CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

ORDER NO. R7-2003-0015

WASTE DISCHARGE REQUIREMENTS
FOR
KAISER EAGLE MOUNTAIN, LLC, OWNER/OPERATOR
SEWAGE DISPOSAL FACILITY
Desert Center – Riverside County

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

1. Kaiser Eagle Mountain, LLC (hereafter referred to as the Discharger), One Court Street, Post Office Box 37, Desert Center, California 92239, on January 06, 2003, submitted an application to update its Waste Discharge Requirements (WDRs) for the Eagle Mountain Sewage Disposal Facility. The WDRs are for the treatment basins, and wastewater collection and disposal systems.

2. The facility is designed to accept a maximum of 270,000 gallons-per-day (gpd) of wastewater utilizing 12 basins for final disposal by evaporation and infiltration, and is presently operating at approximately 35,000 gallons-per-day to serve the town's existing residents. The basins are located in the SW ¼, SW ¼ of Section 1, T4S, R14E, SBB&M.

3. The discharger states that wastewater flows are rotated between basins to regulate evaporating rates. Two (2) or three (3) basins are in use at any given time. One (1) basin receives flow while two (2) are evaporating. All solids have dissipated prior to complete evaporation of the basins.

4. There are no domestic wells within 500 feet of the on-site infiltration/evaporation basins discharge facilities described in Finding No. 2 above.

5. This discharge has been subject to WDRs adopted in Board Order No. 88-014.

6. This Board Order updates the WDRs to comply with the current laws and regulations as set forth in the California Water Code and the California Code of Regulations.

7. The monitoring and reporting requirements in Monitoring and Reporting Program No. R7-2003-0015, and revisions thereto, are necessary to determine compliance with these WDRs and to determine the facility's impacts if any, on receiving water.

8. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) as amended to date, designates the beneficial uses of ground and surface waters in this Region.

9. The beneficial uses of ground waters in the Chuckwalla Hydrological Unit are:

   a. Municipal supply (MUN)
   b. Industrial supply (IND)
   c. Agricultural supply (AGR)

10. The discharger states that there are no discharges of pollutants (as defined in 33 U.S.C. Section 1362 (12)) from this site.

11. In accordance with Section 15301, Chapter 3, Title 14 of the California Code of Regulations, the issuance of these WDRs, which govern the operation of an existing facility involving negligible or no expansion of use beyond that previously existing, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.)

12. The monitoring and reporting requirements in Monitoring and Reporting Program No. R7-2003-0015 are necessary to determine compliance with these WDRs and to determine the facility's impacts, if any, on receiving water.

13. The Board has notified the discharger and all known interested agencies and persons of its intent to update WDRs for this discharge and has provided them with an opportunity for a public meeting and an opportunity to submit comments.

14. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that Board Order No. 88-014 is rescinded, and in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the discharger shall comply with the following:

A. Prohibitions

1. The direct discharge of any wastewater from the facility to any surface waters or surface drainage courses is prohibited.

2. Bypass, overflow, discharge or spill of untreated or partially treated waste is prohibited.

3. The discharge of waste to land not owned or controlled by the discharger is prohibited.

4. The discharger shall not accept waste in excess of the facility's design capacity.

B. Specifications

1. No wastewater other than domestic sewage shall be discharged into the sewage disposal system described in Finding No. 2 (above).

2. The treatment or disposal of wastes from the facility shall not cause pollution or nuisance as defined in Section 13050(l) and 13050(m) of Division 7 of the California Water Code.

3. A minimum depth of freeboard of two (2) feet shall be maintained at all times in the infiltration/evaporative basins.

4. Public contact with non-disinfected wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives. The non-disinfected wastewater is not approved for off-site distribution. Conspicuous signs shall be posted in a prominent location in each area where non-disinfected wastewater is stored on-site.

5. The discharge shall not cause degradation of any water supply.

6. The infiltration/evaporation basins 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 through control of water depth, harvesting, or herbicides.

   c. Dead algae, vegetation, and debris shall not accumulate on the water surface.

7. The infiltration/evaporation basins shall be maintained in aerobic conditions.

8. The wastewater treatment facility shall be protected from any washout or erosion of wastes or covering material, and from any inundation, which could occur as a result of floods having a predicted frequency of once in 100 years.

C. Provisions

1. The discharger shall comply with Monitoring and Reporting Program No. R7-2003-0015, and future revisions thereto, as specified by the Regional Board's Executive Officer.

2. Prior to any modifications in this facility, which would result in material change in the quality or, quantity of wastewater treated or discharged, or any material change in the location of discharge, the discharger shall report all pertinent information in writing to the Regional Board and obtain revised requirements before any modifications are implemented.

3. Prior to any change in ownership or management of this operation, the discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.

4. The discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.

5. This Board Order does not authorize violation of any federal, state, or local laws or regulations.

6. The discharger's sewage disposal facility shall be supervised and operated by persons possessing certification of appropriate grade pursuant to Section 3680, Chapter 26, Division 3, Title 23 of the California Code of Regulations. The discharger shall ensure that all operating personnel are familiar with the contents of this Board Order.

7. The discharger shall comply with all of the conditions of this Board Order. Any noncompliance with this Board Order constitutes a violation of the Porter-Cologne Water Quality Control Act and is grounds for enforcement action.

8. The discharger shall, at all times, properly operate and maintain all systems and components of collection, treatment and control which are installed or used by the discharger to achieve compliance with the conditions of this Board Order. Proper operation and maintenance includes effective performance, adequate process controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of this Board Order. All systems both in service and reserved, shall be inspected and maintained on a regular basis. Records shall be kept of the inspection results and maintenance performed and made available to the Regional Board upon demand.

9. The discharger shall report any noncompliance that may endanger human health or the environment. The discharger shall immediately report orally, information of the noncompliance as soon as (1) the discharger has knowledge of the discharge, (2) notification is possible, and (3) notification can be provided without substantially impeding cleanup or other emergency measures, to the Regional Board office and the Office of Emergency Services During non-business hours, the discharger shall leave a message on the Region Board office voice recorder. A written report shall also be provided within five (5) business days of the time the discharger becomes aware of the incident. The written report shall contain a description of the noncompliance and its cause, the period of noncompliance, the anticipated time to achieve full compliance, and the steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance. The discharger shall report all intentional or unintentional sewage spills in excess of one thousand (1,000) gallons occurring within the facility or collection system to the Regional Board office in accordance with the above time limits.

10. The discharger shall allow the Regional Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

    a. Enter upon the premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;

    b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;

    c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and

    d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.

11. The discharger shall comply with the following:

    a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

    b. The discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Board Order, and records of all data used to complete the application for this Board Order, for a period of at least five (5) years from the date of the sample, measurement, report or application.

    c. Records of monitoring information shall include:

        1. The date, exact place, and time of sampling or measurements.
        2. The individual(s) who performed the sampling or measurements.
        3. The date(s) analyses were performed.
        4. The individual(s) who performed the analyses.
        5. The analytical techniques or methods used; and
        6. The results of such analyses.

12. Unless otherwise approved by the Regional Board's Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the USEPA.

13. The discharger is the responsible party for the WDRs and the Monitoring and Reporting Program for the facility. The discharger shall comply with all conditions of these WDRs. Violations may result in enforcement actions, including Regional Board Orders or court orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of these WDRs by the Regional Board.

14. The discharger shall provide adequate notice to the Regional Board's Executive Officer of the following:

    a. Any substantial change in the volume or character of pollutants being introduced into any of the sewage disposal facility described in the Findings of this Board Order by an existing or new source.

    b. Any planned physical alterations or additions to the facility described in this Board Order, or changes planned in the discharger's sludge use or disposal practice, where such alterations, additions, or changes may justify the application of Board Order conditions that are different from or absent in the existing Board Order, including notification of additional disposal sites not reported during the Board Order application process, or not reported pursuant to an approved land application plan.

15. The discharger shall report all instances of noncompliance. Reports of noncompliance shall be submitted with the discharger's next scheduled self-monitoring report or earlier if requested by the Regional Board's Executive Officer, or if required by an applicable standard for sludge use and disposal

16. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.

17. This Board Order does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

18. The discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with the specifications prepared by the Regional Board's Executive Officer and in Monitoring and Reporting Program No. R7-2003-0015. Such specifications are subject to periodic revising as may be warranted.

19. This Board Order may be modified, rescinded and reissued, for cause. The filing of a request by the discharger for a Board Order modification, rescission and reissuance, or a notification of planned changes or anticipated noncompliance does not stay any Board Order condition. Causes for modification include the promulgation of new regulations, modification of land application plans, or modification in sludge use or disposal practices, or adoption of new regulations by the State Board or the Regional Board, including revisions to the Basin Plan.

I, Philip A. Gruenberg, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on September 3, 2003.

Robert Parde AEO for

Executive Officer