

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

11020 Sun Center Drive, #200 Rancho Cordova, California 95670-6114  
Phone (916) 464-3291 ○ Fax (916) 464-4645

[Central Valley Home Page](http://www.waterboards.ca.gov/centralvalley) (<http://www.waterboards.ca.gov/centralvalley>)

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CA0078981**

**ORDER R5-2024-XXXX**

**WASTE DISCHARGE REQUIREMENTS**

**FOR THE AMERICAN VALLEY COMMUNITY SERVICES DISTRICT,  
AMERICAN VALLEY WASTEWATER TREATMENT PLANT  
PLUMAS COUNTY**

The following Discharger is subject to waste discharge requirements (WDRs) set forth in this Order:

**Table 1. Discharger Information**

Discharger:	American Valley Community Services District
Name of Facility:	American Valley Wastewater Treatment Plant
Facility Street Address:	900 Spanish Creek Road
Facility City, State, Zip:	Quincy, CA 95971
Facility County:	Plumas County

**Table 2. Discharge Location**

Discharge Point	Effluent Description	Discharge Point Latitude (North)	Discharge Point Longitude (West)	Receiving Water
001	Secondary Treated Wastewater	39°57' 11"	120°56' 03"	Spanish Creek
002	Secondary Treated Wastewater	39°56' 53"	120°56' 20"	Irrigation Pond

**Table 3. Administrative Information**

This Order was Adopted on:	<b>XX February 2024</b>
This Order shall become effective on:	<b>01 April 2024</b>
This Order shall expire on:	<b>31 March 2029</b>
The Discharger shall file a Report of Waste Discharge (ROWD) as an application for reissuance of WDRs in accordance with title 23, California Code of Regulations (CCR), and an application for reissuance of a NPDES permit no later than:	<b>31 March 2028</b>
The United States Environmental Protection Agency (U.S. EPA) and the California Regional Water Quality Control Board, Central Valley Region have classified this discharge as follows:	<b>Major</b>

I, Patrick Pulupa, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on **XX February 2024**.

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**PATRICK PULUPA**, Executive Officer

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## I. FACILITY INFORMATION

Information describing the American Valley Community Services District, American Valley Wastewater Treatment Plant (Facility) is summarized in Table 1 and in sections I and II of the Fact Sheet (Attachment F). Section I of the Fact Sheet also includes information regarding the Facility's permit application.

## II. FINDINGS

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

- A. Legal Authorities.** This Order serves as waste discharge requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as a National Pollutant Discharge Elimination System (NPDES) permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 2 subject to the WDRs in this Order.
- B. California Environmental Quality Act (CEQA).** Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of Chapter 3 of CEQA, (commencing with section 21100) of Division 13 of Public Resources Code. Additionally, the adoption of land discharge for the Facility constituents permitting of an existing facility that is categorically exempt from the provisions of CEQA pursuant to CCR, title 14, section 15301.
- C. Background and Rationale for Requirements.** The Central Valley Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for the requirements in this Order, is hereby incorporated into and constitutes Findings for this Order. Attachments A through E and G through H are also incorporated into this Order.
- D. Provisions and Requirements Implementing State Law.** The provisions/requirements in subsections **IV.B**, and **V.B** are included to implement state law only. These provisions/requirements are not required or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.
- E. Monitoring and Reporting.** 40 C.F.R. section 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. Water Code sections 13267 and 13383 authorize the Central Valley Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. This Order and the Monitoring and Reporting Program, provided in Attachment E, establish monitoring and reporting requirements to implement federal and State requirements. The burden, including costs, of these monitoring and reporting

requirements bears a reasonable relationship to the need for these reports and the benefits to be obtained therefrom. The Discharger, as owner and operator of the Facility, is responsible for these requirements, which are necessary to determine compliance with this Order. The need for these requirements is further discussed in the Fact Sheet, Attachment F.

- F. Notification of Interested Persons.** The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of the notification are provided in the Fact Sheet.
- G. Consideration of Public Comment.** The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet.

THEREFORE, IT IS HEREBY ORDERED that Order R5-2016-0049 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 Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the CWA and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order. This action in no way prevents the Central Valley Water Board from taking enforcement action for violations of the previous Order.

### III. DISCHARGE PROHIBITIONS

- A.** Discharge of wastewater from the Facility, as the Facility is specifically described in the Fact Sheet in section II.B, in a manner different from that described in this Order is prohibited.
- B.** The by-pass or overflow of wastes to surface waters is prohibited, except as allowed by Federal Standard Provisions I.G. and I.H. (Attachment D).
- C.** Neither the discharge nor its treatment shall create a nuisance as defined in section 13050 of the Water Code.
- D.** Discharge of waste classified as 'hazardous', as defined in the CCR, title 22, section 66261.1 et seq., is prohibited.
- E. Average Dry Weather Flow.** Discharges exceeding an average dry weather flow of 1.6 million gallons per day (MGD) are prohibited.
- F. Peak Wet Weather Flow.** Discharges exceeding a daily average flow of 4.9 MGD are prohibited.
- G.** Discharge to Spanish Creek is prohibited unless an average daily flow ratio of 20:1 (Spanish Creek flow: effluent flow) is present, using Spanish Creek flow measured at the Feather River Coordinated Resource Management gauging station or the USGS gauging station (11401920) on Spanish Creek.

**IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS**

**A. Effluent Limitations – Discharge Point 001**

**1. Final Effluent Limitations – Discharge Point 001 (Monitoring Location EFF-001)**

The Discharger shall maintain compliance with the following effluent limitations at Discharge Point 001. Unless otherwise specified compliance shall be measured at Monitoring Location EFF-001, as described in the Monitoring and Reporting Program, Attachment E:

- a. The Discharger shall maintain compliance with the effluent limitations specified in Table 4:

**Table 4. Effluent Limitations – Discharge Point 001 (Monitoring Location EFF-001)**

Parameters	Units	Average Monthly	Average Weekly	Maximum Daily
Biochemical Oxygen Demand, 5-day @ 20°Celsius (BOD <sub>5</sub> )	milligrams per liter (mg/L)	30	45	90
Total Suspended Solids (TSS)	mg/L	30	45	90
Ammonia Nitrogen, Total (as N)	mg/L	2.3	4.6	--
Nitrate Plus Nitrite (as N)	mg/L	10	20	--
Copper, Total	µg/L	14	--	32
Lead, Total	µg/L	1.4	--	3.2

- b. **pH:**
  - i. 6.0 Standard Units (SU) as an instantaneous minimum.
  - ii. 9.0 SU as an instantaneous maximum.
- c. **Percent Removal.** The average monthly percent removal of BOD<sub>5</sub> and TSS shall not be less than 85 percent.
- d. **Total Residual Chlorine.** Effluent total residual chlorine shall not exceed:
  - i. 0.011 mg/L, as a 4-day average; and
  - ii. 0.019 mg/L, as a 1-hour average.
- e. **Total Coliform Organisms.** Effluent total coliform organisms shall not exceed the following with compliance measured immediately after disinfection:

- i. 23 most probable number per 100 milliliters (MPN/100 mL, as a 7-day median; and
- ii. 240 MPN/100mL, more than once in any 30-day period.

**2. Interim Effluent Limitations - NOT APPLICABLE**

**B. Land Discharge Specifications – Discharge Point 002**

When not discharging to Spanish Creek, the Discharger shall maintain compliance with the following limitations at Discharge Point 002, with compliance measured at Monitoring Location LND-001 as described in the attached MRP.

- 1. The Discharger shall maintain compliance with the limitations specified in Table 5:

**Table 5. Land Discharge Specifications**

Parameter	Units	Average Monthly	Maximum Daily	Average Annual
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	30	45	90
Total Suspended Solids	mg/L	30	45	90

- 2. **Total Coliform Organisms.** Effluent total coliform organisms shall not exceed the following with compliance measured immediately after disinfection:
  - a. 23 most probable number per 100 milliliters (MPN/100 mL, as a 7-day median; and
  - b. 240 MPN/100mL, more than once in any 30-day period.

**C. Recycling Specifications – NOT APPLICABLE**

**V. RECEIVING WATER LIMITATIONS**

**A. Surface Water Limitations**

The discharge shall not cause the following in Spanish Creek:

- 1. **Bacteria.** The six-week rolling geometric mean of Escherichia coli (E. coli) to exceed 100 colony forming units (cfu) per 100 milliliters (mL), calculated weekly, and a statistical threshold value (STV) of 320 cfu/100 mL to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner.
- 2. **Biostimulatory Substances.** Water to contain biostimulatory substances which promote aquatic growths in concentrations that cause nuisance or adversely affect beneficial uses.
- 3. **Chemical Constituents.** Chemical constituents to be present in concentrations that adversely affect beneficial uses.

4. **Color.** Discoloration that causes nuisance or adversely affects beneficial uses.
5. **Dissolved Oxygen:**
  - a. The monthly median of the mean daily dissolved oxygen concentration to fall below 85 percent of saturation in the main water mass
  - b. The 95-percentile dissolved oxygen concentration to fall below 75 percent of saturation; nor
  - c. The dissolved oxygen concentration to be reduced below 7.0 mg/L at any time.
6. **Floating Material.** Floating material to be present in amounts that cause nuisance or adversely affect beneficial uses.
7. **Oil and Grease.** Oils, greases, waxes, or other materials to be present in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.
8. **pH.** The pH to be depressed below 6.5 nor raised above 8.5
9. **Pesticides:**
  - a. Pesticides to be present, individually or in combination, in concentrations that adversely affect beneficial uses;
  - b. Pesticides to be present in bottom sediments or aquatic life in concentrations that adversely affect beneficial uses;
  - c. Total identifiable persistent chlorinated hydrocarbon pesticides to be present in the water column at concentrations detectable within the accuracy of analytical methods approved by U.S. EPA or the Executive Officer;
  - d. Pesticide concentrations to exceed those allowable by applicable antidegradation policies (see State Water Board Resolution No. 68-16 and 40 CFR section 131.12.);
  - e. Pesticide concentrations to exceed the lowest levels technically and economically achievable;
  - f. Pesticides to be present in concentration in excess of the maximum contaminant levels (MCLs) set forth in CCR, Title 22, division 4, chapter 15; nor
  - g. Thiobencarb to be present in excess of 1.0 µg/L.

**10. Radioactivity:**

- a. Radionuclides to be present in concentrations that are harmful to human, plant, animal, or aquatic life nor that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life; nor
- b. Radionuclides to be present in excess of the MCLs specified in Table 64442 of section 64442 and Table 64443 of section 64443 of Title 22 of the CCR.

**11. Salinity.** Salinity (chloride, electrical conductivity, TDS, etc.) objectives see Basin Plan Section 3.1.14.

**12. Suspended Sediments.** The suspended sediment load and suspended sediment discharge rate of surface waters to be altered in such a manner as to cause nuisance or adversely affect beneficial uses.

**13. Settleable Substances.** Substances to be present in concentrations that result in the deposition of material that causes nuisance or adversely affects beneficial uses.

**14. Suspended Material.** Suspended material to be present in concentrations that cause nuisance or adversely affect beneficial uses.

**15. Taste and Odors.** Taste- or odor-producing substances to be present in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, or that cause nuisance, or otherwise adversely affect beneficial uses.

**16. Temperature.** The natural temperature to be increased by more than 5° Fahrenheit. Compliance to be determined based on the difference in temperature at Monitoring Locations RSW-001 and RSW-002.

**17. Toxicity.** Toxic substances to be present, individually or in combination, in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.

**18. Turbidity.**

- a. Shall not exceed 2 Nephelometric Turbidity Units (NTU) where natural turbidity is less than 1 NTU;
- b. Shall not increase more than 1 NTU where natural turbidity is between 1 and 5 NTUs;
- c. Shall not increase more than 20 percent where natural turbidity is between 5 and 50 NTUs;



- d. Shall not increase more than 10 NTU where natural turbidity is between 50 and 100 NTUs; nor
- e. Shall not increase more than 10 percent where natural turbidity is greater than 100 NTUs.

**B. Groundwater Limitations**

- 1. Release of waste constituents from any portion of the Facility shall not cause:
  - a. Beneficial uses to be unreasonably affected, water quality objectives to be exceeded, or cause a condition of pollution or nuisance;
  - b. Any increase in total coliform organisms to exceed 2.2 MPN/100 mL over any 7-day period; or
  - c. Impart taste, odor, chemical constituents, toxicity, or color that creates nuisance or impairs any beneficial use.

**VI. PROVISIONS**

**A. Standard Provisions**

- 1. The Discharger shall comply with all Standard Provisions included in Attachment D.
- 2. The Discharger shall comply with the following provisions. In the event that there is any conflict, duplication, or overlap between provisions specified by this Order, the more stringent provision shall apply:
  - a. If the Discharger's wastewater treatment plant is publicly owned or subject to regulation by California Public Utilities Commission, it shall be supervised and operated by persons possessing certificates of appropriate grade according to Title 23, CCR, division 3, chapter 26.
  - b. 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 failing to disclose fully all relevant facts;
    - iii. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; and
    - iv. a material change in the character, location, or volume of discharge.

The causes for modification include:

- i. New regulations. New regulations have been promulgated under section 405(d) of the CWA, or the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued.
- ii. Land application plans. When required by a permit condition to incorporate a land application plan for beneficial reuse of sewage sludge, to revise an existing land application plan, or to add a land application plan.
- iii. Change in sludge use or disposal practice. Under 40 CFR section 122.62(a)(1), a change in the Discharger's sludge use or disposal practice is a cause for modification of the permit. It is cause for revocation and reissuance if the Discharger requests or agrees.

The Central Valley Water Board may review and revise this Order at any time upon application of any affected person or the Central Valley Water Board's own motion.

- c. If a toxic effluent standard or prohibition (including any scheduled compliance specified in such effluent standard or prohibition) is established under section 307(a) of the CWA, or amendments thereto, for a toxic pollutant that is present in the discharge authorized herein, and such standard or prohibition is more stringent than any limitation upon such pollutant in this Order, the Central Valley Water Board will revise or modify this Order in accordance with such toxic effluent standard or prohibition.

The Discharger shall comply with effluent standards and prohibitions within the time provided in the regulations that establish those standards or prohibitions, even if this Order has not yet been modified.

- d. This Order shall be modified, or alternately revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the CWA, if the effluent standard or limitation so issued or approved:
  - i. Contains different conditions or is otherwise more stringent than any effluent limitation in the Order; or
  - ii. Controls any pollutant limited in the Order.

The Order, as modified or reissued under this paragraph, shall also contain any other requirements of the CWA then applicable.

- e. The provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.

- f. The Discharger shall take all reasonable steps to minimize any adverse effects to waters of the State or users of those waters resulting from any discharge or sludge use or disposal in violation of this Order. Reasonable steps shall include such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge or sludge use or disposal.
- g. The Discharger shall ensure compliance with any existing or future pretreatment standard promulgated by U.S. EPA under section 307 of the CWA, or amendment thereto, for any discharge to the municipal system.
- h. A copy of this Order shall be maintained at the discharge facility and be available at all times to operating personnel. Key operating personnel shall be familiar with its content.
- i. Safeguard to electric power failure:
  - i. The Discharger shall provide safeguards to assure that, should there be reduction, loss, or failure of electric power, the discharge shall comply with the terms and conditions of this Order.
  - ii. Upon written request by the Central Valley Water Board, the Discharger shall submit a written description of safeguards. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means. A description of the safeguards provided shall include an analysis of the frequency, duration, and impact of power failures experienced over the past 5 years on effluent quality and on the capability of the Discharger to comply with the terms and conditions of the Order. The adequacy of the safeguards is subject to the approval of the Central Valley Water Board.
  - iii. Should the treatment works not include safeguards against reduction, loss, or failure of electric power, or should the Central Valley Water Board not approve the existing safeguards, the Discharger shall, within 90 days of having been advised in writing by the Central Valley Water Board that the existing safeguards are inadequate, provide to the Central Valley Water Board and U.S. EPA a schedule of compliance for providing safeguards such that in the event of reduction, loss, or failure of electric power, the Discharger shall comply with the terms and conditions of this Order. The schedule of compliance shall, upon approval of the Central Valley Water Board, become a condition of this Order.
- j. The Discharger, upon written request of the Central Valley Water Board, shall file with the Board a technical report on its preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. This report may be combined with

that required under the Central Valley Water Board Standard Provision contained in section VI.A.2.i of this Order.

The technical report shall:

- i. Identify the possible sources of spills, leaks, untreated waste by-pass, and contaminated drainage. 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 state when they became operational.
- iii. Predict the effectiveness of the proposed facilities and procedures and provide an implementation schedule containing interim and final dates when they will be constructed, implemented, or operational.

The Central Valley Water Board, after review of the technical report, may establish conditions which it deems necessary to control accidental discharges and to minimize the effects of such events. Such conditions shall be incorporated as part of this Order, upon notice to the Discharger.

- k. A publicly owned treatment works whose waste flow has been increasing, or is projected to increase, shall estimate when flows will reach hydraulic and treatment capacities of its treatment and disposal facilities. The projections shall be made in January, based on the last 3 years' average dry weather flows, peak wet weather flows and total annual flows, as appropriate. When any projection shows that capacity of any part of the facilities may be exceeded in 4 years, the Discharger shall notify the Central Valley Water Board by 31 January. A copy of the notification shall be sent to appropriate local elected officials, local permitting agencies and the press. Within 120 days of the notification, the Discharger shall submit a technical report showing how it will prevent flow volumes from exceeding capacity or how it will increase capacity to handle the larger flows. The Central Valley Water Board may extend the time for submitting the report.
- l. The Discharger shall submit technical reports as directed by the Executive Officer. All technical reports required herein that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, sections 6735, 7835, and 7835.1. To demonstrate compliance with Title 16, CCR, sections 415 and 3065, all technical reports must contain a statement of the qualifications of the responsible registered professional(s). As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.

- m. The Central Valley Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13385, 13386, and 13387.
- n. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Central Valley Water Board.
- o. This Order may be reopened to transfer ownership of control of this Order. The succeeding owner or operator must apply in writing requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, address and telephone number of the persons responsible for contact with the Central Valley Water Board, and a statement. The statement shall comply with the signatory and certification requirements in the federal Standard Provisions (Attachment D, section V.B) and state that the new owner or operator assumes full responsibility for compliance with this Order.
- p. If the Discharger submits a timely and complete Report of Waste Discharge for permit reissuance, this permit shall continue in force and effect until the permit is reissued or the Regional Water Board rescinds the permit.
- q. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this facility, may subject the Discharger to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.
- r. In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition, maximum daily effluent limitation, weekly average effluent limitation, monthly average effluent limitation, discharge prohibition, or receiving water limitation of this Order, the Discharger shall notify the Central Valley Water Board by telephone (916) 464-3291 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Central Valley Water Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe the measures being taken to remedy the current noncompliance and prevent recurrence including, where applicable, a schedule of implementation. Other noncompliance requires written notification as above at the time of the normal monitoring report.

## **B. Monitoring and Reporting Program (MRP) Requirements**

The Discharger shall comply with the MRP, and future revisions thereto, in Attachment E.

## C. Special Provisions

### 1. Reopener Provisions

- a. Conditions that necessitate a major modification of a permit are described in 40 CFR section 122.62, including, but not limited to:
  - i. If new or amended applicable water quality standards are promulgated or approved pursuant to section 303 of the CWA, or amendments thereto, this permit may be reopened and modified in accordance with the new or amended standards.
  - ii. When new information, that was not available at the time of permit issuance, would have justified different permit conditions at the time of issuance.
  - iii. There are material and substantial alterations or additions to the permitted facility or activity which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit.
- b. This Order may be reopened for modification, or revocation and reissuance, as a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special conditions may be, but are not limited to, fish tissue sampling, whole effluent toxicity, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in this Order as a result of the special condition monitoring data.
- c. **Mercury.** If mercury is found to be causing toxicity based on acute or chronic toxicity test results, or if a TMDL program is adopted, this Order shall be reopened, and the mass effluent limitation modified (higher or lower) or an effluent concentration limitation imposed. If the Central Valley Water Board determines that a mercury offset program is feasible for Dischargers subject to a NPDES permit, then this Order may be reopened to reevaluate the mercury mass loading limitation(s) and the need for a mercury offset program for the Discharger.
- d. **Whole Effluent Toxicity.** If after review of new data and information, it is determined that the discharge has reasonable potential to cause or contribute to an instream exceedance of the Statewide Toxicity Provisions numeric chronic aquatic toxicity objective and Basin Plan's narrative toxicity objective this Order may be reopened and effluent limitations added for acute and/or chronic toxicity.

- e. **Water Effects Ratios (WER) and Metal Translators.** A default WER of 1.0 has been used in this Order for calculating criteria for applicable inorganic constituents. In addition, default dissolved-to-total metal translators have been used to convert water quality objectives from dissolved to total when developing effluent limitations for copper. If the Discharger performs studies to determine site-specific WERs and/or site-specific dissolved-to-total metal translators, this Order may be reopened to modify the effluent limitations for the applicable inorganic constituents.
- f. **Dilution Credits/Mixing Zones.** If the Discharger conducts an updated dilution/mixing zone study demonstrating that dilution credits and mixing zones for human health and/or aquatic life criteria comply with the requirements of Section 1.4.2 of the SIP, this Order may be reopened to adjust effluent limitations based on allowable dilution credits/mixing zones.
- g. **Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS).** On 17 January 2020, certain Basin Plan Amendments to incorporate new strategies for addressing ongoing salt and nitrate accumulation in the Central Valley became effective. Other provisions subject to U.S. EPA approval became effective on 2 November 2020, when approved by U.S. EPA. As the Central Valley Water Board moves forward to implement those provisions that are now in effect, this Order may be amended or modified to incorporate new or modified requirements necessary for implementation of the Basin Plan Amendments. More information regarding these Amendments can be found on the [Central Valley Salinity Alternatives for Long-Term Sustainability \(CV-SALTS\) web page](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/):  
([https://www.waterboards.ca.gov/centralvalley/water\\_issues/salinity/](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/))
- h. **Benzo(a)Anthracene, Benzo(a)Pyrene, Benzo(b)Fluoranthene, Benzo(k)Fluoranthene, Chrysene.** Effluent monitoring requirements for Benzo(a)Anthracene, Benzo(a)Pyrene, Benzo(b)Fluoranthene, Benzo(k)Fluoranthene, Chrysene have been established in this Order to evaluate Facility performance in regard to these parameters. During the previous permit term, the Facility experienced abnormal effluent concentrations of these parameters; therefore, additional effluent monitoring is necessary to determine if these effluent concentrations are in fact representative of the discharge from the Facility. Should monitoring results indicate that the discharge has the reasonable potential to cause or contribute to an exceedance of a water quality standard, this Order may be reopened and modified by adding an appropriate effluent limitation for any or all of these constituents.

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

- a. **Mixing Zone and Dilution Study.** The Discharger shall submit an update to the 2016 Mixing Zone Study since discharge conditions have changed and upgrades to the Facility have been implemented since the 2016 Study was conducted. The updated Mixing Zone Study shall confirm or revise the 2016 Study findings based on actual discharge conditions, Facility effluent concentrations, and upgraded Facility operations, and address use of the outfall and diffuser when discharging to Spanish Creek.

### 3. Best Management Practices and Pollution Prevention

- a. **Salinity Evaluation and Minimization Plan (SEMP).** The Discharger shall continue to implement a SEMP to identify and address sources of salinity discharged from the Facility. The plan shall be completed and submitted to the Central Valley Water Board by the due date in the Technical Reports Table E-11.

The Discharger submitted a Notice of Intent to comply with the Salt Control Program and selected the Alternative Permitting Approach. Accordingly, the Discharger shall participate in the CV-SALTS Prioritization and Optimization (P&O) Study. Furthermore, an evaluation of the effectiveness of the SEMP shall be submitted with the ROWD. The evaluation shall include, at minimum, the calendar annual average concentrations of effluent electrical conductivity during the term of the Order. If the average electrical conductivity concentration for any calendar year exceeds a performance-based **trigger of 425 µmhos/cm**, the Discharger shall evaluate possible sources of salinity contributing to the exceedance of the trigger and update the SEMP to include a plan of action to control salinity.

- b. **Pyrethroid Management Plan.** If the Pyrethroid Pesticides Water Column Chemistry Monitoring results in an exceedance of any acute and/or chronic pyrethroid numeric trigger, the Discharger shall develop and submit a Pyrethroid Management Plan to the Central Valley Water Board, per the requirements described in Section 4.2.2.4.12 of the Basin Plan, within one year from the date that an exceedance is identified by either the Discharger or Central Valley Water Board staff. If an exceedance is identified, the Discharger shall submit a formal letter notifying the Central Valley Water Board of the exceedance and the Discharger's intent to submit a Pyrethroid Management Plan.

The Pyrethroid Management Plan shall identify management practices to reduce discharges of pyrethroid pesticides, as outlined in Section 4.5.5.2.2.3 of the Basin Plan, and to consider whether there are potential water quality concerns with replacement insecticide products. Dischargers shall begin implementing their pyrethroid management plans within 30 days after receipt of written approval of their management plan. The Pyrethroid Management Plan shall be deemed complete when it can be



demonstrated that the acute and chronic pyrethroids triggers are not exceeded in the final effluent and the demonstration is approved by the Executive Officer.

- i. If a Pyrethroid Management Plan is required, the Discharger shall provide mid-term and end-term progress reports to document the management practices that have been implemented to track the effectiveness of the Pyrethroid Management Plan.

#### **4. Construction, Operation and Maintenance Specifications**

##### **a. Irrigation Pond and Emergency Equalization Basin Operating Requirements.**

- i. Public contact with wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.
- ii. Ponds shall be managed to prevent breeding of mosquitoes. In particular,
  - (a) An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface.
  - (b) Weeds shall be minimized.
  - (c) Dead algae, vegetation, and debris shall not accumulate on the water surface.
- iii. Ponds shall have sufficient capacity to accommodate allowable wastewater flow and design seasonal precipitation and ancillary inflow and infiltration during the non-irrigation season. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns.
- iv. Freeboard in the ponds shall not be less than 2 feet (measured vertically to the lowest point of overflow), except if lesser freeboard does not threaten the integrity of the pond, no overflow of the pond occurs, and lesser freeboard is due to direct precipitation or storm water runoff occurring as a result of annual precipitation with greater than a 100-year recurrence interval, or a storm event with an intensity greater than a 25-year, 24-hour storm event.
- v. The discharge of waste classified as “hazardous” as defined in section 2521(a) of Title 23, CCR, or “designated”, as defined in section 13173 of the Water Code, to the ponds is prohibited.
- vi. Objectionable odors originating at this Facility shall not be perceivable beyond the limits of the wastewater treatment and

disposal areas (or property owned by the Discharger).

- vii. As a means of discerning compliance with the operating specification contained in section VI.C.4.a.vi above, the dissolved oxygen content in the upper zone (1 foot) of wastewater in the ponds shall not be less than 1.0 mg/L.
- viii. The Emergency Equalization Basin shall be operated in a manner such that there is timely return of impounded influent for treatment and disposal.

## 5. Special Provisions for Publicly-Owned Treatment Works (POTWs)

- a. **Sludge/Biosolids Treatment or Discharge Specifications.** Sludge in this document means the solid, semisolid, and liquid residues removed during primary, secondary, or advanced wastewater treatment processes. Solid waste refers to grit and screening material generated during preliminary treatment. Residual sludge means sludge that will not be subject to further treatment at the wastewater treatment plant. Biosolids refer to sludge that has been treated and tested and shown to be capable of being beneficially and legally used pursuant to federal and state regulations as a soil amendment for agricultural, silvicultural, horticultural, and land reclamation activities as specified under 40 C.F.R. Part 503.
  - i. Collected screenings, residual sludge, biosolids, and other solids removed from liquid wastes shall be disposed of in a manner consistent with Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste, as set forth in Title 27, CCR, division 2, subdivision 1, section 20005, et seq. Removal for further treatment, storage, disposal, or reuse at sites (e.g., landfill, composting sites, soil amendment sites) that are operated in accordance with valid waste discharge requirements issued by a Regional Water Board will satisfy these specifications.

Sludge and solid waste shall be removed from screens, sumps, ponds, clarifiers, etc. as needed to ensure optimal plant performance.

The treatment of sludge generated at the Facility shall be confined to the Facility property and conducted in a manner that precludes infiltration of waste constituents into soils in a mass or concentration that will violate groundwater limitations in section V.B. of this Order. In addition, the storage of residual sludge, solid waste, and biosolids on Facility property shall be temporary and controlled, and contained in a manner that minimizes leachate formation and precludes infiltration of waste constituents into soils in a mass or concentration that will violate groundwater limitations included in section V.B. of this Order.

- ii. The use, disposal, storage, and transportation of biosolids shall comply with existing federal and state laws and regulations, including

permitting requirements and technical standards included in 40 C.F.R. Part 503. If the State Water Board and the Central Valley Water Board are given the authority to implement regulations contained in 40 C.F.R. Part 503, this Order may be reopened to incorporate appropriate time schedules and technical standards. The Discharger must comply with the standards and time schedules contained in 40 C.F.R. Part 503 whether or not they have been incorporated into this Order.

- iii. The Discharger shall comply with section IX.A. Biosolids of the Monitoring and Reporting Program, Attachment E.
- iv. The Discharger shall implement onsite sludge/biosolids treatment, processing, and storage for the Facility as described in the Fact Sheet (Attachment F, section II.A). This Order may be reopened to address any proposed change in the onsite treatment, processing, or storage of sludge/biosolids.

- b. **Collection System.** The Discharger is subject to the requirements of, and must comply with, State Water Board Order 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, as amended by State Water Board Order WQ 2013-0058-EXEC, and renewed by State Water Board Order 2022-0103-DWQ and any subsequent order.

#### 6. Other Special Provisions – Not Applicable

#### 7. Compliance Schedules – Not Applicable

### VII. COMPLIANCE DETERMINATION

- A. **BOD<sub>5</sub> and TSS Effluent Limitations (Sections IV.A.1.a and IV.A.1.c).** Compliance with the final effluent limitations for BOD<sub>5</sub> and TSS required in Waste Discharge Requirements section IV.A.1.a shall be ascertained by 24-hour composite samples. Compliance with effluent limitations required in Waste Discharge Requirements section IV.A.1.c for percent removal shall be calculated using the arithmetic mean of BOD<sub>5</sub> and TSS in effluent samples collected over a monthly period as a percentage of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.
- B. **Average Dry Weather Flow Prohibition (Section III.E).** The average dry weather discharge flow represents the daily average flow when groundwater is at or near normal and runoff is not occurring. Compliance with the average dry weather flow discharge prohibition will be determined annually based on the average daily flow over three consecutive dry weather months (e.g., July, August, and September).
- C. **Peak Wet Weather Flow Prohibition (Section III.F).** Compliance with the peak wet weather flow discharge prohibition will be determined based on the daily average effluent flow when discharging to Spanish Creek.

- D. Total Coliform Organisms Effluent Limitations (Section IV.A.1.e).** For each day that an effluent sample is collected and analyzed for total coliform organisms, the 7-day median shall be determined by calculating the median concentration of total coliform bacteria in the effluent utilizing the bacteriological results of the last 7 days. For example, if a sample is collected on a Wednesday, the result from that sampling event and all results from the previous 6 days (i.e., Tuesday, Monday, Sunday, Saturday, Friday, and Thursday) are used to calculate the 7-day median. If the 7-day median of total coliform organisms exceeds a most probable number (MPN) of 23 per 100 milliliters, the Discharger will be considered out of compliance.
- E. Total Residual Chlorine Effluent Limitations (Section IV.A.1.d).** Continuous monitoring analyzers for chlorine residual or for dechlorination agent residual in the effluent are appropriate methods for compliance determination. A positive residual dechlorination agent in the effluent indicates that chlorine is not present in the discharge, which demonstrates compliance with the effluent limitations. This type of monitoring can also be used to prove that some chlorine residual exceedances are false positives. Continuous monitoring data showing either a positive dechlorination agent residual or a chlorine residual at or below the prescribed limit are sufficient to show compliance with the total residual chlorine effluent limitations, as long as the instruments are maintained and calibrated in accordance with the manufacturer's recommendations.

Any excursion above the 1-hour average or 4-day average total residual chlorine effluent limitations is a violation. If the Discharger conducts continuous monitoring and the Discharger can demonstrate, through data collected from a back-up monitoring system, that a chlorine spike recorded by the continuous monitor was not actually due to chlorine, then any excursion resulting from the recorded spike will not be considered an exceedance, but rather reported as a false positive. Records supporting validation of false positives shall be maintained in accordance with Section IV Standard Provisions (Attachment D).

- F. Priority Pollutant Effluent Limitations.** Compliance with effluent limitations for priority pollutants shall be determined in accordance with section 2.4.5 of the SIP, as follows:
1. Dischargers shall be deemed out of compliance with an effluent limitation, if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).
  2. Dischargers shall be required to conduct a Pollutant Minimization Program (PMP) in accordance with section 2.4.5.1 of the SIP when there is evidence that the priority pollutant is present in the effluent above an effluent limitation and either:
    - a. sample result is reported as detected, but not quantified (DNQ) and the effluent limitation is less than the RL; or
    - b. sample result is reported as non-detect (ND) and the effluent limitation is less than the method detection limit (MDL).

3. When determining compliance with an average monthly effluent limitation (AMEL) and more than one sample result is available in a month, the discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of DNQ or ND. In those cases, the discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:
    - a. The data set shall be ranked from low to high, reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
    - b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.
  4. If a sample result, or the arithmetic mean or median of multiple sample results, is below the RL, and there is evidence that the priority pollutant is present in the effluent above an effluent limitation and the discharger conducts a PMP (as described in section 2.4.5.1), the discharger shall **not** be deemed out of compliance.
- G. Dissolved Oxygen Receiving Water Limitation (Section V.A.5.a-c).** Weekly receiving water monitoring is required in the Monitoring and Reporting Program (Attachment E) and is sufficient to evaluate the impacts of the discharge and compliance with this Order. Weekly receiving water monitoring data, measured at monitoring locations RSW-001 and RSW-002, will be used to determine compliance with part “c” of the dissolved oxygen receiving water limitation to ensure the discharge does not cause the dissolved oxygen concentrations in the Spanish Creek to be reduced below 7.0 mg/L at any time. However, should more frequent dissolved oxygen and temperature receiving water monitoring be conducted, Central Valley Water Board staff may evaluate compliance with parts “a” and “b”.
- I. Electrical Conductivity Calendar Year Annual Average Effluent Trigger (Section VI.C.3.a).** Compliance shall be determined by calculating the sum of all daily discharge EC concentrations measured during a calendar year divided by the number of daily discharge EC concentrations measured during that year.



## ATTACHMENT A – DEFINITIONS

### **1Q10**

The lowest one-day flow with an average reoccurrence frequency of once in ten years.

### **7Q10**

The lowest average seven consecutive day flow with an average reoccurrence frequency of once in ten years.

### **Acute Aquatic Toxicity Test**

A test to determine an adverse effect (usually lethality) on a group of aquatic test organisms during a short-term exposure (e.g., 24, 48, or 96 hours).

### **Alternative Hypothesis**

A statement used to propose a statistically significant relationship in a set of given observations. Under the TST approach, when the Null Hypothesis is rejected, the Alternative Hypothesis is accepted in its place, indicating a relationship between variables and an acceptable level of toxicity.

### **Arithmetic Mean ( $\mu$ )**

Also called the average, is the sum of measured values divided by the number of samples. For ambient water concentrations, the arithmetic mean is calculated as follows:

$$\text{Arithmetic mean} = \mu = \Sigma x / n$$

where:  $\Sigma x$  is the sum of the measured ambient water concentrations, and  $n$  is the number of samples.

### **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.

### **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.

### **Bioaccumulative**

Those substances taken up by an organism from its surrounding medium through gill membranes, epithelial tissue, or from food and subsequently concentrated and retained in the body of the organism.

### **Calendar Month(s)**

A period of time from a day of one month to the day before the corresponding day of the next month if the corresponding day exists, or if not to the last day of the next month (e.g., from January 1 to January 31, from June 15 to July 14, or from January 31 to February 28).

**Calendar Quarter**

A period of time defined as three consecutive calendar months.

**Calendar Year**

A period of time defined as twelve consecutive calendar months.

**Chronic Aquatic Toxicity Test**

A test to determine an adverse effect (sub-lethal or lethal) on a group of aquatic test organisms during an exposure of duration long enough to assess sub-lethal effects.

**Carcinogenic**

Pollutants are substances that are known to cause cancer in living organisms.

**Coefficient of Variation (CV)**

CV is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

**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 permit), 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.

**Detected, but Not Quantified (DNQ)**

DNQ are those sample results less than the RL, but greater than or equal to the laboratory's MDL. Sample results reported as DNQ are estimated concentrations.

**Dilution Credit**

Dilution Credit is the amount of dilution granted to a discharge in the calculation of a water quality-based effluent limitation, based on the allowance of a specified mixing zone. It is calculated from the dilution ratio or determined through conducting a mixing zone study or modeling of the discharge and receiving water.

**Effluent Concentration Allowance (ECA)**

ECA is a value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the coefficient of variation for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The

ECA has the same meaning as waste load allocation (WLA) as used in U.S. EPA guidance (Technical Support Document For Water Quality-based Toxics Control, March 1991, second printing, EPA/505/2-90-001).

### **Enclosed Bays**

Enclosed Bays means indentations along the coast that enclose an area of oceanic water within distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between the headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. Enclosed bays include, but are not limited to, Humboldt Bay, Bodega Harbor, Tomales Bay, Drake's Estero, San Francisco Bay, Morro Bay, Los Angeles-Long Beach Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay. Enclosed bays do not include inland surface waters or ocean waters.

### **Endpoint**

An effect that is measured in a toxicity study. Endpoints in toxicity tests may include, but are not limited to survival, reproduction, and growth. A measured response of a receptor to a stressor. An endpoint can be measured in a toxicity test or field survey.

### **Estimated Chemical Concentration**

The estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

### **Estuaries**

Estuaries means waters, including coastal lagoons, located at the mouths of streams that serve as areas of mixing for fresh and ocean waters. Coastal lagoons and mouths of streams that are temporarily separated from the ocean by sandbars shall be considered estuaries. Estuarine waters shall be considered to extend from a bay or the open ocean to a point upstream where there is no significant mixing of fresh water and seawater. Estuarine waters included, but are not limited to, the Sacramento-San Joaquin Delta, as defined in Water Code section 12220, Suisun Bay, Carquinez Strait downstream to the Carquinez Bridge, and appropriate areas of the Smith, Mad, Eel, Noyo, Russian, Klamath, San Diego, and Otay rivers. Estuaries do not include inland surface waters or ocean waters.

### **Inland Surface Waters**

All surface waters of the state that do not include the ocean, enclosed bays, or estuaries.

### **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).

### **Instream Waste Concentration (IWC)**

The concentration of effluent in the receiving water after mixing.



**Maximum Daily Effluent Limitation (MDEL)**

The highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day.

**Median**

The middle measurement in a set of data. The median of a set of data is found by first arranging the measurements in order of magnitude (either increasing or decreasing order). If the number of measurements (n) is odd, then the median =  $X_{(n+1)/2}$ . If n is even, then the median =  $(X_{n/2} + X_{(n/2)+1})/2$  (i.e., the midpoint between the  $n/2$  and  $n/2+1$ ).

**Method Detection Limit (MDL)**

MDL is the minimum measured concentration of a substance that can be reported with 99 percent confidence that the measured concentration is distinguishable from method blank results, as defined in in 40 C.F.R. Part 136, Attachment B.

**Minimum Level (ML)**

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 specified sample weights, volumes, and processing steps have been followed.

**Mixing Zone**

Mixing Zone is a limited volume of receiving water that is allocated for mixing with a wastewater discharge where water quality criteria can be exceeded without causing adverse effects to the overall water body.

**Not Detected (ND)**

Sample results which are less than the laboratory's MDL.

**Null Hypothesis**

A statement used in statistical testing that has been put forward either because it is believed to be true or because it is to be used as a basis for argument, but has not been proved.

**Ocean Waters**

The territorial marine waters of the State as defined by California law to the extent these waters are outside of enclosed bays, estuaries, and coastal lagoons. Discharges to ocean waters are regulated in accordance with the State Water Board's California Ocean Plan.

**Percent Effect**

The percent effect at the instream waste concentration (IWC) shall be calculated using untransformed data and the following equation:

$$\text{Percent Effect of the Sample} = \frac{\text{Mean Control Response} - \text{Mean Sample Response}}{\text{Mean Control Response}} \cdot 100$$

### **Persistent Pollutants**

Persistent pollutants are substances for which degradation or decomposition in the environment is nonexistent or very slow.

### **Pollutant Minimization Program (PMP)**

PMP means waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Central Valley Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to Water Code section 13263.3(d), shall be considered to fulfill the PMP requirements.

### **Pollution Prevention**

Pollution Prevention means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is not limited to, input change, operational improvement, production process change, and product reformulation (as defined in Water Code section 13263.3). Pollution prevention does not include actions that merely shift a pollutant in wastewater from one environmental medium to another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State Water Resources Control Board (State Water Board) or Central Valley Water Board.

### **Regulatory Management Decision (RMD)**

The decision that represents the maximum allowable error rates and thresholds for toxicity and non-toxicity that would result in an acceptable risk to aquatic life.

### **Response**

A measured biological effect (e.g., survival, reproduction, growth) as a result of exposure to a stimulus.

### **Satellite Collection System**

The portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility that a sanitary sewer system is tributary to.

### **Source of Drinking Water**

Any water designated as municipal or domestic supply (MUN) in a Central Valley Water Board Basin Plan.

### **Species Sensitivity Screening**

An analysis to determine the single most sensitive species from an array of test species to be used in a single species laboratory test series.

### **Standard Deviation ( $\sigma$ )**

Standard Deviation is a measure of variability that is calculated as follows:

$$\sigma = (\sum [(x - \mu)^2] / (n - 1))^{0.5}$$

where:

- x is the observed value;
- $\mu$  is the arithmetic mean of the observed values; and
- n is the number of samples.

### **Statewide Toxicity Provisions**

Refers to Section III.B and Section IV.B of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California.

### **Statistical Threshold Value (STV)**

The STV for the bacteria receiving water limitation is a set value that approximates the 90th percentile of the water quality distribution of a bacterial population. [Only for water bodies designated REC-1 and not implementing Title 22 tertiary disinfection requirements]

### **Test of Significant Toxicity (TST)**

A statistical approach used to analyze aquatic toxicity test data, as described in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, 2010), Appendix A, Figure A-1 and Table A-1 (Chronic Freshwater and East Coast Methods) and Appendix B, Table B-1.

### **Toxicity Reduction Evaluation (TRE)**

TRE is a study conducted in a stepwise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.).

### **WET Maximum Daily Effluent Limitation (MDEL)**

For the purposes of chronic and acute aquatic toxicity, an MDEL is an effluent limitation based on the outcome of the TST approach and the resulting percent effect at the IWC.

**WET Median Monthly Effluent Limit (MMEL)**

For the purposes of chronic and acute aquatic toxicity, an MMEL is an effluent limitation based on a maximum of three independent toxicity tests analyzed using the TST approach during a calendar month.

**WET Maximum Daily Effluent Target (MDET)**

For the purposes of chronic aquatic toxicity, an MDET is a target used to determine whether a Toxicity Reduction Evaluation (TRE) should be conducted. Not meeting the MDET is not a violation of an effluent limitation.

**WET Median Monthly Effluent Target (MMET)**

For the purposes of chronic aquatic toxicity, an MMET is a target based on a maximum of three independent toxicity tests used to determine whether a TRE should be conducted. Not meeting the MMET is not a violation of an effluent limitation.

**WET MMEL Compliance Tests**

For the purposes of chronic and acute aquatic toxicity, a maximum of two tests that are used in addition to the routine monitoring test to determine compliance with the chronic and acute aquatic toxicity MMEL.

**WET MMET Tests**

For the purposes of chronic aquatic toxicity, for dischargers not required to comply with numeric chronic toxicity effluent limitations, MMET Tests are a maximum of two tests that are used in addition to the routine monitoring test to determine whether a TRE should be conducted.

B.

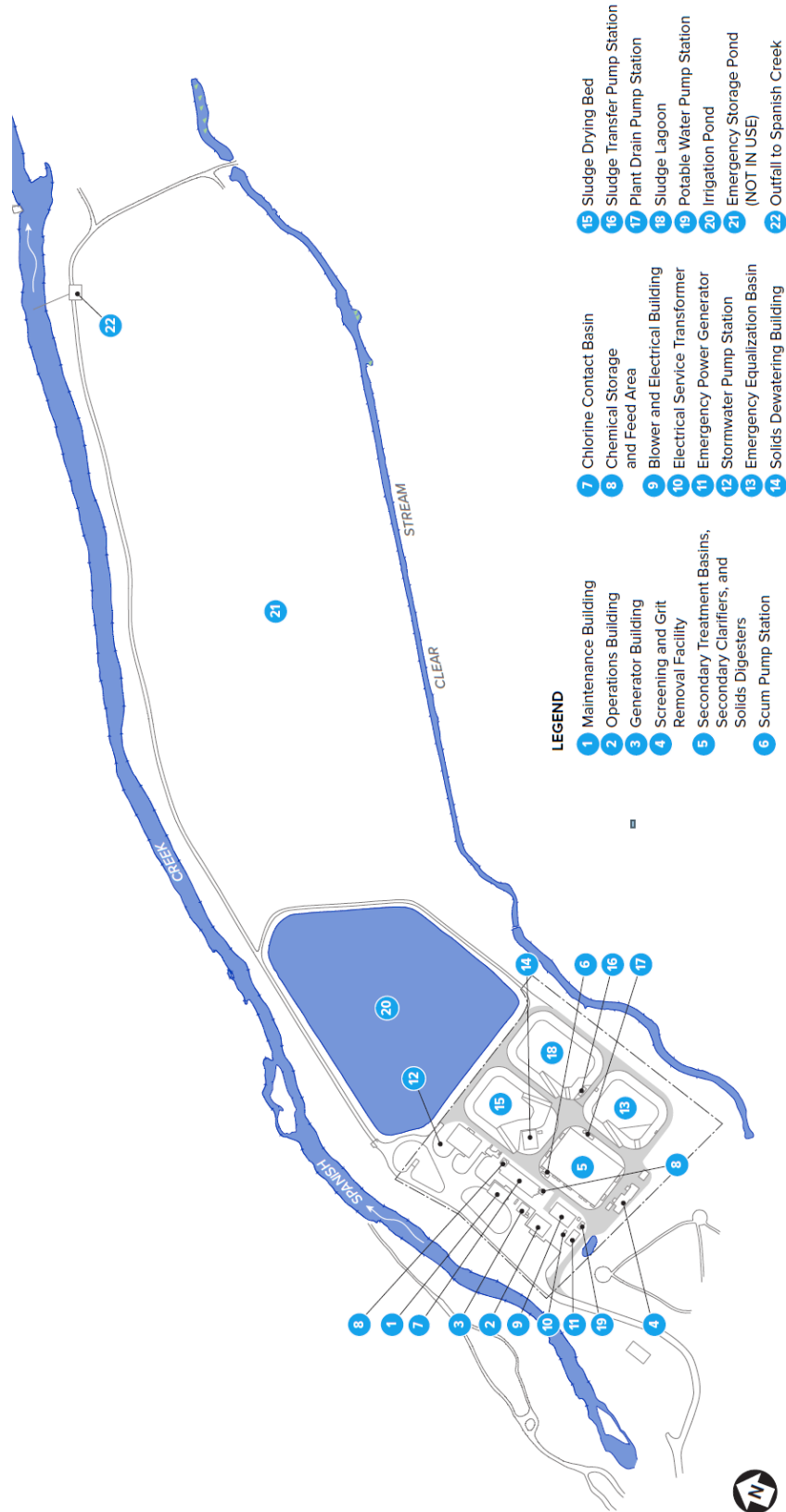
**ATTACHMENT B-1 – AREA MAP**



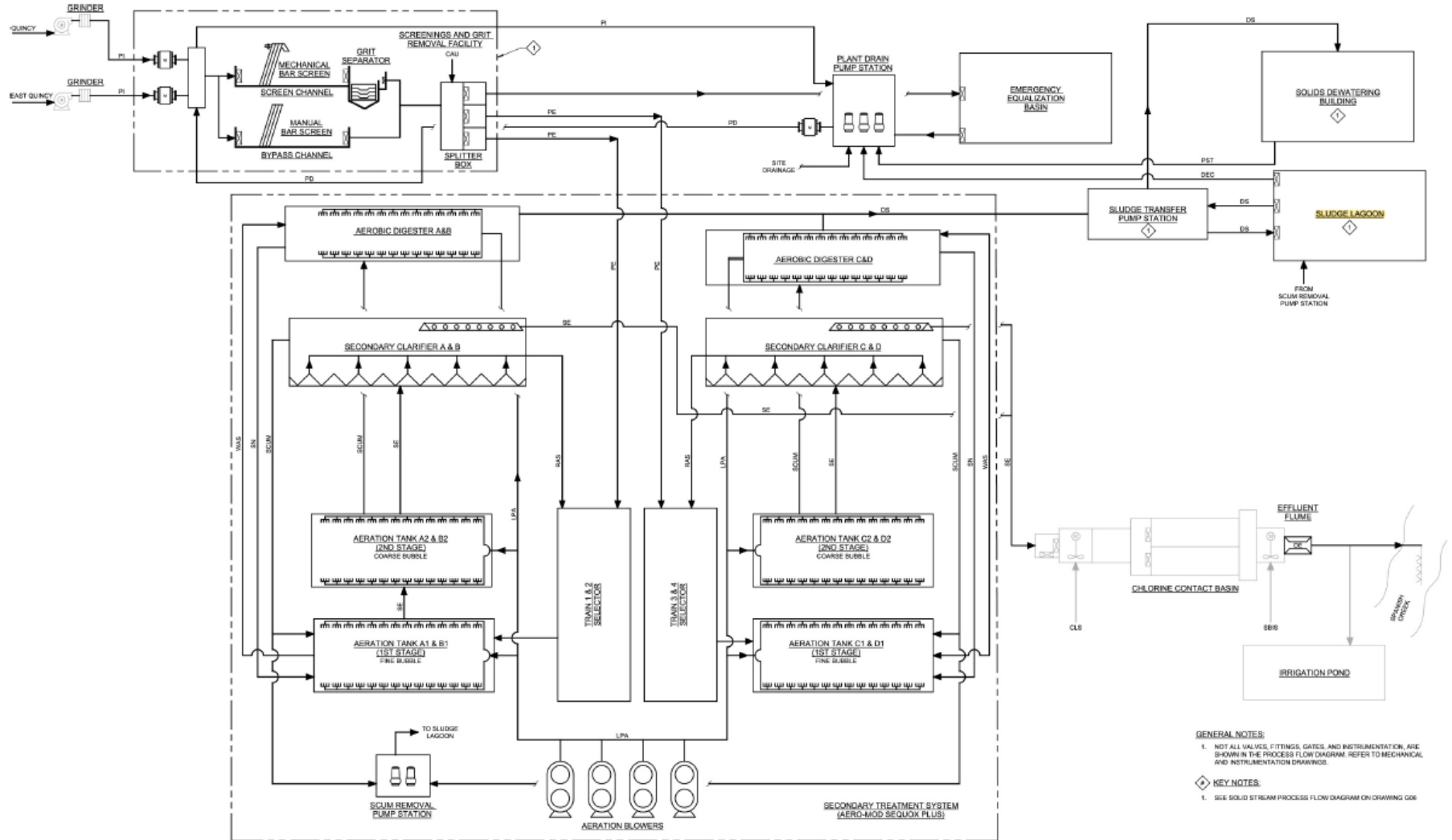
**LEGEND**

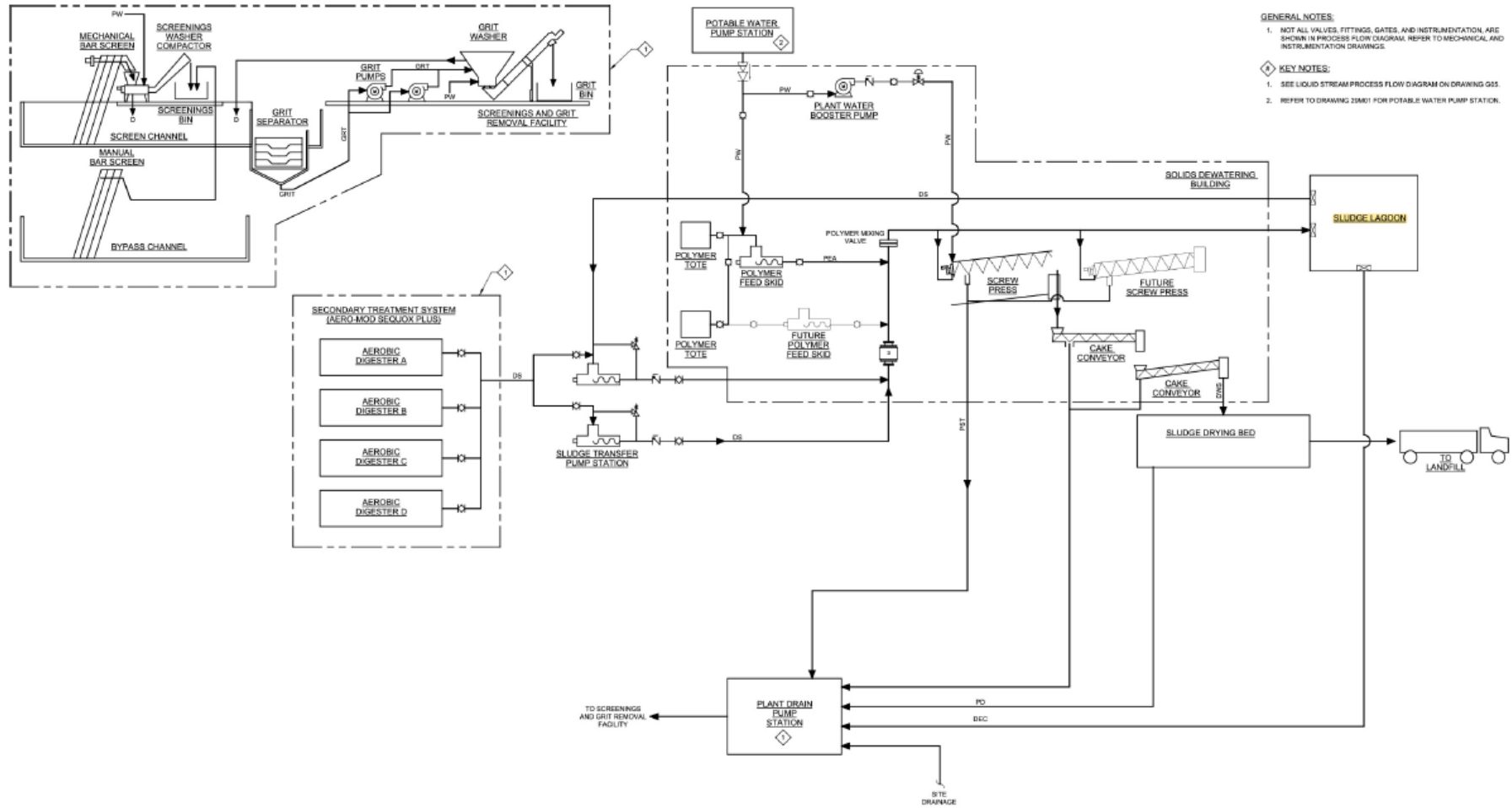
- Discharge Point
- Receiving Water Monitoring Location

**ATTACHMENT B-2 – FACILITY DIAGRAM**



ATTACHMENT C – FLOW SCHEMATIC







D.

## **ATTACHMENT D – STANDARD PROVISIONS**

### **I. STANDARD PROVISIONS – PERMIT COMPLIANCE**

#### **A. Duty to Comply:**

1. The Discharger must comply with all of the terms, requirements, and conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof. (40 C.F.R. section 122.41(a); Wat. Code, sections 13261, 13263, 13265, 13268, 13000, 13001, 13304, 13350, 13385.)
2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. (40 C.F.R. section 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 C.F.R. section 122.41(c).)

#### **C. Duty to Mitigate**

The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 C.F.R. section 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 having 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 C.F.R. section 122.41(e).)

#### **E. Property Rights**

1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 C.F.R. section 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 C.F.R. section 122.5(c).)

#### **F. Inspection and Entry**

The Discharger shall allow the Central Valley Water Board, State Water Board, U.S. EPA, 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 (33 U.S.C. section 1318(a)(4)(B); 40 C.F.R. section 122.41(i); Wat. Code, section 13267, 13383):

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 (33 U.S.C section 1318(a)(4)(B)(ii); 40 C.F.R. section 122.41(i)(1); Wat. Code, sections 13267, 13383);
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order (33 U.S.C. section 1318(a)(4)(B)(ii); 40 C.F.R. section 122.41(i)(2); Wat. Code, sections 13267, 13383);
3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order (33 U.S.C section 1318(a)(4)(B)(ii); 40 C.F.R. section 122.41(i)(3); Wat. Code, section 13267, 13383); and
4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location. (33 U.S.C section 1318(a)(4)(B); 40 C.F.R. section 122.41(i)(4); Wat. Code, sections 13267, 13383.)

#### **G. Bypass**

1. Definitions
  - a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. (40 C.F.R. section 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 C.F.R. section 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 – Permit Compliance I.G.3, I.G.4, and I.G.5 below. (40 C.F.R. section 122.41(m)(2).)

3. Prohibition of bypass. Bypass is prohibited, and the Central Valley Water Board may take enforcement action against a Discharger for bypass, unless (40 C.F.R. section 122.41(m)(4)(i)):
  - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 C.F.R. section 122.41(m)(4)(i)(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 C.F.R. section 122.41(m)(4)(i)(B)); and
  - c. The Discharger submitted notice to the Central Valley Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. (40 C.F.R. section 122.41(m)(4)(i)(C).)
4. The Central Valley Water Board may approve an anticipated bypass, after considering its adverse effects, if the Central Valley Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above. (40 C.F.R. section 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 prior notice if possible, at least 10 days before the date of the bypass. The notice shall be sent to the Central Valley Water Board. As of 21 December 2023, all notices shall be submitted electronically to the initial recipient (State Water Board's [California Integrated Water Quality System \(CIWQS\) Program website](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/) ([http://www.waterboards.ca.gov/water\\_issues/programs/ciwqs/](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/)), defined in Standard Provisions – Reporting V.J below. Notices shall comply with 40 C.F.R. Part 3, section 122.22, and 40 C.F.R. Part 127. (40 C.F.R. section 122.41(m)(3)(i).)
- b. **Unanticipated bypass.** The Discharger shall submit a notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below (24-hour notice). The notice shall be sent to the Central Valley Water Board. As of 21 December 2023, all notices shall be submitted electronically to the initial recipient (State Water Board's [California Integrated Water Quality System \(CIWQS\) Program website](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/). ([http://www.waterboards.ca.gov/water\\_issues/programs/ciwqs/](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/)), defined in Standard Provisions – Reporting V.J below. Notices shall comply with 40

C.F.R. Part 3, section 122.22, and 40 C.F.R. Part 127. (40 C.F.R. section 122.41(m)(3)(ii).)

## **H. Upset**

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit 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 C.F.R. section 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 permit effluent limitations if the requirements of Standard Provisions – Permit Compliance I.H.2 below 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 C.F.R. section 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 C.F.R. section 122.41(n)(3)):
  - a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 C.F.R. section 122.41(n)(3)(i));
  - b. The permitted facility was, at the time, being properly operated (40 C.F.R. section 122.41(n)(3)(ii));
  - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) (40 C.F.R. section 122.41(n)(3)(iii)); and
  - d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above. (40 C.F.R. section 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 C.F.R. section 122.41(n)(4).)

## **II. STANDARD PROVISIONS – PERMIT 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 C.F.R. section 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 permit. (40 C.F.R. section 122.41(b).)

**C. Transfers**

This Order is not transferable to any person except after notice to the Central Valley Water Board. The Central Valley 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 Water Code. (40 C.F.R. section 122.41(l)(3); 122.61.)

**III. STANDARD PROVISIONS – MONITORING**

- A.** Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 C.F.R. section 122.41(j)(1).)
- B.** Monitoring must be conducted according to test procedures approved under 40 C.F.R. Part 136 for the analyses of pollutants unless another method is required under 40 C.F.R. subchapters N or O. Monitoring must be conducted according to sufficiently sensitive test methods approved under 40 C.F.R. Part 136 for the analysis of pollutants or pollutant parameters or as required under 40 C.F.R. chapter 1, subchapter N or O. For the purposes of this paragraph, a method is sufficiently sensitive when the method has the lowest ML of the analytical methods approved under 40 C.F.R. Part 136 or required under 40 C.F.R. chapter 1, subchapter N or O for the measured pollutant or pollutant parameter, or when:
1. The method minimum level (ML) is at or below the level of the most stringent effluent limitation established in the permit for the measured pollutant or pollutant parameter, and;
    - a. The method ML is at or below the level of the most stringent applicable water quality criterion for the measured pollutant or pollutant parameter, or;
    - b. The method ML is above the applicable water quality criterion but the amount of the pollutant or pollutant parameter in the facility's discharge is high enough that the method detects and quantifies the level of the pollutant or pollutant parameter in the discharge.

In the case of pollutants or pollutant parameters for which there are no approved methods under 40 C.F.R. Part 136 or otherwise required under 40 C.F.R. chapter 1, subchapters N or O, monitoring must be conducted according to a test procedure specified in this Order for such pollutants or pollutant parameters. (40 C.F.R. sections 122.21(e)(3), 122.41(j)(4); 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 C.F.R. 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 Central Valley Water Board Executive Officer at any time. (40 C.F.R. section 122.41(j)(2).)
- B.** Records of monitoring information shall include:
1. The date, exact place, and time of sampling or measurements (40 C.F.R. section 122.41(j)(3)(i));
  2. The individual(s) who performed the sampling or measurements (40 C.F.R. section 122.41(j)(3)(ii));
  3. The date(s) analyses were performed (40 C.F.R. section 122.41(j)(3)(iii));
  4. The individual(s) who performed the analyses (40 C.F.R. section 122.41(j)(3)(iv));
  5. The analytical techniques or methods used (40 C.F.R. section 122.41(j)(3)(v));  
and
  6. The results of such analyses. (40 C.F.R. section 122.41(j)(3)(vi).)
- C.** Claims of confidentiality for the following information will be denied (40 C.F.R. section 122.7(b)):
1. The name and address of any permit applicant or Discharger (40 C.F.R. section 122.7(b)(1)); and
  2. Permit applications and attachments, permits and effluent data. (40 C.F.R. section 122.7(b)(2).)

#### **V. STANDARD PROVISIONS – REPORTING**

##### **A. Duty to Provide Information**

The Discharger shall furnish to the Central Valley Water Board, State Water Board, or U.S. EPA within a reasonable time, any information which the Central Valley Water Board, State Water Board, or U.S. EPA 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 Central Valley Water Board, State Water Board, or U.S. EPA copies of records required to be kept by this Order. (40 C.F.R. section 122.41(h); Wat. Code, sections 13267, 13383.)

## **B. Signatory and Certification Requirements**

1. All applications, reports, or information submitted to the Central Valley Water Board, State Water Board, and/or U.S. EPA shall be signed and certified in accordance with Standard Provisions – Reporting V.B.2, V.B.3, V.B.4, V.B.5, and V.B.6 below. (40 C.F.R. section 122.41(k).)
2. All permit applications shall be signed 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 U.S. EPA). (40 C.F.R. section 122.22(a)(3).)
3. All reports required by this Order and other information requested by the Central Valley Water Board, State Water Board, or U.S. EPA shall be signed by a person described in Standard Provisions – Reporting V.B.2 above, 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 Standard Provisions – Reporting V.B.2 above (40 C.F.R. section 122.22(b)(1));
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a 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 C.F.R. section 122.22(b)(2)); and
  - c. The written authorization is submitted to the Central Valley Water Board and State Water Board. (40 C.F.R. section 122.22(b)(3).)
4. If an authorization under Standard Provisions – Reporting V.B.3 above 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 Standard Provisions – Reporting V.B.3 above must be submitted

to the Central Valley Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 C.F.R. section 122.22(c).)

5. Any person signing a document under Standard Provisions – Reporting V.B.2 or V.B.3 above 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 C.F.R. section 122.22(d).)

6. Any person providing the electronic signature for such documents described in Standard Provision – V.B.1, V.B.2, or V.B.3 that are submitted electronically shall meet all relevant requirements of Standard Provisions – Reporting V.B, and shall ensure that all of the relevant requirements of 40 C.F.R. part 3 (Cross-Media Electronic Reporting) and 40 C.F.R. part 127 (NPDES Electronic Reporting Requirements) are met for that submission. (40 C.F.R section 122.22(e).)

### **C. Monitoring Reports**

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. (40 C.F.R. section 122.41(l)(4).)
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Central Valley Water Board or State Water Board for reporting the results of monitoring, sludge use, or disposal practices. As of 21 December 2016, all reports and forms must be submitted electronically to the initial recipient, defined in Standard Provisions – Reporting V.J, and comply with 40 C.F.R. part 3, section 122.22, and 40 C.F.R. part 127. (40 C.F.R. section 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 C.F.R. part 136, or another method required for an industry-specific waste stream under 40 C.F.R. subchapters N or O, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Central Valley Water Board. (40 C.F.R. section 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 C.F.R. section 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 C.F.R. section 122.41(l)(5).)

#### **E. Twenty-Four Hour Reporting**

1. The Discharger shall report any noncompliance which 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 report shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The report 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.

For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (combined sewer overflows, sanitary sewer overflows, or bypass events), type of sewer overflow structure (e.g., manhole, combined sewer overflow outfall), discharge volumes untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the sewer overflow event, and whether the noncompliance was related to wet weather.

As of 21 December 2020 all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events must be submitted electronically to the initial recipient (State Water Board) defined in Standard Provisions – Reporting V.J. The reports shall comply with 40 C.F.R. part 3. They may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 C.F.R. section 122.41(l)(6)(i).)

#### **F. Planned Changes**

The Discharger shall give notice to the Central Valley 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 C.F.R. section 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 section 122.29(b) (40 C.F.R. section 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 that are not subject to effluent limitations in this Order. (40 C.F.R. section 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 permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. (40 C.F.R. section 122.41(l)(1)(iii).)

**G. Anticipated Noncompliance**

The Discharger shall give advance notice to the Central Valley Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with this Order's requirements. (40 C.F.R. section 122.41(l)(2).)

**H. Other Noncompliance**

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting V.C, V.D, and V.E above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E above. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall contain the information described in Standard Provision – Reporting V.E and the applicable required data in appendix A to 40 C.F.R. part 127. The Central Valley Water Board may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 C.F.R. section 122.41(l)(7).)

**I. Other Information**

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Central Valley Water Board, State Water Board, or U.S. EPA, the Discharger shall promptly submit such facts or information. (40 C.F.R. section 122.41(l)(8).)

**J. Initial Recipient for Electronic Reporting Data**

The owner, operator, or the duly authorized representative is required to electronically submit NPDES information specified in appendix A to 40 C.F.R. part 127 to the appropriate initial recipient, as determined by U.S. EPA, and as defined in 40 C.F.R. section 127.2(b). U.S. EPA will identify and publish the list of initial

recipients on its website and in the Federal Register, by state and by NPDES data group [see 40 C.F.R. section 127.2(c)]. U.S. EPA will update and maintain this listing. (40 C.F.R. section 122.41(l)(9).)

## **VI. STANDARD PROVISIONS – ENFORCEMENT**

- A.** The Central Valley Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13350, 13385, 13386, and 13387.

## **VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS**

### **A. Publicly-Owned Treatment Works (POTWs)**

All POTWs shall provide adequate notice to the Central Valley Water Board of the following (40 C.F.R. section 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 C.F.R. section 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 C.F.R. section 122.42(b)(2).)
3. 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 C.F.R. section 122.42(b)(3).)

E.

## ATTACHMENT E – MONITORING AND REPORTING PROGRAM

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## **ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)**

The Code of Federal Regulations (40 C.F.R. section 122.48) requires that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 authorize the Central Valley Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. This MRP establishes monitoring and reporting requirements that implement federal and California requirements.

### **I. GENERAL MONITORING PROVISIONS**

- A.** Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring locations specified below and, unless otherwise specified, before the monitored flow joins or is diluted by any other waste stream, body of water, or substance. Monitoring locations shall not be changed without notification to and the approval of the Central Valley Water Board.
- B.** Final effluent samples shall be taken downstream of the last addition of wastes to the treatment or discharge works where a representative sample may be obtained prior to mixing with the receiving waters. Samples shall be collected at such a point and in such a manner to ensure a representative sample of the discharge.
- C.** Chemical, bacteriological, and bioassay analyses of any material required by this Order shall be conducted by a laboratory accredited for such analyses by the State Water Resources Control Board (State Water Board), Division of Drinking Water (DDW; formerly the Department of Public Health), in accordance with the provision of Water Code section 13176. Laboratories that perform sample analyses must be identified in all monitoring reports submitted to the Central Valley Water Board. In the event an accredited laboratory is not available to the Discharger for any onsite field measurements such as pH, dissolved oxygen (DO), turbidity, temperature, and residual chlorine, such analyses performed by a non-accredited laboratory will be accepted provided a Quality Assurance-Quality Control Program is instituted by the laboratory. A manual containing the steps followed in this program for any onsite field measurements such as pH, DO, turbidity, temperature, and residual chlorine must be kept onsite in the treatment facility laboratory and shall be available for inspection by Central Valley Water Board staff. The Discharger must demonstrate sufficient capability (qualified and trained employees, properly calibrated and maintained field instruments, etc.) to adequately perform these field measurements. The Quality Assurance-Quality Control Program must conform to U.S. EPA guidelines or to procedures approved by the Central Valley Water Board.
- D.** Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary, at least yearly, to ensure their

continued accuracy. All flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices.

- E.** Monitoring results, including noncompliance, shall be reported at intervals and in a manner specified in this Monitoring and Reporting Program.
- F.** Laboratory analytical methods shall be sufficiently sensitive in accordance with the Sufficiently Sensitive Methods Rule (SSM Rule) specified under 40 C.F.R. 122.21(e)(3) and 122.44(i)(1)(iv). A U.S. EPA-approved analytical method is sufficiently sensitive for a pollutant/parameter where:
  - 1. The method minimum level (ML) is at or below the applicable water quality objective for the receiving water, or;
  - 2. The method ML is above the applicable water quality objective for the receiving water but the amount of the pollutant/parameter in the discharge is high enough that the method detects and quantifies the level of the pollutant/parameter, or;
  - 3. the method ML is above the applicable water quality objective for the receiving water, but the ML is the lowest of the 40 C.F.R. 136 U.S. EPA-approved analytical methods for the pollutant/parameter.
- G.** The Discharger shall ensure that the results of the Discharge Monitoring Report-Quality Assurance (DMR-QA) Study or the most recent Water Pollution Performance Evaluation Study are submitted annually to the State Water Resources Control Board at the following address or electronically via email to the DMR-QA Coordinator:  
  
State Water Resources Control Board  
Quality Assurance Program Officer  
Office of Information Management and Analysis  
1001 I Street, Sacramento, CA 95814
- H.** The Discharger shall file with the Central Valley Water Board technical reports on self-monitoring performed according to the detailed specifications contained in this Monitoring and Reporting Program.

## **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:

**Table E-1. Monitoring Station Locations**

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
--	INF-001	A location where a representative sample of the Facility influent can be obtained prior to any additives, treatment processes, and plant return flows. Latitude: 39°56'48.3"N - Longitude: 120°56'25.4"W
001	EFF-001	A location where a representative sample of the Facility effluent can be obtained prior to discharge to Spanish Creek. Latitude: 39°56'51.8" - Longitude: 120°56'26.0"W
002	LND-001	A location where a representative sample of the Facility effluent can be obtained immediately after the chlorine contact basin and prior to the irrigation pond. Latitude: 39°56'51.8"N - Longitude: 120°56'26.0"W
--	RSW-001	In Spanish Creek, approximately 100 feet upstream of Discharge Point 001. Latitude: 39°57'10.5"N - Longitude: 120°56'04.0"W
--	RSW-002	In Spanish Creek, approximately 150 feet downstream of Discharge Point 001. Latitude: 39°57'11.5"N - Longitude: 120°56'01.1"W
--	PND-001	A location where a representative sample can be taken from the Irrigation Pond. Latitude: 39°56'52.8"N - Longitude: 120°56'20.5"W
--	BIO-001	A location where a representative sample of the biosolids can be obtained. Latitude: 39°56'52.7"N - Longitude: 120°56'23.6"W

**Table E-1 Note:**

1. The North latitude and West longitude information in Table E-1 are approximate for administrative purposes.

**III. INFLUENT MONITORING REQUIREMENTS**

**A. Monitoring Location INF-001**

1. The Discharger shall monitor influent to the Facility at INF-001 in accordance with Table E-2 and the testing requirements described in section III.A.2 below:

**Table E-2. Influent Monitoring**

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow	MGD	Meter	Continuous
pH	standard units	Grab	1/Week

Parameter	Units	Sample Type	Minimum Sampling Frequency
Biochemical Oxygen Demand, 5-day @ 20° Celcius (BOD <sub>5</sub> )	mg/L	24-hour Composite	1/Week
Total Suspended Solids (TSS)	mg/L	24-hour Composite	1/Week

2. **Table E-2 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-2:
- a. **Applicable to all parameters.** Parameters shall be analyzed using the analytical methods described in 40 CFR part 136; or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.
  - b. **Grab Samples.** All grab samples shall not be collected at the same time each day to get a complete representation of variations in the influent.
  - c. **24-Hour Composite Samples.** All composite samples shall be collected from a 24-hour flow proportional composite.
  - d. **Handheld Field Meter.** A handheld field meter may be used for pH, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.

#### IV. EFFLUENT MONITORING REQUIREMENTS

##### A. Monitoring Location EFF-001

1. When discharging to Spanish Creek, the Discharger shall monitor treated wastewater at EFF-001 in accordance with Table E-3 and the testing requirements described in section IV.A.2 below:

**Table E-3. Effluent Monitoring**

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow	MGD	Meter	Continuous
Biochemical Oxygen Demand, 5-day @ 20° Celcius (BOD <sub>5</sub> )	mg/L	24-hour Composite	1/Week



<b>Parameter</b>	<b>Units</b>	<b>Sample Type</b>	<b>Minimum Sampling Frequency</b>
BOD <sub>5</sub>	% removal	Calculate	1/Week
Oil and Grease	mg/L	Grab	1/Year
pH	standard units	Grab	1/Day
Total Suspended Solids (TSS)	mg/L	24-hour Composite	1/Week
TSS	% removal	Calculate	1/Week
Ammonia Nitrogen, Total (as N)	mg/L	Grab	1/Week
Total Kjeldahl Nitrogen	mg/L	Grab	1/Month
Nitrate Plus Nitrite (as N)	mg/L	Grab	1/Month
Total Nitrogen	mg/L	Grab	1/Week
Copper, Total	µg/L	Grab	1/Month
Lead, Total	µg/L	Grab	1/Month
Iron, Total	µg/L	Grab	1/Year
Dissolved Oxygen	mg/L	Grab	1/Month
Dissolved Organic Carbon	mg/L	24-hour composite	1/Quarter
Electrical Conductivity @ 25°Celsius	µmhos/cm	Grab	1/Month
Hardness, Total (as CaCO <sub>3</sub> )	mg/L	Grab	1/Month
Temperature	°F	Grab	1/Week
Total Dissolved Solids	mg/L	Grab	1/Month
Chlorine, Total Residual	mg/L	Meter	Continuous
Total Coliform Organisms	MPN/100 mL	Grab	1/Week
Benzo(a)Anthracene	µg/L	Grab	1/Quarter (see table note k)
Benzo(a)Pyrene	µg/L	Grab	1/Quarter (see table note k)
Benzo(b)Fluoranthene	µg/L	Grab	1/Quarter (see table note k)
Benzo(k)Fluoranthene	µg/L	Grab	1/Quarter (see table note k)
Chrysene	µg/L	Grab	1/Quarter (see table note k)
Whole Effluent Toxicity	(see permit Section V)	(see permit Section V)	(see permit Section V)
Total Trihalomethanes	µg/L	Grab	1/Quarter
Priority Pollutants and Other Constituents of Concern	(see Section IX.C)	(see Section IX.C)	(see Section IX.D)

2. **Table E-3 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-3:
- a. **Applicable to all parameters.** Parameters shall be analyzed using the analytical methods described in 40 CFR part 136 or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.
  - b. **24-hour composite samples** shall be collected from a 24-hour flow proportional composite.
  - c. **Handheld Field Meter.** A handheld field meter may be used for **temperature** and **pH**, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.
  - d. **Temperature** and **pH** shall be recorded at the time of **ammonia** sample collection.
  - e. **Continuous Analyzers.** The discharger shall report documented routine meter maintenance activities including date, time of day, and duration, in which the analyzer(s) are not in operation. If analyzer(s) fail to provide continuous monitoring for more than two hours and influent and/or effluent from the disinfection process is not diverted for retreatment, the Discharger shall obtain and report hourly manual and/or grab sample results.
  - f. **Whole Effluent Toxicity.** Ammonia samples shall be collected concurrently with whole effluent toxicity monitoring.
  - g. **Total Residual Chlorine** must be monitored using an analytical method that is sufficiently sensitive to measure at the permitted level of 0.01 mg/L.
  - h. **Hardness** samples shall be collected concurrently with metals samples.
  - i. **Total Coliform Organisms.** Samples for total coliform organisms may be collected at any point following disinfection.
  - j. **Priority Pollutants.** For all priority pollutant constituents listed in Table E-3 (Bis (2-ethylhexyl) phthalate, Persistent Chlorinated Hydrocarbon Pesticides and Priority Pollutants and Other Constituents of Concern) the RL shall be consistent with sections 2.4.2 and 2.4.3 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed

Bays, and Estuaries of California (State Implementation Policy or SIP) and the SSM Rule specified under 40 C.F.R. sections 122.21(e)(3) and 122.44(i)(1)(iv).

- k. **Whole Effluent Toxicity monitoring** shall be in accordance with section V of this MRP.
  - l. **Benzo(a)Anthracene, Benzo(a)Pyrene, Benzo(b)Fluoranthene, Benzo(k)Fluoranthene, Chrysene.** Quarterly effluent monitoring required for one year in 2025 per Attachment F – Section IV.C.3.b.
  - m. **Redundant Sampling.** The Discharger is not required to conduct effluent monitoring for constituents that have already been sampled in a given month, as required in Table E-3, with the exception of hardness which shall be sampled concurrently with the hardness-dependent metals (cadmium, chromium III, lead, nickel, silver, and zinc).
3. **Intermittent Discharge.** If the discharge is intermittent rather than continuous, then on the first day of each such intermittent discharge, the Discharger shall monitor and record for all of the constituents listed above, after which the frequencies of analysis given in the schedule shall apply for the duration of each such intermittent discharge. In no event shall the Discharger be required to monitor and record data more often than twice the frequencies listed in the schedule.

## V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

- A. **Chronic Toxicity Testing.** The Discharger shall meet the following chronic toxicity testing requirements:
- 1. **Instream Waste Concentration (IWC) for Chronic Toxicity.** The chronic toxicity IWC is 100 percent effluent.
  - 2. **Routine Monitoring Frequency.** The Discharger shall perform routine chronic toxicity testing twice per calendar year in years in which there are at least 15 days of discharge in at least one calendar quarter, concurrent with effluent ammonia sampling.
  - 3. **Calendar Month.** The calendar month is defined as the period of time beginning on the day of the initiation of the routine monitoring to the day before the corresponding day of the next month if the corresponding day exists, or if not to the last day of the next month (e.g., from January 1 to January 31, from June 15 to July 14, or from January 31 to February 28).
  - 4. **Chronic Toxicity MMET Testing.** If a routine chronic toxicity monitoring test results in a “fail” at the IWC, then a maximum of two chronic toxicity MMET tests shall be completed. The chronic toxicity MMET tests shall be initiated within the same calendar month that the routine chronic toxicity monitoring test was

initiated that resulted in the “fail” at the IWC. If the first chronic toxicity MMET test results in a “fail” at the IWC, then the second chronic toxicity MMET test is unnecessary and is waived.

5. **Additional Routine Monitoring Tests for TRE Determination.** In order to determine if a TRE is necessary an additional routine monitoring test is required when one chronic toxicity MDET or MMET is not met, but not two in a single calendar month. The calendar month in which the MMET or MDET was not met and the calendar month of the additional routine monitoring shall be considered “successive calendar months” for purposes of determining whether a TRE is required. This additional routine monitoring test could result in the need to conduct MMET tests per Section V.A.4 above.
5. **Sample Volumes.** Adequate sample volumes shall be collected to provide renewal water to complete the test in the event that the discharge is intermittent.
6. **Test Species.** The testing shall be conducted using the most sensitive species. The Discharger shall conduct chronic toxicity tests with *Ceriodaphnia dubia*, unless otherwise specified in writing by the Executive Officer.
7. **Test Methods.** Discharger shall conduct the chronic toxicity tests on effluent samples at the instream waste concentration for the discharge in accordance with species and test methods in Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms (EPA/821/R02/013, 2002; Table IA, 40 C.F.R. part 136).
8. **Dilution and Control Water.** Dilution water and control water shall be laboratory water prepared and used as specified in the test methods manual. If dilution water and control water is different from test organism culture water, then a second control using culture water shall also be used.
9. **Test Failure.** If the effluent chronic toxicity test does not meet all test acceptability criteria (TAC) specified in the referenced test method in EPA/821-R-02-013, the Discharger must conduct a Replacement Test as soon as possible, as specified in subsection B.10, below.
10. **Replacement Test.** When a required toxicity test for routine monitoring or MMET tests is not completed, a new toxicity test to replace the toxicity test that was not completed shall be initiated as soon as possible. The new toxicity test shall replace the routine monitoring or MMET tests, as applicable, for the calendar month in which the toxicity test that was not completed was required to be initiated, even if the new toxicity test is initiated in a subsequent month. The new toxicity test for routine monitoring or MMET tests, as applicable, and any MMET tests required to be conducted due to the results of the new toxicity test shall be used to determine if the MMET and the MDET are met for the calendar month in which the toxicity test that was not completed was required to be initiated. The new toxicity test and any MMET tests required to be conducted due to the results

of the new toxicity test shall not be used to substitute for any other required toxicity tests.

Any specific monitoring event is not required to be initiated in the required time period when the Central Valley Water Board staff determines that the test was not initiated in the required time period due to circumstances outside of the Discharger's control that were not preventable with the reasonable exercise of care, and the Discharger promptly initiates, and ultimately completes, a replacement test.

**B. Quality Assurance and Additional Requirements.** Quality assurance measures, instructions, and other recommendations and requirements are found in the test methods manual previously referenced. Additional requirements are below.

1. The discharge is subject to determination of "Pass" or "Fail" from a chronic toxicity test using the Test of Significant Toxicity (TST) statistical t-test approach described in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, 2010), Appendix A, Figure A-1 and Table A-1 (Chronic Freshwater and East Coast Methods) and Appendix B, Table B-1.

2. The null hypothesis (Ho) for the TST statistical approach is:

Mean discharge IWC response  $\leq$  RMD x Mean control response, where the chronic RMD = 0.75.

A test result that rejects this null hypothesis is reported as "Pass." A test result that does not reject this null hypothesis is reported as "Fail."

3. The relative "Percent Effect" at the discharge IWC is defined and reported as:

Percent Effect = ((Mean control response – Mean discharge IWC response) / Mean control response) x 100.

This is a t-test (formally Student's t-Test), a statistical analysis comparing two sets of replicate observations, i.e., a control and IWC. The purpose of this statistical test is to determine if the means of the two sets of observations are different (i.e., if the IWC or receiving water concentration differs from the control, the test result is "Pass" or "Fail"). The Welch's t-test employed by the TST statistical approach is an adaptation of Student's t-test and is used with two samples having unequal variances.

**C. WET Testing Notification Requirements.** The Discharger shall notify the Central Valley Water Board of test results exceeding the chronic toxicity effluent monitoring target as soon as the Discharger learns of the exceedance, but no later than 24-hours after receipt of the monitoring results.

- D. WET Testing Reporting Requirements.** The Discharger shall submit the full laboratory report for all toxicity testing as an attachment to CIWQS for the reporting period (e.g., monthly, quarterly, semi-annually or annually) and provide the data (i.e., Pass/Fail) in the PET tool for uploading into CIWQS. The laboratory report shall include:
1. The valid toxicity test results for the TST statistical approach, reported as “Pass” or “Fail” and “Percent Effect” at the IWC for the discharge, the dates of sample collection and initiation of each toxicity test, all results for effluent parameters monitored concurrently with the toxicity test(s); and progress reports on TRE investigations.
  2. The statistical analysis used in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, 2010) Appendix A, Figure A-1 and Table A-1, and Appendix B, Table B-1.
  3. Statistical program (e.g., TST calculator, CETIS, etc.) output results, including graphical plots, for each toxicity test.
- E. Most Sensitive Species Screening.** The Discharger shall perform rescreening to re-evaluate the most sensitive species. **The species sensitivity screening shall be conducted as follows and the results submitted with the Report of Waste Discharge.**
1. **Frequency of Testing for Species Sensitivity Screening.** Species sensitivity screening for chronic toxicity shall include, at a minimum, chronic WET testing four consecutive calendar quarters using the water flea (*Ceriodaphnia dubia*), fathead minnow (*Pimephales promelas*), and green alga (*Pseudokirchneriella subcapitata*). The tests shall be performed at an IWC of no less than 100 percent effluent. An effluent concentration greater than the IWC may be used for the species sensitivity screening.
  2. **Determination of Most Sensitive Species.** If a single test in the species sensitivity screening testing results in a “Fail” using the TST statistical approach, then the species used in that test shall be established as the most sensitive species. If there is more than a single test that results in a “Fail”, then of the species with results of a “Fail”, the species that exhibits the highest percent effect shall be established as the most sensitive species. If none of the tests in the species sensitivity screening results in a “Fail”, but at least one of the species exhibits a percent effect greater than **15** percent, then the single species that exhibits the highest percent effect shall be established as the most sensitive species. In all other circumstances, the Executive Officer shall have discretion to determine which single species is the most sensitive considering the test results from the species sensitivity screening.
- F. Toxicity Reduction Evaluations (TRE)**

1. **TRE Targets**

- a. **Chronic Whole Effluent Toxicity Median Monthly Effluent Target (MMET).** No more than one chronic aquatic toxicity test initiated in a calendar month shall result in a “Fail” at the IWC for any endpoint.
- b. **Chronic Whole Effluent Toxicity Maximum Daily Effluent Target (MDET).** No chronic aquatic toxicity test shall result in a “Fail” at the IWC for the sub-lethal endpoint measured in the test and a percent effect for the sub-lethal endpoint greater than or equal to 50 percent.

2. **TRE Implementation.** The Discharger is required to initiate a TRE when there is any combination of two or more chronic toxicity MDET or MMET are not met within a single calendar month or within two successive calendar months has occurred. In addition, if other information indicates toxicity (e.g., results of additional monitoring, results of monitoring at a higher concentration than the IWC, fish kills, intermittent recurring toxicity), the Central Valley Water Board may require a TRE. A TRE may also be required when there is no effluent available to complete a routine monitoring test or MMET test.

- a. **Preparation and Implementation of Detailed TRE Action Plan.** The Discharger shall conduct TREs in accordance with an approved TRE Work Plan. Within 30 days of the test result that triggered the TRE, the Discharger shall submit to the Executive Officer a TRE Action Plan, which per the Discharger’s approved TRE Work Plan. The TRE Action Plan shall include the following information, and comply with additional conditions set by the Executive Officer:
  - i. Specific actions the Discharger will take to investigate and identify the cause(s) of toxicity, including a TRE WET monitoring schedule;
  - ii. Specific actions the Discharger will take to mitigate the impact of the discharge and prevent the recurrence of toxicity; and
  - iii. A schedule for these actions, progress reports, and the final report.
- b. The Central Valley Water Board recognizes that toxicity may be episodic and identification of causes and reduction of sources of toxicity may not be successful in all cases. The TRE may be ended at any stage if monitoring finds there is no longer toxicity.

3. **TRE Work Plan.** The Discharger shall submit to the Central Valley Water Board a TRE Work Plan for approval by the Executive Officer by the due date in the Technical Reports Table E-11. If the Executive Officer does not disapprove the work plan within 60 days, the work plan shall become effective. The TRE Work Plan shall outline the procedures for identifying the source(s) of and reducing or eliminating effluent toxicity. The TRE Work Plan must be of adequate detail to

allow the Discharger to immediately initiate a TRE and shall be developed in accordance with U.S. EPA guidance as discussed below.

- a. Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants, EPA/833-B-99/002, August 1999.
- b. Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations (TREs), EPA/600/2-88/070, April 1989.
- c. Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures, Second Edition, EPA 600/6-91/003, February 1991.
- d. Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I, EPA/600/6-91/005F, May 1992.
- e. Methods for Aquatic Toxicity Identification Evaluations: Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity, Second Edition, EPA/600/R-92/080, September 1993.
- f. Methods for Aquatic Toxicity Identification Evaluations: Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity, Second Edition, EPA 600/R-92/081, September 1993.
- g. Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition, EPA-821-R-02-012, October 2002.
- h. Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition, EPA-821-R-02-013, October 2002.
- i. Technical Support Document for Water Quality-based Toxics Control, EPA/505/2-90-001, March 1991.

**VI. LAND DISCHARGE MONITORING REQUIREMENTS**

**A. Monitoring Location LND-001**

1. When not discharging to Spanish Creek, the Discharger shall monitor treated wastewater at LND-001 in accordance with Table E-4 and the testing requirements described in section VI.A.2 below:

**Table E-4. Land Discharge Monitoring Requirements**

<b>Parameter</b>	<b>Units</b>	<b>Sample Type</b>	<b>Minimum Sampling Frequency</b>
Flow	MGD	Meter	Continuous
Biochemical Oxygen Demand, 5-day @ 20°Celsius (BOD5)	mg/L	24-hour Composite	1/Week



Parameter	Units	Sample Type	Minimum Sampling Frequency
Total Suspended Solids (TSS)	mg/L	24-hour Composite	1/Week
Chlorine, Total Residual	mg/L	Meter	Continuous
Total Coliform Organisms	MPN/100 mL	Grab	1/Week
Ammonia Nitrogen, Total (as N)	mg/L	Grab	1/Week
Total Kjeldahl Nitrogen	mg/L	Grab	1/Month
Nitrate Plus Nitrite (as N)	mg/L	Grab	1/Month
Total Nitrogen	mg/L	Grab	1/Week
Electrical Conductivity @ 25° Celcius	µmhos/cm	Grab	1/Month
Iron, Total	µg/L	Grab	1/Year
Total Trihalomethanes	µg/L	Grab	1/Quarter
Standard Minerals	µg/L	Grab	1/Year

2. **Table E-4 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-4:
- a. **Applicable to all parameters.** Parameters shall be analyzed using the analytical methods described in 40 CFR part 136 or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.
  - b. **Total Residual Chlorine** must be monitored using an analytical method that is sufficiently sensitive to measure at the permitted level of 0.01 mg/L.
  - c. **Total Coliform Organisms.** Samples for total coliform organisms may be collected at any point following disinfection prior to the irrigation pond.
  - d. **Continuous analyzers.** The Discharger shall report documented routine meter maintenance activities including date, time of day, and duration, in which the analyzer(s) is not in operation. If analyzer(s) fail to provide continuous monitoring for more than two hours and influent and/or effluent from the disinfection process is not diverted for retreatment, the Discharger shall obtain and report hourly manual and/or grab sample results.
  - e. **Standard minerals** shall include the following: boron, calcium, iron, magnesium, potassium, sodium, chloride, manganese, phosphorus, total alkalinity (including alkalinity series), and hardness, and include verification that the analysis is complete (i.e., cation/anion balance).

- f. **Redundant Sampling.** The Discharger is not required to conduct effluent monitoring for constituents that have already been sampled in a given month, as required in Table E-3, with the exception of hardness which shall be sampled concurrently with the hardness-dependent metals (cadmium, chromium III, lead, nickel, silver, and zinc).

**VII. RECYCLING MONITORING REQUIREMENTS – NOT APPLICABLE**

**VIII. RECEIVING WATER MONITORING REQUIREMENTS**

**A. Monitoring Location RSW-001 & RSW-002**

1. When discharging to Spanish Creek, the Discharger shall monitor Spanish Creek at Monitoring Locations RSW-001 and RSW-002 in accordance with Table E-5 and the testing requirements described in section VIII.A.2 below:

**Table E-5. Receiving Water Monitoring Requirements**

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow	cfs	Meter	Continuous
pH	standard units	Grab	1/Week
E. coli	cfu/100 mL	Grab	1/Week
Dissolved Oxygen	mg/L	Grab	1/Week
Dissolved Organic Carbon	mg/L	Grab	1/Quarter
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/Month
Hardness, Total (as CaCO <sub>3</sub> )	mg/L	Grab	1/Month
Temperature	°F	Grab	1/Week
Total Dissolved Solids	mg/L	Grab	1/Month
Turbidity	NTU	Grab	1/Week
Benzo(a)Anthracene	µg/L	Grab	1/Quarter (see table note g)
Benzo(a)Pyrene	µg/L	Grab	1/Quarter (see table note g)
Benzo(b)Fluoranthene	µg/L	Grab	1/Quarter (see table note g)
Benzo(k)Fluoranthene	µg/L	Grab	1/Quarter (see table note g)
Chrysene	µg/L	Grab	1/Quarter (see table note g)

2. **Table E-5 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-5:

- a. **Flow.** Receiving water flow shall be measured at the Feather River Coordinated Resource Management (FRCRM) gauging station or the United States Geological Survey (USGS) gauging station (11401920) on Spanish Creek.
  - b. **Applicable to all parameters.** Parameters shall be analyzed using the analytical methods described in 40 CFR part 136; or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.
  - c. **Applicable to all parameters.** A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.
  - d. **Grab Samples.** All grab samples shall not be collected at the same time each day to get a complete representation of variations in the receiving water.
  - e. **Priority Pollutants.** For all priority pollutant constituents listed in Table E-5 (Bis (2-ethylhexyl) phthalate, Persistent Chlorinated Hydrocarbon Pesticides and Priority Pollutants and Other Constituents of Concern) the RL shall be consistent with sections 2.4.2 and 2.4.3 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy or SIP) and the SSM Rule specified under 40 C.F.R. sections 122.21(e)(3) and 122.44(i)(1)(iv).
  - f. **Hardness** samples shall be collected concurrently with metals samples.
  - g. **Benzo(a)Anthracene, Benzo(a)Pyrene, Benzo(b)Fluoranthene, Benzo(k)Fluoranthene, Chrysene.** Quarterly receiving water monitoring required for one year in 2025 per Attachment F – Section IV.C.3.b.
3. In conducting the receiving water sampling, a log shall be kept of the receiving water conditions throughout the reach bounded by RSW-001 and RSW-002 when discharging to the Spanish Creek. Attention shall be given to the presence of:
- a. Floating or suspended matter;
  - b. Discoloration;
  - c. Bottom deposits;

- d. Aquatic life;
- e. Visible films, sheens, or coatings;
- f. Fungi, slimes, or objectionable growths; and
- g. Potential nuisance conditions.

Notes on receiving water conditions shall be summarized in the monitoring report.

**IX. OTHER MONITORING REQUIREMENTS**

**A. Biosolids**

1. Monitoring Location BIO-001

- a. A composite sample of sludge shall be collected once during the permit term at Monitoring Location BIO-001 in accordance with EPA's POTW Sludge Sampling and Analysis Guidance Document, August 1989, and tested for priority pollutants (excluding asbestos).
- b. Biosolids monitoring shall be conducted using the methods in Test Methods for Evaluating Solid Waste, Physical/Chemical methods (EPA publication SW-846), as required in 40 C.F.R. section 503.8(b)(4). All results must be reported on a 100% dry weight basis. Records of all analyses must state on each page of the laboratory report whether the results are expressed in "100% dry weight" or "as is."

**B. Pond Monitoring Requirements**

1. Monitoring Location PND-001

- a. The Discharger shall monitor the irrigation pond at Monitoring Location PND-001 as follows:

**Table E-6. Pond Monitoring**

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Liquid Depth and Freeboard	feet	Visual/ Measurement	1/Month	Visual
Dissolved Oxygen	mg/L	Grab	1/Month	See table note
Seepage Through Pond Dikes	Presence/ Absence	Visual	1/Month	Visual

Excessive Odors or Other Nuisances	Presence/ Absence	Observation	1/Month	Visual
Excessive Weed Growth in Pond	Presence/ Absence	Visual	1/Month	Visual

**Table E-6 Notes:**

- Dissolved Oxygen:** A hand-held field meter may be used, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.

**C. Pyrethroid Pesticides Monitoring**

- Water Column Chemistry Monitoring Requirements.** The Discharger shall conduct effluent and receiving water (Spanish Creek) baseline monitoring in accordance with Table E-7. Quarterly monitoring shall be conducted for **one year beginning with the first quarter of 2025, and may be conducted** concurrent with an Effluent and Receiving Water Characterization Monitoring event. The discharger shall also submit a minimum of one quality assurance/quality control (QA/QC) sample during the year to be analyzed for the constituents listed in Table E-7.

The monitoring shall be conducted in the effluent at monitoring location EFF-001 and downstream receiving water at monitoring location RSW-002 and the results of such monitoring be submitted to the Central Valley Water Board with the quarterly self-monitoring reports. The Discharger shall use Environmental Laboratory Accreditation Program (ELAP)-accredited laboratories and methods validated by Central Valley Water Board staff for pyrethroid pesticides water column chemistry monitoring. A current list of ELAP-approved laboratories and points of contact can be found on the [Central Valley Water Board's Pyrethroid Pesticides TMDL and Basin Plan Amendment Webpage](https://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/central_valley_pesticides/pyrethroid_tmdl_bpa/index.html), [https://www.waterboards.ca.gov/centralvalley/water\\_issues/tmdl/central\\_valley\\_projects/central\\_valley\\_pesticides/pyrethroid\\_tmdl\\_bpa/index.html](https://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/central_valley_pesticides/pyrethroid_tmdl_bpa/index.html).

Monitoring can either be conducted by the Discharger or can be done as part of a group monitoring effort. If the Discharger chooses to participate in a group monitoring effort, the timing and the other study requirements of the monitoring can be modified by the Executive Officer.

**Table E-7. Pyrethroid Pesticides Monitoring**

Parameter	CAS Number	Sample Units	Sample Type	Analytical Method	Reporting Level
Total Bifenthrin	82657-04-3	ng/L	Grab	See table note 1	1.3

Parameter	CAS Number	Sample Units	Sample Type	Analytical Method	Reporting Level
Total Cyfluthrin	68359-37-5	ng/L	Grab	See table note 1	1.3
Total Cypermethrin	52315-07-8	ng/L	Grab	See table note 1	1.7
Total Esfenvalerate	51630-58-1	ng/L	Grab	See table note 1	3.3
Total Lambda-cyhalothrin	91465-08-6	ng/L	Grab	See table note 1	1.2
Total Permethrin	52645-53-1	ng/L	Grab	See table note 1	10
Freely Dissolved Bifenthrin	82657-04-3	ng/L	Calculated	Calculated from total concentration	--
Freely Dissolved Cyfluthrin	68359-37-5	ng/L	Calculated	Calculated from total concentration	--
Freely Dissolved Cypermethrin	52315-07-8	ng/L	Calculated	Calculated from total concentration	--
Freely Dissolved Esfenvalerate	51630-58-1	ng/L	Calculated	Calculated from total concentration	--
Freely Dissolved Lambda-cyhalothrin	91465-08-6	ng/L	Calculated	Calculated from total concentration	--
Freely Dissolved Permethrin	52645-53-1	ng/L	Calculated	Calculated from total concentration	--
Dissolved Organic Carbon (DOC)	--	mg/L	Grab	--	--
Total Organic Carbon (TOC)	--	mg/L	Grab	--	--

Table Notes:

1. The Discharger shall use ELAP-accredited laboratories and methods validated by Central Valley Water Board staff for pyrethroid pesticides water column chemistry monitoring. A current list of ELAP-approved laboratories and points of contact can be found on the [Central Valley Water Board's Pyrethroid Pesticides TMDL and Basin Plan Amendment Webpage](#).

The freely dissolved concentration of each quantified pyrethroid pesticide in a sample may be directly measured or estimated using partition coefficients. Methods for direct measurement must be approved by the Executive Officer before they are used to determine the freely dissolved pyrethroid concentrations

that are used for determining exceedances of the pyrethroid pesticides numeric triggers.

To estimate the freely dissolved concentration of a pyrethroid pesticide with partition coefficients, the following equation shall be used:

$$C_{dissolved} = C_{total} / (1 + (K_{OC} \times [POC]) + (K_{DOC} \times [DOC]))$$

Where:

C dissolved = concentration of an individual pyrethroid pesticide that is in the freely dissolved phase (ng/L),

C total = total concentration of an individual pyrethroid pesticide in water (ng/L),

KOC = organic carbon-water partition coefficient for the individual pyrethroid pesticide (L/kg),

[POC] = concentration of particulate organic carbon in the water sample (kg/L), which can be calculated as [POC]=[TOC]-[DOC],

[TOC] = total organic carbon in the sample (kg/L)

KDOC = dissolved organic carbon-water partition coefficient (L/kg),

[DOC] = concentration of dissolved organic carbon in the sample (kg/L).

Site-specific or alternative study-based partition coefficients approved by the Executive Officer may be used for KOC and KDOC in the above equation. If site-specific or alternative study-based partition coefficients are not available or have not been approved, the following partition coefficients shall be used for KOC and KDOC in the above equation:

**Table E-8. Pyrethroid Pesticide Partition Coefficients**

<b>Pyrethroid Pesticide</b>	<b>Receiving water KOC (L/kg)</b>	<b>Receiving water KDOC (L/kg)</b>	<b>Effluent KOC (L/kg)</b>	<b>Effluent KDOC (L/kg)</b>
Bifenthrin	4,228,000	1,737,127	15,848,932	800,000
Cyfluthrin	3,870,000	2,432,071	3,870,000	2,432,071
Cypermethrin	3,105,000	762,765	6,309,573	200,000
Esfenvalerate	7,220,000	1,733,158	7,220,000	1,733,158
Lambda-cyhalothrin	2,056,000	952,809	7,126,428	200,000
Permethrin	6,075,000	957,703	10,000,000	200,000

- 2. Water Column Toxicity Monitoring Requirements.** When discharging to the Spanish Creek, the Discharger shall monitor the toxicity of the downstream receiving water using U.S. EPA method EPA-821-R-02-012 (Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater

and Marine Organisms, Fifth Edition, USEPA, October 2002, or most recent edition). Except as specified in this order, water column toxicity testing shall follow the measurement quality objectives provided in the Surface Water Ambient Monitoring Program (SWAMP) Quality Assurance Program Plan (SWRCB, 2018). When feasible, the Discharger shall use the Southern California Coastal Water Research Project (SCCWRP) guidance (Schiff and Greenstein, 2016) on test organism age and size for *Hyalella azteca*.

For consistency with U.S. EPA Method EPA-821-R-02-012 and ELAP accreditation, *Hyalella azteca* water column toxicity testing for baseline monitoring must be performed at 20 degrees Celsius.

**Quarterly monitoring shall be conducted for one year** concurrent with the Pyrethroid Pesticides Water Column Chemistry Monitoring . Downstream receiving water monitoring shall be conducted at monitoring location RSW-002 when discharging to the Spanish Creek and the results of such monitoring be submitted to the Central Valley Water Board with the quarterly self-monitoring reports. Monitoring can either be conducted by the Discharger or can be done as part of a group monitoring effort. If the Discharger chooses to participate in a group monitoring effort, the timing of the monitoring can be modified by the Executive Officer.

- 3. Exceedance of Numeric Triggers.** If the Pyrethroid Pesticides Water Column Chemistry Monitoring results in an exceedance of any prohibition numeric trigger, the Discharger shall submit a formal letter notifying the Central Valley Water Board of the exceedance and the Discharger's intent to submit a Pyrethroid Management Plan. The Pyrethroid Management Plan, as outlined in Section VI.C.3 of this Order, shall be submitted to the Central Valley Water Board within one year from the date that an exceedance is identified by either the Discharger or Central Valley Water Board staff. Pyrethroid concentrations that exceed the acute and/or chronic pyrethroid numeric triggers as outlined in Table 4-2 of the Basin Plan constitute an exceedance. In the absence of a pyrethroid numeric trigger exceedance, observed toxicity in the water column does not constitute a violation of the pyrethroid conditional prohibition.

Identification of an exceedance provides the information that the Pyrethroid Pesticides Water Column Chemistry Monitoring was designed to collect, per Chapter V of the Basin Plan; therefore, once an exceedance is identified, the Discharger may cease conducting subsequent Pesticides Water Column Chemistry Monitoring.

## **D. Effluent and Receiving Water Characterization**

### **1. Monitoring Frequency**



The Discharger does not discharge to the receiving water on a continuous basis. The characterization monitoring is required whether the Discharger is discharging to Spanish Creek (Discharge Point 001) or not.

- a. **Effluent Sampling.** A total of 2 samples shall be collected from the effluent (Monitoring Location EFF-001) twice during the permit term, once during 2025 and once during 2026.
  - b. **Receiving Water Sampling.** A total of 2 samples shall be collected from the upstream receiving water (Monitoring Location RSW-001) twice during the permit term, once during 2025 and once during 2026.
2. **Analytical Methods.** Constituents shall be collected and analyzed consistent with the Discharger’s Analytical Methods Report (MRP, X.D.2) using sufficiently sensitive analytical methods and Reporting Levels (RLs) per the SSM Rule specified in 40 C.F.R. 122.21(e)(3) and 122.44(i)(1)(iv). The “Reporting Level” is synonymous with the “Method Minimum Level” described in the SSM Rule. The results of the monitoring shall be submitted to the Central Valley Water Board with the quarterly self-monitoring reports. Each individual monitoring event shall provide representative sample results for the effluent and upstream receiving water.
  3. **Analytical Methods Report Certification.** Prior to beginning the Effluent and Receiving Water Characterization monitoring, the Discharger shall provide a certification acknowledging the scheduled start date of the Effluent and Receiving Water Characterization monitoring and confirming that samples will be collected and analyzed as described in the previously submitted Analytical Methods Report. If there are changes to the previously submitted Analytical Methods Report, the Discharger shall outline those changes. A one-page certification form will be provided by Central Valley Water Board staff with the permit’s Notice of Adoption that the Discharger can use to satisfy this requirement. The certification form shall be submitted electronically via CIWQS submittal by the due date in the Technical Reports Table E-11.
  4. The Discharger shall conduct effluent and receiving water characterization monitoring in accordance with Table E-9 and the testing requirements described in section IX.D.5 below.

**Table E-9. Effluent and Receiving Water Characterization Monitoring**

**VOLATILE ORGANICS**

CTR Number	Volatile Organic Parameters	CAS Number	Units	Sample Type
25	2-Chloroethyl vinyl Ether	110-75-8	µg/L	Grab
17	Acrolein	107-02-8	µg/L	Grab
18	Acrylonitrile	107-13-1	µg/L	Grab
19	Benzene	71-43-2	µg/L	Grab

CTR Number	Volatile Organic Parameters	CAS Number	Units	Sample Type
20	Bromoform	75-25-2	µg/L	Grab
21	Carbon Tetrachloride	56-23-5	µg/L	Grab
22	Chlorobenzene	108-90-7	µg/L	Grab
24	Chloroethane	75-00-3	µg/L	Grab
26	Chloroform	67-66-3	µg/L	Grab
35	Methyl Chloride	74-87-3	µg/L	Grab
23	Dibromochloromethane	124-48-1	µg/L	Grab
27	Dichlorobromomethane	75-27-4	µg/L	Grab
36	Methylene Chloride	75-09-2	µg/L	Grab
33	Ethylbenzene	100-41-4	µg/L	Grab
89	Hexachlorobutadiene	87-68-3	µg/L	Grab
34	Methyl Bromide (Bromomethane)	74-83-9	µg/L	Grab
94	Naphthalene	91-20-3	µg/L	Grab
38	Tetrachloroethylene (PCE)	127-18-4	µg/L	Grab
39	Toluene	108-88-3	µg/L	Grab
40	trans-1,2-Dichloroethylene	156-60-5	µg/L	Grab
43	Trichloroethylene (TCE)	79-01-6	µg/L	Grab
44	Vinyl Chloride	75-01-4	µg/L	Grab
21	Methyl-tert-butyl ether (MTBE)	1634-04-4	µg/L	Grab
41	1,1,1-Trichloroethane	71-55-6	µg/L	Grab
42	1,1,2-Trichloroethane	79-00-5	µg/L	Grab
28	1,1-Dichloroethane	75-34-3	µg/L	Grab
30	1,1-Dichloroethylene (DCE)	75-35-4	µg/L	Grab
31	1,2-Dichloropropane	78-87-5	µg/L	Grab
32	1,3-Dichloropropylene	542-75-6	µg/L	Grab
37	1,1,2,2-Tetrachloroethane	79-34-5	µg/L	Grab
101	1,2,4-Trichlorobenzene	120-82-1	µg/L	Grab
29	1,2-Dichloroethane	107-06-2	µg/L	Grab
75	1,2-Dichlorobenzene	95-50-1	µg/L	Grab
76	1,3-Dichlorobenzene	541-73-1	µg/L	Grab
77	1,4-Dichlorobenzene	106-46-7	µg/L	Grab

**SEMI-VOLATILE ORGANICS**

CTR Number	Semi-Organic Volatile Parameters	CAS Number	Units	Sample Type
60	Benzo(a)Anthracene	56-55-3	µg/L	Grab
85	1,2-Diphenylhydrazine	122-66-7	µg/L	Grab
45	2-Chlorophenol	95-57-8	µg/L	Grab
46	2,4-Dichlorophenol	120-83-2	µg/L	Grab
47	2,4-Dimethylphenol	105-67-9	µg/L	Grab
49	2,4-Dinitrophenol	51-28-5	µg/L	Grab

CTR Number	Semi-Organic Volatile Parameters	CAS Number	Units	Sample Type
82	2,4-Dinitrotoluene	121-14-2	µg/L	Grab
55	2,4,6-Trichlorophenol	88-06-2	µg/L	Grab
83	2,6-Dinitrotoluene	606-20-2	µg/L	Grab
50	2-Nitrophenol	88-75-5	µg/L	Grab
71	2-Chloronaphthalene	91-58-7	µg/L	Grab
78	3,3-Dichlorobenzidine	91-94-1	µg/L	Grab
62	Benzo(b)Fluoranthene	205-99-2	µg/L	Grab
52	4-Chloro-3-methylphenol	59-50-7	µg/L	Grab
48	2-Methyl-4,6-Dinitrophenol	534-52-1	µg/L	Grab
51	4-Nitrophenol	100-02-7	µg/L	Grab
69	4-Bromophenyl Phenyl Ether	101-55-3	µg/L	Grab
72	4-Chlorophenyl Phenyl Ether	7005-72-3	µg/L	Grab
56	Acenaphthene	83-32-9	µg/L	Grab
57	Acenaphthylene	208-96-8	µg/L	Grab
58	Anthracene	120-12-7	µg/L	Grab
59	Benzidine	92-87-5	µg/L	Grab
61	Benzo(a)Pyrene	50-32-8	µg/L	Grab
63	Benzo(ghi)Perylene	191-24-2	µg/L	Grab
64	Benzo(k)Fluoranthene	207-08-9	µg/L	Grab
65	Bis (2-Chloroethoxy) Methane	111-91-1	µg/L	Grab
66	Bis (2-Chloroethyl) Ether	111-44-4	µg/L	Grab
67	Bis (2-Chloroisopropyl) Ether	108-60-1	µg/L	Grab
68	Bis(2-Ethylhexyl) Phthalate	117-81-7	µg/L	Grab
70	Butylbenzyl Phthalate	85-68-7	µg/L	Grab
73	Chrysene	218-01-9	µg/L	Grab
81	Di-n-butyl Phthalate	84-74-2	µg/L	Grab
84	Di-n-Octyl Phthalate	117-84-0	µg/L	Grab
74	Dibenzo(a,h)anthracene	53-70-3	µg/L	Grab
79	Diethyl Phthalate	84-66-2	µg/L	Grab
80	Dimethyl Phthalate	131-11-3	µg/L	Grab
86	Fluoranthene	206-44-0	µg/L	Grab
87	Fluorene	86-73-7	µg/L	Grab
88	Hexachlorobenzene	118-74-1	µg/L	Grab
90	Hexachlorocyclopentadiene	77-47-4	µg/L	Grab
91	Hexachloroethane	67-72-1	µg/L	Grab
92	Indeno(1,2,3-cd) Pyrene	193-39-5	µg/L	Grab
93	Isophorone	78-59-1	µg/L	Grab
98	N-Nitrosodiphenylamine	86-30-6	µg/L	Grab
96	N-Nitrosodimethylamine	62-75-9	µg/L	Grab
97	N-Nitrosodi-n-Propylamine	621-64-7	µg/L	Grab
95	Nitrobenzene	98-95-3	µg/L	Grab
53	Pentachlorophenol (PCP)	87-86-5	µg/L	Grab

CTR Number	Semi-Organic Volatile Parameters	CAS Number	Units	Sample Type
99	Phenanthrene	85-01-8	µg/L	Grab
54	Phenol	108-95-2	µg/L	Grab
100	Pyrene	129-00-0	µg/L	Grab

**INORGANICS**

CTR Number	Inorganic Parameters	CAS Number	Units	Sample Type
NL	Aluminum	7429-90-5	µg/L	Grab
1	Antimony, Total	7440-36-0	µg/L	Grab
2	Arsenic, Total	7440-38-2	µg/L	Grab
15	Asbestos	1332-21-4	µg/L	Grab
3	Beryllium, Total	7440-41-7	µg/L	Grab
4	Cadmium, Total	7440-43-9	µg/L	Grab
5a	Chromium, Total	7440-47-3	µg/L	Grab
6	Copper, Total	7440-50-8	µg/L	Grab
NL	Iron, Total	7439-89-6	µg/L	Grab
7	Lead, Total	7439-92-1	µg/L	Grab
8	Mercury, Total	7439-97-6	µg/L	Grab
NL	Mercury, Methyl	22967-92-6	µg/L	Grab
NL	Manganese, Total	7439-96-5	µg/L	Grab
9	Nickel, Total	7440-02-0	µg/L	Grab
10	Selenium, Total	7782-49-2	µg/L	Grab
11	Silver, Total	7440-22-4	µg/L	Grab
12	Thallium, Total	7440-28-0	µg/L	Grab
13	Zinc, Total	7440-66-6	µg/L	Grab

**NON-METALS/MINERALS**

CTR Number	Non-Metal/Mineral Parameters	CAS Number	Units	Sample Type
NL	Boron	7440-42-8	µg/L	Grab
NL	Chloride	16887-00-6	mg/L	Grab
14	Cyanide, Total (as CN)	57-12-5	µg/L	Grab
NL	Sulfate	14808-79-8	mg/L	Grab
NL	Sulfide (as S)	5651-88-7	mg/L	Grab

**PESTICIDES/PCBs/DIOXINS**

CTR Number	Pesticide/PCB/Dioxin Parameters	CAS Number	Units	Sample Type
110	4,4-DDD	72-54-8	µg/L	Grab
109	4,4-DDE	72-55-9	µg/L	Grab
108	4,4-DDT	50-29-3	µg/L	Grab

CTR Number	Pesticide/PCB/Dioxin Parameters	CAS Number	Units	Sample Type
112	alpha-Endosulfan	959-98-8	µg/L	Grab
103	alpha-BHC (Benzene hexachloride)	319-84-6	µg/L	Grab
102	Aldrin	309-00-2	µg/L	Grab
113	beta-Endosulfan	33213-65-9	µg/L	Grab
104	beta-BHC (Benzene hexachloride)	319-85-7	µg/L	Grab
107	Chlordane	57-74-9	µg/L	Grab
106	delta-BHC (Benzene hexachloride)	319-86-8	µg/L	Grab
111	Dieldrin	60-57-1	µg/L	Grab
114	Endosulfan Sulfate	1031-07-8	µg/L	Grab
115	Endrin	72-20-8	µg/L	Grab
116	Endrin Aldehyde	7421-93-4	µg/L	Grab
117	Heptachlor	76-44-8	µg/L	Grab
118	Heptachlor Epoxide	1024-57-3	µg/L	Grab
105	gamma-BHC (Benzene hexachloride or Lindane)	58-89-9	µg/L	Grab
119	Polychlorinated Biphenyl (PCB) 1016	12674-11-2	µg/L	Grab
120	PCB 1221	11104-28-2	µg/L	Grab
121	PCB 1232	11141-16-5	µg/L	Grab
122	PCB 1242	53469-21-9	µg/L	Grab
123	PCB 1248	12672-29-6	µg/L	Grab
124	PCB 1254	11097-69-1	µg/L	Grab
125	PCB 1260	11096-82-5	µg/L	Grab
126	Toxaphene	8001-35-2	µg/L	Grab
16	2,3,7,8-TCDD (Dioxin)	1746-01-6	mg/L	Grab

**CONVENTIONAL PARAMETERS**

CTR Number	Conventional Parameters	CAS Number	Units	Sample Type
NL	pH	--	SU	Grab
NL	Temperature	--	°F	Grab

**NON-CONVENTIONAL PARAMETERS**

CTR Number	Nonconventional Parameters	CAS Number	Units	Sample Type
NL	Foaming Agents (MBAS)	MBAS	mg/L	Grab
NL	Hardness (as CaCO <sub>3</sub> )	471-34-1	mg/L	Grab
NL	Specific Conductance (Electrical Conductivity or EC)	EC	µmhos/cm	Grab
NL	Total Dissolved Solids (TDS)	TDS	mg/L	Grab
NL	Dissolved Organic Carbon (DOC)	DOC	mg/L	Grab

**NUTRIENTS**

CTR Number	Nutrient Parameters	CAS Number	Units	Sample Type
NL	Ammonia (as N)	7664-41-7	mg/L	Grab
NL	Nitrate (as N)	14797-55-8	mg/L	Grab
NL	Nitrite (as N)	14797-65-0	mg/L	Grab
NL	Phosphorus, Total (as P)	7723-14-0	mg/L	Grab

5. **Table E-9 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-9:
- a. **Applicable to All Parameters.** Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. Part 136 or by methods approved by the Central Valley Water Board or the State Water Board.
  - b. **Grab Samples.** A grab sample is defined as an individual discrete sample collected over a period of time not exceeding 15 minutes. It can be taken manually, using a pump, scoop, vacuum, or other suitable device.
  - c. **24-hour Composite Samples.** All 24-hour composite samples shall be collected from a 24-hour flow proportional composite.
  - d. **Redundant Sampling.** The Discharger is not required to conduct effluent monitoring for constituents that have already been sampled in a given month, as required in Table E-3, with the exception of hardness which shall be sampled concurrently with the hardness-dependent metals (cadmium, chromium III, lead, nickel, silver, and zinc).
  - e. **Concurrent Sampling.** Effluent and receiving water sampling shall be performed at approximately the same time, on the same date.
  - f. **Sample Type.** All receiving water samples shall be taken as grab samples. Effluent samples shall be taken as described in Table E-3.
  - g. **Bis (2-ethylhexyl) phthalate.** In order to verify if bis (2-ethylhexyl) phthalate is truly present, the Discharger shall take steps to assure that sample containers, sampling apparatus, and analytical equipment are not sources of the detected contaminant.
  - h. **Total Mercury and Methyl Mercury.** Unfiltered methyl mercury and total mercury samples shall be taken using clean hands/dirty hands procedures, as described in U.S. EPA method 1669: Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels, for collection of equipment blanks (section 9.4.4.2). The analysis of methyl mercury and total mercury shall be by U.S. EPA method 1630 and 1631 (Revision E), respectively, with a reporting limit of 0.05 ng/L for methyl mercury and 0.5 ng/L for total mercury.
  - i. **TCDD-Dioxin Congener Equivalent**s shall include all 17 of the 2,3,7,8 TCDD dioxin congeners as listed in section 3 of the SIP.
  - j. **Ammonia (as N).** Sampling is only required in the upstream receiving water.



## **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.
2. Upon written request of the Central Valley Water Board, the Discharger shall submit a summary monitoring report. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year(s).
3. **Compliance Time Schedules.** For compliance time schedules included in the Order, the Discharger shall submit to the Central Valley Water Board, on or before each compliance due date, the specified document or a written report detailing compliance or noncompliance with the specific date and task. If noncompliance is reported, the Discharger shall state the reasons for noncompliance and include an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Central Valley Water Board by letter when it returns to compliance with the compliance time schedule.
4. The Discharger shall report to the Central Valley Water Board any toxic chemical release data it reports to the State Emergency Response Commission within 15 days of reporting the data to the Commission pursuant to section 313 of the "Emergency Planning and Community Right to Know Act" of 1986.

### **B. Self-Monitoring Reports (SMRs)**

1. The Discharger shall electronically submit SMRs using the State Water Board's [California Integrated Water Quality System \(CIWQS\) Program website](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/) ([http://www.waterboards.ca.gov/water\\_issues/programs/ciwqs/](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/)). The CIWQS website will provide additional information for SMR submittal in the event there will be a planned service interruption for electronic submittal.
2. The Discharger shall report in the SMR the results for all monitoring specified in this MRP under sections III through IX. The Discharger shall submit monthly SMRs including the results of all required monitoring using U.S. EPA-approved test methods or other test methods specified in this Order. SMRs are to include all new monitoring results obtained since the last SMR was submitted. If the Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR. Monthly SMRs are required even if there is no discharge. If no discharge occurs during the month, the monitoring report must be submitted stating that there has been no discharge.
3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:



**Table E-10. Monitoring Periods and Reporting Schedule**

<b>Sampling Frequency</b>	<b>Monitoring Period Begins On</b>	<b>Monitoring Period</b>	<b>SMR Due Date</b>
Continuous	Permit effective date	All	Submit with monthly SMR
1/Day	Permit effective date	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	Submit with monthly SMR
1/Week	Permit effective date	Sunday through Saturday	Submit with monthly SMR
3/Week	Permit effective date	Sunday through Saturday	Submit with monthly SMR
1/Month	Permit effective date	1st day of calendar month through last day of calendar month	First day of second calendar month following month of sampling
1/Quarter	Permit effective date	1 January through 31 March 1 April through 30 June 1 July through 30 September 1 October through 31 December	1 May 1 August 1 November 1 February of following year
1/Year	Permit effective date	1 January through 31 December	1 February of following year

4. **Reporting Protocols.** The Discharger shall report with each sample result the applicable Reporting Level (RL) and the current laboratory’s Method Detection Limit (MDL), as determined by the procedure in 40 C.F.R. part 136.

The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

- a. Sample results greater than or equal to the RL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).
- b. Sample results less than the RL, but greater than or equal to the laboratory’s MDL, shall be reported as “Detected, but Not Quantified,” or DNQ. The estimated chemical concentration of the sample shall also be reported.

For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ. The laboratory may, if such information is available, include numerical estimates of the data

quality for the reported result. Numerical estimates of data quality may be percent accuracy ( $\pm$  a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

- c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.
  - d. Dischargers are to instruct laboratories to establish calibration standards so that the Minimum Level (ML) value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from extrapolation beyond the lowest point of the calibration curve.
5. **Multiple Sample Data.** When determining compliance with an AMEL, AWEL, or MDEL for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:
- a. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
  - b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.
6. **The Discharger shall submit SMRs** in accordance with the following requirements:
- a. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations. The Discharger is not required to duplicate the submittal of data that is entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.

- b. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the waste discharge requirements; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.
    - c. The Discharger shall attach all final laboratory reports from all contracted commercial laboratories, including quality assurance/quality control information, with all its SMRs for which sample analyses were performed.
  7. The Discharger shall submit in the SMRs calculations and reports in accordance with the following requirements:
    - a. **Calendar Annual Average Limitations.** For constituents with effluent limitations specified as “calendar annual average” (electrical conductivity) the Discharger shall report the calendar annual average in the December SMR. The annual average shall be calculated as the average of the samples gathered for the calendar year.
    - b. **Removal Efficiency (BOD<sub>5</sub> and TSS).** The Discharger shall calculate and report the percent removal of BOD<sub>5</sub> and TSS in the SMRs. The percent removal shall be calculated as specified in section VII.A of the Waste Discharge Requirements.
    - c. **Total Coliform Organisms Effluent Limitations.** The Discharger shall calculate and report the 7-day median of total coliform organisms for the effluent. The 7-day median of total coliform organisms shall be calculated as specified in section VII.D of the Waste Discharge Requirements.
    - d. **Dissolved Oxygen Receiving Water Limitations.** The Discharger shall report monthly in the self-monitoring report the dissolved oxygen concentrations in the effluent (EFF-001) and the receiving water (RSW-001 and RSW-002).
    - e. **Turbidity Receiving Water Limitations.** The Discharger shall calculate and report the turbidity increase in the receiving water applicable to the natural turbidity condition specified in section V.A.18.a-e. of the Waste Discharge Requirements.
    - f. **Temperature Receiving Water Limitations.** The Discharger shall calculate and report the temperature increase in the receiving water based on the difference in temperature at Monitoring Locations RSW-001 and RSW-002.

### C. Discharge Monitoring Reports (DMRs)

1. DMRs are U.S. EPA reporting requirements. The Discharger shall electronically certify and submit DMRs together with SMRs using Electronic Self-Monitoring Reports module eSMR 2.5 or any upgraded version. Electronic DMR submittal will be in addition to electronic SMR submittal. [Information about electronic DMR submittal](http://www.waterboards.ca.gov/water_issues/programs/discharge_monitoring/) ([http://www.waterboards.ca.gov/water\\_issues/programs/discharge\\_monitoring/](http://www.waterboards.ca.gov/water_issues/programs/discharge_monitoring/)) is available on the Internet.

#### D. Other Reports

1. **Analytical Methods Report.** The Discharger shall complete and submit an Analytical Methods Report, electronically via CIWQS submittal, by the due date shown in the Technical Reports Table E-11. The Analytical Methods Report shall include the following for each constituent to be monitored in accordance with this Order: 1) applicable water quality objective, 2) reporting level (RL), 3) method detection limit (MDL), and 4) analytical method. The analytical methods shall be sufficiently sensitive with RLs consistent with the SSM Rule per 40 C.F.R. 122.21(e)(3) and 122.44(i)(1)(iv), and with the Minimum Levels (MLs) in the SIP, Appendix 4. The "Reporting Level or RL" is synonymous with the "Method Minimum Level" described in the SSM Rule. If an RL is not less than or equal to the applicable water quality objective for a constituent, the Discharger shall explain how the proposed analytical method complies with the SSM Rule as outlined above in Attachment E, Section I.F. Central Valley Water Board staff will provide a tool with the permit's Notice of Adoption to assist the Discharger in completing this requirement. The tool will include the constituents and associated applicable water quality objectives to be included in the Analytical Methods Report.
2. **Annual Operations Report.** The Discharger shall submit a written report to the Central Valley Water Board, electronically via CIWQS submittal, containing the following by the due date in the Technical Reports Table E-11:
  - a. The names, certificate grades, and general responsibilities of all persons employed at the Facility.
  - b. The names and telephone numbers of persons to contact regarding the plant for emergency and routine situations.
  - c. A statement certifying when the flow meter(s) and other monitoring instruments and devices were last calibrated, including identification of who performed the calibration.
  - d. A statement certifying whether the current operation and maintenance manual, and contingency plan, reflect the wastewater treatment plant as currently constructed and operated, and the dates when these documents were last revised and last reviewed for adequacy.

- e. The Discharger may also be requested to submit an annual report to the Central Valley Water Board with both tabular and graphical summaries of the monitoring data obtained during the previous year. Any such request shall be made in writing. The report shall discuss the compliance record. If violations have occurred, the report shall also discuss the corrective actions taken and planned to bring the discharge into full compliance with the waste discharge requirements.
  - f. Summary of annual influent flow volume, annual effluent flow volume discharged to surface water, and annual effluent flow volume discharged to the irrigation pond.
  - g. If discharges to the Emergency Equalization Basin occur, the Discharger shall report discharge dates, estimated discharge volumes, and drawdown dates in the Annual Operations Report.
3. **Report of Waste Discharge (ROWD).** For the 5-year permit renewal, the Discharger shall submit a written report to the Central Valley Water Board, electronically via CIWQS submittal, containing, at minimum, the following by the due date in the Technical Reports Table E-11:
- a. Report of Waste Discharge (Form 200);
  - b. NPDES Form 1 (not needed if submitting Form 2A);
  - c. NPDES Form 2S
  - d. **Salinity Evaluation and Minimization Plan (SEMP).** The Discharger shall evaluate the effectiveness of the SEMP and provide a summary with the Report of Waste Discharge; and
  - e. **Mixing Zone Requests.** A mixing zone analysis for constituents the Discharger is requesting the continuation of dilution credits and mixing zones in the calculation of water quality-based effluent limits (e.g., lead and copper).
  - e. **Sensitive Species Re-Screening.**
4. **Technical Report Submittals.** This Order includes requirements to submit a ROWD, special study technical reports, progress reports, and other reports identified in the MRP (hereafter referred to collectively as “technical reports”). The Technical Reports Table E-11 and subsequent table notes below summarize all technical reports required by this Order and the due dates for submittal. All technical reports shall be submitted electronically via CIWQS submittal. Technical reports should be uploaded as a PDF, Microsoft Word, or Microsoft Excel file attachment.

**Table E-11. Technical Reports**

<b>Report #</b>	<b>Technical Report</b>	<b>Due Date</b>	<b>CIWQS Report Name</b>
1	Report of Waste Discharge	31 March 2028	ROWD
2	Analytical Methods Report	1 July 2024	MRP X.D.1
3	Analytical Methods Report Certification	90 days prior to Characterization Monitoring	MRP IX.D.3
4	Annual Operations Report	1 February 2025	MRP X.D.2
5	Annual Operations Report	1 February 2026	MRP X.D.2
6	Annual Operations Report	1 February 2027	MRP X.D.2
7	Annual Operations Report	1 February 2028	MRP X.D.2
8	Annual Operations Report	1 February 2029	MRP X.D.2
9	Toxicity Reduction Evaluation (TRE) Workplan	1 May 2024	MRP V.F.3
10	Updated Mixing Zone and Dilution Study	31 March 2028 (with ROWD)	WDR VI.C.2.a
11	Salinity Evaluation and Minimization Plan	1 July 2024	WDR VI.C.3.a

F.

## ATTACHMENT F – FACT SHEET

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**ATTACHMENT F – FACT SHEET**

As described in section II.C of this Order, the Central Valley Water Board incorporates this Fact Sheet as findings of the Central Valley Water Board supporting the issuance of this Order. This Fact Sheet discusses the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

This Order has been prepared under a standardized format to accommodate a broad range of discharge requirements for Dischargers in California. Only those sections or subsections of this Order that are specifically identified as “not applicable” have been determined not to apply to this Discharger. Sections or subsections of this Order not specifically identified as “not applicable” are fully applicable to this Discharger.

**I. PERMIT INFORMATION**

The following table summarizes administrative information related to the Facility.

**Table F-1 Facility Information**

<b>Waste Discharge ID:</b>	5A320103001
<b>CIWQS Facility Place ID:</b>	251217
<b>Discharger:</b> District	American Valley Community Services
<b>Name of Facility:</b>	American Valley Wastewater Treatment Plant
<b>Facility Address:</b>	900 Spanish Creek Road
<b>Facility City, State Zip:</b>	Quincy, CA 95971
<b>Facility County:</b>	Plumas County
<b>Facility Contact, Title and Phone Number:</b>	Jim Doohan, General Manager, (530) 283-0836
<b>Authorized Person to Sign and Submit Reports:</b>	Jim Doohan, General Manager, (530) 283-0836
<b>Mailing Address:</b>	Same as Facility Address
<b>Billing Address:</b>	Same as Facility Address
<b>Type of Facility:</b>	Publicly Owned Treatment Works (POTW)
<b>Major or Minor Facility:</b>	Major
<b>Threat to Water Quality:</b>	1
<b>Complexity:</b>	B
<b>Pretreatment Program:</b>	No
<b>Recycling Requirements:</b>	Not Applicable
<b>Facility Permitted Flow:</b>	1.6 million gallons per day (MGD)
<b>Facility Design Flow:</b>	1.6 MGD
<b>Watershed:</b>	East Branch North Fork Feather River
<b>Receiving Water:</b>	Spanish Creek

<b>Receiving Water Type:</b>	Inland Surface Water
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- A.** American Valley Community Services District (hereinafter Discharger) is the owner and operator of the American Valley Wastewater Treatment Plant (hereinafter Facility), a Publicly-Owned Treatment Works (POTW).

For the purposes of this Order, references to the “discharger” or “permittee” in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

- B.** The Facility discharges wastewater to Spanish Creek, a water of the United States, within East Branch North Fork Feather River. The Discharger was previously regulated by Order R5-2016-0049 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0078981 adopted on 24 June 2016 and expired on 31 July 2021. Attachment B provides a map of the area around the Facility. Attachment C provides a flow schematic of the Facility.
- C.** When applicable, state law requires dischargers to file a petition with the State Water Board, Division of Water Rights and receive approval for any change in the point of discharge, place of use, or purpose of use of treated wastewater that decreases the flow in any portion of a watercourse. The State Water Board retains separate jurisdictional authority to enforce any applicable requirements under Water Code section 1211. This is not an NPDES permit requirement.
- D.** The Discharger filed a report of waste discharge (ROWD) and submitted an application for reissuance of its waste discharge requirements (WDRs) and NPDES permit on 29 January 2021. The application was deemed complete on 29 April 2021. A site visit was conducted on 20 April 2023, to observe operations and collect additional data to develop permit limitations and requirements for waste discharge.
- E.** Regulations at 40 C.F.R. section 122.46 limit the duration of NPDES permits to a fixed term not to exceed five years. Accordingly, Table 3 of this Order limits the duration of the discharge authorization. Under 40 C.F.R. section 122.6(d), States authorized to administer the NPDES program may administratively continue State-issued permits beyond their expiration dates until the effective date of the new permits, if State law allows it. Pursuant to California Code of Regulations (CCR), title 23, section 2235.4, the terms and conditions of an expired permit are automatically continued pending reissuance of the permit if the Discharger complies with all federal NPDES requirements for continuation of expired permits.

## **II. FACILITY DESCRIPTION**

The Discharger provides sewerage service for the community of Quincy and East Quincy and serves a population of approximately 4,517. The design daily average flow capacity of the Facility is 1.6 MGD. The peak wet weather (max treatment) capacity of the Facility is 4.9 MGD.

## A. Description of Wastewater and Biosolids Treatment and Controls

The Discharger completed construction of Facility upgrades during the last permit term. The upgraded Facility is operational as of October 2022 and consists of the following treatment system:

**Headworks:** The treatment system at the Facility consists of a headworks equipped with grinders and magnetic influent flow meters, mechanical bar screening and a stacked plate grit separator. The new Emergency Equalization Basin, located within the Facility footprint, can be used to capture peak flows in excess of the Facility's peak design capacity of 4.9-mgd. This flow can be routed back to the head of the plant for treatment after peak influent flows decrease. The Emergency Equalization Basin is constructed of compacted native soils on the sides and bottom. The basin elevations are as follows:

- a) Top of pond: 3,417.0 feet
- b) Bottom of pond: varies between 3,409.5 and 3,408 feet
- c) Anticipated max water surface elevation of 3,415 feet (to maintain a minimum freeboard of 2 feet), so maximum water depth of 7 feet.

**Secondary Treatment:** The Facility's secondary treatment system uses an activated sludge process that is plug flow with sequential aeration followed by secondary clarifiers. The system consists of four treatment trains. Each train consists of one selector tank, two aeration tanks, one clarifier, and one aerobic digester, all contained within one structure sharing common walls. The selector tank is aerated by coarse bubble diffusers. It receives primary effluent from the headworks and recycled activated sludge (RAS) from the clarifier. The first stage and second stage aeration tanks are alternately aerated and unaerated without additional mixing. Solids/liquid separation occurs in the clarifier tank over concrete wedges. RAS is collected and returned to the selector. Waste activated sludge (WAS) is transferred to the aerobic digesters.

**Disinfection:** Disinfection occurs within the Chlorine Contact Basin (CCB), which is configured with two parallel basins outfitted with three passes per basin. There is a chlorine mixer upstream for sodium hypochlorite addition. Disinfected flow is dechlorinated through addition of sodium bisulfite in the sodium bisulfite (SBIS) Mixing Box, connected to the end of the CCB structure.

**Surface Water Discharge:** During the wet season, effluent is discharged via a submerged outfall diffuser in Spanish Creek at Discharge Point 001, a water of the United States, and tributary to the North Fork Feather River. Effluent flow is measured by Parshall flume at the SBIS mixing box. This Order does not restrict the discharge season, but instead contains a discharge prohibition for discharges to Spanish Creek unless an average daily flow ratio of 20:1 is present (Spanish Creek flow: effluent flow).

**Land Discharge:** During the dry season (typically 16 May through 31 October), effluent is discharged to the Irrigation Pond land applied to neighboring Leonhardt Ranch, a non-dairy cattle pasture. The Irrigation Pond is used to equalize peak effluent flows in excess of the 20:1 discharge limitation to Spanish Creek. The Irrigation Pond is generally not drawn down/emptied at any point in the year. The

Facility's Irrigation Pond has a capacity of 5.2 million gallons (MG) and is used to store recycled water before it is discharged to the pasture irrigation site. The Irrigation Pond provides consistent water supply for the ranch during the non-discharge period. Discharges to the ranch are regulated by separate Order No. 96-180 "Water Reclamation Requirements for Recycled Water Use."

The Irrigation Pond elevations are as follows:

- a) Top of pond – elevation varies between approximately 3,414.3 and 3,414.4 feet (Spanish Creek side), approximately 3,414.5 feet on the Clear Stream side and north end of the pond, and approximately 3,417 feet on the south end of the pond.
- b) Bottom of pond – elevation is approximately 3,405.4 feet.
- c) Water is stored to a minimum 2 feet freeboard level (in accordance with NPDES permit order), so maximum water level would be approximately 6.6 feet (maximum).

**Solids Treatment:** Solids removed from the secondary treatment system are aerobically digested. Digested sludge can either be transferred directly to the Solids Dewatering Building for direct dewatering or to the concrete-lined sludge lagoon for storage. The sludge lagoon is constructed with a reinforced concrete bottom and ramps with shotcrete sides. Contents of the sludge lagoon can be pumped back to the solids dewatering facility or back to the front of the plant for full treatment. The sludge lagoon elevations are as follows:

- a) Top of pond: 3,417.0 feet
- b) Bottom of pond: varies between 3,410 and 3,407.5 feet
- c) Anticipated max water surface elevation of 3,415 feet (to maintain a minimum freeboard of 2 feet), so maximum water depth of 7.5 feet.

Polymer is added to the incoming sludge prior to dewatering via screw press. Dewatered solids are conveyed to a common sludge drying bed for final solar drying prior to off-haul. Dried biosolids are stored onsite at the location(s) identified in Attachment C and are hauled to a landfill for disposal. The sludge drying area is constructed with an asphalt bottom and native soils on the sides. The sludge drying area elevations are as follows:

- a) Top of pond: 3,417.0 feet
- b) Bottom of pond: 3,408.5 feet
- c) Not designed for liquid storage. Any rainfall into the sludge drying bed area will be returned to the front of the plant via the plant drain pump station.

The Facility produces approximately 100 dry metric tons of dried biosolids annually. Transportation and disposal/reuse of the biosolids is regulated by U.S. EPA under 40 C.F.R. part 503.

## **B. Discharge Points and Receiving Waters**

1. The Facility is located in Sections 11, 12, and 14, T24N, R9E, MDB&M, as shown in Attachment B, a part of this Order.

2. Treated municipal wastewater is discharged at Discharge Point 001 to Spanish Creek, a water of the United States and a tributary to the North Fork Feather River, at a point latitude 39° 57' 10" N and longitude 120° 56' 01" W.

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

Effluent limitations/Discharge Specifications contained in Order R5-2016-0049 for discharges from Discharge Point 001 (referred to as D-002 in Order R5-2010-0032) and representative monitoring data from the term of Order R5-2016-0049 are as follows:

- a. When discharging to Spanish Creek, the Discharger shall maintain compliance with the following effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location EFF-001

**Table F-2 Historic Effluent Limitations EFF-001**

Parameter	Units	Historic Effluent Limitations	Highest Average Monthly Discharge	Highest Average Weekly Discharge	Highest Daily Discharge
Biochemical Oxygen Demand (5-day @ 20°C) (BOD)	mg/L	AMEL 30 AWEL 45 MDEL 90	26.5	47	58.3
BOD	lbs/day	Annual Average: 400	67.5 (AA)	--	--
Chlorine, Total Residual	mg/L	4-day average 0.011 1-hour average 0.019	0.11 (4-day)	--	0.99 (1 hour)
Total Coliform Organisms	MPN/100 mL	7-day median 23 30-day max 240	7.6	34	--
Total Suspended Solids (TSS)	mg/L	AMEL 30 AWEL 45 MDEL 90	26.5	26.8	30
TSS	lbs/day	Annual Average: 400	71.4 (AA)	--	--

**Table F-2 Notes:**

1. **Mass Limitations lbs/day:** The annual average mass discharge shall not exceed 400 lbs/day. Based upon a design treatment capacity of 1.6 MGD.
  2. **BOD and TSS:** The average monthly percent removal of 5-day biochemical oxygen demand (BOD5) and total suspended solids (TSS) shall not be less than 85 percent.
- b. When discharging to Spanish Creek, the Discharger shall maintain compliance with the following effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location EFF-002

**Table F-3 Historic Effluent Limitations EFF-002**

Parameter	Units	Historic Effluent Limitations	Highest Average Monthly Discharge	Highest Average Weekly Discharge	Highest Daily Discharge
Flow	MGD	Max 1.6 Peak 4.9	ADWF 0.9	--	MDD 6.2
pH	units	Instantaneous Max: 9.0 Instantaneous Min: 6.5	--	--	Max 9.0 Min 6.4
Copper, Total	µg/L	AMEL 4.6 MDEL 7.4	15	--	15
Lead, Total	µg/L	AMEL 1.0 MDEL 2.2	1.0	--	1.0
Ammonia Nitrogen, Total as N	mg/L	AMEL 0.5 AWEL 0.86	12	12	11.8
Ammonia	lbs/day	AMEL 20 AWEL 35	140 (AA)	--	--
Nitrate Plus Nitrite (as N)	mg/L	AMEL 10 AWEL 20	1.3	2.5	--
Electrical Conductivity	µmhos/cm	AA 600	340 (AA)	--	--
Acute Toxicity	--	1-bioassay: 70% survival 3-bioassays: 90% survival	1-bioassay: 100%	3-bioassay: 100%	--
Chronic Toxicity	TUc	1	1		

**Table F-2 Notes:**

- 1. Flow.** Average Dry Weather Flow (ADWF), Max Daily Discharge (MDD)
- 2. Mass Limitations (lbs/day):** Based on a design average dry weather flow of 1.6 million gallons per day (MGD).
- 3. Ammonia.** Final effluent limitations for ammonia were effective on 1 June 2021
- 4. Annual Average (AA)** The effluent calendar year annual average.
- 5. Acute Toxicity.** Minimum for any one bioassay. Median for any three or more consecutive bioassays.

**D. Compliance Summary**

1. Time Schedule Oder R5-2016-0050 established interim limits for ammonia, copper, and lead, ending 31 May 2021. The Discharger has exhausted the allotted ten years of protection from MMP's in accordance with CWC section 13385(j)(3)(C).

The Central Valley Water Board issued Administrative Civil Liability (ACL) Complaint No. R5-2019-0521 on 18 August 2018 which proposed to assess a

civil liability of \$18,000 against the Discharger for effluent violations for ammonia and copper that occurred during the period from 15 April 2013 and 31 March 2016. On 31 July 2019, the Discharger submitted accounting records demonstrating that they had spent \$22,175.25 on engineering consulting fees for planning of an updated treatment processes. The Administrative Civil Liability Order was issued on 4 April 2020.

2. The Central Valley Water Board issued a Notice of Violation on 9 January 2023 for mandatory minimum penalties in the amount of \$126,000 for ammonia, copper, chlorine, dissolved oxygen, total coliform, total suspended solids, and BOD effluent violations from 1 August 2016 and 30 September 2022; and late Acute Toxicity Annual Reports in March 2016 and March 2022, and a late Monthly Self-Monitoring Report in April 2017.

#### **E. Planned Changes – Not Applicable**

### **III. APPLICABLE PLANS, POLICIES, AND REGULATIONS**

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

#### **A. Legal Authorities**

This Order serves as WDRs pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as an NPDES permit for point source discharges from this Facility to surface waters.

#### **B. California Environmental Quality Act (CEQA)**

Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of Chapter 3 of CEQA, (commencing with section 21100) of Division 13 of the Public Resources Code. Additionally, the adoption of land discharge for the Facility constitutes permitting of an existing facility that is categorically exempt from the provisions of CEQA pursuant to CCR, title 14, section 15301.

#### **C. State and Federal Laws, Regulations, Policies, and Plans**

1. **Water Quality Control Plans.** Requirements of this Order specifically implement the applicable Water Quality Control Plans.
  - a. **Basin Plan.** The Central Valley Water Board adopted a Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fifth Edition, February 2019 (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. Requirements in this Order implement the Basin Plan.

The Basin Plan at section 2.1 states that the beneficial uses of any specifically identified water body generally apply to its tributary streams. The Basin Plan in Table 2-1, section 2, does not specifically identify beneficial uses for Spanish Creek, but does identify present and potential uses for North Fork Feather River, to which Spanish Creek is tributary. In addition, the Basin Plan implements State Water Board Resolution 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Thus, beneficial uses applicable to Spanish Creek are as follows:

**Table F-4 Basin Plan Beneficial Uses**

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	Spanish Creek	Municipal and domestic supply (MUN); hydropower generation (POW); water contact recreation, including canoeing and rafting (REC-1); non-contact water recreation (REC-2); cold freshwater habitat (COLD); cold spawning, reproduction, and/or early development (SPWN); and wildlife habitat (WILD).
--	Groundwater	Municipal and domestic supply (MUN); agricultural supply (AGR); industrial service supply (IND); and industrial process supply (PROC).

b. **Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California.** The Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (ISWEBE Plan) was adopted by the State Water Resources Control Board (State Water Board) on 1 December 2020, under authority provided by Water Code sections 13140 and 13170. Except as otherwise indicated, this ISWEBE Plan establishes provisions for toxicity, water quality and sediment quality that apply to all inland surface waters, enclosed bays, and estuaries and coastal lagoons of the state, including both waters of the United States and surface waters of the state.

2. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** U.S. EPA adopted the NTR on 22 December 1992, and later amended it on 4 May 1995 and 9 November 1999. About forty criteria in the NTR applied in California. On 18 May 2000, U.S. EPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on



13 February 2001. These rules contain federal water quality criteria for priority pollutants.

3. **State Implementation Policy.** On 2 March 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 28 April 2000, with respect to the priority pollutant criteria promulgated for California by the U.S. EPA through the NTR and to the priority pollutant objectives established by the Central Valley Water Board in the Basin Plan. The SIP became effective on 18 May 2000, with respect to the priority pollutant criteria promulgated by the U.S. EPA through the CTR. The State Water Board adopted amendments to the SIP on 24 February 2005, that became effective on 13 July 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.
4. **Antidegradation Policy.** Federal regulation 40 C.F.R. section 131.12 requires that the 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 ("Statement of Policy with Respect to Maintaining High Quality of Waters in California") (State Anti-Degradation Policy). The State Anti-Degradation Policy is deemed to incorporate the federal antidegradation policy where the federal policy applies under federal law. The State Anti-Degradation Policy requires that existing water quality be maintained unless degradation is justified based on specific findings. The Central Valley Water Board's Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. The permitted discharge must be consistent with the antidegradation provision of 40 C.F.R. section 131.12 and the State Anti-Degradation Policy. The Board finds this order is consistent with the Federal and State Water Board antidegradation regulations and policy.
5. **Anti-Backsliding Requirements.** Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 40 C.F.R. section 122.44(l) restrict backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed.
6. **Domestic Water Quality.** In compliance with Water Code section 106.3, it is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring discharges to meet maximum contaminant levels (MCLs) designed to protect human health and ensure that water is safe for domestic use.
7. **Endangered Species Act Requirements.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is

now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code, sections 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the state. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.

8. **Emergency Planning and Community Right to Know Act.** Section 13263.6(a) of the Water Code, requires that “the Regional Water Board shall prescribe effluent limitations as part of the waste discharge requirements of a POTW for all substances that the most recent toxic chemical release data reported to the state emergency response commission pursuant to section 313 of the Emergency Planning and Community Right to Know Act of 1986 (42 U.S.C. Sec. 11023) (EPCRA) indicate as discharged into the POTW, for which the State Water Board or the Regional Water Board has established numeric water quality objectives, and has determined that the discharge is or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to, an excursion above any numeric water quality objective”.

The most recent toxic chemical data report does not indicate any reportable off-site releases or discharges to the collection system for this Facility. Therefore, a reasonable potential analysis based on information from EPCRA cannot be conducted. Based on information from EPCRA, there is no reasonable potential to cause or contribute to an excursion above any numeric water quality objectives included within the Basin Plan or in any State Water Board plan, so no effluent limitations are included in this permit pursuant to Water Code section 13263.6(a).

However, as detailed elsewhere in this Order, available effluent data indicate that there are constituents present in the effluent that have a reasonable potential to cause or contribute to exceedances of water quality standards and require inclusion of effluent limitations based on federal and state laws and regulations.

9. **Storm Water Requirements.** U.S. EPA promulgated federal regulations for storm water on 16 November 1990 in 40 C.F.R. parts 122, 123, and 124. The NPDES Industrial Storm Water Program regulates storm water discharges from wastewater treatment facilities. Wastewater treatment plants are applicable industries under the storm water program and are obligated to comply with the federal regulations. The State Water Resources Control Board Water Quality Order 2014-0057-DWQ, General Permit for Storm Water Discharges Associated with Industrial Activities (NPDES General Permit No. CAS000001), does not require facilities to obtain coverage if discharges of storm water are regulated under another individual or general NPDES permit adopted by the State Water Board or Regional Water Board (Finding I.B.20). All storm water at the Facility is captured and directed to the Facility headworks for treatment and disposal under

this Order. Therefore, coverage under the General Storm Water Permit is not required.

11. **Statewide General Waste Discharge Requirements for Sanitary Sewer Systems.** The State Water Board issued General Waste Discharge Requirements for Sanitary Sewer Systems, Water Quality Order 2006-0003-DWQ (General Order) on 2 May 2006. The State Water Board amended the MRP for the General Order through Order WQ 2013-0058-EXEC on 6 August 2013. The State Water Board renewed the General Order and adopted Order 2022-0103-DWQ on 6 December 2022. Order 2022-0103-DWQ became effective on 5 June 2023. The General Order requires public agencies that own or operate sanitary sewer systems with greater than 1 mile of pipes or sewer lines to enroll for coverage under the General Order. The General Order requires agencies to develop sanitary sewer management plans (SSMPs) and report all sanitary sewer overflows (SSOs), among other requirements and prohibitions.

The Discharger is subject to the requirements of, and must comply with, State Water Board Order 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, as amended by State Water Board Order WQ 2013-0058-EXEC, and renewed by State Water Board Order 2022-0103-DWQ and any subsequent order.

12. **Sewage Sludge and Biosolids.** This Order does not authorize any act that results in violation of requirements administered by U.S. EPA to implement 40 C.F.R. Part 503, Standards for the Use or Disposal of Sewage Sludge. These standards regulate the final use or disposal of sewage sludge that is generated during the treatment of domestic sewage in a municipal wastewater treatment facility. The Discharger is responsible for meeting all applicable requirements of 40 C.F.R. Part 503 that are under U.S. EPA's enforcement authority.

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

1. Under section 303(d) of the 1972 CWA, states, territories, and authorized tribes are required to develop lists of water quality limited segments. The waters on these lists do not meet water quality standards, even after point sources of pollution have installed the minimum required levels of pollution control technology. On 6 April 2018 U.S. EPA gave final approval to California's 2014 – 2016 section 303(d) List of Water Quality Limited Segments. The Basin Plan references this list of Water Quality Limited Segments (WQLSs), which are defined as "...those sections of lakes, streams, rivers or other fresh water bodies where water quality does not meet (or is not expected to meet) water quality standards even after the application of appropriate limitations for point sources (40 C.F.R. part 130, et seq.)." The Basin Plan also states, "Additional treatment beyond minimum federal standards will be imposed on dischargers to [WQLSs]. Dischargers will be assigned or allocated a maximum allowable load of critical pollutants so that water quality objectives can be met in the segment." Spanish Creek is not listed as an impaired water body on the 2020 303(d) list. However,

Spanish Creek is tributary to the North Fork Feather River below lake Almanor and North Fork Feather River below lake Almanor is listed as impaired for: mercury, polychlorinated biphenyls (PCB's), temperature, and unknown toxicity. The discharge to Spanish Creek is approximately 12 miles upstream of the confluence with the East Branch of the North Fork Feather River.

2. **Total Maximum Daily Loads (TMDLs).** Table F-4, below, identifies the 303(d) listings and any applicable TMDLs.

**Table F-5 303 (d) List for North Fork Feather River below Lake Almanor**

<b>Pollutant</b>	<b>Potential Sources</b>	<b>TMDL Status</b>
Mercury	Unknown	To be determined (see table note 2)
Polychlorinated biphenyls (PCB's)	Unknown	To be determined (see table note 2)
Temperature	Unknown	To be determined (see table note 2)
Toxicity	Unknown	To be determined (see table note 2)

1. The 303(d) listings and TMDLs have been considered in the development of the Order.
2. This impairment is not currently prioritized for TMDL development during the permit period. The date of completion for a TMDL will be updated in future permit revisions should the prioritization of this impairment change.

**E. Other Plans, Polices and Regulations**

1. **Title 27.** The discharge authorized herein, and the treatment and storage facilities associated with the discharge of treated municipal wastewater, except for discharges of residual sludge and solid waste, are exempt from the requirements of Title 27, CCR, section 20005 et seq (hereafter Title 27). The exemption, pursuant to Title 27 CCR section 20090(a), is based on the following:
  - a. The waste consists primarily of domestic sewage and treated effluent;
  - b. The waste discharge requirements are consistent with water quality objectives; and
  - c. The treatment and storage facilities described herein are associated with a municipal wastewater treatment plant.

**IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS**

The CWA requires point source dischargers 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 permits. There are two principal bases for effluent limitations in

the Code of Federal Regulations: 40 C.F.R. section 122.44(a) requires that permits include applicable technology-based limitations and standards; and 40 C.F.R. section 122.44(d) requires that permits 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.

## A. Discharge Prohibitions

1. **Prohibition III.A (No discharge or application of waste other than that described in this Order).** This prohibition is based on Water Code section 13260 that requires filing of a ROWD before discharges can occur. The Discharger submitted a ROWD for the discharges described in this Order; therefore, discharges not described in this Order are prohibited. The Discharger must file a ROWD before commencing discharges not described in this Order.
2. **Prohibition III.B (No bypasses or overflow of untreated wastewater, except under the conditions at CFR section 122.41(m)(4)).** As stated in section I.G of Attachment D, Standard Provisions, this Order prohibits bypass from any portion of the treatment facility. Federal regulations, 40 C.F.R. section 122.41(m), define “bypass” as the intentional diversion of waste streams from any portion of a treatment facility. This section of the federal regulations, 40 C.F.R. section 122.41(m)(4), prohibits bypass unless it is unavoidable to prevent loss of life, personal injury, or severe property damage. In considering the Regional Water Board’s prohibition of bypasses, the State Water Board adopted a precedential decision, Order No. WQO 2002-0015, which cites the federal regulations, 40 C.F.R. section 122.41(m), as allowing bypass only for essential maintenance to assure efficient operation.
3. **Prohibition III.C (No controllable condition shall create a nuisance).** This prohibition is based on Water Code section 13050 that requires water quality objectives established for the prevention of nuisance within a specific area. The Basin Plan prohibits conditions that create a nuisance.
4. **Prohibition III.D (No discharge of hazardous waste).** This prohibition is based on CCR, title 22, section 66261.1 et seq, that prohibits discharge of hazardous waste.
5. **Prohibition III.E (Average Dry Weather Flow).** This prohibition is based on the design average dry weather flow treatment capacity rating for the Facility and ensures the Facility is operated within its treatment capacity.
6. **Prohibition III.F (Peak Wet Weather Flow).** This prohibition is based on the design peak wet weather flow treatment capacity rating for the Facility and ensures the Facility is operated within its treatment capacity.
7. **Prohibition III.G (No discharge without a minimum of 20:1 flow ratio).** Consistent with Order R5-2016-0049, this Order prohibits discharge to Spanish Creek except when a minimum of 20:1 (receiving water to effluent) flow ratio is

achieved. This prohibition is based on a 1 July 2003 letter from the State Water Board, Division of Drinking Water (DDW) stating that a “*filtered and disinfected effluent should be required in situations where critical beneficial uses (i.e., food crop irrigation or body contact recreation) are made of the receiving waters unless a 20:1 dilution ratio is available.*” Since the Discharger does not provide tertiary treatment, the 20:1 dilution requirement is retained in this Order.

## **B. Technology-Based Effluent Limitations**

### **1. Scope and Authority**

Section 301(b) of the CWA and implementing U.S. EPA permit regulations at 40 C.F.R. section 122.44 require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards at 40 C.F.R. part 133.

Regulations promulgated in 40 C.F.R. section 125.3(a)(1) require technology-based effluent limitations for municipal Dischargers to be placed in NPDES permits 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 U.S. EPA Administrator.

Based on this statutory requirement, U.S. EPA developed secondary treatment regulations, which are specified in 40 C.F.R. part 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 BOD<sub>5</sub>, TSS, and pH.

### **2. Applicable Technology-Based Effluent Limitations**

- a. **BOD<sub>5</sub> and TSS.** Federal regulations at 40 C.F.R. part 133, establish the minimum weekly and monthly average level of effluent quality attainable by secondary treatment for BOD<sub>5</sub> and TSS. A daily maximum effluent limitation for BOD<sub>5</sub> and TSS is also included in the Order to ensure that the treatment works are not organically overloaded and operate in accordance with design capabilities. In addition, 40 C.F.R. section 133.102, in describing the minimum level of effluent quality attainable by secondary treatment, states that the 30-day average percent removal shall not be less than 85 percent. This Order contains a limitation requiring an

average of 85 percent removal of BOD<sub>5</sub> and TSS over each calendar month.

- b. **pH.** The applicable secondary treatment technology-based effluent limitations for pH include an instantaneous minimum effluent limitation of 6.0 SU and an instantaneous maximum effluent limitation of 9.0 SU.

**Summary of Technology-based Effluent Limitations  
 Discharge Point 001**

**Table F-6 Summary of Technology-based Effluent Limitations**

<b>Parameter</b>	<b>Units</b>	<b>Effluent Limitations</b>
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	AMEL 30 AWEL 45 MDEL 90
Total Suspended Solids	mg/L	AMEL 30 AWEL 45 MDEL 90
pH	Units	Instantaneous Max 9.0 Instantaneous Min 6.0

**Table F-5 Notes:**

1. **Percent Removal.** The average monthly percent removal of BOD<sub>5</sub> and TSS shall not be less than 85 percent.

**C. Water Quality-Based Effluent Limitations (WQBELs)**

**1. Scope and Authority**

CWA section 301(b) and 40 C.F.R. section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

Section 122.44(d)(1)(i) of 40 C.F.R. requires that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, WQBELs must be established using: (1) U.S. EPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state’s narrative criterion, supplemented with other relevant information, as provided in section 122.44(d)(1)(vi).

The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated beneficial uses of 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 any applicable water quality criteria contained in the CTR and NTR.

Finally, 40 C.F.R. section 122(d)(1)(vii) requires effluent limits to be developed consistent with any available WLAs developed and approved for the discharge.

## 2. **Applicable Beneficial Uses and Water Quality Criteria and Objectives**

The Basin Plan 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, the Basin Plan implements State Water Board Resolution No. 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply.

The Basin Plan on page 2-1 states: "Protection and enhancement of existing and potential beneficial uses are primary goals of water quality planning..." and with respect to disposal of wastewaters states that "...disposal of wastewaters is [not] a prohibited use of waters of the State; it is merely a use which cannot be satisfied to the detriment of beneficial uses."

The federal CWA section 101(a)(2), states: "it is the national goal that wherever attainable, an interim goal of water quality which provides for the protection and propagation of fish, shellfish, and wildlife, and for recreation in and on the water be achieved by July 1, 1983." Federal Regulations, developed to implement the requirements of the CWA, create a rebuttable presumption that all waters be designated as fishable and swimmable. Federal Regulations, 40 CFR sections 131.2 and 131.10, require that all waters of the State regulated to protect the beneficial uses of public water supply, protection and propagation of fish, shellfish and wildlife, recreation in and on the water, agricultural, industrial and other purposes including navigation. 40 C.F.R. section 131.3(e) defines existing beneficial uses as those uses actually attained after 28 November 1975, whether or not they are included in the water quality standards. Federal Regulation, 40 C.F.R. section 131.10 requires that uses be obtained by implementing effluent limitations, requires that all downstream uses be protected and states that in no case shall a state adopt waste transport or waste assimilation as a beneficial use for any waters of the United States.

- a. **Receiving Water and Beneficial Uses.** Refer to III.C.1. above for a complete description of the receiving water and beneficial uses.
- b. **Effluent and Ambient Background Data.** The reasonable potential analysis (RPA), as described in section IV.C.3 of this Fact Sheet, was based on data from March 2019 through February 2022, which includes



effluent and ambient background data submitted in SMRs, the ROWD, etc.

c. **Assimilative Capacity/Mixing Zone**

- i. The CWA directs the states to adopt water quality standards to protect the quality of its waters. U.S. EPA's current water quality standards regulation authorizes states to adopt general policies, such as mixing zones, to implement state water quality standards (40 CFR sections 122.44 and 122.45). The U.S. EPA allows states to have broad flexibility in designing its mixing zone policies. Primary policy and guidance on determining mixing zone and dilution credits is provided by the SIP and the Basin Plan. If no procedure applies in the SIP or the Basin Plan, then the Central Valley Water Board may use the U.S. EPA Technical Support Document for Water Quality-Based Toxics Control (EPA/505/2-90-001) (TSD).

For non-Priority Pollutant constituents, the allowance of mixing zones by the Central Valley Water Board is discussed in the Basin Plan, Policy for Application of Water Quality Objectives, which states the following, in part: *"In conjunction with the issuance of NPDES and storm water permits, the Regional Board may designate mixing zones within which water quality objectives will not apply provided the discharger has demonstrated to the satisfaction of the Regional Board that the mixing zone will not adversely impact beneficial uses. If allowed, different mixing zones may be designated for different types of objectives, including, but not limited to, acute aquatic life objectives, chronic aquatic life objectives, human health objectives, and acute and chronic whole effluent toxicity objectives, depending in part on the averaging period over which the objectives apply. In determining the size of such mixing zones, the Regional Board will consider the applicable procedures and guidelines in the EPA's Water Quality Standards Handbook and the [TSD]. Pursuant to EPA guidelines, mixing zones designated for acute aquatic life objectives will generally be limited to a small zone of initial dilution in the immediate vicinity of the discharge."*

For Priority Pollutants, the SIP supersedes the Basin Plan mixing zone provisions. Section 1.4.2 of the SIP states, in part, "...with the exception of effluent limitations derived from TMDLs, in establishing and determining compliance with effluent limitations for applicable human health, acute aquatic life, or chronic aquatic life priority pollutant criteria/objectives or the toxicity objective for aquatic life protection in a basin plan, the Regional Board may grant mixing zones and dilution credits to dischargers...The applicable priority pollutant criteria and objectives are to be met through a water body except within any mixing zone granted by the Regional Board. **The allowance of mixing zones**

**is discretionary and shall be determined on a discharge-by-discharge basis.** The Regional Board may consider allowing mixing zones and dilution credits only for discharges with a physically identifiable point of discharge that is regulated through an NPDES permit issued by the Regional Board.” [emphasis added]

For incompletely mixed discharges, the Discharger must complete an independent mixing zone study to demonstrate to the Central Valley Water Board that a dilution credit is appropriate. In granting a mixing zone, section 1.4.2.2 of the SIP requires the following to be met:

***“A mixing zone shall be as small as practicable. The following conditions must be met in allowing a mixing zone:***

A mixing zone shall not:

1. *compromise the integrity of the entire water body;*
2. *cause acutely toxic conditions to aquatic life passing thorough the mixing zone;*
3. *restrict the passage of aquatic life;*
4. *adversely impact biologically sensitive or critical habitats, including, but not limited to, habitat of species listed under federal or State endangered species laws;*
5. *produce undesirable or nuisance aquatic life;*
6. *result in floating debris, oil, or scum;*
7. *produce objectionable color, odor, taste, or turbidity;*
8. *cause objectionable bottom deposits;*
9. *cause nuisance;*
10. *dominate the receiving water body or overlap a mixing zone from different outfalls; or*
11. *be allowed at or near any drinking water intake. A mixing zone is not a source of drinking water. To the extent of any conflict between this determination and the Sources of Drinking Water Policy (Resolution No. 88-63), this SIP supersedes the provisions of that policy.”*

Section 1.4.2.1 of the SIP establishes the authority for the Central Valley Water Board to consider dilution credits based on the mixing zone conditions in a receiving water. Section 1.4.2.1 in part states:

***“The dilution credit, D, is a numerical value associated with the mixing zone that accounts for the receiving water entrained into the discharge. The dilution credit is a value used in the calculation of effluent***

*limitations (described in section 1.4). Dilution credits may be limited or denied on a pollutant-by-pollutant basis, which may result in a dilution credit for all, some, or no priority pollutants in the discharge.”*

ii. **Spanish Creek and Outfall Characteristics**

The critical receiving water flows (e.g., 1Q10, 7Q10, harmonic mean) in Spanish Creek are 7.60 cfs, 7.63 cfs, and 19.7 cfs respectively. The width of Spanish Creek in the proposed mixing zone area varies from approximately 8 to 48 feet, and depth varies from 2 to 5 feet.

The outfall pipeline conveys effluent from the treatment plant to the Outfall Structure located next to Discharge Point D-001 in Spanish Creek. A 24-inch slide gate allows treated effluent to flow from the Outfall Structure to a diffuser located in Spanish Creek (with primary and secondary diffusers).

The primary diffuser pipe leads to 5 submerged diffusers spaced 5-feet on center in the middle of the creek. While effluent is typically discharged only from the primary diffuser, wastewater can be passively discharged through the secondary diffuser if the water surface elevation and effluent flow rates require it. The secondary diffuser pipe leads to the southern bank of Spanish Creek for discharge. Each diffuser is equipped with a duckbill style check valve used to maximize mixing of the effluent within Spanish Creek.

iii. **Dilution/Mixing Zone Study Results.**

Water quality dilution studies have been provided by the Discharger to support permit requirements. Pace Engineering (Pace) performed a dye study to satisfy the Mixing Zone and Dilution Study (Study) for the Facility, as required in order R5-2016-0049.

USGS Spanish Creek Gauging Station No. 11401920 is located just upstream of the diffuser at the District WWTP. This station has available flow data as far back as November 2009 and was utilized to determine historical flow data and calculate the 1Q10, 7Q10, and harmonic mean for the study. Effluent samples are collected from the WWTP prior to the outfall, just downstream of the chlorine contact basin.

The study was conducted using three transects from 0 to 100 feet upstream of the diffuser to assess background conditions and any eddying that may occur near the diffuser. Six transects from 0 to 360 feet downstream of the diffuser were completed to assess both near and far field conditions.

In order to simulate WWTP effluent discharge to Spanish Creek, a trailer-mounted self-priming pump was used to draw water from Spanish Creek approximately 40 feet upstream of the diffuser. The pump discharged creek water into a temporary basin constructed upstream of the WWTP's modulating effluent weir. Simulated effluent passed over the weir to the WWTP outlet manhole where it was subsequently dyed and discharged back to Spanish Creek through the diffuser. Spanish Creek Flow was measured at the USGS Spanish Creek Gauging Station. Dye application occurred for a period of approximately 2½ hours. PACE oversaw dye metering activities and recorded effluent flow every 30 minutes to ensure proper dosing and a portable Turner Designs Cyclops-7 submersible fluorometer was used to measure effluent and in-stream concentrations of Rhodamine dye. One set of dye concentration readings was taken at each of the six downstream transects, with the exception of the 200-foot and 360-foot transects where three sets of readings were taken to ensure plateau conditions were reached.

The results of the 2012 Mixing Zone and Dilution Study indicated the dye was concentrated at the edge of the mixing zone and traveled upstream at both ends of the diffuser. With the 2016 improvements to the stream bed, a single boulder cross-vane structure was constructed concentrating flows toward the center of the channel to maintain a scour hole. The new permanent diffuser was positioned in the center of the rock vein scour hole. This position takes advantage of turbulent water cascading over the crest of vein. The rock vein's super elevation prevents any eddying effects that might otherwise have allowed WWTP effluent to travel upstream. Dye concentrations measured at the upstream transects, as well as visual observations, verified this.

Per the SIP, a completely mixed discharge is defined as "not more than a 5 percent difference, accounting for analytical variability, in the concentration of a pollutant existing across a transect of the water body at a point within two stream/river widths from the discharger point." At the diffuser location, Spanish Creek is approximately 50 feet wide. Per the SIP, complete mixing should occur within 100 feet of the diffuser; however, review of the data indicates this is not the case. Therefore, an incompletely mixed discharge is present.

The results of the study indicate that reasonable mixing is achieved within 100 feet of the discharge, but that the SIP's completely mixed discharge requirements are not achieved until 200 feet downstream.

- iv. **Evaluation of Available Dilution for Human Health Criteria (nitrate plus nitrite).** The SIP requires a mixing zone must be as small as practicable and comply with eleven (11) mixing zone prohibitions under section 1.4.2.2.A. Based on Central Valley Water Board staff

evaluation, the mixing zone extends up to 200 downstream of the Facility's outfall and a maximum available dilution credit of 39.6:1 meets the eleven prohibitions of the SIP as follows:

- (1) Shall not compromise the integrity of the entire water body – The TSD states that, *“If the total area affected by elevated concentrations within all mixing zones combined is small compared to the total area of a water body (such as a river segment), then mixing zones are likely to have little effect on the integrity of the water body as a whole, provided that the mixing zone does not impinge on unique or critical habitats.”* The mixing zone is not applicable to aquatic life criteria. The mixing zone does not compromise the integrity of the entire water body.
- (2) Shall not cause acutely toxic conditions to aquatic life passing through the mixing zone – The mixing zone is not applicable to aquatic life criteria. Therefore, acutely toxic conditions will not occur in the mixing zone.
- (3) Shall not restrict the passage of aquatic life – The human health mixing zone is not applicable to aquatic life criteria. Therefore, the mixing zone will not restrict the passage of aquatic life.
- (4) Shall not adversely impact biologically sensitive or critical habitats, including, but not limited to, habitat of species listed under federal or State endangered species laws – The mixing zone is not applicable to aquatic life criteria. The mixing zone will not impact biologically sensitive or critical habitats.
- (5-9) Shall not produce undesirable or nuisance aquatic life; result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits; cause nuisance – The allowance of the mixing zone will not produce undesirable or nuisance aquatic life, result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits; or cause nuisance. Therefore, the allowance of the mixing zone will not produce undesirable or nuisance aquatic life, result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits, or cause nuisance.
- (10) Shall not dominate the receiving water body or overlap a mixing zone from different outfalls – The mixing zone is small relative to the water body, so it will not dominate the water body. Furthermore, the mixing zone does not overlap mixing zones from other outfalls. There are no outfalls or mixing zones in the vicinity of the discharge.
- (11) Shall not be allowed at or near any drinking water intake – The mixing zone is not near a drinking water intake.

A pollutant-by-pollutant evaluation is provided in subsection v below to evaluate whether the mixing zones for each pollutant are as small as practicable and comply with the State and federal antidegradation requirements.

- v. **Evaluation of Available Dilution for Acute and Chronic Aquatic Life Criteria (Copper, Lead, and Ammonia).** The SIP requires a mixing zone must be as small as practicable and comply with eleven (11) prohibitions under section 1.4.2.2.A. Based on Central Valley Water Board staff evaluation, the mixing zone extends up to 200 downstream of the Facility's outfall and a maximum available dilution credit of 15.4:1 meets the eleven prohibitions of the SIP as follows:
- (1) Shall not compromise the integrity of the entire waterbody – The TSD states that, *“If the total area affected by elevated concentrations within all mixing zones combined is small compared to the total area of a waterbody (such as a river segment), then mixing zones are likely to have little effect on the integrity of the waterbody as a whole, provided that the mixing zone does not impinge on unique or critical habitats.”* The mixing zones are approximately 200 feet x 25 feet, which makes up a small fraction of the multi-mile length creek. The mixing zones do not compromise the integrity of the entire waterbody.
  - (2) Shall not cause acutely toxic conditions to aquatic life passing through the mixing zone – The SIP requires that the acute mixing zone be appropriately sized to prevent lethality to organisms passing through the mixing zone. U.S. EPA recommends that float times through a mixing zone less than 15 minutes ensures that there will not be lethality to passing organisms. The acute mixing zone allowed in this Order extends only 200 downstream from the outfall. In addition, this Order includes an acute toxicity effluent trigger that requires compliance to be determined based on acute bioassays using 100% effluent. Compliance with these requirements ensures that acutely toxic conditions to aquatic life passing through the acute and chronic mixing zones do not occur.
  - (3) Shall not restrict the passage of aquatic life – The Discharger conducted a mixing zone study to evaluate the near-field effects of the discharge. The Discharger evaluated the zone of passage around the mixing zone where water quality objectives are met. The allowed mixing zone has been established to ensure an adequate zone of passage is maintained. Spanish Creek ranges from 48 feet wide at the outfall to 8 feet wide at the downstream edge of the mixing zone. The effluent is discharged from an outfall pipe located at approximately the center of the creek and the effluent plume remains in the center portion of the creek within the mixing zone.

- (4) Shall not adversely impact biologically sensitive or critical habitats, including, but not limited to, habitat of species listed under federal or State endangered species laws – The acute and chronic mixing zones will not cause acutely toxic conditions, allow an adequate zone of passage, and are sized appropriately to ensure that there will be no adverse impacts to biologically sensitive or critical habitats.
- (5-9) Shall not produce undesirable or nuisance aquatic life; result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits; cause nuisance – The allowance of the acute and chronic mixing zones will not produce undesirable or nuisance aquatic life, result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits; or cause nuisance. Therefore, the allowance of the mixing zones will not produce undesirable or nuisance aquatic life, result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits, or cause nuisance.
- (10) Shall not dominate the receiving water body or overlap a mixing zone from different outfalls – The acute and chronic mixing zones are small relative to the water body, so it will not dominate the water body. Furthermore, the mixing zones do not overlap mixing zones from other outfalls. There are no outfalls or mixing zones in the vicinity of the discharge.
- (11) Shall not be allowed at or near any drinking water intake – The acute and chronic mixing zones are not near a drinking water intake.

A pollutant-by-pollutant evaluation is provided in subsection vi. below to evaluate whether the mixing zones for each pollutant are as small as practicable and comply with the State and federal antidegradation requirements.

vi. **Evaluation of Available Dilution for Specific Constituents (Pollutant-by-Pollutant Evaluation)**

When determining whether to allow dilution credits for a specific pollutant, several factors must be considered, such as, available assimilative capacity, facility performance, and compliance with state and federal antidegradation requirements. The receiving water contains assimilative capacity for copper, lead, nitrate plus nitrite, and ammonia, and the human health criteria, acute aquatic life criteria, and chronic aquatic life criteria mixing zones meet the mixing zone prohibitions of the SIP section 1.4.2.2.A.

The SIP also requires that “[a] mixing zone shall be as small as practicable” and states in Section 1.4.2.2.B that “[t]he RWQCB shall deny or significantly limit a mixing zone and dilution credits as necessary to protect beneficial uses, meet the conditions of this Policy, or comply with other regulatory requirements.” The State Anti-Degradation Policy, which incorporates the federal antidegradation policy (State Water Board Order WQ 86-17 [Fay]), requires that existing quality of waters be maintained unless degradation is justified based on specific findings. Item 2 of the State Anti-Degradation Policy states:

“Any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in the best practicable treatment or control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.”

The mixing zones allowed in this Order are as small as practicable and will result in the Discharger implementing best practicable treatment or control of the discharge necessary to assure that pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained.

A pollutant-by-pollutant evaluation is provided below that evaluates facility performance and percent assimilative capacity used for each pollutant.

(a) **Ammonia.** As outlined above, acute and chronic aquatic life criteria mixing zones extending 200 downstream of the Facility’s outfall and a dilution credit of 15.4 meet the eleven mixing zone prohibitions of Section 1.4.2.2.A of the SIP. Furthermore, considering Facility performance and compliance with the state and federal antidegradation requirements, the mixing zones are as small as practicable and comply with Section 1.4.2.2.B of the SIP.

The allowance of a mixing zone and dilution credits are a discretionary act by the Central Valley Water Board. This Order does not grant dilution credits for ammonia. The Discharger constructed Facility upgrades after the 2016 Mixing Zone Study was conducted, which included upgraded biological nutrient removal facilities. It is expected this will result in lower effluent ammonia concentrations. Additionally, re-calculation of ammonia effluent limits for this Order using the ammonia criteria calculations



(explained further in Attachment F, Section IV.C.3.c.i) result in effluent limits that are less stringent than previous Order R5-2016-0049. Allowance of dilution credits for ammonia may be re-considered at the next permit renewal after representative effluent data is available from the upgraded Facility and after the Discharger conducts an updated mixing zone study per Provision VI.C.2.a of this Order.

- (b) **Nitrate plus Nitrite.** As outlined above, a human health criterion mixing zone extending 200 downstream of the Facility's outfall and a dilution credit of 39.6 meet the eleven mixing zone prohibitions of Section 1.4.2.2.A of the SIP. Furthermore, considering Facility performance and compliance with the state and federal antidegradation requirements, the mixing zone is as small as practicable and comply with Section 1.4.2.2.B of the SIP.

The allowance of a mixing zone and dilution credits are a discretionary act by the Central Valley Water Board. This Order does not grant dilution credits for nitrate plus nitrite. The Discharger constructed Facility upgrades after the 2016 Mixing Zone Study was conducted, which included upgraded biological nutrient removal facilities. This Order carries forward effluent limits for nitrate plus nitrite from the previous Order R5-2016-0049 (explained further in Attachment F, Section IV.C.3.c.v) and Central Valley Water Board staff concludes that immediate compliance with these effluent limitations is feasible. Allowance of dilution credits for nitrate plus nitrite may be re-considered at the next permit renewal after representative effluent data is available from the upgraded Facility and after the Discharger conducts an updated mixing zone study per Provision VI.C.2.a of this Order.

- (c) **Copper.** As outlined above, acute and chronic aquatic life criteria mixing zones both extending 200 feet, downstream of the Facility's outfall and dilution credits of 15.4:1 meet the eleven mixing zone prohibitions of Section 1.4.2.2.A of the SIP. Furthermore, considering Facility performance and compliance with the state and federal antidegradation requirements, the mixing zones are as small as practicable and comply with Section 1.4.2.2.B of the SIP.

The allowance of a mixing zone and dilution credits are a discretionary act by the Central Valley Water Board. The mixing zones and dilution credits for copper permitted in this Order will result in a minor increase in the discharge (i.e., use 10 percent of the available assimilative capacity in the receiving water). According to U.S. EPA's memorandum on Tier 2 Antidegradation Reviews and Significance Thresholds, any individual decision to lower water quality for nonbioaccumulative chemicals that is limited to 10 percent of the available assimilative capacity represents

minimal risk to the receiving water and is fully consistent with the objectives and goals of the Clean Water Act. Per U.S. EPA guidance a simple antidegradation analysis is appropriate in this case. Furthermore, considering existing Facility performance and the de minimis impact on the receiving water, the effluent limits will result in the implementation of best practicable treatment or control of the discharge necessary to assure that a pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained.

- (d) **Lead.** As outlined above, acute and chronic aquatic life criteria mixing zones both extending 200 feet, downstream of the Facility's outfall and dilution credits of 15.4:1 meet the eleven mixing zone prohibitions of Section 1.4.2.2.A of the SIP. Furthermore, considering Facility performance and compliance with the state and federal antidegradation requirements, the mixing zones are as small as practicable and comply with Section 1.4.2.2.B of the SIP.

The allowance of a mixing zone and dilution credits are a discretionary act by the Central Valley Water Board. The mixing zones and dilution credits for lead permitted in this Order will result in a minor increase in the discharge (i.e., use 6 percent of the available assimilative capacity in the receiving water). According to U.S. EPA's memorandum on Tier 2 Antidegradation Reviews and Significance Thresholds, any individual decision to lower water quality for nonbioaccumulative chemicals that is limited to 10 percent of the available assimilative capacity represents minimal risk to the receiving water and is fully consistent with the objectives and goals of the Clean Water Act. Per U.S. EPA guidance a simple antidegradation analysis is appropriate in this case. Furthermore, considering existing Facility performance and the de minimis impact on the receiving water, the effluent limits will result in the implementation of best practicable treatment or control of the discharge necessary to assure that a pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained.

Based on the findings above, this Order grants mixing zones and dilution credits that have been used for the calculation of WQBELs for copper and lead. The dimensions of the mixing zones and allowable dilution credits are shown in Table F-7, below. The percent assimilative used was calculated for antidegradation purposes comparing current permitted discharge to the revised permitted discharge with the mixing zone at the minimum required flow ratio of 20:1 (parts receiving water to parts effluent).

**Table F-7. Mixing Zones and Dilution Credits**

<b>Parameter</b>	<b>Mixing Zone Type</b>	<b>Maximum Dilution Credit</b>	<b>Allowed Dilution Credit</b>	<b>Max Mixing Zone Size (feet)</b>
Copper	Acute and Chronic Aquatic Life	15.4:1	Acute 4:1 Chronic 3:1	50W x 200L
Lead	Chronic Aquatic Life	15.4:1	Chronic 1.5:1	50W x 200L

d. **Conversion Factors.** The default U.S. EPA conversion factors contained in Appendix 3 of the SIP were not used to convert the applicable dissolved criteria to total criteria when developing effluent limitations for CTR metals, including the metals listed in Table F-7. Furthermore, a conservative dissolved-to-total metal translator of 1 has been used when developing effluent limitations for the metals listed in Table F-7. Per the Reopener Provisions of this Order, if the Discharger performs studies to determine site-specific dissolved-to-total metal translators this Order may be reopened to modify the effluent limitations for the applicable inorganic constituents.

e. **Hardness-Dependent CTR Metals Criteria.** The CTR and the NTR contain water quality criteria for seven metals that vary as a function of hardness. The lower the hardness the lower the water quality criteria. The metals with hardness-dependent criteria include cadmium, copper, chromium III, lead, nickel, silver, and zinc. This Order has established the criteria for hardness-dependent metals based on the hardness of the receiving water (actual ambient hardness) as required by the SIP and the CTR.

The ambient hardness for Spanish Creek ranges from 26 mg/L to 60 mg/L based on collected ambient data from April 2019 through March 2022. Given the high variability in ambient hardness values, there is no single hardness value that describes the ambient receiving water for all possible scenarios (e.g., minimum, maximum). Because of this variability, staff has determined that based on the ambient hardness concentrations measured in the receiving water, the Central Valley Water Board has discretion to select ambient hardness values within the range of 26 mg/L (minimum) up to 60 mg/L (maximum).

The Central Valley Water Board finds that the use of the ambient hardness values and associated acute and chronic criteria shown in Table F-8 to conduct the reasonable potential analysis (RPA) and, unless otherwise noted in the table, to calculate WQBELs, protect beneficial uses under all ambient receiving water conditions and comply with the SIP, CTR, and Basin Plan.

**Table F-8. Summary of Criteria for CTR Hardness-dependent Metals**

<b>CTR Metals</b>	<b>Ambient Hardness (mg/L)</b>	<b>Acute Criteria (µg/L, total)</b>	<b>Chronic Criteria (µg/L, total)</b>
Copper	44	6.5	4.6
Chromium III	44	887	106
Cadmium	78 (acute) 44 (chronic)	1.8	1.3
Lead	78	19	0.75
Nickel	44	234	26
Silver	72	0.57	--
Zinc	44	60	60

**Table F-8 Notes:**

- Criteria (µg/L total).** Acute and chronic criteria were rounded to two significant figures in accordance with the CTR (40 C.F.R. section 131.38(b)(2)).
- Ambient hardness (mg/L).** Values in Table F-8 represent actual observed receiving water hardness measurements.
- Copper and Lead.** This Order allows a mixing zone for copper and lead. The ambient hardness shown above is only appropriate for conducting the RPA, because dilution has not been considered. As discussed in Section IV.C.2.c, when considering dilution to calculate the WQBELs the appropriate ambient hardness is 44 mg/L (as CaCO<sub>3</sub>) based solely on upstream receiving water hardness.

**3. Determining the Need for WQBELs**

Clean Water Act section 301(b)(1)(C) requires effluent limitations necessary to meet water quality standards, and 40 C.F.R. section 122.44(d) requires NPDES permits to include conditions that are necessary to achieve water quality standards established under section 303 of the CWA, including State narrative criteria for water quality. Federal regulations at 40 C.F.R 122.44(d)(1)(i) state, "Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines are or may be discharged at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality." Additionally, 40 C.F.R. section 122(d)(1)(vii) requires effluent limits to be developed consistent with any available WLAs developed and approved for the discharge. The process to determine whether a WQBEL is required as described in 40 C.F.R. section 122.44(d)(1)(i) is referred to as a reasonable potential analysis or RPA. Central Valley Water Board staff conducted RPAs for nearly 200 constituents, including the 126 U.S. EPA priority toxic pollutants. This section includes details of the RPAs for constituents of concern for the Facility. The entire RPA is included in the administrative record and a summary of the constituents of concern is provided in Attachment G.

For priority pollutants, the SIP dictates the procedures for conducting the RPA. For non-priority pollutants the Central Valley Water Board is not restricted to

one particular RPA method; therefore, the RPAs have been conducted based on U.S. EPA guidance considering multiple lines of evidence and the site-specific conditions of the discharge. Ammonia, acute toxicity, chlorine residual, nitrate plus nitrite, pH, pathogens, and temperature are not priority pollutants. Due to the site-specific conditions of the discharge, the Central Valley Water Board has used professional judgment in determining the appropriate method for conducting the RPA for these non-priority pollutant parameters based on a qualitative assessment as recommended by U.S. EPA guidance. U.S. EPA's September 2010 NPDES Permit Writer's Manual, page 6-30, states, "State implementation procedures might allow, or even require, a permit writer to determine reasonable potential through a qualitative assessment process without using available facility-specific effluent monitoring data or when such data are not available. . . . A permitting authority might also determine that WQBELs are required for specific pollutants for all facilities that exhibit certain operational or discharge characteristics (e.g., WQBELs for pathogens in all permits for POTWs discharging to contact recreational waters)." U.S. EPA's TSD also recommends that factors other than effluent data should be considered in the RPA, "When determining whether or not a discharge causes, has the reasonable potential to cause, or contributes to an excursion of a numeric or narrative water quality criterion for individual toxicants or for toxicity, the regulatory authority can use a variety of factors and information where facility-specific effluent monitoring data are unavailable. These factors also should be considered with available effluent monitoring data." With regard to POTWs, U.S. EPA recommends that, "POTWs should also be characterized for the possibility of chlorine and ammonia problems." (TSD, p. 50)

- a. **Constituents with No Reasonable Potential.** Central Valley Water Board staff conducted reasonable potential analyses for nearly 200 constituents, including the 126 U.S. EPA priority toxic pollutants. All reasonable potential analyses are included in the administrative record and a summary of the constituents of concern is provided in Attachment G. WQBELs are not included in this Order for constituents that do not demonstrate reasonable potential to cause or contribute to an instream excursion of an applicable water quality objective; however, monitoring for those pollutants is established in this Order as required by the SIP. If the results of effluent monitoring demonstrate reasonable potential, this Order may be reopened and modified by adding an appropriate effluent limitation.

Most constituents with no reasonable potential are not discussed in this Order. This section only provides the rationale for the reasonable potential analyses for the following constituents of concern that were found to have no reasonable potential after assessment of the data:

- i. **Aluminum**

- (a) **WQO.** The State Water Board Division of Drinking Water (DDW) has established Secondary Maximum Contaminant Levels

(MCLs) to assist public drinking water systems in managing their drinking water for public welfare considerations, such as taste, color, and odor. The Secondary MCL for aluminum is 200 µg/L for protection of the MUN beneficial use. The Basin Plan requires compliance with Secondary MCLs on an annual average basis.

The 2018 U.S. EPA NAWQC for protection of freshwater aquatic life for aluminum recommends acute (1-hour average; criteria maximum concentration or CMC) and chronic (4-day average; criteria continuous concentration or CCC) standards based upon Multiple Linear Regression (MLR) models for vertebrate and invertebrate species that use pH, dissolved organic carbon (DOC), and total hardness to quantify the effects of these water chemistry parameters on the bioavailability and resultant toxicity of aluminum to aquatic organisms. The U.S. EPA aluminum criteria have been used to implement the Basin Plan's narrative toxicity objective.

A CMC of 685 µg/L and CCC of 350 µg/L were calculated considering pH, hardness, and DOC representative of the receiving water and effluent conditions. Effluent and receiving water sampling results for pH and hardness from April 2019 through March 2022 were used in the evaluation. In the absence of DOC data, the criteria were calculated considering a conservative assumption of DOC for the receiving water and effluent of 1 mg/L and 5 mg/L, respectively.

- (b) **RPA Results.** For priority pollutants, the SIP dictates the procedures for conducting the RPA. Aluminum is not a priority pollutant. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Due to the site-specific conditions of the discharge, the Central Valley Water Board used professional judgment in determining the appropriate method for conducting the RPA for this non-priority pollutant constituent. The Secondary MCL is derived from human welfare considerations (e.g., taste, odor, laundry staining), not for toxicity. Secondary MCLs are drinking water standards contained in the Basin Plan and requires compliance with these standards on an annual average basis with samples that have been passed through a 1.5-micron filter. To be consistent with how compliance with the standards is determined, for the Secondary MCL the RPA was conducted based on the calendar annual average effluent aluminum concentrations. Calculating a maximum annual average concentration considers variability in the data, per 40 C.F.R. § 122.44(d)(1)(ii).

The maximum annual average effluent concentration for aluminum was 39.7 µg/L based on one samples collected between January 14 2020. Effluent aluminum is consistently less than the Secondary MCL. Therefore, the Central Valley Water Board finds the discharge does not have reasonable potential to cause or contribute to an exceedance in the receiving water and the Facility is adequately controlling the discharge of aluminum.

**ii. Iron**

- (a) **WQO.** The State Water Board Division of Drinking Water has adopted a Secondary MCL for iron of 300 µg/L, which implements the Basin Plan's chemical constituent objective for the protection of MUN beneficial use..
- (b) **RPA Results.** Federal regulations at 40 C.F.R. section 122.44(d)(1)(i) require that, "*Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality.*" For priority pollutants, the SIP dictates the procedures for conducting the RPA. Iron is not a priority pollutant. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Due to the site-specific conditions of the discharge, the Central Valley Water Board has used professional judgment in determining the appropriate method for conducting the RPA for this non-priority pollutant constituent.

U.S. EPA's September 2010 NPDES Permit Writer's Manual recommends using a mass-balance approach to determine the expected critical downstream receiving water concentration using a steady-state approach. The downstream receiving water concentration is then compared to the applicable water quality objectives to determine if the discharge has reasonable potential to cause or contribute to an in-stream excursion. This approach allows assimilative capacity and dilution to be factored into the RPA. This U.S. EPA recommended approach has been used to assess the reasonable potential for iron in the Facility's effluent to cause or contribute to an in-stream excursion above the applicable water quality objectives. The critical downstream receiving water concentration is calculated using Equation 2, below.

$$C_r = (Q_s C_s + Q_d C_d) / (Q_s + Q_d) \text{ (Equation 2)}$$

Where:

$Q_s$  = Critical stream flow

$Q_d$  = Critical effluent flow from discharge flow data (maximum permitted discharge)

$C_s$  = Critical upstream pollutant concentration

$C_d$  = Critical effluent pollutant concentration

$C_r$  = Critical downstream receiving water pollutant concentration

As described above, this Order requires at least a 20:1 dilution ratio, therefore, for purposes of conducting the RPA the critical stream flow ( $Q_s$ ) has been set to 20 MGD and the critical effluent flow ( $Q_d$ ) has been set to 1 MGD.

The Basin Plan requires compliance with the Secondary MCL's for iron based on an annual average concentration; therefore, a critical effluent pollutant concentration,  $C_d$ , has been established as the projected annual average effluent concentration. The projected annual average effluent concentration was determined based on effluent data collected from April 2019 through March 2022 and projected using statistics recommended in the TSD for statistically projecting effluent concentrations (i.e., Table 3-1 of the TSD using the 95 percent probability basis and 95 percent confidence level).

The projected annual average effluent concentration ( $C_d$ ) is 1,215  $\mu\text{g/L}$  based on annual average effluent iron concentrations collected from 2018 through 2020. The maximum observed upstream receiving water concentration for iron was 62  $\mu\text{g/L}$  based on one sample collected from April 2019 through March 2022. Using Equation 2, above, the calculated critical downstream receiving water iron concentration ( $C_r$ ) is 111  $\mu\text{g/L}$ , which does not exceed the Secondary MCL of 300  $\mu\text{g/L}$ . Therefore, the discharge does not have reasonable potential to cause or contribute to an in-stream excursion above the applicable water quality objective for iron.



### iii. pH

- (a) **WQO.** The Basin Plan includes a water quality objective for surface waters (except for Goose Lake) that the “pH shall not be depressed below 6.5 nor raised above 8.5.”
- (b) **RPA Results.** Federal regulations at 40 C.F.R. §122.44(d)(1)(i) requires that, “Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality.” For priority pollutants, the SIP dictates the procedures for conducting the RPA. pH is not a priority pollutant. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Due to the site-specific conditions of the discharge, the Central Valley Water Board has used professional judgment in determining the appropriate method for conducting the RPA for this non-priority pollutant constituent.

The effluent pH ranged from 6.4 to 9.0 based on 473 samples collected between April 2019 through March 2022. The upstream receiving water pH ranged from 6.2 to 8.1 based on 71 samples collected between April 2019 through March 2022.

Raw domestic wastewater inherently has variable pH. Additionally, some wastewater treatment processes can increase or decrease wastewater pH which if not properly controlled, would violate the Basin Plan’s numeric objective for pH in the receiving water. Data collected during the term of Order R5-2016-0049 indicates that background receiving water pH has not exceeded the upper boundary of the water quality objectives for pH, and that the Facility’s discharge does not have a significant effect on the downstream receiving water pH.

Based on the effluent and receiving water data, the minimum 20:1 dilution ratio, and the cross-stream diffuser that ensures rapid mixing in the receiving water, the Central Valley Water Board finds that the discharge does not exhibit reasonable potential to cause or contribute to an exceedance of the Basin Plan water quality objectives for pH. Therefore, this Order does not include WQBEL’s for pH. However, as discussed in section IV.B.2 of this Fact Sheet, this Order includes technology-based minimum and maximum effluent limitations of 6.0 and 9.0, respectively, based on the secondary treatment standards at 40 C.F.R. part 133.

### iv. Salinity

- (a) **WQO.** The Basin Plan contains a chemical constituent objective that incorporates state MCLs, contains a narrative objective, and contains numeric water quality objectives for certain specified water bodies for electrical conductivity, total dissolved solids, sulfate, and chloride. The U.S. EPA Ambient Water Quality Criteria for Chloride recommends acute and chronic criteria for the protection of aquatic life. There are no U.S. EPA water quality criteria for the protection of aquatic life for electrical conductivity, total dissolved solids, and sulfate. Additionally, there are no U.S. EPA numeric water quality criteria for the protection of agricultural, livestock, and industrial uses. Numeric values for the protection of these uses are typically based on site specific conditions and evaluations to determine the appropriate constituent threshold necessary to interpret the narrative chemical constituent Basin Plan objective. The Central Valley Water Board must determine the applicable numeric limit to implement the narrative objective for the protection of agricultural supply. Table F-9, below, contains various recommended levels for EC or TDS, sulfate, and chloride.

The Basin Plan includes a water quality objective that electrical conductivity (at 25°C) “[s]hall not exceed 150 micromhos/ cm (90 percentile) in well-mixed waters of the Feather River”. The Basin Plan objective for electrical conductivity is applied as a 10-year rolling average. This objective is not directly applicable to Spanish Creek; however, since the Discharger discharges to Spanish Creek, a tributary of the North Fork Feather River, the Central Valley Water Board is concerned about the salt contribution to the downstream receiving water.

**Table F-9 Salinity Water Quality Criteria/Objectives**

Parameters	Secondary MCL Recommended Level.	Secondary MCL Upper Level	Secondary MCL Short-term Maximum	U.S. EPA NAWQC	Maximum Calendar Annual Average Effluent Concentration	Maximum Daily Effluent Concentration
EC (µmhos/cm) or TDS (mg/L)	EC 900 or TDS 500	EC 1,600 or TDS 1,000	EC 2,200 or TDS 1,500	N/A	EC 340 TSS 176	EC 364 TSS 190
Sulfate (mg/L)	250	500	600	N/A	2.4	2.4
Chloride (mg/L)	250	500	600	860 1-hour / 230 4-day	1.3	1.3

**Table F-9 Notes:**

1. **Agricultural Water Quality Objectives.** Applicable agricultural water quality objectives vary. Procedures for establishing the applicable numeric limitation to implement the narrative chemical constituent objective can be found in the Policy for Application of Water Quality Objectives, section 4.2.2.1.9 of the Basin Plan. However, the Basin Plan does not require improvement over naturally occurring background concentrations. In cases where the natural background concentration of a particular constituent exceeds an applicable water quality objective, the natural background concentration will be considered to comply with the objective.
2. **Secondary MCLs.** Secondary MCLs are for protection of public welfare and are stated as a recommended level, upper level, and a short-term maximum level.
3. **Chloride.** The Secondary MCL for chloride is 250 mg/L, as a recommended level, 500 mg/L as an upper level, and 600 mg/L as a short-term maximum.
4. **Electrical Conductivity or Total Dissolved Solids.** The Secondary MCL for EC is 900  $\mu$ mhos/cm as a recommended level, 1600  $\mu$ mhos/cm as an upper level, and 2200  $\mu$ mhos/cm as a short-term maximum, or when expressed as TDS is 500 mg/L as a recommended level, 1000 mg/L as an upper level, and 1500 mg/L as a short-term maximum. The Basin Plan includes a water quality objective that electrical conductivity (at 25°C) “[s]hall not exceed 150 micromhos/ cm (90 percentile) in well-mixed waters of the Feather River”.
5. **Sulfate.** The Secondary MCL for sulfate is 250 mg/L as a recommended level, 500 mg/L as an upper level, and 600 mg/L as a short-term maximum.

(b) **RPA Results.**

- (1) **Chloride.** The chloride concentration in the effluent is 1.3 mg/L. This does not exceed the Secondary MCL. The background chloride concentration in Spanish Creek is 27.1 mg/L, for 1 sample collected by the Discharger from April 2019 through March 2022.
- (2) **Electrical Conductivity or Total Dissolved Solids.** A review of the Discharger’s monitoring reports shows a maximum annual average effluent EC of 340  $\mu$ mhos/cm, with a range from 225  $\mu$ mhos/cm to 364  $\mu$ mhos/cm. These levels do not exceed the Secondary MCL of 900  $\mu$ mhos/cm. The maximum annual average background receiving water EC is 123  $\mu$ mhos/cm. The maximum annual average TDS effluent concentration was 176 mg/L with concentrations ranging from 135 mg/L to 190 mg/L. These levels do not exceed the Secondary MCL of 500 mg/L. The background receiving water TDS ranged from 40 mg/L to 80 mg/L, with a maximum annual average of 73

mg/L. For 19 samples collected by the Discharger from April 2019 through March 2022.

- (3) **Sulfate.** The chloride concentration in the effluent is 2.4 mg/L. This does not exceed the Secondary MCL. The background chloride concentration in Spanish Creek is 29.5 mg/L, for 1 sample collected by the Discharger from April 2019 through March 2022.

(c) **WQBELs.**

As discussed above, the discharge does not have reasonable potential to cause or contribute to an in-stream excursion of water quality objectives for salinity. On 17 January 2020, certain amendments to the Basin Plan incorporating a Program to Control and Permit Salt Discharges to Surface and Groundwater (Salt Control Program) became effective. Other amendments became effective on 2 November 2020 when approved by the U.S. EPA. The Salt Control Program is a three-phased program, with each phase lasting 10 to 15 years. The Basin Plan requires all salt dischargers to comply with the provisions of the program. Two compliance pathways are available for salt dischargers during Phase 1.

The Phase 1 Compliance pathways are: 1) Conservative Salinity Permitting Approach, which utilizes the existing regulatory structure and focuses on source control, conservative salinity limits on the discharge, and limits the use of assimilative capacity and compliance time schedules; and, 2) Alternative Salinity Permitting Approach, which is an alternative approach to compliance through implementation of specific requirements such as participating in the Salinity Prioritization and Optimization Study (P&O) rather than the application of conservative discharge limits.

The Discharger submitted a Notice of Intent for the Salinity Control Program indicating its intent to meet the Alternative Salinity Permitting Approach. This Order requires implementation of a Salinity Evaluation and Minimization Plan, participation in the Salinity P&O Study, and includes a performance-based trigger for EC consistent with the Alternative Salinity Permitting Approach.

- b. **Constituents with No Data or Insufficient Data.** Reasonable potential cannot be determined for the following constituents because effluent data are limited, or ambient background concentrations are not available. The Discharger is required to continue to monitor for these constituents in the effluent using analytical methods that provide the best feasible detection

limits. When additional data becomes available, further analysis will be conducted to determine whether to add numeric effluent limitations or to continue monitoring.

**i. Benzo(a)Anthracene, Benzo(a)Pyrene, Benzo(b)Fluoranthene, Benzo(k)Fluoranthene, Chrysene.**

- (a) **WQO.** The CTR includes a criterion of 0.0044 µg/L for Benzo(a)Anthracene, Benzo(a)Pyrene, Benzo(b)Fluoranthene, Benzo(k)Fluoranthene, Chrysene for the protection of human health for waters from which both water and organisms are consumed.
- (b) **RPA Results.** The effluent and receiving water concentrations for these CTR constituents are presented in Table F-10:

**Table F-10 Constituents with Insufficient Data to Determine Reasonable potential**

Constituent	EFF-001	EFF-001	RSW-001	RSW-001	WQO
	2019	2020	2019	2020	
Benzo(a)Anthracene	ND	0.026 µg/L	ND	ND	0.0044 µg/L
Benzo(a)Pyrene	ND	0.017 µg/L	ND	ND	0.0044 µg/L
Benzo(b)Fluoranthene	ND	0.028 µg/L	ND	ND	0.0044 µg/L
Benzo(k)Fluoranthene	ND	0.013 µg/L	ND	ND	0.0044 µg/L
Chrysene	ND	0.024 µg/L	ND	ND	0.0044 µg/L

- a. **ND = Non Detected;** Sample results which are less than the laboratory’s Method Detection Limit (MDL).

The MEC for each of these constituents was based on two samples collected in the Facility characterization monitoring in 2019 and 2020. The observed upstream receiving water concentrations for each of these constituents were all non-detect based on two samples collected in the Facility characterization monitoring in 2019 and 2020. For the RPA, Central Valley Water Board staff examined historical data collected from characterization monitoring during the last two permit cycles. Prior to the March 2020 sampling event, there were no quantified effluent or receiving water results that exceeded the applicable CTR criterion for these constituents. There were no laboratory QA/QC issues reported by the laboratory.

Section 1.2 of the SIP states, “The RWQCB shall have discretion to consider if any data are inappropriate or insufficient for use in implementing this Policy.” The March 2020 effluent

and receiving water samples appear to not be representative when compared to historical effluent and receiving water data. Therefore, the Central Valley Water Board concludes that the March 2020 effluent and receiving water results are insufficient for use in the RPA.

Section 1.3, step 8 of the SIP allows the Central Valley Water Board to require additional monitoring for a pollutant in place of an effluent limitation if data are unavailable or insufficient. Instead of effluent limitations, monitoring for Benzo(a)Anthracene, Benzo(a)Pyrene, Benzo(b)Fluoranthene, Benzo(k)Fluoranthene, Chrysene in the effluent and receiving water will be required quarterly for 1 year in 2025, as part of the effluent and receiving water characterization described in section IX.D of the MRP, Attachment E. Should monitoring results indicate that the discharge has the reasonable potential to cause or contribute to an exceedance of a water quality standard, this Order may be reopened and modified by adding an appropriate effluent limitation.

- c. **Constituents with Reasonable Potential.** The Central Valley Water Board finds that the discharge has a reasonable potential to cause or contribute to an instream excursion above a water quality standard for ammonia, chlorine residual, copper, lead, and nitrate and nitrite. WQBELs for these constituents are included in this Order. A summary of the RPA is provided in Attachment G, and a detailed discussion of the RPA for each constituent is provided below.

**i. Ammonia**

- (a) **WQO.** The 2013 U.S. EPA National Ambient Water Quality Criteria (NAWQC) for the protection of freshwater aquatic life for total ammonia (2013 Criteria), recommends acute (1-hour average; criteria maximum concentration or CMC) and chronic (30-day average; criteria continuous concentration or CCC) standards based on pH and temperature. U.S. EPA also recommends that no 4-day average concentration should exceed 2.5 times the 30-day CCC. The 2013 Criteria reflects the latest scientific knowledge on the toxicity of ammonia to certain freshwater aquatic life, including toxicity data on sensitive freshwater unionid mussels, non-pulmonary snails, and other freshwater organisms.

The Central Valley Clean Water Association (CVCWA) organized a coordinated effort for POTWs within the Central Valley Region, the Freshwater Mussel Collaborative Study for Wastewater Treatment Plants, to determine how the latest scientific knowledge on the toxicity of ammonia reflected in the 2013 Criteria could be implemented in the Central Valley

Region. Through this effort a Criteria Recalculation Report was developed in January 2020 using toxicity studies for the freshwater mussel species present in Central Valley Region waters.

The Criteria Recalculation Report implemented U.S. EPA's Recalculation Procedure utilizing toxicity bioassays conducted on resident mussel species to replace the toxicity data for the eastern mussel species in the national dataset to develop site-specific ammonia criteria for waters within the Central Valley Region, including all surface waters in the Sacramento River, San Joaquin River, and Tulare Lake Basin Plans.

U.S. EPA Office of Science and Technology reviewed and approved the Criteria Recalculation Report with a more conservative approach for utilizing the acute-to-chronic ratio procedure for developing the site-specific chronic criterion. The Central Valley Water Board finds that the site-specific ammonia criteria provided in the January 2020 Criteria Recalculation Report implements the Basin Plan's narrative toxicity objective to protect aquatic life beneficial uses of the receiving water.

**Site-specific Criteria for Spanish Creek.** The recalculated site-specific criteria developed in the Criteria Recalculation Report for the acute and chronic criteria are presented based on equations that vary according to pH and temperature for situations where freshwater mussels are present and where they are absent. In this case, for the Spanish Creek freshwater mussels have been assumed to be present. In addition, the recalculated criteria include equations that provide enhanced protection for important salmonid species in the genus *Oncorhynchus*, that can be implemented for receiving waters where salmonid species are present. Because Spanish Creek has a beneficial use of cold freshwater habitat and the presence of salmonids in the Spanish Creek is well-documented, the criteria equations for waters where salmonids are present were used.

The acute (1-hour average) criterion or CMC was calculated using paired effluent pH and temperature data, collected during the period from April 2019 through March 2022. The most stringent CMC of 4.64 mg/L (ammonia as N) calculated has been implemented in this Order.

The chronic (30-day average) criterion or CCC was calculated using paired upstream receiving water pH and temperature data, collected during the period from April 2019 through March

2022. The most stringent 30-day rolling average CCC of 4.25 mg/L (ammonia as N) has been implemented in this Order.

The chronic (4-day average) concentration is derived in accordance with the U.S. EPA criterion as 2.5 times the 30-day CCC. Based on the 30-day CCC of 4.25 mg/L (ammonia as N), the 4-day average concentration that should not be exceeded is 10.6 mg/L (ammonia as N).

- (b) **RPA Results.** The Facility is a POTW that treats domestic wastewater. Untreated domestic wastewater contains ammonia in concentrations that are harmful to aquatic life and exceed the Basin Plan narrative toxicity objective. The new treatment system installed by the Discharger in 2022 uses a biological nutrient removal treatment system to remove ammonia from the waste stream. Inadequate or incomplete treatment may result in the discharge of ammonia to the receiving stream, which creates the basis for the discharge to have a reasonable potential to cause or contribute to an instream excursion above the site-specific acute and chronic criteria for ammonia provided by the January 2020 Criteria Recalculation Report. Therefore, the Central Valley Water Board finds the discharge has reasonable potential for ammonia and WQBELs are required. The MEC for ammonia during the last permit term was 11.8 mg/L is greater than the 4-day average CMC of 4.64 mg/L (ammonia as N).
- (c) **WQBELs.** The Central Valley Water Board calculates WQBELs in accordance with SIP procedures for non-CTR constituents, and ammonia is a non-CTR constituent. The SIP procedure assumes a 4-day averaging period for calculating the long-term average discharge condition (LTA). However, U.S. EPA recommends modifying the procedure for calculating permit limits for ammonia using a 30-day averaging period for the calculation of the LTA corresponding to the 30-day CCC. Therefore, while the LTAs corresponding to the acute and 4-day chronic criteria were calculated according to SIP procedures, the LTA corresponding to the 30-day CCC was calculated assuming a 30-day averaging period. This Order contains a final average monthly effluent limitation (AMEL) and average weekly effluent limitation (AWEL) for ammonia of 2.3 mg/L and 4.6 mg/L, respectively, based on the site-specific ammonia criteria for Spanish Creek.
- (d) **Plant Performance and Attainability.** Analysis of the effluent data from the previous Facility shows that the MEC of 11.8 mg/L is greater than applicable WQBELs. According to the ROWD submitted by the discharger in 2022, the new



nitrification/denitrification system is expected to keep ammonia effluent concentrations below 1 mg/L. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible. Plant data from January to March 2023 with the AeroMod process completely online shows ammonia concentrations of less than 1 mg/L.

## ii. Chlorine Residual

- (a) **WQO.** U.S. EPA developed NAWQC for protection of freshwater aquatic life for chlorine residual. The recommended 4-day average (chronic) and 1-hour average (acute) criteria for chlorine residual are 0.011 mg/L and 0.019 mg/L, respectively. These criteria are protective of the Basin Plan's narrative toxicity objective.
- (b) **RPA Results.** The concentrations of chlorine used to disinfect wastewater are high enough to harm aquatic life and violate the Basin Plan narrative toxicity objective if discharged to the receiving water. Reasonable potential therefore does exist and effluent limits are required.

The Discharger uses chlorine for disinfection, which is extremely toxic to aquatic organisms. Although the Discharger uses a sodium bisulfite process to dechlorinate the effluent prior to discharge to Spanish, the existing chlorine use and the potential for chlorine to be discharged provides the basis for the discharge to have a reasonable potential to cause or contribute to an instream excursion above the NAWQC.

- (c) **WQBELs.** The U.S. EPA's TSD for Water Quality-Based Toxics Control [EPA/505/2-90-001] contains statistical methods for converting chronic (4-day) and acute (1-hour) aquatic life criteria to average monthly and maximum daily effluent limitations based on the variability of the existing data and the expected frequency of monitoring. However, because chlorine is an acutely toxic constituent that can and will be monitored continuously, an average 1-hour limitation is considered more appropriate than an average daily limitation. This Order contains a 4-day average effluent limitation and 1-hour average effluent limitation for chlorine residual of 0.011 mg/L and 0.019 mg/L, respectively, based on U.S. EPA's NAWQC, which implements the Basin Plan's narrative toxicity objective for protection of aquatic life.
- (d) **Plant Performance and Attainability.** The Facility provides dechlorination using sodium bisulfite. Thus, the Central Valley Water Board concludes that immediate compliance with these effluent limitations is feasible.

### iii. Copper

- (a) **WQO.** The CTR includes hardness-dependent criteria for the protection of freshwater aquatic life for copper. These criteria for copper are presented in dissolved concentrations, as 1-hour acute criteria and 4-day chronic criteria. U.S. EPA recommends conversion factors to translate dissolved concentrations to total concentrations. Default U.S. EPA translators were used for calculating the criteria. As described in section IV.C.2.e of this Fact Sheet, the applicable acute (1-hour average) and chronic (4-day average) criteria for copper in the effluent are 4.6 µg/L and 6.5 µg/L, respectively, as total recoverable.
- (b) **RPA Results.** Based on 19 samples from April 2019 through March 2022., the MEC for copper was 16.2 µg/L and the maximum ambient background copper concentration was non-detect. Therefore, copper in the discharge does demonstrate reasonable potential to cause or contribute to an instream excursion above the Primary MCL of 4.6 µg/L. Therefore, copper in the discharge has a reasonable potential to cause or contribute to an in-stream excursion above the CTR criteria for the protection of freshwater aquatic life.
- (c) **WQBELs.** The receiving water contains assimilative capacity for copper, therefore, a chronic dilution credit of 3:1 and an acute dilution credit 4:1 was allowed in the development of the WQBELs for copper. This Order contains a final AMEL and MDEL for copper of 14 µg/L and 32 µg/L, respectively, based on the CTR criteria for the protection of freshwater aquatic life.
- (d) **Plant Performance and Attainability.** Analysis of the effluent data shows that the MEC of 16.2 µg/L is less than the applicable MDEL of 32 µg/L, and typically less than the AMEL of 14 µg/L. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible.

### iv. Lead

- (a) **WQO.** The State Water Board Division of Drinking Water has adopted a Primary MCL for lead of 0.7 µg/L, which implements the Basin Plan's chemical constituent objective. Previous Waste Discharge Requirements Order R5-2016-0049 established an effluent limitation for lead based on the Primary MCL. Order R5-2016-0049 included an AMEL of 1.0 µg/L and an MDEL of 2.2 µg/L.
- (b) **RPA Results.** Based on 19 samples from April 2019 through March 2022., the MEC for lead was 1.0 µg/L and the maximum ambient background lead concentration was non-detect. Therefore, lead in the discharge does demonstrate reasonable

potential to cause or contribute to an instream excursion above the Primary MCL of 0.7 µg/L, and the effluent limitation for lead has not been retained in this Order. Removal of these effluent limitations is in accordance with federal anti-backsliding regulations (see section IV.D.3 of the Fact Sheet).

- (c) **WQBELs.** The receiving water contains assimilative capacity for lead, therefore, a dilution credit of 1.5:1 was allowed in the development of the WQBELs for lead. This Order contains a final AMEL and MDEL for lead of 1.4 µg/L and 3.0 µg/L, respectively, based on the CTR criteria for the protection of freshwater aquatic life.
- (d) **Plant Performance and Attainability.** Analysis of the effluent data shows that the MEC of 1.0 µg/L is less than the applicable WQBELs. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible.

v. **Nitrate and Nitrite**

- (a) **WQO.** DDW has adopted Primary MCLs for the protection of human health for nitrite and nitrate that are equal to 1 mg/L and 10 mg/L (measured as nitrogen), respectively. DDW has also adopted a Primary MCL of 10 mg/L for the sum of nitrate and nitrite, measured as nitrogen.

U.S. EPA has developed a primary MCL and an MCL goal of 1 mg/L for nitrite (as nitrogen). For nitrate, U.S. EPA has developed Drinking Water Standards (10 mg/L as Primary MCL) and NAWQC for protection of human health (10 mg/L for non-cancer health effects).

- (b) **RPA Results.** The Facility is a POTW that treats domestic wastewater. Untreated domestic wastewater contains ammonia in concentrations that is harmful to aquatic life and exceed the Basin Plan's narrative toxicity objective. The Discharger's new facility upgrades include a two-step biological nutrient removal treatment process to first convert the ammonia to nitrate, then remove the nitrate from the waste stream. Inadequate or incomplete treatment may result in the discharge of nitrate and/or nitrite to the receiving stream in concentrations that may exceed the Primary MCL and would violate the Basin Plan's narrative chemical constituents' objective. Therefore, the Central Valley Water Board finds the discharge has a reasonable potential to cause or contribute to an instream excursion above the Primary MCL and WQBELs are required for nitrate plus nitrite.

- (c) **WQBELs.** This Order contains an average monthly effluent limitation (AMEL) and average weekly effluent limitation (AWEL) for nitrate plus nitrite of 10 µg/L and 20 µg/L, respectively, based on the Basin Plan’s narrative chemical constituents objective for protection of the MUN beneficial use. These effluent limitations are included in this Order to assure the treatment process adequately nitrifies and denitrifies the waste stream to protect the beneficial use of municipal and domestic supply.
- (d) **Plant Performance and Attainability.** Analysis of the effluent data shows that the MEC of 2.1 mg/L is less than the applicable WQBEL’s. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible.

#### 4. WQBEL Calculations

- a. This Order includes WQBELs for ammonia, chlorine residual, copper, lead, nitrate plus nitrite, and total coliform organisms. The general methodology for calculating WQBELs based on the different criteria/objectives is described in subsections IV.C.4.b through e, below. See Attachment H for the WQBEL calculations.
- b. **Effluent Concentration Allowance.** For each water quality criterion/objective, the ECA is calculated using the following steady-state mass balance equation from section 1.4 of the SIP:

$$\begin{aligned} \text{ECA} &= C + D(C - B) \text{ where } C > B, \text{ and} \\ \text{ECA} &= C \text{ where } C \leq B \end{aligned}$$

where:

ECA = effluent concentration allowance  
D = dilution credit  
C= the priority pollutant criterion/objective  
B= the ambient background concentration.

According to the SIP, the ambient background concentration (B) in the equation above shall be the observed maximum with the exception that an ECA calculated from a priority pollutant criterion/objective that is intended to protect human health from carcinogenic effects shall use the arithmetic mean concentration of the ambient background samples.

- c. **Primary and Secondary MCLs.** For non-priority pollutants with primary MCLs to protect human health (e.g., nitrate plus nitrite), the AMEL is set equal to the primary MCL and the AWEL is calculated using the AWEL/AMEL multiplier, where the AWEL multiplier is based on a 98<sup>th</sup> percentile occurrence probability and the AMEL multiplier is from Table 2

of the SIP.

For non-priority pollutants with secondary MCLs that protect public welfare (e.g., taste, odor, and staining), WQBELs were calculated by setting the LTA equal to the secondary MCL and using the AMEL multiplier to set the AMEL. The AWEL was calculated using the MDEL/AMEL multiplier from Table 2 of the SIP.

- d. **Aquatic Toxicity Criteria.** For priority pollutants with acute and chronic aquatic toxicity criteria, the WQBELs are calculated in accordance with section 1.4 of the SIP. The ECAs are converted to equivalent long-term averages (i.e.  $LTA_{acute}$  and  $LTA_{chronic}$ ) using statistical multipliers and the lowest LTA is used to calculate the AMEL and MDEL using additional statistical multipliers. For non-priority pollutants, WQBELs are calculated using similar procedures, except that an AWEL is determined utilizing multipliers based on a 98<sup>th</sup> percentile occurrence probability.
- e. **Human Health Criteria.** For priority pollutants with human health criteria, the WQBELs are calculated in accordance with section 1.4 of the SIP. The AMEL is set equal to the ECA and the MDEL is calculated using the MDEL/AMEL multiplier from Table 2 of the SIP. For non-priority pollutants with human health criteria, WQBELs are calculated using similar procedures, except that an AWEL is established using the MDEL/AMEL multiplier from Table 2 of the SIP.

$$AMEL = mult_{AMEL} \left[ \min \left( \overbrace{M_A ECA_{acute}}^{LTA_{acute}}, M_C ECA_{chronic} \right) \right]$$

$$MDEL = mult_{MDEL} \left[ \min \left( M_A ECA_{acute}, \underbrace{M_C ECA_{chronic}}_{LTA_{chronic}} \right) \right]$$

$$MDEL_{HH} = \left( \frac{mult_{MDEL}}{mult_{AMEL}} \right) AMEL_{HH}$$

where:

- $mult_{AMEL}$  = statistical multiplier converting minimum LTA to AMEL
- $mult_{MDEL}$  = statistical multiplier converting minimum LTA to MDEL
- $M_A$  = statistical multiplier converting acute ECA to  $LTA_{acute}$
- $M_C$  = statistical multiplier converting chronic ECA to  $LTA_{chronic}$

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

**Table F-11 Summary of Water Quality-Based Effluent Limitations**

Parameter	Units	Average Monthly Effluent Limitations	Average Weekly Effluent Limitations	Maximum Daily Effluent Limitations
Ammonia Nitrogen, Total (as N)	mg/L	2.3	4.6	--
Chlorine, Total Residual	mg/L	--	0.011	0.019
Copper, Total	µg/L	14	--	32
Lead, Total	µg/L	1.4	--	3.2
Nitrate Plus Nitrite (as N)	mg/L	10	20	--
Total Coliform Organisms	MPN/100 mL	--	23	240

**Table F-11 Notes:**

1. **Chlorine.** Average weekly applied as 4-day average effluent limitation. Maximum daily applied as 1-hour average effluent limitation.
2. **Total Coliform.** Average weekly applied as 7-day median effluent limitation. Maximum daily not to be exceeded more than once in a 30-day period.

**5. Whole Effluent Toxicity (WET)**

The Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (ISWEBE Plan) contains toxicity provisions, including numeric objectives for acute and chronic aquatic toxicity, that are applicable to this discharge and are hereafter referred to as the Toxicity Provisions.

- a. **Acute Toxicity.** The acute aquatic toxicity water quality objective is expressed as a null hypothesis and an alternative hypothesis with a regulatory management decision (RMD) of 0.80, where the following null hypothesis,  $H_0$ , shall be used:

$$H_0: \text{Mean response (ambient water)} \leq 0.80 \cdot \text{mean response (control)}$$

And where the following alternative hypothesis,  $H_a$ , shall be used:

$$H_a: \text{Mean response (ambient water)} > 0.80 \cdot \text{mean response (control)}$$

Attainment of the water quality objective is demonstrated by conducting acute aquatic toxicity testing and rejecting this null hypothesis in accordance with the TST statistical approach. When the null hypothesis is rejected, the alternative hypothesis is accepted in its place, and there is no exceedance of the acute aquatic toxicity water quality objective. Failing to reject the null hypothesis (referred to as a “fail”) is equivalent to an exceedance of the acute aquatic toxicity water quality objective.

- b. **Chronic Toxicity.** The chronic aquatic toxicity water quality objective is expressed as a null hypothesis and an alternative hypothesis with a

regulatory management decision (RMD) of 0.75, where the following null hypothesis, Ho, shall be used

Ho: Mean response (ambient water)  $\leq 0.75 \cdot$  mean response (control)

And where the following alternative hypothesis, Ha, shall be used:

Ha: Mean response (ambient water)  $> 0.75 \cdot$  mean response (control)

Attainment of the water quality objective is demonstrated by conducting chronic aquatic toxicity testing and rejecting this null hypothesis in accordance with the Test of Significant Toxicity (TST) statistical approach described in National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document (EPA 833-R-10-003, 2010), Appendix A, Figure A-1 and Table A-1 (Chronic Freshwater and East Coast Methods) and Appendix B, Table B-1. When the null hypothesis is rejected, the alternative hypothesis is accepted in its place, and there is no exceedance of the chronic aquatic toxicity water quality objective. Failing to reject the null hypothesis (referred to as a “fail”) is equivalent to an exceedance of the chronic aquatic toxicity water quality objective.

The Basin Plan contains a narrative toxicity objective that states, “All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.” (Basin Plan at page section 3.1.20). To evaluate compliance with the Statewide Toxicity Provisions aquatic toxicity numeric objectives and Basin Plan’s narrative toxicity objective, acute and chronic whole effluent toxicity testing data has been evaluated in the development of this Order.

- a. **Chronic Toxicity.** The table below is chronic WET testing performed by the Discharger from December 2018 through March 2019.

**Table F-12 Chronic Whole Effluent Toxicity Testing Results – Test of Significant Toxicity at the IWC (100 Percent Effluent)**

Date	Fathead Minnow ( <i>Pimephales promelas</i> ) Survival		Fathead Minnow ( <i>Pimephales promelas</i> ) Growth		Water Flea ( <i>Ceriodaphnia dubia</i> ) Survival		Water Flea ( <i>Ceriodaphnia dubia</i> ) Reproduction		Green Algae ( <i>Selenastrum capricornutum</i> ) Growth	
	Pass/Fail	Percent Effect	Pass/Fail	Percent Effect	Pass/Fail	Percent Effect	Pass/Fail	Percent Effect	Pass/Fail	Percent Effect
2018	Pass	0	Pass	0	Pass	0	Pass	0	Pass	0
2019	Pass	-1.7	Pass	-18	Pass	0	Pass	0.8	Pass	-90

- i. **RPA.** No dilution has been granted for chronic whole effluent toxicity. Therefore, chronic toxicity testing has been conducted at an instream waste concentration (IWC) of 100 percent effluent. A test result that

fails the Test of Significant Toxicity (TST) or has a percent effect of 10 percent or greater at the IWC demonstrates the discharge has a reasonable potential to cause or contribute to an exceedance of the Statewide Toxicity Provisions aquatic toxicity numeric objectives and Basin Plan’s narrative toxicity objective. Based on chronic toxicity testing conducted between December 2018 and March 2019 there were no fails of the TST and the percent effect was less than 10 percent, therefore, the discharge does not have reasonable potential to cause or contribute to an instream exceedance of the Statewide Toxicity Provisions numeric chronic aquatic toxicity objective and Basin Plan’s narrative toxicity objective.

- ii. **WQBELs.** Effluent limitations have not been established for chronic whole effluent toxicity because there is no reasonable potential to cause or contribute to an instream exceedance of the Statewide Toxicity Provisions numeric chronic aquatic toxicity objective and Basin Plan’s narrative toxicity objective. Chronic toxicity MMETs and MDET’s have been established to protect toxicity objectives in the receiving water.
- b. **Acute Toxicity.** The table below is acute WET testing performed by the Discharger from 2016 through 2021.

**Table F-13 Acute Whole Effluent Toxicity Testing Results – Test of Significant Toxicity**

Date	Fathead Minnow ( <i>Pimephales promelas</i> ) Survival	
	Pass/Fail	Percent Effect
2016	Pass	0
2017	Pass	0
2018	Pass	0
2019	Pass	0
2020	Pass	0
2021	Pass	0

- i. **RPA.** No dilution has been granted for acute whole effluent toxicity. Therefore, acute toxicity testing has been conducted at an instream waste concentration (IWC) of 100 percent effluent. A test result that fails the Test of Significant Toxicity (TST) demonstrates the discharge has a reasonable potential to cause or contribute to an exceedance of the Statewide Toxicity Provisions aquatic toxicity numeric objectives and Basin Plan’s narrative toxicity objective. Based on acute toxicity testing conducted between 2017 and 2022 there were no fails of the TST, therefore, the discharge does not have reasonable potential to cause or contribute to an instream exceedance of the Statewide Toxicity Provisions aquatic toxicity numeric objectives and Basin Plan’s narrative toxicity objective.



- ii. **WQBELs.** Effluent limitations have not been established for acute whole effluent toxicity because there is no reasonable potential to cause or contribute to an instream exceedance of the Statewide Toxicity Provisions numeric chronic aquatic toxicity objective and Basin Plan's narrative toxicity objective. Chronic toxicity MMETs and MDET's have been established to protect toxicity objectives in the receiving water.

## **D. Final Effluent Limitation Considerations**

### **1. Mass-based Effluent Limitations**

40 C.F.R section 122.45(f)(1) requires effluent limitations be expressed in terms of mass, with some exceptions, and 40 C.F.R. section 122.45(f)(2) allows pollutants that are limited in terms of mass to additionally be limited in terms of other units of measurement. Pursuant to the exceptions to mass limitations provided in 40 C.F.R. section 122.45(f)(1), some effluent limitations are not expressed in terms of mass, such as pH and temperature, and when the applicable standards are expressed in terms of concentration (e.g., CTR criteria and MCLs) and mass limitations are not necessary to protect the beneficial uses of the receiving water.

### **2. Averaging Periods for Effluent Limitations**

40 C.F.R. section 122.45 (d) requires average weekly and average monthly discharge limitations for POTWs unless impracticable. For copper and lead, average weekly effluent limitations have been replaced with maximum daily effluent limitations in accordance with section 1.4 of the SIP. Furthermore, for BOD, chlorine residual, pH, specific conductance, and TSS, weekly average effluent limitations have been replaced or supplemented with effluent limitations utilizing shorter averaging periods. The rationale for using shorter averaging periods for these constituents is discussed in section IV.C.3 of this Fact Sheet.

### **3. Satisfaction of Anti-Backsliding Requirements**

The CWA specifies that a revised permit may not include effluent limitations that are less stringent than the previous permit unless a less stringent limitation is justified based on exceptions to the anti-backsliding provisions contained in CWA sections 402(o) or 303(d)(4), or, where applicable, 40 C.F.R. section 122.44(l).

All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order, with the exception of effluent limitations for copper, lead, ammonia, electrical conductivity, and acute toxicity. The effluent limitations for these pollutants are less stringent than those in Order R5-2016-0049. This relaxation of effluent limitations is consistent with the anti-backsliding requirements of the CWA and federal regulations.

- a. **CWA section 402(o)(1) and 303(d)(4).** CWA section 402(o)(1) prohibits the establishment of less stringent water quality-based effluent limits “except in compliance with Section 303(d)(4).” CWA section 303(d)(4) has two parts: paragraph (A) which applies to nonattainment waters and paragraph (B) which applies to attainment waters.
  - i. For waters where standards are not attained, CWA section 303(d)(4)(A) specifies that any effluent limit based on a TMDL or other WLA may be revised only if the cumulative effect of all such revised effluent limits based on such TMDLs or WLAs will assure the attainment of such water quality standards.
  - ii. For attainment waters, CWA section 303(d)(4)(B) specifies that a limitation based on a water quality standard may be relaxed where the action is consistent with the antidegradation policy.

Spanish Creek is considered an attainment water for ammonia, copper, lead, and electrical conductivity because the receiving water is not listed as impaired on the 303(d) list for these constituents. The exceptions in section 303(d)(4) address both waters in attainment with water quality standards and those not in attainment, i.e. waters on the section 303(d) impaired waters list. As discussed in section IV.D.4, below, relaxation or removal of the effluent limits complies with federal and state antidegradation requirements. Thus, relaxation of effluent limitations for ammonia, copper, and lead and removal of the effluent limitations for electrical conductivity and acute toxicity from Order R5-2016-0049 meets the exception in CWA section 303(d)(4)(B).

- b. **CWA section 402(o)(2).** CWA section 402(o)(2) provides several exceptions to the anti-backsliding regulations. CWA 402(o)(2)(B)(i) allows a renewed, reissued, or modified permit to contain a less stringent effluent limitation for a pollutant if information is available which was not available at the time of permit issuance (other than revised regulations, guidance, or test methods) and which would have justified the application of a less stringent effluent limitation at the time of permit issuance.

As described further in section IV.C.3.b of this Fact Sheet, updated information that was not available at the time Order R5-2016-0049 was issued indicates that acute and chronic toxicity do not exhibit reasonable potential to cause or contribute to an exceedance of water quality objectives in the receiving water. The updated information that supports the relaxation or removal of effluent limitations for these constituents includes the following:

- i. **Acute Toxicity.** Effluent monitoring data collected from April 2019 through March 2022 indicates that acute toxicity in the discharge does not exhibit reasonable potential to cause or contribute to an exceedance per the Toxicity Provisions.

- ii. **Electrical Conductivity (EC).** Effluent monitoring data collected from April 2019 through March 2022 indicates that EC in the discharge does not exhibit reasonable potential to cause or contribute to an exceedance of the Secondary MCL. The Basin Plan includes a water quality objective that electrical conductivity (at 25°C) “[s]hall not exceed 150 micromhos/ cm (90 percentile) in well-mixed waters of the Feather River”. The Basin Plan objective for electrical conductivity is applied as a 10-year rolling average. This objective is not directly applicable to Spanish Creek; however, since the Discharger discharges to Spanish Creek, a tributary of the North Fork Feather River, the Central Valley Water Board has included a performance-based EC trigger in this Order in lieu of an EC effluent limit given the low levels of EC in the discharge and the Discharger’s participation in the CV-SALTS Salinity Control Program.

Additionally, updated information that was not available at the time Order R5-2016-0049 was issued indicates that less stringent effluent limitations for ammonia, copper, and lead based on available dilution credits satisfy requirements in CWA section 402(o)(2).

Thus, removal or relaxation of the effluent limitations for acute toxicity, electrical conductivity, ammonia, copper, and lead from Order R5-2016-0049 is in accordance with CWA section 402(o)(2)(B)(i), which allows for less stringent effluent limitations based on information that was not available at the time of permit issuance.

#### 4. **Antidegradation Policies**

**Surface Water.** This Order relaxes effluent limitations for ammonia based on re-calculated ammonia criteria. The relaxation of WQBELs for this parameter will not result in an increase in pollutant concentration or loading, a decrease in the level of treatment or control, or a reduction of water quality. Therefore, the Central Valley Water Board finds that the relaxation of the effluent limitations does not result in an increase in pollutants or any additional degradation of the receiving water. Thus, the relaxation of effluent limitations is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Anti-Degradation Policy.

The permitted discharge is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Anti-Degradation Policy. This Order provides for an increase in the volume and mass of pollutants discharged. The increase will not have significant impacts on aquatic life, which is the beneficial use most likely affected by the pollutants discharged (ammonia, copper, and lead). The increase will not cause a violation of water quality objectives. The reduction in water quality will be spatially localized or limited because it is confined to a mixing zone. Accordingly, a complete antidegradation analysis is not required. Any change in water quality that is expected to occur as a result of the issuance of this order will be consistent with the maximum benefit to the

people of the state and will not unreasonably affect present and anticipated beneficial uses. Furthermore, compliance with these requirements in this order will result in the use of BPTC of the discharge.

This Order relaxes the effluent limitations for copper and lead based on the allowance of mixing zones in accordance with the Basin Plan, the SIP, U.S. EPA's Water Quality Standards Handbook, 2<sup>nd</sup> Edition (updated July 2007), and the TSD. As discussed in section IV.C.2.c of this Fact Sheet, the mixing zones are as small as practicable and have been limited as necessary to ensure the effluent limitations result in the implementation of BPTC necessary to assure that a pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained.

Furthermore, the allowance of a mixing zone for these pollutants will result in a minor increase in the discharge, resulting in less than 10 percent of the available assimilative capacity in the receiving water. According to U.S. EPA's memorandum on Tier 2 Antidegradation Reviews and Significance Thresholds, any individual decision to lower water quality for non-bioaccumulative chemicals that is limited to 10 percent of the available assimilative capacity represents minimal risk to the receiving water and is fully consistent with the objectives and goals of the Clean Water Act.

This Order also removes mass-based effluent limitations for BOD<sub>5</sub> and TSS, and the mass-based effluent limitation for ammonia based on 40 CFR parts 122.45 (d) and (f). The removal of the MDELs and mass-based effluent limits for BOD<sub>5</sub> and TSS, and the mass-based effluent limit for ammonia will not result in a decrease in the level of treatment or control or a reduction in water quality.

Furthermore, both concentration-based AMELs and AWELs remain for ammonia, BOD<sub>5</sub> and TSS, as well as an average dry weather flow prohibition that limits the amount of flow that can be discharged to the receiving water during dry weather months. The combination of concentration-based effluent limits and a flow prohibition in this Order are equivalent to mass-based effluent limitations, which were redundant limits contained in previous Orders by multiplying the concentration-based effluent limits and permitted average dry weather flow by a conversion factor to determine the mass-based effluent limitations. The Central Valley Water Board finds that the removal of the MDELs and mass-based effluent limits for BOD<sub>5</sub> and TSS, and the mass-based effluent limit for ammonia does not result in an allowed increase in pollutants or any additional degradation of the receiving water. Thus, the removal of the MDELs and mass-based effluent limits for BOD<sub>5</sub> and TSS, and the mass-based limit for ammonia is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Antidegradation Policy.

**Groundwater.** The Facility utilizes an unlined irrigation pond to hold treated effluent for land application. Domestic wastewater contains constituents such as total dissolved solids (TDS), electrical conductivity, pathogens, nitrates, organics, metals and oxygen demanding substances (BOD). Percolation from the irrigation pond may result in an increase in the concentration of these constituents in groundwater. The State Anti-Degradation Policy generally prohibits the Central Valley Water Board from authorizing activities that will result in the degradation of high-quality waters unless it has been shown that:

- i. The degradation will not result in water quality less than that prescribed in state and regional policies, including violation of one or more water quality objectives;
- ii. The degradation will not unreasonably affect present and anticipated future beneficial uses;
- iii. The discharger will employ Best Practicable Treatment or Control (BPTC) to minimize degradation; and
- iv. The degradation is consistent with the maximum benefit to the people of the state.

Some degradation of groundwater from use of the irrigation pond may be consistent with the State Anti-Degradation Policy provided that the Discharger is implementing best practicable treatment or control (BPTC) measures and such degradation is consistent with the maximum benefit to the people of the state. The Facility is designed and constructed to provide secondary treatment and disinfection prior to using the irrigation pond to hold recycled water for land application. Additionally, this Order continues land discharge specifications for BOD<sub>5</sub>, TSS, and total coliform organisms consistent with treatment capabilities at the Facility for the protection of designated and anticipated beneficial uses of groundwater. This Order also includes operation and maintenance specifications for the irrigation pond. Finally, this Order requires monitoring to characterize the seepage discharge and help evaluate the potential need for additional controls. This level of treatment may result in limited groundwater degradation not exceeding water quality objectives and constitutes best practicable treatment or control. Providing wastewater treatment to the community and use of the irrigation pond and land application areas during dry weather is in the best interest of the people of the state.

##### **5. Stringency of Requirements for Individual Pollutants**

This Order contains both technology-based effluent limitations and WQBELs for individual pollutants. The technology-based effluent limitations consist of restrictions on BOD, pH, and TSS. Restrictions on BOD, pH, and TSS are discussed in IV.B of this fact sheet. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. This Order's technology-based pollutant restrictions implement

the minimum, applicable federal technology-based requirements. These limitations are not more stringent than required by the CWA.

WQBELs have been derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant WQBELs were derived from the CTR, the CTR is the applicable standard pursuant to 40 C.F.R. section 131.38. The procedures for calculating the individual WQBELs for priority pollutants are based on the CTR implemented by the SIP, which was approved by U.S. EPA on 18 May 2000. Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

**Summary of Final Effluent Limitations  
 Discharge Point 001**

**Table F-14 Summary of Final Effluent Limitations**

<b>Parameter</b>	<b>Units</b>	<b>Effluent Limitations</b>	<b>Basis<sup>1</sup></b>
Flow	MGD	4.9	DC
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	AMEL 30 AMEL 45 MDEL 90	CFR
Biochemical Oxygen Demand (5-day @ 20°C)	% removal	85%	CFR
Total Suspended Solids	mg/L	AMEL 30 AMEL 45 MDEL 90	CFR
Total Suspended Solids	% removal	85%	CFR
pH	standard units	Instantaneous Max 6.0 Instantaneous Min 9.0	CFR
Chlorine, Total Residual	mg/L	4-day average 0.011 1-hr average 0.019	NAWQC
Total Coliform Organisms	MPN/100 mL	7-day average 23 1-day average 240	Title 22
Copper, Total	µg/L	AMEL 14 MDEL 32	CTR
Lead, Total	µg/L	AMEL 1.4 MDEL 3.2	CTR

Parameter	Units	Effluent Limitations	Basis <sup>1</sup>
Ammonia Nitrogen, Total (as N)	mg/L	AMEL 2.3 AWEL 4.6	NAWQC
Electrical Conductivity @ 25°C	µmhos/cm	Annual Average Trigger 425	BP
Nitrate Plus Nitrite (as N)	mg/L	AMEL 10 AWEL 20	MCL

**Table F-14 Notes:**

1. **DC** – Based on the design capacity of the Facility.  
**CFR** – Based on secondary treatment standards contained in 40 CFR part 133.  
**BP** – Based on water quality objectives contained in the Basin Plan.  
**CTR** – Based on water quality criteria contained in the California Toxics Rule and applied as specified in the SIP.  
**NAWQC** – Based on U.S. EPA’s National Ambient Water Quality Criteria for the protection of freshwater aquatic life.  
**TMDL** – Based on the TMDL for salinity and boron in the lower San Joaquin River.  
**MCL** – Based on the Primary Maximum Contaminant Level.  
**Title 22** – Based on State Water Board Division of Drinking Water Reclamation Criteria, CCR, Division 4, Chapter 3 (Title 22).
2. Flow. The average daily peak wet weather discharge flow shall not exceed 4.9 MGD.

**E. Interim Effluent Limitations – Not Applicable**

**F. Land Discharge Specifications**

1. The Land Discharge Specifications are necessary to protect the beneficial uses of the groundwater.

**G. Recycling Specifications – Not Applicable**

**V. RATIONALE FOR RECEIVING WATER LIMITATIONS**

**A. Surface Water**

1. CWA section 303(a-c), requires states to adopt water quality standards, including criteria where they are necessary to protect beneficial uses. The Central Valley Water Board adopted water quality criteria as water quality objectives in the Basin Plan. The Basin Plan states that “[t]he numerical and narrative water

quality objectives define the least stringent standards that the Regional Water Board will apply to regional waters in order to protect the beneficial uses.” The Basin Plan includes numeric and narrative water quality objectives for various beneficial uses and water bodies. This Order contains receiving surface water limitations based on the Basin Plan numerical and narrative water quality objectives for ammonia, bacteria, biostimulatory substances, color, chemical constituents, dissolved oxygen, floating material, oil and grease, pH, pesticides, radioactivity, suspended sediment, settleable substances, suspended material, tastes and odors, temperature, toxicity, and turbidity.

- a. **Bacteria.** On 7 August 2018 the State Water Board adopted Resolution No. 2018-0038 establishing Bacteria Provisions, which are specifically titled “Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Bacteria Provisions and a Water Quality Standards Variance Policy” and “Amendment to the Water Quality Control Plan for Ocean Waters of California—Bacteria Provisions and a Water Quality Standards Variance Policy.” The Bacteria Water Quality Objectives established in the Bacteria Provisions supersede any numeric water quality objective for bacteria for the REC-1 beneficial use contained in a water quality control plan before the effective date of the Bacteria Provisions.

The Bacteria Water Quality Objectives correspond with the risk protection level of 32 illnesses per 1,000 recreators and use *E. coli* as the indicator of pathogens in freshwaters and enterococci as the indicator of pathogens in estuarine waters and ocean waters.

The Bacteria Provisions provide that where a permit, waste discharge requirement (WDR), or waiver of WDR includes an effluent limitation or discharge requirement that is derived from a water quality objective or other guidance to control bacteria (for any beneficial use) that is more stringent than the Bacteria Water Quality Objective, the Bacteria Water Quality Objective would not be implemented in the permit, WDR, or waiver of WDR.

The bacteria receiving water limitation in this Order has been established based on the Bacterial Water Quality Objective for inland surface waters, which requires the six-week rolling geometric mean of *Escherichia coli* (*E. coli*) shall not exceed 100 colony forming units (cfu) per 100 milliliters (mL), calculated weekly, and a statistical threshold value (STV) of 320 cfu/100 mL not to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner.

- b. **pH.** Order R5-2010-0032 established a receiving water limitation for pH specifying that discharges from the Facility shall not cause the ambient pH to change by more than 0.5 units based on the water quality objective for pH in the Basin Plan. The Central Valley Water Board adopted Resolution R5-2007-0136 on 25 October 2007, amending the Basin Plan to delete the portion of the pH water quality objective that limits the change in pH to 0.5 units and the allowance



of averaging periods for pH. The Basin Plan amendment has been approved by the State Water Board, the Office of Administrative Law, and U.S. EPA. Consistent with the revised water quality objective in the Basin Plan, this Order does not require a receiving water limitation for pH change.

In Finding No. 14 of Resolution R5-2007-0136 the Central Valley Water Board found that the change in the pH receiving water objective is consistent with the State Water Board Resolution No. 68-16, in that the changes to water quality objectives (i) consider maximum benefit to the people of the State, (ii) will not unreasonably affect present and anticipated beneficial use of waters, and (iii) will not result in water quality less than that prescribed in policies, and is consistent with the federal Antidegradation Policy (40 C.F.R. §131.12).

Ammonia is the only constituent in the discharge regulated by this Order directly related to pH. The fixed ammonia effluent limitations in this Order are based on reasonable worst-case conditions. Although ammonia criteria are based on pH, and the pH receiving water limitations are more lenient in this Order than in the previous permit, the fixed ammonia limits are developed to protect under worst-case pH conditions. Therefore the relaxation of the pH receiving water limitation will protect aquatic life and other beneficial uses and will not unreasonably affect present and anticipated beneficial uses nor result in water quality less than described in applicable policies. The relaxation of the receiving water limitation is not expected to cause other impacts on water quality. The Central Valley Water Board finds that the

## **VI. RATIONALE FOR PROVISIONS**

### **A. Standard Provisions**

Standard Provisions, which apply to all NPDES permits in accordance with 40 C.F.R. section 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 C.F.R. section 122.42, are provided in Attachment D. The discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42.

Sections 122.41(a)(1) and (b) through (n) of 40 C.F.R. establish conditions that apply to all state issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. Section 123.25(a)(12) of 40 C.F.R. allows the state to omit or modify conditions to impose more stringent requirements. In accordance with 40 C.F.R. section 123.25, this Order omits federal conditions that address enforcement authority specified in 40 C.F.R. sections 122.41(j)(5) and (k)(2) because the enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387(e).

## B. Special Provisions

### 1. Reopener Provisions

- a. **Mercury.** This provision allows the Central Valley Water Board to reopen this Order in the event mercury is found to be causing toxicity based on acute or chronic toxicity test results, or if a TMDL program is adopted. In addition, this Order may be reopened if the Central Valley Water Board determines that a mercury offset program is feasible for dischargers subject to NPDES permits.
- b. **Whole Effluent Toxicity.** If after review of new data and information, it is determined that the discharge has reasonable potential to cause or contribute to an instream exceedance of the Statewide Toxicity Provisions numeric chronic aquatic toxicity objective and Basin Plan's narrative toxicity objective this Order may be reopened and effluent limitations added for acute and/or chronic toxicity.
- c. **Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS).** On 17 January 2020, certain Basin Plan Amendments to incorporate new strategies for addressing ongoing salt and nitrate accumulation in the Central Valley became effective. Other provisions subject to U.S. EPA approval became effective on 2 November 2020, when approved by U.S. EPA. As the Central Valley Water Board moves forward to implement those provisions that are now in effect, this Order may be amended or modified to incorporate new or modified requirements necessary for implementation of the Basin Plan Amendments. More information regarding these Amendments can be found on the [Central Valley Salinity Alternatives for Long-Term Sustainability \(CV-SALTS\) web page](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/):  
([https://www.waterboards.ca.gov/centralvalley/water\\_issues/salinity/](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/))
- d. **Water Effects Ratio (WER) and Metal Translators.** A default WER of 1.0 has been used in this Order for calculating criteria for applicable inorganic constituents. In addition, default dissolved-to-total metal translators have been used to convert water quality objectives from dissolved to total when developing effluent limitations for metals. If the Discharger performs studies to determine site-specific WERs and/or site-specific dissolved-to-total metal translators, this Order may be reopened to modify the effluent limitations for the applicable inorganic constituents.
- e. **Dilution Credits/Mixing Zones.** If the Discharger conducts an updated dilution/mixing zone study demonstrating that dilution credits and mixing zones for human health and/or aquatic life criteria comply with the requirements of Section 1.4.2 of the SIP, this Order may be reopened to adjust effluent limitations based on allowable dilution credits/mixing zones.

- f. **Benzo(a)Anthracene, Benzo(a)Pyrene, Benzo(b)Fluoranthene, Benzo(k)Fluoranthene, Chrysene.** Effluent monitoring requirements for Benzo(a)Anthracene, Benzo(a)Pyrene, Benzo(b)Fluoranthene, Benzo(k)Fluoranthene, Chrysene have been established in this Order to evaluate Facility performance in regard to these parameters. During the previous permit term, the Facility experienced abnormal effluent concentrations of these parameters; therefore, additional effluent monitoring is necessary to determine if these effluent concentrations are in fact representative of the discharge from the Facility. Should monitoring results indicate that the discharge has the reasonable potential to cause or contribute to an exceedance of a water quality standard, this Order may be reopened and modified by adding an appropriate effluent limitation for any or all of these constituents.

## 2. **Special Studies and Additional Monitoring Requirements**

- a. **Mixing Zone and Dilution Study.** The Discharger shall submit an update to the 2016 Mixing Zone Study since discharge conditions have changed and upgrades to the Facility have been implemented since the 2016 Study was conducted. The updated Mixing Zone Study shall confirm or revise the 2016 Study findings based on actual discharge conditions, Facility effluent concentrations, and upgraded Facility operations, and address use of the outfall and diffuser when discharging to Spanish Creek.

## 3. **Best Management Practices and Pollution Prevention**

- a. **Salinity Evaluation and Minimization Plan (SEMP).** The Basin Plan includes a Salt Control Program for discharges to groundwater and surface water. The Salt Control Program is a phased approach to address salinity in the Central Valley Region. During Phase I the focus will be on conducting a Prioritization and Optimization (P&O) Study to provide information for subsequent phases of the Salt Control Program. During Phase I, the Salt Control Program includes two compliance pathways for dischargers to choose; a Conservative Salinity Permitting Approach and an Alternative Salinity Permitting Approach.

The Discharger submitted a notice to intent for the Salt Control Program on 23 March 2021 indicating its intent to meet the Alternative Salinity Permitting Approach. Under the Alternative Permitting Approach, the Basin Plan requires dischargers implement salinity minimization measures to maintain existing salinity levels and participate in the P&O Study. The Discharger's NOI demonstrated adequate participation in the P&O and this Order requires continued participation to meeting the requirements of the Alternative Salinity Permitting Approach. This Order also requires continued implementation of the Discharger's SEMP and includes a performance-based salinity trigger to ensure salinity levels do not increase. In accordance with the Basin Plan, the salinity trigger was developed based on existing facility performance and considers possible

temporary increases that may occur due to water conservation and/or drought.

- b. **Pyrethroid Management Plan.** On 8 June 2017, the Central Valley Water Board adopted Resolution R5-2017-0057, which adopted the Basin Plan Amendment (BPA) for the Control of Pyrethroid Pesticide Discharges. Per the Basin Plan, Section 4.2.2.4.12, if concentrations of pyrethroids are found to exceed the acute and/or chronic pyrethroid triggers (Table 4-2 of the Basin Plan), the Discharger must submit a draft pyrethroid management plan for approval by the Executive Officer within one year from the date that an exceedance is identified by either the Discharger or Central Valley Water Board staff.

#### 4. Construction, Operation, and Maintenance Specifications

- a. **Irrigation Pond and Emergency Equalization Basin Operating Requirements.** The operation and maintenance specifications for the irrigation pond and emergency equalization basin are necessary to protect the beneficial uses of the groundwater and prevent nuisance conditions. The specifications for the irrigation pond included in this Order are retained from Order R5-2016-0049. A specification was added for the use of the emergency equalization basin. In addition, reporting requirements related to use of the irrigation pond are required to monitor its use and the potential impact on groundwater.

#### 5. Special Provisions for POTWs

- a. **Sludge/Biosolids Treatment or Discharge Specifications.** Sludge in this Order means the solid, semisolid, and liquid residues removed during primary, secondary, or advanced wastewater treatment processes. Solid waste refers to grit and screening material generated during preliminary treatment. Residual sludge means sludge that will not be subject to further treatment at the wastewater treatment plant. Biosolids refer to sludge that has been treated and tested and shown to be capable of being beneficially and legally used pursuant to federal and state regulations as a soil amendment for agricultural, silvicultural, horticultural, and land reclamation activities as specified under 40 C.F.R. part 503. This Order does not regulate offsite use or disposal of biosolids, which are regulated instead under 40 C.F.R. part 503; administered by U.S. EPA. The Sludge/Biosolids Treatment or Discharge Specifications in this Order implement the California Water Code to ensure sludge/biosolids are properly handled onsite to prevent nuisance, protect public health, and protect groundwater quality.
- b. **Collection System.** The State Water Board issued General Waste Discharge Requirements for Sanitary Sewer Systems, Water Quality

Order 2006-0003-DWQ (General Order) on 2 May 2006. The State Water Board amended the MRP for the General Order through Order WQ 2013-0058- EXEC on 6 August 2013. The State Water Board renewed the General Order and adopted Order 2022-0103-DWQ on 6 December 2022. Order 2022-0103- DWQ becomes effective on 5 June 2023. The General Order requires public agencies that own or operate sanitary sewer systems with greater than 1 mile of pipes or sewer lines to enroll for coverage under the General Order. The General Order requires agencies to develop sanitary sewer management plans (SSMPs) and report all sanitary sewer overflows (SSOs), among other requirements and prohibitions.

The Discharger is subject to the requirements of, and must comply with, State Water Board Order 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, as amended by State Water Board Order WQ 2013-0058-EXEC, and renewed by State Water Board Order 2022-0103-DWQ and any subsequent order. The General Order contains requirements for operation and maintenance of collection systems and for reporting and mitigating sanitary sewer overflows that are more extensive, and therefore, more stringent than the requirements under federal standard provisions.

**6. Other Special Provisions – Not Applicable**

**7. Compliance Schedules – Not Applicable**

**VII. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS**

CWA section 308 and 40 C.F.R. sections 122.41(h), (j)-(l), 122.44(i), and 122.48 require that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 authorize the Central Valley Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. The Monitoring and Reporting Program (MRP), Attachment E of this Order establishes monitoring, reporting, and recordkeeping requirements that implement federal and state requirements. The burden, including costs, of these monitoring and reporting requirements bears a reasonable relationship to the need for the reports and the benefits to be obtained therefrom. The Discharger, as owner and operator of the Facility, is required to comply with these requirements, which are necessary to determine compliance with this Order. The following provides additional rationale for the monitoring and reporting requirements contained in the MRP for this facility.

Water Code section 13176, subdivision (a), states: “The analysis of any material required by [Water Code sections 13000-16104] shall be performed by a laboratory that has accreditation or certification pursuant to Article 3 (commencing with section 100825) of Chapter 4 of Part 1 of Division 101 of the Health and Safety Code.” The DDW accredits laboratories through its Environmental Laboratory Accreditation Program (ELAP).

Section 13176 cannot be interpreted in a manner that would violate federal holding time requirements that apply to NPDES permits pursuant to the CWA. (Wat. Code sections

13370, subd. (c), 13372, 13377.). Section 13176 is inapplicable to NPDES permits to the extent it is inconsistent with CWA requirements. (Wat. Code section 13372, subd. (a).) Lab accreditation is not required for field tests such as tests for color, odor, turbidity, pH, temperature, dissolved oxygen, electrical conductivity, and disinfectant residual.

#### **A. Influent Monitoring**

1. Influent monitoring is required to collect data on the characteristics of the wastewater and to assess compliance with effluent limitations (e.g., BOD<sub>5</sub> and TSS reduction requirements). The monitoring frequencies and sample types have been retained from Order R5-2016-0049, except as noted in Table F-15, below.

#### **B. Effluent Monitoring**

1. Pursuant to the requirements of 40 C.F.R. section 122.44(i)(2) effluent monitoring is required for all constituents with effluent limitations. Effluent monitoring is necessary to assess compliance with effluent limitations, assess the effectiveness of the treatment process, and to assess the impacts of the discharge on the receiving stream and groundwater.
2. Effluent monitoring frequencies and sample types have been retained from Order R5-2016-0049, except as noted in Table F-15, below.
3. **Pyrethroid Pesticides Monitoring.** A Basin Plan Amendment and TMDL for the Control of Pyrethroid Pesticide Discharges in the Sacramento and San Joaquin River basins (Resolution R5-2017-0057) was approved by the Central Valley Water Board on 8 June 2017 and is now effective. The Pyrethroids Control Program established by Resolution R5-2017-0057 requires monitoring by domestic and municipal wastewater dischargers discharging at least 1 MGD for the concentrations of pyrethroid pesticides, total and dissolved organic carbon in the water column, and water column toxicity testing. Monitoring is required to evaluate the potential impacts of discharges of pyrethroid pesticides to receiving waters.
4. This Order includes effluent monitoring for dissolved organic carbon (once per quarter) to calculate site-specific freshwater aluminum criteria in accordance with the 2018 United State Environmental Protection Agency (U.S. EPA) National Ambient Water Quality Criteria (NAWQC) for aluminum in freshwater.

#### **C. Receiving Water Monitoring**

##### **1. Surface Water**

- a. Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream. Receiving surface water monitoring frequencies and sample types have been retained from Order No. R5-2016-0049, except as noted in Table F-15, below.

- b. This Order includes receiving water monitoring for dissolved organic carbon (once per quarter) to calculate site-specific freshwater aluminum criteria in accordance with the 2018 United State Environmental Protection Agency (U.S. EPA) National Ambient Water Quality Criteria (NAWQC) for aluminum in freshwater.

**2. Groundwater – Not Applicable**

**Table F-15 Summary of Monitoring Changes**

<b>Parameter, Units</b>	<b>Type of Monitoring</b>	<b>Prior Sample Frequency</b>	<b>Revised Sample Frequency</b>	<b>Reason for Change</b>
Ammonia (as N)	Effluent	Monthly	1/Week	Consistency with other POTW monitoring frequency in the region and improved monitoring capability with facility upgrades.
Ammonia (as N)	Land	--	1/Week	To better characterize the discharge to the irrigation pond.
pH	Influent	--	1/Week	New pH monitoring capability with facility upgrades.
Iron	Effluent/Land	1/Month	1/Year	Reduced to 1/Year due to no RP.
Total Kjeldahl Nitrogen	Land	--	1/Month	To better characterize the discharge to the irrigation pond.
Total Nitrogen	Effluent/Land	--	1/Week	To better characterize the discharge to the irrigation pond and to surface water
Total THMs	Effluent/Land	--	1/Quarter	To better characterize the discharge to the irrigation pond and to surface water
Electrical Conductivity	Land	--	1/Month	To better characterize the discharge to the irrigation pond.
Standard Minerals	Land		1/Year	To better characterize the discharge to the irrigation pond.
E. coli	Receiving Water	--	1/Week	Added for consistency with new Statewide Bacteria Objective

Parameter, Units	Type of Monitoring	Prior Sample Frequency	Revised Sample Frequency	Reason for Change
Fecal coliform	Receiving Water	1/Week	--	Removed since requiring E. coli monitoring
Total Coliform	Receiving Water	1/Week	--	Removed since requiring E. coli monitoring
Dissolved Organic Carbon	EFF/RSW	--	1/Quarter	Needed for aluminum criteria calculations
Benzo(a)Anthracene	EFF/RSW	--	Quarterly for 1 year	Insufficient data to determine Reasonable Potential
Benzo(a)Pyrene	EFF/RSW	--	Quarterly for 1 year	Insufficient data to determine Reasonable Potential
Benzo(b)Fluoranthene	EFF/RSW	--	Quarterly for 1 year	Insufficient data to determine Reasonable Potential
Benzo(k)Fluoranthene	EFF/RSW	--	Quarterly for 1 year	Insufficient data to determine Reasonable Potential
Chrysene	EFF/RSW	--	Quarterly for 1 year	Insufficient data to determine Reasonable Potential

**D. Whole Effluent Toxicity Testing Requirements**

Aquatic toxicity testing is necessary to evaluate the aggregate toxic effect of a mixture of toxicants in the effluent on the receiving water. Acute toxicity testing is conducted over a short time period and measures mortality, while chronic toxicity testing is conducted over a short or longer period and may measure mortality, reproduction, and growth. For this permit, aquatic toxicity testing is to be performed following methods identified in the Code of Federal Regulations, title 40, part 136, or other U.S. EPA-approved methods, or included in the following U.S. EPA method manuals: Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition (EPA-821-R-02-013), and Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition (EPA-821-R-02-012).

Twice annual chronic whole effluent toxicity testing is required to demonstrate compliance with the toxicity receiving water limitation and chronic toxicity effluent limitations/targets.



1. The discharge is subject to determination of “Pass” or “Fail” from a chronic toxicity test using the Test of Significant Toxicity (TST) statistical t-test approach described in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, 2010), Appendix A, Figure A-1 and Table A-1 (Chronic Freshwater and East Coast Methods) and Appendix B, Table B-1.
2. The null hypothesis (Ho) for the TST statistical approach is:

Mean discharge IWC response  $\leq$  RMD x Mean control response, where the chronic RMD = 0.75.

A test result that rejects this null hypothesis is reported as “Pass.” A test result that does not reject this null hypothesis is reported as “Fail.”

3. The relative “Percent Effect” at the discharge IWC is defined and reported as:

Percent Effect = ((Mean control response – Mean discharge IWC response) / Mean control response) x 100.

This is a t-test (formally Student’s t-Test), a statistical analysis comparing two sets of replicate observations, i.e., a control and IWC. The purpose of this statistical test is to determine if the means of the two sets of observations are different (i.e., if the IWC or receiving water concentration differs from the control, the test result is “Pass” or “Fail”). The Welch’s t-test employed by the TST statistical approach is an adaptation of Student’s t-test and is used with two samples having unequal variances.

4. **Sensitive Species Screening.** The Discharger shall perform rescreening to re-evaluate the most sensitive species if there is a significant change in the nature of the discharge. **If there are no significant changes during the permit term, a rescreening must be performed prior to permit reissuance and results submitted with the Report of Waste Discharge.** Species sensitivity screening for chronic toxicity shall include, at a minimum, chronic WET testing four consecutive calendar quarters using the water flea (*Ceriodaphnia dubia*), fathead minnow (*Pimephales promelas*), and green alga (*Pseudokirchneriella subcapitata*). The tests shall be performed at an IWC of no less than 100 percent effluent and one control. For rescreening, if the first two species sensitivity re-screening events result in no change in the most sensitive species, the Discharger may cease the species sensitive re-screening testing and the most sensitive species will remain unchanged.

The most sensitive species to be used for chronic toxicity testing was determined in accordance with the process outlined in the MRP section V.E. Based on the Discharger’s last 5 years of chronic toxicity data, there were no results of “Fail” at the IWC using the TST statistical approach. The species that exhibited the highest percent effect was the water flea (*Ceriodaphnia dubia*), with a percent

effect of 3.4 percent. Consequently, *Ceriodaphnia dubia* has been established as the most sensitive species for chronic WET testing.

5. **Toxicity Reduction Evaluation (TRE).** The Monitoring and Reporting Program of this Order requires chronic WET testing to demonstrate compliance with the Basin Plan's narrative toxicity objective. The Discharger is required to initiate a TRE when there is any combination of two or more chronic toxicity MDET or MMET are not met within a single calendar month or within two successive calendar months has occurred. In addition, if other information indicates toxicity (e.g., results of additional monitoring, results of monitoring at a higher concentration than the IWC, fish kills, intermittent recurring toxicity), the Central Valley Water Board may require a TRE. A TRE may also be required when there is no effluent available to complete a routine monitoring test or MMET test.

## **E. Other Monitoring Requirements**

### **1. Biosolids Monitoring**

Biosolids monitoring is required to ensure compliance with the pretreatment requirements contained in 40 C.F.R. part 403 and implemented in section VI.C.5.a. of this Order.

### **2. Pond Monitoring**

Pond monitoring is required to ensure proper operation of the irrigation pond. Monthly monitoring for liquid depth and freeboard, dissolved oxygen, seepage through pond dikes, excessive odors and other nuisances, and excessive weed growth has been retained from Order R5-2016-0049.

### **3. Land Discharge Monitoring**

Land application of treated wastewater to the adjacent ranch is regulated under Order No. 96-180. Monitoring frequencies and sample types for flow (continuous), BOD<sub>5</sub> (weekly), TSS (weekly), chlorine residual (continuous), and total coliform organisms (weekly) have been retained from Order R5-2016-0049 to ensure protection of groundwater beneficial uses.

### **4. Pyrethroid Pesticides Monitoring**

On 8 June 2017, the Central Valley Water Board adopted Resolution R5-2017-0057, which adopted the Basin Plan Amendment (BPA) for the Control of Pyrethroid Pesticide Discharges. Pyrethroid pesticides and toxicity monitoring has been included in this Order in accordance with the Pyrethroids Pesticides BPA, which is required for POTWs with design average dry weather flow greater than or equal to 1 million gallons per day.

### **5. Effluent and Receiving Water Characterization Monitoring**

In accordance with section 1.3 of the SIP, periodic monitoring is required for priority pollutants for which criteria or objectives apply and for which no effluent limitations have been established. This Order requires annual effluent characterization monitoring event between 01 July 2024 and 30 June 2026. Monitoring shall be conducted once during the period from 01 July 2024 to 30 June 2025; and once during the period from 01 July 2025 to 30 June 2026 for priority pollutant constituents located in Appendix A to 40 C.F.R. part 423 during the term of the permit, in order to collect data to conduct an RPA for the next permit renewal.

#### **6. Discharge Monitoring Report-Quality Assurance (DMR-QA) Study Program**

Under the authority of section 308 of the CWA (33 U.S.C. section 1318), U.S. EPA requires all dischargers under the NPDES Program to participate in the annual DMR-QA Study Program. The DMR-QA Study evaluates the analytical ability of laboratories that routinely perform or support self-monitoring analyses required by NPDES permits. There are two options to satisfy the requirements of the DMR-QA Study Program: (1) The Discharger can obtain and analyze a DMR-QA sample as part of the DMR-QA Study; or (2) Per the waiver issued by U.S.EPA to the State Water Board, the Discharger can submit the results of the most recent Water Pollution Performance Evaluation Study from their own laboratories or their contract laboratories. A Water Pollution Performance Evaluation Study is similar to the DMR-QA Study. Thus, it also evaluates a laboratory's ability to analyze wastewater samples to produce quality data that ensure the integrity of the NPDES Program. The Discharger shall submit annually the results of the DMR-QA Study or the results of the most recent Water Pollution Performance Evaluation Study to the State Water Board. The State Water Board's Quality Assurance Program Officer will send the DMR-QA Study results or the results of the most recent Water Pollution Performance Evaluation Study to U.S. EPA's DMR-QA Coordinator and Quality Assurance Manager.

### **VIII. PUBLIC PARTICIPATION**

The Central Valley Water Board has considered the issuance of WDRs that will serve as an NPDES permit for American Valley Community Services District. As a step in the WDR adoption process, the Central Valley Water Board staff has developed tentative WDRs and has encouraged public participation in the WDR adoption process.

#### **A. Notification of Interested Persons**

The Central Valley Water Board notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and provided an opportunity to submit written comments and recommendations. Additionally, consistent with Water Code Section 189.7, the Central Valley Water Board conducted outreach to potentially affected disadvantaged and/or Tribal Communities concerning tentative WDRs at the Facility. Notification was provided through posting of the Notice of Public Hearing at the Quincy, California, Post Office on 23 October

2023 and at the Facility public entrance on 23 October 2023. Additionally, the notice of public hearing was posted on the Central Valley Water Boards Tentative Orders Webpage.

The public had access to the agenda and any changes in dates and locations through the [Central Valley Water Board's website](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/) ([http://www.waterboards.ca.gov/centralvalley/board\\_info/meetings/](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/))

## **B. Written Comments**

Interested persons were invited to submit written comments concerning tentative WDRs as provided through the notification process. Comments were due either in person or by mail to the Executive Office at the Central Valley Water Board at the address on the cover page of this Order.

To be fully responded to by staff and considered by the Central Valley Water Board, the written comments were due at the Central Valley Water Board office by 5:00 p.m. on 13 November 2023.

## **C. Public Hearing**

The Central Valley Water Board held a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: **15/16 February 2024**

Time: **8:30 a.m.**

Location: Online

**AND**

Regional Water Quality Control Board, Central Valley Region Office  
11020 Sun Center Dr., Suite #200  
Rancho Cordova, CA 95670

Interested persons were invited to attend. At the public hearing, the Central Valley Water Board heard testimony pertinent to the discharge, WDRs, and permit. For accuracy of the record, important testimony was requested in writing.

## **D. Reconsideration of Waste Discharge Requirements**

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water board to review the action in accordance with Water Code section 13320 and CCR, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., within 30 calendar days of the date of adoption of this Order at the following address, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day:

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

Or by email at [waterqualitypetitions@waterboards.ca.gov](mailto:waterqualitypetitions@waterboards.ca.gov)

[Instructions on how to file a petition for review](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instructions.shtml)

([http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/wqpetition\\_instructions.shtml](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instructions.shtml)) are available on the Internet.

**E. Information and Copying**

The Report of Waste Discharge, other supporting documents, and comments received 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 Central Valley Water Board by calling (916) 464-3291.

**F. Register of Interested Persons**

Any person interested in being placed on the mailing list for information regarding the WDRs and NPDES permit should contact the Central Valley 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 Matt Richter at 916-464-4745, or [matthew.richter@waterboards.ca.gov](mailto:matthew.richter@waterboards.ca.gov).

**ATTACHMENT G – SUMMARY OF REASONABLE POTENTIAL ANALYSIS**

Constituent	Units	MEC	B	C	CMC	CCC	Water & Org	Org. Only	Basin Plan	MCL	Reasonable Potential
Aluminum, Total	µg/L	39.7	18.9	200	750	--	--	--	--	200	No
Ammonia Nitrogen, Total (as N)	mg/L	11.8	0.01	4.25	4.64	4.25	--	--	--	--	Yes
Chloride	mg/L	1.33	27.1	230	860	230	--	--	--	250	No
Copper, Total	µg/L	16.2	0.12	4.6	6.5	4.6	1300	--	--	1300	Yes
Electrical Conductivity @ 25°C	µmhos/cm	364	141	900	--	--	--	--	150	900	No
Iron, Total	µg/L	3030	61.8	300	--	--	--	--	--	300	No
Lead, Total	µg/L	1.02	0.07	0.75	19.1	0.75	--	--	--	15	Yes
Nitrate Nitrogen, Total (as N)	mg/L	2.8	0.08	10	--	--	--	--	--	10	Yes
Nitrite Nitrogen Total (as N)	mg/L	0.32	0.01	1	--	--	--	--	--	1	Yes
Sulfate	mg/L	2.42	29.5	250	--	--	--	--	--	250	No
Total Dissolved Solids	mg/L	190	80	500	--	--	--	--	--	500	No
Benzo(a)Anthracene	µg/L	0.026	0.0019	0.0044	--	--	0.0044	0.049	--	--	Inconclusive
Benzo(a)Pyrene	µg/L	0.017	0.00095	0.0044	--	--	0.0044	0.049	--	0.2	Inconclusive
Benzo(b)Fluoranthene	µg/L	0.028	0.0024	0.0044	--	--	0.0044	0.049	--	--	Inconclusive
Benzo(k)Fluoranthene	µg/L	0.013	0.00095	0.0044	--	--	0.0044	0.049	--	--	Inconclusive

**Attachment G Table Notes:**

1. All inorganic concentrations are given as a total concentration.

2. **Ammonia, Nitrate, and Nitrite.** See Attachment F Section IV.C.3.c.i and IV.C.3.c.v for a discussion of RPA results.

3. **Iron.** See Attachment F Section IV.C.3.a.ii for a discussion of RPA results.

**Abbreviations used in this table:**

MEC =	Maximum Effluent Concentration
B =	Maximum Receiving Water Concentration or lowest detection level, if non-detect
C =	Criterion used for Reasonable Potential Analysis
CMC =	Criterion Maximum Concentration (CTR or NTR)
CCC =	Criterion Continuous Concentration (CTR or NTR)
Water & Org =	Human Health Criterion for Consumption of Water & Organisms (CTR or NTR)
Org Only =	Human Health Criterion for Consumption of Organisms Only (CTR or NTR)
Basin Plan =	Numeric Site-Specific Basin Plan Water Quality Objective
MCL =	Drinking Water Standards Maximum Contaminant Level
NA =	Not Available
ND =	Non-detect

H.

**ATTACHMENT H-1 – CALCULATION OF WQBELS**

**HUMAN HEALTH WQBELS CALCULATIONS**

Parameter	Units	Criteria	Mean Background Concentration	Effluent CV	Dilution Factor	MDEL/AMEL Multiplier	AMEL Multiplier	AMEL	MDEL	AWEL
Nitrate plus Nitrite (as N)	mg/L	10	0.09	0.6	--	2.53	1.96	10	--	20

**Attachment H-1 Table Notes:**

- CV was established according to section 1.4 of the SIP.

**Abbreviations used in this table:**

- CV = Coefficient of Variation
- MDEL = Maximum Daily Effluent Limitation
- AMEL = Average Monthly Effluent Limitation
- MDEL = Maximum Daily Effluent Limitation
- AWEL = Average Weekly Effluent Limitation



**ATTACHMENT H-2 – CALCULATION OF WQBELS**

**AQUATIC LIFE WQBELS CALCULATIONS**

Parameter	Units	CMC Criteria	CCC Criteria	B	Effluent CV	CMC Dilution Factor	CCC Dilution Factor	ECA Multiplier <sub>acute</sub>	LTA <sub>acute</sub>	ECA Multiplier <sub>chronic</sub>	LTA <sub>chronic</sub>	AMEL Multiplier <sub>95</sub>	AWEL Multiplier	MDEL Multiplier <sub>99</sub>	AMEL	AWEL	MDEL
Ammonia Nitrogen, Total (as N)	mg/L	4.64	4.25	0.01	0.6	--	--	0.32	1.49	0.78	3.31	1.55	2.68	--	2.31	3.99	--
Copper, Total	µg/L	6.5	4.6	0.12	0.82	4	3	.25	7.9	0.43	8.4	1.76	--	4.08	14	--	32
Lead, Total	µg/L	19.1	0.75	0.07	0.71	--	1.5	0.28	5.3	0.48	0.90	1.66	--	3.59	1.5	--	3.2

**Attachment H-2 Table Notes:**

1. AMEL calculated according to section 1.4 of the SIP using a 95<sup>th</sup> percentile occurrence probability.
2. AWEL calculated according to section 1.4 of the SIP using a 98<sup>th</sup> percentile occurrence probability.
3. MDEL calculated according to section 1.4 of the SIP using a 99<sup>th</sup> percentile occurrence probability.

**Abbreviations used in this table:**

- B = Maximum Receiving Water Concentration or lowest detection level, if non-detect
- CMC = Criterion Maximum Concentration (CTR or NTR)
- CCC = Criterion Continuous Concentration (CTR or NTR)
- CV = Coefficient of Variation (established in accordance with section 1.4 of the SIP)
- ECA = Effluent Concentration Allowance
- LTA = Aquatic Life Calculations – Long-Term Average
- MDEL = Maximum Daily Effluent Limitation
- AMEL = Average Monthly Effluent Limitation
- MDEL = Maximum Daily Effluent Limitation
- AWEL = Average Weekly Effluent Limitation