



California Regional Water Quality Control Board North Coast Region



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Agency Secretary

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Arnold Schwarzenegger
Governor

ORDER NO. R1-2006-0007 NPDES NO. CA0023574

The following Discharger is authorized to discharge in accordance with the conditions set forth in this Order:

Discharger	Covelo Community Services District
Name of Facility	Wastewater Treatment Plant
Facility Address	76001 Commercial Street
	Covelo, California 95428
	Mendocino County

The Discharger is authorized to discharge from the following discharge points as set forth below:

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
001	Treated municipal wastewater	39 °, 47 ', 2 " N	123 °, 14 ', 37 " W	Grist Creek

This Order was adopted by the Regional Water Board on:	March 8, 2006
This Order shall become effective on:	April 7, 2006
This Order shall expire on:	March 8, 2011
The U.S. Environmental Protection Agency (U.S. EPA) and the Regional Water Board have classified this discharge as a minor discharge.	
The Discharger shall file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, not later than 180 days in advance of the Order expiration date as application for issuance of new waste discharge requirements.	

IT IS HEREBY ORDERED, that Order No. R1-2000-16 is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in Division 7 of the California Water Code (CWC) and regulations adopted thereunder, and the provisions of the federal Clean Water Act (CWA), and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements herein.

I, Catherine Kuhlman, Executive Officer, do hereby certify that the following is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, North Coast Region, on March 8, 2006.


 Catherine Kuhlman, Executive Officer

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
REGION 1, NORTH COAST REGION**

ORDER NO. R1-2006-0007
NPDES NO. CA0023574

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I. FACILITY INFORMATION

The following Discharger is authorized to discharge in accordance with the conditions set forth in this Order:

Discharger	Covelo Community Services District
Name of Facility	Wastewater Treatment Plant
Facility Address	76001 Commercial Street
	Covelo, California 95428
	Mendocino County
Facility Contact, Title, and Phone	Tim Dennis, District Manager, 707-983-6888
Mailing Address	P.O. Box 65, Covelo, California 95428
Type of Facility	Publicly Owned Treatment Works
Facility Design Flow	80,000 gallons per day (gpd) (average dry weather design flow) and 384,000 gpd (peak, wet weather design flow)

II. FINDINGS

The California Regional Water Quality Control Board, North Coast Region (hereinafter the Regional Water Board) finds:

- A. **Background.** The Covelo Community Services District (the Discharger) is currently discharging under Order No. R1-2000-16 and National Pollutant Discharge Elimination System (NPDES) Order No. CA0023574, adopted on February 24, 2000. The Discharger submitted a Report of Waste Discharge, dated November 19, 2004, and applied to renew its NPDES Order to discharge up to 80,000 gpd (daily average) of treated wastewater from the Covelo Community Services District wastewater treatment facility.
- B. **Facility Description.** The Discharger owns and operates a collection and treatment system, which serves approximately 750 residential, commercial, and institutional users. The treatment system consists of a flow-metering flume, bar screen and comminutor, two oxidation ponds that can be operated in series or parallel, two holding ponds, gravity sand filters, and chlorination/dechlorination capability. Wastewater can discharge from Discharge Point 001 to Grist Creek, waters of the United States and tributary to the Middle Fork Eel River within the Upper Eel River Watershed. Typically, wastewater discharges to unlined ponds adjacent to Grist Creek. Due to the fact that these ponds are unlined and are located in an area of permeable soils as well as the fact that discharges soak into the ground prior to discharge directly to surface waters through Discharge Point 001, it is likely that wastewater pollutants from this Facility are being discharged to surface water via hydrogeologic connectivity with the pond system. Attachment B provides a topographic map of the area around the facility. Attachment C provides a flow schematic of the facility.
- C. **Legal Authorities.** This Order is issued pursuant to CWA Section 402 and implementing regulations adopted by the U.S. EPA and CWC Chapter 5.5, Division 7. It shall serve as an NPDES Order for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to CWC Article 4, Chapter 4 for discharges that are not subject to regulation under CWA Section 402.
- D. **Background and Rationale for Requirements.** The Regional Water Board developed the requirements in this Order based on information submitted as part of the Report of Waste Discharge, through monitoring and reporting programs, and through special studies. Attachments A through F, which contain background information and rationale for Order requirements, are hereby incorporated into this Order and, thus, constitute part of this Order.
- E. **California Environmental Quality Act (CEQA).** This action to reissue an NPDES Order is exempt from the provisions of CEQA (Public Resources Code Section 21100, et seq.) in accordance with CWC Section 13389.
- F. **Technology-Based Effluent Limitations.** NPDES regulations at 40 CFR 122.44 (a) require Orders to include applicable technology-based limitations and standards. This Order

includes technology-based effluent limitations based on standards for the secondary treatment of wastewater established at 40 CFR Part 133 and/or based on best professional judgment pursuant to CWA Section 402 (a) (1) (B). The Regional Water Board has considered the factors listed at 40 CFR 125.3 (c) and (d) for establishing technology-based limitations using best professional judgment. Discussion of the development of the technology-based effluent limitations of this Order is included in the Fact Sheet (Attachment F).

G. Water Quality-based Effluent Limitations. Section 122.44(d) of 40 CFR requires that permits include water quality-based effluent limitations (WQBELs) to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water. Where numeric water quality objectives have not been established, 40 CFR §122.44(d) specifies that WQBELs may be established using USEPA criteria guidance under CWA section 304(a), proposed State criteria or a State policy interpreting narrative criteria supplemented with other relevant information, or an indicator parameter.

H. Water Quality Control Plans. Water Quality Control Plans. The Regional Water Board adopted the *Water Quality Control Plan for the North Coast Region* (hereinafter Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. In addition, State Water Resources Control Board (State Water Board) Resolution No. 88-63 requires that, with certain exceptions, the Regional Water Board assign the municipal and domestic supply use to water bodies that do not have beneficial uses listed in the Basin Plan.

The Basin Plan at page 2-1.00 states that the beneficial uses of any specifically identified water body generally apply to its tributary streams. The Basin Plan does not specifically identify beneficial uses for Grist Creek, but does identify the following present and potential uses for the Round Valley Hydrologic Subarea of the Eel River Hydrologic Unit, to which Grist Creek is tributary:

Discharge Point	Receiving Water	Beneficial Uses
001	Grist Creek	<u>Existing:</u> MUN – Municipal and Domestic Supply AGR – Agricultural Supply IND – Industrial Service Supply GWR – Groundwater Recharge FRSH – Freshwater Replenishment NAV – Navigation REC1 – Water Contact Recreation REC2 – Non-Contact Water Recreation COMM – Commercial and Sport Fishing COLD – Cold Freshwater Habitat WILD – Wildlife Habitat

Discharge Point	Receiving Water	Beneficial Uses
		RARE – Preservation of Rare, Threatened, or Endangered Species MIGR – Migration of Aquatic Organisms SPWN – Spawning, Reproduction, and/or Early Development AQUA – Aquaculture <u>Potential:</u> PRO – Industrial Process Supply POW – Hydropower Generation WARM – Warm Freshwater Habitat
	Groundwater	<u>Existing:</u> MUN – Municipal and Domestic Supply AGR – Agricultural Supply IND – Industrial Service Supply CUL – Native American Culture <u>Potential:</u> PRO – Industrial Process Supply AQUA – Aquaculture

The State Water Resources Control Board (State Board) adopted a Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains temperature objectives for inland surface waters.

Requirements of this Order specifically implement the applicable water quality control plans, described above.

- I. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** U.S. EPA adopted the NTR on December 22, 1992 and amended it on May 4, 1995 and November 9, 1999. The CTR was adopted on May 18, 2000 and amended on February 13, 2001. These rules include water quality criteria for the priority, pollutants and are applicable to this discharge.
- J. **State Implementation Policy.** On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP became effective on April 28, 2000 with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Regional Water Boards in their basin plans. The SIP became effective on May 18, 2000 with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005 that became effective on July 13, 2005. The SIP includes procedures for determining the need for and calculating WQBELs, and requires Dischargers to submit data sufficient to do so. A detailed discussion of the basis for CTR effluent limitations is included in the Fact Sheet (Attachment F).

- K. Compliance Schedules and Interim Requirements.** Section 2.1 of the SIP provides that, based on a discharger's request and demonstration that it is infeasible for an existing discharger to achieve immediate compliance with an effluent limitation derived from a CTR criterion, compliance schedules may be allowed in an NPDES Order. Unless an exception has been granted under Section 5.3 of the SIP, a compliance schedule may not exceed 5 years from the date that the Order is issued or reissued, nor may it extend beyond May 18, 2010 to establish and comply with CTR criterion-based effluent limitations. Where a compliance schedule for a final effluent limitation exceeds 1 year, the Order must include interim numeric limitations for that constituent or parameter. Where allowed by the Basin Plan, compliance schedules and interim effluent limitations or discharge specifications may also be granted to allow time to implement a new or revised water quality objective. This Order does not include compliance schedules and interim effluent limitations.
- L. Antidegradation Policy.** Section 131.12 of 40 CFR requires that State water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution 68-16, which incorporates the requirements of the federal antidegradation policy. Resolution 68-16 requires that the existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. As discussed in detail in the Fact Sheet (Attachment F) the permitted discharge is consistent with the antidegradation provision of 40 CFR §131.12 and State Water Board Resolution 68-16.
- M. Anti-Backsliding Requirements.** Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at 40 CFR § 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order.
- N. Monitoring and Reporting.** NPDES regulations at 40 CFR 122.48 require that all NPDES Orders specify requirements for recording and reporting monitoring results. CWC Sections 13267 and 13383 authorize the Regional Water Board to require technical and monitoring reports. The attached Monitoring and Reporting Program (Attachment E) establishes monitoring and reporting requirements to implement federal and State requirements.
- O. Standard and Special Provisions.** Standard NPDES provisions, established at 40 CFR 122.41 and 122.42 and applicable to all discharges, must be included in every NPDES Order and are provided in Attachment D. The Regional Water Board has also included in this Order special provisions applicable to the Discharger. A rationale for the special provisions contained in the Order is provided in the attached Fact Sheet (Attachment F).
- P. Notification of Interested Parties.** The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements

for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of notification are provided in the Fact Sheet (Attachment F) accompanying this Order.

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

III. DISCHARGE PROHIBITIONS

- A. The discharge of any waste not disclosed by the Discharger or not within the reasonable contemplation of the Regional Water Board is prohibited.
- B. Creation of pollution, contamination, or nuisance, as defined by CWC Section 13050 is prohibited.
- C. The discharge of sludge or digester supernatant is prohibited, except as authorized under Section IV. E of this Order (Solids Disposal and Handling Requirements).
- D. The discharge or reclamation of untreated or partially treated waste from anywhere within the collection, treatment, or disposal facility is prohibited, except as provided for in Attachment D, Standard Provision I. G (Bypass).
- E. The discharge of waste to land that is not owned by or subject to an agreement for use by the Discharger is prohibited.
- F. The discharge of waste at any point except Discharge Point 001 – the constructed outfall to Grist Creek, as described on page 1 of this Order, or as authorized by another State Board or Regional Water Board Order, is prohibited.
- G. The discharge of treated wastewater from the wastewater treatment facility to the Eel River or its tributaries, including Grist Creek, is prohibited during the period May 15 through September 30 of each year.
- H. During the period of October 1 through May 14 of each year, discharges of wastewater shall not exceed one percent of the flow of Grist Creek. To comply with this flow prohibition, (1) the Discharger shall adjust the discharge rate of treated wastewater at least once daily to avoid exceeding, to the extent practicable, one percent of the most recent daily flow measurement of Grist Creek; and (2) the total volume of treated wastewater discharged in a calendar month shall not exceed, in any circumstances, one percent of the total volume of Grist Creek flow, in the same calendar month.

During periods of discharge, flow in Grist Creek shall be measured at least once daily, and the discharge flow rate shall be set for no greater than one percent of the flow of the creek at

the time of the daily measurement. At the beginning of the discharge season, the first monthly flow comparisons shall be determined from the date when the discharge commenced to the end of the calendar month. At the end of the discharge season, the final monthly flow volume shall be determined from the first day of the calendar month to the date when the discharge ended for the season.

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations – Discharge Point 001

1. Final Effluent Limitations – Discharge Point 001

- a. The discharge of treated wastewater shall maintain compliance with the following effluent limitations for secondary treatment at Discharge Point 001, with compliance measured at Monitoring Location M-001, as described in the attached Monitoring and Reporting Program (Attachment E).

Parameter	Units	Effluent Limitations – Discharge Point 001				
		Average ¹ Monthly	Average ² Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Biochemical Oxygen	mg/L	30	45	60	--	--

¹ The arithmetic mean of all daily determinations made during a calendar month. Where less than daily sampling is required, the average shall be determined by the summation of all the measured daily discharges divided by the number of days during the calendar month when the measurements were made. If only one sample is collected during that period of time, the value of the single sample shall constitute the monthly average.

² The arithmetic mean of all daily determinations made during a calendar week, Sunday to Saturday. Where less than daily sampling is required, the average shall be determined by the summation of all the measured daily discharges divided by the number of days during the calendar week when the measurements were made. If only one sample is collected during that period of time, the value of the single sample shall constitute the weekly average.

Parameter	Units	Effluent Limitations – Discharge Point 001				
		Average ¹ Monthly	Average ² Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Demand 5-day @ 20°C	lbs/day ^{3 4}	64	96	129	--	--
Total Suspended Solids	mg/L	30	45	60	--	--
	lbs/day	64	96	129	--	--
pH	standard units	--	--	--	6.5	8.5

- b. A minimum chlorine residual of 1.5 mg/L shall be maintained at the end of the disinfection process.
- c. Treated wastewater discharged to Grist Creek or its tributaries shall not contain detectable levels of chlorine, using an analytical method or chlorine analyzer with a minimum detection level of 0.1 mg/L.
- d. The average monthly percent removal of BOD (5-day 20°C) and total suspended solids shall not be less than 85 percent. Percent removal shall be determined from the 30-day average value of influent wastewater concentration in comparison to the 30-day average value of effluent concentration for the same constituent over the same time period. (CFR 133.101(j))
- e. The mean daily dry weather flow shall not exceed 0.08 mgd averaged over a period of a calendar month.
- f. There shall be no acute toxicity in the effluent when discharging to Grist Creek, as measured at Monitoring Location M-001. The Discharger will be considered

³ Mass based effluent limitations presented here are based on an average dry weather design flow rate of 0.08 MGD. During wet weather periods, when the effluent flow rate exceeds 0.08 MGD, mass limitations shall be calculated using the actual daily average effluent flow rate [mass based limitation (lbs/day) = 8.34 x C x Q, where C = the concentration based limitation (mg/L) and Q = the actual effluent flow (MGD)]. In no circumstances shall mass based limitations for BOD₅ and TSS be based on an effluent flow greater than 0.384 MGD, which is the peak hydraulic capacity of the facility.

⁴ The mass discharge (lbs/day) shall be determined using the following equation.

$$\frac{8.34}{N} \sum_{i=1}^N Q_i C_i$$

Where N is the number of samples analyzed in the monitoring period. Q_i and C_i are the flow rate (MGD) and the pollutant concentration (mg/L), respectively, which are associated with each of the N grab samples collected in that calendar day, week, or month. If a composite sample is taken, C_i is the concentration measured in the composite sample, and Q_i is the average flow rate during the period in which samples were composited.

in compliance with this limitation when the survival of aquatic organisms in a 96-hour bioassay using undiluted effluent complies with the following.

- i. Minimum for any one bioassay: 70 percent survival.
- ii. Median for any three or more consecutive bioassays: at least 90 percent survival.

Compliance with this effluent limitation shall be determined in accordance with Section V.A. of the Monitoring and Reporting Program No. R1-2006-0007

- g. Effluent shall not contain any measurable settleable solids, as measured at Discharge Point 001.
- h. Disinfected effluent, discharged at Discharge Point 001, shall not contain total coliform bacteria exceeding the following concentrations.
 - i. The median concentration shall not exceed a most probable number (MPN) of 23 organisms per 100 mLs, using the bacteriological results of the last seven days for which analyses have been completed.
 - ii. The number of coliform bacteria shall not exceed an MPN of 240 organisms per 100 mLs in more than one sample in any 30-day period.

B. Land Discharge Specifications

This section of the standardized Order form is not applicable to the Covelo Community Services District.

C. Reclamation Specifications

This section of the standardized Order form is not applicable to the Covelo Community Services District, as treated wastewater is not reclaimed for use.

V. RECEIVING WATER LIMITATIONS

A. Surface Water Limitations

Receiving water limitations are based on water quality objectives contained in the Basin Plan and are a required part of this Order. The discharge shall not cause the following conditions in Grist Creek:

1. The waste discharge shall not cause the dissolved oxygen concentration of the receiving waters to be depressed below 7.0 mg/l. Additionally, the discharge shall not cause the dissolved oxygen content of the receiving water to fall below 10.0 mg/l more than 50 percent of the time, or below 7.5 mg/l more than 10 percent of the time.

In the event that the receiving waters are determined to have dissolved oxygen concentration of less than 7.0 mg/l, the discharge shall not depress the dissolved oxygen concentration below the existing level.

2. The discharge shall not cause the pH of the receiving waters to be depressed below 6.5 nor raised above 8.5. If the pH of the receiving water is less than 6.5, the discharge shall not cause a further depression of the pH of the receiving water. If the pH of the receiving water is greater than 8.5, the discharge shall not cause a further increase in the pH of the receiving water. The discharge shall not cause receiving water pH to change more than 0.5 pH units at any time.
3. The discharge shall not cause the turbidity of the receiving waters to be increased more than 20 percent above naturally occurring background levels.
4. The discharge shall not cause the receiving waters to contain floating materials, including, but not limited to, solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.
5. The discharge shall not cause the receiving waters to contain taste or odor producing substances in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, that cause nuisance, or that adversely affect beneficial uses.
6. The discharge shall not cause coloration of the receiving waters that causes nuisance or adversely affects beneficial uses.
7. The discharge shall not cause bottom deposits in the receiving waters to the extent that such deposits cause nuisance or adversely affect beneficial uses.
8. The discharge shall not cause or contribute to receiving water concentrations of biostimulants that promote objectionable aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses of the receiving waters.
9. The discharge shall not cause the receiving waters to contain toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life. Compliance with this objective shall be determined according to Section V of the Monitoring and Reporting Plan, Attachment E of this Order.
10. The discharge shall not alter the natural temperature of the receiving waters.
11. The discharge shall not cause an individual pesticide or combination of pesticides to be present in concentrations that adversely affect beneficial uses. There shall be no bioaccumulation of pesticide concentrations found in bottom sediments or aquatic life as a result of the discharge. The discharge shall not cause the receiving waters to

contain concentrations of pesticides in excess of the limiting concentrations set forth in Table 3-2 of the Basin Plan.

12. The discharge shall not cause the receiving waters to contain oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water that cause nuisance or that otherwise adversely affect beneficial uses.
13. The discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Water Board or the State Board as required by the CWA and regulations adopted thereunder. If more stringent applicable water quality standards are promulgated or approved pursuant to CWA Section 303 or amendments thereto, the Regional Water Board will revise and modify this Order in accordance with the more stringent standards.
14. The discharge shall not cause concentrations of chemical constituents to occur in excess of limiting concentrations specified in Table 3-2 of the Basin Plan or in excess of more stringent MCLs established for these pollutants in Title 22, Division 4, Chapter 15, Articles 4 and 5.5 of the California Code of Regulations.

B. Groundwater Limitations

1. The collection, storage, and use of wastewater or recycled water shall not cause or contribute to a statistically significant degradation of groundwater quality.
2. The collection, storage, and use of wastewater or recycled water shall not cause alterations of groundwater that result in taste or odor producing substances in concentrations that cause nuisance or adversely affect beneficial uses.

VI. PROVISIONS

A. Standard Provisions

1. **Federal Standard Provisions.** The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.
2. **Regional Water Board Standard Provisions.** There are no applicable Regional Water Board standard provisions.

B. Monitoring and Reporting Program Requirements

The Discharger shall comply with the Monitoring and Reporting Program, and future revisions thereto, in Attachment E of this Order.

C. Special Provisions

1. Reopener

The Regional Water Board may modify, or revoke and reissue this Order and Order, if on-going or future investigations demonstrate that the Discharger governed by this Order is causing or significantly contributing to adverse impacts to water quality and/or beneficial uses of receiving waters.

In the event that the Regional Water Board’s interpretation of the narrative toxicity objective in the Basin Plan is modified or invalidated by an order of the State Water Board, a court decision, or State or federal statute or regulation, effluent limitations for toxic pollutants that may be established by this Order may be revised to be consistent with the order, decision, statute, or regulation.

The Regional Water Board may reopen this Order and Order within five years of its adoption, if effluent monitoring results or knowledge of septage or other waste hauling practices or other new information demonstrates reasonable potential for any pollutant or pollutant parameter with applicable water criteria established by the NTR, CTR, or Basin Plan.

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

a. The Discharger shall comply with one of the following special study tracks in order to assure compliance with the Basin Plan’s discharge prohibitions for the Eel River and its tributaries, including Grist Creek, as described in this Order:

i. Hydrogeologic Study

Task	Task Description	Due Date
	The Discharger shall conduct all work under the direction of a California registered engineer or geologist experienced in pollution investigation in accordance with all laws. All necessary permits shall be obtained.	
1	Submit for Executive Officer approval, a workplan for a hydrogeologic study to determine the fate and transport of wastewater pollutants discharged via the Discharger’s percolation ponds. The workplan proposal should be designed to investigate: <ul style="list-style-type: none"> • current and/or projected surveyed elevations of pond features referenced to mean sea level (e.g., pond bottom, 	Six months following the effective date of this Order

Task	Task Description	Due Date
	<p>peak water surface level) and nearby surface water features (e.g., channel bed, top of bank, seasonal average and maximum water surface elevations);</p> <ul style="list-style-type: none"> • site specific lithology; • depth to groundwater across seasonal variations; • seasonal groundwater gradients; • transmissivity of areal soil; • concentration gradients of targeted wastewater constituents* measured at various points extending away from the disposal area towards Grist and Town Creeks. <p>The workplan proposal shall contain milestones and a time schedule for completion of the study. The study time schedule shall be as short as practicable, and in no case, extend beyond three and a half years following the effective date of this Order. The study time schedule should also include provision for the submittal of semi-annual progress reports.</p>	
2	<p>Submit a report describing the findings and conclusions of the hydrogeologic study that models the fate and transport of wastewater pollutants. The report should include all pertinent information from groundwater monitoring wells used to collect data, including well locations, well logs, etc.</p>	<p>No later than 3.5 years following the effective date of this Order</p>
3	<p>If the hydrogeologic study demonstrates that wastewater pollutants discharged to the percolation ponds reach the Eel River, the Discharger shall submit a written proposal to study disposal alternatives to comply with the Basin Plan discharge prohibitions. The study plan shall contain milestones and a time schedule for selection and implementation of an alternative disposal method. The study time schedule shall be as short as practicable.</p>	<p>No later than 4 years following the effective date of this Order</p>

* For the purpose of this study, the use of conservative indicator pollutants will be adequate.

OR

ii. Study to Determine Alternative Disposal Method

Task	Task Description	Due Date
1	Submit a written commitment to modify existing effluent disposal methods in order to ensure compliance with the Basin Plan discharge prohibitions. The commitment shall include a preliminary schedule of tasks necessary to develop a detailed study plan containing milestones and a time schedule for selection and implementation of an alternative disposal method.	Six months following the effective date of this Order
2	Submit a written proposal to study disposal alternatives to comply with the Basin Plan discharge prohibitions. The study plan shall contain milestones and a time schedule for selection and implementation of an alternative disposal method. The study time schedule shall be as short as practicable but no longer than 5 years from permit expiration.	No later than 3.5 years following the effective date of this Order

3. Best Management Practices and Pollution Prevention

a. Pollutant Minimization Program

The Discharger shall, as required by the Executive Officer, prepare a Pollutant Minimization Program in accordance with section 2.4.1 of the SIP, when there is evidence that a priority pollutant is present in the effluent above an effluent limitation and either:

- i. A sample result is reported as detected and not quantified (DNQ) and the effluent limitation is less than the Reporting Limit (RL); or,
- ii. A sample result is reported as not detected (ND) and the effluent limitation is less than the method detection limit (MDL).

4. Operation and Maintenance Specifications

- a. The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with this Order. Proper operation and maintenance includes adequate laboratory quality control and appropriate quality assurance procedures. This provision requires the operation of backup or

auxiliary facilities or similar systems that are installed by the Discharger only when necessary to achieve compliance with the conditions of this Order. [40 CFR 122.41(e)]

- b. The Discharger shall submit to the Regional Water Board within 365 days of the effective date of this Order an updated Operation and Maintenance (O&M) Manual for the Covelo Community Services District wastewater treatment facility. The Discharger shall update the O&M Manual, as necessary, to conform with changes in operation and maintenance of the treatment plant. The O&M Manual shall be readily available to operating personnel onsite. The O&M Manual shall include the following.
 - i. Description of the treatment plant table of organization showing the number of employees, duties and qualifications and plant attendance schedules (daily, weekends and holidays, part-time, etc). The description should include documentation that the personnel are knowledgeable and qualified to operate the treatment facility so as to achieve the required level of treatment at all times.
 - ii. Detailed description of safe and effective operation and maintenance of treatment processes, process control instrumentation, and equipment.
 - iii. Description of laboratory and quality assurance procedures.
 - iv. Process and equipment inspection and maintenance schedules.
 - v. Description of safeguards to assure that, should there be reduction, loss, or failure of electric power, the Discharger will be able to comply with requirements of this Order.
 - vi. Description of preventive (fail-safe) and contingency (response and cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. These plans shall identify the possible sources (such as loading and storage areas, power outage, waste treatment unit failure, process equipment failure, tank and piping failure) of accidental discharges, untreated or partially treated waste bypass, and polluted drainage.

5. Special Provisions for Municipal Facilities (POTWs Only)

- a. Wastewater Collection Systems
 - i. Within 365 days from the effective date of this Order, the Discharger shall develop and implement a Management, Operation, and Maintenance Program for its wastewater collection system. The program shall include:
 - Adoption of the necessary legal authorities to implement the program.

- Establishment of collection system performance goals and measures to control infiltration and inflow.
- A schedule to conduct routine, on-going preventive operation and maintenance activities.
- Procedures to identify structural deficiencies and to propose and implement rehabilitation actions.
- The design and implementation of an ongoing program to assess the capacity of the collection system and treatment facility.
- The maintenance of accurate collection system maps and maintenance records.
- Collection system employee training program.
- Establishment and implementation of asset management and long-term planning geared to providing adequate system capacity for base and peak flows in the collection system.

b. Sanitary Sewer Overflows

- i. The Discharger shall submit to the Regional Water Board within 180 days of the effective date of this Order an updated Spill Response and Notification Plan. The Discharger shall review the Plan at least every five years and update the Plan, as necessary, and include an updated Plan in the application for new waste discharge requirements.
- ii. All feasible steps shall be taken to stop sanitary sewer overflows (SSOs) as soon as possible by unblocking the line, diverting overflows to a nearby sewer line, and/or otherwise mitigating impacts of SSOs. All reasonable steps shall be taken to collect spilled sewage and protect the public from contact with wastes or waste-contaminated soil.
- iii. SSOs shall be reported to the Regional Water Board staff in accordance with the following:
 - SSOs in excess of 1,000 gallons or any SSO that results in sewage reaching surface waters, or if it is likely that more than 1,000 gallons has escaped the collection system, shall be reported immediately by telephone. A written description of the event shall be submitted with the monthly monitoring report.

- SSOs that result in a sewage spill between 5 gallons and 1,000 gallons that does not reach a waterway shall be reported by telephone within 24 hours. A written description of the event shall be submitted with the monthly monitoring report.
 - SSOs that result in a sewage spill less than 5 gallons that do not enter a waterway do not require Regional Water Board notification.
 - Information to be provided verbally includes:
 - Name and contact information of caller.
 - Date, time, and location of SSO occurrence.
 - Estimates of spill volume, rate of flow, and spill duration.
 - Surface water bodies impacted.
 - Cause of spill.
 - Cleanup actions taken or repairs made.
 - Responding agencies.
 - Information to be provided in writing includes:
 - Information provided in verbal notification.
 - Other agencies notified by phone.
 - Detailed description of cleanup actions and repairs taken.
 - Description of actions that will be taken to minimize or prevent future spills.
- iv. The Discharger shall submit an annual report to the Regional Water Board describing the Discharger's activities within the collection system over the previous calendar year. This annual report is due to be received by the Regional Water Board by March 1st of each year and shall contain:
- A description of any change in the local legal authorities enacted to implement the program.
 - A summary of the SSOs that occurred in the past year. The summary shall include the date, location of overflow point, affected receiving water (if any), estimated volume, and cause of the SSO, the names and addresses of the responsible parties (if other than the Discharger).
 - A summary of compliance and enforcement activities during the past year. The summary shall include fines, other penalties, or corrective actions.
 - Documentation of steps taken to stop and mitigate impacts of sanitary sewer overflows.

- v. The Discharger shall perform a self-audit at least once during the life of the Order to assess the degree to which the performance measurements are being met.
 - vi. The Discharger shall provide notice to the public of the availability of each annual report in a manner reasonably designed to inform the public. The notice shall include a contact person and telephone number for the Discharger and information on how to obtain a copy of the report. The Discharger shall provide documentation that the annual report has been made available to the public.
- c. Solids Disposal and Handling Requirements
- i. All collected screenings, sludges, and other solids removed from liquid wastes shall be disposed of in a municipal solid waste landfill, reused by land application, disposed of in a sludge only landfill, or incinerated in accordance with 40 CFR Parts 257, 258, 501, and 503, and the State Water Board promulgated provisions of Title 27 California Code of Regulations (CCR) Division 2. If the Discharger desires to dispose of solids or sludge by a different method, a request for Order modification shall be submitted to the U.S. EPA and the Regional Water Board 180 days prior to the alternative disposal.
 - ii. The Discharger shall notify the Regional Water Board Executive Officer at least 60 days prior to the initiation of any disposal project, with the exception of regular disposal of screenings at a Permitted landfill.
 - iii. All the requirements in 40 CFR 503 are enforceable by U.S. EPA whether or not they are stated in an NPDES Order or other Order issued to the Discharger. The Regional Water Board shall be copied on relevant correspondence and reports forwarded to the U.S. EPA regarding sludge management practices.
 - iv. Sludge that is disposed of in a municipal solid waste landfill or used as daily landfill cover shall meet the applicable requirements of 40 CFR 258. In the annual self monitoring report, the Discharger shall report the amount of sludge placed in a landfill and the landfill(s) which received the sludge.
 - v. Sludge that is applied to land as soil amendment shall meet pollutant ceiling concentrations, pathogen reduction and vector attraction reduction requirements, and annual and cumulative discharge limitations of 40 CFR Part 503.
 - vi. Sludge that is disposed of through surface disposal, including but not limited to trench systems, area-fill systems, active waste piles, and active

impoundments or lagoons, shall meet the applicable requirements of 40 CFR 503. Sludge stored beyond two years may be considered as disposed and regulated as a waste pile or surface impoundment under Title 27 CCR Division 2.

- vii. The Discharger is responsible for ensuring compliance with applicable regulations whether the Discharger uses or disposes of the sludge itself or contracts with another party for further treatment, use, or disposal. The Discharger is responsible for informing subsequent preparers, applicers, and disposers of the requirements they must meet under 40 CFR Parts 257, 258, and 503.
- viii. The Discharger shall take all reasonable steps to prevent and minimize any sludge use or disposal in violation of this Order that is likely to adversely affect human health or the environment.
- ix. Solids and sludge treatment, storage, and disposal and reuse shall not create a nuisance, such as objectionable odors and flies, and shall not result in ground water contamination.
- x. Solids and sludge treatment and storage sites shall have facilities adequate to divert surface water runoff from adjacent areas, to protect the boundaries of the site from erosion, and to prevent drainage from the treatment and storage site. Adequate protection is defined as protection from at least a 100-year storm and protection from the highest possible tidal stage that may occur.
- xi. The discharge of sewage sludge and solids shall not cause waste material to be in a position where it is, or can be, conveyed from the treatment and storage sites and deposited in the waters of the State.

d. Operator Certification

Supervisors and operators of municipal WWTFs shall possess a certificate of appropriate grade in accordance with Title 23, CCR, Section 3680. The State Water Board may accept experience in lieu of qualification training. In lieu of a properly certified WWTF operator, the State Water Board may approve use of a water treatment plant operator of appropriate grade certified by the State DHS where water reclamation is involved.

e. Adequate Capacity

Whenever a WWTF will reach capacity within four years, the Discharger shall notify the Regional Water Board. A copy of such notification shall be sent to appropriate local elected officials, local Ordering agencies, and the press. Factors to be evaluated in assessing reserve capacity shall include, at a minimum, (1) comparison of the wet weather design flow with the highest daily flow, and (2)

comparison of the average dry weather design flow with the lowest monthly flow. The Discharger shall demonstrate that adequate steps are being taken to address the capacity problem. The Discharger shall submit a technical report to the Regional Water Board showing how flow volumes will be prevented from exceeding capacity, or how capacity will be increased, within 120 days after providing notification to the Regional Water Board, or within 120 days after receipt of Regional Water Board notification, that the WWTF will reach capacity within four years. The time for filing the required technical report may be extended by the Regional Water Board. An extension of 30 days may be granted by the Executive Officer, and longer extensions may be granted by the Regional Water Board itself. [CCR Title 23, Section 2232]

6. Stormwater

For the control of storm water discharged from the site of the wastewater treatment facility, if applicable, the Discharger shall seek authorization to discharge under and meet the requirements of the State Water Resources Control Board's Water Quality Order 97-03-DWQ, NPDES General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities.

7. Septage and Hauled Waste Specifications

Within 6 months following adoption of this Order, the Covelo Community Services District shall establish the necessary legal authorities and otherwise take steps necessary for the control of wastes hauled to the District's treatment facility. The District's authority shall include the ability to establish an Order system for waste haulers, if such a system is deemed necessary. Immediately after the establishment of appropriate legal authorities, the District shall implement the following control measures, at a minimum, to protect the integrity of its wastewater collection and treatment system.

1. The discharge of hauled wastes from industrial sources; wastes that will cause pass-through, interference, or upset at the treatment facility; or wastes that will preclude the land application, landfilling, or incineration of sludge from the treatment facility shall be prohibited.
2. Discharges of hauled waste shall be prohibited within the collection system at any point prior to the influent manhole at the treatment facility. Discharge of hauled waste shall be prohibited except at discharge points identified by the Covelo Community Services District.
3. Before hauled waste can be discharged to the treatment facility, and before January 1 of each year thereafter, the District shall require waste haulers to provide the following information.

- a. Name, address, phone number of business
 - b. Name, address, phone number of owner
 - c. Types of waste(s) hauled
 - d. Estimated number and volume of loads discharged each month for each waste type
 - e. List of non-domestic customers, including names, addresses, phone numbers, description of the wastes hauled, and the volume of wastes hauled for each
 - f. Number and capacity of vehicles
4. The Covelo Community Services District shall require that no individual load may be discharged without the prior consent of the District.
 5. The Covelo Community Services District shall provide that it may require haulers to provide waste analysis of any load prior to discharge.
 6. Before March 1 of each year, the Covelo Community Services District shall submit an Annual Report to the Regional Water Board describing waste hauling activities during the previous year. The Annual Report shall include the waste hauler information required by D.3, above, and the actual number and volume of loads discharged to the treatment facility. The Annual Report shall also describe all incidents of upset, interference, and pass-through that are attributed to discharges of hauled waste, including resolution of those incidents.

VII. COMPLIANCE DETERMINATION

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

A. Average Monthly Effluent Limitation (AMEL).

If the average of daily discharges over a calendar month exceeds the AMEL for a given parameter, an alleged violation will be flagged and the discharger will be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). The average of daily discharges over the calendar month that exceeds the AMEL for a parameter will be considered out of compliance for that month only. For purposes of Mandatory Minimum Penalties, a violation of an AMEL will be considered as one violation. Depending on the nature of the violation, the Regional Water Board may, however, pursue discretionary civil penalties for the remaining days of violation. If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the discharger will be considered out of compliance for that calendar month. For any one calendar month during which no sample

(daily discharge) is taken, no compliance determination can be made for that calendar month.

B. Average Weekly Effluent Limitation (AWEL).

If the average of daily discharges over a calendar week exceeds the AWEL for a given parameter, an alleged violation will be flagged and the discharger will be considered out of compliance for each day of that week for that parameter, resulting in seven days of non-compliance. The average of daily discharges over the calendar week that exceeds the AWEL for a parameter will be considered out of compliance for that week only. For purposes of Mandatory Minimum Penalties, a violation of an AWEL will be considered as one violation. Depending on the nature of the violation, the Regional Water Board may, however, pursue discretionary civil penalties for the remaining days of violation. If only a single sample is taken during the calendar week and the analytical result for that sample exceeds the AWEL, the discharger will be considered out of compliance for that calendar week. For any one calendar week during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar week.

C. Maximum Daily Effluent Limitation (MDEL).

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

D. Instantaneous Minimum Effluent Limitation.

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

E. Instantaneous Maximum Effluent Limitation.

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

F. Six-Month Median Effluent Limitation.

If the median of daily discharges over any 180-day period exceeds the six-month median effluent limitation for a given parameter, an alleged violation will be flagged and the discharger will be considered out of compliance for each day of that 180-day period for that parameter. The next assessment of compliance will occur after the next sample is taken. If only a single sample is taken during a given 180-day period and the analytical result for that sample exceeds the six-month median, the discharger will be considered out of compliance for the 180-day period. For any 180-period during which no sample is taken, no compliance determination can be made for the six-month median limitation.

G. Compliance with Single-Constituent Effluent Limitations.

The discharge is out of compliance with the effluent limitation if the concentration of the pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported Minimum Level (ML). The ML is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method-specific sample weights, volumes and processing steps have been followed.

H. Compliance with Effluent Limitations Expressed as a Sum of Several Constituents.

The discharge is out of compliance with an effluent limitation that applies to the sum of a group of chemicals (e.g., PCBs) if the sum of the individual pollutant concentrations is greater than the effluent limitation. Individual pollutants of the group will be considered to have a concentration of zero if the constituent is reported as non-detect (ND) or Detected, but Not Quantified (DNQ).

I. Multiple Sample Data Reduction.

The concentration of the pollutant in the effluent may be estimated from the result of a single sample analysis or by a measure of the central tendency (arithmetic mean, geometric mean, median, etc.) of multiple sample analyses when all sample results are quantifiable (i.e., greater than or equal to the reported ML). When one or more sample results are reported as ND or DNQ, the central tendency concentration of the pollutant shall be the median value of the multiple samples. If, in an even number of samples, one or both of the middle values is ND or DNQ, the median will be the lower of the two middle values.

ATTACHMENT A – DEFINITIONS

Average Monthly Effluent Limitation (AMEL): The highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. When less than daily monitoring is required, the monthly average shall be determined by summing the daily values and dividing by the number of days during the calendar month when monitoring occurred. If only one sample is collected in a calendar month, the value of the single sample shall constitute the monthly average.

Average Weekly Effluent Limitation (AWEL): The highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week, divided by the number of daily discharges measured during that week. When less than daily monitoring is required, the weekly average shall be determined by summing the daily values and dividing by the number of days during the calendar week when monitoring occurred. If only one sample is collected in a calendar week, the value of the single sample shall constitute the weekly average. For any one calendar week during which no sample is taken, no compliance determination can be made for that calendar week.

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

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

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

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

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

Maximum Daily Effluent Limitation (MDEL): the highest allowable daily discharge of a pollutant.

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Six-Month Median Effluent Limitation: the highest allowable moving median of all daily discharges for any 180-day period.

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ATTACHMENT B – TOPOGRAPHIC MAP

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ATTACHMENT C – FLOW SCHEMATIC

ATTACHMENT D – FEDERAL STANDARD PROVISIONS

I. STANDARD PROVISIONS – ORDER COMPLIANCE

A. Duty to Comply

1. The Discharger must comply with all of the conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (CWC) and is grounds for enforcement action, for Order termination, revocation and reissuance, or denial of an Order renewal application [40 *CFR* §122.41(a)].
2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not been modified to incorporate the requirement [40 *CFR* §122.41(a)(1)].

B. Need to Halt or Reduce Activity Not a Defense

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

C. Duty to Mitigate

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

D. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order [40 *CFR* §122.41(e)].

E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges [40 *CFR* §122.41(g)].

2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of State or local law or regulations [40 CFR §122.5(c)].

F. Inspection and Entry

The Discharger shall allow the Regional Water Quality Control Board (RWQCB), State Water Resources Control Board (SWRCB), United States Environmental Protection Agency (USEPA), and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to [40 CFR §122.41(i)] [CWC 13383(c)]:

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

G. Bypass

1. Definitions
 - a. “Bypass” means the intentional diversion of waste streams from any portion of a treatment facility [40 CFR §122.41(m)(1)(i)].
 - b. “Severe property damage” means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production [40 CFR §122.41(m)(1)(ii)].
2. Bypass not exceeding limitations – The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Order Compliance I.G.3 and I.G.5 below [40 CFR §122.41(m)(2)].

3. Prohibition of bypass – Bypass is prohibited, and the Regional Water Board may take enforcement action against a Discharger for bypass, unless [40 CFR §122.41(m)(4)(i)]:
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage [40 CFR §122.41(m)(4)(A)];
 - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance [40 CFR §122.41(m)(4)(B)]; and
 - c. The Discharger submitted notice to the Regional Water Board as required under Standard Provision – Order Compliance I.G.5 below [40 CFR §122.41(m)(4)(C)].
4. The Regional Water Board may approve an anticipated bypass, after considering its adverse effects, if the Regional Water Board determines that it will meet the three conditions listed in Standard Provisions – Order Compliance I.G.3 above [40 CFR §122.41(m)(4)(ii)].
5. Notice
 - a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a notice, if possible at least 10 days before the date of the bypass [40 CFR §122.41(m)(3)(i)].
 - b. Unanticipated bypass. The Discharger shall submit notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below [40 CFR §122.41(m)(3)(ii)].

H. Upset

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

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based Order effluent limitations if the requirements of paragraph H.2 of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before

an action for noncompliance, is final administrative action subject to judicial review [40 CFR §122.41(n)(2)].

2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that [40 CFR §122.41(n)(3)]:
 - a. An upset occurred and that the Discharger can identify the cause(s) of the upset [40 CFR §122.41(n)(3)(i)];
 - b. The Permitted facility was, at the time, being properly operated [40 CFR §122.41(n)(3)(i)];
 - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b [40 CFR §122.41(n)(3)(iii)]; and
 - d. The Discharger complied with any remedial measures required under Standard Provisions – Order Compliance I.C above [40 CFR §122.41(n)(3)(iv)].
3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof [40 CFR §122.41(n)(4)].

II. STANDARD PROVISIONS – ORDER ACTION

A. General

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

B. Duty to Reapply

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

C. Transfers

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

III. STANDARD PROVISIONS – MONITORING

- A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity [40 CFR §122.41(j)(1)].
- B. Monitoring results must be conducted according to test procedures under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503 unless other test procedures have been specified in this Order [40 CFR §122.41(j)(4)] [40 CFR §122.44(i)(1)(iv)].

IV. STANDARD PROVISIONS – RECORDS

- A. Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), the Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Water Board Executive Officer at any time [40 CFR §122.41(j)(2)].
- B. Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements [40 CFR §122.41(j)(3)(i)];
 - 2. The individual(s) who performed the sampling or measurements [40 CFR §122.41(j)(3)(ii)];
 - 3. The date(s) analyses were performed [40 CFR §122.41(j)(3)(iii)];
 - 4. The individual(s) who performed the analyses [40 CFR §122.41(j)(3)(iv)];
 - 5. The analytical techniques or methods used [40 CFR §122.41(j)(3)(v)]; and
 - 6. The results of such analyses [40 CFR §122.41(j)(3)(vi)].
- C. Claims of confidentiality for the following information will be denied [40 CFR §122.7(b)]:
 - 1. The name and address of any Order applicant or Discharger [40 CFR §122.7(b)(1)]; and
 - 2. Order applications and attachments, Orders and effluent data [40 CFR §122.7(b)(2)].

V. STANDARD PROVISIONS – REPORTING

A. Duty to Provide Information

The Discharger shall furnish to the Regional Water Board, SWRCB, or USEPA within a reasonable time, any information which the Regional Water Board, SWRCB, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Regional Water Board, SWRCB, or USEPA copies of records required to be kept by this Order [40 CFR §122.41(h)] [CWC 13267].

B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Regional Water Board, SWRCB, and/or USEPA shall be signed and certified in accordance with paragraph (2.) and (3.) of this provision [40 CFR §122.41(k)].
2. All Order applications shall be signed as follows:
 - a. For a corporation: By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for Order application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures [40 CFR §122.22(a)(1)];
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively [40 CFR §122.22(a)(2)]; or
 - c. For a municipality, State, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of USEPA) [40 CFR §122.22(a)(3)].

3. All reports required by this Order and other information requested by the Regional Water Board, SWRCB, or USEPA shall be signed by a person described in paragraph (b) of this provision, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in paragraph (2.) of this provision [40 CFR §122.22(b)(1)];
 - b. The authorization specified either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company (a duly authorized representative may thus be either a named individual or any individual occupying a named position) [40 CFR §122.22(b)(2)]; and
 - c. The written authorization is submitted to the Regional Water Board, SWRCB, or USEPA [40 CFR §122.22(b)(3)].
4. If an authorization under paragraph (3.) of this provision is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (3.) of this provision must be submitted to the Regional Water Board, SWRCB or USEPA prior to or together with any reports, information, or applications, to be signed by an authorized representative [40 CFR §122.22(c)].
5. Any person signing a document under paragraph (2.) or (3.) of this provision shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations” [40 CFR §122.22(d)].

C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program in this Order [40 CFR §122.41(l)(4)].
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Regional Water Board or SWRCB for reporting results of monitoring of sludge use or disposal practices [40 CFR §122.41(l)(4)(i)].

3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, or as specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Regional Water Board [40 CFR §122.41(l)(4)(ii)].
4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order [40 CFR §122.41(l)(4)(iii)].

D. Compliance Schedules

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

E. Twenty-Four Hour Reporting

1. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance [40 CFR §122.41(l)(6)(i)].
2. The following shall be included as information that must be reported within 24 hours under this paragraph [40 CFR §122.41(l)(6)(ii)]:
 - a. Any unanticipated bypass that exceeds any effluent limitation in this Order [40 CFR §122.41(l)(6)(ii)(A)].
 - b. Any upset that exceeds any effluent limitation in this Order [40 CFR §122.41(l)(6)(ii)(B)].
 - d. Violation of a maximum daily discharge limitation for any of the pollutants listed in this Order to be reported within 24 hours [40 CFR §122.41(l)(6)(ii)(C)].
 - e. Any noncompliance that may endanger health or the environment, except as provided elsewhere in this Order.

3. The Regional Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours [40 CFR §122.41(l)(6)(iii)].

F. Planned Changes

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

1. The alteration or addition to a Permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR §122.29(b) [40 CFR §122.41(l)(1)(i)]; or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in this Order nor to notification requirements under 40 CFR Part 122.42(a)(1) (see Additional Provisions—Notification Levels VII.A.1) [40 CFR §122.41(l)(1)(ii)].
3. The alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of Order conditions that are different from or absent in the existing Order, including notification of additional use or disposal sites not reported during the Order application process or not reported pursuant to an approved land application plan [40 CFR §122.41(l)(1)(iii)].

G. Anticipated Noncompliance

The Discharger shall give advance notice to the Regional Water Board or SWRCB of any planned changes in the Permitted facility or activity that may result in noncompliance with General Order requirements [40 CFR §122.41(l)(2)].

H. Other Noncompliance

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting E.2 at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E [40 CFR §122.41(l)(7)].

I. Other Information

When the Discharger becomes aware that it failed to submit any relevant facts in an Order application, or submitted incorrect information in an Order application or in any report to the Regional Water Board, SWRCB, or USEPA, the Discharger shall promptly submit such facts or information [40 CFR §122.41(l)(8)].

VI. STANDARD PROVISIONS – ENFORCEMENT

- A. The CWA provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any Order condition or limitation implementing any such sections in a Order issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed \$25,000 per day for each violation. The CWA provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a Order issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any Order condition or limitation implementing any of such sections in a Order issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the Clean Water Act, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions [*40 CFR §122.41(a)(2)*] [*CWC 13385 and 13387*].
- B. Any person may be assessed an administrative penalty by the Regional Water Board for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any Order condition or limitation implementing any of such sections in a Order issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed \$10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$25,000. Penalties for Class II violations are not to exceed \$10,000 per day for each day, during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$125,000 [*40 CFR §122.41(a)(3)*].
- C. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this Order shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed

after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both [40 CFR §122.41(j)(5)].

- D. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Order, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both [40 CFR §122.41(k)(2)].

VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

A. Non-Municipal Facilities

Existing manufacturing, commercial, mining, and silvicultural dischargers shall notify the Regional Water Board as soon as they know or have reason to believe [40 CFR §122.42(a)]:

1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" [40 CFR §122.42(a)(1)]:
 - a. 100 micrograms per liter ($\mu\text{g/L}$) [40 CFR §122.42(a)(1)(i)];
 - b. 200 $\mu\text{g/L}$ for acrolein and acrylonitrile; 500 $\mu\text{g/L}$ for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and 1 milligram per liter (mg/L) for antimony [40 CFR §122.42(a)(1)(ii)];
 - c. Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [40 CFR §122.42(a)(1)(iii)]; or
 - d. The level established by the Regional Water Board in accordance with 40 CFR §122.44(f) [40 CFR §122.42(a)(1)(iv)].
2. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" [40 CFR §122.42(a)(2)]:
 - a. 500 micrograms per liter ($\mu\text{g/L}$) [40 CFR §122.42(a)(2)(i)];
 - b. 1 milligram per liter (mg/L) for antimony [40 CFR §122.42(a)(2)(ii)];
 - c. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [40 CFR §122.42(a)(2)(iii)]; or

- d. The level established by the Regional Water Board in accordance with 40 CFR §122.44(f) [40 CFR §122.42(a)(2)(iv)].

B. Publicly-Owned Treatment Works (POTWs)

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

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

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

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

NPDES regulations at 40 CFR 122.48 require that all NPDES Orders specify monitoring and reporting requirements. CWC Sections 13267 and 13383 also authorize the Regional Water Board to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements, which implement the federal and State regulations.

I. GENERAL MONITORING PROVISIONS

A. Wastewater Monitoring Provision. Composite samples may be taken by a proportional sampling device approved by the Executive Officer or by grab samples composited in proportion to flow. In compositing grab samples, the sampling interval shall not exceed one hour.

II. MONITORING LOCATIONS

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

Discharge Point Name	Monitoring Location Name	Monitoring Location Description (include Latitude and Longitude when available)
Influent	M-INF	Untreated wastewater influent collected at the plant headworks
001	M-001	Treated wastewater downstream of the dechlorination (if applicable) and before effluent contacts receiving water

III. INFLUENT MONITORING REQUIREMENTS

A. Monitoring Location M-INF

1. The Discharger shall monitor influent to the facility Monitoring Location Name M-INF as follows.

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Flow	gpd	calculated or metered	daily	---
Hauled Septage/Waste	gals	truck volume	each load	Standard Methods ¹
BOD ₅	mg/L	grab	monthly	Standard Methods
TSS	mg/L	grab	monthly	Standard Methods

¹ In accordance with current edition of *Standard Methods for the Examination of Water and Wastewater* (American Public Health Administration) or current test procedures specified in 40 CFR Part 136

IV. EFFLUENT MONITORING REQUIREMENTS

A. Monitoring Location M-001

1. The Discharger shall monitor treated wastewater at Monitoring Locations M-001 as follows.

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Flow	gpd	calculated or metered	daily	---
BOD ₅ ^a	mg/L	8 hour composite	monthly	Standard Methods
TSS ^a	mg/L	8 hour composite	monthly	Standard Methods
pH	stnd units	grab	weekly	Standard Methods
Settleable solids	ml/L	grab	weekly	Standard Methods
Chlorine Residual	mg/L	grab	daily	Standard Methods
Coliform Bacteria	mpn/100 ml	grab	weekly	Standard Methods
Acute Toxicity ^b	TUa	grab	1x / year	Standard Methods
Chronic Toxicity ^b	TUc	grab	1x / Order term	Standard Methods

^a Samples shall be monitored for these pollutants on the first day of a discharge event and monthly thereafter; however, no more than one sample of effluent must be analyzed in any one month. Effluent samples for monitoring of BOD₅ and TSS shall be collected on the same day and as close to the same time as reasonable as influent samples collected for BOD₅ and TSS monitoring.

^b Acute and chronic, whole effluent toxicity testing shall be conducted in accordance with Section V of this MRP.

^c Those pollutants identified as Compound Nos. 1 – 126 by the California Toxics Rule at 40 CFR 131.38 (b) (1). Samples shall be collected during a dry weather period and on the same day as receiving water samples are collected for analysis of the priority pollutants. For priority pollutants, the methods must meet the lowest minimum level (ML) specified in Attachment 4 of the SIP. In accordance with Section 2.4 of the SIP, the Discharger shall report the ML and MDL for each sample result. Where no methods are specified for a given pollutant, the Discharger shall use methods approved by the Regional Board. The laboratory's current MDL shall be determined by the procedure found in 40 CFR 136 (revised as of May 14, 1999).

B. Hauled Septage/Waste

1. In Discharge Monitoring Reports, the Discharger shall report the number of truckloads and the total volume of hauled septage or other wastes per month discharged to the treatment facility. The Discharger shall record and submit additional information regarding hauled septage or other wastes as specified in Section VI. C. 7 of Order No. R1-2006-0007

V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

A. Acute Toxicity Control

1. Test Species and Methods

- a. During the first discharge season after adoption of this Order, the Discharger shall conduct 96-hour static renewal tests with an invertebrate, the water flea, *Ceriodaphnia dubia*, and a vertebrate, the rainbow trout, *Oncorhynchus mykiss*, for at least two suites of tests. At least one test during the screening period shall be conducted when the effluent is unaffected by storm-related inflow into the WWTF. After this screening period, monitoring shall be conducted using the most sensitive species determined for the given flow regime. At least once every five years, the Discharger shall re-screen once with the two species listed above and continue to monitor monthly with the most sensitive species.
- b. The presence of acute toxicity shall be estimated as specified in Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (U.S. EPA Report No. EPA-821-R-02-012, 5th edition or subsequent editions), or other methods approved by the Executive Officer, shall be used.

2. Definition of Toxicity Limits

- a. Acute toxicity is defined as the effluent concentration that would cause death in 50 percent of the test organisms (LC50). Where the LC50 is calculated, results shall be reported in TUa, where $TUa = 100/LC50$ (in percent effluent).
- b. Acute toxicity is significantly reduced survival at 100 percent effluent compared to a control, using a t-test. Where 100 percent effluent is used, results shall be reported as percent survival.
- c. If the result of any single acute toxicity test does not comply with the acute toxicity effluent limitation, the Discharger shall take two more samples, one within 14 days, and one within 21 days of receiving the sample results. If two of the three samples do not comply with the acute toxicity limitation, the Discharger shall initiate a Toxicity Reduction Evaluation (TRE) in accordance with Section V.C., below. If the two additional samples are in compliance with the acute toxicity requirement, then a TRE will not be required. If the discharge has ceased before the additional samples could be collected, the Discharger shall contact the Executive Officer within 21 days with a plan to demonstrate compliance with the acute toxicity effluent limitation.

B. Chronic Toxicity Control

1. In addition to results from acute toxicity tests, compliance with the Basin Plan narrative toxicity objective shall be demonstrated according to the following tiered requirements based on results from representative samples of the treated effluent:
 - a. Routine monitoring;

- b. Accelerate monitoring after exceeding a three sample median value of 1.0 TUc or a single sample maximum of 2.0 TUc;
 - c. Return to routine monitoring if accelerated monitoring does not exceed either “trigger” in “b”;
 - d. Initiate approved TRE workplan and continue accelerated monitoring if monitoring confirms consistent toxicity above either “trigger” in “b”;
 - e. Return to routine monitoring after appropriate elements of TRE workplan are implemented and toxicity drops below “trigger” levels in “b”, or as directed by the Executive Officer.
2. Test Species and Methods
 - a. The Discharger shall conduct short-term chronic toxicity tests with the water flea, *Ceriodaphnia dubia* (survival and reproduction test), the fathead minnow, *Pimephales promelas* (larval survival and growth test), and the green alga, *Selanastrum capricornutum* (growth test) for the first two suites of tests. At least one test during the screening period shall be conducted when the effluent is unaffected by storm-related inflow into the WWTF. After this screening period, monitoring shall be conducted using the most sensitive species. At least once every five years, the Discharger shall re-screen once with the three species listed above and continue to monitor with the most sensitive species.
 - b. The presence of chronic toxicity shall be estimated as specified in EPA’s Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Water to Freshwater Organisms (U.S. EPA Report No. EPA-821-R-02-013, 4th or subsequent editions).
3. Definition of Toxicity Limits
 - a. Chronic toxicity measures both mortality and a sublethal effect (e.g., reduced growth, reproduction) to experimental test organisms exposed to an effluent or ambient waters compared to that of the control organisms.
 - b. Results shall be reported in TUc, where $TUc = 100/NOEC$ (in percent effluent). Results shall be reported for both mortality and the appropriate sublethal effect.
4. Quality Assurance
 - a. A series of at least five dilutions and a control will be tested. The series shall consist of the following dilution series: 12.5, 25, 50, 75, and 100 percent effluent.
 - b. If organisms are not cultured in-house, concurrent testing with a reference toxicant shall be conducted. Where organisms are cultured in-house, monthly

reference toxicant testing is sufficient. Reference toxicant tests also shall be conducted using the same test conditions as the effluent toxicity tests (e.g., same test duration, etc).

- c. If either the reference toxicant test or effluent test does not meet all test acceptability criteria (TAC) as specified by EPA-821-R-02-013, 4th or subsequent editions, then the Discharger must re-sample and re-test within 14 days or as soon as possible.
- d. Control and dilution water should be receiving water or laboratory water, as appropriate, as described in the manual. If the dilution water used is different from the culture water, a second control using culture water shall be used.

5. Accelerated Testing for Toxicity

- a. If the initial investigation indicates the source of toxicity (for instance, a temporary plant upset), then only one additional test is necessary. If chronic toxicity is detected in this test, then this Section shall apply.
- b. If chronic toxicity is detected, then the Discharger shall conduct two more tests, one test conducted approximately every two weeks, over a four-week period. Testing shall commence within two weeks of receipt of the sample results of the exceedance of the toxicity monitoring trigger.
- c. The Discharger may return to routine monitoring after appropriate elements of the TRE workplan are implemented and toxicity drops below trigger levels in B. 4. b, above, or as directed by the Executive Officer.

6. Reporting for Toxicity Tests

- a. Test results for chronic toxicity tests shall be reported according to EPA-821-R-02-013, 4th or subsequent editions, Chapter 10 (Report Preparation) and the Monitoring and Reporting Program and shall be attached to the self-monitoring report.
- b. The Discharger shall notify the Regional Water Board in writing within 14 days after the receipt of test results exceeding an effluent limitation or trigger. The notification will describe actions the Discharger has taken or will take to investigate and correct the cause(s) of toxicity. It may also include a status report on any actions required by this Order, with a schedule for actions not yet completed. If no actions have been taken, the reasons for such inaction shall be given.

C. Toxicity Reduction Evaluations (TREs)

1. The Discharger shall prepare and submit to the Regional Water Board Executive Officer a TRE workplan within 180 days of the effective date of this Order. This plan shall be reviewed and updated as necessary in order to remain current and applicable to the discharge and discharge facilities. The workplan shall describe the steps the Discharger intends to follow if toxicity is detected, and should include, at least the following items.
 - a. A description of the investigation and evaluation techniques that would be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency.
 - b. A description of the facility's methods of maximizing in house treatment efficiency and good housekeeping practices.
 - c. If a toxicity identification evaluation (TIE) is necessary, an indication of the person who would conduct the TIEs (i.e., an in house expert or an outside contractor).
2. The TRE shall be conducted in accordance with the following.
 - a. The TRE shall be initiated within 30 days of the date of completion of the accelerated monitoring test observed to exceed either the acute or chronic toxicity parameter.
 - b. The TRE shall be conducted in accordance with the Discharger's workplan.
 - c. The TRE shall be in accordance with current technical guidance and reference material including, at a minimum, the EPA manual EPA/833B-99/002. The TRE shall be conducted as a tiered evaluation process, as summarized below:
 - i. Tier 1 consists of basic data collection (routine and accelerated monitoring).
 - ii. Tier 2 consists of the evaluation of treatment plant optimization including operational practices, and in-plant process chemicals.
 - iii. Tier 3 consists of a toxicity identification evaluation (TIE).
 - iv. Tier 4 consists of the evaluation of options for additional treatment processes.
 - v. Tier 5 consists of the evaluation of options for modifications of in-plant treatment processes.
 - vi. Tier 6 consists of the implementation of selected toxicity control measures, and follow-up monitoring and confirmation of implementation success.

- d. The TRE may end at any stage if, through monitoring results, it is determined that there is no longer consistent toxicity.
- e. The Discharger may initiate a TIE as part of the TRE process to identify the cause(s) of toxicity. As guidance, the Discharger shall use the EPA acute and chronic manuals, EPA/600/6-91/005F(Phase I), EPA/600/R-92/080(Phase II), and EPA-600/R-92/081 (Phase III).
- f. As toxic substances are identified or characterized, the Discharger shall continue the TRE by determining the source(s) and evaluating alternative strategies for reducing or eliminating the substances from the discharge. All reasonable steps shall be taken to reduce toxicity to levels consistent with chronic toxicity parameters.
- g. Many recommended TRE elements accompany required efforts of source control, pollution prevention, and storm water control programs. TRE efforts should be coordinated with such efforts. To prevent duplication of efforts, evidence of complying with requirements of recommendations of such programs may be acceptable to comply with requirements of the TRE.
- h. The Regional Water Board recognizes that chronic toxicity may be episodic and identification of a reduction of sources of chronic toxicity may not be successful in all cases. Consideration of enforcement action by the Regional Water Board will be based in part on the Discharger's actions and efforts to identify and control or reduce sources of consistent toxicity.

VI. LAND DISCHARGE MONITORING REQUIREMENTS

This section of the standardized Order form is not applicable to the Covelo Community Services District.

VII. RECLAMATION MONITORING REQUIREMENTS

This section of the standardized Order form is not applicable to the Covelo Community Services District, as discharges to land are not addressed by this Order.

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

A. Grist Creek Monitoring

This section of the standardized Monitoring and Reporting Plan is not applicable to the Covelo Community Services District.

B. Ground Water Study

1. If applicable, the Discharger shall conduct ground water and surface water monitoring in accordance with Section VI. C. 2 of Order No. R1-2006-0007 to determine the fate of pollutants discharged by seepage/percolation from the treatment facility. All chemical analyses performed for such a study shall adhere to methods established at 40 CFR 136.

IX. OTHER MONITORING REQUIREMENTS

This section of the standardized Monitoring and Reporting Plan is not applicable to the Covelo Community Services District.

X. REPORTING REQUIREMENTS

A. General Monitoring and Reporting Requirements

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

B. Self Monitoring Reports (SMRs)

1. At any time during the term of this Order, the State or Regional Water Board may notify the Discharger to electronically submit self-monitoring reports. Until such notification is given, the Discharger shall submit self-monitoring reports in accordance with the requirements described below.
2. The Discharger shall submit monthly Self Monitoring Reports including the results of all required monitoring using U.S. EPA-approved test methods or other test methods specified in this Order. Monthly reports shall be due on the 1st day of the second month following the end of each calendar month. Annual reports shall be due on February 1 following each calendar year.
3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule.

Sampling Frequency	Monitoring Period Begins On...	Monitoring Period	SMR Due Date
Continuous	April 7, 2006	All	First day of second calendar month following month of sampling
Hourly	April 7, 2006	Hourly	First day of second calendar month following month of sampling
Daily	April 7, 2006	(Midnight through 11:59 PM) or any 24-hour period that	First day of second calendar month following

Sampling Frequency	Monitoring Period Begins On...	Monitoring Period	SMR Due Date
		reasonably represents a calendar day for purposes of sampling.	month of sampling
Weekly	April 9, 2006	Sunday through Saturday	First day of second calendar month following month of sampling
Monthly	May 1, 2006	1 st day of calendar month through last day of calendar month	First day of second calendar month following month of sampling
Quarterly	July 1, 2006	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	May 1 August 1 November 1 February 1
Semi-Annually	July 1, 2006	January 1 through June 30 July 1 through December 31	August 1 February 1
Annually	January 1, 2007	January 1 through December 31	February 1
1X / Order term	January 1, 2007	January 1 through December 31	February 1

4. The Discharger shall report with each sample result the applicable Minimum Level (ML) and the current Method Detection Limit (MDL), as determined by the procedure in 40 CFR Part 136.
5. SMR Content and Format.
 - a. Monthly Reports. The purpose of the monthly report is to document treatment performance, effluent quality, and compliance with waste discharge requirements prescribed by Order No. R1-2006-XXXX. For each calendar month, an SMR shall be submitted to the Regional Water Board in accordance with the following:
 - i. Letter of transmittal: Each SMR shall be submitted with a letter of transmittal. This letter shall include the following:
 - Identification of facility: Name, address, WDID number;
 - Date of report and monitoring period;
 - Identification of all violations of discharge prohibitions, effluent limitations or other discharge requirements found during the monitoring period;
 - Details of the violations: parameters, magnitude, test results, frequency, and dates;
 - The cause of the violation(s);
 - Discussion of corrective actions taken or planned to resolve violations and prevent recurrence, and dates or time of action implementation;

- Authorized signature and certification statement.
- ii. Compliance Evaluation Summary: Each report shall include a compliance evaluation summary. The summary shall illustrate clearly the facility's compliance (or lack thereof) with all effluent limitations and other waste discharge requirements. During periods of no discharge, the reports shall certify "no discharge".
 - iii. Results of Analyses and Observations.
 - Tabulations of all required analyses, including parameter, sample date and time, sample station, and test result.
 - If the Discharger monitors any pollutant more frequently than required by this Order, using test procedures approved under 40 CFR Part 136 or as specified in this Order, the results of this monitoring shall be included in the calculation and report of the data submitted in the Discharger's SMR.
 - Calculation of all effluent limitations that require averaging, taking of a median, or other calculation.
- b. Annual Report. The Discharger shall submit an annual report to the Regional Water Board for each calendar year. The report shall be submitted by March 1st of the following year. The report shall include, at a minimum, the following:
- i. Both tabular and, where appropriate, graphical summaries of the monitoring data and disposal records from the previous year. If the Discharger monitors any pollutant more frequently than required by this Order, using test procedures approved under 40 CFR Part 136 or as specified in this Order, the results of this monitoring shall be included in the calculation and report of the data submitted SMR.
 - ii. Source control activities as required by Section 2 of Waste Discharge Requirements Order No. R1-2006-0007.
 - iii. Collection system activities as required by General Provision 3 of Waste Discharge Requirements Order No. R1-2006-0007.
 - iv. A comprehensive discussion of the facility's compliance (or lack thereof) with all effluent limitations and other waste discharge requirements, and the corrective actions taken or planned, which may be needed to bring the discharge into full compliance with the Order.
6. SMRs must be submitted to the Regional Water Board, signed and certified as required by the standard provisions (Attachment D), to the address listed below:

Regional Water Quality Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95407

C. Discharge Monitoring Reports (DMRs)

1. As described in Section X.B.1 above, at any time during the term of this Order, the State or Regional Water Board may notify the discharger to electronically submit self-monitoring reports. Until such notification is given, the Discharger shall submit discharge monitoring reports (DMRs) in accordance with the requirements described below.
2. DMRs must be signed and certified as required by the standard provisions (Attachment D). The Discharge shall submit the original DMR and one copy of the DMR to the address listed below:

State Water Resources Control Board
Discharge Monitoring Report Processing Center
Post Office Box 671
Sacramento, CA 95812

3. All discharge monitoring results must be reported on the official USEPA pre-printed DMR forms (EPA Form 3320-1). Forms that are self-generated or modified cannot be accepted.

D. Other Reports

The Discharger shall submit an Annual Report regarding septage and other waste hauling activity as specified at section IV. D of the Order.

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ATTACHMENT F – FACT SHEET

This Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

I. ORDER INFORMATION

The following table summarizes administrative information related to the facility.

WDID	1B83009OMEN
Discharger	Covelo Community Services District
Name of Facility	Wastewater Treatment Plant
Facility Address	76001 Commercial Street
	Covelo, California 95428
	Mendocino County
Facility Contact, Title and Phone	Tim Dennis, District Manager, 707-983-6888
Authorized Person to Sign and Submit Reports	Tim Dennis, District Manager, 707-983-6888
Mailing Address	P.O. Box 65, Covelo, California 95428
Billing Address	Same as mailing address
Type of Facility	Wastewater collection and treatment facility
Major or Minor Facility	Minor
Threat to Water Quality	2
Complexity	B
Pretreatment Program	NA
Reclamation Requirements	NA
Facility Permitted Flow	80,000 gpd, mean daily dry weather flow, averaged over a calendar month
Facility Design Flow	80,000 gpd
Watershed	Upper Eel River
Receiving Water	Grist Creek
Receiving Water Type	River / Stream

- A. The Covelo Community Services District (the Discharger) is the owner and operator of a wastewater collection and treatment facility located in Covelo at 76001 Commercial Street, Mendocino County, California.
- B. The facility is Permitted to discharge treated wastewater to Grist Creek, waters of the United States, and is currently regulated by Order No. R1-2000-16, which was adopted on February 24, 2000. The terms of the existing Order were automatically continued in effect after the Order expiration date of February 24, 2005.
- C. The Discharger filed a Report of Waste Discharge and submitted an application for renewal of its Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) Order on November 9, 2004. A site visit was conducted on September

28, 2005, to observe operations and collect additional data to develop Order limitations and conditions.

II. FACILITY DESCRIPTION

A. Description of Wastewater and Biosolids Treatment or Controls

The Covelo Community Services District (CCSD) is located in northeastern Mendocino County approximately 35 miles northeast of Willits. The District is located in Round Valley and encompasses approximately 150 acres. Construction of the original wastewater treatment facility was completed in 1961. It was designed to serve 650 residential customers, and commercial and institutional users equivalent to an additional 550 people. The District owns and operates all wastewater collection and treatment facilities and ultimately discharges to Grist Creek, a wet weather seasonal tributary to the Middle Fork Eel River.

Collection System

The CCSD sewer system serves residential (single family residences and 2 trailer parks), commercial (restaurants), and institutional (elementary and high schools) customers and is in a deteriorated condition. Inspections of manholes along main lines in the collection system have revealed that many manholes are in need of sealing to prevent water entry through the manhole barrels and benches and through the manhole cover/frame assemblies. Smoke testing conducted in June 2003 identified several sources of inflow into laterals and mains; and closed circuit television inspections of collection system piping in June 2001, June 2002, and October 2002 showed substantial areas of gravel and grease deposition, indicative of flow velocities that are less than the required minimum, as well as significant root intrusion. Several sites within the collection system, including the following locations, have experienced significant problems. (Covelo Wastewater Facilities Improvement Project, prepared by SHN Consulting Engineers & Geologists, Inc., October 2004)

- Due to loss of line capacity and poor grade of sewer lines, the manhole directly in front of the elementary school historically overflowed during wet weather months over the past 30 years. More recently, sewer lines in this area have been cleaned semi-annually, alleviating the overflow problems.
- Capacity loss and severe infiltration and inflow problems commonly cause collection system overflows and backups in wet weather periods along Dingman Street near East Lane and Greeley Street.
- The cleanout in front of the Presbyterian Church on Perry Street was the site of numerous backups and overflows. However, the line was repaired in March 2003, and reportedly, has not backed-up since that time.

- Sewage backups along the north and south ends of Lowell Street forced open cleanout caps at residential connections, resulting in sewage backups into the yards of several homes in October 2001.
- The lift station serving several homes on East Lane cannot operate during power outages, resulting in sewage accumulation and backups.

Wastewater Treatment

The CCSD treatment plant underwent major construction upgrades in 1977 and was designed to discharge to Grist Creek during wet weather periods and to store treated wastewater during dry periods, when discharges to the Eel River and its tributaries are prohibited. The treatment facility was designed with a flow metering flume, bar screen and comminutor, two lined oxidation ponds that can be operated in series or parallel, two lined holding ponds, gravity sand filters, and chlorination/dechlorination capability. The facility was designed to treat an average flow of 80,000 gallons per day and a peak wet weather influent flow of 384,000 gallons per day. Maximum capacities for the primary and secondary oxidation ponds are 4.7 and 2.2 million gallons, respectively. From October 2002 through September 2003, influent flows to the treatment plant ranged from 1.1 to 6.6 million gallons per month and averaged 2.7 million gallons per month (90,000 gpd).

Due to high rates of evaporation and percolation during treatment, the treatment facility has not discharged directly to Grist Creek during the term of Order No. R1-2000-16. Percolation from treatment and holding ponds is attributed to cracks in pond linings, as well as damage to clay linings due to erosion and rodent attack. Because of excessive percolation, an on-site fresh water supply is unable to keep the ponds underwater throughout the year. Elevation of wastewater in the ponds corresponds directly with the elevation of local ground water.

Most equipment at the treatment facility is at least 25 years old. The existing headworks structure is small with inadequate space for maintenance of the comminutor and raking of the bar screen. The Discharger has determined that percolation from the primary oxidation pond (Pond No. 1) occurs at a rate of approximately 0.6 inches per day [60,000 gallons per day (gpd)] during high water levels (January through May) and at less than 0.30 inches per day (23,000 gallons per day) in October. The secondary oxidation pond (Pond No. 2) is the oldest component of the treatment facility and was not relined in 1977. The oxidation ponds discharge to the holding ponds only during wet seasons, and when such discharges occur, wastewater typically percolates from the holding ponds before discharge to Grist Creek is necessary. The sand filters are in a state of disrepair and the chlorination/dechlorination system is not in use.

The wastewater treatment facility currently receives septage on a regular basis and charges for this service based on self-monitoring by the septage haulers. Septage is discharged to a manhole upstream of the influent pumping station or directly to Oxidation Pond No. 1.

B. Discharge Points and Receiving Waters

The area of the Covelo Community Services District is located within the Upper Eel River Basin and is drained by Mill Creek, a tributary to the Middle Fork Eel River. Short, Town, Grist, and Turner Creeks drain into Mill Creek. The wastewater treatment facility is located adjacent to Town Creek with a discharge pipe just downstream from the confluence of Grist and Town Creeks.

Treated wastewater from the facility's holding ponds can be delivered to the sand filters by two pumps, designed to alternate operation and rated at 400 gpm each. The facility's design provided for chlorination to take place at Discharge Manhole No.1 following filtration. A 16 inch pipe between Manhole Nos. 1 and 2 provides chlorine contact time, and sulfur dioxide is applied in solution for dechlorination at Discharge Manhole No. 2. The outfall to Grist Creek is located just downstream of the dechlorination manhole below the creek bank. Grist Creek is a wet weather seasonal tributary to Mill Creek and ultimately to the Middle Fork Eel River.

Because the facility's oxidation and holding ponds are located adjacent to Grist and Town Creeks, and because local ground water is found in saturated conditions near to the ground surface in coarse, alluvial (permeable) deposits; and because water elevations in the ponds correspond directly to seasonal variations in surface water flow and with the elevation of ground water, the Regional Water Board views shallow ground water in the area of the treatment facility as hydrologically connected to Grist and/or Town Creeks. Discharges to ground water, intentional or not, are therefore viewed as discharges to surface water in these circumstances and are subject to all requirements of Order No. R1-2006-0007, as if the discharge occurred directly to surface water via the constructed outfall. Because such discharges to surface water via hydrologically connected groundwater may occur before adequate treatment is provided and because such discharges may violate the seasonal discharge prohibition of the Basin Plan (between May 15 and September 30 of each year), Section VI. C. 2. a of Order No. R1-2006-0007 requires the Discharger to determine alternative disposal methods or to demonstrate that shallow groundwater beneath the wastewater treatment facility is not hydrologically connected to surface waters of Grist and/or Town Creeks.

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

Effluent limitations contained in the existing Order No. R1-2000-16 for discharges from Discharge Point 001 and representative monitoring data from the term of the previous Order are presented below.

Parameter (units)	Effluent Limitation			Monitoring Data		
	Average Monthly	Average Weekly	Maximum Daily	Highest Avg Monthly Discharge	Highest Avg Weekly Discharge	Highest Daily Discharge
Flow	The mean daily dry weather flow shall not exceed 0.8 mgd averaged over a period of a calendar month.			Although no discharges through Outfall No. 001 were recorded during the term of Order No. R1-2000-16, from October 2002 through September 2003, the facility recorded influent flows ranging from 36,000 gpd – 215,000 gpd, with an average influent flow of 90,000 gpd.		
BOD ₅ (mg/L) ¹	30 ¹	45		Because the facility has not discharged through Outfall No. 001, effluent samples have not been collected and analyzed during the term of Order No. R1-2000-16.		
TSS (mg/L) ¹	30 ¹	45				
Settleable Solids (ml/L)	0.1		0.2			
Coliform Bacteria (mpn/100 mL)	23		230			
pH (stnd units)	6.0 – 9.0					
Chlorine	A minimum chlorine residual of 1.5 mg/L shall be maintained t the end of the disinfection process; and discharges to Grist Creek or its tributaries shall not contain detectable levels of chlorine.					
Toxicity	The survival of test fish in 96 hour (static or continuous flow) bioassays in undiluted effluent samples shall equal or exceed 90 percent survival 67 percent of the time, and 70 percent survival 100 percent of the time.					

¹ The arithmetic mean of BOD₅ and TSS values by weight for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values, by weight, for influent samples collected at approximately the same times during the same period (85 percent removal).

D. Compliance Summary

Settlement of a complaint filed on October 3, 2001 (Case No. C 01 3737 JCS) by the Northern California River Watch in U.S. District Court, Northern District of California, was accomplished by agreement to the terms of a Consent Decree and Order by the Covelo Community Services District and the Northern California River Watch. The complaint was filed due to numerous and recurring violations of the District’s NPDES Order and due to unauthorized discharges attributed to failures in the District’s collection system. The Consent Decree and Order required:

- No later than 15 months after receipt of a Community Block Grant for Planning and Technical Assistance, the District must complete a Preliminary Engineering Study of its collection system, treatment ponds, and disposal system and a Preliminary Environmental Assessment and Analysis to satisfy CEQA, NEPA, and other regulatory requirements in contemplation of system improvements. *(CEQA Initial Study for Covelo Wastewater Facilities Improvement Project and*

Covelo Wastewater Facilities Improvement Project, USDA Preliminary Engineering Report were submitted in October 2004)

- No later than 90 days following completion of the Preliminary Engineering Study, the District must file a Report of Waste Discharge. (Report of Waste Discharge was submitted on November 19, 2004)
- No later than 1 year after completion of the Preliminary Engineering Study, the District must complete an Inflow and Infiltration Study, and
- Within 1 year of filing the Consent Decree, the District must conduct a creek/sewer line study to assess the contributions of coliform bacteria from bypass and overflow events to Town and Grist Creeks.

Covelo Community Services District reports that studies required in accordance with the Consent Decree and Order have been completed. Regional Water Board staff have requested copies for the file record.

E. Planned Changes

Besides on-going, steady, and minor improvements to the collection and treatment systems, the District is intending to (1) divert the main sewer away from Town Creek, (2) replace the sewer line in Commercial Street, and (3) replace the sewer line in Howard Street. The District is continuing to examine needs of its collection and treatment systems and is taking steps to secure funding for essential needs that are identified.

III. APPLICABLE PLANS, POLICIES, AND REGULATIONS

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

A. Legal Authorities

This Order is issued pursuant to CWA Section 402 and implementing regulations adopted by the U.S. EPA and CWC Chapter 5.5, Division 7. It shall serve as an NPDES Order for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to CWC Article 4, Chapter 4 for discharges that are not subject to regulation under CWA Section 402.

B. California Environmental Quality Act (CEQA)

This action to adopt an NPDES Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21100, et seq.) in accordance with CWC Section 13389.

C. State and Federal Regulations, Policies, and Plans

1. **Water Quality Control Plans.** The Regional Water Board adopted a *Water Quality Control Plan for the North Coast Region* (1975, the Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Beneficial uses are designated for all waters of the North Coast Region and are designated for coastal and inland waters, wetlands, and ground waters. The Basin Plan identifies the following present and potential uses for waters within the Round Valley Hydrologic Subarea of the Eel River Hydrologic Unit – an area that includes Grist Creek.

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	Grist Creek	MUN – Municipal and Domestic Supply AGR – Agricultural Supply IND – Industrial Service Supply GWR – Groundwater Recharge NAV – Navigation POW – Hydropower Generation REC1 – Water Contact Recreation REC2 – Non-Contact Water Recreation COMM – Commercial and Sport Fishing WARM – Warm Freshwater Habitat COLD – Cold Freshwater Habitat WILD – Wildlife Habitat RARE – Preservation of Rare, Threatened, or Endangered Species MIGR – Migration of Aquatic Organisms SPWN – Spawning, Reproduction, and/or Early Development EST – Estuarine Habitat AQUA - Aquaculture

The Basin Plan establishes the following beneficial uses for ground waters throughout the Region.

- Municipal and Domestic Supply
- Industrial Service Supply
- Industrial Process Supply
- Agricultural Supply
- Freshwater Replenishment
- Native American Culture

2. **Thermal Plan.** The State Board adopted a Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays

and Estuaries of California (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains temperature objectives for inland surface waters.

3. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** U.S. EPA adopted the NTR on December 22, 1992 and amended it on May 4, 1995 and November 9, 1999. The CTR was adopted on May 18, 2000 and amended on February 13, 2001. These rules include water quality criteria for priority pollutants and are applicable to this discharge.
4. **State Implementation Policy.** On March 2, 2000, the State Board adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy or SIP). The SIP applies to discharges of toxic pollutants into the inland surface waters, enclosed bays, and estuaries of California subject to regulation under the State's Porter-Cologne Water Quality Control Act (Division 7 of the California Water Code) and the federal Clean Water Act. The SIP establishes: (1) implementation provisions for priority pollutant criteria promulgated by the U.S. EPA through the NTR and the CTR, and for priority pollutant objectives established by the Regional Water Boards in their basin plans, (2) monitoring requirements for 2,3,7,8-TCDD equivalents; and (3) chronic toxicity control provisions. The SIP became effective on April 28, 2000, with respect to the priority pollutant criteria promulgated for through the NTR and to the priority pollutant objectives established by the Regional Water Boards in their basin plans, with the exception of the provision on alternate test procedures for individual discharges that have been approved by U.S. EPA Regional Administrator. The alternate test procedures provision was effective on May 22, 2000. The SIP became effective on May 18, 2000. The SIP includes procedures for determining the need for and calculating WQBELs, and requires Dischargers to submit data sufficient to do so.
5. **Antidegradation Policy.** 40 CFR 131.12 requires that State water quality standards include an antidegradation policy consistent with the federal policy. The State Board established California's antidegradation policy in State Board Resolution 68-16, which incorporates the requirements of the federal antidegradation policy. Resolution 68-16 requires that existing water quality is maintained unless degradation is justified based on specific findings. As discussed in detail in this Fact Sheet, the Permitted discharge is consistent with the antidegradation provision of 40 CFR 131.12 and State Board Resolution 68-16.
6. **Anti-Backsliding Requirements.** CWA Sections 402 (o) (2) and 303 (d) (4) of the CWA and 40 CFR 122.44 (l) prohibit backsliding in NPDES Orders; i.e., effluent limitations in a reissued Order must be as stringent as those in the previous Order, with some exceptions where limitations may be relaxed. Order No. R1-2006-0007 complies with all anti-backsliding requirements, as all effluent

limitations in this Order are at least as stringent as the effluent limitations in Order No. R1-2000-16.

- 7. Monitoring and Reporting Requirements.** 40 CFR 122.48 requires that all NPDES Orders specify requirements for recording and reporting monitoring results. CWC Sections 13267 and 13383 authorize the Regional Water Boards to require technical and monitoring reports. The MRP establishes monitoring and reporting requirements to implement federal and State requirements. This MRP is provided in Attachment E.

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

On June 5 and July 25, 2003, the U.S. EPA approved the list of impaired water bodies, prepared by the State Water Resources Control Board pursuant to Section 303 (d) of the CWA – water bodies which are not expected to meet applicable water quality standards after implementation of technology-based effluent limitations for point sources. The 303 (d) list does not include Grist Creek but includes the Middle Fork Eel River as impaired by sedimentation and temperature. In December 2003, U.S. EPA Region 9 finalized TMDLs (Total Maximum Daily Loads), which establish the maximum levels of pollutants that a water body can receive without exceeding water quality standards, to address sediment and thermal loadings in the Middle Fork Eel River and its tributaries.

To develop the TMDL for temperature, U.S. EPA first determined that available solar radiation in the watershed, before reduction by topography and shade, is 385 langley's per day. To meet the applicable water quality standard for temperature – that there be no alterations to natural stream temperatures, U.S. EPA then determined that streams tributary to the Middle Fork Eel River could assimilate 109 langley's per day. This is the amount of heat reaching tributary streams that have unaltered, natural shade and represents a 72 percent reduction in available solar radiation due to shading. U.S. EPA estimated overall, average shade in the watershed to be 69 percent, meaning that streams tributary to the Middle Fork Eel River need only 3 percent more shade to meet the applicable water quality standard. Because only minimal shade, over that which exists under current conditions, is needed along tributary streams to attain the applicable water quality standard for temperature in accordance with the TMDL, Order No. R1-2006-0007 does not include a specific effluent limitation for temperature. The Regional Water Board has also considered the fact that this facility cannot discharge to Grist Creek between May 15 and September 30 of each year, and during the rest of each year, cannot account for more than one percent of the flow of Grist Creek.

For the Round Valley subwatershed of the Middle Fork Eel River, U.S. EPA established a TMDL for sediment at 105 percent of natural loading, or 393 tons per square mile per year. This TMDL represents a 32 percent decrease over current sediment loadings to streams in the Round Valley subwatershed. In developing this TMDL, U.S. EPA determined that the majority of sediment delivered to such streams is naturally caused with most attributed to landslides. U.S. EPA considers the rate of 393 tons/mile²/year as a total figure that includes

a load allocation for nonpoint sources and wasteload allocations for point sources. U.S. EPA concluded that, for purposes of the TMDL, individual point sources of sediment are either (1) CalTrans facilities that discharge pursuant to the CalTrans statewide NPDES Order issued by the State Water Board, or (2) construction sites that discharge pursuant to the State's general Order for construction site runoff. "There are no other wasteload allocations, as there are no other individual point sources of sediment in the basin." Final Middle Fork Eel River Total Maximum Daily Loads for Temperature and Sediment, U.S. EPA Region IX, page 45 (2003). Because the TMDL concluded that there are no significant point sources of sediment loading to streams tributary to the Middle Fork Eel River besides those facilities covered by the general Orders, the Regional Water Board is retaining effluent limitations of Order No. R1-2000-16 for suspended and settleable solids in Order No. R1-2006-0007, as these effluent limitations reflect accepted standards of performance for secondary treatment facilities.

E. Other Plans, Policies and Regulations

1. The Basin Plan for the North Coast Region includes water quality objectives, implementation plans for point source and nonpoint source discharges, prohibitions, and statewide plans and policies. The Basin Plan contains a narrative objective (standard) for toxicity that requires:

All waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life. Compliance with this objective will be determined by use of indicator organisms, analyses of species diversity, population density, growth anomalies, bioassay of appropriate duration or other appropriate methods as specified by the Regional Water Board.

The survival of aquatic life in surface waters subjected to a waste discharge, or other controllable water quality factors, shall not be less than that for the same water body in areas unaffected by the waste discharge, or when necessary for other control water that is consistent with the requirements for "experimental water" as described in Standard Methods for the Examination of Water and Wastewater 18th Edition (1992). At a minimum, compliance with this objective as stated in the previous sentence shall be evaluated with a 96-hour bioassay.

In addition, effluent limits based upon acute bioassays of effluent will be prescribed. Where appropriate, additional numerical receiving water objectives for specific toxicants will be established as sufficient data become available, and source control of toxic substances will be encouraged.

2. With a design flow of less than 1.0 mgd, storm water discharges from the wastewater treatment facility do not meet the definition of "storm water discharges associated with industrial activities", as defined at 40 CFR Section 122.26 (b)(14); and the

Discharger, therefore, is not required to seek coverage under the State Water Resource Control Board's Water Quality Order 97-03-DWQ, NPDES General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities.

3. The Regional Water Board agrees with the U.S. EPA's interpretation of the Clean Water Act as applying to discharges of pollutants from a point source via ground water that has a direct hydrologic connection to surface water. While the CWA's NPDES Ordering requirements are not intended to regulate ground water, they are intended to protect surface waters, which are contaminated via a ground water connection. [66 Fed. Reg. 3015 (Jan. 12, 2001)] In similar circumstances to those of the Covelo Community Services District, where a wastewater holding/treatment pond is located adjacent to surface waters, the federal District Court for the Northern District of California recently found that there was an immediate hydrologic connection between the pond and the river, noting that the water level in each immediately affects the water level in the other. The Court described groundwater as "tributary" to the surface water and reasoned that elevated measurements of pollutants in the wastewater pond and in monitoring wells between the pond and the river supported such a conclusion. Northern California River Watch v. City of Healdsburg, No. C01-04686WHA (N. Dist. Ca., January 23, 2004)

IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

The CWA requires point source discharges to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES Orders. NPDES regulations establish two principal bases for effluent limitations. At 40 CFR 122.44 (a) Orders are required to include applicable technology-based limitations and standards; and at 40 CFR 122.44 (d) Orders are required to include water quality-based effluent limitations to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water. When numeric water quality objectives have not been established, but a discharge has the reasonable potential to cause or contribute to an excursion above a narrative criterion, WQBELs may be established using one or more of three methods described at 40 CFR 122.44 (d) - 1) WQBELs may be established using a calculated water quality criterion derived from a proposed State criterion or an explicit State policy or regulation interpreting its narrative criterion; 2) WQBELs may be established on a case-by-case basis using U.S. EPA criteria guidance published under CWA Section 304 (a); or 3) WQBELs may be established using an indicator parameter for the pollutant of concern.

A. Discharge Prohibitions

1. Prohibition III A. The discharge of any waste not disclosed by the Discharger or not within the reasonable contemplation of the Regional Water Board is prohibited.

This prohibition is based on the Basin Plan, previous Order, and State Water Resources Control Board Order WQO 2002-0012 regarding the petition of Waste Discharge Requirements Order No. 01-072 for the East Bay Municipal Utility District and Bay Area Clean Water Agencies. In SWRCB Order WQO 2002-0012, the State Water Board found that this prohibition is acceptable in Orders, but should be interpreted to apply only to constituents that are either not disclosed by the discharger or are not reasonably anticipated to be present in the discharge, but have not been disclosed by the discharger. It specifically does not apply to constituents in the discharge that do not have “reasonable potential” to exceed water quality objectives.

The State Water Board has stated that the only pollutants not covered by this prohibition are those which were “disclosed to the Ordering and . . . can be reasonably contemplated.” (In re the Petition of East Bay Municipal Utilities District et al., (SWRCB 2002) Order No. WQ 2002-0012, p. 24.) The case cited in that order by the State Water Board reasoned that the Discharger is liable for discharges “not within the reasonable contemplation of the permitting authority . . . , whether spills or otherwise” (Piney Run Preservation Assn. v. County Commissioners of Carroll County, Maryland (4th Cir. 2001) 268 F.3d 255, 268.) Thus, State Water Board authority provides that, to be permissible, the constituent discharged (1) must have been disclosed by the Discharger and (2) can be reasonably contemplated by the Regional Water Board.

The Regional Water Board has the authority to determine whether the discharge of a constituent is “reasonably contemplated.” The Piney Run case makes clear that the Discharger is liable for discharges “not within the reasonable contemplation of the Ordering authority . . . , whether spills or otherwise” (268 F.3d 255, 268 [italics added].) In other words, whether or not the Discharger reasonably contemplates the discharge of a constituent is not relevant. What matters is whether the Discharger disclosed the constituent to the Regional Water Board or whether the presence of the pollutant in the discharge can otherwise be reasonably contemplated by the Regional Water Board at the time of Order adoption.

2. Prohibition III. B. Creation of pollution, contamination, or nuisance, as defined by CWC Section 13050 is prohibited.

This prohibition is based on CWC Section 13050. It has been retained from Order No. R1-2000-16.

3. Prohibition III. C. The discharge of sludge or digester supernatant is prohibited, except as authorized under section IV. E (Solids Disposal and Handling Requirements).

This prohibition is based on restrictions on the disposal of sewage sludge found in federal regulations [40 CFR Part 503 (Biosolids) Part 527 and Part 258] and Title 27 CCR. It has been retained from Order No. 96-9.

4. Prohibition III. D. The discharge or reclamation of untreated or partially treated waste from anywhere within the collection, treatment, or disposal facility is prohibited, except as provided for in Attachment D, Standard Provision I. G (Bypass).

This prohibition has been retained from Order No. 96-9 and is based on the Basin Plan to protect beneficial uses of the receiving water from unPermitted discharges, and the intent of CWC sections 13260 through 13264 relating to the discharge of waste to waters of the State without filing for and being issued a Order. This prohibition applies to, but is not limited to, sanitary sewer overflows, spills, and other unauthorized discharges of wastewater within the collection, treatment, reclamation, and disposal facilities. The discharge of untreated or partially treated wastewater from the collection, treatment, or disposal facility represents an unauthorized bypass pursuant to 40 CFR 122.41(m) or an unauthorized discharge which poses a threat to human health and/or aquatic life, and therefore, is explicitly prohibited by this Order.

5. Prohibition III. E. The discharge of waste to land that is not owned by or subject to an agreement for use by the Discharger is prohibited.

This prohibition is retained from Order No. 96-9. Land used for the application of wastewater must be owned by the Discharger or be under the control of the Discharger by contract so that the Discharger maintains a means for ultimate disposal of treated wastewater.

6. Prohibition III. F. The discharge of waste at any point except Discharge Point 001 – the constructed outfall to Grist Creek, as described on page 1 of this Order, or as authorized by another State Board or Regional Water Board Order, is prohibited.

This prohibition is a general prohibition that allows the Discharger to discharge waste only in accordance with waste discharge requirements. It is based on Sections 301 and 402 of the federal CWA and CWC Section 13263.

7. Prohibition III. G. The discharge of treated wastewater from the wastewater treatment facility to the Eel River or its tributaries, including Grist Creek, is prohibited during the period May 15 through September 30 of each year.

This prohibition is required by the Basin Plan. The Basin Plan prohibits discharges to the Eel River and its tributaries during the period May 15 through September 30 (Chapter 4, North Coastal Basin Discharge Prohibition No. 3). The original intent of this prohibition was to prevent the contribution of wastewater to the baseline flow of the Eel River during the period of the year when the Eel River and its tributaries experience the heaviest water-contact recreation use.

8. Prohibition III. H. During the period of October 1 through May 14 of each year, discharges of wastewater shall not exceed one percent of the flow of Grist Creek. To comply with this flow prohibition, (1) the Discharger shall adjust the discharge rate of

treated wastewater at least once daily to avoid exceeding, to the extent practicable, one percent of the most recent daily flow measurement of Grist Creek; and (2) the total volume of treated wastewater discharged in a calendar month shall not exceed, in any circumstances, exceed one percent of the total volume of Grist Creek flow, in the same calendar month.

During periods of discharge shall be read at least once daily, and the discharge flow rate shall be set for no greater than one percent of the flow of the creek at the time of the daily reading. At the beginning of the discharge season, the first monthly flow comparisons shall be determined from the date when the discharge commenced to the end of the calendar month. At the end of the discharge season, the final monthly flow volume shall be determined from the first day of the calendar month to the date when the discharge ended for the season

This prohibition is required by the Basin Plan (Chapter 4 Implementation Plans, North Coastal Basin Discharge Prohibition No. 3). The Basin Plan prohibits discharges to the Eel River and its tributaries when the waste discharge flow is greater than one percent of the receiving water's flow.

B. Technology-Based Effluent Limitations

1. Scope and Authority

Regulations promulgated in 40 CFR Section 125.3(a)(1) require technology-based effluent limitations for municipal Dischargers to be placed in NPDES Orders based on Secondary Treatment Standards or Equivalent to Secondary Treatment Standards.

The Federal Water Pollution Control Act Amendments of 1972 (PL 92-500) established the minimum performance requirements for POTWs [defined in Section 304(d)(1)]. Section 301(b)(1)(B) of that Act requires that such treatment works must, as a minimum, meet effluent limitations based on secondary treatment as defined by the USEPA Administrator.

Based on this statutory requirement, USEPA developed secondary treatment regulations, which are specified in 40 CFR 133. These technology-based regulations apply to all municipal wastewater treatment plants and identify the minimum level of effluent quality attainable by secondary treatment in terms of biochemical oxygen demand (BOD₅), total suspended solids (TSS), and pH, as follows:

- a. BOD and Suspended Solids
 - i. The 30-day average shall not exceed 30 mg/l.
 - ii. The 7-day average shall not exceed 45 mg/l.
 - iii. The 30-day average percent removal shall not be less than 85 percent.
- b. pH

- i. The pH shall be maintained within the limits of 6.0 to 9.0. (The effluent limitation for pH required to meet the water quality objective for hydrogen ion concentration (pH) is contained in the Basin Plan Table 3-1.)

In addition, 40 CFR 122.45 (f) requires the establishment of mass-based effluent limitations for all pollutants limited in Orders, except, 1) for pH, temperature, radiation, or other pollutants which cannot appropriately be expressed by mass, and (2) when applicable standards and limitations are expressed in terms of other units of measure.

2. Applicable Technology-Based Effluent Limitations

The following standards from 40 CFR Part 133 are applicable to the Covelo Community Services District and are included in Order No. R1-2006-0007 as effluent limitations.

Summary of Technology-Based Effluent Limitations - Discharge Point 001

Parameter	Units	Effluent Limitation		
		Avg Monthly	Avg Weekly	Percent Removal
BOD ₅ ^a	mg/L	30	45	85
TSS _a	mg/L	30	45	85
pH	std units	6.0 – 9.0		

^a The 30-day average percent removal shall not be less than 85 percent.

Effluent limitations for settleable solids have been retained from Order No. R1-2000-16. These limitations are also a typical standard of performance for secondary treatment facilities and are included as a limitation for the Discharger's facility based on the best professional judgment of Regional Water Board staff. Likewise, the requirement of a minimum chlorine residual of 1.5 mg/L at the end of the disinfection process is retained from Order No. R1-2000-16 and is based on Regional Water Board staff's best professional judgment for providing adequate disinfection. The flow limitation of 0.08 mgd (mean daily dry weather flow) is retained from Order No. R1-2000-16 and is intended to ensure that wastewater flows do not exceed the facility's design capacity.

C. Water Quality-Based Effluent Limitations (WQBELs)

1. Scope and Authority

As specified in 40 CFR §122.44(d)(1)(i), Orders are required to include WQBELs for pollutants (including toxicity) that are or may be discharged at levels that cause, have reasonable potential to cause, or contribute to an excursion above any state water quality standard. The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated uses for the receiving water as specified in the Basin Plan, and achieve applicable water quality objectives

and criteria that are contained in other state plans and policies, or water quality criteria contained in the CTR and NTR.

2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

- a. Beneficial Uses. Present and potential uses for waters within the Round Valley Hydrologic Subarea of the Eel River Hydrologic Unit – an area that includes Grist Creek, are discussed in Finding II. H of Order No. R1-2006-0007.
- b. Basin Plan Water Quality Objectives. In addition to the specific water quality objectives indicated above, the Basin Plan contains the following narrative objectives that apply to inland surface waters, enclosed bays, and estuaries, including Grist Creek:

Biostimulatory Substances: Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses.

pH: The pH shall not be depressed below 6.5 nor raised above 8.5

Sediment: The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses.

Dissolved Oxygen: Dissolved oxygen concentrations shall conform to those limits listed in Table 1 (of the Basin Plan). For waters not listed in Table 1 and where dissolved oxygen objectives are not prescribed, the dissolved oxygen concentrations shall not be reduced below the following minimum levels at any time.

Waters designated WARM, MAR, or SAL	5.0 mg/L
Waters designated COLD	6.0 mg/L
Waters designated SPAWN	7.0 mg/L
Waters designated SPAWN during critical spawning and egg incubation periods	9.0 mg/L

Bacteria: The bacteriological quality of waters of the North Coast Region shall not be degraded beyond natural background levels. In no case shall coliform concentrations in waters of the North Coast Region exceed the following:

In waters designated for contact recreation (REC-1), the median fecal coliform concentration based on a minimum of not less than five samples for any 30-day period shall not exceed 50/100 ml, nor shall more than ten percent of total samples during any 30-day period exceed 400/100 ml (State Department of Health Services).

Temperature: Temperature objectives for COLD interstate waters, WARM interstate waters, and enclosed bays and estuaries are as specified in the "Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays of California" including any revisions thereto. A copy of this plan is included verbatim in the Appendix Section of the Basin Plan.

In addition, the following temperature objectives apply to surface waters:

The natural receiving water temperature of intrastate waters shall not be altered unless it can be demonstrated to the satisfaction of the Regional Water Board that such alteration in temperature does not adversely affect beneficial uses.

Toxicity: All waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life. Compliance with this objective will be determined by use of indicator organisms, analyses of species diversity, population density, growth anomalies, bioassays of appropriate duration, or other appropriate methods as specified by the Regional Water Board.

The survival of aquatic life in surface waters subjected to a waste discharge, or other controllable water quality factors, shall not be less than that for the same water body in areas unaffected by the waste discharge, or when necessary for other control water that is consistent with the requirements for "experimental water" as described in Standard Methods for the Examination of Water and Wastewater, 18th Edition (or a more recent edition). As a minimum, compliance with this objective as stated in the previous sentence shall be evaluated with a 96-hour bioassay.

In addition, effluent limits based upon acute bioassays of effluents will be prescribed. Where appropriate, additional numerical receiving water objectives for specific toxicants will be established as sufficient data become available, and source control of toxic substances will be encouraged.

a. State Implementation Policy (SIP), CTR and NTR.

Water quality criteria applicable to the discharge to Grist Creek are included in the NTR and the CTR, which contain numeric criteria for most of the 126 priority, toxic pollutants, and indicate that such criteria will be developed for the remaining criteria at a future date.

Aquatic life freshwater and saltwater criteria are further identified as criterion maximum concentrations (CMC) and criterion continuous concentrations (CCC). The CTR defines the CMC as the highest concentration of a pollutant to which aquatic life can be exposed for a short period of time without deleterious effects and the CCC as the highest concentration of a pollutant to which aquatic life can

be exposed for an extended period of time (4 days) without deleterious effects. The CMC is used to calculate an acute or one-hour average numeric effluent limitation and the CCC is used to calculate a chronic or 4-day average numeric effluent limitation.

Human health criteria are further identified as “water and organisms” and “organisms only.” The criteria from the “water and organisms” column of CTR are used for the preliminary reasonable potential analysis because the Basin Plan identifies that the receiving water, Grist Creek is a source of municipal and domestic drinking water supply. The human health criteria are used to calculate human health effluent limitations.

The SIP, which is described in Finding II.J. of the Order and Section III.C.4 of the Fact Sheet, includes procedures for determining the need for and calculating WQBELs and requires dischargers to submit data sufficient to do so.

3. Determining the Need for WQBELs

a. Non-Priority Pollutants

Order No. R1-2006-0007 contains an effluent limitation for total chlorine residual prior to surface water discharge (Effluent Limitation IV.A.1.c). The Order specifies that the discharge shall at no time show detectable chlorine residual. This effluent limitation is based on the Basin Plan narrative water quality objectives for toxicity and chemical constituents. This effluent limitation is included to ensure that a wastewater dechlorination step removes all detectable chlorine residual for the protection of aquatic beneficial uses of the receiving water.

b. Priority Pollutants

By an Order dated April 27, 2001, issued pursuant to CWC Section 13267 (b) to the Covelo Community Services District, the Regional Water Board required the Discharger to monitor its effluent for the CTR toxic pollutants. The information packet necessary to comply with this Order was resent on December 3, 2001. The District did not comply with the April 2001 request, and, therefore, effluent data to determine the need for WQBELs for the priority, toxic pollutants is not available during reissuance of this Order.

4. WQBEL Calculations

Because insufficient data is available, there has been no determination of the reasonable potential for toxic pollutants to be discharged at levels that cause, have reasonable potential to cause, or contribute to an excursion above any state water quality standard; and therefore, new WQBELs have not been included in Order No. R1-2006-0007. In addition to the Order sent January 6, 2006, this Order includes

requirements to monitor for the CTR, toxic pollutants, and a provision to reopen the Order, if that monitoring demonstrates a need to establish WQBELs.

WQBELs for coliform bacteria, which have been retained from Order No. R1-2000-16, reflect standards adopted by the Department of Health Services for treated wastewater in Title 22, Division 4, Chapter 3 of the California Code of Regulations.

Order No. R1-2006-0007 retains from the previous Order an effluent limitation for chlorine that requires no detectable levels of chlorine in effluent (by an analytical method with a 0.1 mg/L detection limit) - a limit intended to assure compliance with the Basin Plan's narrative water quality objective for toxicity – all waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life.

Summary of Water Quality-Based Effluent Limitations - Discharge Point 001

Parameter	Units	Effluent Limitations	
		Avg Weekly	Maximum
Total Coliform Bacteria	mpn /100 mL	23 ^a	230 ^a
Total Residual Chlorine	mg/L	-	0.1

^a The number of total coliform bacteria shall not exceed 23 per 100 mLs in more than one sample in any 30-day period. No sample shall exceed an MPN of 230 total coliform bacteria per 100 mLs.

5. Whole Effluent Toxicity (WET)

Effluent limits for whole effluent toxicity (WET), acute or chronic, protect the receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. There are two types of WET tests - acute and chronic. An acute toxicity test is conducted over a short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction, and/or growth.

The Basin Plan specifies a narrative objective for toxicity, requiring that all waters be maintained free of toxic substances in concentrations that are lethal to or produce other detrimental responses in aquatic organisms. Detrimental response includes but is not limited to decreased growth rate, decreased reproductive success of resident or indicator species, and/or significant alterations in population, community ecology, or receiving water biota. The existing Order contains acute toxicity limitations in accordance with the Basin Plan, which requires that average survival in undiluted effluent for any three consecutive 96-hour static or continuous flow bioassay tests be at least 90 percent, with no single test having less than 70 percent survival.

In addition to the Basin Plan requirements, Section 4 of the SIP states that chronic toxicity effluent limitations are required in Orders for all discharges that will cause, have the reasonable potential to cause, or contribute to chronic toxicity in receiving

waters. Discharges from Discharge Point 001 may contribute to long-term toxic effects within the receiving water; however, no chronic toxicity data are available for this discharge. In accordance with the SIP, therefore, the Discharger will be required to conduct chronic toxicity testing in order to determine reasonable potential and establish WQBELs as necessary.

D. Final Effluent Limitations

Summary of Final Effluent Limitations Discharge Point 001

1. The discharge of treated wastewater shall maintain compliance with the following effluent limitations for secondary treatment at Discharge Point 001, with compliance measured at Monitoring Location M-001, as described in the attached Monitoring and Reporting Program (Attachment E).

Constituent	Units	Effluent Limitations		
		Monthly Avg	Weekly Avg	Max Daily
BOD ₅	mg/L	30	45	60
	lbs/day ^{a, b}	20	30	40
TSS	mg/L	30	45	60
	lbs/day ^{a, b}	20	30	40
Settleable Solids	ml/L	No measurable levels		
pH	standard units	6.0 – 9.0		

^a Mass based effluent limitations presented here are based on an average dry weather design flow rate of 0.08 mgd. During wet weather periods, when the effluent flow rate exceeds 0.08 mgd, mass limitations shall be calculated using the actual daily average effluent flow rate [mass based limitation (lbs/day) = 8.34 x C x Q, where C = the concentration based limitation (mg/L) and Q = the actual effluent flow (mgd)]. In no circumstances shall mass based limitations for BOD₅ and TSS be based on an effluent flow greater than 0.384 mgd, which is the peak wet weather design flow of the facility.

^b The mass discharge (lbs/day) shall be determined using the following equation.

$$\frac{8.34}{N} \sum_{i=1}^N Q_i C_i$$

Where N is the number of samples analyzed in the monitoring period. Q_i and C_i are the flow rate (mgd) and the pollutant concentration (mg/L), respectively, which are associated with each of the N grab samples collected in that calendar day, week, or month. If a composite sample is taken, C_i is the concentration measured in the composite sample, and Q_i is the average flow rate during the period in which samples were composited.

2. A minimum chlorine residual of 1.5 mg/L shall be maintained at the end of the disinfection process.

3. Treated wastewater discharged to Grist Creek or its tributaries shall not contain detectable levels of chlorine, using an analytical method or chlorine analyzer with a minimum detection level of 0.1 mg/L.
4. Percent Removal: The average monthly percent removal of BOD₅ (5-day biochemical oxygen demand at 20° C) and TSS (total suspended solids) shall not be less than 85 percent. Percent removal shall be determined by comparison of the 30-day average influent and effluent concentrations, over the same time period.
5. The mean daily dry weather flow shall not exceed 0.08 mgd averaged over a period of a calendar month.
6. There shall be no acute toxicity in the effluent when discharging to Grist Creek, as measured at Monitoring Location M-001. The Discharger will be in compliance with this limitation when the survival of aquatic organisms in 96 hour bioassays using undiluted effluent complies with the following.
 - a. Minimum for any one bioassay: 70 percent survival.
 - b. Median for any three consecutive bioassays: at least 90 percent survival.

Compliance with this effluent limitation shall be determined in accordance with Section V of the Monitoring and Reporting Plan, Attachment E of this Order.

7. Effluent shall not contain any measurable settleable solids, as measured at Discharge Point 001.
8. Disinfected effluent, discharged at Discharge Point 001, shall not contain total coliform bacteria exceeding the following concentrations.
 - a. The median concentration shall not exceed a most probable number (MPN) of 23 organisms per 100 mLs, using the bacteriological results of the last seven days for which analyses have been completed.
 - b. The number of coliform bacteria shall not exceed an MPN of 230 organisms per 100 mLs in more than one sample in any 30-day period.

E. Interim Effluent Limitations and Compliance Schedules

Order No. R1-2006-0007 does not include interim effluent limitations or compliance schedules.

F. Land Discharge Specifications

This section of the standardized Order form is not applicable to the Covelo Community Services District.

G. Reclamation Specifications

This section of the standardized Order form is not applicable to the Covelo Community Services District.

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

Receiving water limitations contained in this Order are derived from Chapter 3 of the Basin Plan. Several of the receiving water limitations were modified to more accurately reflect Basin Plan objectives for inland surface waters, enclosed bays, and estuaries contained in Chapter 3 of the Basin Plan. Narrative receiving water limitations that were modified include V.A.2. (pH), and V.A.11 (pesticides) and receiving water limitation V.A.14 (chemical constituents) was added. Narrative receiving water limitations for other water quality objectives identified in Chapter 3 of the Basin Plan remain unchanged from the existing Order and are included in the draft Order.

B. Groundwater

Groundwater limitations included in the proposed draft Order were derived from Water Quality Objectives for Groundwaters contained in Chapter 3 of the Basin Plan.

VI. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

40 CFR 122.48 requires all NPDES Orders to specify recording and reporting of monitoring results. CWC Sections 13267 and 13383 authorize the Water Boards to require technical and monitoring reports. The Monitoring and Reporting Program, Attachment E of this Order, establishes monitoring and reporting requirements to implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the Monitoring and Reporting Program for this facility.

A. Influent Monitoring

NPDES regulations at 40 CFR 133 define secondary treatment to include 85 percent removal of BOD₅ and TSS during treatment. Monitoring of influent for these pollutant parameters, in addition to effluent, is required to monitor compliance with this standard of performance.

Influent flow monitoring is required to monitor the water balance during treatment, and thereby, monitor seepage/percolation to ground water. The amount of hauled septage or other hauled wastes received by the treatment facility must also be recorded and reported to understand impacts which this waste stream may have on facility operation.

B. Effluent Monitoring

Order No. R1-2006-0007 requires the following effluent monitoring at Monitoring Location No. M-001.

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow	gpd	calculated or metered	daily
BOD ₅ ^a	mg/L	8 hour composite	monthly
TSS ^a	mg/L	8 hour composite	monthly
pH	std units	grab	weekly
Settleable solids	ml/L	grab	weekly
Chlorine	mg/L	grab	daily
Coliform Bacteria	mpn/100 ml	grab	weekly
Acute Toxicity	TUa	grab	1x / year
Chronic Toxicity	Tuc	grab	1x / Order term
Priority Pollutants ^b	µg/L	grab	1x / Order term

^a Samples shall be monitored for these pollutants on the first day of a discharge event and monthly thereafter; however, no more than one sample of effluent shall be analyzed in any one month. Effluent samples for monitoring of BOD₅ and TSS shall be collected on the same day and as close to the same time as reasonable as influent samples collected for BOD₅ and TSS monitoring.

^b Those pollutants identified as Compound Nos. 1 – 126 by the California Toxics Rule at 40 CFR 131.38 (b) (1). Samples shall be collected during a dry weather period and on the same day as receiving water samples are collected for analysis of the priority pollutants. Analyses for the priority pollutants shall be conducted in accordance to methods established at 40 CFR 136, or if no method is specified for a pollutant at 40 CFR 136, in accordance to methods approved by the State Water Resources Control Board or the Regional Water Board.

Monitoring for the following pollutants and pollutant parameters in effluent is required to determine compliance with effluent limitations established by Order No. R1-2006-0007: flow, BOD₅, TSS, settleable solids, pH, chlorine, coliform bacteria, and acute toxicity. Chronic toxicity monitoring is required to determine compliance with the Basin Plan’s narrative water quality objective for toxicity; and priority pollutant monitoring is required one time during the Order term to determine compliance with water quality objectives for toxics established by the NTR, CTR, and the Basin Plan.

C. Whole Effluent Toxicity Testing Requirements

Whole effluent toxicity (WET) protects the receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. Acute toxicity testing measures mortality in 100 percent effluent over a short test period, and chronic toxicity testing is conducted over a longer period of time and may measure mortality, reproduction, and/or growth. This Order includes effluent limitations and monitoring requirements for acute toxicity; as well as monitoring requirements for chronic toxicity to determine compliance with the Basin Plan’s narrative water quality objective for toxicity.

D. Receiving Water Monitoring

1. Surface Water

To assess compliance with water quality objectives for toxics from the NTR, CTR, and the Basin Plan, receiving water must be analyzed one time in the Order term, during a dry weather period, for the priority, toxic pollutants. Receiving water hardness and pH must be monitored during dry and wet weather periods so that water quality objectives, which are sensitive to hardness or pH, can be properly adjusted. Receiving water monitoring to assess NTR, CTR and Basin Plan compliance was requested in an Order issued in accordance with CWC §13267 (b) on February 21, 2006.

2. Groundwater

Routine ground water monitoring is not required by Order No. R1-2006-0007; however a Ground Water and Surface Water Study is required to assess the hydrologic connection of local ground water to Grist and/or Town Creeks.

VII. RATIONALE FOR PROVISIONS

A. Standard Provisions

Standard Provisions, which in accordance with 40 CFR §§122.41 and 122.42, apply to all NPDES discharges and must be included in every NPDES Order, are provided in Attachment D to the Order. Effluent limitations, and toxic and pretreatment effluent standards established pursuant to Sections 208(b), 301, 302, 303(d), 304, 306, and 307 of the CWA and amendments thereto are applicable to the Discharger.

B. Special Provisions

1. Reopener Provisions

Provision VI.C.1 contains a reopener provision. The Regional Water Board may reopen the Order to modify Order conditions and requirements. Causes for modifications include demonstration that the Discharger is causing or significantly contributing to adverse impacts to water quality and/or beneficial uses of receiving waters; new interpretation of water quality objectives of the Basin Plan; or if effluent monitoring or other new information demonstrates reasonable potential for any pollutant or pollutant parameter with applicable water criteria established by the NTR, CTR, or Basin Plan.

2. Special Studies and Additional Monitoring Requirements

The Regional Water Board has issued permits allowing seasonal and year-round discharges to percolation ponds adjacent or within stream channels. These

discharges are typically regulated as discharges to land and are not held to the same standards as discharges directly to surface waters. These percolation ponds are often sited in permeable gravels and are operated and maintained in order to facilitate wastewater percolation. Over the past few years, staff have identified evidence of pollutants reaching surface water from some of these percolation ponds. The Regional Water Board and USEPA now consider the conveyance or discharge of pollutants to surface water via subsurface pathways (e.g., groundwater or seepage through the soil column) as a discharge to waters of the U.S., subject to all Basin Plan requirements, NPDES permitting requirements pursuant to Section 301 of the CWA, as well as to all waste discharge requirements established by the Regional Water Board pursuant to Section 13263 of the CWC. In order to comply with applicable regulations, some facilities with percolation ponds adjacent to surface waters may need to implement facility modifications. It is appropriate to provide a reasonable time schedule for the proper evaluation of alternatives and implementation for necessary modifications.

The Discharger's current groundwater monitoring program has been inconclusive in determining if the discharges to the percolation ponds are impacting groundwater or nearby surface water. Further information is necessary to ensure that disposal methods would not result in detectable wastewater constituents in Grist Creek; would not result in violation of ground water quality standards; and to determine the ability of the disposal area to accommodate projected wastewater flows over the next 20 years.

Provision VI.C.2.a of this Order requires the Discharger to conduct a hydrogeologic study to determine the fate and transport of pollutants discharged by seepage or percolation from this Facility and/or conduct a study to determine an alternative disposal method to be implemented to assure compliance with the Basin Plan discharge prohibitions identified in Finding II.H of the Order.

Absent a showing that the discharge is in compliance with the Basin Plan discharge prohibitions, the Discharger's next permit renewal will include a time schedule to come into compliance with the Basin Plan discharge prohibitions through the implementation of alternative disposal methods. The Discharger's next Report of Waste Discharge will need to include a plan and time schedule for achieving compliance during the permit term that follows the term of the proposed Order.

3. Best Management Practices and Pollution Prevention

The Regional Water Board includes standard provisions in all NPDES Orders requiring development of a Pollutant Minimization Program when there is evidence that a toxic pollutant is present in effluent at a concentration greater than an applicable effluent limitation.

4. Construction, Operation and Maintenance Specifications

40 CFR 122.41 (e) requires proper operation and maintenance of Permitted wastewater systems and related facilities to achieve compliance with Order conditions. An up-to-date operation and maintenance manual, as required by Provision VI.C.5.a.i. of the Order, is an integral part of a well-operated and maintained facility.

5. Special Provisions for Municipal Facilities (POTWs Only)

The Regional Water Board includes standard provisions in all NPDES Orders for municipal wastewater treatment facilities regarding wastewater collection systems, sanitary sewer overflows, source control, sludge handling and disposal, operator certification, and adequate capacity. These provisions assure efficient and satisfactory operation of municipal wastewater collection and treatment systems.

a. Wastewater Collection System (Provision VI.C.5.a)

The U.S. EPA has prepared a draft proposed rule intended to address the control of sanitary sewer overflow from municipal wastewater collection systems. The core requirement in the draft Rule is for proper system management under the framework of “CMOM.” The proposed CMOM (for Capacity, Management, Operations and Maintenance) rule was to be published in the Federal Register by late 2002, after final review by the federal executive branch. The intent of the Rule is to eliminate “preventable” SSOs by requiring entities to implement appropriate capacity, management, operations, and maintenance practices. The Order conditions under the proposed draft rule will be derived from the Clean Water Act sections 304(i), 308, and 402(a).

A CMOM program is a structured program for managers of wastewater collection system to optimize system performance and maintain their facilities. CMOM is an iterative process of evaluating and improving procedures for managing collection systems and ensuring system performance. Under United States Environmental Protection Agency’s (EPA’s) draft proposed sanitary sewer overflow (SSO) Rule, collection system utilities must meet five performance standards:

- Properly manage, operate and maintain all parts of the collection system;
- Provide adequate conveyance capacity;
- Reduce the impact of any SSOs;
- Provide notification to parties who may be exposed to a SSO; and
- Document the CMOM program in a written plan.

The State Water Resources Control Board is moving forward with implementation of the proposed federal rule, but has of yet not promulgated

statewide regulations. Nevertheless, proper management of the municipal wastewater collection system is an integral component of a properly operating publicly owned treatment works as required by 40 CFR 122.41 (e). The Order incorporates many of the goals of the EPA's proposed CMOM program. In addition, entities that comply with the CMOM regulations and have acceptable CMOM programs in place will be better able to assert an affirmative defense for unpreventable SSO incidents, and avoid or mitigate regulatory enforcement actions that will otherwise occur.

b. Sanitary Sewer Overflows (Provision VI.C.5.b)

The Order contains provisions that require development and implementation of a management, operation, and maintenance program for its wastewater collection system and clearly identifies the reporting requirements for sanitary sewer overflows. The goal of these provisions is to ensure appropriate and timely response by the Discharger to sanitary sewer overflows to protect public health and water quality. The Plan also includes provisions to ensure adequate notifications are made to the appropriate local, state, and federal authorities.

c. Sludge Requirements (Provision VI.C.5.c)

The disposal or reuse of wastewater treatment screenings, sludges, or other solids removed from the liquid waste stream is regulated by 40 CFR Parts 257, 258, 501, and 503, the State Water Board promulgated provisions of Title 27, Division 2, of the California Code of Regulations, and with the Water Quality Control Plan for Ocean Waters of California (California Ocean Plan). The Discharger has indicated that that all screenings, sludges, and solids removed from the liquid waste stream are currently disposed of at a municipal solid waste landfill in accordance with all applicable regulations.

e. Operator Certification

This provision requires the WWTF to be operated by supervisors and operators who are certified as required by Title 23, CCR, Section 3680.

f. Adequate Capacity

This provision requires the WWTF to be operated by supervisors and operators who are certified as required by Title 23, CCR, Section 3680.

6. Stormwater

This provision requires the Discharger to comply with the State's regulations relating to regulation of industrial stormwater activities.

VIII. PUBLIC PARTICIPATION

The California Regional Water Quality Control Board, North Coast Region (Regional Water Board) is considering the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) Order for the Covelo Community Services District wastewater treatment facility. As a step in the WDR adoption process, the Regional Water Board staff has developed tentative WDRs. The Regional Water Board encourages public participation in the WDR adoption process.

A. Notification of Interested Parties

The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Notification was provided through the publication in the Willits News on January 7, 2006 and through posting on the Regional Water Board's Internet site at <http://www.waterboards.ca.gov/northcoast/agenda/pending.html> beginning on January 7, 2006.

B. Written Comments

The staff determinations are tentative. Interested persons are invited to submit written comments concerning these tentative WDRs. Comments should be submitted either in person or by mail to the Executive Office at the Regional Water Board at the address above on the cover page of this Order.

To be fully responded to by staff and considered by the Regional Water Board, written comments should be received at the Regional Water Board offices by 5:00 p.m. on February 21, 2006.

C. Public Hearing

The Regional Water Board will hold a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location.

Date: March 8, 2006

Time: 9:00 am

Location: Regional Water Board Office, Board Hearing Room
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403

Interested persons are invited to attend. At the public hearing, the Regional Water Board will hear testimony, if any, pertinent to the discharge, WDRs, and Order. Oral testimony will be heard; however, for accuracy of the record, important testimony should be in writing.

Please be aware that dates and venues may change. Our web address is <http://www.waterboards.ca.gov/northcoast> where you can access the current agenda for changes in dates and locations.

D. Waste Discharge Requirements Petitions

Any aggrieved person may petition the State Water Resources Control Board to review the decision of the Regional Water Board regarding the final WDRs. The petition must be submitted within 30 days of the Regional Water Board's action to the following address:

State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100, 1001 I Street
Sacramento, CA 95812-0100

E. Information and Copying

The Report of Waste Discharge (RWD), related documents, tentative effluent limitations and special provisions, comments received, and other information are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Regional Water Board by calling 707-576-2220.

F. Register of Interested Persons

Any person interested in being placed on the mailing list for information regarding the WDRs and NPDES Order should contact the Regional Water Board, reference this facility, and provide a name, address, and phone number.

G. Additional Information

Requests for additional information or questions regarding this order should be directed to Lisa Bernard at 707-576-2677.

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