

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
81 Higuera Street, Suite 200
San Luis Obispo, California 93401-5411**

WASTE DISCHARGE REQUIREMENTS ORDER NO. R3-2002-0078

**For
LOCAL SEWAGE COLLECTION AGENCIES TRIBUTARY TO MONTEREY REGIONAL
WASTEWATER TREATMENT PLANT, MONTEREY COUNTY**

The California Regional Water Quality Control Board, Central Coast Region (hereinafter Regional Board), finds that:

PERMITTEES

1. The following agencies, municipalities, counties, districts or other public bodies, which own or have responsibilities for sanitary sewer collection systems or any facilities that collect or convey untreated sewage wastewater in the northern portions of Monterey County are named as Permittees in this Order. Since all of the Permittees are tributary to the Monterey Regional Wastewater Treatment Plant (hereinafter Regional Plant), Monterey Regional Water Pollution Control Agency Regional Agency may lead a steering committee for all other entities tributary to the Regional Plant, to facilitate compliance by each Permittee with the requirements of this Order.

City of Monterey
City of Pacific Grove
Seaside County Sanitation District (Del Rey Oaks, Sand City, Seaside)
City of Salinas
Marina Coast Water District (including Former Fort Ord)
Monterey County (Boronda, Castroville, Moss Landing)

LOCATIONS OF THE SEWAGE COLLECTION SYSTEMS

2. The Regional Agency operates a wastewater collection, treatment, transport, and disposal system to provide service to the sewerred

portions of northern Monterey County. The Regional Plant is located at 14811 Del Monte Boulevard, Marina, California 93933 (Attachment A).

3. Permittees named in Finding #1 retain ownership and direct responsibility for wastewater collection and transport systems up to the point of discharge into interceptors owned and operated by the Regional Agency. These collection systems are located throughout Northern Monterey County (Attachment #A).

PURPOSE OF THE ORDER

4. On July 26, 2002, the Permittees submitted a Report of Waste Discharge for authorization to continue the sewage collection operations in their respective service areas. The sewage collection operations have been regulated, along with the Regional Plant, by the NPDES Permit Order No. 97-83. This Order sets specific sewer collection system operation and maintenance requirements, regulates the collection systems described in the Permittees' Report of Waste Discharge, and upholds State water quality standards.

GENERAL INFORMATION

5. Untreated sewage wastewater mainly consists of untreated domestic, commercial, and industrial wastewater collected in a sanitary sewer system.

6. A sanitary sewer system is a sewage wastewater collection system including sewers, pipes, pumps, or other structures that

convey sewage wastewater to a sewage treatment plant. Properly designed, operated, and maintained sanitary sewer systems are meant to collect and transport all of the sewage that flows into them to a publicly owned treatment works.

7. It is incumbent upon the local sewerage agencies to protect the environment to the greatest degree possible and ensure their local collection systems are properly protected and utilized. This responsibility includes preventing overflows and may include restricting or prohibiting the volume, type, or concentration of wastes added to the system.
8. A sanitary sewer overflow (overflow), or sewage spill, is each instance of a discharge of sewage from a sanitary sewer system other than to the wastewater treatment plant. Temporary storage and conveyance facilities (such as vaults, temporary piping, construction trenches, wet wells, impoundments, tanks, highlines, etc.) are considered to be part of the sanitary sewer system, and discharges of sewage to these facilities are not overflows.
9. Overflows may consist of varying mixtures of domestic sewage, industrial and commercial wastewater and often contains high levels of suspended solids, pathogenic organisms, toxic pollutants, nutrients, oxygen demanding organic compounds, oil and grease and other pollutants. Overflows may cause nuisance, exceed applicable water quality standards when the sewage is discharged to surface waters of the State, pose a threat to the public health, adversely affect aquatic life, and impair the public recreational use and aesthetic enjoyment of surface waters.
10. California Water Code Section 13050(m) defines a nuisance as anything that meets the following requirements: (1) Is injurious to health, or is indecent to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property. (2) Affects at the same time an entire community or neighborhood, or any

considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal. (3) Occurs during, or as the result of, the treatment or disposal of waste.

11. Overflows can occur from publicly owned sewage collection systems and from privately owned systems. If an overflow occurs near the ocean or has the potential of reaching the beaches by either direct discharge to the Monterey Bay or entering the storm drains leading to the Monterey Bay, a beach warning or a beach closure may occur. In accordance with State statutes, the Monterey County Health Department monitors ocean water at public beaches and water contact sports areas by conducting bacteriological testing of the ocean water. Elevated concentrations of bacteria can be indicative of contamination by human sewage and other wastes such as urban and agriculture runoffs which may increase the risk of human disease. When bacterial indicator organisms exceed the State guidelines for beaches, the County Health Department takes appropriate actions such as posting beach warning or closures to ensure public safety.
12. Overflows have a variety of causes, including but not limited to grease buildup, root and debris blockages, severe weather, flood damage, manhole structure failures, pump station mechanical failures, power outages, storm or ground water inflow/infiltration, collection system age and construction material failures, improper system operation and maintenance, vandalism, lack of capacity and contractor caused damages. Many overflows are preventable with adequate and appropriate source control measures and operation and maintenance of the sewage collection system. This Order addresses preventable overflows.
13. The issuance of a single waste discharge requirement to the Permittees will:

- a) Reduce the administrative burden of issuing individual waste discharge requirements to each Permittee;
- b) Provide for a unified regional approach for the reporting and database tracking of sanitary sewer overflows;
- c) Provide consistent and uniform standards of performance, operations, and maintenance of sewage collection systems;
- d) Provide statewide reporting consistency pursuant to Assembly Bill (AB) 285 (adopted on October 4, 2001) and the State Water Resources Control Board's reporting requirements per AB 285; and
- e) Facilitate uniform enforcement for violations.

STORM WATER MANAGEMENT

14. The City of Salinas has been enrolled in the Regional Board's Phase I Municipal Storm Water Discharge Permit Order No. 99-087 since 1999. Currently, State Board is developing Phase II of the Storm Water Program which will regulate municipalities with populations less than 100,000, including urbanized areas (areas with a population of 50,000 and density greater than 1000 people per square mile), cities, and county area designated by the state based on site-specific criteria, and various state and federal facilities. If cities named in this Order meet the Phase II Storm Water permit criteria, storm water management in these cities will be regulated by a future Phase II Municipal General Storm Water Discharge Permit.

CLEAN BEACH INITIATIVE

15. The City of Pacific Grove is the recipient of a State Water Resources Control Board Clean Beach Initiative \$500,000 grant to divert the dry weather storm water flow and routine storm drain flush flows to the City's sanitary system. The Regional Agency and the City of Pacific Grove agree that the diverted storm

drain flow will be treated at the Plant. High bacteria levels traced to urban runoff have caused area beach closures in the City. The goal of the program is to minimize the impacts of urban runoff on area beaches. The maximum diverted flow volume is expected to be a minor portion of the Regional Agency's overall collection and treatment system design capacity.

REGIONAL BASIN PLAN

16. The Water Quality Control Plan, Central Coast Basin (Basin Plan) was adopted by the Regional Board on November 19, 1989 and approved by the State Water Resources Control Board (State Board) on August 16, 1990. The Regional Board approved amendments to the Basin Plan on February 11, 1994 and September 8, 1994. The Basin Plan incorporates statewide plans and policies by reference and contains a strategy for protecting beneficial uses of State Waters. This Order implements the Basin Plan.

BENEFICIAL USES OF SURFACE WATER AND GROUNDWATER IN MONTEREY COUNTY

17. **Surface Waters** - Existing and potential beneficial uses of surface waters in the Monterey County may include:
 - a. Municipal and domestic supply;
 - b. Agricultural supply;
 - c. Industrial process and service supply;
 - d. Ground water recharge;
 - e. Freshwater replenishment;
 - f. Navigation;
 - g. Hydropower generation;
 - h. Water contact recreation;
 - i. Non-contact water recreation;
 - j. Commercial and sport fishing;
 - k. Aquaculture;
 - l. Cold and warm fresh water habitat;
 - m. Inland saline water habitat;
 - n. Estuarine habitat;
 - o. Marine habitat;
 - p. Wildlife habitat;
 - q. Preservation of biological habitats of special significance;

- r. Rare, threatened or endangered species;
 - s. Migration of aquatic organisms;
 - t. Spawning, reproduction and/or early development;
 - u. Shellfish harvesting; and
 - v. Areas of special biological significance.
18. **Groundwater** - Many surface waters within the region recharge underlying ground water basins. The existing and potential beneficial uses of ground water within the Central Coast Region include:
- a. Municipal and domestic supply;
 - b. Agricultural supply;
 - c. Industrial process and service supply.
19. **Pacific Ocean** - The Basin Plan lists the following as beneficial uses of the Pacific Ocean:
- a. Water contact recreation
 - b. Non-contact water recreation, including aesthetic enjoyment
 - c. Industrial water supply
 - d. Navigation
 - e. Marine habitat
 - f. Shellfish harvesting
 - g. Ocean commercial and sport fishing
 - h. Preservation of rare, threatened and endangered species
 - i. Wildlife habitat.

CALIFORNIA WATER CODE SECTION 13243

20. California Water Code Section 13243 provides that a Regional Board, in waste discharge requirements, may specify certain conditions or areas where the discharge of waste, or certain types of waste, is not permitted. The requirements specified in this Order are consistent with both the Basin Plan and Water Code Section 13243.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

21. These waste discharge requirements apply to existing sewer collection systems and are exempt from the provisions of the California

Environmental Quality Act (Public Resources Code, Section 21000, et. seq.) in accordance with Section 15301, Article 19, Chapter 3, Division 6, Title 14 of the California Code of Regulations. In addition, the Order is a prohibition of discharge, and as such, is exempt from the provisions of the California Environmental Quality Act, in accordance with Title 14, California Code of Regulations, Chapter 3, Section 15308.

TOTAL MAXIMUM DAILY LOAD (TMDL)

22. The Regional Board is currently developing and implementing TMDL's for many impaired water bodies in the Central Coast Region. This Order prohibits untreated sewage discharge into any surface water bodies in Monterey County.

MONITORING AND REPORTING PROGRAM

23. Monitoring and Reporting Program No. R3-2002-0078 is a part of this Order. The Monitoring Program requires sewage overflow reports and periodic sewage collection system reports to verify compliance with this Order.

OTHER GENERAL FINDINGS

24. On August 2, 2002, the Regional Board notified the Permittees and interested parties of its intent to issue waste discharge requirements to prohibit discharges from sanitary sewer systems and have provided them with a copy of the proposed Order and an opportunity to submit written views and comments.
25. After considering all comments pertaining to this discharge during a public hearing on November 1, 2002, this Order was found consistent with the above findings.

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

All technical and monitoring reports submitted pursuant to this Order are required pursuant to Section 13267 of the California Water Code. Failure to submit reports in accordance with schedules established by this Order, attachments to this Order, or failure to submit a report of sufficient technical quality to be acceptable to the Executive Officer, may subject the Permittee to enforcement action pursuant to Section 13268 of the California Water Code.

A. PROHIBITIONS

1. The discharge of untreated sewage outside of the described sewer collection systems and the Monterey Regional Wastewater Treatment Plant is prohibited.
2. The discharge of chlorine, or any other toxic substance used for disinfection and cleanup of sewage overflows, to any surface water body is prohibited. (This prohibition does not apply to the chlorine in the potable water used for final wash down and clean up of sewage overflows.)
3. Introduction of "incompatible wastes" to the treatment system is prohibited.
4. Introduction of pollutants into the collection, treatment, or disposal system by an "indirect discharger" that:
 - (i) inhibit or disrupt the treatment process, system operation, or the eventual use or disposal of sludge; or,
 - (ii) cause or "significantly contribute" to a violation of any requirement of this Order, is prohibited.
5. Introduction of "pollutant-free" wastewater to the collection, treatment, and disposal system in amounts that threaten compliance with this Order is prohibited.

GENERAL PROVISIONS

1. Order Availability -- A copy of this Order shall be maintained at appropriate locations and shall be available to sanitary sewer system operating and maintenance personnel at all times.
2. Adequate Notification -- The Permittee shall provide notification to the Monterey County Health Department, the Regional Board and Regional Agency so that they may notify parties with a reasonable potential for exposure to pollutants associated with the overflow.
3. Adequate funding -- The Permittee shall properly fund, manage, operate and maintain, with adequately trained staff and/or contractors possessing adequate knowledge skills and abilities as demonstrated through a validated program at all times, all parts of the sewage collection system owned and/or operated by the Permittee.
4. Adequate Capacity -- The Permittee shall provide adequate capacity to convey base flows and peak flows, including wet weather related events to the minimum design criteria as defined in the Permittee's System Evaluation and Capacity Assurance Plan (Attachment B), for all parts of the collection system owned or operated by the Permittee.

C. REPORTING PROVISIONS

1. The Permittee shall comply with "Monitoring and Reporting Program (MRP) No. R3-2002-0078, as specified by the Executive Officer.
2. The Permittee shall develop and implement a Sewer System Management Plan (Plan), for compliance with these waste discharge requirements and make it available to any member of the public upon request in writing.

3. The Permittee shall provide a copy of the Sewer System Management Plan annual report required by this Order to the Regional Agency.
4. The essential elements of the Plan are specified in Attachment B of the Monitoring and Reporting Program No. R3-2002-0078. All elements of the Plan outlined in Attachment B shall be clearly labeled and addressed by the Permittee. If any element of Attachment B is not appropriate or applicable to a Permittee's program, the program shall provide rationale for not including the element in the program.
5. The Permittee shall submit an annual report as outlined in the MRP to the Regional Agency describing their coordination with the Regional Agency's pretreatment activities over the previous twelve months.
6. The Permittee shall use the Sewage Overflow Form or its revisions provided as Attachment C in MRP No. R3-2002-0078 to report any sewage overflow incidents.

D. COMPLIANCE PROVISIONS

1. The Permittee shall coordinate with Monterey Regional Water Pollution Control Agency on all relevant matters concerning the sewer collection systems, pretreatment programs, and the wastewater treatment plant.
 2. The Permittee shall minimize the discharge of chlorine, or any other toxic substance used for disinfection and cleanup of sewage overflows, to any surface water body. The Permittee shall take all reasonable steps to contain and prevent chlorine discharges to surface waters and minimize or correct any adverse impact on the environment resulting from the cleanup of overflows. The Permittee shall develop a monitoring program to evaluate the effectiveness of overflow cleanup protocols for protecting public health and the environment. Minimum protocols should include visual observation, sample collection, and sampling data analyses. The program shall be developed in coordination with the Regional Board and the Monterey County Health Department. The Permittee shall submit a proposed monitoring program for Executive Officer review and approval by March 1, 2003.
3. Sanitary Sewer Overflow Response and Prevention -- The Permittee shall make every reasonable effort to prevent sewage overflows from its collection system and private systems from entering storm drains and/or surface water bodies. The Permittee shall also make every reasonable effort to prevent sewage and/or chlorine used for disinfection of overflows from discharging from storm drains into flood control channels and open ditches by blocking the storm drainage system and by removing the sewage and/or chlorine from the storm drains.
 4. Upon reduction, loss, or failure of the sanitary sewer system resulting in a sanitary sewer overflow, the Permittee shall, to the extent necessary to maintain compliance with this Order, take any necessary remedial action to 1) control or limit the volume of sewage discharged, 2) terminate the sewage discharge as rapidly as possible, and 3) recover as much of the sewage discharged as possible for proper disposal, including any wash down water. The Permittee shall implement all remedial actions to the extent they may be applicable to the discharge, including the following:
 - i. Interception and rerouting of sewage flows around the sewage line failure;
 - ii. Vacuum truck recovery of sanitary sewer overflows and wash down water;
 - iii. Cleanup of debris of sewage origin at the overflow site;
 - iv. Sample affected receiving water body to ensure adequate clean-up;

- v. Submit monitoring data to the Executive Officer within 30 days of sampling.
5. Discharges Caused by Severe Natural Conditions – The Regional Board may take enforcement action against the Permittee for any sanitary sewer system discharge caused by natural conditions, unless the Permittee demonstrates such incident is caused by severe natural conditions.

The discharge of untreated or partially treated sewage is prohibited pursuant to Prohibition A.1, and shall constitute a violation of these discharge requirements unless the Permittee demonstrates through properly signed, contemporaneous operating logs, or other relevant evidence that the following criteria are met:

- (i) The discharge was caused by one or more severe natural conditions, including hurricanes, tornadoes, widespread flooding, earthquakes, tsunamis, and other similar natural conditions; and
 - (ii) There were no feasible alternatives to the discharge, such as the use of auxiliary treatment facilities, retention of untreated wastewater, reduction of inflow and infiltration, use of adequate backup equipment, or an increase in the capacity of the system. This provision is not satisfied if, in the exercise of reasonable engineering judgment, the Permittee should have installed auxiliary or additional collection system components, wastewater retention or treatment facilities, adequate back-up equipment or should have reduced inflow and infiltration;
6. In any enforcement action, the Regional Board will consider the efforts of the Permittee to contain, control, and clean up sewage overflows from its collection system as part of its consideration of the factors required by Section 13327 of the California Water Code.

E. STANDARD PROVISIONS AND REPORTING REQUIREMENTS

1. Collection, treatment, and discharge of waste shall not create nuisance or pollution, as defined by Section 13050 of the California Water Code.
2. As necessary to assure safe and reliable collection, treatment, and disposal of waste and consistent compliance with this Order, the Permittee shall adopt and enforce a local source control program.
3. Facilities and systems for collection, treatment, and control of wastewater shall be properly operated and maintained. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staff and training, and adequate laboratory and process controls, including appropriate quality assurance procedures.
4. Transport and treatment facilities and permanent disposal ponds shall be adequately protected against overflow, flooding, or washout as the result of a 100-year frequency flood or 100-year, 24-hour storm.
5. Operation of collection, treatment, and disposal systems shall be in a manner that precludes public contact with wastewater.
6. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed in a manner approved by the Executive Officer.
7. The Regional Board shall be allowed:
 - (i) entry upon premises where an effluent source is located or where records must be kept under the conditions of this Order;
 - (ii) access to copy any records that must be kept under the conditions of this Order;

- (iii) to inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and,
 - (iv) to photograph, sample, and monitor for the purpose of showing compliance with this Order.
8. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:
- (i) violation of any term or condition contained in this Order;
 - (ii) obtaining this Order by misrepresentation, or by failure to disclose fully all relevant facts;
 - (iii) a change in any condition or endangerment to human health or environment that requires a temporary or permanent reduction or elimination of the authorized discharge; and,
 - (iv) a material change in character, location, or volume of the discharge.
9. The Order does not authorize commission of any act causing injury to the property of another, does not convey any property rights of any sort, does not remove liability under federal, state, or local laws, and does not guarantee a capacity right.
10. The Permittee shall take all reasonable steps to minimize or correct adverse impacts on the environment resulting from noncompliance with this Order.
11. Provisions of this Order are severable. If any provision of the Order is found invalid, the remainder of the Order shall not be affected.
12. The Permittee shall furnish, within a reasonable time, any information the Regional Board may request to determine compliance with this Order or to determine whether cause exists for modifying or terminating this Order.
13. Safeguards shall be provided to assure maximal compliance with all terms and conditions of this Order. Safeguards shall include preventative and contingency plans and may also include alternative power sources, stand-by generators, retention capacity, operating procedures, dual pumping systems, or other precautions. Preventative and contingency plans for controlling and minimizing the effect of accidental discharges shall:
- (i) identify possible situations that could cause "upset", "overflow" or "bypass", or other noncompliance. (Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks, and pipes should be considered.)
 - (ii) evaluate the effectiveness of present facilities and procedures and describe procedures and steps to minimize or correct any adverse environmental impact resulting from noncompliance with the Order.
14. Physical facilities shall be designed and constructed according to accepted engineering practice and shall be capable of full compliance with this Order when properly operated and maintained. Proper operation and maintenance shall be described in an Operation and Maintenance Manual. Facilities shall be accessible during the wet weather season.
15. Should additional data become available through monitoring or investigation that indicates compliance with this Order is not adequately protecting ground water, the Regional Board will review and revise this Order as appropriate.
16. Monitoring location, minimum sampling frequency, and sampling method for each

parameter shall comply with the Monitoring and Reporting Program of this Order. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, entitled "Guidelines Establishing Test Procedures for Analysis of Pollutants," unless other test procedures have been specified in this Order.

17. Water quality analyses performed in Order to monitor compliance with this Order shall be by a laboratory certified by the State Department of Health Services for the constituent(s) being analyzed.
18. If the laboratory used or proposed for use by the Permittee is not certified by the California Department of Health Services due to restrictions in the State's laboratory certification program, the Permittee shall be considered in compliance with this provision provided:
 - (i) Data results remain consistent with results of samples analyzed by the Regional Board;
 - (ii) A quality assurance program is used at the laboratory, including a manual containing steps followed in this program that is available for inspections by the staff of the Regional Board; and,
 - (iii) Certification is pursued in good faith and obtained as soon as possible after the program is reinstated.
19. All monitoring instruments and devices used by the Permittee to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.
20. The Permittee shall maintain records of all monitoring information, including all calibration and maintenance records; all original strip chart recordings for continuous monitoring instrumentation; the date, exact place, and time of sampling; the individual who performed the sampling; the date analysis was performed; the laboratory and individual who performed the analysis; the analytical techniques used; and results. Records shall be maintained for a minimum of three years. This period may be extended during the course of any unresolved litigation or when requested by the Board.
21. Any noncompliance that may endanger health or the environment shall be reported orally within 24 hours from the time the Permittee becomes aware of the circumstances (telephone: 805-549-3147). Unless waived by the Executive Officer of the Regional Board, a written report shall be submitted within five (5) days of awareness and shall contain a description of the noncompliance and its cause; the period of noncompliance (including exact dates and times) or anticipated duration; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. This provision includes, but is not limited to:
 - (i) violation of a discharge prohibition;
 - (ii) any "upset", "overflow", or "bypass";
 - (iii) violation of a discharge limitation for any "hazardous substance."
22. Within 120 days after the Permittee discovers, or is notified by the Regional Board, that monthly average daily flow will or may reach design capacity of the sanitary sewer collection system within four (4) years, the Permittee shall file a written report with the Regional Board. The report shall include:
 - (i) the best estimate of when the monthly average daily dry weather flow rate will equal or exceed design capacity; and,
 - (ii) a schedule for studies, design, and other steps needed to provide additional capacity before the waste flow rate equals the present capacity.

In addition, the required technical report shall be prepared with public participation and reviewed, approved and jointly submitted by all planning and building departments having jurisdiction in the area served by the waste collection system.

23. Except for data determined to be confidential under Section 13267(b) of the California Water Code, all reports prepared in accordance with this Order shall be available for public inspection at the office of the Regional Board.
24. Should the Permittee discover that it failed to submit any relevant facts or that it submitted incorrect information in a report, it shall promptly submit the missing or incorrect information.

All reports shall be signed as below:

- (i) For a corporation; by a principle executive officer of at least the level of vice president;
 - (ii) For a partnership or sole proprietorship; by a general partner or the proprietor, respectively;
 - (iii) For a public agency; by either a principal executive officer or ranking elected official; or,
 - (iv) Their "duly authorized representative."
26. Any person signing a report makes the following certification, whether it is expressed or implied:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I

am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

27. The Permittee must notify the Regional Board whenever there is a substantial change in the volume or character of pollutants being introduced into the wastewater system. Notice shall include information on the quality and quantity of waste being introduced to the system and the anticipated impact of the waste upon collection and treatment system.
28. The Permittee must notify the Regional Board as soon as it knows or has reason to believe that it or an indirect discharger has begun, or expects to begin, use or manufacture of a "toxic waste" or "hazardous substance" not reported in the Report of Waste Discharge that may, directly or indirectly, discharge into the treatment and disposal system.
29. The Permittee must comply with all conditions of this Order. Noncompliance violates state law and is grounds for enforcement action or modification of the existing Order.
30. Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of section 13267 of the California Water Code, or falsifying any information provided therein, is guilty of a misdemeanor.
31. The Permittee and any person who violates waste discharge requirements and/or who intentionally or negligently discharges waste or causes or permits waste to be deposited where it is discharged into surface waters of the state may be liable for civil and/or criminal remedies, as appropriate, pursuant to sections 13350, 13385, and 13387 of the California Water Code.

F. DEFINITIONS

1. "Bypass" means the diversion of waste streams around any portion of a treatment facility to

the disposal area or from the treatment facility to a nonauthorized location.

2. "Duly Authorized Representative" is one where:

- (i) the authorization is made in writing by a person described in the signatory paragraph of this document;
- (ii) the authorization specifies either an individual or the occupant of a position having responsibility for the overall operation of the regulated facility, such as the plant manager; and,
- (iii) the written authorization was submitted to the Regional Board.

3. "Hazardous substance" means any substance designated as hazardous or extremely hazardous in sections 66680 or 66685 of the California Code of Regulations (Title 22, Division 4, Chapter 30, Article 9).

4. "Incompatible wastes" are:

- (i) Wastes which create a fire or explosion hazard in the treatment works;
- (ii) Wastes which will cause corrosive structural damage to treatment works, including all wastes with a pH lower than 5.0 unless the works is specifically designed to accommodate such wastes;
- (iii) Solid or viscous wastes in amounts which cause obstruction to flow in sewers, or which cause other interference with proper operation of treatment works;
- (iv) Any waste, including oxygen demanding pollutants (BOD, etc.), released in such volume or strength as to cause inhibition or disruption in the treatment works and

subsequent treatment process upset and loss of treatment efficiency; and,

- (v) Heat in amounts that inhibit or disrupt biological activity in the treatment works or that raise influent temperatures above 40°C (104°F) unless the treatment works is designed to accommodate such heat.

5. "Indirect Discharger" means a nondomestic discharger introducing pollutants into a publicly owned treatment and disposal system.

6. "Pollutant-free wastewater" means infiltration and inflow, storm waters, and cooling waters and condensates which are essentially free of pollutants.

7. "Severe property damage" means substantial physical damage to property, damage to treatment facilities which causes them to become inoperable, or substantial and permanent loss to natural resources which can reasonably be expected to occur in the absence of a "bypass". It does not mean economic loss caused by delays in production.

8. "To significantly contribute" to a waste discharge requirement violation means an "indirect discharger" must:

- (i) Discharge a daily pollutant loading in excess of that allowed by contract with the Permittee or by state or local law;
- (ii) Discharge wastewater which substantially differs in nature or constituents from its average discharge;
- (iii) Discharge pollutants, either alone or in conjunction with discharges from other sources, which results in a waste discharge requirement violation or prevents sludge use or disposal; or,
- (iv) Discharge pollutants, either alone or in conjunction with pollutants from other sources, that increase the magnitude or duration of waste discharge requirement violations.

9. "Toxic waste" means any toxic and persistent waste which falls within the following categories:

- (i) PCB's
- (ii) Pesticides
- (iii) Toxic Metals
- (iv) Cyanides
- (v) Halogenated Organics
- (vi) Non-halogenated volatile organics

10. "Upset" means an exceptional incident causing noncompliance with technology-based effluent limitations because of factors beyond the reasonable control of the Permittee. It does not include noncompliance caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

G. STORM WATER MANAGEMENT PROVISIONS

1. If the Permittee implements storm water diversion projects (such as City of Pacific Grove, Finding #13), the Permittee shall coordinate with the Regional Agency in developing a monitoring program subject to the Executive Officer's approval. The purpose of the monitoring is to establish a baseline data set for constituents present in the storm water system. The Permittee, in coordination with the Regional Agency, shall evaluate the potential impacts to the wastewater treatment system. The monitoring program should include at a minimum sampling locations, sampling frequency, and constituents to be sampled.
2. If the Permittee implements a storm water diversion project, the Permittee shall coordinate with the Regional Agency in submitting an annual report by January 15 of each year with monitoring results, if any, of the previous year. The report shall evaluate the volume of diverted storm water flow and types of pollutants entering the system from the storm water diversion project and the potential

effects of those pollutants on the collection and treatment system. The report shall identify potential sources of the pollutants found in the storm water inflow and determine possible options for eliminating the pollutants from the storm water system. The storm water diversion annual report can be part of the Regional Agency annual monitoring report for the Regional Plant.

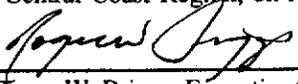
H. REPORT OF WASTE DISCHARGE

1. Pursuant to Title 23, Chapter 3, Subchapter 9, of the California Code of Regulations, the Permittee must submit a written report to the Executive Officer not later than November 1, 2012 addressing:

- Whether there will be changes in the continuity, character, location, or volume of the discharge;
- Whether, in their opinion, there is any portion of the Order that is incorrect, obsolete, or otherwise in need of revision; and,

Summary of any instances of non-compliance with the requirements of this Order or associated Monitoring and Reporting Program.

I, **Roger W. Briggs, Executive Officer**, do hereby certify the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Central Coast Region, on November 1, 2002.


 Roger W. Briggs, Executive Officer

11-6-02
 Date

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

**MONITORING AND REPORTING PROGRAM NO. R3-2002-0078
FOR WASTE DISCHARGE REQUIREMENTS
FOR
SEWAGE COLLECTION AGENCIES TRIBUTARY TO
MONTEREY REGIONAL WASTEWATER TREATMENT PLANT
IN MONTEREY COUNTY**

This Monitoring and Reporting Program (MRP) establishes monitoring, record keeping, reporting and public notification requirements for Order No. R3-2002-0078, "Waste Discharge Requirements for Sewage Collection Agencies Tributary to Monterey Regional Wastewater Treatment Plant in Monterey County". Revisions to this MRP may be made at any time by the Executive Officer, and may include a reduction or increase in the monitoring and reporting.

A. REPORTING REQUIREMENTS

1. The Permittee shall retain applicable records of all overflows, including, but not limited to:
 - a. All original strip chart recordings for continuous monitoring instrumentation;
 - b. Service call records and complaint logs of calls received by the Permittee;
 - c. Spill calls;
 - d. Spill records;
 - e. Copies of all reports required by this Order;
 - f. The location of the overflow and the receiving water if any (street address or GPS coordinates);
 - g. An estimate of the volume of the overflow;
 - h. A description of the sewer system component from which the release occurred (e.g., manhole, constructed overflow pipe, crack in pipe);
 - i. The estimated date and time when the overflow began and when it stopped;
 - j. The cause or suspected cause of the overflow;
 - k. Steps that have been and will be taken to prevent the overflow from recurring and a schedule to implement those steps;
 - l. Documentation from the previous three years which are associated with responses and investigations of system problems related to sanitary sewer overflows;
 - m. A list and description of complaints from customers or others from the previous three years; and
 - n. Documentation of performance and implementation measures for the previous three years.

2. If sampling and monitoring are conducted of any overflow, records of monitoring information shall include:
 - a. The date, exact place, and time of sampling or measurements;
 - b. The individual(s) who performed the sampling or measurements;
 - c. The date(s) analyses performed;
 - d. The individual(s) who performed the analyses;
 - e. The laboratory that conducted the analyses;
 - f. The analytical technique or method used; and,
 - g. The results of such analysis.

3. If samples are collected, monitoring results must be reported on discharge monitoring report forms approved by the Executive Officer.
4. Records shall be maintained by the Permittee for a minimum of five years from the date of the sample, measurement, report or application. This period may be extended during the course of any unresolved litigation regarding a discharge or when requested by the Regional Board Executive Officer.
5. All monitoring instruments and devices that are used by the Permittee to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy;

B. SANITARY SEWER OVERFLOW (OVERFLOW) REPORTING

1. All incidents of overflow from the Permittee's sanitary sewer system shall be reported to the Regional Board by telephone, by voice mail, or by fax as soon as (1) notification is possible, and (2) notification can be provided without substantially impeding cleanup or other emergency measures, and (3) no later than 24 hours from the time that the Permittee has knowledge of the overflow.
2. The Permittee shall report all overflows using the attached Sanitary Sewer Overflow Report Form, or equivalent, within 5-days of the immediate notification. Pictures taken during the overflow incident shall be submitted to the Regional Board.
3. Unless fully contained, overflows to storm drains tributary to Waters of the United States shall be reported as discharges to surface waters.
4. The Permittee shall sample all spills to surface waters to determine their effects on surface waters and submit the data to the Executive Officer within 30 days. Samples shall, at minimum, be analyzed for total & fecal coliform bacteria and enterococcus bacteria for spills to marine water and fecal coliform bacteria for spills to fresh water.
5. The Permittee shall report all sanitary sewer overflows greater than 1,000 gallons to the Office of Emergency Services (OES), in accordance with California Water Code Section 13271.

Office of Emergency Services
Phone (800) 825-7550
Use the Fax for follow-up only.
Fax (916) 262-1677

6. The Permittee shall submit to the Regional Board annual reports of all overflows between January 1 and December 31 of the previous year. The report is due January 30 of the following year and it shall provide the following information for each overflow.
 - a. All the information requested in the Sewage Spill Report Form (Attachment #C)
 - b. How the overflow volume was tabulated;
 - c. Picture(s) of spill, if taken;
 - d. Where the spill entered any storm drain inlet or surface waters;
 - e. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the overflow, and a schedule of major milestones for those steps;
 - f. Steps taken or planned to mitigate the impact(s) of the overflow, and a schedule of major milestones for those steps.

- g. Any additional correspondence and follow-up reports, as necessary, to supplement the Sanitary Sewer Overflow Report Form and to provide detailed information on cause, response, adverse effects, corrective actions, preventative measures, or other information.
 - h. Each sanitary sewer overflow shall be reported in a separate record in the file.
7. A statement certifying that there were no sanitary sewer overflows for the last twelve months may be submitted in lieu of the annual overflow report.
 8. Overflow Reports and certification statements shall be submitted to the Executive Officer by January 30 of each year.

C. PRETREATMENT REPORTING

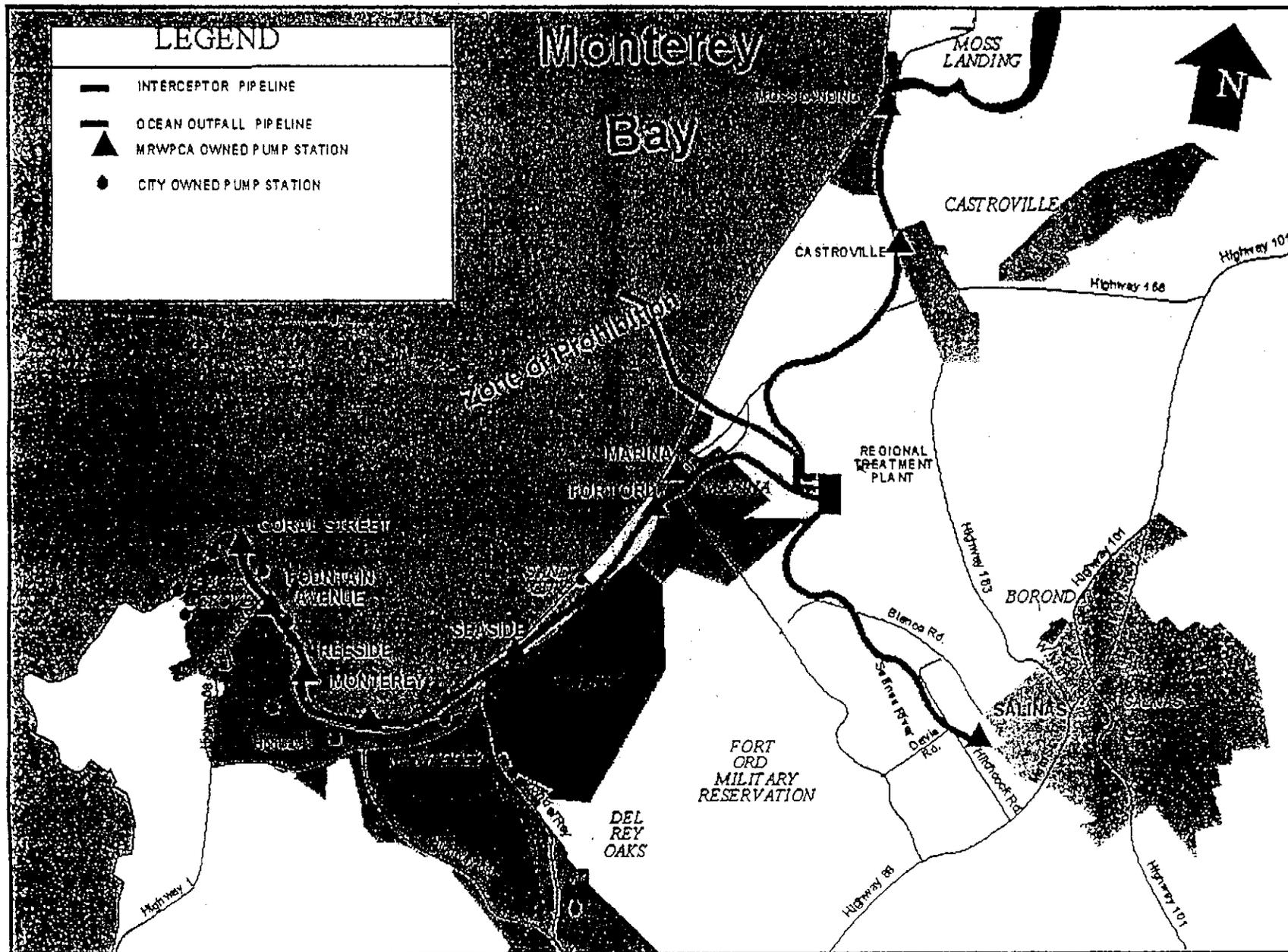
9. The Permittee shall submit an annual report to the Regional Board describing pretreatment activities over the previous twelve months. In the event that the Permittee is not in compliance with conditions or requirements of this permit affected by the pretreatment program, it shall also include reasons for non-compliance and a statement how and when it shall comply. This annual report is due by January 30 of each year and shall contain, but not be limited to, the contents described in the "Source Control Program" contained in Section VIII of Attachment B.

Table 1. Reporting Schedule

Reports	Reporting Schedule
Overflow Reports/Certification Statements	January 30
Annual Sewer System Management Plan Updates	January 30
Sampling results (if any) related to overflows	January 30

ORDERED BY *Roger D. [Signature]*
 Executive Officer

11-6-02
 Date



ATTACHMENT A

ELEMENTS OF THE SEWER SYSTEM MANAGEMENT PLAN**I. Goals**

The main goal of the Sewer System Management Plan is to prevent overflows and to provide a plan and schedule for measures to be implemented to prevent overflows.

II. Organization

The Sewer System Management Plan must identify the following:

- i. Administrative and maintenance positions responsible for implementing measures in the Sewer System Management Plan program, including lines of authority by organization chart or similar document; and
- ii. The chain of communication for reporting overflows, from receipt of a complaint or other information, including the person responsible for reporting overflows to the Regional Water Quality Control Board, Monterey County Health Department, the Regional Agency, and State Office of Emergency Services (OES);

III. Legal Authority

The Sewer System Management Plan shall include legal authority, through sewer use ordinances, service agreements or other legally binding procedures, to:

- (A) Control infiltration and connections from inflow sources, including satellite systems;
- (B) Require that sewers and connections be properly designed and constructed;
- (C) Ensure proper installation, testing, and inspection of new and rehabilitated sewers (such as new or rehabilitated collector sewers and new or rehabilitated service laterals);
- (D) Limit fats and greases and other debris that may cause blockages in the sewage collection system.
- (E) Implement the general and specific prohibitions of the national pretreatment program under 40 CFR 403.5.

IV. Measures and Activities

In order to reduce overflows, the Sewer System Management Plan must address the elements listed below that are appropriate and applicable to the Permittee's system and identify the person or position in the organization responsible for each element:

- (A) Provide adequate operation and maintenance of facilities and equipment;
- (B) Maintain an up-to-date map of the collection system showing all gravity line segments and manholes, pumping facilities, pressure pipes and valves, and storm water conveyance facilities;
- (C) Maintain relevant information to establish and prioritize appropriate Sewer System Management Plan activities (such as the immediate elimination of dry weather overflows or overflows into sensitive waters, such as public drinking water supplies and their source waters, swimming beaches and waters where swimming occurs, shellfish beds, designated Areas of Special Biological Significance, National Marine Sanctuaries, waters within Federal, State, or local parks, and water containing threatened or endangered species or their habitat), and identify and illustrate trends in overflows, such as frequency and volume;

- (D) Routine preventive operation and maintenance activities by staff and contractors; including a system for scheduling regular maintenance and cleaning of the collection system with more frequent cleaning and maintenance targeted at known problem areas as well as a tracking system for work orders.
- (E) Identify and prioritize structural deficiencies and implement short-term and long-term rehabilitation actions to address each deficiency. This shall include a rehabilitation plan including schedules for the entire system. As with the preventative maintenance program, sewer rehabilitation and replacement is crucial for the prevention of spills. Among the provisions that should be specified in this section is the need to direct rehabilitation and replacement at sewer pipes which are at risk of collapse or prone to more frequent blockages due to pipe defects. The program should also include regular visual and video inspection of sewer pipes and a system for assessing and ranking the condition of sewer pipes. Finally, the rehabilitation and replacement plan should include a financial plan that properly manages and protects the infrastructure assets.
- (F) Provide training on a regular basis for staff in collection system operations, maintenance, and monitoring and determine if contractors' staffs are appropriately trained;
- (G) Provide equipment and replacement parts inventories, including identification of critical replacement parts.
- (H) Establish an implementation plan and schedule for a public education outreach program that promotes proper disposal of grease and fats.
- (I) Establish a plan for responding to overflows from private property that discharge to public right of ways and storm drains, to prevent discharges from overflows to surface waters and storm drains; and
- (J) Develop a plan and a schedule for providing an analysis of alternative methods of disposal for grease and fats, and an implementation plan and a schedule for providing adequate disposal capacity for grease and fats generated within the sewer system service area. This plan shall include an evaluation of the feasibility of using sludge digesters at the Regional Agency wastewater treatment plant for grease disposal and treatment, recycling, rendering, and other disposal alternatives.

V. Design and Performance Provisions:

- (A) Develop and/or adopt design and construction standards and specifications for the installation of new sewer systems, pump stations and other appurtenances; and for rehabilitation and repair of existing sewer systems; and
- (B) Develop and/or adopt procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances and for rehabilitation and repair projects.

VI. Monitoring, Measurement and Program Modifications

- (A) Monitor the implementation and, where appropriate, measure the effectiveness of each element of the Sewer System Management Plan;
- (B) Update program elements, as appropriate, based on monitoring or performance evaluations; and
- (C) Modify the Sewer System Management Plan program, as appropriate, to keep it updated and accurate and available for audit at all times.

VII. Overflow Emergency Response Plan

The Permittees shall develop and implement an overflow emergency response plan that identifies measures to protect public health and the environment. At a minimum, this plan should include the following:

- (A) Ensure proper notification procedures so that the primary responders are informed of all overflows in a timely manner (to the greatest extent possible);
- (B) Ensure that all overflows are appropriately responded to, including ensuring that reports of overflows are immediately dispatched to appropriate personnel for investigation and appropriate response;
- (C) Ensure immediate notification of health agencies and other impacted entities (e.g., water suppliers) of all overflows. Report all overflows to the Regional Board and the Monterey County Health Department, Monterey Regional Water Pollution Control Agency, and report to the State OES, if the overflow is 1,000 gallons or larger. The Sewer System Management Plan should identify the public health agency and other officials who will receive immediate notification;
- (D) Ensure that appropriate staff and contractor personnel are aware of and follow the plan and are appropriately trained;
- (E) Provide emergency operations, such as traffic and crowd control and other necessary emergency response;
- (F) Take all reasonable steps to contain sewage and prevent sewage discharges to surface waters and minimize or correct any adverse impact on the environment resulting from the overflows, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge;
- (G) Develop and implement a plan for the use of portable aerators where complete recovery of the sanitary sewer overflows is not practicable and where severe oxygen depletion in existing surface waters is expected; and
- (H) Develop and implement a plan to respond in a timely manner to spills and other emergencies. Collection system staff should be able to respond to a sewage spill in less than an hour from the first call. The system should be capable of meeting this response time day or night, every day of the week. The system must own or have ready access to spill and emergency response equipment such as vacuum trucks, hydroflushers, pumps, temporary bypass hoses, and portable generators.

VIII. Source Control Program

Prepare and implement a grease, fat, and oil source control program to reduce the amount of these substances discharged to the sewer collection system. This plan shall include the legal authority to prohibit discharges to the system and identify measures to prevent overflows caused by fats, oils, and grease blockages of sewers. The elements of an effective grease control program may include requirements to install grease removal devices (such as traps or, preferably, interceptors), design standards for the removal devices, maintenance requirements, BMP requirements, record keeping and reporting requirements. An effective grease control program must also include authority to inspect grease producing facilities, enforcement authorities, and sufficient staff to inspect and enforce the grease ordinance.

- (A) The grease control program shall identify sections of the sewer system subject to grease blockages and establish a cleaning maintenance schedule for each section; and

(B) The program shall develop and implement source control measures, for all sources of grease and fats discharged to the sewer system, for each section identified in (A) above.

IX. System Evaluation and Capacity Assurance Plan

Prepare and implement a capital improvement plan that will provide hydraulic capacity of key sewer system elements under peak flow conditions. At a minimum, the plan must include:

(A) **System Evaluation** – Evaluate current capacity of the collection system including diversions of urban runoff to the sewer system and those portions of the collection system which are experiencing or contributing to an overflow discharge caused by hydraulic deficiency. The evaluation must provide estimates of peak flows (including flows from overflows that escape from the system) associated with conditions similar to those causing overflow events, estimates of the capacity of key system components, hydraulic deficiencies (including components of the system with limiting capacity) and the major sources that contribute to the peak flows associated with overflow events;

(B) **Capacity Enhancement Measures** -- Establish a short- and long-term capital improvement program to address deficiencies including prioritization, alternatives analysis, schedules, diversions of urban runoff to the sewer system during dry weather periods and control of infiltration and intrusion during both wet weather events and dry weather periods; and

(C) **Plan updates** -- The plan must be updated, at a minimum annually, to describe any significant change in proposed actions and/or implementation schedules. The updates should include available information on the performance of measures that have been implemented.

X. Annual Program Updates

As part of the Sewer System Management Plan, the Permittee shall conduct an internal audit, appropriate to the size of the system and the number of overflows, and submit a report of such audit, evaluating the Sewer System Management Plan and its compliance with this subsection, including its deficiencies and steps to correct them.

XI. Communications

The Permittee should communicate at least annually with interested parties such as the Regional Board, Regional Agency and Monterey County Health Department, on the implementation and performance of its Sewer System Management Plan. The communication system should allow interested parties to provide input to the Permittee as the program is developed and implemented.

The Permittee shall develop and implement the Sewer System Management Plan according to the following schedule.

Sewer System Management Plan Time Schedule

Task	Completion Date
Legal Authority (Part III)	November 1, 2003
Measures and Activities (Part IV)	November 1, 2003
Overflow Emergency Response Plan (Part VII)	November 1, 2003
Design and Performance Provisions (Part V)	March 1, 2004
Capacity Evaluation (Part IX)	March 1, 2004
Source Control Program (Part VIII)	November 1, 2004
Final Sewer System Management Plan	November 1, 2004

**California Regional Water Quality Control Board, Central Coast Region
SEWAGE OVERFLOW REPORT**

Reporting Party		Phone	
Address		City	
Discharger		Phone	

Date Of Overflow		Time Overflow Began		Time Overflow Stopped	
Overflow Origin (Location)					
Volume Of Overflow (Gallons)		Path Of Overflow			
Waterbody/Bodies Affected					
Cause Of Overflow (grease, roots, vandalism, pump station failure, etc.)					

Action Taken To Stop Overflow					
Time Cleanup Began		Time Cleanup Complete			
Discussion Of Cleanup					
Were Public Health Warnings Posted, And If So, Where?		Number Of Overflows In Same Location In Last Three Years			
Discussion Of Measures Taken To Prevent Overflows At This Location					

Agencies Notified (Please Check)		County Health		Office of Emergency Services		Fish and Game		County Board Of Supervisors	Other (List)
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SIGNATURE		DATE	
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