

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

ORDER NO. R7-2007-0009

**WASTE DISCHARGE REQUIREMENTS
FOR
DRAKE DEVELOPMENT LLC - TRACT 16587
CHURCH STREET WASTEWATER TREATMENT, AND DISPOSAL SYSTEMS
Town of Yucca Valley – San Bernardino County**

The California Regional Water Quality Control Board, Colorado River Basin Region finds that:

1. Drake Development, LLC (hereinafter referred to as Discharger), 41391 Kalmia Street, Suite 210, Murrietta, CA 92562, submitted a Report of Waste Discharge (ROWD) dated October 2, 2006, to discharge treated domestic wastes via seepage pits servicing its proposed Tract 16587 subdivision in the Town of Yucca Valley. An Engineering Report dated October 2006, was also submitted in support of the ROWD.
2. The Discharger proposes to develop Tract 16587, which will consist of 54 single-family residential units on 54 lots in the Town of Yucca Valley, an incorporated community in San Bernardino County. The development (Tentative Tract No. 16587) will cover 34 acres in Section 2, T1S, R5E, San Bernardino Baseline and Meridian (SBB&M), as shown in Attachment A, attached hereto and made part of this Order by reference.

Wastewater System and Discharge

3. The Discharger proposes to build a sewage collection, treatment, and disposal system to service the development. The development will generate up to 13,500 gallons per day (gpd) of domestic wastewater.
4. The wastewater treatment facility (WWTF) will consist of an activated sludge package treatment plant, with a rated treatment capacity of 14,000 gpd. The facility will include metering instrumentation, screening, an equalization tank, an extended aeration tank, a secondary clarifier, disinfection, and an aerobic sludge digester. The plant may be operated in nitrification/denitrification mode. Effluent from the WWTF will be disposed of via 7 on-site seepage pits. Solids and sludge removed from the treatment train by a licensed septage hauler will be disposed of in accordance with state regulations. The Discharger proposes to have a State Certified Wastewater Treatment Plant Operator to operate and maintain the Wastewater Treatment Facility.
5. The tract 16587 development is expected to begin construction in November 2006, and achieve full occupancy by May 2008. The sewage collection, WWTF, and disposal pits are expected to be fully operational by May 2007. The WWTF and seepage pits will be located in Lot 15 in the northeast corner of the project.

Hydrogeologic Conditions

6. The site slopes from the south to the north at an average grade of 3.4%, and has an average elevation of 3,450 feet above mean sea level. The site is not within a designated FEMA 100-year flood plain, but is within a seismically active Mojave Desert region.
7. Average annual precipitation for the area is four (4) to six (6) inches. There is a designated drainage course that runs through Tract 16587. Lot 15, the treatment and disposal site, is located outside of the 100-year flood inundation boundary.
8. A geotechnical investigation was conducted at the site in July 2006. Data was collected from three (3) exploratory borings, drilled to 40 feet below ground surface (bgs). The following findings and recommendations were provided in a geotechnical engineering report prepared by Landmark dated July 14, 2006, and titled "Preliminary Soil Percolation Feasibility Report, Tentative Tract Map 16587, Yucca Valley San Bernardino County, California".
 - a. Soils in the area proposed for the seepage pits consist of sands and silty sands;
 - b. Percolation tests in the area of the proposed seepage pits varied from 17 to 34 gallons per square foot per day. Based on this, the recommended absorption area is 0.25 square feet per gallon of wastewater.
 - c. Groundwater was not encountered during the geotechnical investigation. Groundwater in the area of the seepage pits is believed to be in excess of 100 feet bgs.
9. The Hi-Desert Water District provides domestic water services to the Town of Yucca Valley. The District currently uses 17 groundwater wells, which draw from the Warren Valley Subbasin. Data for the nearest supply wells indicate groundwater is between 200 and 280 feet bgs and varies in quality.
10. Hi-Desert Water District operates a water treatment facility operating under Board Order No. 01-088, which is designed to remove excess nitrates from groundwater prior to delivery to its customers.
11. State Water Project water is delivered via the Morongo Basin pipeline, and is recharged into the Warren Valley Basin through two percolation ponds. In 2004, approximately 4,785 acre-feet of water recharged into the Warren Valley Basin.
12. A 2003 U.S. Geological Survey report, entitled "Evaluation of the Source and Transport of High Nitrate Concentrations in Ground Water, Warren Subbasin, California," concluded that:
 - a. From early 1995 through 2001, nitrate (NO_3^-) concentrations in ground water in the Warren Subbasin, California, increased from a background concentration of 10 milligrams per liter (mg/L) to more than the State's Maximum Contaminant Level of 45 mg/L (10 mg/L as nitrogen);

- b. This increase coincided with an artificial ground-water recharge program implemented by the local water district, Hi-Desert Water District;
 - c. Rising ground-water levels, resulting from the artificial-recharge program, entrained high-NO₃ (nitrate) septage stored in the unsaturated zone; and
 - d. Septage from septic tanks was the primary source of NO₃ to the ground-water system.
13. The well nearest to the to proposed discharge is Hi-Desert Water District's Well No. 11, which is approximately 6,000 feet from the proposed development. Groundwater in this location flows generally to the east, and is highly influenced by the faults.
14. Water Quality analysis from the District's 2005 Consumer's Confidence Report is provided below. The analyses are for treated water, for customer delivery in 2005:

<u>Constituent</u>	<u>Units</u>	<u>Average Concentration</u>	<u>Range of Concentration</u>
Arsenic	µg/L ¹	2.8	0 to 14
Fluoride	mg/L ²	0.92	0.3 to 1.6
Nitrate (as Nitrate)	mg/L	26.8	5.3 to 43
Total Trihalomethanes	µg/L	0.0028	0 to 0.0057
Total Dissolved Solids	mg/L	215	150 to 280
Chloride	mg/L	19.7	11 to 54
Sulfate	mg/L	29.8	11 to 54

¹ Micrograms per liter

² Milligrams per liter

Basin Plan, Beneficial Uses, and Regulatory Considerations

15. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan), as amended to date, designates the beneficial uses of ground and surface waters in this Region.
16. The proposed discharge is within the Joshua Tree Hydrologic Unit. The beneficial uses of groundwater in the Joshua Tree Hydrologic Unit designated in the Basin Plan are:
- a. Municipal supply (MUN), and
 - b. Industrial supply (IND)
17. WDRs implement narrative and numeric water quality objectives for ground and surface waters established by the Basin Plan. The numeric objectives for groundwater designated for municipal and domestic supply are the maximum contaminant levels (MCLs), and bacteriological limits specified in Section 64435 et seq. of Title 22, California Code of Regulations (CCR). The narrative objectives are:

*“Groundwater...shall not contain taste or odor producing substances in concentrations that adversely affect beneficial uses as a result of human activity...”
(Basin Plan, page 3-9)*

“Discharges of water softener regeneration brines...to disposal facilities which ultimately discharge in areas where such wastes can percolate to ground water usable for domestic and municipal purposes are prohibited.” (Basin Plan, page 3-9).

18. The discharge authorized in this Board Order and the treatment and storage facilities associated with the discharge of treated municipal wastewater, except for discharges of residual sludge and solid waste, are exempt from the solid waste requirements of Title 27, CCR, Section 20005 et seq. (hereinafter Title 27). This exemption is based on Section 20090(b) of Title 27, which states in relevant part that discharges of sewage or treated effluent are exempt so long such discharges meet the following preconditions:
 - a. Wastes consist primarily of domestic sewage and treated effluent;
 - b. Wastes are regulated by WDRs issued or waived;
 - c. WDRs are consistent with applicable water quality objectives; and
 - d. Treatment and disposal facilities described herein are associated with a municipal wastewater treatment plant.

Groundwater Degradation

19. State Water Resources Control Board (State Water Board) Resolution No. 68-16 (“Policy with Respect to Maintaining High Quality Waters of the State”) (hereinafter Resolution No. 68-16) requires a regional board in regulating the discharge of waste to maintain high quality waters of the state (i.e., background water quality) until it is demonstrated that any change in quality will be consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than as described in plans and policies (e.g. violation of any water quality objective). Moreover, the discharge is required to meet WDRs that result in the best practicable treatment or control (BPTC) of the discharge necessary to assure pollution or nuisance will not occur, and highest water quality consistent with maximum benefit to the people will be maintained.
20. Some degradation of groundwater from the discharge to the seepage pits is consistent with Resolution No. 68-16, provided that this degradation:
 - a. Is confined to a reasonable area;
 - b. Is minimized by means of full implementation, regular maintenance, and optimal operation of (BPTC) measures;
 - c. Is limited to waste constituents typically encountered in domestic wastewater; and
 - d. Does not result in water quality less than that prescribed in the applicable basin plan, including violation of any water quality objective.

21. The discharge of wastewater from the WWTF, as permitted herein, reflects best practicable treatment and control. The controls assure the discharge does not create a condition of pollution or nuisance, and that the highest water quality defined by the physical and chemical nature of the local groundwater will be maintained, which is consistent with the anti-degradation provisions of Resolution No. 68-16. The WWTF incorporates:
 - a. Technology for secondary treated domestic wastewater;
 - b. Sludge handling facilities;
 - c. An operation and maintenance manual;
 - d. Staffing to assure proper operation and maintenance; and
 - e. A standby emergency power generator of sufficient size to operate the treatment plant and ancillary equipment during periods of loss of commercial power.

22. Constituents in domestic WWTF effluent that present the greatest risk to groundwater quality are nitrogen, coliforms (pathogen-indicator organisms), and dissolved salts (TDS). The proposed WWTF provides substantial removal of soluble organic matter, solids, and nitrogen. While secondary treatment reduces fecal coliform densities by 90 to 99%, the remaining organisms in effluent are still 10^5 to 10^6 MPN/100 ml (United States Environmental Protection Agency, Design Manual, Municipal Wastewater Disinfection; October 1986). Given depth to groundwater and soil types beneath the seepage pits, effluent disinfection is not needed to prevent pathogen-indicator bacteria from reaching groundwater at densities exceeding those prescribed in Title 22, CCR. However, the WWTF, seepage pits, and soils beneath the disposal area are not likely to prevent groundwater degradation by TDS. Therefore, degradation to groundwater, if any, should be limited to the area underlying the disposal areas and to salinity constituents.

23. The typical incremental addition of dissolved salts from domestic water usage is 150 to 380 mg/L. Considering current water conservation practices, the TDS increase allowed for this subdivision is 200 mg/L, provided wastes are exclusively domestic and without water softener discharges. An average limitation of 400 mg/L for TDS in effluent, which is more stringent than the TDS lower limit prescribed by Title 22, CCR, limits salt degradation to a reasonable amount (200 mg/L over the average TDS of municipal water supply), and reasonably protects present, and anticipated future uses of groundwater beneath the seepage pits.

24. Groundwater limits equal to water quality objectives for indicator waste constituents are appropriate, as well as a more restrictive limit for TDS in groundwater than that prescribed by Title 22, CCR. The proposed residential development provides necessary housing and contributes to economic development in the area. This factor and the associated increase in TDS are consistent with maximum benefit to the people of the State. Accordingly, the discharge as authorized is consistent with the anti-degradation provisions of Resolution 68-16.

Storm Water

25. Federal regulations for storm water discharges were promulgated by the United States Environmental Protection Agency (USEPA; 40 CFR Parts 122, 123, and 124). The regulations require specific categories of facilities discharging storm water associated with industrial activity to obtain National Pollutant Discharge Elimination System (NPDES) permits and to implement Best Conventional Pollutant Technology and Best Available Technology Economically Achievable to reduce or eliminate industrial storm water pollution.
26. The State Water Board adopted Order No. 97-03-DWQ (General Permit No. CAS000001), specifying WDRs for discharges of storm water associated with industrial activities, excluding construction activities, and requiring submittal of a Notice of Intent by industries to be covered under the General Permit.
27. Pursuant to California Water Code Section 13263(g), the discharge of waste is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.

CEQA and Public Participation

28. In accordance with the California Environmental Quality Act (CEQA), (Cal. Pub. Resources Code § 21000 et seq.) the Town of Yucca Valley Planning Division, acting as the lead agency, adopted a Mitigated Negative Declaration for this project on August 19, 2004. Following adoption of the Mitigated Negative Declaration, the Town of Yucca Valley filed a Notice of Determination for the project on September 8, 2004 with the County Clerk for the County of San Bernardino. The Regional Board has considered the Mitigated Negative Declaration and potential impacts to water quality. Compliance with these waste discharge requirements will prevent any significant adverse impacts to water quality.
29. The Board has notified the Discharger and all known interested agencies and persons of its intent to draft WDRs for this discharge, and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
30. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the Discharger shall comply with the following:

A. Discharge Prohibitions

1. Discharge of wastes to surface waters or surface water drainage courses is prohibited.
2. Discharge of waste classified as 'hazardous,' as defined in Section 2521(a) of Title 23, CCR, Section 2510 et seq., or 'designated,' as defined in California Water Code Section 13173, is prohibited.
3. Bypass or overflow of untreated or partially treated waste is prohibited, except as allowed in Provision E.12.
4. Discharge of waste from the sanitary sewer system at any point upstream of the WWTF is prohibited.
5. Discharge of wastewater from WWTF, other than into the seepage pits described in Finding Nos. 3 and 4, above, is prohibited.
6. The WWTF and seepage pits shall be maintained so that at no time is sewage or treated effluent permitted to surface or overflow at any location.

B. Discharge Specifications

1. The 30-day monthly average daily discharge flow shall not exceed 14,000 gpd. The flow limit shall be applied to the flow leaving the WWTF.
2. Effluent from the WWTF shall not have a pH below 6.0 or above 9.0.
3. The treatment or disposal of wastes from the facility shall not cause pollution or nuisance as defined in Section 13050(l) and 13050(m) of Division 7 of the California Water Code.
4. Public contact with wastewater and the subsurface disposal area shall be precluded or controlled through such means as fences and signs, or acceptable alternatives.
5. The Discharger shall not cause degradation of any water supply.
6. All treatment, storage, and disposal areas shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
7. Operation of the WWTF shall not cause pollution or nuisance as defined in Section 13050 of the California Water Code.

8. WWTF effluent shall not exceed the following effluent limits:

Constituent	Units	Monthly Average	Weekly Average	Daily Maximum
BOD ₅ ¹	mg/L	30	45	65
Total Suspended Solids	mg/L	30	45	65
Nitrogen (as Total Nitrogen)	mg/L	10	15	20
Total Dissolved Solids (TDS)	mg/L	415	--	--
¹ 5-day biochemical oxygen demand at 20 °C.				

C. Sludge Disposal

1. Collected screenings, biosolids, grease and oil, and other solids removed from liquid wastes shall be disposed of in a manner that is consistent with Title 27 and approved by the Executive Officer.
2. Any proposed change in biosolids use or disposal practice from a previously approved practice shall be reported to the Executive Officer and U.S. Environmental Protection Agency Regional Administrator at least 90 days in advance of the change.
3. Use and disposal of sludge shall comply with existing Federal and State laws and regulations, including permitting requirements and technical standards included in 40 CFR part 503. If the State Water Resources Control Board and the Regional Water Quality Control Boards are given the authority to implement regulations contained in the 40 CFR part 503, this Order may be reopened to incorporate appropriate time schedules and technical standards. The Discharger must comply with the standards and time schedules contained in 40 CFR part 503 whether or not they have been incorporated into this Order.

D. Groundwater Limitations

1. Discharge of waste constituents from the seepage pits shall not cause groundwater to:
 - a. Contain any of the following constituents in concentrations greater than listed:

Constituent	Units	Limitation
Ammonia (as NH ₄)	mg/L	1.5
Boron	mg/L	0.7
Chloride	mg/L	106
Iron	mg/L	0.3
Manganese	mg/L	0.05
Sodium	mg/L	60
Total Coliform Organisms	MPN ¹ /100 mL	< 2.2
Total Dissolved Solids	mg/L	350

Constituent	Units	Limitation
Nitrite (as N)	mg/L	1
Nitrate (as N)	mg/L	10
Total Trihalomethanes	mg/L	0.080
¹ Most Probable Number		

- b. Exhibit a pH of less than 6.5 or greater than 8.5 pH units.
- c. Impart to groundwater taste, odor, toxicity, or color that creates nuisance or impairs any beneficial use.

E. Provisions

1. The Discharger shall comply with Monitoring and Reporting Program (MRP) No. R7-2007-0009, and future revisions thereto, as specified by the Regional Board Executive Officer.
2. When determining compliance with monthly or weekly average Discharge Specifications, and only one sample is available for that reporting period because of the prescribed monitoring frequency of MRP No. R7-2007-0009, the value of that sample shall be used to determine compliance with the average Discharge Specifications.
3. Prior to any modification at this facility, which would result in material change in the quality or quantity of wastewater treated or discharged, or any material change in the location of discharge, the Discharger shall report all pertinent information in writing to the Regional Board and obtain revised requirements before any modifications are implemented.
4. Prior to any change in ownership or management of this operation, the Discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.
5. The Discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.
6. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
7. Standby power generating facilities shall be available to operate the plant during a commercial power failure.
8. The Discharger shall comply with all of the conditions of this Board Order. Any noncompliance with this Board Order constitutes a violation of the Porter-Cologne Water Quality Control Act (Cal. Water Code § 13000 et seq.), and is grounds for enforcement action.

9. **At least 30 days prior to beginning WWTF operations and waste discharge**, the Discharger shall submit an engineering report pursuant to Section 13267 of the California Water Code. The report shall be prepared by a registered civil engineer experienced in the design of domestic wastewater treatment and disposal facilities, and provide:
 - a. A description of the as-built WWTF and disposal system;
 - b. A description of the type and location of flow metering instruments installed to comply with the effluent flow limit and MRP No. R7-2007-0009;
 - c. A description of the subsurface disposal system, including: the number, size, and construction specifications of each seepage pit; the area covered by the seepage pits, and available standby area for seepage pit replacement;
 - d. A map to scale (1inch = 200 feet, or less) showing the location of the WWTF, disposal area, and property boundaries, and
 - e. The Operation and Maintenance (O&M) Plan for the WWTF and subsurface disposal area.
 - f. Certification that the facilities were designed and built to comply with the terms of this order.

The O&M Plan shall:

- i. Instruct field personnel to manage daily discharge operations to comply with the terms and conditions of this Order, and to make field adjustments to prevent nuisance conditions (e.g., surfacing water);
 - ii. Include a nuisance condition, troubleshooting flowchart for the WWTF and disposal area, and notification requirements in case of an emergency;
 - iii. Include an Inspection and Maintenance Plan describing the procedures and schedule for inspecting and testing the sewage collection system, and necessary maintenance; and
 - iv. Provide instructions to determine when to remove grease/scum/sludge from the WWTF, and proper procedures for disposal of removed solids.
 - v.
10. The Discharger shall at all times properly operate and maintain all systems and components of collection, treatment and control, installed or used by the Discharger to achieve compliance with the conditions of this Board Order. Proper operation and maintenance includes effective performance, adequate process controls, and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of this Board Order. All systems in service or reserved shall be inspected and maintained on a regular basis. Records of inspection results and maintenance performed shall be kept and made available to the Regional Board Executive Officer upon demand.
11. The Discharger shall report any noncompliance that may endanger human health or the environment. The Discharger shall immediately report orally to the Regional Board Executive Officer and the Office of Emergency Services information of the noncompliance as soon as: (1) the Discharger has knowledge of the discharge, (2) notification is possible, and (3) notification can be provided without substantially impeding cleanup or other

emergency measures. During non-business hours, the Discharger shall leave a message on the Regional Board office voice recorder. A written report shall be provided within five (5) business days of the time the Discharger is aware of the incident. The written report shall contain a description of the noncompliance and the cause, the period of noncompliance, the anticipated time to achieve full compliance, and steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance. The Discharger shall report all intentional or unintentional spills occurring within the facility or collection system to the Regional Board office in accordance with the above time limits.

12. By-pass (i.e., 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;
 - 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 (10) days in advance.

The Discharger shall submit notice of an unanticipated by-pass as required in paragraph E.11 above.

13. The Discharger shall allow the Regional Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
 - a. Enter upon the premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;
 - b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and
 - d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any

substances or parameters at this location.

15. The Discharger shall comply with the following:
 - a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
 - b. 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 Board Order, and records of all data used to complete the application for this Board Order, for a period of at least five (5) years from the date of the sample, measurement, report or application.
 - c. Records of monitoring information shall include:
 - (1) The date, exact place, and time of sampling or measurements;
 - (2) The individual(s) who performed the sampling or measurements;
 - (3) The date(s) analyses were performed;
 - (4) The individual(s) who performed the analyses;
 - (5) The analytical techniques or method used; and
 - (6) The results of such analyses.
16. Unless otherwise approved by the Regional Board Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the United States Environmental Protection Agency.
17. The Discharger is the responsible party for the WDRs and the Monitoring and Reporting Program (MRP) for the facility. The Discharger shall comply with all conditions of these WDRs. Violations may result in enforcement action, including Regional Board orders or court orders that require corrective action or impose civil monetary liability, or modification or revocation of these WDRs by the Regional Board.
18. The Discharger shall provide adequate notice to the Regional Board Executive Officer of the following:
 - a. The introduction of pollutants into any of the treatment facilities described in the Findings of this Board Order from an indirect Discharger which would be subject to Section 301 or 306 of the Clean Water Act, if the pollutants were discharged directly;
 - b. Any substantial change in the volume or character of pollutants being introduced into any of the treatment facilities described in the Findings of this Board Order by an existing or new source; and

Drake Development, LLC
Tract 16587
Waste Discharge Requirements

- c. Any planned physical alterations or additions to the facilities described in this Board Order, or changes planned in the Discharger's sludge use or disposal practice, where such alterations, additions, or changes may justify the application of Board Order conditions that are different from or absent in the existing Board Order, including notification of additional disposal sites not reported during the Board Order application process, or not reported pursuant to an approved land application plan.
19. The Discharger shall report all instances of noncompliance. Reports of noncompliance shall be submitted with the Discharger's next scheduled self-monitoring report or earlier if requested by the Regional Board Executive Officer, or if required by an applicable standard for sludge use and disposal.
20. The Discharger shall apply for coverage under the NPDES General Permit for storm water discharges from construction activities for the site.
21. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.
22. The Discharger shall maintain a permanent log of all solids hauled away from the treatment facility for use/disposal elsewhere and shall provide a summary of the volume, type (screenings, grit, raw sludge, digested sludge), use (agricultural, composting, etc.), and the destination in accordance with the MRP of this Board Order.
23. This Board Order does not convey property rights of any sort, or any exclusive privileges, nor does it authorize injury to private property or invasion of personal rights, or infringement of federal, state, or local laws or regulations.
24. This Board Order may be modified, rescinded, and reissued, for cause. The filing of a request by the Discharger for a Board Order modification, rescission, and reissuance, or a notification of planned changes or anticipated noncompliance does not stay any Board Order condition. Causes for modification include the promulgation of new regulations, modification of land application plans, or modification in sludge use or disposal practices, or adoption of new regulations by the State Board or the Regional Board, including revisions to the Basin Plan.

I, Robert Perdue, 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, Colorado River Basin Region, on March 21, 2007.

Ordered by: 
ROBERT PERDUE
Executive Officer

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

MONITORING AND REPORTING PROGRAM NO. R7-2007-0009
FOR
DRAKE DEVELOPMENT, LLC.
CHURCH STREET WASTEWATER TREATMENT, AND DISPOSAL SYSTEMS
Town of Yucca Valley – San Bernardino County

Location of Wastewater Treatment Facility (WWTF) and Discharge:
Latitude/Longitude, 34.111° N / 116.436° W

MONITORING

1. The collection, preservation and holding times of all samples shall be in accordance with United States Environmental Protection Agency (USEPA) approved procedures. Unless otherwise approved by the Regional Board Executive Officer, all analyses shall be conducted by a laboratory certified by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of the "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40CFR Part 136), promulgated by the USEPA.
2. Samples shall be collected at the location specified in the Permit. If no location is specified, sampling shall be conducted at the most representative sampling point available.
3. If the facility is not in operation, or there is no discharge during a required reporting period, the Discharger shall forward a letter to the Regional Board indicating that there has been no activity during the required reporting period.

SECONDARY EFFLUENT MONITORING DURING SYSTEM STARTUP

A sampling station shall be established at the point of discharge from the treatment unit (at the D-box). During the initial startup period, until consistent levels of plant performance have been established, the following monitoring schedule shall be in place:

Constituents	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Flow	gpd ¹	Calculation ²	Weekly	Monthly
pH	pH units	Grab	Weekly	Monthly
20° C BOD ₅	mg/L	Grab	Weekly	Monthly
Suspended Solids	mg/L	Grab	Weekly	Monthly
Settleable Solids	mg/L	Grab	Weekly	Monthly
Nitrite (NO ₂ -N) as Nitrogen	mg/L	Grab	Weekly	Monthly
Nitrate (NO ₃ -N) as Nitrogen	mg/L	Grab	Weekly	Monthly
Total Nitrogen	mg/L	Grab	Weekly	Monthly
Total Dissolved Solids	mg/L	Grab	Weekly	Monthly
VOCs ³	µg/L ⁴	Grab	Monthly	Monthly
¹ Gallons per day ² Average daily flow calculated from weekly meter reading ³ Volatile Organic Compounds testing is to be accomplished using the USEPA test methods 601 and 602 or 624 ⁴ Micrograms per liter				

SECONDARY EFFLUENT MONITORING

After consistent levels of plant performance have been established, and after the Discharger has obtained written approval of the Regional Board Executive Officer, the following monitoring schedule shall be in place:

Constituents	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Flow	gpd ²	Calculation ³	Weekly	Monthly
pH	pH units	Grab	Monthly	Monthly
20° C BOD ₅	mg/L	Grab	Monthly	Monthly
Suspended Solids	mg/L	Grab	Monthly	Monthly
Settleable Solids	mg/L	Grab	Monthly	Monthly
Nitrite (NO ₂ -N) as Nitrogen	mg/L	Grab	Monthly	Monthly
Nitrate (NO ₃ -N) as Nitrogen	mg/L	Grab	Monthly	Monthly
Total Nitrogen	mg/L	Grab	Monthly	Monthly
Total Dissolved Solids	mg/L	Grab	Monthly	Monthly
VOCs	µg/L	Grab	Annually	Annually

¹ When analysis show noncompliance with the limitations prescribed by Discharge Specification No. B.8, the Discharger shall increase the sampling frequency, for the constituents that are in noncompliance, to one (1) sample per week, and continue sampling at that minimum frequency until either (a) the sampling shows compliance for two consecutive months or (b) it is notified by the Executive Officer that it can resume the normal sampling schedule.

² Gallons per day

³ Average daily flow calculated from weekly meter readings.

WATER SUPPLY TO THE FACILITY

The Discharger shall establish a sampling station where a representative sample of the domestic water supply to the restaurant can be obtained; and shall provide written notification to the Executive Officer of the proposed sampling station. The sampling station is subject to the approval of the Executive Officer. Water supply monitoring shall include at least the following:

Constituents	Units	Sampling Frequency
TDS	mg/L	Monthly
pH	pH units	Monthly
Standard Minerals ¹	mg/l	Annually

¹ Standard Minerals shall include, at a minimum, the following elements/compounds: Barium, Calcium, Magnesium, Nitrogen, Potassium, Sulfate, Total Alkalinity (including alkalinity series), and Hardness

REPORTING

1. The Discharger shall arrange the data in tabular form so that the specified information is readily discernible. The data shall be summarized in such a manner as to clearly illustrate whether the facility is operating in compliance with Waste Discharge Requirements (WDRs). Where appropriate, the Discharger shall include supporting calculations (e.g., for monthly averages).

2. Records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurement(s);
 - b. The individual(s) who performed the sampling or measurement(s);
 - c. The date(s) analyses were performed;
 - d. The individual(s) who performed the analyses;
 - e. The analytical technique or method used; and
 - f. The results of such analyses.
3. The results of any analysis taken, more frequently than required at the locations specified in this Monitoring and Reporting Program (MRP) shall be reported to the Regional Board.
4. Monitoring reports shall be certified under penalty of perjury to be true and correct, and shall contain the required information at the frequency designated in this monitoring report.
5. Each report shall contain the following statement:

"I declare under the penalty of law that I have personally examined and am familiar with the information submitted in this document, 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 a fine and imprisonment for knowing violations".
6. The MRP and other information requested by the Regional Board shall be signed by a principal executive officer or ranking elected official.
7. A duly authorized representative of the Discharger may sign the documents if:
 - a. The authorization is made in writing by the person described above;
 - b. The authorization specifies an individual or person having responsibility for the overall operation of the regulated disposal system; and
 - c. The written authorization is submitted to the Regional Board Executive Officer.
8. Reporting of any failure in the facility (wastewater treatment plant, and collection and disposal systems) shall be as described in Provision No. 11. Results of any analysis performed as a result of a failure of the facility shall be provided within ten (10) days after collection of the samples.
9. The Discharger shall attach a cover letter to the Self Monitoring Report. The information contained in the cover letter shall clearly identify violations of the Waste Discharge Requirements, discuss corrective actions taken or planned, and the propose a time schedule for corrective action. Identified violations should include a description of the requirement that was violated and a description of the violation.

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10. Daily, weekly and monthly monitoring reports shall be submitted to the Regional Board by the 15th day of the following month. Quarterly monitoring reports shall be submitted to the Regional Board by January 15th, April 15th, July 15th, and October 15th, of each year. Annual monitoring reports shall be submitted to the Regional Board by January 15th of each year.
11. The Discharger shall submit monitoring reports to:

California Regional Water Quality Control Board
Colorado River Basin Region
73-720 Fred Waring, Suite 100
Palm Desert, CA 92260

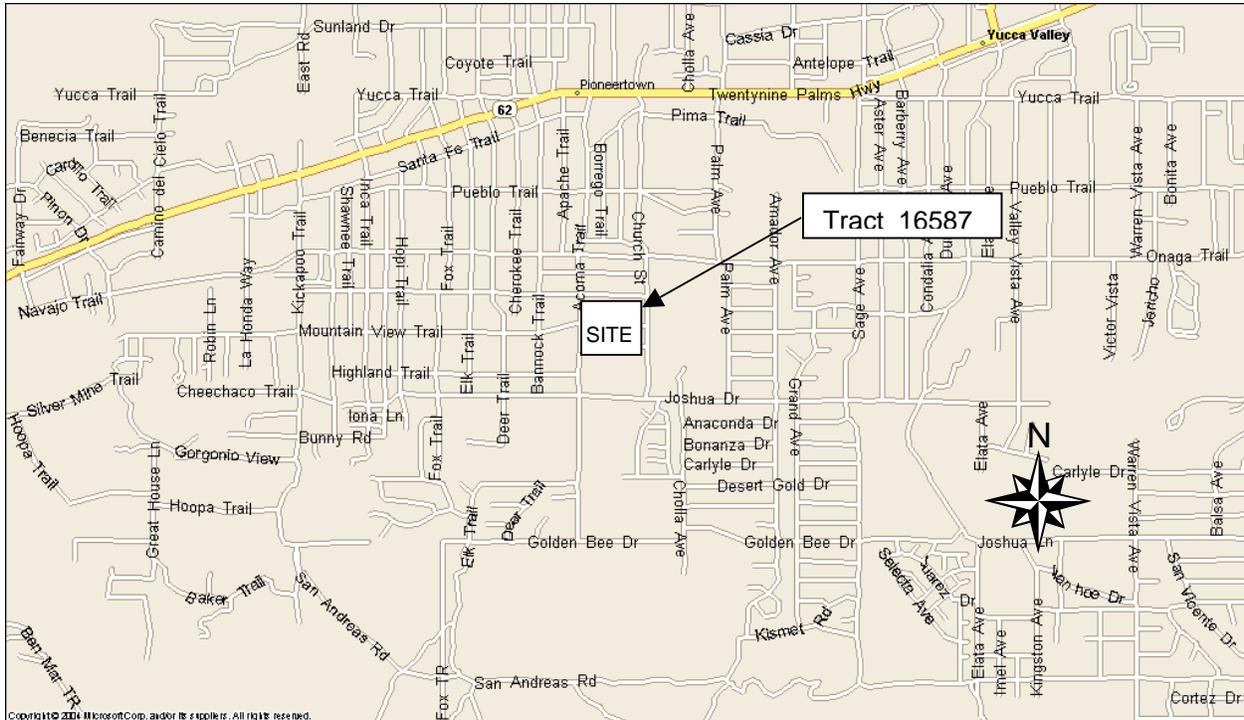
Ordered by: 
ROBERT PERDUE
Executive Officer

March 21, 2007

Date

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**California Regional Water Quality Control Board
Colorado River Basin Region**



Attachment A

Site Map

**Drake Development, LLC
Wastewater Treatment, and Disposal Systems
Town of Yucca Valley – San Bernardino County**

Facility Location 34.111° N Latitude and 116.436° W Longitude

Board Order No. R7-2007-0009