

**State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

TIME SCHEDULE ORDER NO. R4-2014-YYYY

**REQUIRING THE CITY OF SIMI VALLEY
(SIMI VALLEY WATER QUALITY CONTROL PLANT)
TO COMPLY WITH REQUIREMENTS PRESCRIBED IN
ORDER NUMBER R4-2014-XXXX
(NPDES PERMIT NO. CA0055221)**

The California Regional Water Quality Control Board, Los Angeles Region (hereafter Regional Water Board), finds:

1. The City of Simi Valley (hereafter The City, Permittee or Discharger) owns and operates the Simi Valley Water Quality Control Plant (hereafter Simi Valley WQCP), a publicly owned treatment works (POTW) located at 600 West Los Angeles Avenue, Simi Valley, California, within the Calleguas Watershed.
2. The Simi Valley WQCP discharges tertiary-treated wastewater under waste discharge requirements contained in Order No. R4-2003-0081, adopted by this Regional Water Board on June 5, 2003. Order No. R4-2003-0081 serves as a permit under the National Pollutant Discharge Elimination System (NPDES No. CA0055221) and regulates the discharge of treated wastewater to Arroyo Simi, a water of the United States and the State of California, within the Calleguas Creek Watershed. Order No. R4-2003-0081 expired on June 5, 2008, but was administratively extended.
3. On May 8, 2014, the Regional Water Board adopted Order No. R4-2014-XXXX, which renewed the waste discharge requirements and NPDES permit for the Simi Valley WQCP. Order No. R4-2014-xxxx is effective on July 1, 2014.
4. The treatment system at the Simi Valley WQCP consists of primary sedimentation, activated sludge biological treatment with nitrification and denitrification, secondary sedimentation, dual media filtration, chlorination, and dechlorination. Primary sludge is anaerobically digested and waste activated sludge is thickened and aerobically digested. Sewage solids separated from the wastewater are dried in sludge drying beds and transported off site to a landfill facility. The Simi Valley WQCP was recently upgraded to remove nutrient from the wastewater. However, the treatment facility is not designed to remove chloride or other salts from the influent.
5. Several reaches of Calleguas Creek that include Arroyo Simi have been identified on the 2010 303(d) List as not meeting water quality standards for chloride, because the surface waters above Potrero Road do not meet the Basin Plan chloride water quality objective of 150 mg/L.
6. The drought in the late 1980s increased chloride concentrations in supply waters imported into the Los Angeles Region. This increase, plus salt loading that occurs during beneficial use of supply waters, has made it difficult for many dischargers in the Region to comply with water quality limits for chloride. In 1990, the Regional Water Board adopted Resolution No.

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90-04, *Effects of Drought-Induced Water Supply Changes and Water Conservation Measures on Compliance with Waste Discharge Requirements within the Los Angeles Region*. This resolution, commonly referred to as the *Drought Policy*, was intended to provide short-term and temporary relief to POTWs who were unable to comply with limits for chloride due to the effects of drought on chloride levels in supply waters imported into the Region.

7. Chloride levels in supply waters imported into the Region continue to be generally higher than they were before drought conditions in the late 1980s. The high levels of chloride in imported waters appear to be the result of intensifying demands for and utilization of water resources in watersheds that are the sources of supply waters. On January 27, 1997, the Regional Water Board adopted an amendment to the *Basin Plan*, Resolution 97-02, *Amendment to the Water Quality Control Plan to Incorporate a Policy for Addressing Levels of Chloride in Discharges of Wastewaters*. This amendment was subsequently approved by the State Water Resources Control Board (Resolution 97-94) and by the Office of Administrative Law on January 9, 1998. The Resolution granted a three-year variance for interim relief to existing dischargers in the Santa Clara River and Calleguas Creek watersheds. On April 13, 1998, the Regional Water Board adopted Order No. 98-027, which amended Order No. 96-043 for Simi Valley WQCP to include an interim chloride daily maximum effluent limit of 190 mg/L based on Resolution 97-02. This interim limit was set to expire on January 9, 2001.
8. On December 7, 2000, the Regional Water Board adopted Resolution No. 2000-22, to extend the Interim Chloride Limits for Discharges to Calleguas Creek until March 31, 2001.
9. On March 22, 2002, USEPA Region 9 established the Calleguas Creek Total Maximum Daily Load for chloride which used the 150 mg/L objective in the Basin Plan to establish a waste load allocation of 10,100 lbs/day for the Simi Valley WQCP during normal conditions, and a waste load allocation of 9,200 lbs/day for the Simi Valley WQCP during drought conditions.
10. On August 14, 2002 the City of Simi Valley (Simi Valley WQCP), Thousand Oaks (Hill Canyon WWTP), Camarillo Sanitary District (Camarillo WRP), Camrosa Sanitation District (Camrosa WRP), Ventura County Water Works District No. 1 (Moorpark facility) and the Regional Water Board entered into a "Stipulation for Order Issuing Stay, with Conditions," which stayed the chloride final effluent limitation in NPDES Order No. 96-043. The State Water Board adopted WQO 2002-0017, which approved the August 14, 2002 stipulation.
11. On June 5, 2003, the NPDES permits for the City of Simi Valley (Simi Valley WQCP), Thousand Oaks (Hill Canyon WWTP), Camarillo Sanitary District (Camarillo WRP) were renewed, thereby rescinding the 1996 NPDES Orders, except for enforcement purposes. The Dischargers petitioned the revised NPDES Orders to the State Water Board, requested an extension of the chloride stay, and asked that the petitions be held in abeyance.
12. On October 10, 2003, the City of Simi Valley (Simi Valley WQCP), Thousand Oaks (Hill Canyon WWTP), Camarillo Sanitary District (Camarillo WRP), and the Regional Water Board entered into a "Stipulation for Further Order Issuing Stay, with Conditions," which stayed the chloride final effluent limitation in NPDES Order No. R4-2003-0081. The State Water Board adopted WQO 2003-0019, which approved the October 10, 2003, stipulation and held the petitions in abeyance for three years (until November 19, 2006).

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13. On September 28, 2006, the State Water Board granted an extension of the abeyance until July 15, 2008. The State Water Board, however, has continued granting extensions to the abeyance.
14. On October 4, 2007, the Regional Water Board adopted Resolution No. 2007-016, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate the TMDL for Boron, Chloride, Sulfate, and TDS (Salts) in the Calleguas Creek Watershed (Salts TMDL)*, which established final WLAs for chloride, sulfate, boron, and total dissolved solids (TDS). The *Salts TMDL* became effective on December 8, 2008. The *Salts TMDL* includes an implementation plan that provides a compliance schedule for application of the final WLAs. The compliance schedule requires final WLAs to be included in permits for POTWs 15 years after the effective date of the TMDL (December 8, 2023). Prior to that time, interim WLAs are to be included in permits for POTWs. USEPA approved the *Salts TMDL* pursuant to Clean Water Act section 303(d)(2). USEPA did not take action on the implementation plan provided with the TMDL, and did not approve the compliance schedule for implementation of the final WLAs pursuant to 303(c). Therefore, the final WLAs for chloride were required to be included in Order No. 2014-XXXX.
15. NPDES Order No. R4-2014-XXXX prescribes effluent limitations for chloride consistent with the Salts TMDL, as presented in the Table below. This TSO applies to both the dry-weather and wet-weather, and concentration based and mass based limits, for chloride provided by the TMDL.

Table 1. Final Effluent Limitation

Parameter	Units	Effluent Limitations		
		Average Monthly	Average Weekly	Maximum Daily
Chloride (wet-weather) ¹	mg/L	150	--	--
Chloride (dry-weather) ¹	lbs/day	15,640		

16. The Discharger cannot consistently meet the above-mentioned chloride effluent limits.
17. The dischargers, including Simi Valley WQCP, have participated with other stakeholders in the Calleguas Creek Watershed Management Plan Committee to develop a watershed-wide solution to the salts water quality problem. The proposed Calleguas brine line will remove salts (chloride, TDS, sulfate, and boron) from inland waters in the Calleguas Creek Watershed and discharge them to the ocean through a permitted outfall. The brine line is expected to be completed and in operation by December 31, 2018.
18. On February 13, 2014, the Discharger submitted an email requesting a TSO under CWC section 13385(j)(3)(B)(iii) based on the following facts:
 - a. The final effluent limitation for chloride is based on the Calleguas Creek Watershed Salts TMDL that specifies the final WLA = 150 x Q-AF. Based on data collected, the

¹ See section VII.O. of the NPDES Order for definition of dry- and wet-weather.

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Discharger will not be able to consistently comply with the final effluent limitation for chloride in Order No. 2014-XXXX.

- b. The final WLAs include an adjustment factor to allow higher loads in effluent if those loads are offset by watershed salt removal. The watershed salt removal mechanisms are not yet in place and as a result, Simi Valley WQCP will not have the ability to consistently comply with the final WLAs in the *Salts TMDL* should source water quality cause an increase in effluent concentrations.
 - c. Milestones and completion dates for capital improvement projects will require more than thirty days to install and put into operation. These capital improvements include constructing a connection from Simi Valley WQCP to Calleguas Municipal Water District's brine line by December 2018, and discharging to the brine line to achieve compliance with the salts final effluent limitations.
19. The Regional Water Board acknowledges that the Discharger has made substantial efforts to upgrade its wastewater treatment plant and to participate with stakeholders in the watershed to develop and implement a regional salt management plan. The Regional Water Board issues this Order in recognition that the Discharger needs time to complete construction and startup operations of capital improvement projects associated with the brine line.
 20. California Water Code (CWC) section 13300 states that "[w]henver a regional board finds that a discharge of waste is taking place or threatening to take place that violates or will violate requirements prescribed by the regional board ... the board may require the discharger to submit for approval of the board, with such modifications as [the board] may deem necessary, a detailed time schedule of specific actions the discharger shall take in order to correct or prevent a violation of requirements." The Discharger has proposed a strategy for complying with the chloride limits in Order No. 2014-XXXX.
 21. Based on monitoring data, the Permittee cannot consistently achieve compliance with the final effluent limitations for chloride in Order No. R4-2014-XXXX. Accordingly, pursuant to CWC section 13300, a discharge of waste is threatening to take place that violates requirements prescribed by the Regional Water Board.
 22. Water Code section 13385, subdivisions (h) and (i), require the Regional Water Board to impose mandatory minimum penalties upon dischargers that violate certain effluent limitations. Section 13385(j)(3) exempts violations of an effluent limitation from mandatory minimum penalties "where the waste discharge is in compliance with either a cease and desist order issued pursuant to Section 13301 or a time schedule order issued pursuant to Section 13300, if all of the [specified] requirements are met."
 23. In accordance with CWC section 13385(j)(3)(B)(i), the Regional Water Board finds that "[t]he effluent limitation is a new, more stringent, or modified regulatory requirement that has become applicable to the waste discharge after the effective date of the waste discharge requirements and after July 1, 2000, new or modified control measures are necessary in order to comply with the effluent limitation, and the new or modified control measures cannot be designed, installed, and put into operation within 30 calendar days. The effluent limitation for chloride in Order No. 2014-XXXX is a more stringent and modified regulatory

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requirement that became applicable to the waste discharge after the effective date of the prior permit and after July 1, 2000. New control measures at the Facility are necessary to comply with the chloride effluent limitation and the control measures cannot be designed, installed, and put into operation within 30 calendar days.

24. This time schedule to bring the waste discharge into compliance with the effluent limitation for chloride is as short as possible, taking into account the technological, operational, and economic factors that affect the design, development, and implementation of the control measures that are necessary to comply. This time schedule does not exceed five years in length.
25. Since the time schedule for completion of the actions necessary to bring the waste discharge into compliance with the chloride effluent limitation exceeds one year from the effective date of this TSO, this TSO includes interim requirements and the dates for their achievement. The interim requirements include both interim effluent limitations for chloride and actions and milestones leading to compliance with the final effluent limitation for chloride.
26. The monthly average interim effluent limitation for chloride is derived from the interim waste load allocation as set forth in the *Calleguas Creek Watershed Salts TMDL*, established by the Regional Water Board on October 4, 2007, effective on December 8, 2008. The TMDL interim effluent limitation is set equal to the 95th percentile of available discharge data.
27. CWC section 13385(j)(3)(D) requires the Permittee to prepare and implement a Pollution Prevention Plan (PPP) pursuant to CWC section 13263.3.
28. Pursuant to CWC section 13385(j)(3), full compliance with the requirements of this TSO exempts the Permittee from mandatory minimum penalties only for violations of the effluent limitations for chloride in Order No. R4-2014-XXXX that occur after the effective date of this TSO.
29. This TSO concerns an existing facility and does not significantly alter the status with respect to the facility. This TSO is also being taken for the protection of the environment. Therefore, issuance of this TSO is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21100, et.seq.) in accordance with sections 15301 and 15321(a)(2) of Title 14 of the California Code of Regulations (CCR).
30. The Regional Water Board has notified the Permittee and interested agencies and persons of its intent to issue this TSO concerning compliance with waste discharge requirements. The Regional Water Board, in a public hearing, heard and considered all testimony pertinent to this matter.
31. Any person aggrieved by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with CWC section 13320 and CCR, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the Regional Water Board action, except that if the thirtieth day following the action falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at

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http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

IT IS HEREBY ORDERED that, pursuant to the CWC section 13300, the City of Simi Valley, as owner and operator of the Simi Valley WQCP, shall:

1. Immediately comply with the chloride interim effluent limitation, applicable to both dry-weather and wet-weather:

Table 2. Interim Effluent Limitation

Parameter	Units	Effluent Limitations		
		Average Monthly	Average Weekly	Maximum Daily
Chloride	mg/L	183	--	--

If the analytical result of a single sample, monitored monthly, exceeds the monthly average interim effluent limitation, Simi Valley WQCP may collect up to four additional samples, at approximately equal intervals during that calendar month, to determine compliance with the monthly average interim effluent limitation.

2. Complete the capital improvement projects according to the schedule proposed by Simi Valley WQCP in their email dated February 13, 2014, as follows:

Table 3. Compliance Schedule for Chloride

Task No.	Description	Start Date	End Date
1	Conduct Source evaluation study and identify feasible source control strategies.	7/1/2014	8/31/2015
2	Implement Phase 2 of the Northern Reach Renewal Water Management Plan (NRRMP) implementation plan (i.e., construction of Moorpark Desalter).	1/1/2015	12/31/2015
3	Implement identified feasible source control strategies.	9/1/2015	12/31/2016
4	Implement Phase 3 of the NRRMP implementation plan (dewatering wells).	3/1/2016	12/31/2018
5	Determine if Optional Special Studies are needed as described in TMDL Basin Plan Amendment and submit workplans. 1. Develop Averaging Periods, Compliance Points 2. Develop Natural Background Exclusion 3. Develop Site Specific Objectives 4. Develop Site Specific Objectives for	1/1/2018	12/31/2018

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Task No.	Description	Start Date	End Date
	Drought Conditions		
The tasks below will be completed after the term of this TSO.			
6	Submit results of special studies	2 years after EO approval: Dec 3, 2018	12/3/2020
7	Implement Phase 4 of the NRRMP implementation plan	3/1/2020	12/1/2023
<u>8</u>	<u>Achieve WLAs, & WQOs</u>		<u>12/02/2023</u>

3. Achieve full compliance with the final effluent limitation for chloride as soon as possible, but no later than June 30, 2019. If the Discharger is unable to comply with the effluent limitation for chloride by the expiration date of this TSO, the Discharger may request additional time pursuant to Water Code section 13385(j)(3)(C)(ii)(II), if warranted, to complete the additional described tasks.
4. Submit a Pollution Prevention Plan (PPP) work plan with the time schedule for implementation for approval of the Executive Officer no later than August 8, 2014, pursuant to CWC section 13263.3.
5. Submit quarterly progress reports of actions taken towards achieving compliance with the final effluent limitation for chloride. The reports shall summarize the progress to date, activities conducted during that quarter, and the activities planned for the upcoming quarters. The reports shall also state whether or not the Facility was in compliance with the interim effluent limitation for chloride during the reporting period. Each quarterly report shall be received by the Regional Water Board by the 15th day of the first month following the reporting period (January 15, April 15, July 15, and October 15). The first progress report shall be received by the Regional Water Board by October 15, 2014, and will cover the months of July 2014 through September 2014.
6. All technical and monitoring reports required under this TSO are required pursuant to CWC sections 13267 and 13383. The Regional Water Board needs the required information in order to determine compliance with this TSO and Order No. R4-2014-XXXX. The burdens, including costs, of these reports bear a reasonable relationship to the needs for the reports and the benefits to be obtained from the reports.
7. Any person signing a document submitted under this TSO shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my

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knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

8. If the Permittee fails to comply with any provision of this TSO, the Regional Water Board may take any further action authorized by law. The Executive Officer, or his/her delegee, is authorized to take appropriate enforcement action pursuant, but not limited to, CWC sections 13350 and 13385. The Regional Water Board may also refer any violations to the Attorney General for judicial enforcement, including injunction and civil monetary remedies.
9. Except as described herein, this Order does not affect any provision of NPDES Order No. R4-2014-XXXX.
10. The Regional Water Board may reopen this TSO at its discretion or at the request of the Permittee, if warranted. Lack of progress towards compliance with this TSO may be cause for the Regional Water Board to modify the conditions of this TSO.
11. This TSO becomes effective on July 1, 2014. This TSO expires on June 30, 2019.

I, Samuel Unger, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on May 8, 2014.

Samuel Unger, P.E., Executive Officer

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