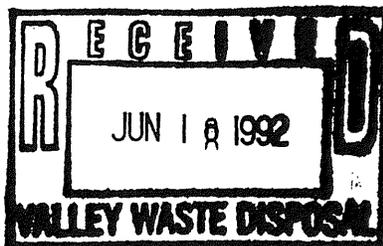


CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—  
CENTRAL VALLEY REGION

JOAQUIN WATERSHED BRANCH OFFICE:  
55 EAST ASHLAN AVENUE  
FRESNO, CA 93726  
PHONE: (209) 445-5116  
FAX: (209) 445-5910



CERTIFIED MAIL

17 June 1992

Mr. Larry Bright  
Valley Waste Disposal Company  
1400 Easton Drive, Suite 139-B  
Bakersfield, CA 93309

**TRANSMITTAL OF ADOPTED WASTE DISCHARGE REQUIREMENTS FOR EDISON OIL FIELD OPERATORS, OIL PRODUCTION WASTEWATER DISCHARGES, KERN COUNTY**

Enclosed is an official copy of General Order No. 92-110, and the corresponding Notice of Applicability Order for your facility, as adopted by the California Regional Water Quality Control Board, Central Valley Region, at its 29 May 1992 meeting.

*William F. Pfister*  
WILLIAM F. PFISTER  
Supervising Engineering Geologist

MTR:cjs

Enclosures: Adopted Order  
Standard Provisions (Discharger only)  
Notice of Applicability (Discharger only)

cc: Mr. Ron Fellows, U.S. Bureau of Land Management, Bakersfield  
Mr. Glen Carpenter, U.S. Bureau of Land Management, Caliente Resources Area Office, Bakersfield  
Office of Chief Counsel, State Water Resources Control Board, Sacramento  
Mr. Archie Matthews, Division of Water Quality, State Water Resources Control Board, Sacramento  
Department of Health Services, Environmental Management Branch, Sacramento  
Department of Health Services, Office of Drinking Water, Fresno  
Department of Fish and Game, Region IV, Fresno  
Department of Water Resources, San Joaquin District, Fresno  
Mr. Hal Bopp, California Division of Oil and Gas, Bakersfield  
Kern County Environmental Health Department, Bakersfield  
Kern County Fire Department, Bakersfield  
Mr. James Beck, Kern County Water Agency, Bakersfield  
Mr. Jerry Hoffman, California Independent Petroleum Assoc., Yorba Linda  
Mr. Les Clark, Independent Oil Producers Agency, Taft  
Mr. Mike Emmanuel, Western States Petroleum Assoc., Bakersfield  
Arvin-Edison Water Storage District, Arvin

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ORDER NO. 92-11037

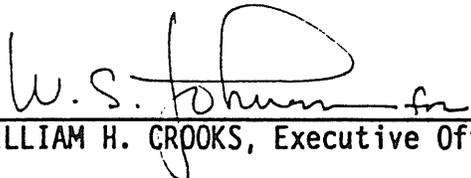
NOTICE OF APPLICABILITY  
FOR  
VALLEY WASTE DISPOSAL COMPANY  
FEE 34 FACILITY, EDISON OIL FIELD  
KERN COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Board) finds that:

1. The Board adopted General Order No. 92-110 on 29 May 1992 that prescribes waste discharge requirements for the discharge of oil production wastewater to sumps in the Edison oil field.
2. Valley Waste Disposal Company operates an oil production wastewater discharge facility in the SW 1/4 of the SW 1/4 of Section 34, T30S, R29E, MDB&M. The wastewater storage facility is in a vineyard area adjacent to the No. 18 oil well, as shown on the 1991 Munger Oil Field Map Book. The facility consists of six sumps. Wastewater is transported to the facility by pipeline from various oil leases throughout the Edison oil field. Crude oil is stored in two oil recovery sumps until shipment offsite. The treated wastewater is stored in three gunite-lined sumps and eventually pumped via pipeline to Valley Waste's Race Track facility for disposal. There is one unlined contingency sump for storage of excess wastewater. Dimensions of the impoundments range from approximately 30' x 50' to 120' x 180'. The sumps are approximately 10' to 15' deep.
3. When in operation, up to 5000 barrels/day of wastewater are discharged to the sump(s). A chemical analysis of the wastewater indicates the following characteristics: 7900  $\mu$ mhos/cm electrical conductivity, 4450 mg/l chloride, and 15.6 mg/l boron.

IT IS HEREBY ORDERED that Valley Waste Disposal Company, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the prescribed requirements of General Order No. 92-110.

I, WILLIAM H. CROOKS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 29 May 1992.

  
WILLIAM H. CROOKS, Executive Officer

SRG:mtr:cjs

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

GENERAL ORDER NO. 92-110

WASTE DISCHARGE REQUIREMENTS  
FOR  
EDISON OIL FIELD OPERATORS  
OIL PRODUCTION WASTEWATER DISCHARGES  
KERN COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Board) finds that:

1. The Edison oil field is on the eastern side of the Tulare Lake Basin, approximately four miles southeast of Bakersfield, as shown in Attachment A. The field comprises an area of approximately 30 square miles.
2. Crude oil production operators (hereafter Dischargers) use surface impoundments, generally known to the industry as sumps, at various oil lease production facilities in the oil field. The sumps are used for the separation of crude oil and produced wastewater, storage, and wastewater disposal by means of evaporation and percolation.
3. The sumps are either unlined or contain concrete liner material that does not meet the prescriptive construction criteria for classified waste management units as specified in Title 23, California Code of Regulations, Sections 2510 et seq. (Chapter 15).
4. The discharges are either not regulated or are presently governed by waste discharge requirements which are neither adequate nor consistent with current regulations and policies of the Board.
5. The Board may prescribe requirements for any discharge, in accordance with Section 13263 of the California Water Code.

AREA DESCRIPTION

6. The Edison oil field lies within the South Valley Floor Hydrologic Unit as depicted on interagency hydrologic maps prepared by the Department of Water Resources, August 1986.
7. The area receives approximately 5.85 inches of rainfall annually, as measured from the National Weather Service Station at the Bakersfield Airport, approximately seven miles northwest of the area. Evaporation in the area is approximately 68 inches annually.
8. There is no major surface drainage within the Edison oil field. The area receives runoff from Caliente Creek, an ephemeral drainage to the east, only in direct response to infrequent storms of high intensity.

WASTE DISCHARGE REQUIREMENTS  
 EDISON OIL FIELD OPERATORS  
 OIL PRODUCTION WASTEWATER DISCHARGES  
 KERN COUNTY

9. Depth to ground water within the Edison oil field ranges from approximately 300 feet in the southwest to greater than 400 feet in the northeast part of the field. Ground water movement is generally to the southwest.
10. The ground water is of excellent to good quality with the following average characteristics:

<u>Constituent</u>	<u>Units</u>	<u>Measured Average Value</u>
Specific Electrical Conductance @ 25°C	μmhos/cm	731
Total Dissolved Solids	mg/l	580
Chloride	mg/l	85
Boron	mg/l	0.24

11. The beneficial uses of underlying ground water are domestic, industrial, and agricultural supply. Ground water is primarily used for agriculture.
12. Soils in the area generally range from well-drained, permeable sand and silty sand in the southwest portion of the field to silty sand and clay with fairly well developed claypan horizons to the northeast. Underlying the soil horizon is 200 to 300 feet of recent alluvial fan sediment, which consists primarily of gravel, gravelly sand, and sand of high permeability.

**BASIN PLAN**

13. The Board adopted a Water Quality Control Plan for the Tulare Lake Basin (5D), hereafter "Basin Plan". These requirements implement the Basin Plan.
14. The Basin Plan policy on oil field wastewater disposal states that all sumps overlying the ground water body shall protect present beneficial uses and not degrade ground water.

WASTE DISCHARGE REQUIREMENTS  
 EDISON OIL FIELD OPERATORS  
 OIL PRODUCTION WASTEWATER DISCHARGES  
 KERN COUNTY

15. The Basin Plan contains the following maximum salinity limits for oil field wastewater in sumps overlying usable ground water:

<u>Constituent</u>	<u>Units</u>	<u>Measured Value</u>
Specific Electrical Conductance @ 25°C	μmhos/cm	1000
Chloride	mg/l	200
Boron	mg/l	1

16. The Basin Plan encourages the reclamation and beneficial reuse of wastewater discharges to land and surface waters.
17. In accordance with Basin Plan Amendment, Resolution No. 82-136, the Regional Board may allow discharges of oil field wastewater that is in excess of maximum salinity limits to unlined sumps, stream channels, and surface waters where the Discharger has demonstrated to the Board in public hearing that the proposed discharge will not substantially affect water quality nor cause a violation of water quality objectives.

**WASTEWATER CHARACTERIZATION AND DISPOSAL ALTERNATIVES**

18. Wastewater from oil producing zones in the Edison field is generally high in inorganic salts and has the following range of characteristics:

<u>Constituent</u>	<u>Units</u>	<u>Measured Value Range</u>
Specific Electrical Conductance @ 25°C	μmhos/cm	750 - 19,500
Chloride	mg/l	85 - 2,400
Boron	mg/l	0.2 - 12.5

19. Alternatives to oil field production wastewater discharges to sumps include on-site collection of wastewater in tanks and subsequent disposal of wastewater at an approved waste disposal facility or subsurface injection of wastes into approved Class II injection wells pursuant to Title 14, California Code of Regulations, Section 1724 et seq.

WASTE DISCHARGE REQUIREMENTS  
EDISON OIL FIELD OPERATORS  
OIL PRODUCTION WASTEWATER DISCHARGES  
KERN COUNTY

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20. These requirements will allow the Dischargers to achieve compliance with current state regulations and policy regarding the discharge of oil field produced wastewater to land. The method of achieving compliance will be at the Discharger's discretion.

LEGAL REFERENCES

21. The action to adopt or update waste discharge requirements for existing facilities is exempt from the provisions of the California Environmental Quality Act, in accordance with Title 14, California Code of Regulations (CCR), Section 15301.
22. The Board has notified affected dischargers and interested agencies and persons of its intent to prescribe general waste discharge requirements for these operations and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
23. The Board, in a public meeting, heard and considered all comments pertaining to this order.

IT IS HEREBY ORDERED that Dischargers who are issued a Notice of Applicability of this General Order to their facility, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. Discharge Prohibitions:

1. Discharge of wastes to surface waters or drainage courses is prohibited.
2. Discharge from a surface impoundment except as authorized by this Order is prohibited.
3. Discharge of wastes other than wastewater generated during the production of crude oil is prohibited.
4. Bypass or overflow of untreated or partially treated waste is prohibited.
5. Creation of pollution, contamination, or nuisance, as defined by Section 13050 of the California Water Code, is prohibited.

WASTE DISCHARGE REQUIREMENTS  
 EDISON OIL FIELD OPERATORS  
 OIL PRODUCTION WASTEWATER DISCHARGES  
 KERN COUNTY

6. Discharge of hazardous waste, as defined in Chapter 15, Section 2521(a), is prohibited.
7. Discharge of wastes within 100 feet of surface water drainage courses is prohibited.

**B. Discharge Specifications:**

1. Wastewater effluent discharge to sumps that do not meet the prescriptive construction criteria for classified waste management units as specified in Chapter 15 shall not exceed the following limits:

<u>Constituent</u>	<u>Units</u>	<u>Limitation</u>
Specific Electrical Conductance @ 25°C	μmhos/cm	1000
Chloride	mg/l	200
Boron	mg/l	1.0

2. Dischargers with wastewater effluent in excess of the numerical limitations established in Discharge Specification B.1 shall submit a plan for achieving compliance with this Order in accordance with the time schedule in Provision C.8. Plans are subject to concurrence by the Executive Officer and include but are not limited to the following:
  - a. Design of a wastewater system to treat the wastewater to meet the numerical limitations of Discharge Specification B.1.
  - b. Retrofit the sumps to comply with the current Chapter 15 construction standards for Class II surface impoundments; install monitoring systems in accordance with Article 5 of Chapter 15; and establish assurance of financial responsibility for closure, and for initiating and completing corrective action for all known and reasonably foreseeable releases from the surface impoundments, in accordance with Articles 5 and 8 of Chapter 15.
  - c. Demonstrate to the Board in public hearing that the proposed discharge will not substantially affect water quality or cause a violation of water quality objectives in accordance with Resolution No. 82-136.

WASTE DISCHARGE REQUIREMENTS  
EDISON OIL FIELD OPERATORS  
OIL PRODUCTION WASTEWATER DISCHARGES  
KERN COUNTY

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- d. Collection of wastewater in above ground tank(s) and subsequent disposal to an approved disposal facility or Class II injection well(s), and closure of the impoundments in accordance with Section 2582 of Chapter 15.
3. Public contact with wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.
4. Sumps shall be free of oil coatings, or shall be covered or screened to preclude entry of bird or animal life.
5. The facility shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
6. A minimum of two feet of freeboard shall be maintained in the sumps.

C. Provisions:

1. The Discharger shall, in a timely manner, remove any wastes discharged at this facility in violation of this Order, and dispose of the wastes in an appropriate manner.
2. At the facility, the Discharger shall post in a conspicuous location, a clearly visible, legible, permanently affixed sign with the name of the owner or operator, and name of the facility.
3. Where appropriate, a copy of this Order shall be kept at the facility for reference by operating personnel. Key operating personnel shall be familiar with its contents.
4. The Discharger shall comply with the attached Monitoring and Reporting Program No. 92-110, which is part of this Order, and any revisions thereto as ordered by the Executive Officer.
5. The Discharger shall comply with the "Standard Provisions and Reporting Requirements for Waste Discharge Requirements", dated 1 March 1991, which is part of this Order. This attachment and its individual paragraphs are commonly referenced as "Standard Provision(s)."
6. In the event of any change of owner or operator of the waste discharge facility, the Discharger shall promptly notify the succeeding owners or operators of their waste discharge requirements in writing, a copy of which shall be immediately forwarded to this

WASTE DISCHARGE REQUIREMENTS  
EDISON OIL FIELD OPERATORS  
OIL PRODUCTION WASTEWATER DISCHARGES  
KERN COUNTY

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office. To assume operation under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the State of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Board, and a statement. The statement shall comply with the signatory paragraph of Standard Provision B.3 and state the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the California Water Code. Transfer shall be approved or disapproved in writing by the Executive Officer.

7. The Board will review this Order periodically and will revise these requirements when necessary.

TIME SCHEDULE

8. Dischargers with wastewater discharges that exceed the numerical water quality limitations of Discharge Specification B.1 shall comply with the following time schedule for compliance with this Order:

<u>Task Description</u>	<u>Due Date</u> <sup>1/</sup>
Submit Compliance Plan in accordance with Discharge Specification B.2	12 months
Compliance Progress Report	24 months
Compliance Progress Report	36 months
Achieve Compliance	48 months

<sup>1/</sup> All compliance due dates are initiated as of the date the Notification of Applicability Order is issued to the Discharger by the Executive Officer.

9. All Dischargers subject to Provision C.8 shall submit to the Board on or before the Compliance Progress Report due dates, a report detailing progress toward implementation of its compliance plan submitted in accordance with Discharge Specification B.2. The Discharger shall report any delay in implementation of the compliance plan and reason(s) for the delay.

WASTE DISCHARGE REQUIREMENTS  
EDISON OIL FIELD OPERATORS  
OIL PRODUCTION WASTEWATER DISCHARGES  
KERN COUNTY

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10. The Discharger must comply with all conditions of this Order, including timely submittal of technical and monitoring reports as directed by the Executive Officer. Violations may result in enforcement action, including Regional Board or court orders requiring corrective action or imposing civil monetary liability.

I, WILLIAM H. CROOKS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a General Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 29 May 1992.

  
WILLIAM H. CROOKS, Executive Officer

SRG:mtr:cjs:5/29/92

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM NO. 92-110  
FOR  
EDISON OIL FIELD OPERATORS  
OIL PRODUCTION WASTEWATER DISCHARGES  
KERN COUNTY

**EFFLUENT MONITORING**

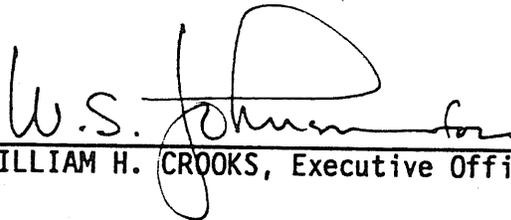
A sampling station shall be established where a representative grab sample of the effluent can be obtained. Samples shall be collected just prior to discharge to the sumps. Effluent samples should be representative of the volume and nature of the discharge. The following shall constitute the effluent monitoring program:

<u>Constituent</u>	<u>Units</u>	<u>Sampling Frequency</u>
Specific Electrical Conductance @ 25°C	μmhos/cm	Annually
Chloride	mg/l	Annually
Boron	mg/l	Annually

**REPORTING**

In reporting the monitoring data, the Discharger shall clearly indicate the monitoring and reporting program number and name of the facility on the front of the report. The Discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. If the Discharger monitors any pollutant at the facility more frequently than is required by this Order, or is unable to monitor due to lack of discharge at the facility, the Discharger shall notify the Regional Board in the next annual discharge monitoring report.

All reports submitted in response to this Order shall comply with the signatory requirements in Standard Provision B.3. The Discharger shall implement this monitoring program on the first day of the month following the date of Notification of Applicability by the Executive Officer.

  
\_\_\_\_\_  
WILLIAM H. CROOKS, Executive Officer

\_\_\_\_\_  
29 May 1992  
(Date)

## INFORMATION SHEET

### EDISON OIL FIELD OPERATORS OIL PRODUCTION WASTEWATER DISCHARGES KERN COUNTY

The Edison oil field is on the eastern side of the Tulare Lake Basin, southeast of Bakersfield in Kern County. It encompasses an area of about 30 square miles.

There are approximately 70 oil field operators of record in the Edison oil field. Primary methods of wastewater disposal include discharge to sumps, piping the wastewater to the Valley Waste Disposal Company's Race Track Hill facility, and injection wells. There are 80 oil production facilities with sumps used for the separation of crude oil and wastewater, storage, and/or the disposal of produced wastewater by percolation and evaporation. Nearly one-half million gallons per day are discharged to sumps.

Wastewater from oil producing zones in the Edison field is generally high in inorganic salts and has the following range of characteristics:

<u>Constituent</u>	<u>Units</u>	<u>Measured Value Range</u>
Specific Electrical Conductance @ 25°C	μmhos/cm	750 - 19,500
Chloride	mg/l	85 - 2,400
Boron	mg/l	0.2 - 12.5

The sumps do not meet the prescriptive construction criteria for classified waste management units as specified in Chapter 15 regulations. The discharges are either not regulated or presently governed by waste discharge requirements which are neither adequate nor consistent with current regulations and policies of the Board.

Soils in the area generally range from well-drained, permeable sands and silty sands in the southwest portions of the field to silty sands, and clays with fairly well developed claypan horizons to the northeast. Underlying the soil horizon is 200 to 300 feet of recent alluvial fan sediments, which consist primarily of discontinuous deposits of gravel, gravelly sand, and sand of high permeability. The recent alluvium is underlain by 800 to 4,700 feet of interbedded, loosely consolidated, non-marine sandstone, siltstone, and claystone.

Unconfined ground water is found primarily within gravel and sand of the Kern River-Chanac Series at depths from 300 feet in the southwest portion to greater than 400 feet in the northeast part of the field. Ground water movement is generally to the southwest.

INFORMATION SHEET - Continued

EDISON OIL FIELD OPERATORS  
OIL PRODUCTION WASTEWATER DISCHARGES  
KERN COUNTY

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Ground water in the area is used extensively for agriculture, and to a lesser extent for domestic and industrial uses. The ground water is of excellent to good quality with the following average characteristics:

<u>Constituent</u>	<u>Units</u>	<u>Average Value</u>
Specific Electrical Conductance @ 25°C	μmhos/cm	731
Total Dissolved Solids	mg/l	580
Chloride	mg/l	85
Boron	mg/l	0.24

The Basin Plan includes a section entitled, "Policy on Oil Field Wastewater Disposal" which contains maximum salinity limits for oil field wastewater. Wastewater analyses indicate most discharges do not meet the Basin Plan objectives.

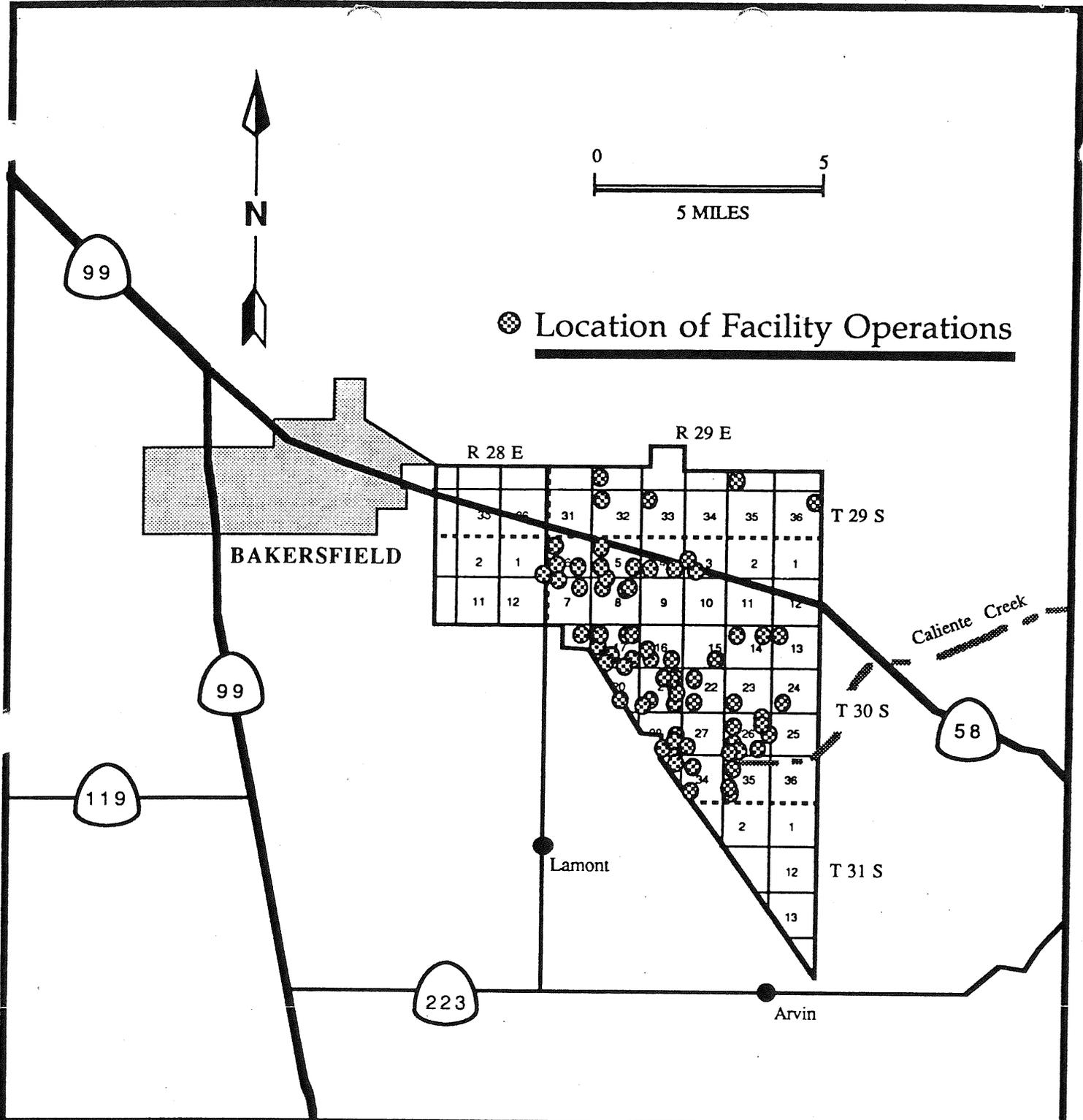
These requirements direct those Dischargers in noncompliance with salinity limitations to achieve compliance in accordance with a time schedule. The time schedule requires submittal of a plan and compliance with the requirements within 18 months.

The action to adopt new or updated requirements for existing facilities is exempt from the provisions of the California Environmental Quality Act in accordance with Title 14, California Code of Regulations (CCR), Section 15301.

Individual dischargers will be subject to this General Order when the Board has adopted a Notification of Applicability Order for each Discharger's facility, as described in the Order.

This General Order and individual Notice of Applicability Orders were developed to expedite the preparation and issuance of new and updated WDRs to oil production wastewater dischargers who either do not have WDRs or have WDRs that are outdated and do not reflect current regulations and policies of the Board.

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GENERAL ORDER  
 WASTE DISCHARGE REQUIREMENTS FOR  
 EDISON OIL FIELD OPERATORS  
 OIL PRODUCTION WASTEWATER DISCHARGES  
 KERN COUNTY

ATTACHMENT A

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

STANDARD PROVISIONS AND REPORTING REQUIREMENTS  
FOR  
WASTE DISCHARGE REQUIREMENTS

1 March 1991

**A. General Provisions:**

1. The requirements prescribed herein do not authorize the commission of any act causing injury to the property of another, or protect the discharger from liabilities under federal, state, or local laws. This Order does not convey any property rights or exclusive privileges.
2. The provisions of this Order are severable. If any provision of this Order is held invalid, the remainder of this Order shall not be affected.
3. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:
  - a. Violation of any term or condition contained in this Order;
  - b. Obtaining this Order by misrepresentation, or failure to disclose fully all relevant facts;
  - c. A change in any condition that results in either a temporary or permanent need to reduce or eliminate the authorized discharge;
  - d. A material change in the character, location, or volume of discharge.
4. Before making a material change in the character, location, or volume of discharge, the discharger shall file a new Report of Waste Discharge with the Regional Board. A material change includes, but is not limited to, the following:
  - a. An increase in area or depth to be used for solid waste disposal beyond that specified in waste discharge requirements
  - b. A significant change in disposal method, location or volume, e.g., change from land disposal to land treatment.
  - c. The addition of a major industrial, municipal or domestic waste discharge facility.
  - d. The addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the waste.

A. General Provisions (continued)

5. Except for material determined to be confidential in accordance with California law and regulations, all reports prepared in accordance with terms of this Order shall be available for public inspection at the offices of the Board. Data on waste discharges, water quality, geology, and hydrogeology shall not be considered confidential.
6. The discharger shall take all reasonable steps to minimize any adverse impact to the waters of the state resulting from noncompliance with this Order. Such steps shall include accelerated or additional monitoring as necessary to determine the nature and impact of the noncompliance.
7. The discharger shall maintain in good working order and operate as efficiently as possible any facility, control system, or monitoring device installed to achieve compliance with the waste discharge requirements.
8. The discharger shall permit representatives of the Regional Board (hereafter Board) and the State Water Resources Control Board, upon presentation of credentials, to:
  - a. Enter premises where wastes are treated, stored, or disposed of and facilities in which any records are kept,
  - b. Copy any records required to be kept under terms and conditions of this Order,
  - c. Inspect at reasonable hours, monitoring equipment required by this Order, and
  - d. Sample, photograph and video tape any discharge, waste, waste management unit or monitoring device.
9. For any electrically operated equipment at the site, the failure of which could cause loss of control or containment of waste materials, or violation of this Order, the discharger shall employ safeguards to prevent loss of control over wastes. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means.
10. The fact that it would have been necessary to halt or reduce the permitted activity in Order to maintain compliance with this Order shall not be a defense for the discharger's violations of the Order.
11. Neither the treatment nor the discharge shall create a condition of nuisance or pollution as defined by the California Water Code, Section 13050.

STANDARD PROVISIONS AND REPORTING REQUIREMENTS  
Waste Discharge to Land

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A. General Provisions (continued)

12. The discharge shall remain within the designated disposal area at all times.

B. General Reporting Requirements

1. In the event the discharger does not comply or will be unable to comply with any prohibition or limitation of this Order for any reason, the discharger shall notify the Board by telephone at (209) 445-5116 as soon as it or its agents have knowledge of such noncompliance or potential for noncompliance, and shall confirm this notification in writing within two weeks. The written notification shall state the nature, time and cause of noncompliance, and shall describe the measures being taken to prevent recurrences and shall include a timetable for corrective actions.
2. The discharger shall have a plan for preventing and controlling accidental discharges, and for minimizing the effect of such events.

This plan shall:

- a. Identify the possible sources of accidental loss or leakage of wastes from each waste management, treatment, or disposal facility.
- b. Evaluate the effectiveness of present waste management/treatment units and operational procedures, and identify needed changes or contingency plans.
- c. Predict the effectiveness of the proposed changes in waste management/treatment facilities and procedures and provide an implementation schedule containing interim and final dates when changes will be implemented.

The Board, after review of the plan, may establish conditions that it deems necessary to control leakages and minimize their effects.

3. All reports shall be signed by persons identified below:
  - a. For a corporation: by a principal executive officer of at least the level of senior vice-president.
  - b. For a partnership or sole proprietorship: by a general partner or the proprietor.
  - c. For a municipality, state, federal or other public agency: by either a principal executive officer or ranking elected or appointed official.

**B. General Reporting Requirements (continued)**

- d. A duly authorized representative of a person designated in 3a, 3b or 3c of this requirement if;
- (1) the authorization is made in writing by a person described in 3a, 3b, or 3c of this provision;
  - (2) 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 waste management unit, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
  - (3) the written authorization is submitted to the Board

Any person signing a document under this Section shall make the following certification:

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

4. Technical and monitoring reports specified in this Order are requested pursuant to Section 13267 of the Water Code. Failing to furnish the reports by the specified deadlines and falsifying information in the reports, are misdemeanors that may result in assessment of civil liabilities against the discharger.
5. The discharger shall mail a copy of each monitoring report and any other reports required by this Order to:

California Regional Water Quality Control Board  
Central Valley Region  
3614 East Ashlan Avenue  
Fresno, CA 93726

or the current address if the office relocates.

**C. Provisions for Monitoring**

1. All analyses shall be made in accordance with the latest edition of:  
(1) "Methods for Organic Chemical Analysis of Municipal and Industrial Wastewater" (EPA 600 Series) and (2) "Test Methods for Evaluating Solid Waste" (SW 846-latest edition). The test method may be modified subject to application and approval of alternate test procedures under the Code of Federal Regulations (40 CFR 136).
2. Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. In the event a certified laboratory is not available to the discharger, analyses performed by a noncertified laboratory will be accepted provided a Quality Assurance-Quality Control Program is instituted by the laboratory. A manual containing the steps followed in this program must be kept in the laboratory and shall be available for inspection by Board staff. The Quality Assurance-Quality Control Program must conform to EPA guidelines or to procedures approved by the Board.

Unless otherwise specified, all metals shall be reported as Total Metals.

3. The discharger shall retain records of all monitoring information, including all calibration and maintenance records, all original strip chart recordings of continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.

Record of monitoring information shall include:

- a. the date, exact place, and time of sampling or measurements,
  - b. the individual(s) who performed the sampling or measurements,
  - c. the date(s) analyses were performed,
  - d. the individual(s) who performed the analyses,
  - e. the laboratory which performed the analysis,
  - f. the analytical techniques or methods used, and
  - g. the results of such analyses.
4. All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated at least yearly to ensure their continued accuracy.

**C. Provisions For Monitoring (continued)**

5. The discharger shall maintain a written sampling program sufficient to assure compliance with the terms of this Order. Anyone performing sampling on behalf of the discharger shall be familiar with the sampling plan.
6. The discharger shall construct all monitoring wells to meet or exceed the standards stated in the State Department of Water Resources Bulletin 74-81 and subsequent revisions, and shall comply with the reporting provisions for wells required by Water Code Sections 13750 through 13755.22

**D. Standard Conditions for Facilities Subject to California Code of Regulations, Title 23, Division 3, Chapter 15 (Chapter 15)**

1. All classified waste management units shall be designed under the direct supervision of a California registered civil engineer or a California certified engineering geologist. Designs shall include a Construction Quality Assurance Plan, the purpose of which is to:
  - a. demonstrate that the waste management unit has been constructed according to the specifications and plans as approved by the Board.
  - b. provide quality control on the materials and construction practices used to construct the waste management unit and prevent the use of inferior products and/or materials which do not meet the approved design plans or specifications.
2. Prior to the discharge of waste to any classified waste management unit, a California registered civil engineer or a California certified engineering geologist must certify that the waste management unit meets the construction or prescriptive standards and performance goals in Chapter 15, unless an engineered alternative has been approved by the Board. In the case of an engineered alternative, the registered civil engineer or certified engineering geologist must certify that the waste management unit has been constructed in accordance with Board-approved plans and specifications.
3. Materials used to construct liners shall have appropriate physical and chemical properties to ensure containment of discharged wastes over the operating life, closure, and post-closure maintenance period of the waste management units.
4. Closure of each waste management unit shall be performed under the direct supervision of a California registered civil engineer or California certified engineering geologist.

**E. Conditions Applicable to Discharge Facilities Exempted From Chapter 15 Under Section 2511**

1. If the discharger's wastewater treatment plant is publicly owned or regulated by the Public Utilities Commission, it shall be supervised and operated by persons possessing certificates of appropriate grade according to California Code of Regulations, Title 23, Division 4, Chapter 14.
2. By-pass (the intentional diversion of waste streams from any portion of a treatment facility, except diversions designed to meet variable effluent limits) is prohibited. The Board may take enforcement action against the discharger for by-pass unless:
  - a. (1) By-pass was unavoidable to prevent loss of life, personal injury, or severe property damage. (Severe property damage means substantial physical damage to property, damage to the treatment facilities that 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 by-pass. Severe property damage does not mean economic loss caused by delays in production); and
  - (2) There were no feasible alternatives to by-pass, such as the use of auxiliary treatment facilities or retention of untreated waste. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a by-pass that would otherwise occur during normal periods of equipment downtime or preventive maintenance; or
  - b. (1) by-pass is required for essential maintenance to assure efficient operation; and
  - (2) neither effluent nor receiving water limitations are exceeded; and
  - (3) the discharger notifies the Board ten days in advance.

The permittee shall submit notice of an unanticipated by-pass as required in paragraph B.1. above.

3. A discharger that wishes to establish the affirmative defense of an upset (see definition in E.6 below) in an action brought for noncompliance shall demonstrate, through properly signed, contemporaneous operating logs, or other evidence, that:
  - a. an upset occurred and the cause(s) can be identified;

**E. Dischargers Exempt from Chapter 15 (continued)**

- b. the permitted facility was being properly operated at the time of the upset;
- c. the discharger submitted notice of the upset as required in paragraph B.1., above; and
- d. the discharger complied with any remedial measures required by waste discharge requirements.

In any enforcement proceeding, the discharger seeking to establish the occurrence of an upset has the burden of proof.

- 4. A discharger whose waste flow has been increasing, or is projected to increase, shall estimate when flows will reach hydraulic and treatment capacities of its treatment, collection, and disposal facilities. The projections shall be made in January, based on the last three years' average dry weather flows, peak wet weather flows and total annual flows, as appropriate. When any projection shows that capacity of any part of the facilities may be exceeded in four years, the discharger shall notify the Board by 31 January.
- 5. Effluent samples shall be taken downstream of the last addition of wastes to the treatment or discharge works where a representative sample may be obtained prior to disposal. Samples shall be collected at such a point and in such a manner to ensure a representative sample of the discharge.
- 6. Definitions
  - a. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with 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 action.
  - b. The monthly average discharge is the total discharge by volume during a calendar month divided by the number of days in the month that the facility was discharging. This number is to be reported in gallons per day or million gallons per day.

Where less than daily sampling is required by this Order, the monthly average shall be determined by the summation of all the measured discharges by the number of days during the month when the measurements were made.

**E. Dischargers Exempt from Chapter 15 (continued)**

- c. The monthly average concentration is the arithmetic mean of measurements made during the month.
- d. The "daily maximum" discharge is the total discharge by volume during any day.
- e. The "daily maximum" concentration is the highest measurement made on any single discrete sample or composite sample.
- f. A "grab" sample is any sample collected in less than 15 minutes.
- g. Unless otherwise specified, a composite sample is a combination of individual samples collected over the specified sampling period;
  - (1) at equal time intervals, with a maximum interval of one hour
  - (2) at varying time intervals (average interval one hour or less) so that each sample represents an equal portion of the cumulative flow.

The duration of the sampling period shall be specified in the Monitoring and Reporting Program. The method of compositing shall be reported with the results.

**7. Annual Pretreatment Report Requirements:**

Applies to dischargers required to have a Pretreatment Program as stated in waste discharge requirements.)

The annual report shall be submitted by **28 February** and include, but not be limited to, the following items:

- a. A summary of analytical results from representative, flow-proportioned, 24-hour composite sampling of the influent and effluent for those pollutants EPA has identified under Section 307(a) of the Clean Water Act which are known or suspected to be discharged by industrial users.

The discharger is not required to sample and analyze for asbestos until EPA promulgates an applicable analytical technique under 40 CFR (Code of Federal Regulations) Part 136. Sludge shall be sampled during the same 24-hour period and analyzed for the same pollutants as the influent and effluent sampling and analysis. The sludge analyzed shall be a composite sample of a minimum of 12 discrete samples taken at equal time intervals over the 24-hour period. Wastewater and sludge sampling and analysis shall be

**E. Dischargers Exempt from Chapter 15 (continued)**

performed at least annually. The discharger shall also provide any influent, effluent or sludge monitoring data for nonpriority pollutants which may be causing or contributing to Interference, 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 Upset, Interference, or Pass Through incidents, if any, at the treatment plant which the discharger knows or suspects were caused by industrial users of the system. The discussion shall include the reasons why the incidents occurred, the corrective actions taken and, if known, the name and address of the industrial user(s) responsible. The discussion shall also include 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. The cumulative number of industrial users that the discharger has notified regarding Baseline Monitoring Reports and the cumulative number of industrial user responses.
- d. An updated list of the discharger's industrial users including their names and addresses, or a list of deletions and additions keyed to a previously submitted list. The discharger shall provide a brief explanation for each deletion. The list shall identify the industrial users subject to federal categorical standards by specifying which set(s) of standards are applicable. The list shall indicate which categorical industries, or specific pollutants from each industry, are subject to local limitations that are more stringent than the federal categorical standards. The discharger shall also list the noncategorical industrial users that are subject only to local discharge limitations. The discharger shall characterize the compliance status through the year of record of each industrial user by employing the following descriptions:
  - (1) Complied with baseline monitoring report requirements (where applicable);
  - (2) Consistently achieved compliance;
  - (3) Inconsistently achieved compliance;
  - (4) Significantly violated applicable pretreatment requirements as defined by 40 CFR 403.8(f)(2)(vii);

**E. Dischargers Exempt from Chapter 15 (continued)**

- (5) Complied with schedule to achieve compliance (include the date final compliance is required);
- (6) Did not achieve compliance and not on a compliance schedule;
- (7) Compliance status unknown.

A report describing the compliance status of any industrial user characterized by the descriptions in items (d)(3) through (d)(7) above shall be submitted quarterly from the annual report date to EPA and the Board. The report shall identify the specific compliance status of each such industrial user. This quarterly reporting requirement shall commence upon issuance of this Order.

- e. A summary of the inspection and sampling activities conducted by the discharger during the past year to gather information and data regarding the industrial users. The summary shall include but not be limited to, a tabulation of categories of dischargers that were inspected and sampled; how many and how often; and incidents of noncompliance detected.
- f. A summary of the compliance and enforcement activities during the past year. The summary shall include the names and addresses of the industrial users affected by the following actions:
  - (1) Warning letters or notices of violation regarding the industrial user's apparent noncompliance with federal categorical standards or local discharge limitations. For each industrial user, identify whether the apparent violation concerned the federal categorical standards or local discharge limitations;
  - (2) Administrative Orders regarding the industrial user's noncompliance with federal categorical standards or local discharge limitations. For each industrial user, identify whether the violation concerned the federal categorical standards or local discharge limitations;
  - (3) Civil actions regarding the industrial user's noncompliance with federal categorical standards or local discharge limitations. For each industrial user, identify whether the violation concerned the federal categorical standards or local discharge limitations;

**E. Dischargers Exempt from Chapter 15 (continued)**

- (4) Criminal actions regarding the industrial user's noncompliance with federal categorical standards or local discharge limitations. For each industrial user, identify whether the violation concerned the federal categorical standards or local discharge limitations.
  - (5) Assessment of monetary penalties. For each industrial user identify the amount of the penalties;
  - (6) Restriction of flow to the treatment plant; or
  - (7) Disconnection from discharge to the treatment plant.
- g. A description of any significant changes in operating the pretreatment program which differ from the discharger's approved Pretreatment Program, including, but not limited to, changes concerning: the program's administrative structure; local industrial discharge limitations; monitoring program or monitoring frequencies; legal authority or enforcement policy; funding mechanisms; resource requirements; and staffing levels.
  - h. A summary of the annual pretreatment budget, including the cost of pretreatment program functions and equipment purchases.
  - i. A summary of public participation activities to involve and inform the public.
  - j. A description of any changes in sludge disposal methods and a discussion of any concerns not described elsewhere in the report.

Duplicate signed copies of these reports shall be submitted to the Board and:

Regional Administrator  
U.S. Environmental Protection Agency W-5  
75 Hawthorne Street  
San Francisco, CA 94105

and

State Water Resources Control Board  
Division of Water Quality and Water Rights  
Regulatory Unit  
P.O. Box 944213  
Sacramento, CA 94244-2130

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