a) Wastes which create a fire or explosion hazard in the treatment works;

(b) Wastes which will cause corrosive structural damage to treatment works, but, in no case, wastes with a pH lower than 5.0 unless the works are designed to accommodate such wastes;

(c) Wastes at a flow rate and/or pollutant discharge rate which is excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency;

(d) Solid or viscous wastes in amounts that would cause obstruction to the flow in sewers or otherwise interfere with the proper operation of the treatment works.

vi. The Discharger shall ensure compliance with any existing or future pretreatment standard promulgated by U.S. EPA under section 307 of the CWA or amendments thereto for any discharge to the municipal system.

vii. The Discharger shall comply with effluent standards or prohibitions established under section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement.

viii. The Discharger shall require each user not in compliance with any pretreatment standard to submit periodic notice (over intervals not to exceed nine months) of progress toward compliance with applicable toxic and pretreatment standards developed pursuant to the CWA or amendments thereto. The Discharger shall forward a copy of such notice to the Santa Ana Water Board and to the U.S. EPA Regional Administrator.

**6. Other Special Provisions**

a. It is assumed that maximum benefit is demonstrated, and that the “maximum benefit” TDS and nitrate-nitrogen objectives apply to Chino 1, 2, and 3 GMZs as long as the *Chino Basin Maximum Benefit Commitments* schedule shown in Table 5-8a of the Basin Plan is being met. The Discharger understands that the discharges authorized under section IV.C.2.b.ii. of the Order are

authorized contingent upon the effective implementation of the schedule shown in Table 5-8a of the Basin Plan.

b. The Discharger further understands that, as necessary, based on the consideration of evidence regarding the implementation of the *Chino Basin Maximum Benefit Commitments* shown in Table 5-8a of the Basin Plan, the Santa Ana Water Board may make a determination of whether those commitments are being effectively implemented. If the Santa Ana Water Board finds that the maximum benefit commitments are not being effectively implemented, then the Discharger in collaboration with Jurupa Community Services District, Inland Empire Utilities Agency, and the Chino Basin Watermaster shall implement a mitigation program approved by the Santa Ana Water Board for the use of recycled water in the Chino 1, 2 or 3 Groundwater Management Zones consistent with VII.B.2. of Chapter 5 of the Basin Plan. A proposed mitigation plan and schedule shall be submitted within 60 days of notification by the Executive Officer of the need to do so. The Discharger shall implement the plan and schedule upon approval by the Santa Ana Water Board.

### 7. Compliance Schedules – Not Applicable

## VII. COMPLIANCE DETERMINATION

Compliance with the effluent limitations contained in section IV of this Order will be determined as specified below:

### A. General.

Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined in the MRP (Attachment E) and Attachment A of this Order. For purposes of reporting and administrative enforcement by the Santa Ana and State Water Boards, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the minimum reporting level (ML).

### B. Multiple Sample Data.

When determining compliance with a measure of central tendency (arithmetic mean, geometric mean, median, etc.) of multiple sample analyses and the data set contains one or more reported determinations of DNQ or ND, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

1. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.

2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case

the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

**C. Average Monthly Effluent Limitation (AMEL).**

If the average, or when applicable, the median for multiple sample data (see subsection G, below), of daily discharges over a calendar month exceeds the AMEL for a given parameter, this will represent a single violation, though the Discharger may be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the Discharger may be considered out of compliance for that calendar month. The Discharger will only be considered out of compliance for days when the discharge occurs. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month.

**D. Average Weekly Effluent Limitation (AWEL).**

If the average, or when applicable, the median for multiple sample data (see subsection G, below), of daily discharges over a calendar week exceeds the AWEL for a given parameter, this will represent a single violation, though the Discharger may be considered out of compliance for each day of that week for that parameter, resulting in 7 days of non-compliance. If only a single sample is taken during the calendar week and the analytical result for that sample exceeds the AWEL, the Discharger may be considered out of compliance for that calendar week. The Discharger will only be considered out of compliance for days when the discharge occurs. For any one calendar week during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar week.

**E. Maximum Daily Effluent Limitation (MDEL).**

If a daily discharge exceeds the MDEL for a given parameter, the Discharger will be considered out of compliance for that parameter for that 1 day only within the reporting period. For any 1 day during which no sample is taken, no compliance determination can be made for that day.

**F. Instantaneous Minimum Effluent Limitation.**

If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both are lower than the instantaneous minimum effluent limitation would result in two instances of non-compliance with the instantaneous minimum effluent limitation).

**G. Instantaneous Maximum Effluent Limitation.**

If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, the Discharger may be considered out of compliance for that parameter for that single sample. Non-compliance for each sample may be considered separately (e.g., the results of two grab samples taken

within a calendar day that both exceed the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).

**H. 12-Month Running Average Effluent Limitation.**

Compliance with the 12-month flow-weighted running average limits under Effluent Limitations and Discharge Specifications IV.A.1.c. and d. and IV.C.2.b. shall be determined by the arithmetic mean of the last twelve monthly averages.

**I. TDS Increment Limit.**

Compliance with Effluent Limitations and Discharge Specifications IV.A.1.c.ii. may be determined by comparing the flow weighted TDS quality of the influent or secondary effluent to the flow weighted TDS water supply quality.

**J. Priority Pollutants.**

The Discharger shall be deemed out of compliance with an effluent limitation if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation.

**1.** Compliance determination shall be based on the reporting level selected from minimum level (ML)[4] specified in Attachment "I" of this Order, unless an alternative reporting level is approved by the Executive Officer. When there is more than one ML value for a given substance, the Discharger shall select the ML value that is below the calculated effluent limitation, and use its associated analytical method, listed in Attachment "I" of this Order. If no ML value is below the effluent limitation, then the Santa Ana Water Board will select as the reporting level the lowest ML value and its associated analytical method.

**2.** When determining compliance with an average monthly limit and more than one sample result is available in a month, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of detected but not quantified (DNQ) or not detected (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

a. The data set shall be ranked from low to high, reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.

b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data

[4] Minimum level is the concentration at which the entire analytical system must give a recognizable signal and acceptable point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

points where DNQ is lower than a value and ND is lower than DNQ. If a sample result, or the arithmetic mean or median of multiple sample results, is below the reporting level, and there is evidence that the priority pollutant is present in the effluent above an effluent limitation and the Discharger conducts a pollutant minimization program (PMP)[5] the Discharger shall not be deemed out of compliance.

**K. Compliance Determination.**

Compliance determinations shall be based on available analyses for the time interval associated with the effluent limitation. Where only one sample analysis is available in a specified time interval (e. g., monthly or weekly average), that sample shall serve to characterize the discharge for the entire interval. If quarterly sample results show noncompliance with the average monthly limit and that sample result is used for compliance determinations for each month of the quarter, then three separate violations of the average monthly limit shall be deemed to have occurred.

Compliance with a single effluent limitation which applies to a group of chemicals (e.g., PCBs), based on a single sample shall be determined by considering the concentrations of individual members of the group to be zero if the analytical response for the individual chemical falls below the method detection limit (MDL) for that chemical.

[5] The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation.

# ATTACHMENT A – DEFINITIONS

**Annual Volume-Weighted Average Effluent Limitation**
The highest allowable annual average concentration, calculated as the sum of volume discharged multiplied by the concentration for each discharge event during the 12-month period divided by the sum of the total volume discharged over the 12-month period.

**Arithmetic Mean ($\mu$)**
Also called the average, is the sum of measured values divided by the number of samples. For ambient water concentrations, the arithmetic mean is calculated as follows:

Arithmetic mean = $\mu = \Sigma x / n$ where: $\Sigma x$ is the sum of the measured ambient water concentrations, and n is the number of samples.

**Average Monthly Effluent Limitation (AMEL)**
The highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

**Average Weekly Effluent Limitation (AWEL)**
The highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

**12-Month Running Average Effluent Limitation (12-MRAEL)**
The highest allowable average of monthly discharges over the last twelve months, calculated as the sum of all monthly discharges measured during the last twelve months divided by the number of monthly discharges measured during that time period.

**120-Month Running Average Effluent Limitation (120-MRAEL)**
The highest allowable average of monthly discharges over the last one hundred twenty months, calculated as the sum of all monthly discharges measured during the last one hundred twenty months divided by the number of monthly discharges measured during that time period.

**Best Management Practices (BMPs)**
Methods, measures, or practices designed and selected to reduce or eliminate the discharge of pollutants to surface waters from point and nonpoint source discharges including storm water. BMPs include structural and non-structural controls, and operation and maintenance procedures, which can be applied before, during, and/or after pollution producing activities.

**Bioaccumulative**
Those substances taken up by an organism from its surrounding medium through gill membranes, epithelial tissue, or from food and subsequently concentrated and retained in the body of the organism.

**Carcinogenic**
Pollutants are substances that are known to cause cancer in living organisms.

**Coefficient of Variation (CV)**
CV is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

**Daily Discharge**
Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that reasonably represents a calendar day for purposes of sampling (as specified in the permit), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.

**Detected, but Not Quantified (DNQ)**
DNQ are those sample results less than the RL, but greater than or equal to the laboratory's MDL. Sample results reported as DNQ are estimated concentrations.

**Effluent Concentration Allowance (ECA)**
ECA is a value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the coefficient of variation for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The ECA has the same meaning as wasteload allocation (WLA) as used in U.S. EPA guidance (Technical Support Document For Water Quality-based Toxics Control, March 1991, second printing, EPA/505/2-90-001).

**Estimated Chemical Concentration**
The estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

**Infeasible**
Not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

**Inland Surface Waters**
All surface waters of the state that do not include the ocean, enclosed bays, or estuaries.

**Instantaneous Maximum Effluent Limitation**
The highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

**Instantaneous Minimum Effluent Limitation**

The lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

**Instream Waste Concentration (IWC)**
The concentration of effluent in the receiving water after mixing as determined by the Santa Ana Water Board or the State Water Board. For purposes of aquatic toxicity testing for non-stormwater NPDES dischargers, the IWC shall be as described in section III.C.1 of the Toxicity Provisions. For assessing whether receiving waters meets the numeric water quality objectives, the undiluted ambient water shall be used as the IWC in the Test of Significant Toxicity (TST) as indicated in section III.B.3 of the Toxicity Provisions.

**Maximum Daily Effluent Limitation (MDEL)**
The highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day.

**MEC**
Maximum Effluent Concentration.

**Median**
The middle measurement in a set of data. The median of a set of data is found by first arranging the measurements in order of magnitude (either increasing or decreasing order). If the number of measurements (n) is odd, then the median = $X_{(n+1)/2}$. If n is even, then the median = $(X_{n/2} + X_{(n/2)+1})/2$ (i.e., the midpoint between the n/2 and n/2+1).

**Method Detection Limit (MDL)**
MDL is the minimum concentration of a substance that can be reported with 99 percent confidence that the measured concentration is distinguishable from method blank results, as defined in 40 CFR Part 136, Attachment B.

**Minimum Level (ML)**
ML is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

**Mixing Zone**
Mixing Zone is a limited volume of receiving water that is allocated for mixing with a wastewater discharge where water quality criteria can be exceeded without causing adverse effects to the overall water body.

**Monthly Averages**
The highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. For TDS and TIN determination, the monthly averages shall be flow weighted.

**Not Detected (ND)**
Sample results which are less than the laboratory's MDL.

**Persistent Pollutants**
Persistent pollutants are substances for which degradation or decomposition in the environment is nonexistent or very slow.

**Pollutant Minimization Program (PMP)**
PMP means waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Santa Ana Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to Water Code section 13263.3(d), shall be considered to fulfill the PMP requirements.

**Pollution Prevention**
Pollution Prevention means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is not limited to, input change, operational improvement, production process change, and product reformulation (as defined in Water Code section 13263.3). Pollution prevention does not include actions that merely shift a pollutant in wastewater from one environmental medium to another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State Water Resources Control Board (State Water Board) or Santa Ana Water Board.

**Reporting Level (RL)**
The RL is the ML (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the MLs included in this Order, including an additional factor if applicable as discussed herein. The MLs included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Santa Ana Water Board either from Appendix 4 of the SIP in accordance with section 2.4.2 of the SIP or established in accordance with section 2.4.3 of the SIP. The ML is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the ML depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the RL.

**Source of Drinking Water**
Any water designated as municipal or domestic supply (MUN) in a Santa Ana Water Board Basin Plan.

**Standard Deviation ($\sigma$)**
Standard Deviation is a measure of variability that is calculated as follows:

$$\sigma = (\sum[(x - \mu)^2]/(n - 1))^{0.5}$$

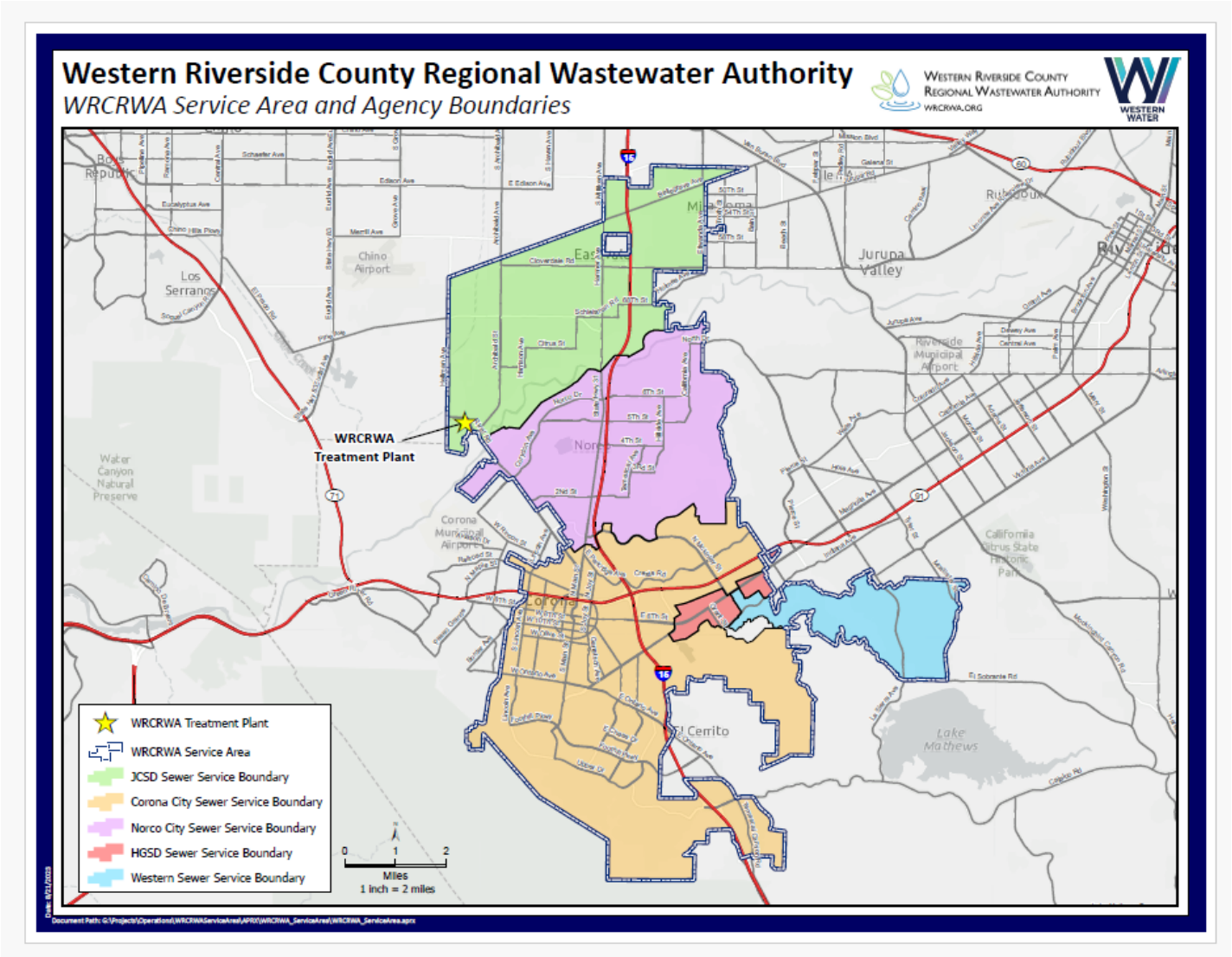
where:
x is the observed value;
$\mu$ is the arithmetic mean of the observed values; and
n is the number of samples.

**Storm Water**
Storm water runoff and surface runoff and drainage.

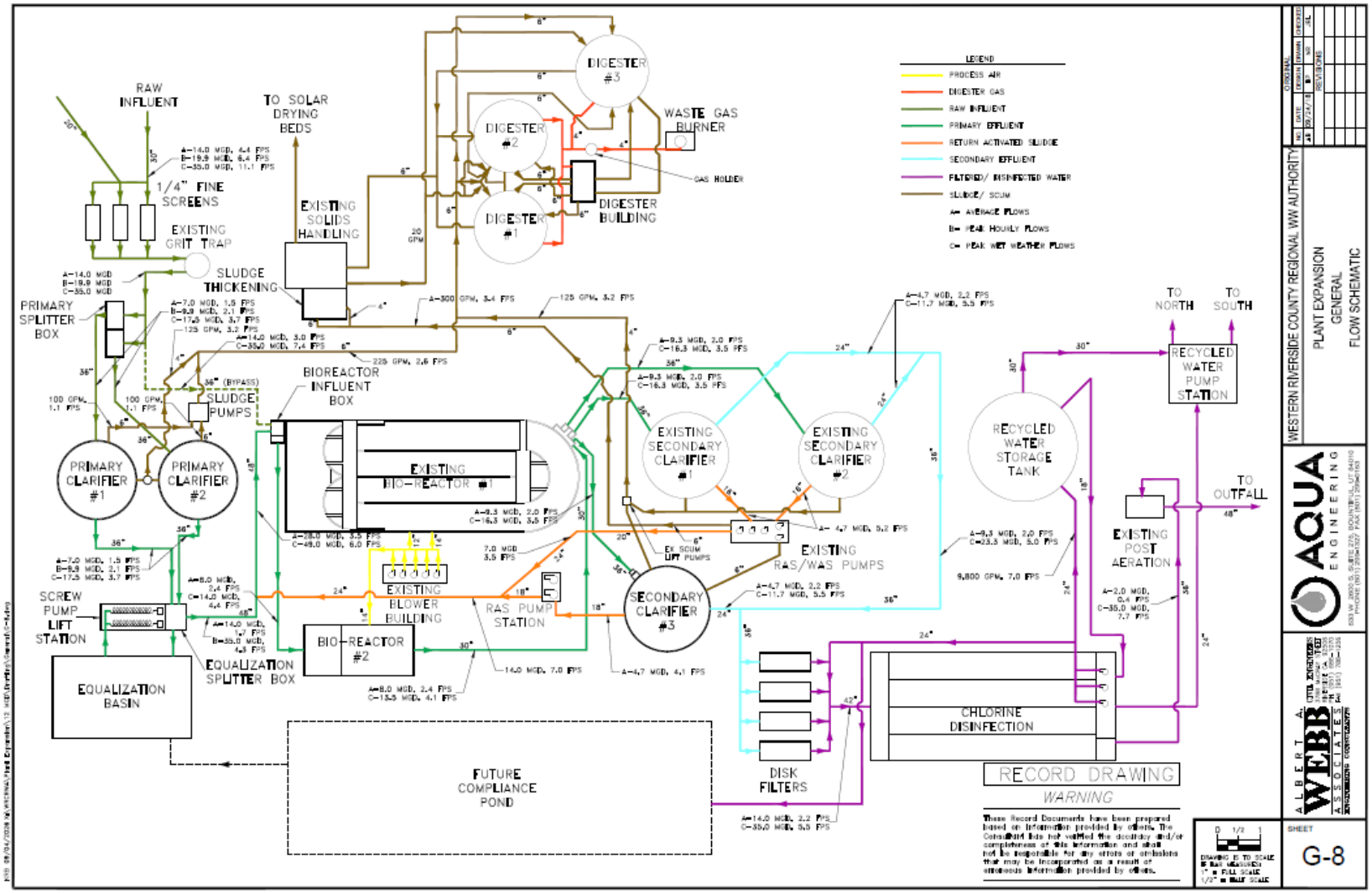
**Test of Significant Toxicity (TST)**
A statistical approach used to analyze aquatic toxicity test data, as described in *State Policy for Water Quality Control: Toxicity Provisions,* adopted December 1, 2020, amended October 5, 2021.

**Toxicity Reduction Evaluation (TRE)**
TRE is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity test.

# ATTACHMENT B – WRCRWA SERVICE AREA MAP



# ATTACHMENT C – FLOW SCHEMATIC



# ATTACHMENT D – STANDARD PROVISIONS

## I. STANDARD PROVISIONS – PERMIT COMPLIANCE

### A. Duty to Comply

1. The Discharger must comply with all of the terms, requirements, and conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof. (40 CFR § 122.41(a); Wat. Code, §§ 13261, 13263, 13265, 13268, 13000, 13001, 13304, 13350, 13385.)
2. The Discharger shall comply with effluent standards or prohibitions established under section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. (40 CFR § 122.41(a)(1).)

### B. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order. (40 CFR § 122.41(c).)

### C. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 CFR § 122.41(d).)

### D. Proper 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 the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order. (40 CFR § 122.41(e).)

### E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 CFR § 122.41(g).)
2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations. (40 CFR § 122.5(c).)

### F. Inspection and Entry

The Discharger shall allow the Santa Ana Water Board, State Water Board, U.S. EPA, and/or their authorized representatives (including an authorized contractor acting as

their representative), upon the presentation of credentials and other documents, as may be required by law, to (33 U.S.C. § 1318(a)(4)(B); 40 CFR § 122.41(i); Wat. Code, §§ 13267, 13383):

1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order (33 U.S.C. § 1318(a)(4)(B)(i); 40 CFR § 122.41(i)(1); Wat. Code, §§ 13267, 13383);
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order (33 U.S.C. § 1318(a)(4)(B)(ii); 40 CFR § 122.41(i)(2); Wat. Code, §§ 13267, 13383);
3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order (33 U.S.C. § 1318(a)(4)(B)(ii); 40 CFR § 122.41(i)(3); Wat. Code, §§ 13267, 13383); and
4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location. (33 U.S.C. § 1318(a)(4)(B); 40 CFR § 122.41(i)(4); Wat. Code, §§ 13267, 13383.)

## G. Bypass

1. Definitions
    a. “Bypass” means the intentional diversion of waste streams from any portion of a treatment facility. (40 CFR § 122.41(m)(1)(i).)
    b. “Severe property damage” means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 CFR § 122.41(m)(1)(ii).)
2. Bypass not exceeding limitations. The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3, I.G.4, and I.G.5 below. (40 CFR § 122.41(m)(2).)
3. Prohibition of bypass. Bypass is prohibited, and the Santa Ana Water Board may take enforcement action against a Discharger for bypass, unless (40 CFR § 122.41(m)(4)(i)):
    a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 CFR § 122.41(m)(4)(i)(A));
    b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, 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 (40 CFR § 122.41(m)(4)(i)(B)); and

c. The Discharger submitted notice to the Santa Ana Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. (40 CFR § 122.41(m)(4)(i)(C).)

4. The Santa Ana Water Board may approve an anticipated bypass, after considering its adverse effects, if the Santa Ana Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above. (40 CFR § 122.41(m)(4)(ii).)

5. Notice

a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit prior notice, if possible at least 10 days before the date of the bypass. The notice shall be sent to the Santa Ana Water Board. As of December 21, 2025, all notices must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting V.J below. Notices shall comply with 40 CFR part 3, 40 CFR § 122.22, and 40 CFR part 127. (40 CFR § 122.41(m)(3)(i).)

b. Unanticipated bypass. The Discharger shall submit a notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below (24-hour notice). The notice shall be sent to the Santa Ana Water Board. As of December 21, 2025, all notices must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting V.J below. Notices shall comply with 40 CFR part 3, 40 CFR § 122.22, and 40 CFR part 127. (40 CFR § 122.41(m)(3)(ii).)

## H. Upset

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
(40 CFR § 122.41(n)(1).)

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance I.H.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. (40 CFR § 122.41(n)(2).)

2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that (40 CFR § 122.41(n)(3)):

a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 CFR § 122.41(n)(3)(i));

b. The permitted facility was, at the time, being properly operated (40 CFR § 122.41(n)(3)(ii));

c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) (40 CFR § 122.41(n)(3)(iii)); and

d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above. (40 CFR § 122.41(n)(3)(iv).)

3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof. (40 CFR § 122.41(n)(4).)

## II. STANDARD PROVISIONS – PERMIT ACTION

### A. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition. (40 CFR § 122.41(f).)

### B. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit. (40 CFR § 122.41(b).)

### C. Transfers

This Order is not transferable to any person except after notice to the Santa Ana Water Board. The Santa Ana Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the Water Code. (40 CFR §§ 122.41(l)(3), 122.61.)

## III. STANDARD PROVISIONS – MONITORING

**A.** Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 CFR § 122.41(j)(1).)

**B.** Monitoring must be conducted according to test procedures approved under 40 CFR Part 136 for the analyses of pollutants unless another method is required under 40 CFR chapter 1, subchapter N. Monitoring must be conducted according to sufficiently sensitive test methods approved under 40 CFR Part 136 for the analysis of pollutants or pollutant parameters or as required under 40 CFR chapter 1, subchapter N. For the purposes of this paragraph, a method is sufficiently sensitive when:

1. The method minimum level (ML) is at or below the level of the most stringent effluent limitation established in the permit for the measured pollutant or pollutant

parameter, and either the method ML is at or below the level of the most stringent applicable water quality criterion for the measured pollutant or pollutant parameter or the method ML is above the applicable water quality criterion but the amount of the pollutant or pollutant parameter in the facility's discharge is high enough that the method detects and quantifies the level of the pollutant or pollutant parameter in the discharge; or

2. The method has the lowest ML of the analytical methods approved under 40 CFR Part 136 or required under 40 CFR chapter 1, subchapter N for the measured pollutant or pollutant parameter.

In the case of pollutants or pollutant parameters for which there are no approved methods under 40 CFR Part 136 or otherwise required under 40 CFR chapter 1, subchapter N, monitoring must be conducted according to a test procedure specified in this Order for such pollutants or pollutant parameters. (40 CFR §§ 122.21(e)(3), 122.41(j)(4), 122.44(i)(1)(iv).)

## IV. STANDARD PROVISIONS – RECORDS

**A.** The Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Santa Ana Water Board's Executive Officer at any time. (40 CFR § 122.41(j)(2).)

**B.** Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements (40 CFR § 122.41(j)(3)(i));
2. The individual(s) who performed the sampling or measurements (40 CFR § 122.41(j)(3)(ii));
3. The date(s) analyses were performed (40 CFR § 122.41(j)(3)(iii));
4. The individual(s) who performed the analyses (40 CFR § 122.41(j)(3)(iv));
5. The analytical techniques or methods used (40 CFR § 122.41(j)(3)(v)); and
6. The results of such analyses. (40 CFR § 122.41(j)(3)(vi).)

**C.** Claims of confidentiality for the following information will be denied (40 CFR § 122.7(b)):

1. The name and address of any permit applicant or Discharger (40 CFR § 122.7(b)(1)); and
2. Permit applications and attachments, permits and effluent data. (40 CFR § 122.7(b)(2).)

## V. STANDARD PROVISIONS – REPORTING

### A. Duty to Provide Information

The Discharger shall furnish to the Santa Ana Water Board, State Water Board, or U.S. EPA within a reasonable time, any information which the Santa Ana Water Board, State Water Board, or U.S. EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Santa Ana Water Board, State Water Board, or U.S. EPA copies of records required to be kept by this Order. (40 CFR § 122.41(h); Wat. Code, §§ 13267, 13383.)

## B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Santa Ana Water Board, State Water Board, and/or U.S. EPA shall be signed and certified in accordance with Standard Provisions – Reporting V.B.2, V.B.3, V.B.4, V.B.5, and V.B.6 below. (40 CFR § 122.41(k).)
2. All permit applications shall be signed by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of U.S. EPA). (40 CFR § 122.22(a)(3).).
3. All reports required by this Order and other information requested by the Santa Ana Water Board, State Water Board, or U.S. EPA shall be signed by a person described in Standard Provisions – Reporting V.B.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
    a. The authorization is made in writing by a person described in Standard Provisions – Reporting V.B.2 above (40 CFR § 122.22(b)(1));
    b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) (40 CFR § 122.22(b)(2)); and
    c. The written authorization is submitted to the Santa Ana Water Board and State Water Board. (40 CFR § 122.22(b)(3).)
4. If an authorization under Standard Provisions – Reporting V.B.3 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Standard Provisions – Reporting V.B.3 above must be submitted to the Santa Ana Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 CFR § 122.22(c).)
5. Any person signing a document under Standard Provisions – Reporting V.B.2 or V.B.3 above shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate 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 fine and imprisonment for knowing violations." (40 CFR § 122.22(d).)

6. Any person providing the electronic signature for documents described in Standard Provisions – V.B.1, V.B.2, or V.B.3 that are submitted electronically shall meet all relevant requirements of Standard Provisions – Reporting V.B, and shall ensure that all relevant requirements of 40 CFR Part 3 (Cross-Media Electronic Reporting) and 40 CFR Part 127 (NPDES Electronic Reporting Requirements) are met for that submission. (40 C.F.R § 122.22(e).)

## C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. (40 CFR § 122.41(l)(4).)
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Santa Ana Water Board or State Water Board. All reports and forms must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting V.J and comply with 40 CFR Part 3, 40 CFR § 122.22, and 40 CFR Part 127. (40 CFR § 122.41(l)(4)(i).)
3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 CFR Part 136, or another method required for an industry-specific waste stream under 40 CFR chapter 1, subchapter N, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Santa Ana Water Board or State Water Board. (40 CFR § 122.41(l)(4)(ii).)
4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order. (40 CFR § 122.41(l)(4)(iii).)

## D. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date. (40 CFR § 122.41(l)(5).)

## E. Twenty-Four Hour Reporting

1. The Discharger shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A report shall also be provided within five (5) days of the time the Discharger becomes aware of the

circumstances. The report 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 reoccurrence of the noncompliance.

For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (i.e., combined sewer overflow, sanitary sewer overflow, or bypass event), type of overflow structure (e.g., manhole, combined sewer overflow outfall), discharge volume untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the event, and whether the noncompliance was related to wet weather.

As of December 21, 2028, all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events must be submitted to the Santa Ana Water Board and must be submitted electronically to the initial recipient defined in Standard Provisions – Reporting V.J. The reports shall comply with 40 CFR Part 3, 40 CFR § 122.22, and 40 CFR Part 127. The Santa Ana Water Board may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 CFR § 122.41(l)(6)(i).)

2. The following shall be included as information that must be reported within 24 hours:
    a. Any unanticipated bypass that exceeds any effluent limitation in this Order. (40 CFR § 122.41(l)(6)(ii)(A).)
    b. Any upset that exceeds any effluent limitation in this Order. (40 CFR § 122.41(l)(6)(ii)(B).)
3. The Santa Ana Water Board may waive the above required written report on a case-by-case basis if an oral report has been received within 24 hours. (40 CFR § 122.41(l)(6)(ii)(B).)

## F. Planned Changes

The Discharger shall give notice to the Santa Ana Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when (40 CFR § 122.41(l)(1)):

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in section 122.29(b) (40 CFR § 122.41(l)(1)(i)); or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this Order. (40 CFR § 122.41(l)(1)(ii).)

## G. Anticipated Noncompliance

The Discharger shall give advance notice to the Santa Ana Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with this Order's requirements. (40 CFR § 122.41(l)(2).)

### H. Other Noncompliance

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting V.C, V.D, and V.E above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E above. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall contain the information described in Standard Provision – Reporting V.E and the applicable required data in appendix A to 40 CFR part 127. The Santa Ana Water Board may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 CFR § 122.41(l)(7).)

### I. Other Information

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Santa Ana Water Board**,** State Water Board, or U.S. EPA, the Discharger shall promptly submit such facts or information. (40 CFR § 122.41(l)(8).)

### J. Initial Recipient for Electronic Reporting Data

The owner, operator, or the duly authorized representative is required to electronically submit NPDES information specified in appendix A to 40 CFR part 127 to the initial recipient defined in 40 CFR § 127.2(b). U.S. EPA will identify and publish the list of initial recipients on its website and in the Federal Register, by state and by NPDES data group [see 40 CFR § 127.2(c)]. U.S. EPA will update and maintain this listing. (40 CFR § 122.41(l)(9).)

## VI. STANDARD PROVISIONS – ENFORCEMENT

**A.** The Santa Ana Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13268,13350, 13385, 13386, and 13387.

## VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

### A. Publicly Owned Treatment Works (POTWs)

All POTWs shall provide adequate notice to the Santa Ana Water Board of the following (40 CFR § 122.42(b)):

1. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to sections 301 or 306 of the CWA if it were directly discharging those pollutants (40 CFR § 122.42(b)(1)); and
2. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of the Order. (40 CFR § 122.42(b)(2).)

3. Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW. (40 CFR § 122.42(b)(3).)

# ATTACHMENT E – MONITORING AND REPORTING PROGRAM

## CONTENTS

I. General Monitoring Provisions ..... E-2
II. Monitoring Locations ..... E-6
III. Influent Monitoring Requirements ..... E-8
A. Monitoring Locations M-INF ..... E-8
IV. Effluent Monitoring Requirements ..... E-10
A. Monitoring Location M-001 ..... E-10
V. Whole Effluent Toxicity Testing Requirements ..... E-12
A. Chronic Toxicity Testing – Monitoring Locations M-001 and M-007 ..... E-12
VI. Land Discharge Monitoring Requirements – Not applicable ..... E-16
VII. Recycling Monitoring Requirements ..... E-16
A. Monitoring Location REC-001 ..... E-16
B. Monitoring Users ..... E-17
VIII. Receiving Water Monitoring Requirements – Surface Water and Groundwater ..... E-17
A. Monitoring During 20:1 Dilution at R-002U ..... E-17
B. Monitoring Location R-001U and R-003 for Surface Water ..... E-18
IX. Other Monitoring Requirements ..... E-19
A. Storm Water Monitoring and Reporting ..... E-19
B. Water Supply Monitoring ..... E-19
C. Pretreatment Monitoring and Reporting ..... E-20
X. Reporting Requirements ..... E-22
A. General Monitoring and Reporting Requirements ..... E-22
B. Self-Monitoring Reports (SMRs) ..... E-24
C. Discharge Monitoring Reports (DMRs) ..... E-27
D. Other Reports ..... E-27

## TABLES

Table E-1. Annual Sampling Schedule ..... E-6
Table E-2. Monitoring Station Locations ..... E-7
Table E-3. Influent Monitoring Requirements at M-INF ..... E-8
Table E-4.Tertiary Effluent Monitoring at M-001 ..... E-10
Table E-5. Recycled Water Monitoring Requirements at REC-001 ..... E-17
Table E-6. Receiving Water Monitoring Requirements at R-001U & R-003[2] ..... E-18
Table E-7. Receiving Water Monitoring Requirements at R-001D ..... E-19
Table E-8. Reporting Requirements ..... E-23
Table E-9. Monitoring Periods and Reporting Schedule ..... E-24

# ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

Section 308 of the federal Clean Water Act (CWA) and sections 122.41(h), (j)-(l), 122.44(i), and 122.48 of title 40 of the Code of Federal Regulations (CFR) require that all National Pollutant Discharge Elimination System (NPDES) permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Santa Ana Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. This MRP establishes monitoring, reporting, and recordkeeping requirements pursuant to the authority of these federal and California laws and/or regulations.

The purpose of this MRP is to determine and ensure Discharger's compliance with effluent limitations and other requirements established in the Order, assess treatment efficiency, characterize effluents, characterize the receiving water and the effects of the discharge on the receiving water, and assess the impacts to all forms of marine life. This MRP also specifies requirements concerning the proper use, maintenance, and installation of monitoring equipment and methods, and the monitoring type intervals and frequency necessary to yield data that are representative of the activities and discharges regulated under this Order.

## I. GENERAL MONITORING PROVISIONS

**A.** All sampling and sample preservation shall be in accordance with the current edition of "*Standard Methods for the Examination of Water and Wastewater*" (American Public Health Association) or 40 CFR Part 136 *"Guidelines Establishing Test Procedures for the Analysis of Pollutants,"* promulgated by the United States Environmental Protection Agency (U.S. EPA).

**B.** All laboratory analyses shall be performed in accordance with test procedures under 40 CFR Part 136 *"Guidelines Establishing Test Procedures for the Analysis of Pollutants,"* promulgated by the United States Environmental Protection Agency (U. S. EPA), unless otherwise specified in this MRP. In addition, the Santa Ana Water Board and/or U. S. EPA, at their discretion, may specify test methods that are more sensitive than those specified in 40 CFR Part 136. For priority pollutants, the test methods must meet the lowest minimum levels (MLs) specified in Attachment H of this Order and achievable by an Environmental Laboratory Accreditation Program (ELAP) certified commercial laboratory (or laboratories); where no methods/MLs are specified in Attachment I, then monitoring is to be conducted in accordance with methods/MLs approved by the Santa Ana Water Board or the State Water Resources Control Board (State Water Board) consistent with the State Water Board's Quality Assurance (QA) Program.

**C.** Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the State Water Board's Division of Drinking Water in accordance with the provision of Water Code section 13176 or conducted at a laboratory certified for such analyses by the U.S. EPA or at laboratories approved by the Santa Ana Water Board's Executive Officer (Executive Officer).

**D.** Whenever the Discharger monitors any pollutant more frequently than is required by this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the discharge monitoring report specified by the Executive Officer.

**E.** In conformance with federal regulations 40 CFR § 122.45(c), analyses to determine compliance with the effluent limitations for metals shall be conducted using the total recoverable method. For chromium (VI), the dissolved method in conformance with 40 CFR Part 136 may be used to measure compliance with the chromium (VI) monitoring requirements.

**F.** For effluent and receiving water monitoring:

1. The Discharger shall require its testing laboratory to calibrate the analytical system down to the minimum level (ML)[1] specified in Attachment H for priority pollutants, unless an alternative minimum level is approved by the Executive Officer. When there is more than one ML value for a given substance, the discharger shall use the ML values, and their associated analytical methods listed in Attachment H that are below the effluent limitation. For analysis of priority pollutants without effluent limitations, the Discharger shall use an ML value that is below the trigger values listed in Attachment I. If no ML value is below the effluent limitation, or the trigger value listed in Attachment I, then the lowest ML and associated analytical method shall be used. Any internal quality control data associated with the sample must be reported when requested by the Executive Officer. The Santa Ana Water Board will reject the quantified laboratory data if quality control data is unavailable or unacceptable.
2. The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:
    a. Sample results greater than or equal to the reported ML shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).
    b. Sample results less than the reported ML, but greater than or equal to the laboratory's current Method Detection Limit (MDL)[2], shall be reported as "Detected, but Not Quantified," or "DNQ." The estimated chemical concentration of the sample shall also be reported.
    c. Sample results not detected above the laboratory's MDL shall be reported as "not detected" or "ND."
3. The Discharger shall submit to the Santa Ana Water Board reports necessary to determine compliance with effluent limitations in this Order and shall follow the chemical nomenclature and sequential order of priority pollutant constituents

[1] Minimum level is the concentration at which the entire analytical system must give a recognizable signal and acceptable point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

[2] MDL is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analytical concentration is greater than zero, as defined in 40 CFR Part 136, Appendix B.

shown in Attachment G – Priority Pollutant Lists. The Discharger shall report with each sample result:

a. The minimum level achieved by the testing laboratory; and

b. The laboratory's current MDL, as determined by the procedure found in 40 CFR Part 136.

**G.** For receiving water monitoring and for those priority pollutants without effluent limitations, the Discharger shall require its testing laboratory to quantify constituent concentrations to the lowest achievable MDL as determined by the procedure found in 40 CFR Part 136. In situations where the most stringent applicable receiving water objective (freshwater or human health (consumption of organisms only)), as specified for that pollutant in 40 CFR § 131.38[3] is below the minimum level value specified in Attachment G and the Discharger cannot achieve an MDL value for that pollutant below the ML value, the Discharger shall submit justification why a lower MDL value cannot be achieved. Justification shall be submitted together with monthly monitoring reports.

**H.** All analytical data shall be reported with identification of practical quantitation levels and with MDLs, as determined by the procedure found in 40 CFR Part 136.

**I.** The Discharger shall have, and implement, an acceptable written quality assurance (QA) plan for laboratory analyses. Duplicate chemical analyses must be conducted on a minimum of ten percent (10%) of the samples, or at least one sample per month, whichever is greater. A similar frequency shall be maintained for analyzing spiked samples. When requested by the Santa Ana Water Board or U.S. EPA, the Discharger will participate in the NPDES discharge monitoring report QA performance study.

**J.** For every item of monitoring data where the requirements are not met, the monitoring report shall include a statement discussing the reasons for noncompliance, the actions undertaken or proposed that will bring the discharge into full compliance with requirements at the earliest time, and an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Santa Ana Water Board by letter when compliance with the time schedule has been achieved.

**K.** The Discharger shall assure that records of all monitoring information are maintained and accessible for a period of at least five years (this retention period supersedes the retention period specified in section IV.A. of Attachment D) from the date of the sample, report, or application. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge or by the request of the Santa Ana Water Board at any time. Records of monitoring information shall include:

1. The information listed in Attachment D- IV Standard Provisions – Records, subparagraph B. of this Order;

2. The laboratory which performed the analyses;

3. The date(s) analyses were performed;

[3] See Federal Register/ Vol. 65, No. 97 / Thursday, May 18, 2000 / Rules and Regulations.

4. The individual(s) who performed the analyses;
5. The modification(s) to analytical techniques or methods used;
6. All sampling and analytical results, including:
    a. Units of measurement used;
    b. Minimum reporting level for the analysis (minimum level);
    c. Results less than the reporting level but above the method detection limit (MDL);
    d. Data qualifiers and a description of the qualifiers;
    e. Quality control test results (and a written copy of the laboratory quality assurance plan);
    f. Dilution factors, if used; and
    g. Sample matrix type.
7. All monitoring equipment calibration and maintenance records;
8. All original strip charts from continuous monitoring devices;
9. All data used to complete the application for this Order; and
10. Copies of all reports required by this Order.
11. Electronic data and information generated by the Supervisory Control and Data Acquisition (SCADA) System.

**L.** The flow measurement system shall be calibrated at least once per year or more frequently, to ensure continued accuracy.

**M.** 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. In the event that continuous monitoring equipment is out of service for greater than a 24-hour period, the Discharger shall obtain a representative grab sample each day the equipment is out of service. The Discharger shall correct the cause(s) of failure of the continuous monitoring equipment as soon as practicable. In its monitoring report, the Discharger shall specify the period(s) during which the equipment was out of service and if the problem has not been corrected, shall identify the steps which the Discharger is taking or proposes to take to bring the equipment back into service and the schedule for these actions.

**N.** Monitoring and reporting shall be in accordance with the following:

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
2. The monitoring and reporting of influent, effluent, and sludge shall be done more frequently as necessary to maintain compliance with this Order and/or as specified in this Order.

3. Whenever the Discharger monitors any pollutant more frequently than is required by this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report (DMR) specified by the Executive Officer.
4. A "grab" sample is defined as any individual sample collected in less than 15 minutes.
5. A composite sample is defined as a combination of no fewer than eight individual grab samples obtained over the specified sampling period. The volume of each individual grab sample shall be proportional to the discharge flow rate at the time of sampling. The compositing period shall equal the specific sampling period, or 24 hours, if no period is specified.
6. Daily samples shall be collected on each day of the week.
7. Monthly samples shall be collected on any representative day of each month.
8. Quarterly samples: A representative grab sample shall be taken on any representative day of January, April, July, and October.
9. Semi-annual samples shall be collected in January and July.
10. Annual samples shall be collected in accordance with the following schedule:

**Table E-1. Annual Sampling Schedule**

| Year | Annual Samples |
|---|---|
| 2027 | January |
| 2028 | April |
| 2029 | July |
| 2030 | October |
| 2031 | January |

**O.** Laboratory Certification. Laboratories analyzing monitoring samples shall be certified by the State Water Board's Division of Drinking Water, in accordance with the provision of Water Code section 13176 and must include quality assurance/quality control data with their reports.

**P.** The Discharger shall ensure that the results of the Discharge Monitoring Report-Quality Assurance (DMR-QA) Study or the most recent Water Pollution Performance Evaluation Study are submitted annually to the State Water Board at **QualityAssurance@Waterboards.ca.gov** or the following address:

State Water Resources Control Board
Quality Assurance Program Officer
Office of Information Management and Analysis
1001 I Street, Sacramento, CA 95814

## II. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order:

## Table E-2. Monitoring Station Locations

| Discharge Point Name | Monitoring Location Name | Monitoring Location Description | Latitude | Longitude |
|---|---|---|---|---|
| ***Influent Monitoring Location*** | | | | |
| (influent) | M-INF | Headworks downstream of bar screens | 33° 55’ 48” N | 117° 36’ 14” W |
| ***Effluent Monitoring Locations[1]*** | | | | |
| 001 | M-001 | Downstream of cascading weir for discharge to Reach 3 of Santa Ana River | 33° 55’ 33” N | 117° 36’ 19” W |
| ***Recycled Water Monitoring Locations[1]*** | | | | |
| 002 | REC-001 | Effluent to recycled water use within Temescal GMZ | 33° 55' 33" N | 117° 36' 19" W |
| 003 | REC-001 | Effluent to recycled water use within Chino North “Maximum Benefit” GMZ (or Chino 1, 2, and 3 “Antidegradation GMZs) | 33° 55' 33" N | 117° 36' 19" W |
| 004 | REC-001 | Effluent to recycled water use within Chino East GMZ | 33° 55' 33" N | 117° 36' 19" W |
| 005 | REC-001 | Effluent to recycled water use within Chino South GMZ | 33° 55' 33" N | 117° 36' 19" W |
| 006 | REC-001 | Effluent to recycled water use within Arlington GMZ | 33° 55' 33" N | 117° 36' 19" W |
| 007 | M-007 | Effluent discharge to Lake Norconian | 33° 55' 25" N | 117° 34' 16" W |
| ***Receiving Water Monitoring Locations*** | | | | |
| | R-001U | Receiving water, approximately 100 feet upstream of the discharge point to Reach 3 of Santa Ana River | 33° 55’ 13” N | 117° 36’ 18” W |
| | R-001D | Receiving water, approximately 500 feet downstream of the discharge point to Reach 3 of Santa Ana River | 33° 55’ 09” N | 117° 36’ 22” W |
| | R-002U | USGS Hydrologic Unit 18070203, San Bernardino Grant, 0.4 mile downstream from E. Street Bridge (River Flow Measuring Station) | 33° 03’ 54” N | 117° 17’ 58” W |
| | R-003 | Receiving water, Lake Norconian location (3 spatial composite) | 33° 55' 25" N | 117° 34' 16" W |
| ***Storm Water Runoff Monitoring Location*** | | | | |
| 001 | Storm-001 (S-001) | Stormwater pump station | 33° 55' 33" N | 117° 36' 19" W |

1. If the Discharger determines that the location of REC-001 is not a representative monitoring location of recycled water discharge through DP-002 to DP-006, and/or the location of M-007 is not representative of treated wastewater discharge through DP-007, the Discharger shall submit for approval to the Executive Officer alternative location(s) for REC-001 and/or M-007 where representative samples can be obtained for laboratory testing and analysis.

The North latitude and West longitude information in Table E-2 are approximate for administrative purposes.

## III. INFLUENT MONITORING REQUIREMENTS

### A. Monitoring Locations M-INF

1. Sampling stations shall be established at the point of inflow to the treatment plant. Each sampling station shall be located upstream of any in-plant return flows and where representative samples of the influent of the treatment plant can be obtained.
2. The Discharger shall sample and monitor influent to the Facilities at the influent Monitoring Location M-INF as follows.

**Table E-3. Influent Monitoring Requirements at M-INF**

| Parameter | Units | Sample Type | Minimum Sampling Frequency | Required Analytical Test Method |
|---|---|---|---|---|
| Flow | MGD | Totalizer/Recorder | Continuous | --- |
| Specific Conductance | µmhos/cm | Recorder | Continuous | --- |
| pH | pH units | Recorder | Continuous | --- |
| Biochemical Oxygen Demand, 5-day @ 20°C ($BOD_5$) | mg/L | Composite | Weekly | See I.B. and I.C., above, of this MRP |
| Total Suspended Solids (TSS) | mg/L | " | Weekly | " |
| Total Dissolved Solids (TDS) | mg/L | " | Monthly | " |
| Ammonia-Nitrogen | mg/L | Grab | Monthly | " |
| Total Nitrogen | mg/L | Composite | Monthly | " |
| Total Inorganic Nitrogen (TIN) | mg/L | " | Monthly | " |
| Total Hardness | mg/L | " | Quarterly | " |
| Per- and Poly-fluoroalkyl Substances (PFAS)[1] | ng/L | Grab/Composite[2] | Quarterly | See I.B. through 1.F., above[2], of this MRP |
| Cyanide, Free | µg/L | Grab | Quarterly | " |
| Bis (2-Ethylhexyl) Phthalate | µg/L | Composite | Quarterly | " |
| Dieldrin | µg/L | Composite | Quarterly | |
| Boron | mg/L | Composite | Annually | See I.B. and I.C., above |
| 2,3,7,8-TCDD (Dioxin)[3] | µg/L | " | Annually | See I.B. through 1.F., above, EPA Method 1613B for all 17 CDDs/CDFs, RL 1 pg/L |
| Volatile organic portion of EPA Priority | µg/L | Grab | Annually | See I.B. through 1.F., above, of this MRP |

| Parameter | Units | Sample Type | Minimum Sampling Frequency | Required Analytical Test Method |
|---|---|---|---|---|
| Pollutants[4] (see Attachment G) | | | | |
| Remaining EPA Priority Pollutants[5] (see Attachment G) | µg/L | Composite | Annually | " |
| Remaining Title 22's MCL List Contaminants | µg/L | " | Annually | " |
| Radionuclides with Primary MCLs per title 22, sections 64442 and 64443, Tables 64442 and 64443 | mg/L | Grab | Quarterly /Annually[6] | " |

1. Analytical method to be used is the Department of Defense (DOD) Quality System Manual (QSM), version 5.1 or later, for LC/MS/MS analysis of Per- and Polyfluorinated Alkyl Acids (ML of 5 ng/L to 8 ng/L).
2. Grab or 24-hour composite sample composed of several grab samples that are to be composited at the analytical laboratory (if cross contamination from automatic sampler is suspected).
3. The 2,3,7,8-TCDD (TEQs) concentration is the sum of the TEQ concentrations of the 17 CDDs/CDFs detected and calculated by using the 2005 WHO TEFs.
4. EPA priority pollutants are those remaining volatile organic pollutants listed in Attachment G which are not specifically listed in this monitoring program table.
5. Remaining EPA priority pollutants are those pollutants listed in Attachment G which are not volatile organics and pollutants not specifically listed in this monitoring program table.
6. Quarterly for the first year and annual thereafter, upon receiving approval from the Executive Officer or its designee.

3. The Discharger is required to conduct annual monitoring for 2,3,7,8-TCDD (TEQs) at M-INF. The reported 2,3,7,8-TCDD concentration shall be the sum of the dioxin toxicity equivalence (TEQ) concentrations of the 17 chlorinated dibenzo-p-dioxins (CDDs) and chlorinated dibenzofurans (CDFs) detected and calculated with the use of the 2005 World Health Organization (WHO) dioxin toxicity equivalence factors (TEFs). For 2,3,7,8-TCDD monitoring, the Discharger shall include the laboratory test results sheets for each analysis with the corresponding self-monitoring report (SMR) submittal, as an attachment, and the laboratory sheet shall include any detection between the MDL and the ML (DNQ). Also, the Discharger shall notify the Santa Ana Water Board's staff, through email transmittal, regarding the re-extraction and/or retesting of samples and the reason for it. This notification shall be done within 5 days of ordering the retest of samples and the retest laboratory sheets and pertinent QA/QC documentation shall be submitted as an attachment with the next SMR submittal.

## IV. EFFLUENT MONITORING REQUIREMENTS

### A. Monitoring Location M-001

1. The Discharger shall monitor tertiary treated effluent for DP-001 and DP-007 at Monitoring Location M-001 and M-007, respectively, as follows:

**Table E-4.Tertiary Effluent Monitoring at M-001**

| Parameter[11] | Units | Sample Type | Minimum Sampling Frequency | Required Analytical Test Method |
|---|---|---|---|---|
| Flow | MGD | Recorder/ Totalizer | Continuous | --- |
| Specific Conductance | µmhos/cm | Recorder | Continuous | --- |
| pH | pH units | " | Continuous | --- |
| Turbidity[1] | NTU | " | Continuous | --- |
| FCRCT[2] | mg-minutes/L | Calculated | Continuous[3] | --- |
| Total Chlorine Residual | mg/L | " | Continuous | --- |
| Coliform Organisms[3] | MPN/100 ml[4] | Grab | Daily | See I.B., above |
| $BOD_5$ | mg/L | Composite | Weekly | " |
| TSS | mg/L | " | Weekly | " |
| Chemical Oxygen Demand | mg/L | " | Weekly | " |
| Temperature | °C | Recorder | Continuous | --- |
| Ammonia Nitrogen | mg/L | Grab | Biweekly | See I.B., above |
| Total Dissolved Solids (TDS) | mg/L | Composite | Monthly | " |
| Total Inorganic Nitrogen (TIN) | mg/L | " | Monthly | " |
| Total Nitrogen | mg/L | " | Monthly | " |
| Total Hardness | mg/L | " | Monthly | " |
| Chronic Toxicity | Pass/Fail; % Effect | " | Monthly | See section I.C., above, and section V., below |
| Copper, Total Recoverable | µg/L | " | Monthly | See I.B. through I.F., above |
| Lead, Total Recoverable | µg/L | " | Monthly | " |
| Cyanide, Free | µg/L | Grab | Monthly | " |
| Bis (2-Ethylhexyl) Phthalate | µg/L | Composite | Monthly | " |
| Dieldrin | µg/L | " | Monthly | |
| Odor | Threshold Odor | Composite | Quarterly | " |

| Parameter[11] | Units | Sample Type | Minimum Sampling Frequency | Required Analytical Test Method |
|---|---|---|---|---|
| | Number (TON) | | | |
| Color | Apparent Color Unit (ACU) | " | Quarterly | " |
| Bicarbonate | mg/L | " | Quarterly | See I.B., above |
| Calcium | mg/L | " | Quarterly | " |
| Carbonate | mg/L | " | Quarterly | " |
| Chloride | mg/L | " | Quarterly | " |
| Fluoride | mg/L | " | Quarterly | " |
| Magnesium | mg/L | " | Quarterly | " |
| Sodium | mg/L | " | Quarterly | " |
| Sulfate | mg/L | " | Quarterly | " |
| Chromium (VI) or Total Chromium[5] | μg/L | " | Quarterly | See I.B. through I.F., above |
| Per- and Poly-fluoroalkyl Substances (PFAS) | ng/L | Grab /Composite[6] | Quarterly | See I.B., above[7] |
| Aluminum | mg/L | Composite | Annually | See I.B. through I.F., above |
| Barium | μg/L | Composite | Annually | See I.B., above |
| 2,3,7,8-TCDD (Dioxin)[8] | µg/L | Composite | Annually | See I.B. through I.F., above, EPA Method 1613B for all 17 CDDs/CDFs, RL 1 pg/L |
| Boron | mg/L | " | Annually | See I.B., above |
| Remaining Volatile Organic Portion of Priority Pollutants (see Attachment G) | µg/L | Grab | Annually[9] | See I.B. through I.F., above |
| Remaining Priority Pollutants (see Attachment G) | µg/L | Composite | Annually[9] | " |
| Remaining Title 22's MCL List Contaminants | µg/L | " | Annually | " |
| Radionuclides with Primary MCLs per title 22, sections 64442 and 64443, Tables 64442 and 64443 | mg/l | Grab | Quarterly /Annually[10] | " |

[1] Turbidity analysis shall be continuous, performed by a continuous recording turbidimeter. Compliance with the daily average operating filter effluent turbidity shall be determined by

averaging the levels of recorded turbidity taken at a minimum of four-hour intervals over a 24-hour period. The results of the daily average turbidity determinations shall be reported monthly. Turbidity measurements shall be taken immediately after filtration.

[2] Free Chlorine Residual Contact Time.

[3] Samples for total coliform bacteria shall be collected daily. Samples shall be taken from the disinfected effluent.

[4] MPN/100 mL = Most Probable Number per 100 milliliters.

[5] If Total Chromium test result is greater than 11 μg/L, the following sample shall be tested for Chromium VI, until directed otherwise.

[6] Grab or 24-hour composite sample composed of several grab samples that are to be composited at the analytical laboratory (if cross contamination from automatic sampler is suspected).

[7] Analytical method to be used is the Department of Defense (DOD) Quality System Manual (QSM), version 5.1 or later, for LC/MS/MS analysis of Per- and Polyfluorinated Alkyl Acids (ML of 5 ng/L to 8 ng/L). An alternate U.S. EPA approved method may be proposed by the Discharger.

[8] The 2,3,7,8-TCDD (TEQs) concentration is the sum of the TEQ concentrations of the 17 CDDs/CDFs detected and calculated by using the 2005 WHO TEFs.

[9] The monitoring frequency for those priority pollutants that are detected during the required annual monitoring at a concentration greater than the concentration specified for that pollutant in Attachment I shall be accelerated to quarterly for one year. To return to the monitoring frequency specified, the Discharger shall request and receive approval from the Executive Officer or its designee.

[10] Quarterly for the first year and annual thereafter upon receiving approval from the Executive Officer or its designee.

[11] Monitoring for all parameters may be conducted at M-001 for both DP-001 and DP-007, except for site specific parameters, such as flow, chronic toxicity, TDS, total chlorine residual, temperature, specific conductance, total hardness, and pH, which must be measured separately at M-007 for DP-007.

## V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

### A. Chronic Toxicity Testing – Monitoring Locations M-001 and M-007

#### 1. Discharge In-stream Waste Concentration (IWC) for Chronic Toxicity

The “in-stream” waste concentration (IWC) for this discharge is 100 percent effluent.

#### 2. Routine Chronic Toxicity Monitoring Frequency

For routine chronic toxicity monitoring, the Discharger shall conduct at least one chronic toxicity test every calendar month. Samples for chronic toxicity shall be collected by the 5$^{th}$ day of each month, or for a justifiable reason after the 5$^{th}$ day, to allow corresponding Median Monthly Effluent Limit (MMEL) compliance tests to be initiated within the same calendar month. The Santa Ana Water Board may determine that a specific monitoring event is not required to be initiated in the required time period when the test was not initiated in the required test period due to circumstances outside of the Discharger’s control that were not preventable with the reasonable exercise of care, and the Discharger promptly initiates, and ultimately completes, a replacement test in accordance with section III.C.4.b of the Toxicity Provisions.

3. **Median Monthly Effluent Limit Compliance Monitoring**

   If a chronic toxicity test conducted during routine monitoring results in a "Fail" at the IWC, the Discharger shall conduct a maximum of two chronic toxicity MMEL compliance tests. When there is no effluent available to complete a routine MMEL compliance test, the test is not required, and the routine monitoring continues at the frequency specified in this Order. The MMEL compliance tests shall be initiated within the same calendar month that the first routine chronic toxicity test was initiated that resulted in a "Fail" at the IWC. If the first chronic toxicity MMEL compliance test results in a "Fail" at the IWC, then the second chronic toxicity MMEL compliance test is not required.

4. **Sample Volume and Holding Time**

   The total sample volume shall be determined by the specific toxicity test method used. Sufficient sample volume shall be collected to perform the required toxicity test. For the receiving water, sufficient sample volume shall also be collected during accelerated monitoring for subsequent Toxicity Identification Evaluation (TIE) studies, if necessary, at each sampling event. All toxicity tests shall be conducted as soon as possible following sample collection. No more than 36 hours shall elapse before the conclusion of sample collection and test initiation.

5. **Chronic Freshwater Species and Test Methods**

   If effluent samples are collected from outfalls discharging to receiving waters with salinity less than 1 part per thousand (ppt), the Discharger shall conduct the following chronic toxicity tests on effluent samples at the IWC in accordance with the species and test methods in *Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (EPA/821/R-02/013, 2002; Table IA, 40 CFR Part 136 ). Control and dilution water should be receiving water or lab water as appropriate. Approved tests methods for chronic toxicity are as follows:

   a. Fathead Minnow, *Pimephales promelas*, Larval Survival and Growth Test Method 1000.0.

   b. Daphnid, *Ceriodaphnia dubia,* Survival and Reproduction Test Method 1002.0.

   c. Green Alga, *Selenastrum capricornutum*, Growth Toxicity Test Method 1003.0

   In no case shall these species be substituted with another test species unless written authorization from the Santa Ana Water Board is received.

6. **Species Sensitivity Screening**

   The Discharger shall conduct four sets of species sensitivity screening (SSS) during the first year of re-issuance of this Order, with one set of screenings conducted in each quarter of the year. The first set of SSS shall be conducted

during the first full quarter sample collection period following the effective date of this Order. The remaining sets shall be conducted during the subsequent quarters. For each set of testing, the Discharger shall collect a single effluent sample to initiate and concurrently conduct three toxicity tests using the fish, invertebrate, and alga species referenced in section V.A.5., above. As allowed under the test method for the *Ceriodaphnia dubia* and the *Pimephales promelas*, a second and third sample shall be collected for use as test solution renewal water as the seven-day toxicity test progresses. Samples for the SSS shall be analyzed using the Test of Significant Toxicity (TST) approach. For justifiable reasons, the Discharger may complete the four sets of SSS within the first 18 months of re-issuance of this Order.

After the fourth set of species sensitivity screening, the most sensitive species for routine chronic toxicity monitoring will be determined using the following hierarchal order:

a. The species exhibiting the most 'Fails'.
b. If all species result in a "Pass", the species exhibiting the highest percent effect.
c. If all species result in a "Pass" and there is no difference in percent effect, the species will be determined by Santa Ana Water Board.

The four sets of species sensitivity screening are required during the first year of operation.

7. **Quality Assurance (QA) and Additional Requirements**

QA measures, instructions, and other recommendations and requirements are found in the test methods manual previously referenced. Additional requirements are specified below.

The discharge is subject to determination of "Pass" or "Fail" from a chronic toxicity test using the *Test of Significant Toxicity (TST) statistical t-test approach described in National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833/R-10/003, 2010), Appendix A, Figure A-1 and Table A-1 and Appendix B, Table B-1. The null hypothesis (Ho) for the TST statistical approach is: Mean discharge IWC response ≤0.75 × Mean control response. A test result that rejects this null hypothesis is reported as "Pass." A test result that does not reject this null hypothesis is reported as "Fail." The relative "Percent Effect" at the discharge IWC is defined and reported as: ((Mean control response - Mean discharge IWC response) ÷ Mean control response) × 100. This is a t-test (formally Student's t-test), a statistical analysis comparing two sets of replicate observations—in the case of WET, only two test concentrations (i.e., a control and IWC). The purpose of this statistical test is to determine if the means of the two sets of observations are different (i.e., if the IWC or receiving water concentration differs from the control (the test result is "Pass" or "Fail"). The Welch's t-test employed by the TST statistical approach is an adaptation of Student's t-test and is used with two samples having unequal variances.

a. The MDEL for chronic toxicity is exceeded and a violation will be flagged when a toxicity test during routine monitoring results in "Fail" in accordance with the TST approach and the "Percent Effect" is greater than or equal to 50 percent.

b. The MMEL for chronic toxicity is exceeded and, only in the case of the MMEL, a violation will be flagged when two or more toxicity tests in a calendar month result in a "Fail" in accordance with the TST approach.

c. If the effluent toxicity test does not meet all test acceptability criteria (TAC) specified in the referenced test method, *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (U.S. EPA 2002, EPA/821/R-02/013), the test should be declared invalid, then the Discharger must resample and re-test within 14 days of test termination.

d. Dilution water and control water, including brine controls, shall be laboratory water prepared and used as specified in the test methods manual. If dilution water and control water is different from test organism culture water, then a second control using culture water shall also be used.

e. Monthly reference toxicant testing is sufficient if in accordance with *Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms* (EPA/821/R-02/013, 2002; Table IA, 40 CFR Part 136). All reference toxicant test results should be reviewed and reported using the effects concentration at 25 percent (EC25).

f. The Discharger shall perform toxicity tests on final effluent samples collected at Monitoring Locations (after dechlorination). Ammonia shall not be removed from the effluent sample prior to toxicity testing, unless explicitly authorized under this section of this MRP and the rationale is explained in the Fact Sheet (Attachment F).

g. Reference toxicant tests must meet the upper and lower bounds on test sensitivity, as determined by calculating the Percent Minimum Significant Difference (PMSD) for each test result. Test sensitivity bounds are specified in Table 3-6 of *Understanding and Accounting for Method Variability in Whole Effluent Toxicity Applications Under the National Pollutant Discharge Elimination System Program* (EPA/833/R-00/003, June 2000).

8. **Toxicity Reduction Evaluation/Toxicity Identification Evaluation (TRE/TIE)**

   If toxicity, as defined, is detected, the Discharger shall implement a TRE work plan and, if necessary, conduct a TIE in accordance with section VI.C.2.b. of the Order.

9. **Reporting Requirements**

The Self-Monitoring Report (SMR) shall include a full laboratory report for each toxicity test. This report shall be prepared using the format and content of the test methods manual chapter called Report Preparation, and shall include:

a. The valid toxicity test results for the TST statistical approach, reported as "Pass" or "Fail" and "Percent Effect" at the chronic toxicity IWC for the discharge. All toxicity test results (whether identified as valid or otherwise) conducted during the calendar month shall be reported on the SMR due date specified in Table E-7.

b. Summary water quality measurements for each toxicity test (e.g., pH, dissolved oxygen, temperature, conductivity, hardness, salinity, chlorine, ammonia).

c. The statistical analysis used in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833/R-10/003, 2010) Appendix A, Figure A-1 and Table A-1, and Appendix B, Table B-1.

d. TRE/TIE results. The Santa Ana Water Board shall be notified no later than 30 days from completion of each aspect of TRE/TIE analyses. Prior to the completion of the final TRE/TIE report, the Discharger shall provide status updates in the monthly monitoring reports, indicating which TRE/TIE steps are underway and which steps have been completed.

e. Statistical program (e.g., TST calculator, CETIS, etc.) output results, including graphical plots, for each toxicity test.

f. Graphical plots clearly showing the laboratory's performance for the reference toxicant for the previous 20 tests and the laboratory's performance for the control mean, control standard deviation, and control coefficient of variation for the previous 12-month period.

g. Any additional quality assurance/quality control (QA/QC) documentation or any additional chronic toxicity-related information, upon written request from the Santa Ana Water Board.

## VI. LAND DISCHARGE MONITORING REQUIREMENTS – NOT APPLICABLE

## VII. RECYCLING MONITORING REQUIREMENTS

### A. Monitoring Location REC-001

1. The Discharger shall monitor recycled water at Monitoring Location REC-001 based on the monitoring requirements defined in Table E-5. If the Discharger determines that the location of that REC-001 is a not a representative monitoring location for recycled water discharges through DP-002 to DP-006, the Discharger shall submit for approval by the Executive Officer alternative monitoring location(s), not specified herein, where representative samples of recycled water

could be obtained for laboratory testing and analysis. Upon approval by the Executive Officer, the Discharger shall monitor recycled water at the approved alternative monitoring location(s) in accordance with the monitoring plan approved by the Executive Officer.

**Table E-5. Recycled Water Monitoring Requirements at REC-001**

| Parameter | Units | Sample Type | Minimum Sampling Frequency | Required Analytical Test Method |
|---|---|---|---|---|
| Flow | MGD | Recorder/Totalizer | Continuous | --- |
| pH | pH units | Recorder | Continuous | --- |
| Turbidity[1] | NTU | Recorder | Continuous | --- |
| Free Chlorine Residual (FCR)[2] | mg/L | Recorder | Continuous | --- |
| FCRCT[3] | mg-min/L | Calculated | Continuous | --- |
| Coliform Organisms | MPN/100 ml | Grab | Daily | See I.B, above |
| $BOD_5$ | mg/L | Composite | Weekly | See I.B, above |
| TSS | mg/L | Composite | Weekly | See I.B, above |
| TDS | mg/L | Composite | Monthly | See I.B, above |

1 Turbidity samples shall be collected at M-001.
2 Measured at the combined chlorine contact basin effluent sample point.
3 Free Chlorine Residual Contact Time.

### B. Monitoring Users

Whenever recycled water is supplied to a user, the following shall be recorded in a permanent log: user name; dates and volumes of recycled water use; location(s) of use, including the underlying groundwater management zone; and type of use (e.g., irrigation, industrial). A summary report of recycled water use by groundwater management zone for the prior calendar year shall be included in the annual report submitted to the Santa Ana Water Board.

## VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

### A. Monitoring During 20:1 Dilution at R-002U

The Discharger shall make provisions for the measurement of the receiving water flow at a suitable location R-002U in the river and determine whether a 20:1 dilution exists at the point of discharge before discharging secondary treated effluent. A dilution of 20:1 or more exclusive of discharges to surface waters from upstream publicly owned treatment works is required at the point of discharge for discharge of secondary effluent. Flow measurements shall be made prior to any direct discharge to the river and shall continue on a daily basis until the discharge is terminated.

## B. Monitoring Location R-001U and R-003 for Surface Water

1. The Discharger shall monitor the receiving water flow at R-001U and R-003 for the following parameters/constituents:

**Table E-6. Receiving Water Monitoring Requirements at R-001U & R-003[2]**

| Parameter | Units | Sample Type | Minimum Sampling & Testing Frequency | Required Analytical Test Method |
|---|---|---|---|---|
| Flow[1] | mgd | Estimate | Weekly | -- |
| Dissolved Oxygen | mg/L | Grab | Weekly | See I.C, above |
| Temperature | $^0$C | Grab | Weekly | See I.C, above |
| pH | pH unit | Grab | Weekly | See I.C, above |
| Total Hardness | mg/L | Grab | Monthly | See I.C, above |
| Total Inorganic Nitrogen | mg/L | Grab | Monthly | See I.C, above |
| Ammonia-Nitrogen | mg/l | Grab | Monthly | See I.C, above |
| Color change, foam, deposition of material, odor, oil sheen | -- | Observation | Weekly | See I.C, above |
| EPA Priority Pollutants | μg/L | Grab | Annually | See I.B, above |

[1] Applicable to R-001U only.
[2] Monitoring at R-003 shall start one month before the initial discharge of treated wastewater to the lake begins.

### C. Monitoring Location R-001D for Surface Water:

1. The Discharger shall monitor the receiving water at R-001D for the following constituents:

**Table E-7. Receiving Water Monitoring Requirements at R-001D**

| Parameter | Units | Sample Type | Minimum Sampling & Testing Frequency | Required Analytical Test Method |
|---|---|---|---|---|
| Flow | MGD | Estimate | Weekly | |
| Dissolved Oxygen | mg/L | Grab | Weekly | See I.C, above |
| Temperature | $^0$C | Grab | Weekly | See I.C, above |
| pH | pH unit | Grab | Weekly | See I.C, above |
| Color change, foam, deposition of material, odor, oil sheen | -- | Observation | Weekly | See I.C, above |
| EPA Priority Pollutants | μg/L | Grab | Annually | See I.B, above |

### D. Regional Monitoring for Fish Flesh Testing:

Unless otherwise directed by the Executive Officer, the Discharger shall implement the approved plan for the annual sampling and testing of mercury levels in fish flesh samples collected from the Santa Ana River. The frequency of monitoring and submission of reports shall be as stipulated in the approved plan.

### E. Monitoring Requirements for Groundwater – Not Applicable

## IX. OTHER MONITORING REQUIREMENTS

### A. Storm Water Monitoring and Reporting

The Discharger shall monitor discharges at Discharge Points S-001 (as specified in Table E-2 of this MRP) and submit monitoring reports in accordance with Attachments J and K - Stormwater Monitoring and Reporting Requirements.

### B. Water Supply Monitoring

1. At least once per year, a sample of each source of the water supplied to the sewered area shall be obtained and analyzed for total dissolved solids.
2. Monthly reports shall be submitted stating the amount (in percentage or acre-feet) supplied to the sewered area from each source of water and the resulting flow-weighted water supply quality for total dissolved solids.

## C. Pretreatment Monitoring and Reporting

1. The Discharger shall submit to the Santa Ana Water Board and U.S. EPA Region 9, a quarterly compliance status report. The quarterly compliance status reports shall cover the periods January 1 - March 31, April 1 - June 30, July 1 - September 30, and October 1 - December 31. Each report shall be submitted by the end of the month following the quarter. This quarterly reporting requirement shall commence for the first full quarter following issuance of this Order. The reports shall identify:
    a. All significant industrial users (SIUs), which violated any standards or reporting requirements during that quarter;
    b. The violations committed (distinguish between categorical and local limits);
    c. The enforcement actions undertaken; and
    d. The status of active enforcement actions from previous periods, including closeouts (facilities under previous enforcement actions which attained compliance during the quarter).
2. Annually, the Discharger shall submit a report to the Santa Ana Water Board, the State Water Board and the U.S. EPA Region 9 describing the pretreatment activities within the service area during the previous year. In the event that any control authority within the service area is not in compliance with any conditions or requirements of this Order or their approved pretreatment program (such as due to industrial user discharges, interjurisdictional agency agreement implementation issues, or other causes,) then the Discharger shall also include the reasons for non-compliance and state how and when the Discharger and the control authority shall comply with such conditions and requirements. This annual report shall cover operations from July 1 through June 30 of each fiscal year and is due on September 30 of each year. The report shall contain, but not be limited to, the following information:
    a. A summary of analytical results from representative, flow-proportioned, 24-hour composite sampling of the POTW's influent and effluent wastewaters for those pollutants which are known or suspected to be discharged by industrial users (IUs) as identified by EPA under section 307(a) of the CWA. The summary will include the result of annual full priority pollutant scan, with quarterly samples analyzed only for those pollutants[6] detected in the full scan. The Discharger shall also provide any influent or effluent monitoring data for non-priority pollutants that the Discharger believes may be causing or contributing to interference or pass-through, or adversely impacting sludge quality. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto.
    b. A discussion of any upset, interference, or pass-through incidents at the treatment plant (if any), which the Discharger knows or suspects were caused by IUs of the POTW system. The discussion shall include the following:

[6] The Discharger is not required to analyze for asbestos.

i. The reasons why the incidents occurred, the corrective actions taken, and, if known, the name and address of the IU(s) responsible.

ii. A review of the applicable pollutant limitations to determine whether any additional limitations, or changes to existing requirements, may be necessary to prevent pass through, interference or noncompliance with sludge disposal requirements.

c. A complete and updated list of the Discharger's significant industrial users (SIUs), including names, Standard Industrial Classification (SIC) code(s) and addresses, and a list of any SIU deletions and/or additions. The Discharger shall provide a brief explanation for each deletion. The SIU list shall identify the SIUs subject to Federal Categorical Standards by specifying which set(s) of standards are applicable to each SIU. The list shall also indicate which SIUs are subject to local limitations more stringent than Federal Categorical Standards and those which are not subject to local limits.

d. A list or table characterizing the industrial compliance status of each SIU, including:

i. SIU name;

ii. Industrial category;

iii. The type (processes) of wastewater treatment in place;

iv. Number of samples taken by the POTW during the year;

v. Number of samples taken by the SIU during the year;

vi. Whether all needed certifications (if allowed) were provided by SIUs which have limits for total toxic organics;

vii. Federal and Regional Standards violated during the year, reported separately;

viii. Whether the SIU at any time in the year was in Significant Noncompliance (SNC)[7], as defined by 40 CFR § 403.12 (f)(2)(vii); and

ix. A summary of enforcement actions against the SIU taken during the year, including the type of action, final compliance date, and amount of fines assessed/collected (if any). Proposed actions, if known, should be included.

x. Number of inspections conducted at each SIU during the year.

e. A compliance summary table which includes:

i. SIU's which were in SNC at any time during the year;

ii. The total number of SIUs which are in SNC with pretreatment compliance schedules during the year;

iii. The total number of notices of violation and administrative orders issued against SIUs during the year;

[7] SNC is determined at the beginning of each quarter based on data of the previous six months.

iv. The total number of civil and criminal judicial actions filed against SIUs during the year;

v. The number of SIUs which were published as being in SNC during the year; and

vi. The number of IUs from which penalties were collected during the year.

f. A short description of any significant changes in operating the pretreatment program which differ from the previous year including, but not limited to changes concerning:

i. The program's administrative structure;

ii. Local industrial discharge limitations;

iii. Monitoring program or monitoring frequencies;

iv. Legal authority or enforcement policy;

v. Funding mechanisms; and

vi. Resource requirements and/or staffing levels.

g. A summary of the annual pretreatment budget, including the cost of pretreatment program functions and equipment purchases.

h. A summary of public participation activities to involve and inform the public.

i. A description of any changes in sludge disposal methods and a discussion of any concerns not described elsewhere in the report.

3. The cumulative number of industrial users that the Discharger has notified regarding Baseline Monitoring Reports and the cumulative number of industrial user responses.

4. The Discharger shall submit the quarterly compliance status reports and the annual pretreatment report to U.S. EPA Region 9, the State Water Board, and the Santa Ana Water Board.

## X. REPORTING REQUIREMENTS

### A. General Monitoring and Reporting Requirements

1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.

2. Any internal quality control data associated with the sample must be reported when requested by the Executive Officer. The Santa Ana Water Board will reject the quantified laboratory data if quality control data is unavailable or unacceptable.

3. Discharge monitoring data shall be submitted in a format acceptable by the Santa Ana Water Board. Specific reporting format may include preprinted forms and/or electronic media. The results of all monitoring required by this Order shall be reported to the Santa Ana Water Board and shall be submitted in such a format as to allow direct comparison with the limitations and requirements of this Order.

4. The Discharger shall tabulate the monitoring data to clearly illustrate compliance and/or noncompliance with the requirements of the Order.

5. The Discharger shall submit to the Santa Ana Water Board reports necessary to determine compliance with effluent limitations in this Order and shall follow the chemical nomenclature and sequential order of priority pollutant constituents shown in Attachment G – Priority Pollutant Lists. The Discharger shall report with each sample result:
    a. The minimum level achieved by the testing laboratory; and
    b. The laboratory's current MDL, as determined by the procedure found in 40 CFR Part 136.
    c. For those priority pollutants without effluent limitations, the Discharger shall require its testing laboratory to quantify constituent concentrations to the lowest achievable MDL as determined by the procedure found in 40 CFR Part 136. In situations where the trigger value listed in Attachment I is below the minimum level value specified in Attachment H and the Discharger cannot achieve an MDL value for that pollutant below or equal to the ML value, the Discharger shall submit justification why a lower MDL value cannot be achieved. Justification shall be submitted together with monthly monitoring reports.
6. For every item of monitoring data where the requirements are not met, the monitoring report shall include a statement discussing the reasons for noncompliance, and of the actions undertaken or proposed that will bring the discharge into full compliance with requirements at the earliest time, and an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Santa Ana Water Board by letter when compliance with the time schedule has been achieved.
7. The reports for June and December shall include a roster of plant personnel, including job titles, duties, and level of State certification for each individual.
8. The Discharger shall report monitoring results for specific parameters in accordance with the following table:

**Table E-8. Reporting Requirements**

| Parameter | Measurement |
|---|---|
| Flow | Daily Total |
| pH | Daily High and Daily Low |
| Total Chlorine Residual | Daily Maximum |
| Electrical Conductivity | Daily Maximum |
| Turbidity | Daily Maximum |
| Temperature | Daily Maximum |

9. The Discharger shall file a written report with the Santa Ana Water Board within ninety (90) days after the average dry-weather waste flow for any month equals or exceeds 75 percent of the design capacity of the waste treatment and/or disposal facilities. The Discharger's senior administrative officer shall sign a letter which

transmits that report and certifies that the policy making body is adequately informed about it. The report shall include:

a. Average daily flow for the month, the date on which the instantaneous peak flow occurred, the rate of that peak flow, and the total flow for the day.

b. The Discharger's best estimate of when the average daily dry-weather flow rate will equal or exceed the design capacity of the treatment facilities.

c. The Discharger's intended schedule for studies, design, and other steps needed to provide additional capacity for the waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units.

## B. Self-Monitoring Reports (SMRs)

1. The Discharger shall electronically submit SMRs using the State Water Board's California Integrated Water Quality System (CIWQS) Program website <http://www.waterboards.ca.gov/water_issues/programs/ciwqs/>. The CIWQS website will provide additional information for SMR submittal in the event there will be a planned service interruption for electronic submittal.

2. The Discharger shall report in the SMR the results for all monitoring specified in this MRP under sections III through IX. Additionally, the Discharger shall report in the SMR the results of any special studies, acute and chronic toxicity testing, TRE/TIE, PMP, and Pollution Prevention Plan required by Special Provisions – VI.C. of this Order. The Discharger shall submit monthly, quarterly, and annual SMRs including the results of all required monitoring using U.S. EPA-approved test methods or other test methods specified in this Order. SMRs are to include all new monitoring results obtained since the last SMR was submitted. If the Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR.

3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

**Table E-9. Monitoring Periods and Reporting Schedule**

| Sampling Frequency | Monitoring Period Begins On… | Monitoring Period | SMR Due Date |
|---|---|---|---|
| Continuous | Order effective date | All | Submit with monthly SMR |
| Daily | Order effective date | (Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling. | Submit with monthly SMR |
| Weekly | Sunday following permit effective date or on permit effective date if on a Sunday | Sunday through Saturday | Submit with monthly SMR |
| Monthly | First day of calendar month following permit effective date or on permit effective date if | 1st day of calendar month through last day of calendar month | First day of the second month following the reporting period, |

| Sampling Frequency | Monitoring Period Begins On… | Monitoring Period | SMR Due Date |
|---|---|---|---|
| | that date is first day of the month | | submit as monthly SMR |
| Quarterly | Closest of January 1, April 1, July 1, or October 1 following (or on) permit effective date | January 1 through March 31<br>April 1 through June 30<br>July 1 through September 30<br>October 1 through December 31 | First day of the second month following the reporting period, submit as monthly SMR |
| Semiannually | Closest of January 1 or July 1 following (or on) permit effective date | January 1 through June 30<br>July 1 through December 31 | First day of the second month following the reporting period, submit as monthly SMR |
| Annually | Permit effective date | January 1 through December 31 | First day of the second month following the reporting period, submit as monthly SMR |

4. Reporting Protocols. The Discharger shall report with each sample result the applicable Reporting Level (RL) and the current Method Detection Limit (MDL), as determined by the procedure in 40 CFR Part 136. The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

    a. Sample results greater than or equal to the RL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).

    b. Sample results less than the RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration of the sample shall also be reported.

       For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ. The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (± a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

    c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.

    d. Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time

is the Discharger to use analytical data derived from extrapolation beyond the lowest point of the calibration curve.

5. Compliance Determination. Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined above and Attachment A. For purposes of reporting and administrative enforcement by the Santa Ana Water Board and State Water Board, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).
6. Multiple Sample Data. When determining compliance with an AMEL, AWEL, or MDEL for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of “Detected, but Not Quantified” (DNQ) or “Not Detected” (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:
    a. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
    b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.
7. The Discharger shall submit SMRs in accordance with the following requirements:
    a. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations. The Discharger is not required to duplicate the submittal of data that is entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.
    b. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the waste discharge requirements; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.

## C. Discharge Monitoring Reports (DMRs)

1. DMRs are U.S. EPA reporting requirements. The Discharger shall electronically certify and submit DMRs together with SMRs using Electronic Self-Monitoring Reports module eSMR 2.5 or any upgraded version. Electronic DMR submittal shall be in addition to electronic SMR submittal. Information about electronic DMR submittal is available at the DMR website at: http://www.waterboards.ca.gov/water_issues/programs/discharge_monitoring.

## D. Other Reports

### 1. TRE/TIE and PMP

The Discharger shall report the results of any special studies, acute and chronic toxicity testing, TRE/TIE, PMP, and Free Cyanide Compliance Schedule Progress required by Special Provisions – VI.C. The Discharger shall submit reports with the first monthly SMR scheduled to be submitted on or immediately following the report due date in compliance with SMR reporting requirements described in section X.B.3, above.

### 2. Volumetric Reporting

The Discharger shall submit an annual report to the State Water Board by April 30 of each calendar year. The Discharger must submit this annual report containing monthly data in electronic format via the State Water Board's Internet GeoTracker system at http://geotracker.waterboards.ca.gov/ under a site-specific global identification number. Any data will be made publicly accessible as machine readable datasets. The Discharger must report volumes in acre-feet (af) in accordance with each of the items in section 3.2. of the Recycled Water Policy that apply to the Discharger.

### 3. Site Spills

a. 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 sewage or other waste that causes, or probably will cause, a discharge to any waters of the state.

b. In accordance with the requirements of Water Code section 13271, the Discharger shall provide notification to the Office of Emergency Services of the release of reportable amounts of hazardous substances or sewage that causes, or probably will cause, a discharge to any waters of the state. The California Code of Regulations, Title 23, section 2250, defines a reportable amount of sewage as being 1,000 gallons. The phone number for reporting these releases to the Office of Emergency Services is (800) 852-7550.

c. The Discharger shall notify the Santa Ana Water Board of any unauthorized release of sewage from its wastewater treatment plant that causes, or probably will cause, a discharge to a water of the state as soon as possible, but not later than two (2) hours after becoming aware of the release. This notification does not need to be made if the Discharger has notified the Office of Emergency Services. The phone number for reporting these

releases of sewage to the Santa Ana Water Board is (951) 782-4130. At a minimum, the following information shall be provided:

i. The location, date, and time of the release.

ii. The water body that received or will receive the discharge.

iii. An estimate of the amount of sewage or other waste released and the amount that reached a surface water at the time of notification.

iv. If ongoing, the estimated flow rate of the release at the time of the notification.

v. The name, organization, phone number and email address of the reporting representative.

d. As soon as possible, but not later than twenty-four (24) hours after becoming aware of an unauthorized discharge of sewage or other waste from its wastewater treatment plant to a water of the state, the Discharger shall submit a statement to the Santa Ana Water Board by email at spillreportR8@waterboards.ca.gov. If the discharge is 1,000 gallons or more, this statement shall certify that the State Office of Emergency Services has been notified of the discharge in accordance with 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:

i. Agency and Order No.

ii. The location, date, and time of the discharge.

iii. The water body that received the discharge.

iv. A description of the level of treatment of the sewage or other waste discharged.

v. An initial estimate of the amount of sewage or other waste released and the amount that reached a surface water.

vi. The Office of Emergency Services control number and the date and time that notification of the incident was provided to the Office of Emergency Services.

vii. 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).

# ATTACHMENT F – FACT SHEET

## CONTENTS

I. Permit Information ..... F-3
II. Facility Description ..... F-5
A. Description of Wastewater and Biosolids Treatment and Controls ..... F-5
B. Discharge Points and Receiving Waters ..... F-7
C. Summary of Previous Requirements and Self-Monitoring Report (SMR) Data ..... F-8
D. Compliance Summary ..... F-9
E. Planned Changes and Projected Discharge Reduction ..... F-14
III. Applicable Plans, Policies, and Regulations ..... F-14
A. Legal Authorities ..... F-14
B. California Environmental Quality Act (CEQA) ..... F-15
C. State and Federal Laws, Regulations, Policies, and Plans ..... F-15
D. Impaired Water Bodies on the CWA section 303(d) List ..... F-22
E. Other Plans, Policies and Regulations ..... F-23
IV. Rationale For Effluent Limitations and Discharge Specifications ..... F-23
A. Discharge Prohibitions ..... F-24
B. Technology-Based Effluent Limitations ..... F-24
1. Scope and Authority ..... F-24
2. Applicable Technology-Based Effluent Limitations ..... F-24
C. Water Quality-Based Effluent Limitations (WQBELs) ..... F-25
1. Scope and Authority ..... F-25
2. Applicable Beneficial Uses and Water Quality Criteria and Objectives ..... F-25
3. Determining the Need for WQBELs and RPA Results ..... F-28
4. Narrative Water Quality Objectives ..... F-33
5. WQBEL Calculations ..... F-36
6. Whole Effluent Toxicity (WET) ..... F-37
D. Final Effluent Limitation Considerations ..... F-37
1. Anti-Backsliding Requirements ..... F-37
2. Antidegradation Policies ..... F-38
3. Stringency of Requirements for Individual Pollutants ..... F-39
E. Interim Effluent Limitations – Not Applicable ..... F-40
F. Land Discharge Specifications – Not Applicable ..... F-40
G. Recycling Specifications ..... F-40
H. Stormwater Specifications ..... F-42
V. Rationale for Receiving Water Limitations ..... F-42
A. Surface Water ..... F-42
B. Groundwater ..... F-42
VI. Rationale for Provisions ..... F-43
A. Standard Provisions ..... F-43
B. Special Provisions ..... F-43
1. Reopener Provisions ..... F-43
2. Special Studies and Additional Monitoring Requirements ..... F-43
3. Best Management Practices and Pollution Prevention ..... F-43
4. Construction, Operation, and Maintenance Specifications ..... F-43
5. Special Provisions for Publicly-Owned Treatment Works (POTWs) ..... F-43
6. Other Special Provisions – Not Applicable ..... F-44
7. Compliance Schedules – Not Applicable ..... F-44

VII. Rationale for Monitoring and Reporting Requirements ..... F-44
A. Influent Monitoring ..... F-44
B. Effluent Monitoring ..... F-45
C. Whole Effluent Toxicity Testing Requirements ..... F-45
D. Receiving Water Monitoring – Not Applicable ..... F-45
E. Other Monitoring Requirements ..... F-45
1. Water Supply Monitoring ..... F-45
2. Constituents of Emerging Concern (CECs) ..... F-45
3. Pretreatment Monitoring ..... F-47
4. Discharge Monitoring Report-Quality Assurance (DMR-QA) Study Program ..... F-47
VIII. Public Participation ..... F-47
A. Notification of Interested Parties ..... F-47
B. Written Comments ..... F-47
C. Public Hearing ..... F-48
D. Reconsideration of Waste Discharge Requirements ..... F-48
E. Information and Copying ..... F-48
F. Register of Interested Persons ..... F-48
G. Additional Information ..... F-49

## TABLES

Table F-1. Facility Information ..... F-3
Table F-2. Flow Capacity and Population Served ..... F-5
Table F-3. Facility Treatment Processes ..... F-6
Table F-4. Discharge Points and Receiving Waters ..... F-7
Table F-5. Historic Effluent Limitations at DP-001 ..... F-8
Table F-6. Compliance Summary for Prior Permit ..... F-10
Table F-7. Basin Plan Beneficial Uses ..... F-16
Table F-8. Receiving Water 303(d) Listings ..... F-22
Table F-9. Summary of Applicable Tertiary Treatment Standards ..... F-25
Table F-10. Summary of Applicable Water Quality Criteria ..... F-26
Table F-11. RPA Evaluation – DP-001 & DP-007 ..... F-30
Table F-12. Criteria Calculation based on CTR and MCLs (µg/L) ..... F-37
Table F-13. PFAS Notification and Response Levels ..... F-44

# ATTACHMENT F – FACT SHEET

As described in section II.B of this Order, the Santa Ana Water Board incorporates this Fact Sheet as findings of the Santa Ana Water Board supporting the issuance of this Order. This Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

This Order has been prepared under a standardized format to accommodate a broad range of discharge requirements for Dischargers in California. Only those sections or subsections of this Order that are specifically identified as "not applicable" have been determined not to apply to this Discharger. Sections or subsections of this Order not specifically identified as "not applicable" are fully applicable to this Discharger.

## I. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

**Table F-1. Facility Information**

| | |
|---|---|
| **WDID** | 8 332353001 |
| **Discharger** | Western Riverside County Regional Wastewater Authority (WRCRWA) |
| **Operator** | Western Municipal Water District (WMWD) |
| **Name of Facility** | Western Riverside County Regional Wastewater Treatment Plant (WRCRWTP) |
| **Facility Address** | 14634 River Road<br>Eastvale, CA 92880-9606<br>Riverside County |
| **Facility Contact, Title and Phone** | Tony Pollak, Deputy Director of Systems Operations<br>(951) 789-5114<br>TPollak@wmwd.com |
| **Authorized Person to Sign and Submit Reports** | Tony Pollak, Deputy Director of Systems Operations<br>(951) 789-5114<br>TPollak@wmwd.com<br>Gary Miller, WRCRWA Administrator<br>951-789-5165<br>GMiller@wmwd.com<br>Brian Noh, Operations Field Manager (Chief Plant Operator)<br>951-990-3691<br>BNoh@wmwd.com |
| **Mailing Address** | 14205 Meridian Parkway, Riverside, CA 92518 |
| **Billing Address** | Same as Mailing Address |
| **Type of Facility** | POTW/Water Reclamation Facility |
| **Major or Minor Facility** | Major |
| **Threat to Water Quality** | 1 |
| **Complexity** | A |
| **Pretreatment Program** | Y |
| **Recycling Requirements** | Producer |

| | | |
|---|---|---|
| **Facility Permitted Flow** | | 14 Million Gallons per Day (MGD) |
| **Facility Design Flow** | | 14 MGD |
| **Watershed** | | Santa Ana River Watershed |
| **Receiving Water** | **Surface Waters** | Reach 3 of Santa Ana River and Lake Norconian |
| | **Groundwater** | ▪ Prado Basin Management Zone<br>▪ Temescal Groundwater Management Zone (GMZ)<br>▪ Chino North "Maximum Benefit" GMZ or Chino 1, 2, and 3 "Antidegradation" GMZs<br>▪ Chino East GMZ<br>▪ Chino South GMZ<br>▪ Arlington GMZ |
| **Receiving Water Type** | | Inland Surface Water; Groundwater |

**A.** The Western Riverside County Regional Wastewater Authority (WRCRWA, hereinafter Discharger) is the owner of the Western Riverside County Regional Wastewater Treatment Plant (hereinafter Facility), a Publicly Owned Treatment Works (POTW) and a Water Reclamation Facility. The Discharger is a Joint Power Authority consisting of the cities of Norco and Corona, Jurupa Community Services District (JCSD), Home Gardens Sanitary District (HGSD) and Western Municipal Water District (WMWD). WMWD serves as the Administrator of WRCRWA and the operator of the Facility.

For the purposes of this Order, references to the "discharger" or "permittee" in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

**B.** The Facility discharges disinfected tertiary-treated wastewater to Reach 3 of the Santa Ana River, a water of the United States, within the Prado Basin Management Zone. The Facility was previously regulated under Order No. R8-2015-0013 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA8000316, adopted on July 24, 2015, and expired on July 31, 2020. Following a late 2017 expansion, Amendment Order No. R8-2019-0066 was adopted on December 6, 2019, to incorporate the treatment process changes and to add pertinent chlorine disinfection performance requirements and final effluent limits. Attachment B provides a map of the Facility's service area. Attachment C provides a process flow schematic for the Facility.

**C.** When applicable, state law requires dischargers to file a petition with the State Water Board, Division of Water Rights and receive approval for any change in the point of discharge, place of use, or purpose of use of treated wastewater that decreases the flow in any portion of a watercourse. The State Water Board retains separate jurisdictional authority to enforce any applicable requirements under Water Code section 1211. This is not an NPDES permit requirement.

**D.** The Discharger filed a report of waste discharge and applied for reissuance of its waste discharge requirements (WDRs) and NPDES permit on January 23, 2020. Because the application was timely, the terms and conditions of Order R8-2015-0013 and Amendment Order R8-2019-0066 have been automatically continued and remain

in effect until new Waste Discharge Requirements, which also serve as an NPDES permit, are adopted pursuant to this Order. A site visit was conducted on May 27, 2025, to observe operations and collect additional data to develop permit limitations and requirements for waste discharge. The application was deemed complete on June 1, 2026.

**E.** Regulations at 40 CFR section 122.46 limit the duration of NPDES permits to a fixed term not to exceed five years. Accordingly, Table 3 of this Order limits the duration of the discharge authorization. However, pursuant to California Code of Regulations, title 23, section 2235.4, the terms and conditions of an expired permit are automatically continued pending reissuance of the permit if the Discharger complies with all federal NPDES requirements for continuation of expired permits (see also 40 CFR § 122.6(d)).

## II. FACILITY DESCRIPTION

### A. Description of Wastewater and Biosolids Treatment and Controls

#### 1. Facility Service Area, Flow Capacity and Population Served

The Discharger receives municipal, commercial, and industrial wastewater from users within the boundaries of the five member agencies. These agencies collect wastewater from the western portion of Riverside County, including the jurisdictions of City of Jurupa Valley, City of Corona, City of Eastvale, City of Norco, and unincorporated Riverside County. The WRCRWA-owned collection system has no direct discharges of industrial wastewater. Therefore, each member agency implements its own approved pretreatment program and permits industrial users discharging into its collection system.

**Table F-2. Flow Capacity and Population Served**

| Member Agency | Flow Capacity (MGD) | Average Flow from Each Agency during FY 2023/24 and FY 2024/25 (MGD) | Population Served |
|---|---|---|---|
| Jurupa Community Services District (JCSD) | 6.00 | 4.87 | 56,594 |
| Western Municipal Water District (WMWD) | 1.93 | 0.72 | 11,365 |
| Home Gardens Sanitary District (HGSD) | 0.75 | 0.57 | 7,694 |
| City of Norco | 2.70 | 1.64 | 28,109 |
| City of Corona | 2.62 | 1.08 | 99,262 |
| **Total** | **14.00** | **8.88** | **203,024** |

As shown in Table F-2, the WRCRWA Facility currently discharges approximately 10,000 acre-feet per year (AFY) of tertiary treated and disinfected effluent.

#### 2. Wastewater Design Characteristics and Treatment Capacity

The design rate of the Facility after the 2017 plant expansion is 14 MGD, with a peak daily flow capacity of 19.9 MGD and wet weather flow capacity of 35 MGD.

The Facility achieves effluent water quality standards with primary, secondary, and tertiary treatment, and implements solids handling processes to thicken, digest, dewater and dispose of solids that are produced from wastewater, as shown in Table F-3 below.

**Table F-3. Facility Treatment Processes**

| Primary Treatment | Flow Equalization | Secondary Treatment | Tertiary Treatment |
|---|---|---|---|
| 14 MGD headworks, biofilter, 3 fine screens, grit chamber, 2 primary clarifiers | 2.2 Million Gallons (MG) equalization tank | 2 bioreactors (10 MGD and 4 MGD) with anoxic zones and aerobic zones, three circular secondary clarifiers | 4 cloth-media disc-filters, chlorine contact basin |

**Primary Treatment:**

Wastewater flow enters the treatment facility through two force mains. Primary treatment consists of coarse screening, grit removal, flow metering, primary clarification and flow equalization.

**Secondary Treatment:**

After passing through the primary treatment processes, secondary treatment occurs through conventional activated sludge in two bioreactors. The activated sludge then passes through secondary clarification, where return activated sludge is pumped back to the bioreactors and waste activated sludge is sent to the digestion process.

**Tertiary Treatment:**

Effluent from the secondary clarifiers flows into the tertiary treatment processes. These processes include a flash-mix station, where a coagulant may be added if elevated turbidity is detected either upstream or downstream of the filters. The flow then passes through the tertiary filters, flow-metering facilities, and the chlorine disinfection system.

In a letter entitled, *"Approval of Free Chlorine Disinfection for Western Riverside County Regional Wastewater Authority (Project NO. 339102-707),"* dated June 17, 2021, the State Water Board's Division of Drinking Water (DDW) approved free chlorine disinfection based on the Discharger's December 18, 2020, request and the Trussell Technologies memo validating free chlorine using the WaterVal protocol (Keegan et al., 2012). DDW determined the WaterVal virus-inactivation values satisfy Title 22, section 60301.230(a)(2). Operation under the approved free chlorine approach achieves 5-log virus inactivation as required.

Following this approval, the Discharger transitioned to free chlorine disinfection on January 1, 2026, and installed continuous monitoring equipment, established trigger levels and critical alarms in the SCADA system, and completed all other preparatory steps required under the DDW approved Operations Plan. After January 1, 2026, the Discharger began submitting monitoring data using the approved free chlorine monitoring method. Effluent discharged to Discharge Point 001 is subsequently dechlorinated and aerated in the post-aeration process.

**Recycled Water:**

To support expanded beneficial reuse, the Discharger plans to deliver recycled water for uses at DDW-approved areas overlying the Chino North, Chino East, Chino South, Temescal, and Arlington GMZs.

**Solid Handling:**

The Facility's solids handling facilities include a disk thickener with two drums, three anaerobic digesters, three centrifuges, a screw conveyor, and indoor solar drying beds equipped with floor heating and an odor control system.

**Storm Water:**

Storm water generated on site is collected and pumped into the headworks for treatment and disposal under normal conditions. During high intensity storm events, excess runoff (that which exceeds the storm water pump station capacity) overflows into DP-001.

Attachment B provides a map of the Facility's service area.

Attachment C provides a process flow schematic for the Facility.

## B. Discharge Points and Receiving Waters

Tertiary treated wastewater is discharged at DP-001 to Reach 3 of the Santa Ana River within the Prado Basin Management Zone and, in the future, at DP-007 to Lake Norconian, which is a new discharge point. The points of delivery of the recycled water are identified as DP-002 through DP-006 within multiple GMZs. The discharge points and the receiving waterbodies are defined in Table F-4 below.

**Table F-4. Discharge Points and Receiving Waters**

| Discharge Point | Discharge Point Latitude (North) | Discharge Point Longitude (West) | Effluent Description | Receiving Water |
|---|---|---|---|---|
| DP-001 | 33° 55' 11" N | 117° 36' 25" W | Tertiary treated and disinfected wastewater and stormwater overflow | Reach 3 of Santa Ana River, Prado Basin Management Zone |
| DP-002 | 33° 55' 35" N | 117° 36' 15" W | Tertiary treated and disinfected recycled water | Temescal GMZ |
| DP-003 | 33° 55' 35" N | 117° 36' 15" W | Tertiary treated and disinfected recycled water | Chino North "Maximum Benefit" GMZ (or Chino 1, 2, and 3 "Antidegradation" GMZs) - See section IV.G of the Fact Sheet |

| Discharge Point | Discharge Point Latitude (North) | Discharge Point Longitude (West) | Effluent Description | Receiving Water |
|---|---|---|---|---|
| DP-004 | 33° 55’ 35” N | 117° 36’ 15” W | Tertiary treated and disinfected recycled water | Chino East GMZ |
| DP-005 | 33° 55’ 35” N | 117° 36’ 15” W | Tertiary treated and disinfected recycled water | Chino South GMZ |
| DP-006 | 33° 55’ 35” N | 117° 36’ 15” W | Tertiary treated and disinfected recycled water | Arlington GMZ |
| DP-007 | 33° 55’ 25” N | 117° 34’ 16” W | Tertiary treated and disinfected wastewater | Lake Norconian |

## C. Summary of Previous Requirements and Self-Monitoring Report (SMR) Data

1. Effluent limitations/discharge specifications contained in the previous Order No. R8-2015-0013 and Amendment Order No. R8-2019-0066 and representative monitoring data from August 2015 to November 2025.

   a. Effluent Limitations/Discharge Specifications contained in the previous Order No. R8-2015-0013 and Amendment Order No. R8-2019-0066 for discharges at DP-001 and representative monitoring data from August 2015 through November 2025 are as follows:

**Table F-5. Historic Effluent Limitations at DP-001**

| Parameter | Units | Effluent Limitation | | | Monitoring Data (From August 2015 to November 2025[11]) | | |
|---|---|---|---|---|---|---|---|
| | | Average Monthly | Average Weekly | Maximum Daily | Highest Average Monthly Discharge | Highest Average Weekly Discharge | Highest Daily Discharge |
| Biochemical Oxygen Demand 5-day @ 20°C ($BOD_5$) | mg/L[10] | 20 | 30 | --- | 4.74 | 13 | --- |
| | lbs/day[10] | 2,346 | 3,503 | --- | 331 | 878 | --- |
| $BOD_5$ Percent Removal | Percent | ≥85 | --- | --- | --- | --- | --- |
| Total Suspended Solids (TSS) | mg/L | 20 | 30 | --- | 6 | 6 | --- |
| | lbs/day | 2,346 | 3,503 | --- | --- | --- | --- |
| TSS Percent Removal | Percent | ≥85 | --- | --- | --- | --- | --- |
| pH | SU[10] | --- | --- | 6.5 – 8.5[1] | --- | 6.3 – 8.6[2] | --- |
| Ammonia-N | mg/L | 5 | --- | --- | 9.6 | 9.6 | --- |
| Bis (2-Ethylhexyl) Phthalate | µg/L[10] | 5.9 | --- | --- | 4.4 | --- | --- |
| Mercury | µg/L | 0.051 | --- | --- | 0.048 | --- | --- |

| Parameter | Units | Effluent Limitation | | | Monitoring Data (From August 2015 to November 2025[11]) | | |
|---|---|---|---|---|---|---|---|
| | | Average Monthly | Average Weekly | Maximum Daily | Highest Average Monthly Discharge | Highest Average Weekly Discharge | Highest Daily Discharge |
| Turbidity | NTU[10] | 2[3] | 5[4] | 10[5] | 6 | | >10 |
| Total Coliform | MPN/100 mL[10] | 23[6] | 2.2[7] | 240[8] | 900 | 30 | 1600 |
| Total Dissolved Solids (TDS)[9] | mg/L | 625[9] | --- | --- | 580 | --- | --- |
| Total Inorganic Nitrogen (TIN) | mg/L | 10[9] | --- | --- | 8.61 | --- | --- |
| Total Residual Chlorine | mg/L | --- | --- | 0.1 | --- | --- | 1.1 |
| Chronic Toxicity | $TU_c$[10] | 1 | --- | --- | 1.7 | --- | --- |

1 Instantaneous Minimum and Maximum.
2 The Discharger indicated that while the lowest and highest pH's detected during the previous permit term were outside the 6.5 – 8.5 limits, these particular excursions did not exceed the compliance metrics for pH outside the required range (i.e. not to exceed 7 hours and 26 minutes in any calendar month, and no individual excursion exceeding 60 minutes).
3 Daily Average.
4 Not more than 5 NTU more than 5 percent of the time within a 24-hour period.
5 Instantaneous Maximum.
6 23 MPN/100 mL not to be exceeded more than once within a 30-day period.
7 Weekly 7-day median concentration.
8 No total coliform sample shall exceed 240 MPN/100 mL.
9 12-month flow weighted running average effluent limitation.
10 Units Acronym Description: mg/L = milligrams per Liter; lbs/day = pounds per day; SU = Standard Units; µg/L = micrograms per Liter; NTU = nephelometric turbidity units; MPN/100 mL = most probable number per 100 milliliters; and $TU_c$ = chronic toxicity units.
11 A facility expansion was completed in late 2017, and new treatment processes and technologies and/or upgrade of existing ones were fully brought online. Some of the monitoring data presented in this table represents results that occurred prior to the completed expansion.

### D. Compliance Summary

Based on a review of effluent monitoring data submitted by the Discharger for the period from August 2015 through November 2025, the Discharger had the following effluent limitation violations during the term of the previous order. A facility expansion was completed in late 2017, and new and upgraded treatment processes and technologies were fully brought online at that time. As part of this project, a chlorine contact basin (CCB) was constructed to replace UV disinfection. Most of the effluent violations occurred before the CCB became operational.

**Table F-6. Compliance Summary for Prior Permit**

| Date | Parameter | Value | Permit Limit |
|---|---|---|---|
| 12/9/2023 | Total Residual Chlorine | 0.48 mg/L | 0.1 mg/L as an instantaneous maximum |
| 3/29/2023 | Total Residual Chlorine | 1.1 mg/L | 0.1 mg/L as an instantaneous maximum |
| 2/7/2023 | Turbidity | 10 NTU | 5 NTU as a daily maximum |
| 2/7/2023 | Turbidity | 6 NTU | 2 NTU as a daily average |
| 2/6/2023 | Turbidity | 4 NTU | 2 NTU as a daily average |
| 2/6/2023 | Turbidity | 10 NTU | 5 NTU as a daily maximum |
| 1/27/2023 | Total Coliform | 1600 MPN/100 mL | 240 MPN/100mL as a daily maximum |
| 1/19/2022 | Total Coliform | 350 MPN/100 mL | 240 MPN/100mL as a daily maximum |
| 11/11/2017 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 11/4/2017 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 11/4/2017 | Total Coliform | 170 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 10/26/2017 | Total Coliform | 50 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 10/21/2017 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 10/17/2017 | Total Coliform | 80 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 10/16/2017 | Total Coliform | 240 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 10/14/2017 | Total Coliform | 8 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 10/11/2017 | Total Coliform | 50 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 10/7/2017 | Total Coliform | 17 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 10/4/2017 | Total Coliform | 130 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 10/3/2017 | Total Coliform | 240 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 10/2/2017 | Total Coliform | 30 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 9/30/2017 | Total Coliform | 8 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 9/28/2017 | Total Coliform | 30 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 9/27/2017 | Total Coliform | 240 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 9/25/2017 | Total Coliform | 50 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 9/23/2017 | Total Coliform | 8 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 9/16/2017 | Total Coliform | 23 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |

| Date | Parameter | Value | Permit Limit |
|---|---|---|---|
| 9/16/2017 | Total Coliform | 50 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 9/14/2017 | Total Coliform | 80 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 9/11/2017 | Total Coliform | 50 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 9/9/2017 | Total Coliform | 30 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 9/7/2017 | Total Coliform | 30 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 9/6/2017 | Total Coliform | 50 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 9/5/2017 | Total Coliform | 300 MPN/100 mL | 240 MPN/100 mL as a daily maximum |
| 9/5/2017 | Total Coliform | 300 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 9/4/2017 | Total Coliform | 30 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 9/2/2017 | Total Coliform | 23 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 8/30/2017 | Total Coliform | 30 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 8/28/2017 | Total Coliform | 50 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 8/26/2017 | Total Coliform | 30 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 8/26/2017 | Total Coliform | 30 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 8/24/2017 | Total Coliform | 30 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 8/23/2017 | Total Coliform | 30 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 8/21/2017 | Total Coliform | 50 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 8/19/2017 | Total Coliform | 7 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 8/12/2017 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 8/5/2017 | Total Coliform | 22 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 7/31/2017 | Total Coliform | 300 MPN/100 mL | 240 MPN/100 mL as a daily maximum |
| 7/31/2017 | Total Coliform | 300 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 7/29/2017 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 7/29/2017 | Total Coliform | 30 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 7/28/2017 | Total Coliform | 900 MPN/100 mL | 240 MPN/100 mL as a daily maximum |
| 7/28/2017 | Total Coliform | 900 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 7/12/2017 | Total Coliform | 30 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |

| Date | Parameter | Value | Permit Limit |
|---|---|---|---|
| 7/7/2017 | Total Coliform | 240 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 6/23/2017 | Total Coliform | 80 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 6/17/2017 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 6/10/2017 | Total Coliform | 300 MPN/100 mL | 240 MPN/100 mL as a daily maximum |
| 6/10/2017 | Total Coliform | 300 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 6/8/2017 | Total Coliform | 500 MPN/100 mL | 240 MPN/100 mL as a daily maximum |
| 5/6/2017 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 4/29/2017 | Total Coliform | 8 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 4/4/2017 | Total Coliform | 280 MPN/100 mL | 240 MPN/100 mL as a daily maximum |
| 3/4/2017 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 2/28/2017 | Turbidity | >10 NTU | 10 NTU as an instantaneous maximum |
| 2/28/2017 | Turbidity | 5 NTU | 2 NTU as a daily average |
| 2/27/2017 | Turbidity | >10 NTU | 10 NTU as an instantaneous maximum |
| 2/25/2017 | Total Coliform | 8 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 2/18/2017 | Total Coliform | 8 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 2/11/2017 | Total Coliform | 8 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 2/4/2017 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 1/31/2017 | Ammonia, Total (as N) | 7.3 mg/L | 5 mg/L as a monthly average |
| 1/30/2017 | Turbidity | 3 NTU | 2 NTU as a daily average |
| 1/29/2017 | Turbidity | 3 NTU | 2 NTU as a daily average |
| 1/28/2017 | Turbidity | 3 NTU | 2 NTU as a daily average |
| 1/27/2017 | Turbidity | 3 NTU | 2 NTU as a daily average |
| 1/14/2017 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 1/12/2017 | Biochemical Oxygen Demand (BOD) | 37.5 mg/L | 30 mg/L as a weekly average |
| 1/7/2017 | Total Coliform | 8 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 12/17/2016 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 12/10/2016 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 12/3/2016 | Total Coliform | 9 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 11/28/2016 | Total Coliform | 130 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 11/26/2016 | Total Coliform | 7 MPN/100 mL | 2.2 MPN/100mL as a 7-day median |
| 11/19/2016 | Total Coliform | 8 MPN/100 mL | 2.2 MPN/100 mL as a 7-Day median |
| 11/12/2016 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100 mL as a 7-Day median |
| 9/24/2016 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100 mL as a 7-Day median |
| 9/17/2016 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100 mL as a 7-Day median |
| 9/10/2016 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100 mL as a 7-Day median |

| Date | Parameter | Value | Permit Limit |
|---|---|---|---|
| 9/3/2016 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100 mL as a 7-Day median |
| 6/3/2016 | Total Coliform | 220 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 3/31/2016 | Total Coliform | 11 MPN/100 mL | 2.2 MPN/100 mL as a 7-Day median |
| 3/26/2016 | Total Coliform | 13 MPN/100 mL | 2.2 MPN/100 mL as a 7-Day median |
| 3/24/2016 | Total Coliform | 30 MPN/100 mL | 23 MPN/100 mL not to be exceeded more than once within a 30-day period |
| 3/19/2016 | Total Coliform | 7 MPN/100 mL | 2.2 MPN/100 mL as a 7-Day median |
| 3/12/2016 | Total Coliform | 7 MPN/100 mL | 2.2 MPN/100 mL as a 7-Day median |
| 2/27/2016 | Total Coliform | 7 MPN/100 mL | 2.2 MPN/100 mL as a 7-Day median |
| 2/20/2016 | Total Coliform | 7 MPN/100 mL | 2.2 MPN/100 mL as a 7-Day median |
| 2/13/2016 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100 mL as a 7-Day median |
| 1/17/2016 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100 mL as a 7-Day median |
| 1/10/2016 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100 mL as a 7-Day median |
| 8/26/2015 | Biochemical Oxygen Demand (BOD) | 33 mg/L | 30 mg/L as a weekly average |
| 8/23/2015 | Total Coliform | 4 MPN/100 mL | 2.2 MPN/100 mL as a 7-Day median |

1. **Effluent Limitations Compliance and Enforcement**. The effluent limitations listed in Table F-6 (above), were addressed by the Santa Ana Water Board through an Expedited Payment Letter Order R8-2024-0045 that assessed a total of $294,000 to the Discharger to settle all mandatory minimum penalties related to the effluent violations. The Discharge paid the penalty amount in full and no new effluent limit violations have been reported by the Discharger.

2. **Aquatic Toxicity Compliance History**. During the previous permit term, up until August 2025, the Facility experienced intermittent elevations in chronic toxicity at the reproduction endpoint. Although the previous Order did not contain an effluent limit for toxicity, routine monthly monitoring and accelerated monitoring were required when toxicity exceeded 1.0 TUc. The Discharger initiated an Initial Investigation Toxicity Reduction Evaluation (IITRE) in 2022, followed by consultant support in 2023; however, no definitive toxicity source was identified. Because the IITRE did not determine a root cause, a Toxicity Reduction Evaluation (TRE) work plan was developed to confirm the presence of toxicity and evaluate mitigation strategies.

   In 2024, additional consultants assisted with developing and implementing monitoring studies to assess various treatment techniques. Studies conducted in July and October 2024 and January 2025 indicated that toxicity was developing during the chlorination/dechlorination process. In April 2025, chemical dosing after the tertiary filters was reduced to evaluate whether disinfection chemicals were contributing to toxicity. The Discharger also evaluated potential species sensitivity

differences between laboratories using split samples analyzed in June and July 2025.

Results showed significant variation: tests conducted by ABC Laboratory consistently passed, whereas those at Nautilus Laboratory consistently failed. Review of the data indicated signs of stressed cultures at Nautilus Laboratory, while ABC Laboratory results showed no such issues. These findings were consistent with previously documented laboratory to laboratory variability for Ceriodaphnia dubia. Based on these evaluations, the Discharger exited the TRE and returned to routine monthly toxicity monitoring using ABC Laboratory beginning in August 2025.

### E. Planned Changes and Projected Discharge Reduction

The Discharger does not anticipate any major treatment or process modifications at the Facility during the upcoming permit term.

For projected discharge reduction, each member agency has submitted updated estimates of recycled water demand. Per the assessment described in section IV.G.3 below, JCSD evaluated recycled water use scenarios consisting of up to 1,738 AFY. The City of Corona projects approximately 1,225 AFY of demand, as identified in its 2018 Recycled Water Master Plan. The City of Norco projects approximately 560 AFY for use at Lake Norconian. These figures are planning-level projections only and are subject to change; actual recycled water demands may increase during the permit term based on future development, operational needs, and other changing service area conditions.

The Discharger is also evaluating additional potential recycled water users, which may further increase overall recycled water utilization.

Any reduction in discharge to the Santa Ana River is expected to be seasonal. During winter months and wet-weather periods, when recycled water demand is low, most or all Facility flow may continue to be discharged to the Santa Ana River. During summer months or other high-demand periods, a substantial portion of the Facility's flow may be used to meet recycled water needs, resulting in reduced discharge to the Santa Ana River.

## III. APPLICABLE PLANS, POLICIES, AND REGULATIONS

The requirements contained in this Order are based on the requirements and authorities described in this section.

### A. Legal Authorities

This Order serves as WDRs pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as an NPDES permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 2 subject to the WDRs in this Order. This Order also includes a master recycling permit pursuant to section 13523.1 of article 4, Chapter 7, Division 7

of the California Water Code to regulate the production of recycled water and its use for irrigation and other industrial uses.

## B. California Environmental Quality Act (CEQA)

This Order serves as both an NPDES permit for discharges subject to the Clean Water Act and as WDRs for discharges subject to the California Water Code. Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of Chapter 3 of CEQA, (commencing with section 21100) of Division 13 of the Public Resources Code. Under California Code of Regulations, title 14, section 15301, the Santa Ana Water Board's action in approving those parts of the Order that implement state law is also exempt from CEQA, because the Facility is an "existing facility" with negligible or no expansion of existing use. (Cal. Code Regs., tit. 14, § 15301.) Additionally, JCSD prepared and certified on September 28, 2015, a Final Initial Study/Mitigated Negative Declaration (IS/MND) for their *Recycled Water Services Expansion, District Project No. C133656* (SCH 2015071073). The IS/MND identified no significant adverse impact to water quality as a result of the use of recycled water (see section IV.G.3. of Attachment F for more details).

## C. State and Federal Laws, Regulations, Policies, and Plans

1. **Water Quality Control Plan.** The Santa Ana Water Board adopted a Water Quality Control Plan for the Santa Ana Basin (hereinafter Basin Plan) that became effective on January 24, 1995, that designates beneficial uses, establishes water quality objectives (WQOs), and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. The Basin Plan was updated in February 2008, June 2011, and February 2016. Requirements in this Order implement the Basin Plan. In addition, the Basin Plan implements State Water Board Resolution 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Based on the exception criteria specified in Resolution No. 88-63, the Santa Ana Water Board excepted Reach 3 of the Santa Ana River.

   On January 22, 2004, the Santa Ana Water Board adopted Resolution No. R8-2004-0001, amending the Basin Plan to incorporate revised boundaries for groundwater subbasins, now termed "management zones", new nitrate-nitrogen and TDS objectives for the new management zones, and new nitrogen and TDS management strategies applicable to both surface and ground waters. The State Water Board and Office of Administrative Law approved the N/TDS Amendment on September 30, 2004, and December 23, 2004, respectively. Effluent limitations for TDS and TIN in this Order are based on N and TDS wasteload allocations included in the N/TDS Amendment and are at least as stringent as the limits in the prior order.

   As previously discussed, the Facility discharges to Reach 3 of the Santa Ana River within the Prado Basin Management Zone and affects downstream receiving surface and ground waters. Beneficial uses applicable to these affected waterbodies are as follows:

**Table F-7. Basin Plan Beneficial Uses**

| Receiving Water Name | Beneficial Use(s) |
|---|---|
| Reach 3 of the Santa Ana River | Present or Potential:<br>Agricultural supply (AGR); groundwater recharge (GWR); water contact recreation (REC-1) and non-contact water recreation (REC-2); warm freshwater habitat (WARM); wildlife habitat (WILD); rare, threatened, or endangered species (RARE); and Spawning, Reproduction and Development (SPWN).<br>Excepted from municipal and domestic supply (MUN) |
| Prado Basin Management Zone | Present or Potential:<br>Water contact recreation (REC-1) and non-contact water recreation (REC-2); warm freshwater habitat (WARM); and wildlife habitat (WILD); and rare, threatened, or endangered species (RARE).<br>Excepted from municipal and domestic supply (MUN) |
| Temescal Groundwater Management Zone | Present or Potential:<br>Municipal and domestic supply (MUN); agricultural supply (AGR); industrial service supply (IND); and Industrial process supply (PROC) |
| Chino North “Maximum Benefit” Groundwater Management Zone | Present or Potential:<br>Municipal and domestic supply (MUN); agricultural supply (AGR); industrial service supply (IND); and Industrial process supply (PROC) |
| Chino East Groundwater Management Zone | Present or Potential:<br>Municipal and domestic supply (MUN); agricultural supply (AGR); industrial service supply (IND); and Industrial process supply (PROC) |
| Chino South Groundwater Management Zone | Present or Potential:<br>Municipal and domestic supply (MUN); agricultural supply (AGR); industrial service supply (IND); and Industrial process supply (PROC) |
| Arlington Groundwater Management Zone | Present or Potential:<br>Municipal and domestic supply (MUN); agricultural supply (AGR); industrial service supply (IND); and Industrial process supply (PROC) |
| Lake Norconian | Present or Potential:<br>Water contact recreation (REC-1) and non-contact water recreation (REC-2); warm freshwater habitat (WARM); and wildlife habitat (WILD).<br>Excepted from municipal and domestic supply (MUN) |

Requirements of this Order implement the Basin Plan.

2. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** U.S. EPA adopted the NTR on December 22, 1992, and later amended it on May 4, 1995, and November 9, 1999. About forty criteria in the NTR applied in California. On

May 18, 2000, U.S. EPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on December 17, 2024. These rules contain federal water quality criteria for priority pollutants.

3. **State Implementation Policy.** On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP became effective on April 28, 2000, with respect to the priority pollutant criteria promulgated for California by the U.S. EPA through the NTR and to the priority pollutant objectives established by the Santa Ana Water Board in the Basin Plan. The SIP became effective on May 18, 2000, with respect to the priority pollutant criteria promulgated by the U.S. EPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005, that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.

4. **Antidegradation Policy.** Federal regulation 40 CFR § 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution 68-16 (*"Statement of Policy with Respect to Maintaining High Quality of Waters in California"*). Resolution 68-16 is deemed to incorporate the federal antidegradation policy where the federal policy applies under federal law. Resolution 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The Santa Ana Water Board's Basin Plan implements, and incorporates, by reference, both the State and federal antidegradation policies. The permitted discharge must be consistent with the antidegradation provision of 40 CFR § 131.12 and State Water Board Resolution 68-16.

5. **Anti-Backsliding Requirements.** Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 40 CFR § 122.44(l) restrict backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed.

6. **Endangered Species Act Requirements.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code, §§ 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. §§ 1531 to 1544). This Order requires compliance with effluent limits and other requirements to protect the beneficial uses of waters of the state, including protecting rare, threatened, or endangered species. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.

7. **Sewage Sludge and Biosolids.** This Order does not authorize any act that results in violation of requirements administered by U.S. EPA to implement 40 CFR Part 503, *Standards for the Use or Disposal of Sewage Sludge*. These standards

regulate the final use or disposal of sewage sludge that is generated during the treatment of domestic sewage in a municipal wastewater treatment facility. The Discharger is responsible for meeting all applicable requirements of 40 CFR Part 503 that are under U.S. EPA's enforcement authority.

8. **Pretreatment.** This Order contains requirements for the implementation of an effective pretreatment program pursuant to section 307 of the Federal Clean Water Act; 40 CFR Parts 35 and 403; and/or section 2233, title 23, California Code of Regulations. The Discharger has established an approved regional pretreatment program. The approved pretreatment program and its components, such as implementing ordinances, local limits, and control mechanisms, among others, are an enforceable condition of this Order.

9. **State Recycled Water Policy.** The State Water Board adopted the *Water Quality Control Policy for Recycled Water* (Recycled Water Policy) on December 11, 2018, and became effective on April 8, 2019. The purpose of the Recycled Water Policy is to encourage the safe use of recycled water from wastewater sources that meet the definition in California Water Code section 13050(n), in a manner that implements state and federal water quality laws and protects public health and the environment. It provides direction regarding the methodology and appropriate criteria that the State Water Board and Regional Water quality Control Boards (Regional Water Boards) can use when issuing permits for recycled water projects, in a consistent manner, while preserving sufficient authority and flexibility for the Regional Water Boards to address site specific conditions. This policy describes the circumstances under which permittees may enroll under the statewide water reclamation requirements for recycled water use (e.g., State Water Board Order WQ 2016-0068-DDW) or choose an alternate permitting mechanism, such as a master recycling permit. The Santa Ana Water Board has determined that the Discharger is not eligible to enroll under the State Water Board Order WQ 2016-0068-DDW due to site specific considerations, however, this Order is consistent with the Recycled Water Policy.

10. **Toxicity Provisions.** On December 1, 2020, the State Water Board adopted *State Policy for Water Quality Control: Toxicity Provisions* (*Toxicity Provisions*) which established statewide numeric water quality objectives for both acute and chronic toxicity, using the TST, and a program of implementation to control toxicity. On October 5, 2021, the State Water Board adopted a resolution confirming that the *Toxicity Provisions* were adopted as a State Policy for Water Quality Control, for all inland surface waters, enclosed bays, estuaries, and coastal lagoons of the state, regardless of their status as waters of the United States. The *Toxicity Provisions* establish a uniform regulatory approach to provide consistent protection of aquatic life beneficial uses and protect aquatic habitats and life from the effects of known and unknown toxicants. The *Toxicity Provisions* were approved by OAL on April 25, 2022, and by U.S.EPA on May 1, 2023.

    On December 14, 2023, the State Water Board applied for U.S. EPA Region IX review and approval of a limited-use alternative test procedure (ATP), for the use of one-effluent concentration when conducting whole effluent toxicity (WET) testing, pursuant to 40 Code of Federal Regulations section 136.5 (Aug. 28, 2017). The application is specific to acute or chronic WET tests in Table 1 of the

application when using the Test of Significant Toxicity (TST) statistical approach (U.S. EPA, 2010) for analyzing the data. The application is being sought for all dischargers or facilities in the State of California and their associated laboratories. The ATP application is still pending with U.S. EPA.

The use of the TST has been the subject of litigation. In December 2024, the Second District Court of Appeal upheld the use of the TST in an NPDES permit in the case *Camarillo Sanitary District v. California Regional Water Quality Control Board - Los Angeles Region*.

A separate legal challenge to the State Water Board's adoption of the *Toxicity Provisions* originated in Fresno County Superior Court on July 18, 2022, through a petition for writ of mandate filed by Camarillo Sanitary District, City of Simi Valley, City of Thousand Oaks, Central Valley Clean Water Association, and Clean Water SoCal (formerly known as Southern California Alliance of Publicly Owned Treatment Works) (Petitioners). One of the claims was that the *Toxicity Provisions* was inconsistent with the Clean Water Act. On October 9, 2023, the superior court denied the petition in its entirety.

On December 19, 2023, three of the Petitioners filed a notice of appeal of the Fresno Superior Court's decision upholding the *Toxicity Provisions*. On August 5, 2025, the Fifth District Court of Appeal issued a published opinion holding that the TST statistical approach, which is an integral component of the *Toxicity Provisions*, cannot be utilized in NPDES permitting to evaluate WET data because the TST is not an approved method under 40 Code of Federal Regulations Part 136. The Court of Appeal did not, however, disturb the *Toxicity Provisions'* use of the TST as a part of its water quality objectives. The State Water Board prevailed on all other claims in the litigation. The Court of Appeal's decision became final on September 4, 2025.

On September 15, 2025, the State Water Board filed a petition for review of the Fifth Circuit Court of Appeal's decision with the California Supreme Court. On November 12, 2025, the California Supreme Court granted review. The issues to be briefed and argued are limited to the issues raised in the State Water Board's petition for review.

Pending the California Supreme Court's review, the opinion of the Fifth Circuit Court of Appeal is not binding on the Water Boards. However, the opinion may be cited, not only for its persuasive value, but also for the limited purpose of establishing the existence of a conflict in authority.

In accordance with Water Code sections 13146 and 13247, the Regional Board must fully implement the water quality objectives and their implementation procedures in the *Toxicity Provisions*. The numeric water quality objectives for chronic and acute toxicity established by the *Toxicity Provisions*, which are based on the TST, were approved by U.S. EPA and remain in effect. As such, the numeric water quality objectives continue to serve as the applicable federal water quality standards in California.

The Santa Ana Water Board must also continue to comply with federal Clean Water Act NPDES regulations for determining reasonable potential and

establishing applicable water quality-based effluent limitations (WQBELs). NPDES regulations (40 CFR § 122.44(d)(1)(vii)(A)) require that all WQBELs be derived from and comply with all applicable water quality standards. Moreover, although the *Toxicity Provisions* left in place narrative water quality objectives for aquatic toxicity in regional water board water quality control plans (basin plans), the *Toxicity Provisions* did supersede basin plan provisions and portions of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP) for implementing narrative water quality objectives. As such, there are currently no basin plan or SIP procedures in effect for implementing narrative water quality objectives to determine reasonable potential as required by 40 CFR § 122.44(d)(1)(ii). As a result, the Santa Ana Water Board must fully implement all of the *Toxicity Provisions*.

11. **Bacteria Provisions and Variance Policy.** The State Water Board adopted *Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California - Bacteria Provisions and Water Quality Standards Variance Policy* (ISWEBE) through Resolution No. 2018-0038, which was approved by OAL on February 4, 2019, and became effective upon U.S. EPA approval on March 22, 2019. The plan adopts statewide bacteria water quality objectives and implementations options to protect California water bodies designated for water contact recreation (REC 1) and establishes E. coli as the sole indicator of pathogens in freshwater. These numeric water quality objectives are already effective statewide and supersede the objectives currently listed in the Basin Plan, except for site specific objectives and narrative water quality objectives. However, for implementation purposes, ISWEBE indicates that where a permit, waste discharge requirements (WDRs), or waiver of a WDRs includes an effluent limitation or discharge requirement derived from a water quality objective, guideline, or other requirement to control bacteria that is more stringent value than the applicable bacteria water quality objective, the bacteria water quality objective shall not be implemented in the permit, WDRs, or waiver of WDRs. Therefore, in issuing waste discharge requirements that ensure beneficial use protection, the Santa Ana Water Board must consider not only the established objectives but also whether case-specific circumstances warrant the application of limitations more stringent than those necessary to implement the objectives. Such special consideration applies to discharges of treated sewage to surface waters by Publicly Owned Treatment Works (POTWs) or other entities and the protection of public health and primary contact recreation in those receiving waters (see section IV.C.2.c. of this Attachment F, below).

12. **California Code of Regulations (CCR) Title 22.** Numerical and narrative criteria and wastewater treatment performance standards contained in Division 4 of Title 22 of the CCR are implemented in this Order as water quality standards for reasonable potential analysis (RPA) and establishing monitoring requirements, as best professional judgement (BPJ) technology-based effluent limitations, and as water reclamation requirements. Table 64431-A, *"Maximum Contaminant Levels – Inorganic Chemicals,"* Table 64444-A, *"Maximum Contaminant Levels – Organic Chemicals,"* and Table 64449-A, *"Secondary Maximum Contaminant Levels,"* of Division 4, Chapter 15 of CCR's Title 22 lists the maximum contaminant levels

(MCLs) at which pollutants may be detected in drinking water. These MCLs are applied in this Order as health-based water quality standards to protect the water quality of receiving waters that have MUN and/or GWR beneficial uses and water quality-based effluent limitations may be derived from MCLs (see section IV.C. of Attachment F). Also, as of March 5, 2021, DDW has listed 35 chemicals for which notification levels (NLs) have been stablished as a health-based advisory levels and the NLs are applied in this Order as a water quality standard for influent and effluent monitoring requirements to assess the threat to beneficial uses of the receiving waters such as MUN and/or GWR. Furthermore, section 60305, *"Use of Recycled Water for Impoundments,"* of Division 4, Chapter 3, Article 3 of Title 22, is applied as best professional judgement technology-based effluent limitations to protect REC-1 and REC-2 beneficial uses of the receiving waters, which are considered in the Basin Plan as effluent dominated waters and, therefore, as a *nonrestricted recreational impoundment* of recycled water (see section IV.C.2.c. of this Attachment F). The *Water Recycling Criteria* contained in sections 60301 through 60355 of Division 4, Chapter 3 of Title 22 is applied in this Order as water reclamation requirements for non-potable reuse (see section IV.C. of this Order and section IV.G. of this Attachment F).

13. **Safe Clean Water.** In compliance with Water Code section 106.3, it is State of California policy 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 Dischargers to meet applicable water quality objectives, including maximum contaminant levels (MCLs) designed to protect human health, and to ensure that water is safe for domestic use.

14. **Water Rights and Wastewater Change Petition.** Water Code section 1211 requires the owner of a wastewater treatment plant to obtain approval from the State Water Board prior to making any change in the point of discharge, place of use, or purpose of use of treated wastewater where changes in the discharge or use of treated wastewater result in decreasing the flow in any portion of a watercourse. In 2012, the Discharger submitted a Wastewater Change of Use Petition to the State Water Board requesting authorization to cease discharge to waters of the State and instead allow beneficial reuse by its member agencies. The State Water Board approved the Petition on February 5, 2018. The approved Order is available at:

    https://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/wastewater_petition_orders/docs/ww0067.pdf

    As a condition of the Order, the Discharger was required to implement an Adaptive Management and Monitoring Program and complete a year-long baseline monitoring study. This study required approval from the State Water Board, U.S. Fish and Wildlife Service, and the California Department of Fish and Wildlife prior to ceasing discharge to the Santa Ana River. The Discharger completed the baseline monitoring study in May 2019, and all applicable agencies approved the study on October 22, 2019.

During the previous permit term, all recycled water produced at the Facility was discharged to Reach 3 of the Santa Ana River within the Prado Basin Management Zone. With the approvals obtained in 2019, the Discharger is authorized to begin withdrawing recycled water from the Santa Ana River for beneficial use by its member agencies. The projected reductions in flow to the Santa Ana River resulting from these diversions will be gradual and are provided in section II.E of this Attachment F.

## D. Impaired Water Bodies on the CWA section 303(d) List

Section 303(d) of the CWA requires states to identify specific water bodies where water quality standards are not met or are not expected to be met after implementation of technology-based effluent limitations on point sources. For 303(d)-listed water bodies and pollutants, the Santa Ana Water Board plans to prioritize and schedule those waters to develop and adopt TMDLs, or another alternative restoration plan that will specify waste load allocations (WLAs) for point sources and load allocations (LAs) for non-point sources, as appropriate.

On December 13, 2024, the U.S. EPA partially approved and partially disapproved the State's 2024 CWA section 303(d) list of impaired water bodies. The 303(d) list identifies water bodies where water quality standards are not met or are not expected to be met following implementation of technology-based effluent limits (TBELs) for point sources.

The 303(d) listings for the receiving waters are provided in Table F-8

**Table F-8. Receiving Water 303(d) Listings**

| Receiving Water Name | Impairment |
|---|---|
| Reach 3 of the Santa Ana River | Indicator bacteria; copper (Cu); lead (Pb); bifenthrin (pesticide); pyrethroids (pesticide); toxicity; and benthic community effects (added by U.S. EPA in their 2024 letter) |

The Middle Santa Ana River Bacteria TMDL addresses the bacteria impairment for this waterbody. This Order includes requirements for the Facility's effluent to be essentially free of pathogens and pathogen indicators to address the documented impairment. In addition, this Order includes an effluent limit for copper, lead, and dieldrin, along with more stringent aquatic toxicity requirements, to address pollutants listed on the CWA section 303(d) list of impaired water bodies.

As of now, TMDLs to address bifenthrin, pyrethroids, and benthic community effects have not been developed, and it is unknown at this time if toxicity is the only cause of the degraded benthic community condition. Existing data suggests that the degraded benthic community may be caused by sediment toxicity and bifenthrin and other pyrethroids in sediment, so monitoring for aquatic toxicity alone may not detect those pollutants. There may also be other pollutants contributing to the degraded benthic community that have not been analyzed; the impacts could be due to pollution such as altered flow or physical habitat conditions, or the degradation may result from a combination of all three factors identified 303(d) listings of pollutants, unidentified

pollutants, and pollution. As the Santa Ana Water Board gains additional knowledge regarding how the Facility's effluent discharge impacts or contributes to the benthic community effects, the permit will be reopened for appropriate modification, as needed.

### E. Other Plans, Policies and Regulations

1. **Environmental Justice and Advancing Racial Equity.** Water Code section 13149.2 requires the regional water boards to make findings considering the potential environmental justice, tribal impact, and racial equity impacts when issuing or reissuing individual waste discharge requirements or waivers of waste discharge requirements that regulate activity or a facility that may impact a disadvantaged or tribal community, and that includes a time schedule, alternative compliance path or water quality variance to allow time to come into compliance with applicable water quality objectives. This Order does not include a time schedule, alterative compliance path, or variance. Therefore, the requirements in Water Code sections 13149.2 do not apply.

   Water Code section 189.7 requires the Santa Ana Water Board to conduct outreach in disadvantaged and/or tribal communities when considering proposed discharges of waste that may have disproportionate impacts on water quality in those communities. The area around the Facility has an average pollution burden score of 94, cleanup site score of 53, and a groundwater threat score of 13 on California's Office of Environmental Health Hazard Assessment (OEHHA's) CalEnviroScreen 4.0 tool, which indicates that the surrounding communities are disproportionally burdened by pollution for these indicators, in comparison to the rest of the State. The area in the vicinity of the Facility does not meet the criteria of a disadvantaged community as defined in Water Code section 189.7(d)(1). The Santa Ana Water Board also conducted outreach per Water Code section 189.7 to determine if this Order disproportionately impacts tribal communities. The Santa Ana Water Board reached out to the Native American Heritage Commission to determine the tribes that may be impacted by this project and the Order was sent to each tribal representative and no disproportionate tribal impacts were identified. As such, the Santa Ana Water Board does not expect this Order to disproportionately impact the water quality of an economically disadvantaged community as defined in Water Code section 189.7(d)(1) or tribal community.

## IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. There are two principal bases for effluent limitations in the Code of Federal Regulations: 40 CFR § 122.44(a) requires that permits include applicable technology-based limitations and standards; and 40 CFR § 122.44(d) requires that permits include water quality-based effluent limitations to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water.

## A. Discharge Prohibitions

The discharge prohibitions are based on the Federal Clean Water Act, Basin Plan, State Water Resources Control Board's plans and policies, U.S. EPA guidance and regulations, and the previous waste discharge requirements, which is Order No. R8-2015-0013 and its Amendment Order No. R8-2019-0066, and are consistent with the discharge prohibitions set for other discharges regulated by waste discharge requirements adopted by the Santa Ana Water Board.

## B. Technology-Based Effluent Limitations

### 1. Scope and Authority

Section 301(b) of the CWA and implementing U.S. EPA permit regulations at 40 CFR § 122.44 require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards at 40 CFR Part 133 and/or Best Professional Judgment (BPJ) in accordance with 40 CFR § 125.3.

Regulations promulgated in 40 CFR § 125.3(a)(1) require technology-based effluent limitations for municipal dischargers to be placed in waste discharge requirements based on Secondary Treatment Standards or Equivalent to Secondary Treatment Standards.

The Federal Water Pollution Control Act Amendments of 1972 (PL 92-500) established the minimum performance requirements for POTWs [defined in section 304(d)(1)]. Section 301(b)(1)(B) of that Act requires that such treatment works must, at a minimum, meet effluent limitations based on secondary treatment as defined by the U.S. EPA Administrator. Based on this statutory requirement, U.S. EPA developed secondary treatment regulations, which are specified in 40 CFR Part 133. These technology-based regulations apply to all municipal wastewater treatment plants and identify the minimum level of effluent quality attainable by secondary treatment in terms of biochemical oxygen demand ($BOD_5$), total suspended solids (TSS), percent removal rate, and pH.

### 2. Applicable Technology-Based Effluent Limitations

Tertiary treatment is required to protect beneficial uses of Reach 3 of the Santa Ana River. These technology-based effluent limits are more restrictive than the above-mentioned federal standards for $BOD_5$ and TSS and are based on BPJ for levels achievable by tertiary treatment are summarized in Table F-9 below.

**Table F-9. Summary of Applicable Tertiary Treatment Standards**

| Constituent | Average Weekly (mg/L) | Average Monthly (mg/L) | Average Monthly Removal Rate (%) |
|---|---|---|---|
| Biochemical Oxygen Demand, 5-day @ 20°C ($BOD_5$) | 30 | 20 | 85 |
| Total Suspended Solids (TSS) | 30 | 20 | 85 |
| pH (S.U.) | ≥ 6.5 | ≤ 8.5 | |

The federal secondary treatment standard for pH that ranges from 6 to 9 pH standard units (S.U.) do not apply to the discharge and the Basin Plan's pH objectives shown in Table F-9, which are more stringent, apply instead as instantaneous minimum and maximum effluent limitations, respectively. Mass-based effluent limitations, shown in Table 4 of this Order, were determined based on the facility design flow as shown in Table F-1 of this Attachment F, above.

## C. Water Quality-Based Effluent Limitations (WQBELs)

### 1. Scope and Authority

CWA section 301(b) and 40 CFR § 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

Section 122.44(d)(1)(i) of 40 CFR requires that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, water quality-based effluent limitations (WQBELs) must be established using: (1) U.S. EPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided in section 122.44(d)(1)(vi).

The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated uses of the receiving water as specified in the Basin Plan and achieve applicable water quality objectives and criteria that are contained in other state plans and policies, or any applicable water quality criteria contained in the CTR and NTR.

### 2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

a. **The Basin Plan.** Table F-7, above, lists the beneficial uses of the receiving waters. The Basin Plan specifies narrative and numeric water quality objectives for all inland surface waters, including the receiving waters. Some of those

water quality criteria that are applicable to these receiving waters are listed in the following table.

**Table F-10. Summary of Applicable Water Quality Criteria**

| Constituents | Basis for Limitations |
|---|---|
| Ammonia Nitrogen | Ammonia dissociates under certain conditions to the toxic un-ionized form. Thus, nitrogen discharges to the Santa Ana River, Reach 3, pose a threat to aquatic life and instream beneficial uses, as well as to the beneficial uses of affected groundwater. The Basin Plan specifies total ammonia and un-ionized ammonia objectives and an effluent limit of 5.0 mg/L for discharges to Santa Ana River, Reach 3. The Basin Plan does not specify a total ammonia-nitrogen effluent limitation for Lake Norconian and a total ammonia-nitrogen effluent limitation was developed for Lake Norconian using Table 4-3 of Chapter 4 of the Basin Plan, for WARM beneficial use, and the total ammonia-nitrogen average monthly effluent limitation was determined to be 0.95 mg/L (for a pH = 7.5 pH units and a temperature of 30°C). |
| Toxicity | The concentration of toxic pollutants in the water column, sediments or biota shall not adversely affect beneficial uses. This Order implements the *Toxicity Provisions* by including applicable effluent limitations for aquatic chronic toxicity. |
| Hydrogen Ion (pH) | Hydrogen Ion (pH) is a measure of the Hydrogen Ion concentration in the water. A pH range of 6.5 to 8.5 for surface discharges is specified. |
| Oil and Grease | Oil and related materials have a high surface tension and are not soluble in water, resulting in odors and visual impacts. |
| Total Chlorine Residual | Chlorine and its reaction product are toxic to aquatic life. To protect aquatic life, the Basin Plan specifies that for wastewater discharged into inland surface waters, the chlorine residual should not exceed 0.1 mg/L. |
| Total Dissolved Solids (TDS) | High levels of TDS can adversely impact aquatic life. The TDS limit for surface water discharges is based on the Basin Plan wasteload allocation of 625 mg/L and surface water discharge flow at 14 MGD. |
| Total Inorganic Nitrogen | Nitrogen discharges to the Santa Ana River pose a threat to aquatic life and instream beneficial uses, as well as to the beneficial uses of affected groundwater. The TIN limit for surface water discharges is based on the Basin Plan wasteload allocation of 10.0 mg/L and surface water discharge at 14 MGD. |

In accordance with 40 CFR § 122.45(d), there may be instances in which the basis for a limit for a particular continuous discharge may be impracticable to be stated as a maximum daily, average weekly, or average monthly effluent limitation. The Santa Ana Water Board has determined that it is not practicable to express TDS and TIN effluent limitations as average weekly and average monthly effluent limitations because the TDS and TIN objectives in the Basin

Plan were established primarily to protect the underlying groundwater. Consequently, a 12-month average period is believed to be more appropriate.

Effluent limitations for ammonia nitrogen, pH, total chlorine residual, TDS, and TIN are carried forward from the previous Order No. R8-2015-0013, as amended by Order No. R8-2019-0066.

b. **NTR, CTR and SIP.** The National Toxics Rule (NTR), California Toxics Rule (CTR), and State Implementation Policy (SIP) specify numeric objectives for toxic substances and the procedures whereby these objectives are to be implemented. The procedures include those used to conduct reasonable potential analysis to determine the need for effluent limitations for priority and non-priority pollutants.

c. **Bacteria Objective and Requirement to Meet Title 22, Tertiary Treatment.** The State Water Board's Division of Drinking Water (DDW) has found that in most instances, in order to protect the health of members of the public who engage in primary contact recreation in surface waters that receive treated sewage discharges, treatment of the discharges must be provided so as to achieve an approximate 5 log reduction in the virus content of the wastewater. The efficacy of the treatment process in achieving this reduction is reflected, in part, by measurements of total coliform bacteria.

Based on these recommendations and relevant regulations established by DDW in the California Code of Regulations (title 22, Division 4, Chapter 3, section 60301 *et seq*.), waste discharge requirements issued by the Santa Ana Water Board to POTWs and other entities for discharges of treated sewage to surface waters include stringent total coliform limitations. The salient point here is that this Order does not include effluent limitations based on the numeric objectives for *E. coli* that are specified in Table 4-pio of the Basin Plan or the ISWEBE (see section III.C.11. of this Attachment F, above). The Santa Ana Water Board has found that the total coliform limitations are necessary to assure adequate treatment of sewage before discharge to surface waters and thereby, to assure protection of public health and primary contact recreation uses.

Therefore, CCR's title 22, Division 4, Chapter 3, Article 3, § 60305, "Use of Recycled water for impoundments" specifies that recycled water used as a source of supply in a nonrestricted recreational impoundment shall be at all times an adequately disinfected, oxidized, coagulated, clarified, filtered wastewater (tertiary treated). The degree of treatment specified represents an approximately 5-log reduction in the virus content of the water. DDW has determined that this degree of virus removal is necessary to protect the health of people using these impoundments for water contact recreation. DDW has developed wastewater disinfection guidelines ("Wastewater Disinfection for Health Protection", Department of Health Services, Sanitary Engineering Branch, February 1987) for discharges of wastewater to surface waters where water contact recreation (REC-1) is a beneficial use. The disinfection guidelines recommend the same treatment requirements for wastewater discharges to REC-1 waters as those stipulated in title 22 for supply of recycled water to

nonrestricted recreational impoundments, since the public health risks under both scenarios are analogous. The disinfection guidelines are based on sound science and are widely used as guidance to assure public health and beneficial use protection.

The PBMZ, Lake Norconian, or Reach 3 of the Santa Ana River (River), are not "nonrestricted recreational impoundments" and "recycled water" is not being used as a supply source for the PBMZ, Lake Norconian, or the River pursuant to the definitions in Title 22. However, except during major storms, most of the flow in the PBMZ and the River is composed of treated municipal wastewater discharges. Eventually, once the discharge of tertiary treated and disinfected wastewater to Lake Norconian begins, Lake Norconian will become the equivalent of a "nonrestricted recreational impoundments." The PBMZ, Lake Norconian, and the River are used for water contact recreation and, accordingly, are designated REC-1 (water contact beneficial use). People recreating in the PBMZ, Lake Norconian, and the River face an exposure similar to those coming in contact with reclaimed water in an impoundment. Therefore, to protect the water contact recreation beneficial use and to prevent nuisance and health risk, it is necessary and appropriate to require the same degree of treatment for wastewater discharges to the PBMZ, Lake Norconian, and River as would be required for the use of reclaimed water in a nonrestricted recreational impoundment. Thus, this Order specifies requirements based on tertiary or equivalent treatment.

The Santa Ana Water Board has consulted with the DDW regarding the applicability of the process design standards (specifically filter rates, CT, and modal contact) for discharges of waste to flowing streams. DDW has determined that although compliance with these standards is necessary to protect public health when recycled water is used, compliance with these standards is not necessary to protect public health for discharges into waterbodies that provide dilution of the wastewater, provided the performance standards are consistently met. During periods when the receiving water can provide a 1:1 dilution of the wastewater discharge, the Order provides that the specified filter rates, CT, and modal contact time do not apply to wastewater discharges to surface water. The specified filter rates, CT, and modal contact time applies to recycled water use.

### 3. Determining the Need for WQBELs and RPA Results

In accordance with section 1.3 of the SIP, the Santa Ana Water Board conducted a reasonable potential analysis (RPA) for each priority pollutant with an applicable criterion or objective to determine if a WQBEL is required in the Order. The Santa Ana Water Board staff analyzed effluent data to determine if a pollutant in a discharge has the reasonable potential to cause or contribute to an excursion above a state water quality standard. For all parameters that have the reasonable potential to cause or contribute to an excursion above a water quality standard, numeric WQBELs are required. The RPA considers criteria from the CTR, the California Code of Regulations (CCR) title 22's Maximum Contaminant Levels (MCLs), and when applicable, water quality objectives specified in the Basin Plan. Some freshwater metals criteria in the CTR are expressed as a function of total

hardness. The metals criteria are equations in which hardness is the variable. The actual numeric value of the criterion is calculated using hardness measurements. The use of a fixed hardness value results in a fixed numerical effluent limit for each metal, thereby simplifying the effluent limitation and facilitating the determination of compliance. To calculate the metals criteria, the effluent minimum hardness was used since the receiving water is effluent dominated and upstream receiving water data is unavailable.

A reasonable potential analysis of effluent data submitted by the Discharger to the State Water Board's California Integrated Water Quality System (CIWQS) for the monitoring period August 2015 through November 2025 found that cyanide, Bis (2-Ethylhexyl) Phthalate, and dieldrin posed a reasonable potential to cause or contribute to an exceedance of applicable water quality objectives. A hardness value of 150 mg/L, which was the minimum effluent hardness, was used in the RPA for metals. The RPA was performed for the priority pollutants and other effluent parameters for which effluent data were available. In addition, this Order establishes effluent limitations for copper and lead, for DP-001 only, to protect the waterbody, as Reach 3 of the Santa Ana River is listed in the California 303(d) List as being impaired by copper and lead.

These data were used in the RPA and are summarized in Table F-11.

Section III.C.5 of the *Toxicity Provisions*, *Chronic Aquatic Toxicity Effluent Limitations*, require that chronic toxicity effluent limitations be included in an NPDES Permit if the POTW is authorized to discharge at a rate equal or greater than 5.0 mg/L and is required to have a pretreatment program by the terms of 40 CFR § 403.8(a). As discussed in section III.C.10 of this Attachment F, above, this Order implements the *Toxicity Provisions*.

**RPA Results at DP-001 and DP-007.** The priority pollutants cyanide, Bis (2-Ethylhexyl) Phthalate, and dieldrin were determined to have reasonable potential to exceed water quality objectives. Consequently, effluent limits for cyanide, Bis (2-Ethylhexyl) Phthalate, and dieldrin are included in the Order. Also, as indicated above, effluent limitations for copper and lead area included for DP-001 in this Order to protect the waterbody, as the Facility discharges to Reach 3 of the Santa Ana River that is listed in the California 303(d) List as being impaired by copper and lead.

## Table F-11. RPA Evaluation – DP-001 & DP-007

| Parameter | Unit | MEC | Selected Criteria[1] | Source of Criteria[2,3,4,5] | Is Effluent Limit Required? |
|---|---|---|---|---|---|
| Antimony | µg/L | 0.8 | 6 | MCL[5] | No |
| Arsenic | µg/L | 1.1 | 10 | MCL | No |
| Barium | µg/L | 53 | 1000 | MCL | No |
| Beryllium | µg/L | <0.2 | 4 | MCL | No |
| Cadmium | µg/L | <0.03 | 3.38 | CTR-CCC[3] | No |
| Chromium (III) | µg/L | 1 | 288.50 | CTR-CCC | No |
| Chromium (VI) | µg/L | 0.3 | 10 | MCL | No |
| Copper[6] | µg/L | 8 | 13.19 | CTR-CCC | Yes |
| Lead[6] | µg/L | 0.3 | 5.33 | CTR-CCC | Yes |
| Mercury | µg/L | 0.048 | 0.051 | CTR-HH[4] | No |
| Nickel | µg/L | 6.8 | 73.51 | CTR-CCC | No |
| Selenium | µg/L | 1.7 | 5 | CTR-CCC | No |
| Silver | µg/L | 0.27 | 8.15 | CTR-CMC[2] | No |
| Thallium | µg/L | <0.3 | 2 | MCL | No |
| Zinc | µg/L | 44 | 168.93 | CTR-CCC | No |
| Cyanide | µg/L | 17 | 5.2 | CTR-CCC | Yes |
| Asbestos | Fibers/L | Non-detect | 7 | MCL | No |
| 2,3,7,8 TCDD | pg/L | <1.45 | 1.4E-08 | CTR-HH | No |
| Acrolein | µg/L | <1.1 | 780 | CTR-HH | No |
| Acrylonitrile | µg/L | <0.59 | 0.66 | CTR-HH | No |
| Benzene | µg/L | <0.11 | 1 | MCL | No |
| Bromoform | µg/L | 0.46 | 360 | CTR-HH | No |
| Carbon Tetrachloride | µg/L | <0.088 | 0.5 | MCL | No |
| Chlorobenzene | µg/L | <0.13 | 70 | MCL | No |
| Chlorodibromomethane | µg/L | 11 | 34 | CTR-HH | No |
| Chloroethane | µg/L | <0.12 | NC[7] | | No |
| 2-Chloroethylvinyl ether | µg/L | <1.3 | NC | | No |
| Chloroform | µg/L | 97 | NC | | No |
| Dichlorobromomethane | µg/L | 37 | 46 | CTR-HH | No |
| 1,1-Dichloroethane | µg/L | <0.086 | 5 | MCL | No |
| 1,2-Dichloroethane | µg/L | <0.11 | 0.5 | MCL | No |
| 1,1-Dichloroethylene | µg/L | <0.12 | 3.2 | CTR-HH | No |
| 1,2-Dichloropropane | µg/L | <0.13 | 5 | MCL | No |
| 1,3-Dichloropropylene | µg/L | <0.072 | 0.5 | MCL | No |
| Ethylbenzene | µg/L | <0.077 | 300 | MCL | No |
| Methyl Bromide | µg/L | <0.18 | 4,000 | CTR-HH | No |
| Methyl Chloride | µg/L | <0.12 | NC | | No |
| Methylene Chloride | µg/L | .23 | 5 | MCL | No |
| 1,1,2,2-Tetrachloroethane | µg/L | <0.092 | 1 | MCL | No |
| Tetrachloroethylene | µg/L | <0.11 | 5 | MCL | No |
| Toluene | µg/L | .82 | 150 | MCL | No |
| Xylenes | µg/L | Not available | 1750 | MCL | No |

| Parameter | Unit | MEC | Selected Criteria[1] | Source of Criteria[2,3,4,5] | Is Effluent Limit Required? |
|---|---|---|---|---|---|
| 1,2-Trans-Dichloroethylene | µg/L | <0.12 | 10 | MCL | No |
| 1,2-Cis-Dichloroethylene | µg/L | Not available | 6 | MCL | No |
| 1,1,1-Trichloroethane | µg/L | <0.083 | 200 | MCL | No |
| 1,1,2-Trichloroethane | µg/L | <0.10 | 5 | MCL | No |
| Trichloroethylene | µg/L | <0.10 | 5 | MCL | No |
| Vinyl Chloride | µg/L | <0.10 | 0.5 | MCL | No |
| 2-Chlorophenol | µg/L | <1.8 | 400 | CTR-HH | No |
| 2,4-Dichlorophenol | µg/L | <0.48 | 790 | CTR-HH | No |
| 2,4-Dimethylphenol | µg/L | <0.47 | 2,300 | CTR-HH | No |
| 4,6-Dinitro-2-Methylphenol | µg/L | <0.61 | 765 | CTR-HH | No |
| 2,4-Dinitrophenol | µg/L | <1.6 | 14,000 | CTR-HH | No |
| 2-Nitrophenol | µg/L | <0.67 | NC | | No |
| 4-Nitrophenol | µg/L | <1.1 | NC | | No |
| 3-Methyl-4-Chlorophenol (aka P-chloro-m-resol) | µg/L | <0.44 | NC | | No |
| Pentachlorophenol | µg/L | 0.71 | 1 | MCL | No |
| Phenol | µg/L | 0.61 | 4,600,000 | CTR-HH | No |
| 2,4,6-Trichlorophenol | µg/L | <1.7 | 6.5 | CTR-HH | No |
| Acenaphthene | µg/L | <0.02 | 2,700 | CTR-HH | No |
| Acenaphthylene | µg/L | <0.02 | NC | | No |
| Anthracene | µg/L | <0.01 | 110,000 | CTR-HH | No |
| Benzidine | µg/L | <2.2 | 0.00054 | CTR-HH | No |
| Benzo(a)Anthracene | µg/L | <0.02 | 0.049 | CTR-HH | No |
| Benzo(a)Pyrene | µg/L | <0.02 | 0.049 | CTR-HH | No |
| Benzo(b)Fluoranthene | µg/L | <0.02 | 0.049 | CTR-HH | No |
| Benzo(ghi)Perylene | µg/L | <0.01 | NC | | No |
| Benzo(k)Fluoranthene | µg/L | <0.02 | 0.049 | CTR-HH | No |
| Bis (2-Chloroethoxy) Methane | µg/L | <1.5 | NC | | No |
| Bis (2-Chloroethyl) Ether | µg/L | <0.43 | 1.4 | CTR-HH | No |
| Bis (2-Chloroisopropyl) Ether | µg/L | <1.8 | 170,000 | CTR-HH | No |
| Bis (2-Ethylhexyl) Phthalate | µg/L | 4.4 | 4 | MCL | Yes |
| 4-Bromophenyl Phenyl Ether | µg/L | <1.6 | NC | | No |
| Butylbenzyl Phthalate | µg/L | <1.3 | 5,200 | CTR-HH | No |
| 2-Chloronaphthalene | µg/L | <0.95 | 4,300 | CTR-HH | No |
| 4-Chlorophenyl Phenyl Ether | µg/L | <1.3 | NC | | No |
| Chrysene | µg/L | <0.01 | 0.049 | CTR-HH | No |
| Dibenzo(a,h)Anthracene | µg/L | <0.02 | 0.049 | CTR-HH | No |
| 1,2-Dichlorobenzene | µg/L | <0.11 | 600 | MCL | No |
| 1,3-Dichlorobenzene | µg/L | <0.11 | 2,600 | CTR-HH | No |
| 1,4-Dichlorobenzene | µg/L | <0.072 | 5 | MCL | No |

| Parameter | Unit | MEC | Selected Criteria[1] | Source of Criteria[2,3,4,5] | Is Effluent Limit Required? |
|---|---|---|---|---|---|
| 3,3 Dichlorobenzidine | µg/L | <0.76 | 0.077 | CTR-HH | No |
| Diethyl Phthalate | µg/L | <1.4 | 120,000 | CTR-HH | No |
| Dimethyl Phthalate | µg/L | <1.5 | 2,900,000 | CTR-HH | No |
| Di-n-Butyl Phthalate | µg/L | <1.3 | 12,000 | CTR-HH | No |
| 2,4-Dinitrotoluene | µg/L | <1.5 | 9.1 | CTR-HH | No |
| 2,6-Dinitrotoluene | µg/L | <1.5 | NC | | No |
| Di-n-Octyl Phthalate | µg/L | <1.4 | NC | | No |
| 1,2-Diphenylhydrazine | µg/L | <0.24 | 0.54 | CTR-HH | No |
| Fluoranthene | µg/L | <0.02 | 370 | CTR-HH | No |
| Fluorene | µg/L | <0.02 | 14,000 | CTR-HH | No |
| Hexachlorobenzene | µg/L | <0.3 | 0.00077 | CTR-HH | No |
| Hexachlorobutadiene | µg/L | <0.24 | 50 | CTR-HH | No |
| Hexachlorocyclopentadiene | µg/L | <1.3 | 50 | MCL | No |
| Hexachloroethane | µg/L | <0.21 | 8.9 | CTR-HH | No |
| Indeno(1,2,3-cd) Pyrene | µg/L | <0.02 | 0.049 | CTR-HH | No |
| Isophorone | µg/L | <0.25 | 600 | CTR-HH | No |
| Naphthalene | µg/L | <0.02 | NC | | No |
| Nitrobenzene | µg/L | <0.38 | 1,900 | CTR-HH | No |
| N-Nitrosodimethylamine | µg/L | <0.94 | 8.1 | CTR-HH | No |
| N-Nitrosodi-n-Propylamine | µg/L | <0.33 | 1.4 | CTR-HH | No |
| N-Nitrosodiphenylamine | µg/L | <0.63 | 16 | CTR-HH | No |
| Phenanthrene | µg/L | <0.02 | NC | | No |
| Pyrene | µg/L | <0.01 | 11,000 | CTR-HH | No |
| 1,2,4-Trichlorobenzene | µg/L | <0.25 | 5 | MCL | No |
| Aldrin | µg/L | <0.004 | 0.00014 | CTR-HH | No |
| alpha-BHC | µg/L | <0.004 | 0.013 | CTR-HH | No |
| beta-BHC | µg/L | <0.0045 | 0.046 | CTR-HH | No |
| gamma-BHC | µg/L | 0.0065 | 0.063 | CTR-HH | No |
| delta-BHC | µg/L | <0.0032 | NC | | No |
| Chlordane | µg/L | <0.045 | 0.00059 | CTR-HH | No |
| 4,4'-DDT | µg/L | <0.0048 | 0.00059 | CTR-HH | No |
| 4,4'-DDE | µg/L | <0.0057 | 0.00059 | CTR-HH | No |
| 4,4'-DDD | µg/L | <0.0083 | 0.00084 | CTR-HH | No |
| Dieldrin | µg/L | 0.0036 | 0.00014 | CTR-HH | Yes |
| alpha-Endosulfan | µg/L | <0.0076 | 0.056 | CTR-CCC | No |
| beta-Endolsulfan | µg/L | <0.0081 | 0.056 | CTR-CCC | No |
| Endosulfan Sulfate | µg/L | <0.0068 | 240 | CTR-HH | No |
| Endrin | µg/L | <0.0069 | 0.036 | CTR-CCC | No |
| Endrin Aldehyde | µg/L | 0.0069 | 0.81 | CTR-HH | No |
| Heptachlor | µg/L | <0.0038 | 0.00021 | CTR-HH | No |
| Heptachlor Epoxide | µg/L | <0.0063 | 0.00011 | CTR-HH | No |
| PCBs | µg/L | <0.28 | 0.00017 | CTR-HH | No |
| Toxaphene | µg/L | <0.5 | 0.0002 | CTR-HH | No |

[1] The minimum effluent water hardness value of 150 mg/L at Monitoring Location M-001 (during the period from August 2015 through November 2025) was used to determine certain metals criteria.

[2] CTR-CMC means CTR's Criterion Maximum Concentration for Freshwater.

[3] CTR-CCC means CTR's Criterion Continuous Concentration for Freshwater.

[4] CTR-HH means CTR's Human Health for Consumption of Organisms Only.

[5] MCL means DDW's Maximum Contaminant Level (Title 22 CCR).

[6] Reasonable potential is based on the fact that this Facility discharges treated wastewater from DP-001 to Prado Basin Management Zone, a tributary of Reach 3 of the Santa Ana River that is on the CWA's 303(d) list as being impaired for copper and lead. This reasonable potential analysis condition does not apply to DP-007 and effluent limitations for copper and lead do not apply to DP-007.

[7] NC means no criteria was available for the parameter

### 4. Narrative Water Quality Objectives

The Basin Plan chapter 4 includes narrative water quality objectives for all surface waters within the region, except the Pacific Ocean. Where reasonable potential is found, the Basin Plan requires these objectives to be translated into effluent limitations.

a. Color WQO. The Basin Plan requires that waste discharges shall not result in coloration of the receiving waters that causes a nuisance or adversely affects beneficial uses. The natural color of fish, shellfish or other inland, bay, and estuarine water resources used for human consumption shall not be impaired. The discharge under this Order is not known to be a source of substances causing coloration at levels adversely affecting beneficial uses or causing nuisance. Also, section VIII of the Monitoring and Reporting Program (MRP or Attachment E of the Order) requires the Discharger to conduct weekly visual observations of the receiving waters for any visible sheen or coloration of the receiving water and coloration of the receiving water has not been reported. Furthermore, quarterly final effluent monitoring for color (color units) in accordance with title 22's secondary MCLs is being added to the MRP of this Order and if the MCL for color is exceeded, reasonable potential would be triggered and an effluent limitation for color would be added to the discharge under the Order. Therefore, currently, there is no reasonable potential for the discharge to exceed this narrative water quality objective in receiving waters.

b. Oil and Grease WQO. The Basin Plan requires that waste discharges shall not result in a visible film or in coating objects in the water, or which cause a nuisance or adversely affect beneficial uses. The discharge under this Order is not known to be a source of oil and grease at levels adversely affecting beneficial uses or causing nuisance. Section VIII of the MRP (Attachment E of the Order) requires the Discharger to conduct weekly visual observations of the receiving waters for any visible sheen or coloration of the receiving water and visible sheens on the receiving water has not been reported. Furthermore, the Discharger, under this Order, is required to comply with stringent turbidity

effluent limitations (see section IV.A.1. of the Order) and through its industrial pretreatment program the Discharger regulates sources within its service area that may have the potential to discharge pollutants into the sewer, such as Petroleum Hydrocarbons (TPH) and oil and grease to prevent interference with the Facility and the exceedance of this WQO. Therefore, there is no reasonable potential for the discharge to exceed this narrative water quality objective in receiving waters.

c. Solids, Suspended and Settleable WQO. The Basin Plan requires that waste discharges shall not cause an increase in the amounts of suspended or settleable solids in the receiving waters that will adversely affect beneficial uses as a result of controllable factors. The Discharger, under this Order, is required to provide tertiary treatment, such as filtration, to the wastewater before it's discharged to Reach 3 of the Santa Ana River and comply with effluent limitations for total suspended solids that are lower than required under the secondary treatment standards of the CWA, which are technology-based effluent limitations, based on BPJ, that are achievable by the Discharger (see Table 4 of section V.A.1. of the Order). Also, the Discharger must comply with stringent turbidity effluent limitations (see section IV.A.1. of the Order) to verify that solids particles do not pass through the tertiary treatment to a level that may interfere with the effectiveness of the wastewater disinfection process. Therefore, there is no reasonable potential for the discharge to exceed this narrative WQO in receiving waters.

d. Taste and Odor WQO. The Basin Plan requires that waste discharges shall not cause in the receiving waters, as result of controllable water quality factors, taste or odor producing substances at concentrations that cause a nuisance or adversely affect beneficial uses. The natural taste and odor of fish, shellfish, or other regional inland, bay, and estuarine surface water resources used for human consumption shall not be impaired. Section VIII of the MRP (Attachment E of the Order) requires the discharger to conduct weekly observations in the receiving waters for any odor of the receiving water and odors on the receiving water have not been reported. The Discharger, under this Order, is not known to be a source of anthropogenic substances that impart undesirable tastes or odors to edible products of aquatic origin, that cause nuisance, or that adversely affect beneficial uses in receiving waters. Impacts to the natural taste and odor of fish, shellfish, or other regional inland, bay, and estuarine surface water resources used for human consumption have not been reported. However, quarterly final effluent monitoring for odor (threshold odor number) in accordance with title 22's secondary MCLs is being added to the MRP of this Order and if the MCL for odor is exceeded, reasonable potential would be triggered and an effluent limitation for odor would be added to the discharge under the Order. Therefore, currently, there is no reasonable potential for the discharge to exceed this narrative WQO in receiving waters.

e. Radioactivity WQO. The Basin Plan requires that waste discharges shall not cause the presence of radioactive materials in the receiving waters in

concentrations that is deleterious to human, plant, or animal life. The discharge under this Order is not known to be a source of radioactive substances. However, annual influent and effluent monitoring for radionuclides in accordance with title 22's primary MCLs is being added to the MRP of this Order to gather radionuclides data and if an MCL for radionuclides is exceeded, reasonable potential would be triggered and an effluent limitation for radionuclides would be added to the discharge under the Order. Therefore, currently, there is no reasonable potential for the discharge to exceed this narrative WQO in receiving waters.

f. Dissolved Oxygen (DO) WQO. The Basin Plan requires that waste discharges shall not cause the depletion of DO below 5 mg/L in the receiving waters. The discharge under this Order is not known to contain substances that may cause the depletion of DO in the receiving waters. The Discharger includes a post-aeration treatment step of the final effluent before it's discharged into the Santa Ana River to introduce DO into the final effluent. In addition, the Discharger is required under the MRP (Attachment E) of the Order to monitor weekly for DO in the receiving water at an upstream monitoring location (R-001U) located within 100 feet upstream from the outfall and at a downstream monitoring location (R-001D) located within 500 feet downstream of the discharge point (see Table 2 of section II and Tables 6 and 7 of section VIII of the MRP of the Order). The DO data collected by the Discharger for the last 10 years from the receiving water monitoring locations, and submitted to the Santa Ana Water Board, does not show an exceedance of the 5 mg/L DO WQO by the Discharger. Therefore, there is no reasonable potential for the discharge to exceed this narrative WQO in receiving waters.

g. Temperature WQO. The Basin Plan requires that waste discharges shall not cause the temperature of the inland receiving waters to be raised above 90°F (32°C) during the period of June through October, or above 78°F (26°C) during the rest of the year as a result of controllable water quality factors. The Discharger is required under the MRP (Attachment E) of the Order to monitor weekly for temperature in the receiving water at an upstream monitoring location (R-001U) located within 100 feet upstream from the outfall and at a downstream monitoring location (R-001D) located within 500 feet downstream of the discharge point (see Table 2 of section II and Tables 6 and 7 of section VIII of the MRP of the Order). The temperature data collected by the Discharger for the last 10 years from the receiving water monitoring locations, and submitted to the Santa Ana Water Board, does not show an exceedance of the temperature WQO by the Discharger. Therefore, there is no reasonable potential for the discharge to exceed this narrative WQO in receiving waters.

h. pH WQO. The Basin Plan requires that waste discharges shall not change the ambient pH levels of bay or estuary waters more than 0.2 pH units. The Discharger is required under this Order to comply with section V.A.1.g of the Order that requires that the pH of the discharge shall be within 6.5 and 8.5 pH units. The Discharger is required under the MRP (Attachment E) of the Order to

monitor weekly for pH in the receiving water at an upstream monitoring location (R-001U) located within 100 feet upstream from the outfall and at a downstream monitoring location (R-001D) located within 500 feet downstream of the discharge point (see Table 2 of section II and Tables 6 and 7 of section VIII of the MRP of the Order). The pH data collected by the Discharger for the last 10 years from the receiving water monitoring locations, and submitted to the Santa Ana Water Board, does not show an exceedance of the 0.2 pH Units WQO by the Discharger. Therefore, there is no reasonable potential for the discharge to exceed this narrative WQO in receiving waters.

i. Toxic Substances WQO. The Basin Plan requires that waste discharges shall not cause the concentration of pollutants in the water column, sediment, or biota to adversely affect the beneficial uses of the receiving waters. The discharge shall not result in the degradation of inland surface water communities and populations, including vertebrate, invertebrate, and plant species and pollutants shall not be discharged at levels that will bioaccumulate in aquatic resources to levels which are harmful to human or animal life. This Order implements the *Toxicity Provisions* and includes effluent limitations for aquatic chronic toxicity in section IV.A of the Order and a special provision requiring the implementation of Toxicity Reduction Evaluation and Toxicity Identification Evaluation (TRE/TIE) in case that persistent aquatic chronic toxicity is present in the final effluent (see section VI.C.2.b of the Order). Furthermore, if a detectable concentration(s) of a pollutant/contaminant demonstrates reasonable potential to cause or contribute to an exceedance of applicable water quality standards, then, an applicable effluent limitation will be added to the discharge for the constituent. This Order includes effluent limitations for copper, lead, cyanide, Bis(2-Ethylhexyl) Phthalate, and dieldrin.

The Discharger participates in the Santa Ana River Dischargers Association (SARDA) comprehensive mercury investigation program, which annually measures mercury levels in fish tissue collected at several monitoring locations of the Santa Ana River. SARDA reported data show that methylmercury concentrations in fish tissue does not exceed 0.3 mg/kg, and the Discharger's effluent monitoring indicates that mercury in the final effluent does not exceed the most stringent applicable water quality criteria (see Table F-11 of this Attachment F). Based on these data, there is no reasonable potential for mercury in the effluent and an effluent limitation for mercury is not required at this time. The Discharger must continue participation in the SARDA's comprehensive mercury monitoring program. Therefore, there is no reasonable potential for the discharge to exceed this narrative WQO in receiving waters.

### 5. WQBEL Calculations

For priority pollutants, water quality-based effluent limits are based on monitoring results and the calculation process outlined in section 1.4 of the California Toxics Rule and the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays and Estuaries of California, which is summarized in the following table.

**Table F-12. Criteria Calculation based on CTR and MCLs (µg/L)**

| CTR Values | | | | Long-Term Average Values | | | Aquatic Life Limits | | Human Health Limits | | Permit Limits | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Freshwater | | Human Health | | | | | | | | | |
| Constituents | CMC | CCC | Organisms only | Acute | Chronic | Min. | MDEL | AMEL | MDEL | AMEL | MDEL | AMEL |
| Copper, Total Recoverable | 21 | 13 | -- | 5.2 | 5.9 | 5.2 | 20.5 | 9.0 | -- | -- | 20.5 | 9.0 |
| Lead, Total Recoverable | 137 | 5.3 | -- | 50 | 3.0 | 3.0 | 8.4 | 4.5 | -- | -- | 8.4 | 4.5 |
| Cyanide, Free | 22 | 5.2 | -- | 6.4 | 2.6 | 2.6 | 8.8 | 4.2 | -- | -- | 8.8 | 4.2 |
| Bis (2-Ethylhexyl) Phthalate | -- | -- | 4[1] | | | | | | 8 | 4 | 8 | 4 |
| Dieldrin | 0.24 | 0.056 | 0.00014 | 0.08 | 0.03 | 0.03 | 0.092 | 0.046 | 0.00028 | 0.00014 | 0.00028 | 0.00014 |

[1] CCR Title 22's Maximum Contaminant Level is the selected criteria (see Table F-11)

### 6. Whole Effluent Toxicity (WET)

*Toxicity Provisions* section III.C.5 requires a chronic toxicity effluent limitation for POTWs permitted to discharge at a flow rate equal or greater than 5.0 MGD and is required to have a pretreatment program by the terms of 40 CFR § 403.8 (a) as of January 1, 2020. The Discharger is a POTW permitted to discharge at a flow rate equal or greater than 5.0 MGD and is required to have a pretreatment program by the terms of 40 CFR § 403.8 (a); therefore, chronic toxicity effluent limitations are required. This Order imposes a maximum daily effluent limit (MDEL) and a median monthly effluent limit (MMEL) based on testing at the IWC (see Table 4 of section IV.A.1 and section IV.A.2 of the Order).

## D. Final Effluent Limitation Considerations

### 1. Anti-Backsliding Requirements

Sections 402(o) and 303(d)(4) of the Clean Water Act (CWA) and federal regulations at 40 CFR § 122.44(l) prohibit backsliding in NPDES permits. These provisions require that effluent limitations in a reissued permit be as stringent as those in the previous permit, except where relaxation is justified by applicable exceptions.

The effluent limitations in this Order are at least as stringent as those in the previous Order, except for effluent limitations for mercury at DP-001 that are discontinued. The discontinuation of effluent limitations for mercury at DP-001 is supported by new information, including current discharge monitoring data and a reasonable potential analysis. This relaxation of effluent limitations is consistent with the anti-backsliding requirements of the CWA and implementing federal regulations. Also, the mass rate effluent limitations for BOD, TSS, and ammonia-N, at DP-001, have been increased based on the treatment expansion of the Facility from 8 MGD to 14 MGD and the improvement of the treatment technology that includes almost full conversion of ammonia-N to nitrate-N in the wastewater. The increase of the mass rate effluent limitations for BOD, TSS, and ammonia-N, at DP-001, are consistent with 40 CFR section 122.44(l)(1), which provides for the

relaxation of limitations when there have been material or substantial changes to the facility.

As discussed in Fact Sheet section V.A, this Order removes the generalized receiving water limitations that were included in the previous orders (see also section IV.C.4 of this Fact Sheet). Subsection VI.A.2.c of the Order maintains, as a matter of state law, the requirements that neither the treatment nor discharge of pollutants shall create nuisance as defined by Water Code section 13050. The board has maintained this requirement as a state law requirement to implement Water Code section 13263, which identifies the need to prevent nuisance as a basis for issuing waste discharge requirements. The U.S. Supreme Court's decision in *City and County of San Francisco v. U.S. EPA* did not interpret the Water Code. Further, there is no provision of the Water Code analogous to the NPDES permit shield that was the basis of the U.S. Supreme Court's decision. Likewise, the Porter-Cologne Water Quality Control Act has consistently recognized the ability of the Water Boards to regulate to prevent nuisance and the Porter-Cologne Act does not share the legislative history of the federal Clean Water Act. This order therefore maintains the existing nuisance language to continue nuisance protections as a matter of state law.

This Order also removes one discharge prohibition that was included in the previous orders (Discharge Prohibition III.E of Order No. R8-2015-0013). That discharge prohibition prohibited the discharge of any substances in concentrations toxic to animal or plant life. The removal of these requirements, as a matter of federal law, is consistent with the U.S. Supreme Court's holding in *City and County of San Francisco v. U.S. EPA*. However, as discussed in Fact Sheet section V.A, the Santa Ana Water Board has determined that the requirements in this Order are sufficient to ensure that the discharge complies with Clean Water Act section 301(b)(1)(C) (33 U.S.C. section 1311(b)(1)(C)). As a result, the removal of the receiving water limitations and discharge prohibition does not authorize the additional discharge of pollutants or authorize the violation of water quality standards. This Order does not, therefore, authorize either backsliding or further degradation of water quality.

**2. Antidegradation Policies**

Discharges in conformance with the requirements of this Order will not result in a lowering of water quality as compared to the level of discharge authorized in the previous order, which is the baseline by which to measure whether degradation will occur, therefore, this Order complies with antidegradation requirements specified in Resolution No. 68-16, which incorporates the federal antidegradation policy at 40 CFR § 131.12. The Discharger is implementing a program to enhance recycled water use to reclaim tertiary treated wastewater that is currently discharged to Reach 3 of the Santa Ana River. No lowering of groundwater quality is projected to occur as the result of recycled water use. Also, no lowering of the quality of the receiving surface water is projected to occur as the result of the increase of the treatment design capacity of the Facility and the subsequent increase in the BOD, TSS, and ammonia-N mass rate effluent limitations, due to the technological improvements to the wastewater treatment system of the Facility, which will insure that the removal efficiency for BOD and TSS is maintained at or above 85% and

the almost full conversion of ammonia-N to nitrate-N in the wastewater. Finally, the production of recycled water will reduce the tertiary treated wastewater flow to Reach 3 of the Santa Ana River below the current levels. Furthermore, as explained above, no lowering of surface water quality is projected to occur as the result of the intermittent discharge of tertiary treated and disinfected wastewater to Lake Norconian, for lake replenishment, due to the level of treatment required under this Order, which is protective of the beneficial uses of the receiving water body.

A constituent of concern for potential degradation of the receiving waters is TDS. The effluent limit for TDS at DP-003 (Recycling Specification IV.C.2.b.ii of the Order) is set at 625 mg/L, which is higher than the "antidegradation" TDS WQOs of 280 mg/L, 250 mg/L, and 260 mg/L for the Chino 1, 2, and 3 GMZs, respectively, in the Basin Plan. However, this effluent limitation is based on available TDS assimilative capacity for the Chino North "Maximum Benefit" GMZ and is applicable provided that all Chino Basin Maximum Benefit Commitments are being effectively implemented in accordance with the schedule defined in Table 5-8a of the Basin Plan. (see section VI.C.6. of the Order and the explanation in section IV.G.3. of this attachment F, below).

This Order imposes new aquatic toxicity requirements. The previous order required chronic toxicity monitoring and imposed TRE triggers for chronic toxicity. This Order instead requires chronic toxicity monitoring at the IWC and imposes numeric chronic toxicity limits and TRE triggers at the IWC to ensure that a comparable level of treatment will be maintained.

As discussed in Fact Sheet section V.A, this Order removes the generalized receiving water limitations that were included in the previous orders (see also section IV.C.4 of this Fact Sheet). This Order also removes one discharge prohibition that was included in the previous orders (Discharge Prohibition III.E of Order No. R8-2015-0013). The discharge prohibition prohibits the discharge of any substances in concentrations toxic to animal or plant life. As discussed in Fact Sheet section IV.C.4, above, the effluent limits included in this Order are sufficient to protect receiving waters. Also, the TBELs and WQBELs included in this Order are sufficient to drive treatment system performance in a manner comparable to the previous orders and to ensure that water quality and beneficial uses are protected. This Order does not, therefore, authorize further degradation of water quality.

**3. Stringency of Requirements for Individual Pollutants**

This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. The technology-based requirements implement minimum, applicable federal technology-based requirements. Water quality-based effluent limitations have been derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards.

To the extent that toxic pollutant water quality-based effluent limitations were derived from the CTR, the CTR is the applicable standard pursuant to 40 CFR § 131.38. The procedures for calculating the individual water quality-based effluent

limitations for priority pollutants are based on the CTR implemented by the SIP, which was approved by U.S. EPA on May 18, 2000. All beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by U.S. EPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to U.S. EPA prior to May 30, 2000, but not approved by U.S. EPA before that date, are nonetheless "applicable water quality standards for purposes of the CWA" pursuant to 40 CFR § 131.21(c)(1). U.S. EPA approved the remaining beneficial uses and water quality objectives, so they are also applicable water quality standards pursuant to 40 C.F.R. section 131.21(c)(2). Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

**E. Interim Effluent Limitations – Not Applicable**

**F. Land Discharge Specifications – Not Applicable**

**G. Recycling Specifications**

1. Section 13523 of the California Water Code provides that the Santa Ana Water Board, after consulting with and receiving the recommendations from the DDW and any party who has requested in writing to be consulted, and after any necessary hearing, may prescribe water reclamation requirements for the distribution of water which is used or proposed to be used as recycled water, if, in the judgment of the Santa Ana Water Board, such requirements are necessary to protect the public health, safety, or welfare. Section 13523 further provides that such requirements shall include, or be in conformance with, the statewide uniform water recycling criteria established by the DDW pursuant to California Water Code section 13521.

2. Reclamation specifications in this Order are based upon the recycling criteria contained in California Code of Regulations, title 22, division 4, chapter 3, sections 60301 through 60355 and Water Code section 13521.

3. Recycled water use sites will overlie the Chino North "maximum benefit" GMZ, the Chino 1, 2, and 3 "antidegradation" GMZs, Chino South, Chino East, Temescal, and Arlington GMZs. The TDS effluent limits for recycled water use are based on the TDS water quality objectives (WQOs) defined in the Basin Plan for the respective GMZ to which the recycled water is delivered by the Discharger. As shown in chapter 4 of the Basin Plan as amended by the N/TDS Amendment, Resolution No. R8-2004-0001, two sets of GMZs and respective TDS WQOs have been adopted for a portion of the Chino Basin. "Maximum benefit" WQOs are established for the Chino North GMZ, while "antidegradation" WQOs are established for the Chino 1, 2 and 3 GMZs. This Order includes TDS effluent limits for recycled water use that implement the Chino North and Chino 1, 2, and 3 TDS WQOs. Provided that the Chino Basin "Maximum Benefit" commitments specified in chapter 5 of the Basin Plan (and shown in Table 5-8a therein) are implemented effectively by the Jurupa Community Services District (JCSD), Inland Empire Utilities Agency (IEUA), and Chino Basin Watermaster, the TDS discharges from the effluent from the Discharger's treatment plant will be limited to 625 mg/L. Note that the "maximum benefit" TDS WQO for the Chino North GMZ is 420 mg/L.

The basis for the TDS limit of 625 mg/L is as follows. The TDS value of 625 mg/L for recycled water use is based on the allocation of TDS assimilative capacity of the Chino North GMZ to the Discharger as long as the water is delivered to agencies responsible for the implementation of the Chino Basin Maximum Benefit Commitments (e.g. JCSD, member agencies of IEUA, and member agencies of the Chino Basin Watermaster) and all applicable regulatory requirements and approvals for the recycled water use have been effectively implemented. Implementation of the "maximum benefit" program entails the blending of the recycled water, applied to the GMZ, with other sources of supply (stormwater, imported State Water Project) to assure that the TDS objective of the Chino North GMZ is achieved and maintained. If the Santa Ana Water Board finds that the maximum benefit commitments are not being implemented effectively in accordance with the schedule defined in Table 5-8a of the Basin Plan, then the Chino 1, 2 and 3 "antidegradation" GMZs and their respective TDS WQOs will be applicable. Since the Chino 1, 2 and 3 GMZs lack assimilative capacity for TDS, the TDS limits are the same as the TDS WQOs for the GMZs, which are 280 mg/L, 250 mg/L, and 260 mg/L, respectively, in the Basin Plan.

Furthermore, to justify the inclusion of a TDS effluent limitation of 625 mg/L in the Order, an assessment of the impacts of recycled water use from the WRCRWA Facility on the performance of the Chino Basin Maximum Benefit Salt and Nutrient Management Plan (SNMP) was prepared and submitted to the Santa Ana Water Board on January 4, 2023, entitled *"Impact Analysis of Jurupa Community Services District's Proposed Recycled Water Use Program on the Performance of the Chino Basin Maximum Benefit Salt and Nutrient Management Plan."* The assessment evaluated a recycled water use scenario consisting of up to 1,738 acre-feet per year in the Chino North, Chino East, and Chino South GMZs, implemented in several phases, with a TDS effluent concentration of 625 mg/L. The results of the assessment demonstrated to the Santa Ana Water Board that the application of recycled water, produced at the WRCRWA's Facility within the Chino North, Chino South, and Chino East GMZs will have no significant impact to the underlying groundwater quality of the GMZs nor to the performance of the Chino Basin Maximum Benefit SNMP. Furthermore, groundwater TDS and nitrate projections are required to be updated every five years to ensure that the beneficial uses of the Chino Basin continue to be protected as recycled water use increases. The next projection is due to the Santa Ana Water Board by December 2028 and will include an evaluation of all foreseeable increases in the use of WRCRWA recycled water (and other sources) in the Chino-North GMZ.

Additionally, this Order sets an initial cap on the use of WRCRWA water in the Chino North GMZ of 886 AFY. This 886 AFY is a portion of the initial recycled water supply of 1,738 AFY planned for use by JCSD within its service area overlying the Chino North, Chino South, and Chino East GMZs. Recycled water will be delivered to Chino North GMZ from the WRCRWA Facility through a new regional recycled water conveyance pipeline developed by WRCRWA and its member agencies, which cost $37 million. The project partners will also continue to contribute funding toward its operation and maintenance. Recycled water use in

the Chino North GMZ in excess of the initial cap of 886 AFY may be approved by the Executive Officer or the board following review and acceptance of a demonstration of the projected TDS and nitrate concentration impacts of the proposed additional use, provided that the demonstration is consistent with the projections prepared in support of the Chino Basin Maximum Benefit SNMP. The demonstration may rely upon the most recently completed fate and transport modeling and projections prepared in support of the SNMP. Upon written approval by the Executive Officer, recycled water use in excess of 886 AFY may proceed without amendment of this Order, unless otherwise required by law (see section IV.C.2.c of the Order). Based on WRCRWA current and projected flows and capacity, there could be the potential to increase recycled water use by 10,000 AFY.

4. This Order does not specify a nitrogen limit for recycled water when it is used for irrigation, since it is assumed that all the nitrogen will be used by plants and the lack of nitrogen in the water that percolates beyond the root zone will not adversely affect water quality.

### H. Stormwater Specifications

The Discharger is required to update and implement the Stormwater Pollution Prevention Plan for the Facility in accordance with Attachment J of this Order as, needed, within 90 days of permit adoption. Also, the Discharger shall update its Monitoring Implementation Plan in accordance with Attachment K of this Order.

## V. RATIONALE FOR RECEIVING WATER LIMITATIONS

### A. Surface Water

This Order removes the generalized receiving water limitations contained in section VI.A of the previous orders. Those limitations served as backstops for unanticipated circumstances or changes to effluent quality that could affect the receiving water quality. The receiving water limitations made the Discharger responsible for the quality of the receiving water without specifying requirements (e.g., effluent limitations) or other actions the Discharger must take that apply at or before the discharge point. The Santa Ana Water Board removed the receiving water limitations to be consistent with the U.S. Supreme Court's holding in *City and County of San Francisco v. U.S. EPA*, which held that NPDES permits issued by the U.S. EPA may not include end-result requirements under the CWA. End-result requirements are provisions that do not spell out what the Discharger must do or refrain from doing; rather, they make the Discharger responsible for the water quality of the body of water into which it discharges pollutants.

The requirements in this Order will ensure that the discharge satisfies CWA section 301(b)(1)(C) (33 U.S.C. section 1311(b)(1)(C)), which requires that the permit include any more stringent limitation, including those necessary to meet water quality standards. See Fact Sheet section IV.C.4. If unanticipated circumstances or changes to effluent quality occur during the permit term, the Santa Ana Water Board may reopen the permit to include any limitations necessary to protect water quality.

### B. Groundwater

The receiving groundwater limitations in the proposed Order are based upon the water quality objectives contained in the Basin Plan.

## VI. RATIONALE FOR PROVISIONS

### A. Standard Provisions

Standard Provisions, which apply to all NPDES permits in accordance with 40 CFR § 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR § 122.42, are provided in Attachment D. The Discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42.

Sections 122.41(a)(1) and (b) through (n) of 40 CFR establish conditions that apply to all state-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. Section 123.25(a)(12) of 40 CFR allows the state to omit or modify conditions to impose more stringent requirements. In accordance with 40 CFR § 123.25, this Order omits federal conditions that address enforcement authority specified in 40 CFR 122.41(j)(5) and (k)(2) because the enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387(e).

### B. Special Provisions

#### 1. Reopener Provisions

The reopener provisions are based on 40 CFR § 122.44(c) and Part 123. The Santa Ana Water Board may reopen the permit to modify permit conditions and requirements. Causes for modifications include the promulgation of new regulations, modification in sludge use or disposal practices, or adoption of new regulations by the State Water Board or Santa Ana Water Board, including revisions to the Basin Plan.

#### 2. Special Studies and Additional Monitoring Requirements

Toxicity Identification Evaluations and/or Toxicity Reduction Evaluations. This provision is based on the *Toxicity Provisions*.

#### 3. Best Management Practices and Pollution Prevention

These requirements are based on the SIP Section 2.4.5.1.

#### 4. Construction, Operation, and Maintenance Specifications

The requirements are based on requirements that were specified in the prior Order and industry standards.

#### 5. Special Provisions for Publicly-Owned Treatment Works (POTWs)

a. **Collection System**. The Discharger is subject to the requirements of, and must comply with, State Water Board Order 2022-0103-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems and any subsequent order. The General Order requires public agencies that own or operate sanitary sewer systems with sewer lines with one mile of pipe or

greater to enroll for coverage and comply with the General Order, and develops sanitary sewer management plans and report all sanitary sewer overflows, among other requirements and prohibitions.

The General Order also contains requirements for operation and maintenance of collection systems and more clearly and specifically stipulates requirements for reporting and mitigating sanitary sewer overflows. The Discharger and other governmental agencies that are discharging wastewater into the facility are required to obtain enrollment for regulation under Order 2022-0103-DWQ and any subsequent order.

b. **Pretreatment Program**. These program requirements are established pursuant to 40 CFR Part 403 regulations.

**6. Other Special Provisions – Not Applicable**

**7. Compliance Schedules – Not Applicable**

## VII. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

CWA section 308 and 40 CFR §§ 122.41(h), (j)-(*l*), 122.44(i), and 122.48 require that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Santa Ana Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. The Monitoring and Reporting Program (MRP), Attachment E of this Order establishes monitoring, reporting, and recordkeeping requirements that implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for these facilities.

### A. Influent Monitoring

This Order carries forward the treatment plant influent monitoring requirements specified in the previous Order, with modifications. Influent monitoring is required to help determine the effectiveness of the pretreatment program and assess treatment plant performance. Also, monitoring for constituents of emerging concern (CECs) such as Per- and Polyfluoroalkyl substances (PFAS) have been added in the influent to assess the presence and mass loading of PFAS entering the Facilities. On October 29, 2025, DDW issued new and revised notification levels (NLs) and reporting levels (RLs), for drinking water, which are health-based advisory levels, for five PFAS: Perfluorooctanoic acid (PFOA), Perfluorooctane sulfonate (PFOS), Perfluorohexanesulfonic acid (PFHxS), Perfluorohexanoic acid (PFHxA), and Perfluorobutane sulfonic acid (PFBS). Table F-13, below, shows the current NLs and RLs.

**Table F-13. PFAS Notification and Response Levels[1]**

| Constituent | Notification Level (ng/L) | Response Level (ng/L) |
|---|---|---|
| Perfluorooctanoic acid (PFOA) | 4.0 | 10 |
| Perfluorooctanesulfonic acid (PFOS) | 4.0 | 40 |
| Perfluorohexanesulfonic acid (PFHxS) | 3.0 | 10 |

| Constituent | Notification Level (ng/L) | Response Level (ng/L) |
|---|---|---|
| Perfluorohexanoic acid (PFHxA) | 1000 | 10,000 |
| Perfluorobutanesulfonic acid (PFBS) | 500 | 5,000 |

[1] https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/pfas_ddw_general_order/docs/pfas-monitoring-faq.pdf, Page 8

## B. Effluent Monitoring

The Discharger is required to conduct monitoring of the permitted discharges in order to evaluate compliance with permit conditions. Pollutants to be monitored include all pollutants for which effluent limitations are specified. Further, in accordance with Section 1.3 of the SIP, periodic effluent monitoring is required for all priority pollutants defined by the CTR, for which criteria apply and for which no effluent limitations have been established, to evaluate reasonable potential to cause or contribute to an excursion above a water quality standard.

This Order continues the monitoring requirements specified in Order R8-2015-0013 and Amendment Order R8-2019-0066, with modifications. This Order requires that all compliance related effluent monitoring for DP-001 be conducted at effluent monitoring station location M-001. This Order adds monitoring requirements corresponding to copper and lead for which limits were added. Also, monitoring for constituents of emerging concern (CECs) such as PFAS have been added in the effluent to assess the presence and mass loading of PFAS being discharged from the Facility into receiving waters. As noted in section VII.A., above, DDW has established NLs and RLs for five PFAS compounds and the corresponding NLs and RLs for each are listed in Table F-13, above.

## C. Whole Effluent Toxicity Testing Requirements

WET is an indicator of the receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. An acute toxicity test is conducted over a short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction, and growth. This permit establishes monitoring and reporting for chronic toxicity to evaluate compliance with a MDEL and a MMEL (see section IV.C.6. of this Fact Sheet above).

## D. Receiving Water Monitoring – Not Applicable

## E. Other Monitoring Requirements

### 1. Water Supply Monitoring

The Discharger will be required to collect a sample of each source of water supplied and analyze for total dissolved solids. The result of this monitoring will enable the Discharger to show compliance with the TDS incremental limitation in the Order.

### 2. Constituents of Emerging Concern (CECs)

CECs are defined to be constituents in personal care products; pharmaceuticals; antimicrobials; industrial, agricultural, and household chemicals; naturally occurring

hormones; food additives; transformation products; inorganic constituents; microplastics; and nanomaterials. Monitoring for CECs such as PFAS has been added in the influent and effluent of the Facilities to assess the presence and quantify the mass loading of PFAS entering and being discharged to the receiving waters from the Facilities and quantify the removal efficiency of the treatment processes. Other CECs may be added to the MRP of this Order as they became relevant, from a water quality perspective, and/or threaten to impact the beneficial uses of the receiving waters.

PFAS are a family of more than 5,000 man-made and mostly unregulated chemicals that have been produced since the mid-1900s. They are mobile, persistent, and bioaccumulative. They are resistant to degradation in the environment and when degradation occurs, it often results in the formation of other PFAS compounds. The PFAS compounds have very different physical and chemical properties. Currently, the key classes of concern are perfluoroalkyl sulfonic acids such as the long chain perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA).

As noted in section VII.A., above, DDW has established NLs and RLs for five PFAS and the corresponding NLs and RLs for each are listed in Table F-13, above. NLs are health-based advisory levels established for contaminants in drinking water for which maximum contaminant levels have not been established. NLs are established as precautionary measures for contaminants that may be considered candidates for establishment of maximum contaminant levels (MCLs) but have not yet undergone or completed the regulatory standard setting process prescribed for the development of MCLs and are not drinking water standards.

At the request of the DDW, the Office of Environmental Health Hazard Assessment (OEHHA) has initiated the development of Public Health Goals (PHGs) for PFOA and PFOS in drinking water. PHGs are concentrations of contaminants in drinking water that pose no significant acute or chronic health risks. OEHHA establishes PHGs, which are used as the health basis for the development of California's primary drinking water standards (MCLs).

Through the State Water Board's investigation, four additional PFAS chemicals have been detected in multiple wells in California. The State Water Board has requested OEHHA's recommendation in developing notification levels for the following chemicals:

- perfluoroheptanoic acid (PFHpA)
- perfluorononanoic acid (PFNA)
- perfluorodecanoic acid (PFDA)
- 4,8-dioxia-3H-perflourononanoic acid (ADONA)

As additional PFAS data become available, DDW may request OEHHA to include additional PFAS chemicals. The State Water Board also requested that OEHHA include an evaluation of whether some of the PFAS chemicals should be grouped together when being considered in a regulatory manner and if it is possible to

consider them in subclasses based on specific characteristics or features of the chemicals.

**3. Pretreatment Monitoring**

These monitoring and reporting requirements are established pursuant to 40 CFR Part 403 regulations.

**4. Discharge Monitoring Report-Quality Assurance (DMR-QA) Study Program**

Under the authority of section 308 of the CWA (33 U.S.C. § 1318), U.S. EPA requires major and selected minor dischargers under the NPDES Program to participate in the annual DMR-QA Study Program. The DMR-QA Study evaluates the analytical ability of laboratories that routinely perform or support self-monitoring analyses required by NPDES permits. There are two options to satisfy the requirements of the DMR-QA Study Program: (1) The Discharger can obtain and analyze a DMR-QA sample as part of the DMR-QA Study; or (2) Per the waiver issued by U.S. EPA to the State Water Board, the Discharger can submit the results of the most recent Water Pollution Performance Evaluation Study from its own laboratories or its contract laboratories. A Water Pollution Performance Evaluation Study is similar to the DMR-QA Study. Thus, it also evaluates a laboratory's ability to analyze wastewater samples to produce quality data that ensure the integrity of the NPDES Program. The Discharger shall ensure that the results of the DMR-QA Study or the results of the most recent Water Pollution Performance Evaluation Study are submitted annually to the State Water Board. The State Water Board's Quality Assurance Program Officer will send the DMR-QA Study results or the results of the most recent Water Pollution Performance Evaluation Study to U.S. EPA's DMR-QA Coordinator and Quality Assurance Manager.

## VIII. PUBLIC PARTICIPATION

The Santa Ana Water Board has considered the issuance of WDRs that will serve as an NPDES permit for the Western Riverside County Regional Wastewater Authority, Water Recycling Facilities, and Surface Waters Discharges. As a step in the WDR adoption process, the Santa Ana Water Board staff has developed tentative WDRs and has encouraged public participation in the WDR adoption process.

### A. Notification of Interested Parties

The Santa Ana Water Board notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and provided an opportunity to submit written comments and recommendations. Notification was provided through posting of a Notice of Public Hearing on the Santa Ana Water Board's website.

The public had access to the agenda and any changes in dates and locations through the Santa Ana Water Board's website at https://www.waterboards.ca.gov/santaana/.

### B. Written Comments

Interested persons were invited to submit written comments concerning tentative WDRs as provided through the notification process. Comments were due either in person or by mail to the Executive Officer at the Santa Ana Water Board at the

address on the cover page of this Order, by fax to (951) 320-6362, or by email to Julio Lara at Julio.Lara@waterboards.ca.gov.

To be fully responded to by staff and considered by the Santa Ana Water Board, the written comments were due at the Santa Ana Water Board office by 5:00 p.m. on **October 8, 2026**.

### C. Public Hearing

The Santa Ana Water Board held a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: October 23, 2026
Time: 9:00 A.M.
Location: City of Cypress
5275 Orange Avenue
Cypress, CA 90630

Interested persons were invited to attend. At the public hearing, which was a video, teleconference and physical meeting, the Santa Ana Water Board heard testimony pertinent to the discharge, WDRs, and permit. For accuracy of the record, extensive testimony was requested in writing.

### D. Reconsideration of Waste Discharge Requirements

Any person aggrieved by this action of the Santa Ana Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., within 30 calendar days of the date of adoption of this Order at the following address, 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:

State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100, 1001 I Street
Sacramento, CA 95812-0100

Or by email at waterqualitypetitions@waterboards.ca.gov

For instructions on how to file a petition for review, see:
<http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instr.shtml>

### E. Information and Copying

The Report of Waste Discharge, other supporting documents, and comments received are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Santa Ana Water Board by calling (951) 782-4130.

### F. Register of Interested Persons

Any person interested in being placed on the mailing list for information regarding the WDRs and NPDES permit should contact the Santa Ana Water Board, reference this facility, and provide a name, address, and phone number.

### G. Additional Information

Requests for additional information or questions regarding this order should be directed to Julio Lara at (951) 782-4901 or Julio.Lara@waterboards.ca.gov.

# ATTACHMENT G – U.S. EPA PRIORITY POLLUTANT LIST

| EPA PRIORITY POLLUTANT LIST | | |
|---|---|---|
| **Metals** | **Acid Extractables** | **Base/Neutral Extractables (continuation)** |
| 1. Antimony | 45. 2-Chlorophenol | 91. Hexachloroethane |
| 2. Arsenic | 46. 2,4-Dichlorophenol | 92. Indeno (1,2,3-cd) Pyrene |
| 3. Beryllium | 47. 2,4-Dimethylphenol | 93. Isophorone |
| 4. Cadmium | 48. 2-Methyl-4,6-Dinitrophenol | 94. Naphthalene |
| 5a. Chromium (III) | 49. 2,4-Dinitrophenol | 95. Nitrobenzene |
| 5b. Chromium (VI) | 50. 2-Nitrophenol | 96. N-Nitrosodimethylamine |
| 6. Copper | 51. 4-Nitrophenol | 97. N-Nitrosodi-N-Propylamine |
| 7. Lead | 52. 3-Methyl-4-Chlorophenol | 98. N-Nitrosodiphenylamine |
| 8. Mercury | 53. Pentachlorophenol | 99. Phenanthrene |
| 9. Nickel | 54. Phenol | 100. Pyrene |
| 10. Selenium | 55. 2, 4, 6 – Trichlorophenol | 101. 1,2,4-Trichlorobenzene |
| 11. Silver | **Base/Neutral Extractables** | **Pesticides** |
| 12. Thallium | 56. Acenaphthene | 102. Aldrin |
| 13. Zinc | 57. Acenaphthylene | 103. Alpha BHC |
| **Miscellaneous** | 58. Anthracene | 104. Beta BHC |
| 14. Cyanide | 59. Benzidine | 105. Delta BHC |
| 15. Asbestos (not required unless requested) | 60. Benzo (a) Anthracene | 106. Gamma BHC |
| 16. 2,3,7,8-Tetrachlorodibenzo-P-Dioxin (TCDD) | 61. Benzo (a) Pyrene | 107. Chlordane |
| **Volatile Organics** | 62. Benzo (b) Fluoranthene | 108. 4, 4' - DDT |
| 17. Acrolein | 63. Benzo (g,h,i) Perylene | 109. 4, 4' - DDE |
| 18. Acrylonitrile | 64. Benzo (k) Fluoranthene | 110. 4, 4' - DDD |
| 19. Benzene | 65. Bis (2-Chloroethoxy) Methane | 111. Dieldrin |
| 20. Bromoform | 66. Bis (2-Chloroethyl) Ether | 112. Alpha Endosulfan |
| 21. Carbon Tetrachloride | 67. Bis (2-Chloroisopropyl) Ether | 113. Beta Endosulfan |
| 22. Chlorobenzene | 68. Bis (2-Ethylhexyl) Phthalate | 114. Endosulfan Sulfate |
| 23. Chlorodibromomethane | 69. 4-Bromophenyl Phenyl Ether | 115. Endrin |
| 24. Chloroethane | 70. Butylbenzyl Phthalate | 116. Endrin Aldehyde |
| 25. 2-Chloroethyl Vinyl Ether | 71. 2-Chloronaphthalene | 117. Heptachlor |
| 26. Chloroform | 72. 4-Chlorophenyl Phenyl Ether | 118. Heptachlor Epoxide |
| 27. Dichlorobromomethane | 73. Chrysene | 119. PCB 1016 |
| 28. 1,1-Dichloroethane | 74. Dibenzo (a,h) Anthracene | 120. PCB 1221 |
| 29. 1,2-Dichloroethane | 75. 1,2-Dichlorobenzene | 121. PCB 1232 |
| 30. 1,1-Dichloroethylene | 76. 1,3-Dichlorobenzene | 122. PCB 1242 |
| 31. 1,2-Dichloropropane | 77. 1,4-Dichlorobenzene | 123. PCB 1248 |
| 32. 1,3-Dichloropropylene | 78. 3,3'-Dichlorobenzidine | 124. PCB 1254 |
| 33. Ethylbenzene | 79. Diethyl Phthalate | 125. PCB 1260 |
| 34. Methyl Bromide | 80. Dimethyl Phthalate | 126. Toxaphene |
| 35. Methyl Chloride | 81. Di-n-Butyl Phthalate | |
| 36. Methylene Chloride | 82. 2,4-Dinitrotoluene | |
| 37. 1,1,2,2-Tetrachloroethane | 83. 2-6-Dinitrotoluene | |
| 38. Tetrachloroethylene | 84. Di-n-Octyl Phthalate | |
| 39. Toluene | 85. 1,2-Dipenylhydrazine | |
| 40. 1,2-Trans-Dichloroethylene | 86. Fluoranthene | |
| 41. 1,1,1-Trichloroethane | 87. Fluorene | |
| 42. 1,1,2-Trichloroethane | 88. Hexachlorobenzene | |

| | | |
|---|---|---|
| 43. Trichloroethylene | 89. Hexachlorobutadiene | |
| 44. Vinyl Chloride | 90. Hexachlorocyclopentadiene | |

# ATTACHMENT H – MINIMUM LEVELS

**MINIMUM LEVELS IN PPB (μg/l)**

| Table 1- VOLATILE SUBSTANCES[1] | GC | GCMS |
|---|---|---|
| Acrolein | 2.0 | 5 |
| Acrylonitrile | 2.0 | 2 |
| Benzene | 0.5 | 2 |
| Bromoform | 0.5 | 2 |
| Carbon Tetrachloride | 0.5 | 2 |
| Chlorobenzene | 0.5 | 2 |
| Chlorodibromomethane | 0.5 | 2 |
| Chloroethane | 0.5 | 2 |
| Chloroform | 0.5 | 2 |
| Dichlorobromomethane | 0.5 | 2 |
| 1,1 Dichloroethane | 0.5 | 1 |
| 1,2 Dichloroethane | 0.5 | 2 |
| 1,1 Dichloroethylene | 0.5 | 2 |
| 1,2 Dichloropropane | 0.5 | 1 |
| 1,3 Dichloropropylene (volatile) | 0.5 | 2 |
| Ethylbenzene | 0.5 | 2 |
| Methyl Bromide (*Bromomethane* ) | 1.0 | 2 |
| Methyl Chloride (*Chloromethane* ) | 0.5 | 2 |
| Methylene Chloride (*Dichloromethane*) | 0.5 | 2 |
| 1,1,2,2 Tetrachloroethane | 0.5 | 1 |
| Tetrachloroethylene | 0.5 | 2 |
| Toluene | 0.5 | 2 |
| trans-1,2 Dichloroethylene | 0.5 | 1 |
| 1,1,1 Trichloroethane | 0.5 | 2 |
| 1,1,2 Trichloroethane | 0.5 | 2 |
| Trichloroethylene | 0.5 | 2 |
| Vinyl Chloride | 0.5 | 2 |
| 1,2 Dichlorobenzene (volatile) | 0.5 | 2 |
| 1,3 Dichlorobenzene (volatile) | 0.5 | 2 |
| 1,4 Dichlorobenzene (volatile) | 0.5 | 2 |

## Selection and Use of Appropriate ML Value:

ML Selection: When there is more than one ML value for a given substance, the discharger may select any one of those ML values, and their associated analytical methods, listed in this Attachment that are below the calculated effluent limitation for compliance determination. If no ML value is below the effluent limitation, then the discharger shall select the lowest ML value, and its associated analytical method, listed in the PQL Table.

ML Usage: The ML value in this Attachment represents the lowest quantifiable concentration in a sample based on the proper application of all method-based analytical procedures and the absence of any matrix interferences. Assuming that all method-specific analytical steps are followed, the ML value will also represent, after the appropriate application of method-specific factors, the lowest standard in the calibration curve for that specific analytical technique. Common analytical practices sometimes require different treatment of the sample relative to calibration standards.

Note: chemical names in parenthesis and italicized is another name for the constituent.

[1] The normal method-specific factor for these substances is 1, therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance.

**MINIMUM LEVELS IN PPB (µg/l)**

| Table 2 – Semi-Volatile Substances[2] | GC | GCMS | LC |
|---|---|---|---|
| 2-Chloroethyl vinyl ether | 1 | 1 | |
| 2 Chlorophenol | 2 | 5 | |
| 2,4 Dichlorophenol | 1 | 5 | |
| 2,4 Dimethylphenol | 1 | 2 | |
| 4,6 Dinitro-2-methylphenol | 10 | 5 | |
| 2,4 Dinitrophenol | 5 | 5 | |
| 2- Nitrophenol | | 10 | |
| 4- Nitrophenol | 5 | 10 | |
| 4 Chloro-3-methylphenol | 5 | 1 | |
| 2,4,6 Trichlorophenol | 10 | 10 | |
| Acenaphthene | 1 | 1 | 0.5 |
| Acenaphthylene | | 10 | 0.2 |
| Anthracene | | 10 | 2 |
| Benzidine | | 5 | |
| Benzo (a) Anthracene (*1,2 Benzanthracene*) | 10 | 5 | |
| Benzo(a) pyrene (*3,4 Benzopyrene*) | | 10 | 2 |
| Benzo (b) Flouranthene (*3,4 Benzofluoranthene*) | | 10 | 10 |
| Benzo(g,h,i)perylene | | 5 | 0.1 |
| Benzo(k)fluoranthene | | 10 | 2 |
| bis 2-(1-Chloroethoxyl) methane | | 5 | |
| bis(2-chloroethyl) ether | 10 | 1 | |
| bis(2-Chloroisopropyl) ether | 10 | 2 | |
| bis(2-Ethylhexyl) phthalate | 10 | 5 | |
| 4-Bromophenyl phenyl ether | 10 | 5 | |
| Butyl benzyl phthalate | 10 | 10 | |
| 2-Chloronaphthalene | | 10 | |
| 4-Chlorophenyl phenyl ether | | 5 | |
| Chrysene | | 10 | 5 |
| Dibenzo(a,h)-anthracene | | 10 | 0.1 |
| 1,2 Dichlorobenzene (semivolatile) | 2 | 2 | |
| 1,3 Dichlorobenzene (semivolatile) | 2 | 1 | |
| 1,4 Dichlorobenzene (semivolatile) | 2 | 1 | |
| 3,3’ Dichlorobenzidine | | 5 | |
| Diethyl phthalate | 10 | 2 | |
| Dimethyl phthalate | 10 | 2 | |
| di-n-Butyl phthalate | | 10 | |
| 2,4 Dinitrotoluene | 10 | 5 | |
| 2,6 Dinitrotoluene | | 5 | |
| di-n-Octyl phthalate | | 10 | |
| 1,2 Diphenylhydrazine | | 1 | |
| Fluoranthene | 10 | 1 | 0.05 |
| Fluorene | | 10 | 0.1 |
| Hexachloro-cyclopentadiene | 5 | 5 | |
| 1,2,4 Trichlorobenzene | 1 | 5 | |

## MINIMUM LEVELS IN PPB (µg/l)

| Table 2 - SEMI-VOLATILE SUBSTANCES[2] | GC | GCMS | LC | COLOR |
|---|---|---|---|---|
| Pentachlorophenol | 1 | 5 | | |
| Phenol [3] | 1 | 1 | | 50 |
| Hexachlorobenzene | 5 | 1 | | |
| Hexachlorobutadiene | 5 | 1 | | |
| Hexachloroethane | 5 | 1 | | |
| Indeno(1,2,3,cd)-pyrene | | 10 | 0.05 | |
| Isophorone | 10 | 1 | | |
| Naphthalene | 10 | 1 | 0.2 | |
| Nitrobenzene | 10 | 1 | | |
| N-Nitroso-dimethyl amine | 10 | 5 | | |
| N-Nitroso -di n-propyl amine | 10 | 5 | | |
| N-Nitroso diphenyl amine | 10 | 1 | | |
| Phenanthrene | | 5 | 0.05 | |
| Pyrene | | 10 | 0.05 | |

| Table 3– INORGANICS[4] | FAA | GFAA | ICP | ICPMS | SPGFAA | HYDRIDE | CVAA | COLOR | DCP |
|---|---|---|---|---|---|---|---|---|---|
| Antimony | 10 | 5 | 50 | 0.5 | 5 | 0.5 | | | 1000 |
| Arsenic | | 2 | 10 | 2 | 2 | 1 | | 20 | 1000 |
| Beryllium | 20 | 0.5 | 2 | 0.5 | 1 | | | | 1000 |
| Cadmium | 10 | 0.5 | 10 | 0.25 | 0.5 | | | | 1000 |
| Chromium (total) | 50 | 2 | 10 | 0.5 | 1 | | | | 1000 |
| Chromium VI | 5 | | | | | | | 10 | |
| Copper | 25 | 5 | 10 | 0.5 | 2 | | | | 1000 |
| Lead | 20 | 5 | 5 | 0.5 | 2 | | | | 10000 |
| Mercury | | | | 0.5 | | | 0.2 | | |
| Nickel | 50 | 5 | 20 | 1 | 5 | | | | 1000 |
| Selenium | | 5 | 10 | 2 | 5 | 1 | | | 1000 |
| Silver | 10 | 1 | 10 | 0.25 | 2 | | | | 1000 |
| Thallium | 10 | 2 | 10 | 1 | 5 | | | | 1000 |
| Zinc | 20 | | 20 | 1 | 10 | | | | 1000 |
| Cyanide | | | | | | | | 5 | |

[2] With the exception of phenol by colorimetric technique, the normal method-specific factor for these substances is 1000, therefore, the lowest standards concentration in the calibration curve is equal to the above ML value for each substance multiplied by 1000.

[3] Phenol by colorimetric technique has a factor of 1.

[4] The normal method-specific factor for these substances is 1, therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance.

**MINIMUM LEVELS IN PPB (µg/l)**

| Table 4- PESTICIDES – PCBs[5] | GC |
|---|---|
| Aldrin | 0.005 |
| alpha–BHC (*a-Hexachloro-cyclohexane*) | 0.01 |
| beta–BHC (*b-Hexachloro-cyclohexane*) | 0.005 |
| Gamma–BHC (*Lindane; g-Hexachloro-cyclohexane*) | 0.02 |
| Delta-BHC (*d-Hexachloro-cyclohexane*) | 0.005 |
| Chlordane | 0.1 |
| 4,4'-DDT | 0.01 |
| 4,4'-DDE | 0.05 |
| 4,4'-DDD | 0.05 |
| Dieldrin | 0.01 |
| Alpha-Endosulfan | 0.02 |
| Beta-Endosulfan | 0.01 |
| Endosulfan Sulfate | 0.05 |
| Endrin | 0.01 |
| Endrin Aldehyde | 0.01 |
| Heptachlor | 0.01 |
| Heptachlor Epoxide | 0.01 |
| PCB 1016 | 0.5 |
| PCB 1221 | 0.5 |
| PCB 1232 | 0.5 |
| PCB 1242 | 0.5 |
| PCB 1248 | 0.5 |
| PCB 1254 | 0.5 |
| PCB 1260 | 0.5 |
| Toxaphene | 0.5 |

Techniques:
GC - Gas Chromatography
GCMS - Gas Chromatography/Mass Spectrometry
HRGCMS - High Resolution Gas Chromatography/Mass Spectrometry (i.e., EPA 1613, 1624, or 1625)
LC - High Pressure Liquid Chromatography
FAA - Flame Atomic Absorption
GFAA - Graphite Furnace Atomic Absorption
HYDRIDE - Gaseous Hydride Atomic Absorption
CVAA - Cold Vapor Atomic Absorption
ICP - Inductively Coupled Plasma
ICPMS - Inductively Coupled Plasma/Mass Spectrometry
SPGFAA - Stabilized Platform Graphite Furnace Atomic Absorption (i.e., EPA 200.9)
DCP - Direct Current Plasma
COLOR - Colorimetric

[5] The normal method-specific factor for these substances is 100, therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance multiplied by 100.

# ATTACHMENT I – TRIGGERS FOR MONITORING PRIORITY POLLUTANTS

| | CONSTITUENT | µg/L |
|---|---|---|
| ***1*** | ***Antimony*** | ***6*** |
| ***2*** | ***Arsenic*** | ***10*** |
| ***3*** | ***Beryllium*** | ***4*** |
| 4 | Cadmium | 1.7 |
| 5a | Chromium III | 144 |
| 5b | ***Chromium VI*** | ***10*** |
| 6 | Copper | 6.6 |
| 7 | Lead | 2.7 |
| 8 | Mercury | 0.026 |
| 9 | Nickel | 37 |
| 10 | Selenium | 2.5 |
| 11 | Silver | 4.1 |
| ***12*** | ***Thallium*** | ***2*** |
| 13 | Zinc | 84 |
| 14 | Cyanide | 2.6 |
| ***15*** | ***Asbestos*** | ***7*** |
| 16 | 2,3,7,8-TCDD (Dioxin) | 0.000000007 |
| 17 | Acrolein | 390 |
| 18 | Acrylonitrile | 0.33 |
| ***19*** | ***Benzene*** | ***1*** |
| 20 | Bromoform | 180 |
| ***21*** | ***Carbon Tetrachloride*** | ***0.5*** |
| ***22*** | ***Chlorobenzene*** | ***70*** |
| 23 | Chlorodibromomethane | 17 |
| 24 | Chloroethane | -- |
| 25 | 2-Chloroethyl vinyl ether | -- |
| 26 | Chloroform | -- |
| 27 | Dichlorobromomethane | 23 |
| ***28*** | ***1,1-Dichloroethane*** | ***5*** |
| ***29*** | ***1,2-Dichloroethane*** | ***0.5*** |
| 30 | 1,1-Dichloroethylene | 1.6 |
| ***31*** | ***1,2-Dichloropropane*** | ***5*** |
| ***32*** | ***1,3-Dichloropropylene*** | ***0.5*** |
| ***33*** | ***Ethylbenzene*** | ***300*** |
| 34 | Methyl Bromide | 2,000 |
| 35 | Methyl Chloride | -- |
| ***36*** | ***Methylene Chloride*** | ***5*** |
| ***37*** | ***1,1,2,2-Tetratchloroethane*** | ***1*** |

| | CONSTITUENT | µg/L |
|---|---|---|
| ***38*** | ***Tetratchloroethylene*** | ***5*** |
| ***39*** | ***Toluene*** | ***150*** |
| ***40*** | ***1,2,-Trans-dichloroethylene*** | ***10*** |
| ***41*** | ***1,1,1-Trichloroethane*** | ***200*** |
| ***42*** | ***1,1,2-Trichloroethane*** | ***5*** |
| ***43*** | ***Trichloroethylene*** | ***5*** |
| ***44*** | ***Vinyl Chloride*** | ***0.5*** |
| 45 | 2-Chlorophenol | 200 |
| 46 | 2,4-Dichlorophenol | 395 |
| 47 | 2,4-Dimethylphenol | 1,150 |
| 48 | 2-Methy-4,6-Dinitrophenol | 383 |
| 49 | 2,4-Dinitrophenol | 7,000 |
| 50 | 2-Nitrophenol | -- |
| 51 | 4-Nitrophenol | -- |
| 52 | 3-Methyl-4-Chlorophenol | -- |
| ***53*** | ***Pentachlorophenol*** | ***1*** |
| 54 | Phenol | 2,300,000 |
| 55 | 2,4,6-Trichlorophenol | 3.3 |
| 56 | Acenapthene | 1,350 |
| 57 | Acenapthylene | -- |
| 58 | Anthracene | 55,000 |
| 59 | Benzidine | 0.00027 |
| 60 | Benzo (a) anthracene | 0.025 |
| 61 | Benzo (a) pyrene | 0.025 |
| 62 | Benzo (b) fluoranthene | 0.025 |
| 63 | Benzo (g,h,i) pyrylene | -- |
| 64 | Benzo (k) fluorantene | 0.025 |
| 65 | Bis (2-Chloroethoxy) methane | -- |
| 66 | Bis (2-Chloroethyl) ether | 0.7 |
| 67 | Bis (2-Chloroisopropyl) ether | 85,000 |
| ***68*** | ***Bis (2-Ethyhexyl) Phthalate*** | ***4*** |
| 69 | 4-Bromophenyl phenyl ether | -- |
| 70 | Butyl benzyl phthalate | 2,600 |
| 71 | 2- Chloronapthalene | 2,150 |
| 72 | 4-Chlrorphenyl phenyl ether | -- |
| 73 | Chrysene | 0.025 |
| 74 | Dibenzo (a,h) anthracene | 0.025 |
| ***75*** | ***1,2-Dichlorobenzene*** | ***600*** |

See notes below for italicized constituents.

**ATTACHMENT I. - Continued**

| | CONSTITUENT | µg/L |
|---|---|---|
| 76 | 1,3-Dichlorobenzene | 1,300 |
| ***77*** | ***1,4-Dichlorobenzene*** | ***5*** |
| 78 | 3,3-Dichlorobenzidine | 0.039 |
| 79 | Diethyl phthalate | 60,000 |
| 80 | Dimethyl phthalate | 1,450,000 |
| 81 | Di-N-butyl phthalate | 6,000 |
| 82 | 2,4-Dinitrotoluene | 4.6 |
| 83 | 2,6-Dinitrotoluene | -- |
| 84 | Di-N-octyl phthalate | -- |
| 85 | 1,2-Diphenylhydrazine | 0.27 |
| 86 | Fluoranthene | 185 |
| 87 | Fluorene | 7,000 |
| 88 | Hexachlorobenzene | 0.00039 |
| 89 | Hexachlorobutadiene | 25 |
| ***90*** | ***Hexachlorocyclopentadiene*** | ***50*** |
| 91 | Hexachloroethane | 4.5 |
| 92 | Indeno (1,2,3-cd) pyrene | 0.025 |
| 93 | Isophorone | 300 |
| ***94*** | ***Naphthalene*** | ***17*** |
| 95 | Nitrobenzene | 950 |
| ***96*** | ***N-Nitrosodimethylamine*** | ***0.01*** |
| ***97*** | ***N-Nitrosodi-N-propylamine*** | ***0.01*** |
| 98 | N-Nitrosodiphenylamine | 8 |
| 99 | Phenantrene | -- |

| | CONSTITUENT | µg/L |
|---|---|---|
| 100 | Pyrene | 5,500 |
| ***101*** | ***1,2,4 -Trichlorobenzene*** | ***5*** |
| 102 | Aldrin | 0.00007 |
| 103 | BHC Alpha | 0.0065 |
| 104 | BHC Beta | 0.023 |
| 105 | BHC Gamma | 0.032 |
| 106 | BHC Delta | -- |
| 107 | Chlordane | 0.0003 |
| 108 | 4,4-DDT | 0.0003 |
| 109 | 4,4-DDE | 0.0003 |
| 110 | 4,4-DDD | 0.00042 |
| 111 | Dieldrin | 0.00007 |
| 112 | Endosulfan Alpha | 0.028 |
| 113 | Endosulfan Beta | 0.028 |
| 114 | Endosulfan Sulfate | 120 |
| 115 | Endrin | 0.018 |
| 116 | Endrin Aldehyde | 0.405 |
| 117 | Heptachlor | 0.00011 |
| 118 | Heptachlor Epoxide | 0.000055 |
| 119 | PCB 1016 | 0.000085 |
| 120 | PCB 1221 | 0.000085 |
| 125 | PCB 1260 | 0.000085 |
| 126 | Toxaphene | 0.0001 |
| | | |

Notes:

1. For constituents not shown italicized, the values shown in the Table are fifty percent of the most stringent applicable receiving water objectives (freshwater or human health (consumption of water and organisms) as specified for that pollutant in 40 CFR § 131.38[1]).
2. For constituents shown bold and italicized, the values shown in the Table are based on the California Division of Drinking Water maximum contaminant levels (MCLs) or Notification Level. Notification Level based trigger is underlined.
3. For hardness dependent metals, the hardness value used is 150 mg/L and for pentachlorophenol, the pH value used is 7.5 standard units.

[1] See Federal Register/ Vol. 65, No. 97 / Thursday, May 18, 2000 / Rules and Regulations.

# ATTACHMENT J – STORM WATER POLLUTION PREVENTION PLAN (SWPPP)

## A. SWPPP ELEMENTS

Within 90 days of adoption of this Order, the Discharger shall update the site-specific Storm Water Pollution Prevention Plan (SWPPP) for the Facility. The updated SWPPP shall contain the following elements:

1. Facility name and contact information;
2. Site map;
3. List of industrial materials;
4. Description of potential pollution sources;
5. Assessment of potential pollutant sources;
6. Minimum Best Management Practices (BMPs);
7. Advanced BMPs, if applicable;
8. Monitoring implementation plan;
9. Annual Comprehensive Facility Compliance Evaluation (Annual Evaluation); and,
10. The date that the SWPPP was initially prepared and the date of each SWPPP amendment, if applicable.

## B. SWPPP IMPLEMENTATION AND REVISIONS

The Discharger shall implement the updated SWPPP for the Facility within 120 days of the adoption of this Order. The Discharger shall also revise the SWPPP whenever necessary.

## C. SWPPP PERFORMANCE STANDARDS

1. The Discharger shall ensure a SWPPP is prepared to:
    a. Identify and evaluate all sources of pollutants that may affect the quality of storm water discharges;
    b. Identify and describe the minimum BMPs (see section H.1 below) and any advanced BMPs (see section H.2 below) implemented to reduce or prevent pollutants in storm water discharges; and,

c. Identify and describe conditions or circumstances which may require future revisions to be made to the SWPPP.

2. The Discharger shall update its SWPPP in accordance with all applicable SWPPP requirements of this Attachment. A copy of the SWPPP shall be maintained at the Facility.

## D. PLANNING AND ORGANIZATION

1. Pollution Prevention Team

   The Discharger must have a Pollution Prevention Team established and responsible for assisting with the implementation of the requirements in this Attachment. The Discharger shall include in the SWPPP detailed information about its Pollution Prevention Team including:

   a. The positions within the Facility organization (collectively, team members) who assist in implementing the SWPPP;

   b. The responsibilities, duties, and activities of each of the team members; and,

   c. The procedures to identify alternate team members to implement the SWPPP when the regularly assigned team members are temporarily unavailable (due to vacation, illness, out of town business, or other absences).

2. Other Requirements and Existing Facility Plans

   a. The Discharger shall ensure its SWPPP is developed, implemented, and revised as necessary to be consistent with any applicable municipal, state, and federal requirements that pertain to the requirements in this Order.

   b. The Discharger may include in its SWPPP the specific elements of existing plans, procedures, or regulatory compliance documents that contain storm water-related BMPs or otherwise relate to the requirements of this Order.

   c. The Discharger shall properly reference the original sources for any elements of existing plans, procedures, or regulatory compliance documents included as part of their SWPPP and shall maintain a copy of the documents at the Facility as part of the SWPPP.

   d. The Discharger shall document in its SWPPP the Facility's scheduled operating hours. Scheduled Facility operating hours that would be

considered irregular (temporary, intermittent, seasonal, weather dependent, etc.) shall also be documented in the SWPPP.

## E. SITE MAP

1. The Discharger shall prepare a site map that includes notes, legends, a north arrow, and other data as appropriate to ensure the map is clear, legible and understandable.

2. The Discharger may provide the required information on multiple site maps.

3. The Discharger shall include the following information on the site map:

   a. The Facility boundary, storm water drainage areas within the Facility boundary, and portions of any drainage area impacted by discharges from surrounding areas. Include the flow direction of each drainage area, on-facility surface water bodies, areas of soil erosion, and location(s) of nearby water bodies (such as rivers, lakes, wetlands, etc.) or municipal storm drain inlets that may receive the Facility's storm water discharges;

   b. Locations of storm water collection and conveyance systems, associated discharge locations, and direction of flow. Include any sample locations if different than the identified discharge locations;

   c. Locations and descriptions of structural control measures[1] that affect storm water discharges, and/or run-on;

   d. Identification of all impervious areas of the Facility, including paved areas, buildings, covered storage areas, or other roofed structures;

   e. Locations where materials are directly exposed to precipitation and the locations where identified significant spills or leaks (see section G.1.d below) have occurred; and

   f. Areas of industrial activity subject to this Order. Identify all industrial storage areas and storage tanks, shipping and receiving areas, fueling areas, vehicle and equipment storage/maintenance areas, material handling and processing areas, waste treatment and disposal areas, dust or particulate generating areas, cleaning and material reuse areas, and other areas of industrial activity that may have potential

[1] Examples of structural control measures are catch basins, berms, detention ponds, secondary containment, oil/water separators, diversion barriers, etc.

pollutant sources.

## F. LIST OF INDUSTRIAL MATERIALS

The Discharger shall ensure the SWPPP includes a list of industrial materials handled at the Facility, and the locations where each material is stored, received, shipped, and handled, as well as the typical quantities and handling frequency.

## G. POTENTIAL POLLUTANT SOURCES

1. Description of Potential Pollutant Sources

   a. Industrial Processes

      The Discharger shall ensure the SWPPP describes each industrial process including: manufacturing, cleaning, maintenance, recycling, disposal, and any other activities related to the process. The type, characteristics, and approximate quantity of industrial materials used in or resulting from the process shall be included. Areas protected by containment structures and the corresponding containment capacity shall be identified and described.

   b. Material Handling and Storage Areas

      The Discharger shall ensure the SWPPP describes each material handling and storage area, including: the type, characteristics, and quantity of industrial materials handled or stored; the shipping, receiving, and loading procedures; the spill or leak prevention and response procedures; and the areas protected by containment structures and the corresponding containment capacity.

   c. Dust and Particulate Generating Activities

      The Discharger shall ensure the SWPPP describes all industrial activities that generate a significant amount of dust or particulate that may be deposited within the Facility boundaries. The SWPPP shall describe such industrial

      activities, including the discharge locations, the source type, and the characteristics of the dust or particulate pollutant.

   d. Significant Spills and Leaks

      The Discharger shall:

      i. Evaluate the Facility for areas where spills and leaks can likely occur;

ii. Ensure the SWPPP includes:

a) A list of any industrial materials that have spilled or leaked in significant quantities and have discharged from the Facility's storm water conveyance system within the previous five-year period;

b) A list of any toxic chemicals identified in 40 Code of Federal Regulations (CFR) Part 302 that have been discharged from the facilities' storm water conveyance system as reported on the United States Environmental Protection Agency (U.S. EPA) Form R, as well as oil and hazardous substances in excess of reportable quantities (40 CFR Parts 110, 117, and 302) that have discharged from the Facility's storm water conveyance system within the previous five-year period;

c) A list of any industrial materials that have spilled or leaked in significant quantities and had the potential to be discharged from the Facility's storm water conveyance system within the previous five-year period; and,

iii. Ensure that for each discharge or potential discharge listed above the SWPPP includes the location, characteristics, and approximate quantity of the materials spilled or leaked; approximate quantity of the materials discharged from the Facility's storm water conveyance system; the cleanup or remedial actions that have occurred or are planned; the approximate remaining quantity of materials that have the potential to be discharged; and the preventive measures taken to ensure spills or leaks of the material do not reoccur.

e. Non Storm Water Discharges (NSWDs)

The Discharger shall:

i. Ensure the SWPPP includes an evaluation of the Facility that identifies all NSWDs, sources, and drainage areas;

ii. Ensure the SWPPP includes an evaluation of all drains (inlets and outlets) that identifies connections to the storm water conveyance system;

iii. Ensure the SWPPP includes a description of how all unauthorized NSWDs have been eliminated; and,

iv. Ensure all NSWDs are described in the SWPPP. This description

shall include the source, quantity, frequency, and characteristics of the NSWDs, associated drainage area, and whether it is an authorized or unauthorized NSWD.

f. Erodible Surfaces

The Discharger shall ensure the SWPPP includes a description of the Facility locations where soil erosion may be caused by industrial activity, contact with storm water, authorized and unauthorized NSWDs, or run-on from areas surrounding the Facility.

2. Assessment of Potential Pollutant Sources

a. The Discharger shall ensure that the SWPPP includes a narrative assessment of all areas of industrial activity with potential industrial pollutant sources. At a minimum, the assessment shall include:

i. The areas of the Facility with likely sources of pollutants in industrial storm water discharges and authorized NSWDs;

ii. The pollutants likely to be present in industrial storm water discharges and authorized NSWDs;

iii. The approximate quantity, physical characteristics (e.g., liquid, powder, solid, etc.), and locations of each industrial material handled, produced, stored, recycled, or disposed;

iv. The degree to which the pollutants associated with those materials may be exposed to, and mobilized by contact with, storm water;

v. The direct and indirect pathways by which pollutants may be exposed to storm water or authorized NSWDs;

vi. All sampling, visual observation, and inspection records;

vii. The effectiveness of existing BMPs to reduce or prevent pollutants in industrial storm water discharges and authorized NSWDs;

viii. The estimated effectiveness of implementing, to the extent feasible, minimum BMPs to reduce or prevent pollutants in industrial storm water discharges and authorized NSWDs; and,

b. Based upon the assessment above, the Discharger shall identify in the SWPPP any areas of the Facility where the minimum BMPs described in

subsection H.1 below will not adequately reduce or prevent pollutants in storm water discharges in compliance with the storm water discharge specifications of this Order. Dischargers shall identify any advanced BMPs, as described in subsection H.2 below, for those areas. Please see Table A of this attachment for an assessment example pertaining to a vehicle and equipment fueling area.

## H. BEST MANAGEMENT PRACTICES (BMPS)

1. Minimum BMPs

   The Discharger shall, to the extent feasible, implement and maintain all of the following minimum BMPs to reduce or prevent pollutants in storm water discharges.[2]

   a. Good Housekeeping

      The Discharger shall:

      i. Observe all outdoor areas associated with industrial activity; including storm water discharge locations, drainage areas, conveyance systems, waste handling/disposal areas, and perimeter areas impacted by off-facility materials or storm water run-on to determine housekeeping needs. Any identified debris, waste, spills, tracked materials, or leaked materials shall be cleaned and disposed of properly;

      ii. Minimize or prevent material tracking;

      iii. Minimize dust generated from industrial materials or activities;

      iv. Ensure that all Facility areas impacted by rinse/wash waters are cleaned as soon as possible;

      v. Cover all stored industrial materials that can be readily mobilized by contact with storm water;

      vi. Contain all stored non-solid industrial materials or wastes (e.g., particulates, powders, shredded paper, etc.) that can be transported or dispersed by the wind or contact with storm water;

[2] For the purposes of this Order, the requirement to implement BMPs “to the extent feasible” requires the Discharger to select, design, install and implement BMPs that reduce or prevent discharges of pollutants in the storm water discharge in a manner that reflects best industry practice considering technological availability and economic practicability and achievability.

vii. Prevent disposal of any rinse/wash waters or industrial materials into the storm water conveyance system;

viii. Minimize storm water discharges from non-industrial areas (e.g., storm water flows from employee parking area) that contact industrial areas of the Facility; and,

ix. Minimize authorized NSWDs from non-industrial areas (e.g., potable water, fire hydrant testing, etc.) that contact industrial areas of the Facility.

b. Preventive Maintenance

The Discharger shall:

i. Identify all equipment and systems used outdoors that may spill or leak pollutants;

ii. Observe the identified equipment and systems to detect leaks, or identify conditions that may result in the development of leaks;

iii. Establish an appropriate schedule for maintenance of identified equipment and systems; and,

iv. Establish procedures for prompt maintenance and repair of equipment, and maintenance of systems when conditions exist that may result in the development of spills or leaks.

c. Spill and Leak Prevention and Response

The Discharger shall:

i. Establish procedures and/or controls to minimize spills and leaks;

ii. Develop and implement spill and leak response procedures to prevent industrial materials from discharging through the storm water conveyance system. Spilled or leaked industrial materials shall be cleaned promptly and disposed of properly;

iii. Identify and describe all necessary and appropriate spill and leak response equipment, location(s) of spill and leak response equipment, and spill or leak response equipment maintenance procedures; and,

iv. Identify and train appropriate spill and leak response personnel.

d. Material Handling and Waste Management

The Discharger shall:

i. Prevent or minimize handling of industrial materials or wastes that can be readily mobilized by contact with storm water during a storm event;

ii. Contain all stored non-solid industrial materials or wastes (e.g., particulates, powders, shredded paper, etc.) that can be transported or dispersed by the wind or contact with storm water;

iii. Cover industrial waste disposal containers and industrial material storage containers that contain industrial materials when not in use;

iv. Divert run-on and storm water generated from within the Facility away from all stockpiled materials;

v. Clean all spills of industrial materials or wastes that occur during handling in accordance with the spill response procedures (see section H.1.c above); and,

vi. Observe and clean as appropriate, any outdoor material or waste handling equipment or containers that can be contaminated by contact with industrial materials or wastes.

e. Erosion and Sediment Controls

For each erodible surface Facility location identified in the SWPPP (see section G.1.f above), the Discharger shall:

i. Implement effective wind erosion controls;

ii. Provide effective stabilization for inactive areas, finished slopes, and other erodible areas prior to a forecasted storm event;

iii. Maintain effective perimeter controls and stabilize all site entrances and exits to sufficiently control discharges of erodible materials from discharging or being tracked off the site;

iv. Divert run-on and storm water generated from within the Facility away from all erodible materials; and,

v. If sediment basins are implemented, ensure compliance with the design storm standards as described in section H.5 below.

f. Employee Training Program

The Discharger shall:

i. Ensure that all team members implementing the various compliance activities of this Order are properly trained to implement the requirements of this Attachment, including but not limited to: BMP implementation, BMP effectiveness evaluations, visual observations, and monitoring activities. If a Discharger enters Level 1 status, appropriate team members shall be trained by a QISP;

ii. Prepare or acquire appropriate training manuals or training materials;

iii. Identify which personnel need to be trained, their responsibilities, and the type of training they shall receive;

iv. Provide a training schedule; and,

v. Maintain documentation of all completed training classes and the personnel that received training in the SWPPP.

g. Quality Assurance and Record Keeping

The Discharger shall:

i. Develop and implement management procedures to ensure that appropriate staff implements all elements of the SWPPP, including the Monitoring Implementation Plan;

ii. Develop a method of tracking and recording the implementation of BMPs identified in the SWPPP; and

iii. Maintain the BMP implementation records, training records, and records related to any spills and clean-up related response activities for a minimum of five (5) years.

2. Advanced BMPs

a. In addition to the minimum BMPs described in section H.1 above, the Discharger shall, to the extent feasible, implement and maintain any advanced BMPs identified in section G.2.b, necessary to reduce or prevent discharges of pollutants in its storm water discharge in a manner that is required to comply with the effluent limitations established for this Order.

b. Advanced BMPs may include one or more of the following BMPs:

i. Exposure Minimization BMPs

These include storm resistant shelters (either permanent or temporary) that prevent the contact of storm water with the identified industrial materials or area(s) of industrial activity.

ii. Storm Water Containment and Discharge Reduction BMPs

These include BMPs that divert, infiltrate, reuse, contain, retain, or reduce the volume of storm water runoff. Dischargers are encouraged to utilize BMPs that infiltrate or reuse storm water where feasible.

iii. Treatment Control BMPs

This is the implementation of one or more mechanical, chemical, biologic, or any other treatment technology that will meet the treatment design standard.

iv. Other Advanced BMPs

Any additional BMPs not described in subsections b.i through iii above that are necessary to meet the effluent limitations of this Order.

3. BMP Descriptions

a. The Discharger shall ensure that the SWPPP identifies each BMP being implemented at the Facility, including:

i. The pollutant(s) that the BMP is designed to reduce or prevent in industrial storm water discharges;

ii. The frequency, time(s) of day, or conditions when the BMP is scheduled for implementation;

iii. The locations within each area of industrial activity or industrial pollutant source where the BMP shall be implemented;

iv. The individual and/or position responsible for implementing the BMP;

v. The procedures, including maintenance procedures, and/or instructions to implement the BMP effectively;

vi. The equipment and tools necessary to implement the BMP effectively; and,

vii. The BMPs that may require more frequent visual observations beyond the monthly visual observations.

b. The Discharger shall identify any BMPs described in subsection a above that are implemented in lieu of any of the minimum or applicable advanced BMPs.

4. BMP Summary Table

The Discharger shall prepare a table summarizing each identified area of industrial activity, the associated industrial pollutant sources, the industrial pollutants, and the BMPs being implemented.

5. Design Storm Standards for Treatment Control BMPs

All new treatment control BMPs employed by the Discharger to comply with section H.2 Advanced BMPs and new sediment basins installed after the effective date of this order shall be designed to comply with design storm standards in this section, except as provided in an Industrial Activity BMP Demonstration (section C.4.b.i. of Attachment K). A Factor of Safety shall be incorporated into the design of all treatment control BMPs to ensure that storm water is sufficiently treated throughout the life of the treatment control BMPs. The design storm standards for treatment control BMPs are as follows:

a. Volume-based BMPs: The Discharger, at a minimum, shall calculate[3] the volume to be treated using one of the following methods:

i. The volume of runoff produced from an 85th percentile 24-hour storm event, as determined from local, historical rainfall records;

ii. The volume of runoff produced by the 85th percentile 24-hour storm event, determined as the maximized capture runoff volume for the facility, from the formula recommended in the Water Environment Federation's Manual of Practice;[4] or,

iii. The volume of annual runoff required to achieve 80% or more treatment, determined in accordance with the methodology set forth in the latest edition of California Stormwater Best Management

[3] All hydrologic calculations shall be certified by a California licensed professional engineer in accordance with the Professional Engineers Act (Bus. & Prof. Code § 6700, et seq).

[4] Water Environment Federation (WEF). Manual of Practice No. 23/ ASCE Manual of Practice No. 87, cited in chapter 5 (1998 Edition) and Cited in Chapter 3 (2012 Edition)

Practices Handbook[5], using local, historical rainfall records.

b. Flow-based BMPs: The Discharger shall calculate the flow needed to be treated using one of the following methods:

   i. The maximum flow rate of runoff produced from a rainfall intensity of at least 0.2 inches per hour for each hour of a storm event;

   ii. The maximum flow rate of runoff produced by the 85th percentile hourly rainfall intensity, as determined from local historical rainfall records, multiplied by a factor of two; or,

   iii. The maximum flow rate of runoff, as determined using local historical rainfall records, that achieves approximately the same reduction in total pollutant loads as would be achieved by treatment of the 85th percentile hourly rainfall intensity multiplied by a factor of two.

[5] California Stormwater Quality Association. Stormwater Best Management Practice New Development and Redevelopment Handbook. http://www.casqa.org/ .

**TABLE A:** Five Phases for Developing and Implementing an Industrial Storm Water Pollution Prevention Plan (SWPPP)

**PLANNING AND ORGANIZATION**

*Form Pollution Prevention Team
*Review other Facility plans

**ASSESSMENT**

*Develop a site map
*Identify potential pollutant sources
*Inventory of materials and chemicals
*List significant spills and leaks
*Identify Non-Storm Water Discharges
*Assess pollutant risk

**Best Management Practice (BMP) IDENTIFICATION**

*Identify minimum required BMPs
*Identify any advanced BMPs

**IMPLEMENTATION**

*Train employees for the Pollution Prevention Team
*Implement BMPs
*Collect and review records

**EVALUATION / MONITORING**

*Conduct annual Facility evaluation (Annual Evaluation)
*Review monitoring information
*Evaluate BMPs
*Review and revise SWPPP

## TABLE B: EXAMPLE - ASSESSMENT OF POTENTIAL INDUSTRIAL POLLUTION SOURCES AND CORRESPONDING BMPS SUMMARY

| Area | Activity | Pollutant Source | Industrial Pollutant | BMPs |
|---|---|---|---|---|
| Vehicle and Equipment Fueling | Fueling | Spills and leaks during delivery | Fuel oil | -Use spill and overflow protection |
| | | Spills caused by topping off fuel tanks | Fuel oil | -Train employees on proper fueling, cleanup, and spill response techniques |
| | | Hosing or washing down fuel area | Fuel oil | -Use dry cleanup methods rather than hosing down area<br><br>-Implement proper spill prevention control program |
| | | Leaking storage tanks | Fuel oil | -Inspect fueling areas regularly to detect problems |
| | | Rainfall running off fueling area, and rainfall running onto and off fueling area | Fuel oil | -Minimize run-on of storm water into the fueling area, cover fueling area |

# ATTACHMENT K – STORM WATER MONITORING AND REPORTING REQUIREMENTS

## A. MONITORING IMPLEMENTATION PLAN

The Discharger shall update its Monitoring Implementation Plan in accordance with the requirements of this Attachment. The Monitoring Implementation Plan shall be included in the SWPPP and shall include the following items:

1. An identification of team members assigned to conduct the monitoring requirements;
2. A description of the following:
    a. Discharge locations;
    b. Visual observation procedures; and,
    c. Visual observation response procedures related to monthly visual observations and sampling event visual observations.
3. Justifications for any of the following that is applicable to the facility:
    a. Alternative discharge locations in accordance with section B.3.c.;
    b. Representative Sampling Reduction in accordance with section B.3.d.; or,
    c. Qualified Combined Samples in accordance with section B.3.e
4. Procedures for field instrument calibration instructions, including calibration intervals specified by the manufacturer; and,
5. An example Chain of Custody form used when handling and shipping water quality samples to the lab.

## B. MONITORING

1. Visual Observations
    a. Monthly Visual Observations
        i. At least once per calendar month, the Discharger shall visually observe each drainage area for the following:
            a) The presence or indications of prior, current, or potential unauthorized NSWDs and their sources;

b) Authorized NSWDs (as defined in section IV of the Statewide Industrial General Permit Order No. 2014-0057-DWQ), sources, and associated BMPs to ensure compliance with section IV.B.3 of the Statewide Industrial General Permit Order No. 2014-0057-DWQ; and,

c) Outdoor industrial equipment and storage areas, outdoor industrial activities areas, BMPs, and all other potential source of industrial pollutants.

ii. The monthly visual observations shall be conducted during daylight hours of scheduled facility operating hours and on days without precipitation.

iii. The Discharger shall provide an explanation in the Annual Report for uncompleted monthly visual observations.

b. Sampling Event Visual Observations

Sampling event visual observations shall be conducted at the same time sampling occurs at a discharge location. At each discharge location where a sample is obtained, the Discharger shall observe the discharge of storm water associated with industrial activity.

i. The Discharger shall ensure that visual observations of storm water discharged from containment sources (e.g. secondary containment or storage ponds) are conducted at the time that the discharge is sampled.

ii. Any Discharger employing volume-based or flow-based treatment BMPs shall sample any bypass that occurs while the visual observations and sampling of storm water discharges are conducted.

iii. The Discharger shall visually observe and record the presence or absence of floating and suspended materials, oil and grease, discolorations, turbidity, odors, trash/debris, and source(s) of any discharged pollutants.

iv. In the event that a discharge location is not visually observed during the sampling event, the Discharger shall record which discharge locations were not observed during sampling or that there was no discharge from the discharge location.

v. The Discharger shall provide an explanation in the Annual Report for uncompleted sampling event visual observations.

c. Visual Observation Records

The Discharger shall maintain records of all visual observations. Records shall include the date, approximate time, locations observed, presence and probable source of any observed pollutants, name of person(s) that conducted the observations, and any response actions and/or additional SWPPP revisions necessary in response to the visual observations.

d. The Discharger shall revise BMPs as necessary when the visual observations indicate pollutant sources have not been adequately addressed in the SWPPP.

2. Sampling and Analysis

a. A Qualifying Storm Event (QSE) is a precipitation event that:

i. Produces a discharge for at least one drainage area; and,

ii. Is preceded by 48 hours with no discharge from any drainage area.

b. The Discharger shall collect and analyze storm water samples from two (2) QSEs within the first half of each reporting year (July 1 to December 31), and two (2) QSEs within the second half of each reporting year (January 1 to June 30).

c. Except as provided in section B.3.d. (Representative Sampling Reduction), samples shall be collected from each drainage area at all discharge locations. The samples must be:

i. Representative of storm water associated with industrial activities and any commingled authorized NSWDs; or,

ii. Associated with the discharge of contained storm water.

d. Samples from each discharge location shall be collected within four (4) hours of:

i. The start of the discharge; or,

ii. The start of facility operations if the QSE occurs within the previous

12-hour period (e.g., for storms with discharges that begin during the night for facilities with day-time operating hours). Sample collection is required during scheduled facility operating hours and when sampling conditions are safe in accordance with section B.3.f.i.b).

e. The Discharger shall analyze all collected samples for the following parameters:

i. Total suspended solids (TSS) and oil and grease (O&G);

ii. pH (see section B.3.b.);

iii. Additional parameters identified by the Discharger on a facility-specific basis that serve as indicators of the presence of all industrial pollutants identified in the pollutant source assessment (section G.2. of Attachment J of this Order). These additional parameters may be modified (added or removed) in accordance with any updated SWPPP pollutant source assessment; and

iv. Additional parameters required by the Santa Ana Water Board.

f. The Discharger shall ensure that the collection, preservation and handling of all storm water samples are in accordance with Attachment E of this Order.

g. The Discharger shall select corresponding Numeric Action Levels (NALs), analytical test methods, and reporting units from the list provided in Table 1 below. Dischargers may propose an analytical test method for any parameter or pollutant that does not have an analytical test method specified in Table 1. Dischargers may also propose analytical test methods with substantially similar or more stringent method detection limits than existing approved analytical test methods.

h. Samples from different discharge locations shall not be combined or composited except as allowed in section B.3.e. (Qualified Combined Samples).

i. The Discharger shall ensure that all laboratory analyses are conducted according to Attachment E of this Order.

j. Sampling Analysis Reporting

i. The Discharger shall submit all sampling and analytical results for all individual or Qualified Combined Samples via CIWQS in its annual report.

ii. The Discharger shall provide the method detection limit when an analytical result from samples taken is reported by the laboratory as a “non-detect" or less than the method detection limit. A value of zero shall not be reported.

iii. The Discharger shall provide the analytical result from samples taken that is reported by the laboratory as below the minimum level (often referred to as the reporting limit) but above the method detection limit.

**TABLE 1 PARAMETER NAL VALUES, TEST METHODS, AND REPORTING UNITS**

| Parameter | Units | Annual NAL | Instantaneous Maximum NAL | Required Test Method |
|---|---|---|---|---|
| pH | pH units | N/A | ≥6.5 and ≤8.5 | See section B.3.b |
| Total Suspended Solids (TSS) | mg/L | 100 | 400 | SM 2540-D |
| Oil & Grease (O&G), Total | mg/L | 15 | 25 | EPA 1664A |
| Total Recoverable Copper* | mg/L | 0.0332 | N/A | EPA 200.8 |
| Total Recoverable Lead* | mg/L | 0.262 | N/A | EPA 200.8 |

Note: * = The concentration of this metal is hardness dependent and the NAL is the highest value by U.S. EPA based on their hardness table in the 2008 MSGP.

3. Methods and Exceptions

   a. The Discharger shall comply with the monitoring methods in this Order.

   b. pH Methods

      i. The Discharger shall analyze for pH using methods in accordance with 40 Code of Federal Regulations (CFR) 136 or use a calibrated portable instrument for pH.

      ii. The Discharger using a calibrated portable instrument for pH shall ensure that all field measurements are conducted in accordance with the accompanying manufacturer's instructions.

   c. Alternative Discharge Locations

      i. The Discharger is required to identify, when practicable, alternative discharge locations for any discharge locations identified in accordance with section B.2.c. if the Facility's discharge locations are:

         a) Affected by storm water run-on from surrounding areas that cannot be controlled; and/or,

         b) Difficult to observe or sample (e.g. submerged discharge outlets, dangerous discharge location accessibility).

      ii. The Discharger shall submit and certify to the Santa Ana Water Board any alternative discharge location or revisions to the alternative discharge

locations in the Monitoring Implementation Plan.

d. Representative Sampling Reduction

i. The Discharger may reduce the number of locations to be sampled in each drainage area (e.g., roofs with multiple downspouts, loading/unloading areas with multiple storm drains) if the industrial activities, BMPs, and physical characteristics (grade, surface materials, etc.) of the drainage area for each location to be sampled are substantially similar to one another. To qualify for the Representative Sampling Reduction, the Discharger shall provide a Representative Sampling Reduction justification in the Monitoring Implementation Plan section of the SWPPP.

ii. The Representative Sampling Reduction justification shall include:

a) Identification and description of each drainage area and corresponding discharge location(s);

b) A description of the industrial activities that occur throughout the drainage area;

c) A description of the BMPs implemented in the drainage area;

d) A description of the physical characteristics of the drainage area;

e) A rationale that demonstrates that the industrial activities and physical characteristics of the drainage area(s) are substantially similar; and,

f) An identification of the discharge location(s) selected for representative sampling, and rationale demonstrating that the selected location(s) to be sampled are representative of the discharge from the entire drainage area.

iii. A Discharger that satisfies the conditions of subsection d.ii.a) through e) above shall submit and certify to the Santa Ana Water Board the revisions to the Monitoring Implementation Plan that includes the Representative Sampling Reduction justification.

iv. Upon submittal of the Representative Sampling Reduction justification, the Discharger may reduce the number of locations to be sampled in accordance with the Representative Sampling Reduction justification. The Santa Ana Water Board may reject the Representative Sampling Reduction justification and/or request additional supporting documentation. In such instances, the Discharger is ineligible for the Representative Sampling

Reduction until the Santa Ana Water Board approves the Representative Sampling Reduction justification.

e. Qualified Combined Samples

i. The Discharger may authorize an analytical laboratory to combine samples of equal volume from as many as four (4) discharge locations if the industrial activities, BMPs, and physical characteristics (grade, surface materials, etc.) within each of the drainage areas are substantially similar to one another.

ii. The Qualified Combined Samples justification shall include:

a) Identification and description of each drainage area and corresponding discharge locations;

b) A description of the BMPs implemented in the drainage area;

c) A description of the industrial activities that occur throughout the drainage area;

d) A description of the physical characteristics of the drainage area; and,

e) A rationale that demonstrates that the industrial activities and physical characteristics of the drainage area(s) are substantially similar.

iii. A Discharger that satisfies the conditions of subsection e.ii.a) through d) above shall submit and certify to this Santa Ana Water Board the revisions to the Monitoring Implementation Plan that includes the Qualified Combined Samples justification.

iv. Upon submittal of the Qualified Combined Samples justification revisions in the Monitoring Implementation Plan, the Discharger may authorize the lab to combine samples of equal volume from as many as four (4) drainage areas. The Santa Ana Water Board may reject the Qualified Combined Samples justification and/or request additional supporting documentation. In such instances, the Discharger is ineligible for the Qualified Combined Samples justification until the Santa Ana Water Board approves the Qualified Combined Samples justification.

i. Santa Ana Water Board approval is necessary to combine samples from more than four (4) discharge locations.

f. Sample Collection and Visual Observation Exceptions

i. Sample collection and visual observations are not required under the

following conditions:

a) During dangerous weather conditions such as flooding or electrical storms; or,

b) Outside of scheduled facility operating hours. The Discharger is not precluded from collecting samples or conducting visual observations outside of scheduled facility operating hours.

ii. In the event that samples are not collected, or visual observations are not conducted in accordance with section B.2.d. due to these exceptions, an explanation shall be included in the Annual Report.

iii. Sample collection is not required for drainage areas with no exposure to industrial activities and materials in accordance with the definitions in Section F.

g. Sampling Frequency Reduction Certification

i. Dischargers are eligible to reduce the number of QSEs sampled each reporting year in accordance with the following requirements:

a) Results from four (4) consecutive QSEs that were sampled (QSEs may be from different reporting years) did not exceed any NALs as defined in section C.1.; and

b) The Discharger is in full compliance with the requirements of this Order and has updated, certified and submitted to this Santa Ana Water Board all documents, data, and reports required by this Order during the time period in which samples were collected.

ii. The Santa Ana Water Board may notify the Discharger that it may not reduce the number of QSEs sampled each reporting year if the Discharger is subject to an enforcement action.

iii. An eligible Discharger shall certify to the Santa Ana Water Board that it meets the conditions in subsection g.i. above.

iv. Upon Sampling Frequency Reduction certification, the Discharger shall collect and analyze samples from one (1) QSE within the first half of each reporting year (July 1 to December 31), and one (1) QSE within the second half of each reporting year (January 1 to June 30). All other monitoring, sampling, and reporting requirements remain in effect.

v. A Discharger may reduce sampling per the Sampling Frequency Reduction

certification unless notified by the Santa Ana Water Board that: (1) the Sampling Frequency Reduction certification has been rejected or (2) additional supporting documentation must be submitted. In such instances, a Discharger is ineligible for the Sampling Frequency Reduction until the Santa Ana Water Board provides Sampling Frequency Reduction certification approval. Revised Sampling Frequency Reduction certifications shall be certified and submitted to the Santa Ana Water Board by the Discharger.

vi. A Discharger loses its Sampling Frequency Reduction certification if a NAL exceedance occurs (section C.1.).

## C. EXCEEDANCE RESPONSE ACTIONS (ERAS)

### 1. NALs and NAL Exceedances

The Discharger shall perform sampling, analysis and reporting in accordance with the requirements of this Attachment (K) and shall compare the results to the two types of NAL values in Table 2 to determine whether either type of NAL has been exceeded for each applicable parameter. The two types of potential NAL exceedances are as follows:

a. Annual NAL exceedance: The Discharger shall determine the average concentration for each parameter using the results of all the sampling and analytical results for the entire facility for the reporting year (i.e., all "effluent" data). The Discharger shall compare the average concentration for each parameter to the corresponding annual NAL values in Table 1. For Dischargers using composite sampling or flow-weighted measurements in accordance with standard practices, the average concentrations shall be calculated in accordance with the U.S. EPA's *NPDES Storm Water Sampling Guidance Document*[1]. An annual NAL exceedance occurs when the average of all the analytical results for a parameter from samples taken within a reporting year exceeds the annual NAL value for that parameter listed in Table 1; and,

b. Instantaneous maximum NAL exceedance: The Discharger shall compare all sampling and analytical results from each distinct sample (individual or combined as authorized by B.3.e) to the corresponding instantaneous maximum NAL values in Table 1. An instantaneous maximum NAL exceedance occurs when two (2) or more analytical results from samples taken for any single parameter within a reporting year exceed the instantaneous maximum NAL value (for TSS and O&G) or are outside of the

[1] U.S. EPA. *NPDES Storm Water Sampling Guidance Document*. http://www.epa.gov/npdes/pubs/owm0093.pdf.

instantaneous maximum NAL range for pH.

**2. Baseline Status**

On the effective date of this Order, the Discharger has a Baseline status for all parameters.

**3. Level 1 Status**

The Discharger's Baseline status for any given parameter shall change to Level 1 status if sampling results indicate an NAL exceedance for that same parameter. Level 1 status will commence on July 1 following the reporting year during which the exceedance(s) occurred[2].

a. Level 1 ERA Evaluation

i. By October 1 following commencement of Level 1 status for any parameter with sampling results indicating an NAL exceedance, the Discharger shall:

ii. Complete an evaluation, with the assistance of a Qualified Industrial Storm Water Practitioner (QISP), of the industrial pollutant sources at the facility that are or may be related to the NAL exceedance(s); and,

iii. Identify in the evaluation the corresponding BMPs in the SWPPP and any additional BMPs and SWPPP revisions necessary to prevent future NAL exceedances and to comply with the requirements of this Order. Although the evaluation may focus on the drainage areas where the NAL exceedance(s) occurred, all drainage areas shall be evaluated.

b. Level 1 ERA Report

i. Based upon the above evaluation, the Discharger shall, as soon as practicable but no later than January 1 following commencement of Level 1 status :

a) Revise the SWPPP as necessary and implement any additional BMPs identified in the evaluation;

b) Certify and submit to the Santa Ana Water Board a Level 1 ERA Report prepared by a QISP that includes the following:

[2] For all sampling results reported before June 30th of the preceding reporting year. If sample results indicating an NAL exceedance are submitted after June 30th, the Discharger will change status once those results have been reported.

1) A summary of the Level 1 ERA Evaluation required in subsection 3.a. above; and,

2) A detailed description of the SWPPP revisions and any additional BMPs for each parameter that exceeded an NAL.

c) Certify and submit to this Santa Ana Water Board the QISP's identification number, name, and contact information (telephone number, e-mail address).

ii. A Discharger's Level 1 status for a parameter will return to Baseline status once a Level 1 ERA report has been completed, all identified additional BMPs have been implemented, and results from four (4) consecutive QSEs that were sampled subsequent to BMP implementation indicate no additional NAL exceedances for that parameter.

c. NAL Exceedances Prior to Implementation of Level 1 Status BMPs.

Prior to the implementation of an additional BMP identified in the Level 1 ERA Evaluation or October 1, whichever comes first, sampling results for any parameter(s) being addressed by that additional BMP will not be included in the calculations of annual average or instantaneous NAL exceedances.

**4. Level 2 Status**

A Discharger's Level 1 status for any given parameter shall change to Level 2 status if sampling results indicate an NAL exceedance for that same parameter while the Discharger is in Level 1. Level 2 status will commence on July 1 following the reporting year during which the NAL exceedance(s) occurred[3].

a. Level 2 ERA Action Plan

i. Dischargers with Level 2 status shall certify and submit to the Santa Ana Water Board a Level 2 ERA Action Plan prepared by a QISP that addresses each new Level 2 NAL exceedance by January 1 following the reporting year during which the NAL exceedance(s) occurred. For each new Level 2 NAL exceedance, the Level 2 Action Plan will identify which of the demonstrations in subsection 4.b.i through iii the Discharger has selected to perform. A new Level 2 NAL exceedance is any Level 2 NAL exceedance for 1) a new parameter in any drainage area, or 2) the same parameter that is being addressed in an existing Level 2 ERA Action Plan in a different drainage

[3] For all sampling results reported before June 30th of the preceding reporting year. If sample results indicating an NAL exceedance are submitted after June 30th, the Discharger will change status upon the date those results have been reported into CIWQS.

area.

ii. The Discharger shall certify and submit to the Santa Ana Water Board the QISP's identification number, name, and contact information (telephone number, e-mail address) if this information has changed since previous certifications.

iii. The Level 2 ERA Action Plan shall at a minimum address the drainage areas with corresponding Level 2 NAL exceedances.

iv. All elements of the Level 2 ERA Action Plan shall be implemented as soon as practicable and completed no later than 1 year after submitting the Level 2 ERA Action Plan.

v. The Level 2 ERA Action Plan shall include a schedule and a detailed description of the tasks required to complete the Discharger's selected demonstration(s) as described below in section 4.b.i through iii.

b. Level 2 ERA Technical Report

On January 1 of the reporting year following the submittal of the Level 2 ERA Action Plan, a Discharger with Level 2 status shall certify and submit a Level 2 ERA Technical Report prepared by a QISP that includes one or more of the following demonstrations:

i. Industrial Activity BMPs Demonstration

This shall include the following requirements, as applicable:

a) Shall include a description of the industrial pollutant sources and corresponding industrial pollutants that are or may be related to the NAL exceedance(s);

b) Shall include an evaluation of all pollutant sources associated with industrial activity that are or may be related to the NAL exceedance(s);

c) Where all of the Discharger's implemented BMPs, including additional BMPs identified in the Level 2 ERA Action Plan, achieve compliance with storm water discharge specification of this Order and are expected to eliminate future NAL exceedance(s), the Discharger shall provide a description and analysis of all implemented BMPs;

d) In cases where all of the Discharger's implemented BMPs, including additional BMPs identified in the Level 2 ERA Action Plan, achieve

compliance with the storm water discharge specification of this Order but are not expected to eliminate future NAL exceedance(s), the Discharger shall provide, in addition to a description and analysis of all implemented BMPs:

1) An evaluation of any additional BMPs that would reduce or prevent NAL exceedances;

2) Estimated costs of the additional BMPs evaluated; and,

3) An analysis describing the basis for the selection of BMPs implemented in lieu of the additional BMPs evaluated but not implemented.

e) The description and analysis of BMPs required in subsection i.c) above shall specifically address the drainage areas where the NAL exceedance(s) responsible for the Discharger's Level 2 status occurred, although any additional Level 2 ERA Action Plan BMPs may be implemented for all drainage areas; and,

f) If an alternative design storm standard for treatment control BMPs (in lieu of the design storm standard for treatment control BMPs in section H.5 of Attachment J of this Order will achieve compliance with the storm water discharge specification of this Order, the Discharger shall provide an analysis describing the basis for the selection of the alternative design storm standard.

ii. Non-Industrial Pollutant Source Demonstration

This shall include:

a) A statement that the Discharger has determined that the exceedance of the NAL is attributable solely to the presence of non-industrial pollutant sources. (The pollutant may also be present due to industrial activities, in which case the Discharger must demonstrate that the pollutant contribution from the industrial activities by itself does not result in an NAL exceedance.) The sources shall be identified as either run-on from adjacent properties, aerial deposition from man- made sources, or as generated by on-site non-industrial sources

b) A statement that the Discharger has identified and evaluated all potential pollutant sources that may have commingled with storm water associated with the Discharger's industrial activity and may be contributing to the NAL exceedance

c) A description of any on-site industrial pollutant sources and corresponding industrial pollutants that are contributing to the NAL exceedance;

d) An assessment of the relative contributions of the pollutant from (1) storm water run-on to the facility from adjacent properties or non-industrial portions of the Discharger's property or from aerial deposition and (2) the storm water associated with the Discharger's industrial activity;

e) A summary of all existing BMPs for that parameter; and,

f) An evaluation of all on-site/off-site analytical monitoring data demonstrating that the NAL exceedances are caused by pollutants in storm water run-on to the facility from adjacent properties or non-industrial portions of the Discharger's property or from aerial deposition.

iii. Natural Background Pollutant Source

Demonstration This shall include:

a) A statement that the Discharger has determined that the NAL exceedance is attributable solely to the presence of the pollutant in the natural background that has not been disturbed by industrial activities. (The pollutant may also be present due to industrial activities, in which case the Discharger must demonstrate that the pollutant contribution from the industrial activities by itself does not result in an NAL exceedance);

b) A summary of all data previously collected by the Discharger, or other identified data collectors, that describes the levels of natural background pollutants in the storm water discharge;

c) A summary of any research and published literature that relates the pollutants evaluated at the facility as part of the Natural Background Source Demonstration;

d) Map showing the reference site location in relation to facility along with available land cover information;

e) Reference site and test site elevation;

f) Available geology and soil information for reference and test sites;

g) Photographs showing site vegetation;

h) Site reconnaissance survey data regarding presence of roads, outfalls, or other human-made structures; and

i) Records from relevant state or federal agencies indicating no known mining, forestry, or other human activities upstream of the proposed reference site.

c. Level 2 ERA Technical Report Submittal

i. The Discharger shall certify and submit to this Santa Ana Water Board the Level 2 ERA Technical Report described in section 4.b above.

ii. The Santa Ana Water Board will review the submitted Level 2 ERA Technical Reports. Upon review of a Level 2 ERA Technical Report, the Santa Ana Water Board may reject the Level 2 ERA Technical Report and direct the Discharger to take further action(s) to comply with this Order.

iii. Dischargers with Level 2 status who have submitted the Level 2 ERA Technical Report are only required to annually update the Level 2 ERA Technical Report based upon additional NAL exceedances of the same parameter and same drainage area (if the original Level 2 ERA Technical Report contained an Industrial Activity BMP Demonstration and the implemented BMPs were expected to eliminate future NAL exceedances in accordance with section 4.b.i.b), facility operational changes, pollutant source(s) changes, and/or information that becomes available via compliance activities (monthly visual observations, sampling results, annual evaluation, etc.). The Level 2 ERA Technical Report shall be prepared by a QISP and be certified and submitted via CIWQS by the Discharger with each Annual Report as an attachment. If there are no changes prompting an update of the Level 2 ERA Technical Report, as specified above, the Discharger will provide this certification in the Annual Report that there have been no changes warranting re-submittal of the Level 2 ERA Technical Report.

iv. Dischargers are not precluded from submitting a Level 2 ERA Action Plan or ERA Technical Report prior to entering Level 2 status if information is available to adequately prepare the report and perform the demonstrations described above. A Discharger who chooses to submit a Level 2 ERA Action Plan or ERA Technical Report prior to entering Level 2 status will automatically be placed in Level 2 in accordance to the Level 2 ERA schedule.

d. Eligibility for Returning to Baseline Status

i. Dischargers with Level 2 status who submit an Industrial Activity BMPs Demonstration in accordance with subsection b.i.a) through c) above and have implemented BMPs to prevent future NAL exceedance(s) for the Level 2 parameter(s) shall return to baseline status for that parameter, if results from four (4) subsequent consecutive QSEs sampled indicate no additional NAL exceedance(s) for that parameter(s). If future NAL exceedances occur for the same parameter(s), the Discharger's Baseline status will return to Level 2 status on July 1 in the subsequent reporting year during which the NAL exceedance(s) occurred. These Dischargers shall update the Level 2 ERA Technical Report as required above in section 4.c.iii.

ii. Dischargers are ineligible to return to baseline status if they submit any of the following:

a) A industrial activity BMP demonstration in accordance with subsection b.i.d) above;

b) An non-industrial pollutant source demonstration; or,

c) A natural background pollutant source demonstration.

e. Level 2 ERA Implementation Extension

i. Dischargers that need additional time to submit the Level 2 ERA Technical Report shall be automatically granted a single time extension for up to six (6) months upon submitting the following items to the Santa Ana Water Board, as applicable:

a) Reasons for the time extension;

b) A revised Level 2 ERA Action Plan including a schedule and a detailed description of the necessary tasks still to be performed to complete the Level 2 ERA Technical Report; and

c) A description of any additional temporary BMPs that will be implemented while permanent BMPs are being constructed.

ii. The Santa Ana Water Boards will review Level 2 ERA Implementation Extensions for completeness and adequacy. Requests for extensions that total more than six (6) months are not granted unless approved in writing by the Water Boards. The Water Boards may (1) reject or revise the time allowed to complete Level 2 ERA Implementation Extensions, (2) identify

additional tasks necessary to complete the Level 2 ERA Technical Report, and/or (3) require the Discharger to implement additional temporary BMPs.

## D. ANNUAL COMPREHENSIVE FACILITY COMPLIANCE EVALUATION (ANNUAL EVALUATION)

The Discharger shall conduct one Annual Evaluation for each reporting year (July 1 to June 30). If the Discharger conducts an Annual Evaluation fewer than eight (8) months, or more than sixteen (16) months, after it conducts the previous Annual Evaluation, it shall document the justification for doing so. The Discharger shall revise the SWPPP, as appropriate, and implement the revisions within 90 days of the Annual Evaluation. At a minimum, Annual Evaluations shall consist of:

1. A review of all sampling, visual observation, and inspection records conducted during the previous reporting year;

2. An inspection of all areas of industrial activity and associated potential pollutant sources for evidence of, or the potential for, pollutants entering the storm water conveyance system;

3. An inspection of all drainage areas previously identified as having no exposure to industrial activities and materials in accordance with the definitions in section F;

4. An inspection of equipment needed to implement the BMPs;

5. An inspection of any BMPs;

6. A review and effectiveness assessment of all BMPs for each area of industrial activity and associated potential pollutant sources to determine if the BMPs are properly designed, implemented, and are effective in reducing and preventing pollutants in industrial storm water discharges and authorized NSWDs; and,

7. An assessment of any other factors needed to comply with the requirements in section E.2.

## E. ANNUAL REPORT

1. The Discharger shall certify and submit via CIWQS an Annual Report no later than July 15$^{th}$ following each reporting year.

2. The Discharger shall include in the Annual Report:

   a. A Compliance Checklist that indicates whether the Discharger complies with, and has addressed all applicable requirements of this Order;

b. An explanation for any non-compliance of requirements within the reporting year, as indicated in the Compliance Checklist;

c. An identification, including page numbers and/or sections, of all revisions made to the SWPPP within the reporting year; and,

d. The date(s) of the Annual Evaluation.

## F. CONDITIONAL EXCLUSION - NO EXPOSURE CERTIFICATION (NEC)

1. Discharges composed entirely of storm water that has not been exposed to industrial activity are not industrial storm water discharges. Dischargers are conditionally excluded from complying with the SWPPP and monitoring requirements of this Order if all of the following conditions are met:

   a. There is no exposure of Industrial Materials and Activities to rain, snow, snowmelt, and/or runoff;

   b. All unauthorized NSWDs have been eliminated and all authorized NSWDs meet the conditions of section IV of the Statewide Industrial General Permit Order No. 2014- 0057-DWQ;

   c. The Discharger has certified and submitted to the Santa Ana Water Board a NEC; and,

   d. The Discharger has satisfied all other requirements of this section.

2. NEC Specific Definitions

   a. No Exposure - all Industrial Materials and Activities are protected by a Storm-Resistant Shelter to prevent all exposure to rain, snow, snowmelt, and/or runoff.

   b. Industrial Materials and Activities - includes, but is not limited to, industrial material handling activities or equipment, machinery, raw materials, intermediate products, by-products, final products, and waste products.

   c. Material Handling Activities - includes the storage, loading and unloading, transportation, or conveyance of any industrial raw material, intermediate product, final product, or waste product.

   d. Sealed - banded or otherwise secured, and without operational taps or valves.

   e. Storm-Resistant Shelters - includes completely roofed and walled buildings or structures. Also includes structures with only a top cover supported by

permanent supports but with no side coverings, provided material within the structure is not subject to wind dispersion (sawdust, powders, etc.), or track- out, and there is no storm water discharged from within the structure that comes into contact with any materials.

3. NEC Qualifications

   To qualify for an NEC, a Discharger shall:

   a. Except as provided in subsection 4 below, provide a Storm-Resistant Shelter to protect Industrial Materials and Activities from exposure to rain, snow, snowmelt, run-on, and runoff;

   b. Inspect and evaluate the facility annually to determine that storm water exposed to industrial materials or equipment has not and will not be discharged to waters of the United States. Evaluation records shall be maintained for five (5) years in accordance with section I.A.8. of Attachment E of this Order;

   c. Register for NEC coverage by certifying that there are no discharges of storm water contaminated by exposure to Industrial Materials and Activities from areas of the facility subject to this Order, and certify that all unauthorized NSWDs have been eliminated and all authorized NSWDs meet the applicable conditions of section IV of the Statewide Industrial General Permit Order No. 2014-0057-DWQ (Authorized NSWDs); and,

   d. Submit a NEC to the Santa Ana Water Board by October 1, 2026.

4. NEC Industrial Materials and Activities - Storm-Resistant Shelter Not Required

   To qualify for NEC coverage, a Storm-Resistant Shelter is not required for the following:

   a. Drums, barrels, tanks, and similar containers that are tightly Sealed, provided those containers are not deteriorated, do not contain residual industrial materials on the outside surfaces, and do not leak;

   b. Adequately maintained vehicles used in material handling;

   c. Final products, other than products that would be mobilized in storm water discharge (e.g., rock salt);

   d. Any Industrial Materials and Activities that are protected by a temporary shelter for a period of no more than ninety (90) days due to facility construction or remodeling; and,

e. Any Industrial Materials and Activities that are protected within a secondary containment structure that will not discharge storm water to waters of the United States.

5. NEC Limitations

a. NEC coverage is available on a facility-wide basis only, not for individual outfalls. If a facility has industrial storm water discharges from one or more drainage areas that require coverage, the Discharger shall register for coverage for the entire facility through the Santa Ana Water Board. Any drainage areas on that facility that would otherwise qualify for NEC coverage may be specially addressed in the facility SWPPP by including an NEC Checklist and a certification statement demonstrating that those drainage areas of the facility have been evaluated; and that none of the Industrial Materials or Activities listed in subsection 3 above are, or will be in the foreseeable future, exposed to precipitation.

b. If circumstances change and Industrial Materials and Activities become exposed to rain, snow, snowmelt, and/or runoff, the conditions for this exclusion shall no longer apply. In such cases, the Discharger may be subject to enforcement for discharging without a permit. A Discharger with NEC coverage that anticipates changes in circumstances should notify the Santa Ana Water Board and adhere to all storm water requirements of this Order at least seven (7) days before anticipated exposure.

c. The Santa Ana Water Board may deny NEC coverage and require the Discharge to comply with all storm water requirements of this Order:

i. Storm water is exposed to Industrial Materials and Activities; and/or

ii. The discharge has a reasonable potential to cause or contribute to an exceedance of an applicable water quality standards.

6. NEC Report Required for Initial NEC Coverage

The Discharger shall submit to the Santa Ana Water Board a report for NEC coverage to document the applicability of the conditional exclusion:

a. The NEC form, which includes:

i. The legal name, postal address, telephone number, and e-mail address of the Discharger;

ii. The facility business name and physical mailing address, the county name, and a description of the facility location if the facility does not have a physical mailing address; and,

iii. Certification by the Discharger that the NEC report submitted is correct and true and the conditions of no exposure have been met.

b. An NEC Checklist prepared by the Discharger demonstrating that the facility has been evaluated; and that none of the following industrial materials or activities are, or will be in the foreseeable future, exposed to precipitation:

i. Using, storing or cleaning industrial machinery or equipment, and areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed;

ii. Materials or residuals on the ground or in storm water inlets from spills/leaks;

iii. Materials or products from past industrial activity;

iv. Material handling equipment (except adequately maintained vehicles);

v. Materials or products during loading/unloading or transporting activities;

vi. Materials or products stored outdoors (except final products intended for outside use, e.g., new cars, where exposure to storm water does not result in the discharge of pollutants);

vii. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers;

viii. Materials or products handled/stored on roads or railways owned or maintained by the Discharger;

ix. Waste material (except waste in covered, non-leaking containers, e.g., dumpsters);

x. Application or disposal of processed wastewater (unless already covered by an NPDES permit); and,

xi. Particulate matter or visible deposits of residuals from roof stacks/vents evident in the storm water outflow.

c. Site Map (see Attachment J of this Order).

7. Requirements for Annual NEC Coverage Recertification

By October 1 of each reporting year beginning in 2022, any Discharger who has previously registered for NEC coverage shall either submit and certify a NEC demonstrating that the facility has been evaluated, and that none of the Industrial Materials or Activities listed above are, or will be in the foreseeable future, exposed to precipitation, or comply with all storm water requirements of this Order.

8. NEC Certification Statement

   All NEC certifications and re-certifications shall include the following certification statement:

   *I certify under penalty of law that I have read and understand the eligibility requirements for claiming a condition of 'no exposure' and obtaining an exclusion from NPDES storm water permitting; and that there are no discharges of storm water contaminated by exposure to industrial activities or materials from the industrial facility identified in this document (except as allowed in subsection C above). I understand that I am obligated to submit a no exposure certification form annually to the State Water Board and, if requested, to the operator of the local Municipal Separate Storm Sewer System (MS4) into which this facility discharges (where applicable). I understand that I must allow the Water Board staff, or MS4 operator where the discharge is into the local MS4, to perform inspections to confirm the condition of no exposure and to make such inspection reports publicly available upon request. I understand that I must obtain coverage under an NPDES permit prior to any point source discharge of storm water from the facility. I certify under penalty of law that this document and all attachments were 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 upon my inquiry of the person or persons who manage the system, or those persons directly involved in gathering the information, the information submitted is to the best of my knowledge and belief true, accurate and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

## G. TRAINING QUALIFICATIONS

1. General

   a. A Qualified Industrial Storm Water Practitioner (QISP) is a person (either the Discharger or a person designated by the Discharger) who has completed a

State Water Board-sponsored or approved QISP training course[4], and has registered as a QISP via SMARTS. Upon completed registration the State Water Board will issue a QISP identification number.

b. The Executive Director of the State Water Board or an Executive Officer of the Santa Ana Water Board may rescind any QISP's registration if it is found that the QISP has repeatedly demonstrated an inadequate level of performance in completing the QISP requirements in this General Permit. An individual whose QISP registration has been rescinded may request that the State Water Board review the rescission. Any request for review must be received by the State Water Board no later than 30 days of the date that the individual received written notice of the rescission.

c. Dischargers with Level 1 status shall:

   i. Designate a person to be the facility's QISP and ensure that this person has attended and satisfactorily completed the State Water Board-sponsored or approved QISP training course.

   ii. Ensure that the facility's designated QISP provides sufficient training to the appropriate team members assigned to perform activities required by this General Permit.

[4] A specialized self-guided State Water Board-sponsored registration and training program will be available as an option for CPBELSG licensed professional civil, mechanical, industrial, and chemical engineers and professional geologists by the effective date of this General Permit