



California Regional Water Quality Control Board Central Valley Region

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Edmund G. Brown Jr.
Governor

Matthew Rodriguez
*Secretary for
Environmental Protection*

9 March 2012

Laurie Giannini, Deputy Manager
Calaveras County Fairgrounds
39th District Agricultural Association
P.O. Box 489
Angels Camp, CA 95222

CERTIFIED MAIL
7010 1670 0002 0652 1725

***NOTICE OF APPLICABILITY (NOA), WATER QUALITY ORDER 97-10-DWQ-R5093 AND
WATER CODE SECTION 13267 ORDER FOR TECHNICAL REPORTS
39TH DISTRICT AGRICULTURAL ASSOCIATION, CALAVERAS COUNTY FAIRGROUNDS,
CALAVERAS COUNTY***

In March 2007, the 39th District Agricultural Association (hereafter "Discharger"), submitted a Report of Waste Discharge (RWD) to apply for updated waste discharge requirements for the Calaveras County Fairgrounds (Fairgrounds) wastewater treatment facility. Supplemental information to complete the RWD was received in May 2008, January 2010 and December 2011.

Based on the information provided in the RWD and supplemental information, the facility treats and disposes of domestic wastewater at a monthly average of 1,000 gallons per day (gpd), and is therefore eligible for coverage under the general and specific conditions of State Water Resources Control Board (State Water Board) Water Quality Order 97-10-DWQ *General Waste Discharge Requirements for Discharges to Land by Small Domestic Wastewater Treatment Systems* (General Order). This letter serves as formal notice that General Order 97-10-DWQ is applicable to the site and the discharge described below. You are hereby assigned General Order 97-10-DWQ-R5093 for this facility.

You are urged to familiarize yourself with the contents of the entire General Order which prescribes mandatory discharge and monitoring requirements. The facility must be operated in accordance with the requirements contained in the General Order, with the information submitted in the RWD, and Monitoring and Reporting Program (MRP) 97-10-DWQ-R5093, which is attached.

A copy of the General Order is enclosed. You can also find the General Order on the State Water Board's website at: http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/1997/wq1997_10.pdf.

California Environmental Protection Agency



REGULATORY BACKGROUND

Waste Discharge Requirements (WDRs) 90-145, adopted by the Central Valley Regional Water Quality Control Board (Central Valley Water Board) on 25 May 1990, allows an annual discharge of 460,000 gallons. MRP 90-145 requires monitoring of pond freeboard and influent flow rates only. The WDRs became due for revision in 2005.

DISCHARGE DESCRIPTION

The Calaveras County Fairgrounds is located about 1.5 miles southeast of Angels Camp in Sections 2, 3, and 11, T2N, R13E, MDB&M in Calaveras County. The facility is owned and operated by 39th District Agricultural Association, Division of Fairs and Exposition, California Department of Food and Agriculture. The overall developed site occupies approximately 52 acres and provides 67 recreational vehicle (RV) spaces. The site location is presented on Attachment A, which is part of this NOA.

Various events have been held at the Fairgrounds, including concerts, airshows, the Frog Jumping Jubilee, and other special events. However, the Discharger's December 2011 RWD amendment states that due to loss of state revenues, the Fairgrounds activities have been reduced and it is not clear that the park can remain open. Currently, only a one-week Calaveras County Fair and Jumping Frog Jubilee is planned in May each year. During the non-event period, staff has been reduced to a manager plus part time maintenance personnel on an as needed basis. Minimal usage is currently made of the RV parking area. The only significant wastewater discharge will occur during the one week County Fair.

Wastewater Treatment and Disposal

The wastewater treatment system consists of two septic tanks and a disposal pond. The wastewater generated from the fairground main facility and RV parking area is collected into a 20,000-gallon septic tank and a 3,000-gallon septic tank, respectively. Following the anaerobic treatment in the septic tanks, the wastewater flows into the treatment and disposal pond. A site plan is included in Attachment B, which are parts of this NOA by reference.

The pond is unlined and has an area of 15,000 square feet and a depth of 6 feet at two feet of freeboard. There is no aerator in the pond. The Discharger's water balance shows that the pond has adequate capacity for a monthly average flow of 1,000 gpd based on a 100-year return period 365-day precipitation event. A storm water diversion ditch was constructed to direct storm water runoff away from the pond.

Wastewater Flow Rate and Quality

Recent flow data are not available because the Discharger has not submitted monitoring reports since January 2006. A new flow meter became operational in July 2011. However, the Discharger stated that the new flow meter has not been properly calibrated due to lack of staff trained in the use of the manufacturer's software.

The 2007 RWD provides the following monthly flow data for 2005:

Influent flow rate in 2005	
<u>Month</u>	<u>Flow Rate (gpd)</u>
January	2694
February	6023
March	818
April	940
May	940
June	1,061
July	980
August	1,493
September	143
October	571
November	571
December	1,708

The 2005 data show that peak flows occurred during the wet season when the Fairgrounds activities are minimal, which indicates that sewer infiltration and inflow (I/I) contributed to the peak flows. The Discharger has made some improvements to reduce I/I. The December 2011 RWD amendment stated that the roof drains from all buildings have been rerouted and no longer discharge into the sanitary sewer system, and the manholes have been sealed to prevent storm water runoff entering the sewer system during the wet season.

The Discharger provided the following characterization data for the septic tank effluent prior to discharge to the pond:

Wastewater Constituent Concentrations			
<u>Constituent</u>	<u>Units</u>	<u>8/5/10</u>	<u>10/27/10</u>
Nitrate as N	mg/L	<0.05	0.64
Nitrite as N	mg/L	<0.05	0.25
Total Kjeldahl Nitrogen	mg/L	38	6.7
Biochemical Oxygen Demand	mg/L	170	5.5
Total Dissolved Solids	mg/L	276	137
Zinc	µg/L	50	57
Phenols	µg/L	73	ND
Formaldehyde	µg/L	43	26

With the exception of zinc, phenols and formaldehyde, wastewater constituents fall within the typical range for domestic wastewater. The septic tank effluent is further passively treated in the pond. However, no monitoring data for the pond are available.

To reduce both the flow and organic loading to the treatment pond during public events, the Discharger will maximize use of the portable chemical toilets and limit public access to the permanent sanitary facilities. The rest rooms at the administration building and the RV parking area will remain open. The waste from portable toilets will be hauled off the site.

To avoid groundwater contamination due to RV wastewater chemical additives (e.g. formaldehyde), the Discharger stated the users of the RV parking area will be informed of the prohibition on discharging formaldehyde or other toxic materials and provided with a list of prohibited chemicals. Signs will be posted in the pump out station to remind users for the prohibition.

FACILITY SPECIFIC REQUIREMENTS

Effective 29 March 2012, the Discharger shall comply with the following facility-specific requirements:

1. The flow of wastewater discharged to the pond shall not exceed a monthly average of 1,000 gpd.
2. The applicable discharge requirements from General Order Section B, which are listed in the table below:

<u>Requirements</u>	<u>Section No.</u>	<u>Applicable</u>
All Small Domestic Systems	B.1.a,b,c,d	At all times
Septic Systems	B.2.a,b,c	At all times
Surface Disposal Systems	B.6.a, b, c, d	When discharging to pond

Please review this Notice of Applicability carefully to ensure that it completely and accurately reflects the proposed discharge. If the discharge violates the terms or conditions above, the Central Valley Water Board may take enforcement action, including assessment of administrative civil liability.

The Discharger generates the waste subject to the terms and conditions of General Order 97-10-DWQ and will maintain exclusive control over the discharge. As such, the Discharger is primarily responsible for compliance with General Order 97-10-DWQ, this NOA, and the attached MRP 97-10-DWQ-R5093. Failure to comply with the requirements in the documents could result in an enforcement action as authorized by provisions of the California Water Code. Discharge of wastes other than those described in the RWD is prohibited. If the method of waste disposal changes from that described in your application, you must submit a new RWD describing the new operation.

The required annual fee specified in the annual billing from the State Water Board shall be paid until this NOA is officially terminated. You must notify this office in writing if the discharge regulated by this Order ceases so that we may terminate coverage and avoid unnecessary billing.

Please note that WDRs Order 90-145 will be rescinded at the 29/30 March 2012 meeting of the Central Valley Water Board.

WATER CODE SECTION 13267 ORDER FOR TECHNICAL REPORTS

Section 13267 of the California Water Code states, in part:

“In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.”

Section 13268 of the California Water Code states, in part:

“(a) Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of Section 13267, or failing or refusing to furnish a statement of compliance as required by subdivision (b) of Section 13399.2, or falsifying and information provided therein, is guilty of a misdemeanor and may be liable civilly in accordance with subdivision (b). (b)(1) Civil liability may be administratively imposed by a regional board in accordance with Article 2.5 (commencing with section 13323) of Chapter 5 for a violation of subdivision (a) in an amount which shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.”

The 39th District Agricultural Association’s failure to provide a certified wastewater treatment plant operator, submit monitoring reports, and maintain a properly calibrated influent flow meter has prevented staff from determining compliance with waste discharge requirements. In order to ensure and verify compliance with Order 97-10-DWQ, the 39th District Agricultural Association is hereby directed to submit the information described below. This request is made pursuant to Section 13267 of the California Water Code. The 39th District Agricultural Association owns and operates the facility cited herein and is responsible for the waste generated at this facility.

1. **Effective 1 April 2012**, the Discharger shall comply with the monitoring and reporting requirements prescribed in MRP 97-10-DWQ-R5093, which is attached and replaces MRP 97-10-DWQ for this facility.
2. **By 1 April 2012**, the Discharger shall submit a report documenting the changes made to ensure timely submittal of complete monitoring reports as required by the Monitoring and Reporting Program.
3. **By 30 July 2012**, the Discharger shall submit a report certifying that the flow meter has been calibrated and is operating in accordance with the manufacturer’s specifications.

4. **By 30 July 2012**, the Discharger shall submit a report certifying that a sign has been posted at the RV dump station to remind RV users of the prohibition on using formaldehyde and other toxic chemicals.

5. **By 30 August 2012**, the Discharger shall submit contact information and a copy of the wastewater treatment facility operator's certificate issued by the State Water Resources Control Board Office of Operator Certification.

Any technical report required herein that involves planning, investigation, evaluation, engineering design, or other work requiring interpretation and proper application of engineering or geologic sciences shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code sections 6735, 7835, and 7835.1. As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.

Please be advised that failure to comply with these requirements may result in further enforcement action, including civil liabilities of up \$1,000 per day for late or inadequate reports.

If you have any questions regarding submitting an updated report of waste discharge, or questions about making changes to your permitted operations, please contact Ms. Lixin Fu at (916) 464-4689 or lfu@waterboards.ca.gov.

All compliance and enforcement questions should be directed to Ms. Mary Boyd at (916) 464-4676 or mboyd@waterboards.ca.gov. All monitoring reports should be submitted to Ms. Boyd by the compliance due date.

Original signed by Frederick Moss
for Pamala C. Creedon

PAMELA C. CREEDON
Executive Officer

Attachments: Attachment A
Attachment B
MRP 97-10-DWQ-R5093

Enclosures: General Order No. 97-10-DWQ

cc: Julie Berrey, State Water Board, Office of Operator Certification, Sacramento
Brian Moss, Calaveras County Environmental Health Department, San Andreas
David Rickard, Heron Innovators, Inc., Rocklin
David Freese, California Fairs Services Authority, Sacramento

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM 97-10-DWQ-R5093

FOR
39TH DISTRICT AGRICULTURAL ASSOCIATION
CALAVERAS COUNTY FAIRGROUNDS
CALAVERAS COUNTY

This Monitoring and Reporting Program (MRP) presents requirements for monitoring of septic tanks, flow meter, and pond. This MRP is issued pursuant to Water Code section 13267. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Executive Officer.

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff shall approve specific sampling locations prior to any sampling activities. All samples should be representative of the volume and nature of the discharge. The time, date, and location of each sample shall be recorded on the sample chain of custody form.

Field testing instruments (such as those used to test pH and dissolved oxygen) may be used provided that:

1. The operator is trained in proper use and maintenance of the instruments;
2. The instruments are calibrated prior to each monitoring event;
3. The instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
4. Field calibration reports are submitted as described in the "Reporting" section of this MRP.

SEPTIC TANK MONITORING

The Discharger shall monitor each septic tank and report this information in the annual reports. Septic tanks shall be inspected annually for the presence of scum in the second compartment of each septic tank. If sludge is encountered, then the septic tank shall be inspected as described in the table below. In addition, the first compartment of each tank shall be monitored as described below once every three years, even if no sludge is encountered in the second compartment.

<u>Parameter</u>	<u>Units</u>	<u>Type of Measurement</u>	<u>Minimum Inspection</u>	<u>Reporting Frequency</u>
Sludge depth and scum thickness in the first compartment of each septic tank ¹	Feet	Staff Gauge	Annually	Annually
Distance between bottom of scum layer and bottom of outlet device ¹	Inches	Staff Gauge	Annually	Annually

<u>Parameter</u>	<u>Units</u>	<u>Type of Measurement</u>	<u>Minimum Inspection</u>	<u>Reporting Frequency</u>
Distance between top of sludge layer and bottom of outlet device ¹	Inches	Staff Gauge	Annually	Annually

¹ The Discharger shall visually inspect the tanks for signs of damages, leakage, or deterioration.

Septic tanks shall be pumped when any one of the following conditions exists or may occur before the next inspection:

- a. The combined thickness of sludge and scum exceeds one-third of the tank depth of the first compartment; or
- b. The scum layer is within three inches of the outlet device; or
- c. The sludge layer is within eight inches of the outlet device.

The Discharger shall retain records of each inspection, by street address, noting the date and measured readings and calculations. The Discharger will also record when cleaning is required, the date of notice to the homeowner, the condition of the tank, the date that cleaning or repair occurred, and the date of re-inspection.

FLOW MONITORING

The flow meter shall be calibrated in each calendar year and a calibration report shall be included in the Annual Report. The flow shall be metered upstream of the treatment pond.

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>	<u>Reporting Frequency</u>
Flow	gpd	Meter Observation	Weekly	Monthly

POND MONITORING

The pond shall be monitored as follows. If the pond is empty on the scheduled monitoring date, the Discharger shall report the freeboard monitoring result as “dry”. Freeboard shall be measured vertically from the water surface to the lowest elevation of the pond berm, and shall be measured to the nearest 0.10 feet. Semi-annual monitoring shall occur in the second and third calendar quarters.

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>	<u>Reporting Frequency</u>
BOD ₅	mg/L	Grab	Semi-annually ³	Monthly
Total Dissolved Solids	mg/L	Grab	Semi-annually ³	Monthly
Nitrate as N	mg/L	Grab	Semi-annually ³	Monthly
Total Kjeldahl Nitrogen	mg/L	Grab	Semi-annually ³	Monthly
Dissolved Oxygen ^{1,2}	mg/L	Grab	Monthly	Monthly
Freeboard	0.1 feet	Measurement	Monthly	Monthly
Odors	--	Observation	Monthly	Monthly
Levee condition	--	Observation	Monthly	Monthly

¹ Samples shall be collected at a depth of one foot, opposite the inlet. If the water depth is less than one foot, surface sampling is acceptable.

² Record any conditions that could affect monitoring interpretation, such as less than one foot of wastewater in pond.

³ Semi-annual monitoring results shall be reported in the Monthly Monitoring Report for the month during which sampling occurs.

REPORTING

In reporting monitoring data, the Discharger shall arrange the data in tabular form so that the date, sample type (e.g., flow meter, pond, etc.), and reported analytical result for each sample are readily discernible. The data shall be summarized in such a manner to clearly illustrate compliance with the NOA and spatial or temporal trends, as applicable. The results of any monitoring done more frequently than required at the locations specified in the Monitoring and Reporting Program shall be reported in the next scheduled monitoring report.

A. Monthly Monitoring Reports

Monthly reports shall be submitted to the Central Valley Water Board by the **1st day of the second month** following the end of the reporting period (i.e. the first monthly report is due by 1 March). At a minimum, the reports shall include:

1. Results of the flow meter and pond monitoring;
2. Copies of inspection logs;
3. A comparison of the monitoring data to the discharge specifications and an explanation of any violation of those requirements;
4. If requested by staff, copies of laboratory analytical report(s); and
5. Copies of current calibration logs for all field test instruments.

B. Annual Report

An Annual Report shall be submitted to the Regional Board by **1 February** each year, and shall be separate from the quarterly reports. The Annual Report shall include the following:

1. Results of the septic tank monitoring;
2. Annual summary of the septic tank inspections for the year, including the number of tanks on which notifications for cleaning were issued, and verification that those tanks were pumped and that waste was removed;
3. If requested by staff, tabular and graphical summaries of all data collected during the year;
4. A discussion of compliance and the corrective actions taken, as well as any planned or proposed actions needed to bring the discharge into full compliance with the waste discharge requirements;
5. A discussion of any data gaps and potential deficiencies/redundancies in the monitoring system or reporting program;
6. A copy of the certification for each certified wastewater treatment system operator working at the facility and a statement about whether the Discharger is in compliance with California Code of Regulations, title 23, division 3, chapter 26;
7. A Flow Meter Calibration Report for the annual flow meter calibration performed during the previous calendar year.
8. The results from any sludge monitoring required by the disposal facility; and
9. A statement of when the Operation and Maintenance Manual was last reviewed for adequacy, and a description of any changes made during the year.

All monitoring reports shall be prepared by the certified wastewater treatment plant operator for the facility. A letter transmitting the self-monitoring reports shall accompany each report. Such a letter shall include a discussion of requirement violations found during the reporting period, and actions taken or planned for correcting noted violations, such as operation or facility modifications. If the Discharger has previously submitted a report describing corrective actions and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory. The transmittal letter shall contain the following penalty of perjury statement and shall be signed by the Discharger or the Discharger's authorized agent:

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

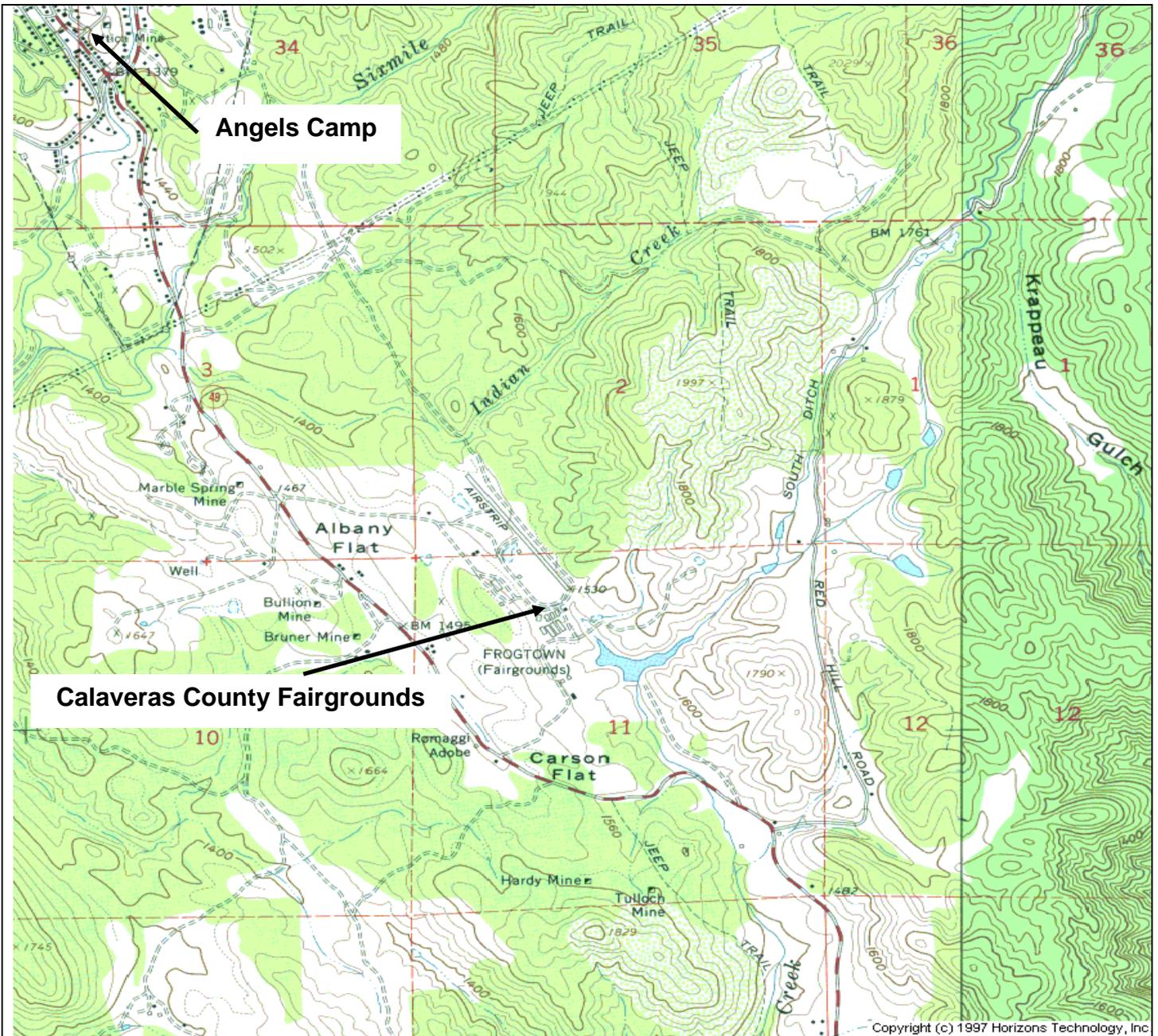
The Discharger shall implement the above monitoring program as of **1 April 2012**.

Original signed by Frederick Moss
for Pamala C. Creedon

Ordered by: _____
PAMELA C. CREEDON, Executive Officer

_____ 6 March 2012
(Date)

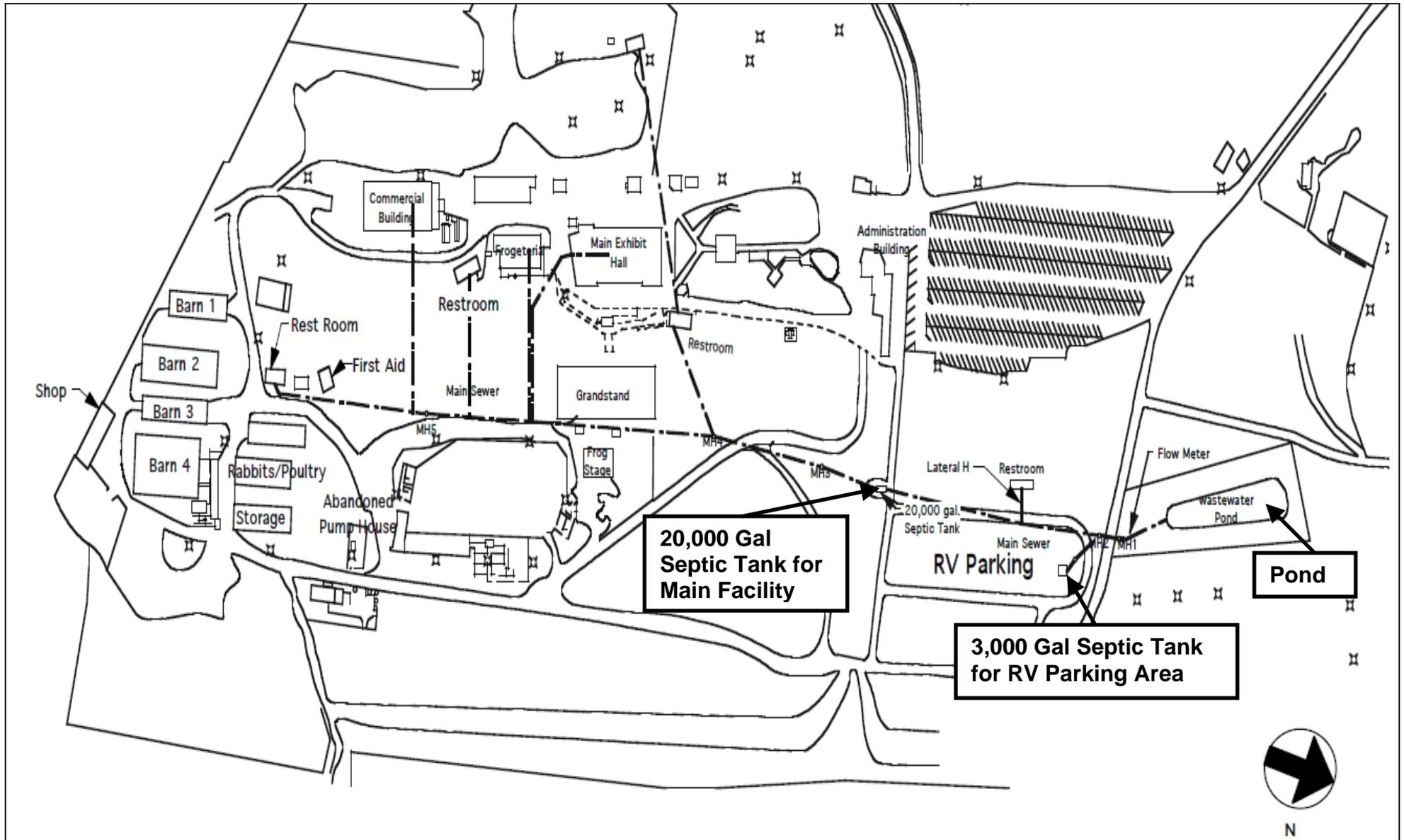
LF: 2/27/12



Drawing Reference:
U.S.G.S TOPOGRAPHIC MAP
7.5 MINUTE QUADRANGLE

SITE LOCATION MAP
39TH DISTRICT AGRICULTURAL ASSOCIATION
CALAVERAS COUNTY FAIRGROUNDS

approx. scale
1 in= 2480 ft.



Drawing Reference:
 Rickard Engineering, March 2011
 RWD Supplement, December 2011

SITE PLAN

39th District Agricultural Association
 Calaveras County Fairgrounds

Not to Scale