CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN DIEGO REGION
ORDER NO. 99-58

NPDES PERMIT NO. CA0108995

WASTE DISCHARGE REQUIREMENTS FOR THE UNITED STATES MARINE CORPS CAMP PENDLETON WASTEWATER TREATMENT FACILITY NO. 8 (SANTA MARGARITA PLANT) DISCHARGING TREATED WASTE INTO THE SANTA MARGARITA RIVER WATERSHED SAN DIEGO COUNTY

The California Regional Water Quality Control Board, San Diego Region (hereinafter RWQCB), finds that:

1. On May 4, 1987, individual waste discharge requirements (National Pollutant Discharge Elimination System (NPDES) permits) were adopted by this RWQCB for the five wastewater treatment facilities discharging treated waste in the Ysidora Hydrologic Area of the Santa Margarita Hydrologic Unit. The permitted facilities are located at the U.S. Marine Corps. Base, Camp Pendleton. The five NPDES permits were scheduled to expire on May 4, 1988, and are listed in Table No. 1 below.

TABLE NO. 1 **EXPIRED INDIVIDUAL FACILITY PERMITS**

OLD NPDES PERMIT NO.	FACILITY (PLANT NUMBER)	OLD ORDER NO.	MAXIMUM PERMITTED FLOW (MGallons/Day)
CA0108219	Headquarters Plant (1)	87-07	1.50
CA0108227	San Luis Rey Plant (2)	87-08	0.92
CA0108235	Chappo Plant (3)	87-09	1.10
CA0108243	Santa Margarita Plant (8)	87-10	0.59
CA0108294	Twin Lakes Plant (13)	87-15	2.50

MGallons/Day = million gallons per day

Total Previously Permitted Flow = 6.61 MGallons/Day

2. On January 23, 1989, the United States Marine Corps Base, Camp Pendleton (hereinafter discharger), was issued Cease and Desist Orders (CDOs) by this RWQCB for violations of the effluent limits contained in the individual NPDES permits. The CDOs contained

time schedules to bring the facilities into compliance with the Comprehensive Water Quality Control Plan for the San Diego Basin (Basin Plan).

3. On October 10, 1989, the discharger submitted applications for renewal of the NPDES permits for the facilities listed in Table No. 1 above. Order No. 87-10 continued in effect until its reissuance as Order No. 94-51 on August 11, 1994. Compliance was evaluated using the interim effluent limits prescribed in the January 23, 1989 CDOs, and addenda thereto.

4. On October 28, 1991, this RWQCB adopted Addendum No. 1 to the 1989 CDOs which set new milestone dates and interim effluent limits effective until compliance with the NPDES permits could be achieved. The date set for compliance with the Basin Plan was October 1, 1994. On November 1, 1993, the discharger was issued a Notice of Violation (NOV) for its failure to comply with the milestone dates in the CDOs and Addendum No. 1. The NOV requested that the discharger submit a revised schedule to achieve compliance with the 1987 individual NPDES permits for each facility.

5. On February 4, 1994, the discharger submitted a report with a new time schedule to bring the five facilities into compliance with the CDOs and the 1987 NPDES permits. The new time schedule for completion of construction on the five facilities was established as January 2, 1997. The proposed construction project (P527) consisted of piping the effluent to the City of Oceanside through a new effluent pipeline for discharge into the Pacific Ocean through the City of Oceanside's ocean outfall.

6. On August 11, 1994, the RWQCB adopted CDO No. 94-52. The CDO reissuance updated the compliance time schedule of the 1989 CDOs, consolidated the requirements, and updated interim effluent limitations. The RWQCB also adopted NPDES Order No. 94-51, which reissued and superceded Order No. 87-10. To conserve staff resources, and in accordance with United States Environmental Protection Agency (USEPA) regulation under Title 40 of the Code of Federal Regulations (CFR) Part 122.28 (40 CFR 122.28), the individual permits for the five Santa Margarita River Watershed Wastewater Treatment Plants were reissued collectively under Order No. 94-51.

7. On September 12, 1996, the RWQCB adopted Addendum No. 1 to CDO No. 94-52, which authorized a time schedule extension to May 31, 1999. The CDO time schedule modification was adopted by the RWQCB to allow the discharger time to construct facilities that would route the wastewater discharge from the five Wastewater Treatment Plants in the Santa Margarita River Watershed to the City of Oceanside's ocean outfall.

   On September 3, 1997, however, the Oceanside City Council voted to deny use of the outfall to discharger. As a result, the discharger then developed a disposal alternative, referred to as the Lemon Grove Percolation Pond Facility, that would have allowed them to comply with the deadline of May 31, 1999. The alternative plan proposed to dispose of the effluent from the five treatment plants to groundwater via percolation beds and

sand drains. Modeling of groundwater flows in the proposed disposal area, however, indicated that the groundwater discharge may cause significant impacts to the nearby salt marsh and plant and animal species, some of which are threatened or endangered. The discharger also received correspondence from the United States Environmental Protection Agency (USEPA), US Fish and Wildlife Service, and the California Coastal Commission which conveyed serious concerns with the potential for adversely impacting the Santa Margarita Lagoon and wildlife habitat. Based on the continued opposition from USEPA, the discharger eliminated from further consideration the Lemon Grove Percolation Pond Facility as a viable disposal alternative.

8. On May 12, 1999, the RWQCB adopted Addendum No. 2 to CDO No. 94-52. Addendum No. 2 extended the compliance date of CDO No. 94-52 to August 11, 1999. It also established July 7, 1999, as an interim milestone date for the completion and submittal of a proposed long-term compliance plan. The extension of the compliance date from May 31, 1999, to August 11, 1999, was intended to allow the discharger to reinitiate negotiations with the City of Oceanside for the use of its ocean outfall, and to submit a plan and time schedule for final compliance with NPDES Order No. 94-51.

9. By letter dated July 7, 1999, the discharger reported that negotiations with the City of Oceanside were reinitiated on June 30, 1999. The primary goal of the negotiations was to have a signed agreement between the two parties by December 30, 1999, for the discharger's short-term use of the Oceanside Ocean Outfall. If an agreement could not be reached, then the short-term compliance plan would be abandoned. In this event, compliance would not be achieved until the completion of the long-term compliance project to provide nutrient removal facilities for the wastewater discharges from Wastewater Treatment Plant Nos. 1, 2, 3, 8, and 13.

   The July 7, 1999 letter also reported the concurrent development of a military construction project to upgrade and replace existing wastewater treatment facilities to provide tertiary treatment with nutrient removal and a wastewater recycling program. Camp Pendleton estimated that their long-term compliance proposal would be forwarded to Headquarters Marine Corps, Washington D.C., by December 31, 1999, and that full compliance will be achieved with the completion of their long-term compliance project by 2006.

10. On August 11, 1999, the Regional Board adopted Cease and Desist Order (CDO) No. 99-41 as a reissuance of CDO No. 94-52. The new CDO maintained the interim effluent limits for Total Phosphorus, Total Nitrogen, and Total Dissolved Solids, established a reporting schedule for both the short and long-term compliance plans as outlined in Item 9 of this Order, and ordered full compliance with NPDES Order No. 94-51, as reissued and/or revised, by September 8, 2004.

11. On July 12, 1999, the discharger submitted an application for the renewal of its NPDES permit pursuant to Reporting Requirement No. 2 of Order No. 94-51. Upon adoption by the RWQCB, this Order constitutes the renewal of the expired Order No. 94-51.

12. U.S.M.C. Base, Camp Pendleton, is located north of the City of Oceanside, adjacent to the city's northern boundary.

13. Section 402 (p) of the Clean Water Act, as amended, and the implementing regulations (40 CFR Parts 122, 123 and 124) of the U.S. Environmental Protection Agency (USEPA), require that facilities that treat, store, recycle, or reclaim municipal wastewater with design flows greater than one million gallons per day (MGallons/Day) must be covered under the statewide General NPDES storm water permit. Treatment Plant No. 8 is rated at less than 1.0 MGallons/Day.

14. Treatment Plant No. 8 discharges into the Santa Margarita River Watershed. Wastewater treatment unit operations and processes at Treatment Plant No. 8 consist of bar screens, comminutors, grit chambers, primary clarifiers, trickling filters, secondary clarifiers, oxidation ponds, and chlorine contact chambers. Facilities for sewage sludge include anaerobic digesters, gas burners, and sludge drying beds. Dewatered sludge is hauled to Camp Pendleton Area 43 where it is disposed of in a Class III landfill. Treatment Plant No. 8 was inspected by RWQCB and USEPA staff on April 28, 1999.

15. This Order regulates the discharge from Wastewater Treatment Plant No. 8 in the Ysidora Hydrologic Area of the Santa Margarita Hydrologic Unit into the Santa Margarita River Watershed until such time that the proposed short-term and/or long-term compliance plans are implemented.

16. The discharger has reported that Treatment Plant No. 8 does not receive industrial waste from any single industrial operation.

17. The discharge point for Treatment Plant No. 8 is located at Latitude 33° 18' 14" North, Longitude 117° 21' 49" West, in the Chappo Hydrologic Subarea (902.12).

18. The USEPA has established water quality criteria which are applicable to this NPDES Permit. The applicable criteria are summarized in the following documents:

    A. Quality Criteria for Water
    (EPA 440/5 - 86 - 001, 1986)

    B. 40 CFR 131
    (National Toxics Rule, FR 57 (246), December 22, 1992)

    C. Technical Support Document for Water Quality Based Toxics Control
    (EPA/505/2 - 40 - 001, March 1991)

19. Effluent limitations in this Order are based on the secondary treatment limitations in 40 CFR 133 and the limitations in the Basin Plan, including limitations for acute and chronic toxicity. According to the Monitoring and Reporting Program, if the discharger exceeds the acute or chronic toxicity limitation, a Toxicity Reduction Evaluation (TRE) will be conducted. Part of the TRE will be to conduct acute and chronic toxicity monitoring on the various in-stream wastes to determine the cause(s) of toxicity. When the waste(s) causing the toxicity is/are identified, effluent limitations will be established for the waste(s).

20. The Basin Plan was adopted by this RWQCB on March 17, 1975. Subsequent revisions to the Basin Plan have also been adopted by this RWQCB and approved by the State Water Resources Control Board (hereinafter SWRCB).

21. The Basin Plan establishes the following beneficial uses for the inland surface waters of the Ysidora Hydrologic Area (HA) (902.10).

A. Municipal and Domestic Supply
B. Agricultural Supply
C. Industrial Service Supply
D. Industrial Process Supply
E. Water Contact Recreation
F. Non-Contact Water Recreation
G. Warm Fresh-Water Habitat
H. Cold Fresh-Water Habitat
I. Wildlife Habitat
J. Preservation of Rare and Endangered Species

22. The Basin Plan establishes the following beneficial uses for the ground waters of the Ysidora HA:

A. Municipal and Domestic Supply (East of Interstate 5 only)
B. Agricultural Supply
C. Industrial Service Supply
D. Industrial Process Supply

23. The Basin Plan established the following water quality objectives for the Ysidora HA:

TABLE NO. 2
SAN DIEGO BASIN PLAN WATER QUALITY OBJECTIVES FOR THE YSIDORA HYDROGRAPHIC UNIT

CONSTITUENT	SURFACE WATER	GROUND WATER
	Concentration not to be exceeded more than 10% of the time	
Total Dissolved Solids	750 mg/L	750 mg/L
Chloride	300 mg/L	300 mg/L
Percent Sodium	60	60
Sulfate	300 mg/L	300 mg/L
Nitrate	------	10 mg/L
Nitrogen & Phosphorous	****	------
Iron	0.3 mg/L	0.3 mg/L
Manganese	0.05 mg/L	0.05 mg/L
Methylene Blue Active Substances	0.5 mg/L	0.5 mg/L
Boron	0.5 mg/L	0.5 mg/L
Turbidity	20 NTU	5 NTU
Color	20 Units	15 Units
Fluoride	1.0 mg/L	1.0 mg/L

**** Concentrations of nitrogen and phosphorus, by themselves or in combination with other nutrients, shall be maintained at levels below those which stimulate algae and emergent plant growth. Threshold total Phosphorous (P) concentrations shall not exceed 0.05 mg/L in any stream at the point where it enters any standing body of water, or 0.025 mg/L in any standing body of water. A desired goal in order to prevent public nuisances in streams and other flowing waters appears to be 0.1 mg/L total P. These values are not to be exceeded more than 10 percent of the time unless studies of the specific water body in question clearly show that water quality objective changes are permissible and changes are approved by the RWQCB. Analogous threshold values have not been set for nitrogen compounds; however, natural ratios of nitrogen to phosphorus are to be determined by surveillance and monitoring and upheld. If data are lacking, a ratio of N:P = 10:1 shall be used.

24. The Basin Plan contains the following prohibitions applicable to the discharges:

> Discharge of treated or untreated sewage or industrial wastewater, exclusive of cooling water or other waters which are chemically unchanged, to a watercourse, is prohibited except in cases where the quality of said discharge complies with the receiving body's water quality

objectives. Allowance for dilution would be made on a case-by-case basis by the RWQCB. Consideration would include streamflow data, the degree of treatment provided and safety measures to ensure reliability of facility performance. As an example, discharge of secondary effluent would probably be permitted if stream-flow provided 100:1 dilution capability.

Discharging of treated or untreated sewage or industrial wastes in such manner or volume as to cause sustained surface flow or ponding on lands not owned or under the control of the discharger is prohibited except in cases defined in the previous paragraph and in which the responsibility for all downstream adverse effects is accepted by the discharger.

The dumping or deposition of oil, garbage, trash or other solid municipal, industrial or agricultural waste directly into inland waters or watercourses or adjacent to the watercourses in any manner which may permit its being washed into the watercourse is prohibited.

25. Waste discharge requirements for this discharge must be in conformance with 40 CFR 131.12 and State Board Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters in California* (known collectively as "antidegradation" policies). Since effluent concentration and mass emission rate limitations in this Order are the same as or more stringent than those in Order No. 94-51, except for differences due to rounding, significant figures, or calculation errors, adoption of this Order is consistent with antidegradation policies.

26. Effluent limitations, toxic effluent standards, sludge use and disposal regulations, and criteria established under Sections 208(b), 301, 302, 303(d), 304, 307, and 405 of the Clean Water Act, as amended, are applicable to the discharges.

27. This RWQCB, in establishing the requirements contained herein, considered factors including, but not limited to, the following:

A. Past, present, and probable future beneficial uses of water;

B. Environmental characteristics of the hydrologic unit under consideration, including the quality of water available thereto;

C. Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area;

D. Economic considerations;

E. The need for developing housing within the region;

F. The need to develop and use recycled water;

G. Beneficial uses to be protected and the water quality objectives reasonably required for that purpose; and

H. The need to prevent nuisance.

28. This Order shall serve as a National Pollutant Discharge Elimination System Permit pursuant to Section 402 of the Clean Water Act or amendments thereto.

29. The issuance of waste discharge requirements for this discharge is exempt from the requirement for preparation of environmental documents under the California Environmental Quality Act (Public Resources Code, Division 13, Chapter 3, Section 21000 et seq.) in accordance with the California Water Code, Section 13389.

30. This RWQCB has considered all water resource related environmental factors associated with the existing discharges.

31. This RWQCB has notified the discharger and all known interested parties of its intent to prescribe waste discharge requirements for its discharge to the Santa Margarita River watershed.

32. This RWQCB, in a public meeting on September 8, 1999, heard and considered all comments pertaining to the existing discharges.

IT IS HEREBY ORDERED, that the United States Marine Corps, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Clean Water Act and regulations and guidelines adopted thereunder, shall comply with the following for the handling, treatment, and disposal of wastes to the Santa Margarita River Watershed from Wastewater Treatment Plant No. 8 (Santa Margarita Plant).

A. PROHIBITIONS

1. Discharges of wastes or substances to land or surface water in a manner and/or to a location which has not been specifically authorized by this Order, and for which valid waste discharge requirements are not in force, are prohibited.

2. The discharge of any radiological, chemical or biological warfare agent or high level radioactive waste to the Santa Margarita River watershed is prohibited.

3. The discharge of treated wastewater to the Santa Margarita River watershed, in excess of the flows previously listed in Table No. 1, is prohibited unless the discharger obtains revised waste discharge requirements for the proposed increased discharge rate.

4. The presence of odors, vectors, and other nuisances of sewage or sewage sludge origin beyond the limits set forth in the Basin Plan for the treatment sites or disposal areas is prohibited.

5. Waste shall not be discharged to areas designated as being of special biological significance. Discharges shall be located a sufficient distance from such designated areas to assure maintenance of natural water quality conditions in these areas.

6. The discharge of domestic or industrial waste sludge to the Santa Margarita River (SMR) Watershed is prohibited.

7. The discharge of sludge digester supernatant directly to the SMR Watershed, or into a waste stream that discharges to the SMR Watershed, without further treatment, is prohibited.

8. The bypassing of untreated wastes containing concentrations of pollutants in excess of those promulgated in 40 CFR 131.36 (b)(1), or the effluent limitations of this Order, to the SMR Watershed is prohibited, except as provided for in Standard Provision A.9 of this Order.

9. The discharge from any treatment facility at a 30-day average dry weather flowrate in excess of the design capacity of that treatment facility is prohibited. For the purposes of this Order, the design capacity of a treatment facility is the existing design capacity of that treatment facility identified in the findings of this Order, unless the discharger obtains the Executive Officer's approval of a revised design capacity in accordance with Standard Provision B.9.

10. The dumping or deposition of oil, garbage, trash or other solid domestic, industrial, or agricultural waste directly into waters subject to tidal action, or to areas adjacent to waters subject to tidal action in any manner which may permit it to be washed into waters subject to tidal action, is prohibited.

11. The discharge of treated wastewater shall not cause a violation of the prohibitions contained in Finding No. 24 of this Order.

B. DISCHARGE SPECIFICATIONS

1. The following effluent limitations apply to the undiluted effluent discharged from Treatment Plant No. 8 to the SMR watershed. The discharge of an effluent to the SMR watershed containing pollutants in excess of the following effluent limitations is prohibited:

TABLE NO. 3
SANTA MARGARITA RIVER WATERSHED EFFLUENT LIMITATIONS

CONSTITUENT	UNITS	30-DAY (1) AVERAGE	7-DAY (2) AVERAGE	DAILY (3) MAXIMUM
Biochemical Oxygen Demand (BOD_5 @ 20° C)	mg/L lb/Day (9)	30 148	45 221	45 221
Total Suspended Solids	mg/L lb/Day	30 148	45 221	45 221
pH	pH Units	Within the limits of 6.5 to 8.5 at all times		
Total Dissolved Solids	mg/L lb/Day	750 3690		850 4182
Chloride	mg/L lb/Day	300 1476		350 1722
Percent Sodium (7)	%	60		65
Sulfate	mg/L lb/Day	300 1476		350 1722
Total Nitrogen	mg/L lb/Day	1.0 4.9		2.0 9.4
Total Phosphorus	mg/L lb/Day	0.1 0.5		0.2 1.0
Iron	mg/L lb/Day	0.3 1.5		0.4 2.0
Manganese	mg/L lb/Day	0.05 0.25		0.06 0.30
Methylene Blue Active Substances	mg/L lb/Day	0.5 2.5		0.6 3.0
Boron	mg/L lb/Day	0.5 2.5		0.6 3.0
Turbidity	NTU	20		25
Color (8)	Pt/Co Color	20		25
Oil & Grease	mg/L lb/Day	25 123	40 197	75 369

CONSTITUENT	UNITS	30-DAY (1) AVERAGE	7-DAY (2) AVERAGE	DAILY (3) MAXIMUM
Fluoride	mg/L lb/Day	1.0 4.9		1.2 5.9
Fecal Coliform (4)	MPN/ 100 ml	200		400
Total Chlorine Residual	mg/L lb/Day	0.01 0.05		0.02 0.10
Dissolved Oxygen	mg/L	Not less than 5.0 at any time		
Acute Toxicity (5)	TUa	No acute toxicity shall occur in undiluted effluent		
Chronic Toxicity (6)	TUc			1.0

-Note: For Footnotes, see the Appendix. Numbers rounded to the nearest pound, tenth of a pound, or hundredth of a pound, based on the relative magnitude of the applicable concentration limit.

2. The 30-day average percent removal of 5-day Biochemical Oxygen Demand (BOD_5) shall not be less than 85 percent.

3. The 30-day average percent removal of Total Suspended Solids (TSS) shall not be less than 85 percent.

4. Waste management systems that discharge to the SMR watershed must be designed and operated in a manner that will maintain the indigenous estuarine, freshwater, plant, and animal life and their respective habitats.

5. All waste treatment, containment and disposal facilities shall be protected against 100-year peak stream flows as defined by the San Diego County flood control agency.

6. All waste treatment, containment and disposal facilities shall be protected against erosion, overland runoff and other impacts resulting from a 100-year frequency 24-hour storm.

7. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed of in accordance with Title 27 of the California Code of Regulations (CCR).

C. RECEIVING WATER LIMITATIONS

Discharges shall not cause violations of the following water quality objectives in the Santa Margarita River (SMR) watershed:

1. Waters shall be free of coloration that causes nuisances or adversely affects beneficial uses.

2. Waters shall not contain floating material or material that will become floatable upon discharge, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.

3. Waters shall not contain suspended material in concentrations that cause nuisance or adversely affect beneficial uses.

4. Waters shall not contain substances in concentrations that result in the deposition of materials that cause nuisance or adversely affect beneficial uses.

5. Waters shall not contain oils, greases, waxes or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, or that cause nuisance or otherwise adversely affect the beneficial uses.

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

7. Water shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses.

8. Waters shall not contain taste or odor-producing substances in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, that cause nuisance or adversely affect beneficial uses.

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

10. The annual mean dissolved oxygen concentrations shall not be less than 7 mg/L more than 10 percent of the time.

11. The hydrogen ion concentration (pH) in the SMR shall not be depressed below 6.5 nor raised above 8.5.

12. The fecal coliform concentration [Most Probable Number (MPN)] shall not exceed a log mean of 200/100 ml based on a minimum of not less than five samples for any 30-day period. During any 30-day period, not more than 10 percent of the samples shall exceed 400/100 ml.

13. Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life or 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.

14. No individual pesticide or combination of pesticides shall be present in concentrations that adversely affect beneficial uses. There shall be no increase in pesticide concentrations found in bottom sediments or aquatic life.

15. There shall be no acute toxicity in ambient waters, including mixing zones. There shall be no chronic toxicity in ambient waters outside mixing zones. The water quality objective for chronic toxicity is a daily maximum of 1.0 TUc.

D. SLUDGE MANAGEMENT PRACTICES

1. All sludge generated by the discharger must be disposed of in a solid waste landfill appropriate for municipal wastes, reused by land application, or disposed of in a sludge-only landfill in accordance with 40 CFR Part 503 and 27 California Code of Regulations (CCR). If the discharger desires to dispose of sludge by a different method, a request for permit modification must be submitted to the USEPA and this RWQCB 180 days prior to the start-up of the alternative disposal practice.

2. All the requirements in 40 CFR 503 and 23 CCR 15 are enforceable by USEPA and this RWQCB whether or not they are stated in an NPDES permit or other permit issued to the discharger.

3. Sludge treatment, storage, and disposal or reuse shall not create a nuisance, such as objectionable odors or flies, or result in groundwater contamination.

4. The discharger shall take all reasonable steps to prevent or minimize any sludge use or disposal which has a likelihood of adversely affecting human health or the environment.

5. The discharge of sewage sludge shall not cause waste material to be in a position where it is, or can be, carried from the sludge treatment and storage site and deposited in the waters of the State as defined in California Water Code (CWC) 13050(e).

6. The sludge treatment and storage site shall have facilities adequate to divert surface runoff from adjacent areas, to protect boundaries of the site from erosion, and to prevent any conditions that would cause drainage from the materials in the temporary storage site. Adequate protection is defined as protection from at least a 100-year storm and protection from the highest possible tidal stage that may occur.

7. The discharger shall submit an annual report to the USEPA and the RWQCB containing monitoring results and pathogen and vector attraction reduction requirements as specified by 40 CFR 503, postmarked no later than February 19 of each year, for the period covering the previous calendar year.

8. Sludge that is disposed of in a solid waste landfill appropriate for municipal wastes must meet the requirements of 40 CFR 258. In the annual self-monitoring report, the discharger shall include the amount of sludge disposed of, and the landfill(s) to which it was sent.

9. This RWQCB's attached "Standard Provisions" apply to sludge handling, disposal and reporting practices.

10. The RWQCB may amend this NPDES permit prior to expiration if changes occur in applicable state and federal sludge regulations.

E. PROVISIONS

1. The dischargers shall comply with all applicable items of the "Standard Provisions" which are part of this Order.

2. A copy of this Order shall be posted at a prominent location at the permitted treatment or disposal facility, and shall be available to operating and/or on-site personnel at all times.

3. Appropriate Treatment Plant Operations and Maintenance (O&M) manual(s) shall be posted at a prominent location at the permitted treatment or disposal facility, and shall be available to operating and/or on-site personnel at all times. The O&M manual(s) shall be prepared, revised, and/or updated by qualified engineers to account for any changes in plant operations or processes.

   The O&M manual(s) shall be reviewed by the discharger at least once every three years. The discharger shall certify, in writing, to this RWQCB that appropriate, updated, and accurate O&M manual(s) are utilized at the treatment or disposal facility, or that modifications to the manual(s) are required, the details of the revisions necessary, and the date and method of completion.

4. Supervisors and operators of the discharger's wastewater treatment facilities shall possess a certificate of appropriate grade in accordance with Chapter 14 of Division 4 of Title 23 of the California Code of Regulations. All operating personnel will be of appropriate grade to perform the operations and/or maintenance they are assigned to. The Annual Report will include the grade certifications of all operating personnel and summaries of any training received in the previous calendar year.

F. PRETREATMENT REQUIREMENTS

1. The discharger shall conduct an annual Industrial Waste Survey (IWS) of all the Industrial Users (IUs), or potential Industrial Users, in the service areas of Treatment Plant No. 8 in order to determine whether any such IUs may be contributing to the toxicity of the treatment plant's influent. The discharger shall also conduct an annual priority pollutant scan of effluent from Treatment Plant No. 8, as required in Section C.2, *Effluent Monitoring*, of the attached Monitoring and Reporting Program No. 99-58.

   Based on the results of the IWS, the priority pollutant scan, any adverse impacts to the treatment plant's capability to treat wastewater (e.g., biological media kills due to toxic loading), and review of 40 CFR 403, the discharger shall submit an annual certification report indicating whether Treatment Plant No. 8 receives pollutants from any IU which would require the discharger to establish a pretreatment program in accordance with 40 CFR 403. This certification report, with the IWS and sampling results, shall be submitted with the Annual Monitoring Data Summary Report, due February 1 of each year. If the discharger becomes aware of an IU in the service areas of Treatment Plant No. 8 which is potentially adversely impacting the performance of the treatment plant, the discharger shall establish a pretreatment program in accordance with the requirements of Sections 307(b) and (c), and 402(b)(8) of the CWA and 40 CFR 403.

   The discharger shall assure that IUs in the service areas of Treatment Plant No. 8 subject to pretreatment standards promulgated in federal regulations or established by the discharger comply with those standards.

2. The Regional Board may amend this Order, at any time, to require the discharger to establish an industrial pretreatment program pursuant to the requirements of 40 CFR 403, if the Regional Board finds that Treatment Plant No. 8 receives pollutants from an industrial source which is contributing to the toxicity of the treatment plant's influent or if other circumstances warrant doing so.

3. The discharger shall implement a Nonindustrial Source Control Program consisting of a public education program designed to minimize the entrance of

nonindustrial toxic pollutants and pesticides into the sanitary sewer system. The Nonindustrial Source Control Program shall be reviewed and, if necessary, updated at least once before the expiration date of this Order.

G. REPORTING REQUIREMENTS

1. The discharger shall conduct monitoring and submit results in accordance with the attached Monitoring and Reporting Program (MRP) No. 99-58. Monitoring results shall be reported at the intervals specified in MRP No. 99-58.

2. This Order expires on September 8, 2004. 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 new waste discharge requirements. The discharger must file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, no later than 180 days in advance of the expiration date of this Order, as application for issuance of new waste discharge requirements.

3. After this permit expires, the terms and conditions of this permit are automatically continued pending issuance of a new permit if all requirements of the federal NPDES regulations on the continuation of expired permits are complied with. [40 CFR 122.6, 23 CCR 2235.4]

4. Any application submitted by the discharger for reissuance or modification of this permit shall satisfy all applicable requirements specified in federal regulations as well as any additional requirements for submittal of a Report of Waste Discharge specified in the California Water Code and the California Code of Regulations.

5. The discharger shall submit a new Report of Waste Discharge and technical report not less than 180 days prior to any material change or proposed change in character, location, volume, or amount of the waste discharge, including, but not limited to the following:

   a. Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the waste.

   b. Significant change in disposal method (e.g., change from a land disposal to a direct discharge to water) or change in the method of treatment which would significantly alter the nature of the waste.

   c. Significant change in disposal area (e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area), potentially causing changes in water

quality or nuisance problems.

d. Increase in flow beyond that specified in this Order.

e. Any substantial change in the amount or characteristics of pollutants used, handled, stored, or generated.

f. Any new discharge of pollutants or new potential pollutant source.

g. Other circumstances which could result in a material change in the character, amount, or location of discharges. [CWC 13372 and 13264, 23 CCR 2210]

6. Except as provided for in 40 CFR 122.7, no information or documents submitted in accordance with or in application for this permit will be considered confidential, and all such information and documents shall be available for review by the public at the offices of the San Diego RWQCB. As required by the Clean Water Act, Reports of Waste Discharge, this Order, and effluent data shall not be considered confidential.

7. Whenever a receiving water sample is found to contain levels of bacteria which exceed bacterial water quality objectives specified in Receiving Water Limitation C.12 of this Order, the discharger shall immediately report the exceedance to the Assistant Chief of Staff (AC/S), Camp Pendleton Environmental Security. Environmental Security staff will evaluate the exceedance and, as appropriate, report to the County of San Diego Department of Environmental Health, and post signs prohibiting body contact with the water in all areas affected by the contamination, as applicable.

8 The discharger shall report sewer overflow events in accordance with the following procedures:

a. All sewer overflows from Sewage Treatment Plant No. 8 (Santa Margarita Plant) and in its applicable service areas shall be reported to the Regional Board, the County of San Diego Department of Environmental Health, and the Assistant Chief of Staff (AC/S), Camp Pendleton Environmental Security. A sewer overflow event is a discharge of treated or untreated wastewater at a location not authorized by waste discharge requirements and/or a NPDES permit which results from a pump station failure, sewer line break, obstruction, surcharge, or any other circumstance.

b. If a sewer overflow event results in a discharge to surface waters:

(1) The sewer overflow event shall be reported to the Regional Board,

Camp Pendleton Environmental Security, and the County of San Diego Environmental Health Services by telephone within 24 hours of the time the discharger becomes aware of the sewer overflow event.

(2) A Sewer Overflow Report (SOR) form (completed in accordance with the instructions), as well as any additional pertinent information, shall be submitted to the Regional Board no later than five days following the starting date of the sewer overflow event.

c. If a sewer overflow event does not result in a discharge to surface waters:

(1) No telephone report is required to the Regional Board.

(2) An SOR form (completed in accordance with the instructions), as well as any additional pertinent information, shall be submitted to the Regional Board no later than five days following the starting date of the sewer overflow event.

9. The discharger shall provide adequate notice to the Executive Officer of the following:

a. Any new introduction of pollutants into the discharger's treatment works from an indirect discharger which would be subject to Section 301 or 306 of the CWA if it were directly discharging those pollutants;

b. Any substantial change in the volume or character of pollutants being introduced into the discharger's treatment works by a source introducing pollutants into the treatment works at the time of issuance of this Order; and

c. For purposes of this paragraph, adequate notice shall include information on:

(1) The quality and quantity of effluent introduced into the treatment plant; and

(2) Any anticipated impact of the change on the quantity or quality of effluent and/or sludge to be discharged from the treatment plant.

10. No later than six months after the adoption of this Order, the discharger shall develop and implement a Sewer Overflow Prevention Plan (SOPP) for Treatment Plant No. 8 and its associated sewage collection system/service areas. The SOPP shall be designed to prevent, or minimize the potential for, sewer overflows from Treatment Plant No. 8 and in its service areas. The discharger shall maintain the

SOPP in an up-to-date condition and shall amend the SOPP whenever there is a change (e.g. in the design, construction, operation, or maintenance of the sewerage system or sewerage facilities) which materially affects the potential for sewer overflows. The discharger shall review and amend the SOPP as appropriate after each sewer overflow from the Treatment Plant No. 8 or in its service areas. The SOPP and any amendments thereto, shall be submitted to the Executive Officer. The Executive Officer may direct the discharger to make modifications to the plan. The discharger shall submit the SOPP and any amendments thereto to the Executive Officer upon request of the Executive Officer. The discharger shall ensure that the up-to-date SOPP is readily available to sewerage system personnel at all times and that sewerage system personnel are familiar with it.

11. No later than six months after adoption of this Order, the discharger shall develop and implement a Sewer Overflow Response Plan (SORP) for Treatment Plant No. 8 and its service areas. The SORP shall establish procedures for responding to sewer overflows from Treatment Plant No. 8 and in its service areas so as to (a) minimize the sewer overflow volume which enters surface waters, and (b) minimize the adverse effects of sewer overflows on water quality and beneficial uses. The discharger shall maintain the SORP in an up-to-date condition and shall amend the SORP as necessary to accomplish these objectives. The discharger shall review and amend the SORP as appropriate after each sewer overflow from Treatment Plant No. 8 or in its service areas. The SORP, and any amendments thereto, shall be submitted to the Executive Officer. The Executive Officer may direct the discharger to make modifications to the plan. The discharger shall submit the SORP and any amendments thereto to the Executive Officer upon request of the Executive Officer. The discharger shall ensure that the up-to-date SORP is readily available to sewerage system personnel at all times and that sewerage system personnel are familiar with it.

12. The discharger shall submit a written report to the Executive Officer within 90 days after the average dry weather influent flowrate for any 30-day period equals or exceeds 75 percent of the design capacity of any waste treatment and/or disposal facility. The discharger's senior administrative officer shall sign a letter which transmits that report and certifies that the policy-making body is adequately informed about it. The report shall include:

    a. Average daily flow for the 30-day period, the date on which the instantaneous peak flow occurred, the rate of that peak flow, and the total flow for that day.

    b. The discharger's best estimate of when the average daily dry-weather flowrate will equal or exceed the design capacity of the facilities.

    c. The discharger's intended schedule for studies, design, and other steps

needed to provide additional capacity for the waste treatment and/or disposal facilities, and/or control the flowrate before the waste flowrate exceeds the capacity of present units.

13. The discharger shall submit reports and provide notifications to the Regional Board and other agencies as specified in this Order. These other agencies include USEPA, and the San Diego County Department of Health Services. Reports shall be submitted and notifications shall be made to:

Executive Officer
California Regional Water Quality Control Board
San Diego Region
9771 Clairemont Mesa Blvd., Suite A
San Diego, California 92124-1324
Phone: (858) 467-2952 Fax: (858) 571-6972

Regional Administrator
U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street
San Francisco, California 94105-3901

Environmental Health Services Division
Department of Health Services
County of San Diego
P.O. Box 85261
San Diego, California 92138-5261
Phone - (619) 338-2222 Fax - (619) 338-2174

The discharger shall also submit the sludge annual report to the USEPA at the address below with a copy to this RWQCB.

Sludge Coordinator/Water Management Division
U.S. Environmental Protection Agency (W-5-2)
75 Hawthorne Street
San Francisco, California 94105-3901

H. NOTIFICATIONS

1. The Porter-Cologne Water Quality Control Act provides for civil and criminal penalties comparable to, and in some cases greater than, those provided for under the Clean Water Act. [CWC 13385, 13387]

2. Nothing in this Order shall be construed to protect the discharger from its liabilities under federal, state, or local laws.

3. Except as provided for in 40 CFR 122.41(m) and (n), nothing in this Order shall be construed to relieve the discharger from civil or criminal penalties for noncompliance.

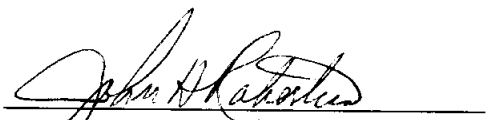
4. Nothing in this Order shall be construed to preclude the institution of any legal action or relieve the discharger from any responsibilities, liabilities, or penalties to which the discharger is or may be subject to under Section 311 of the Clean Water Act.

5. Nothing in this order shall be construed to preclude the institution of any legal action or relieve the discharger from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act.

6. This Order shall become effective ten days after the date of its adoption provided the Regional Administrator, USEPA, has no objection. If the Regional Administrator objects to its issuance, this Order shall not become effective until such objection is withdrawn.

7. Order No. 94-51 is rescinded when this Order becomes effective.

I, John H. Robertus, 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, San Diego Region, on September 8, 1999.



JOHN H. ROBERTUS
Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

APPENDIX

Footnote references for waste discharge requirements of Order No. 99-58, NPDES Permit No. CA0108995, United States Marine Corps Base, Camp Pendleton, San Diego County.

1. The 30-day average shall be the arithmetic mean, using the results of analyses of all samples collected during any 30 consecutive calendar day period.

2. The weekly (7-day) average shall be the arithmetic mean of all samples collected during a consecutive 7-day period or calendar week. (For BOD_5, TSS, and Oil & Grease constituents only)

3. The daily maximum shall be determined from the maximum sample result of all samples collected in a calendar day (of grab samples or from the results of composite samples collected over a period of 24 hours). The daily maximum results for total coliform shall be determined from the results of any grab sample.

4. Fecal coliform values represent the log mean concentration based on a minimum of 5 samples for any 30-day period. During any 30-day period, not more than 10 percent of the samples shall exceed 400/100 ml.

5. Compliance with the acute toxicity effluent limitation shall be determined by short-term (acute) toxicity tests on undiluted effluent using an established protocol (e.g., approved by the American Society for Testing and Materials (ASTM), American Public Health Association, EPA, or Ca. State Water Resources Control Board). Acute toxicity is less than ninety percent survival fifty percent of the time, and less than seventy percent survival ten percent of the time, of standard test organisms in undiluted effluent in a 96-hour static renewal test.

6. Compliance with the chronic toxicity effluent limitation will be expressed as TUc which equals 100/NOEC. NOEC (No Observed Effect Concentration) is the highest concentration of toxicant, in terms of percent effluent, to which the test organisms are exposed that causes no observable adverse effect. Chronic toxicity of 100% effluent shall not exceed 1.0 TUc.

7. Percent sodium (Na) is calculated as follows:

$$\% \text{ Na} = \frac{\text{Na}}{\text{Na} + \text{Ca} + \text{Mg} + \text{K}}$$

Where Sodium (Na), Calcium (Ca), Magnesium (Mg) and Potassium (K), are expressed in millequivalents per liter (me/L).

8. Color Units can be determined in either of the three following test methods: (1) Colorimetric, (2) Platinum Cobalt or (3) Spectrophotometric. Platinum Cobalt (Pt/Co) Color Units shall be used for reporting.

9. The mass emission rate (MER) in pounds per day (lb/Day) is determined from the following equation:

$$lb/Day = 8.34 \times Q \times C$$

where Q and C are the flow rate (MGallons/Day) and the constituent concentration (mg/L), respectively, and 8.34 is a conversion factor. The MER limit for a particular constituent is determined based on the total design/permitted flow (0.59 MGallons/Day) from Treatment Plant No. 8 (Santa Margarita Plant) and the appropriate concentration limit. Compliance determinations will be based on the actual daily, weekly, monthly, annual, or other flowrate, as applicable, and the actual effluent concentrations, as applicable.

10. Monthly Sampling Requirements: Sampling shall be performed during the monitoring month.

11. Quarterly Sampling Requirements: Sampling shall be performed any time during the monitoring quarter (calendar quarter), but samples representative of 2 quarterly periods must be separated by 1 month.

12. Semiannual Sampling Requirements: Sampling shall be performed any time during the 6 month period (calendar), but samples representative of 2 semiannual periods must be separated by 4 months.

13. Annual Sampling Requirements: Sampling shall be performed any time during the calendar year, but samples representative of 2 annual periods must be obtained 6 months apart.

14. Five days per week.

15. If only one sample is collected for total chlorine residual analysis on a particular day, that sample must be collected at the time when the concentration of total chlorine residual in the discharge would be expected to be greatest. The times of chlorine discharges on the days the samples are collected and the times at which samples are collected shall be reported.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

MONITORING AND REPORTING PROGRAM NO. 99-58
(NPDES PERMIT NO. CA0108995)
FOR THE
UNITED STATES MARINE CORPS
CAMP PENDLETON
WASTEWATER TREATMENT FACILITY NO. 8 (SANTA MARGARITA PLANT)
DISCHARGING TREATED WASTE INTO THE
SANTA MARGARITA RIVER WATERSHED
SAN DIEGO COUNTY

A. MONITORING PROVISIONS

1. 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 points specified in this Order and, unless otherwise specified, before the effluent joins or is diluted by any other waste stream, body of water, or substance. Monitoring points shall not be changed without notification to and the approval of the Executive Officer.

2. 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. The devices shall be installed, calibrated and maintained to ensure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than $\pm$ 5 percent from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration and operation of acceptable flow measurement devices can be obtained from the following references:

   A. "A Guide to Methods and Standards for the Measurement of Water Flow," U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 421, May 1975, 97 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 2040. Order by SD Catalog No. C13.10:421.)

   B. "Water Measurement Manual," U.S. Department of Interior, Bureau of Reclamation, Second Edition, Revised Reprint, 1974, 327 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by Catalog No. 127,19/2:W29/2, Stock No. S/N 24003-0027.)

C. "Flow Measurement in Open Channels and Closed Conduits," U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 484, October 1977, 982 pp. (Available in paper copy or microfiche from National Technical Information Service (NTIS) Springfield, VA 22151. Order by NTIS No. PB-273-535/5ST).

D. "NPDES Compliance Sampling Manual," U.S. Environmental Protection Agency, Office of Water Enforcement. Publication MCD-51, 1977, 140 pp. (Available from the General Services Administration (8FFS), Centralized Mailing Lists Services, Building 41, Denver Federal Center, Denver, CO 80225.)

3. Monitoring must be conducted according to United States Environmental Protection Agency (USEPA) test procedures approved under Title 40 of the Code of Federal Regulations Part 136 (40 CFR 136), "Guidelines Establishing Test Procedures for the Analysis of Pollutants" as amended, unless otherwise specified for sludge in 40 CFR 503, and unless other test procedures have been specified in Order No. 99-58 and/or in this monitoring and reporting program.

4. If the discharger monitors any pollutants more frequently than required by Order No. 99-58 or by this monitoring and reporting program, using test procedures approved under 40 CFR 136, or as specified in Order No. 99-58 or this monitoring and reporting program, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the discharger's monitoring report. The increased frequency of monitoring shall also be reported.

5. 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 Order No. 99-58 and this monitoring and reporting program, and records of all data used to complete the application for Order No. 99-58. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer or the United States Environmental Protection Agency.

6. Records of monitoring information shall include:

   a. The date, exact location, and time of sampling or measurements;

   b. The individual(s) who performed the sampling or measurements;

   c. The date(s) analyses were performed;

d. The laboratory and individual(s) who performed the analyses;

e. The analytical techniques or methods used; and

f. The results of such analyses

7. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in Order No. 99-58 or this monitoring and reporting program.

8. All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year, or more frequently, to ensure continued accuracy of the devices

9. All analyses shall be performed in a laboratory certified to perform such analyses by the California Department of Health Services or a laboratory approved by the Executive Officer.

10. The discharger shall have, and implement, an acceptable written Quality Assurance /Quality Control (QA/QC) plan for laboratory analyses. An annual report shall be submitted by March 30 of each year which summarizes the QA/QC activities for the previous year. Duplicate chemical analyses must be conducted on a minimum of ten percent of the samples or at least one sample per month, whichever is greater. A similar frequency shall be maintained for analyzing spiked samples. When requested by USEPA or the Regional Board, the discharger will participate in the NPDES discharge monitoring report QA/QC performance study. The discharger should have a success rate equal or greater than 80 percent.

11. The discharger shall report all instances of noncompliance not reported under Standard Provision B.6 of Order No. 99-58 at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision B.6 of Order No. 99-58.

12. By February 1 of each year, the discharger shall submit an annual report to the Regional Board and USEPA Region 9 which contains tabular and graphical summaries of the monitoring data obtained during the previous year. The discharger shall discuss the compliance record and corrective actions taken or which may be needed to bring the discharge into full compliance with the requirements of Order No. 99-58 and this monitoring and reporting program.

13. Laboratory method detection limits (MDLs) and practical quantitation levels (PQLs) shall be identified for each constituent in the matrix being analyzed with all reported

analytical data. Acceptance of data shall be based on demonstrated laboratory performance.

14. Monitoring results shall be reported at intervals and in a manner specified in Order No. 99-58 or in this monitoring and reporting program. Monitoring reports shall be submitted to the Regional Board and to EPA Region 9, as appropriate, according to the following schedule:

Monitoring Frequency	Reporting Period	Report Due
Continuous, Daily, Weekly, Monthly[10]	All	First day of the second month after the month of sampling (e.g., January sampling: due March 1)
Quarterly[11]	January - March April - June July - September October - December	May 1 August 1 November 1 February 1
Semiannually[12]	January - June July - December	August 1 February 1
Annually[13]	January - December	February 1
Once every five years	---	February 1

Note: See Appendix for footnotes on sampling requirements.

15. See the "Standard Provisions," Section B, for additional monitoring and reporting requirements.

B. INFLUENT MONITORING

Sampling stations shall be established at each point of inflow to all treatment plants and shall be located upstream of any in-plant return flows, and where representative samples of the influent can be obtained. Influent samples shall be collected on the same day as, and shortly before the collection of, effluent samples.

During periods when no effluent from a particular treatment plant is discharged to the SMR watershed, no influent monitoring, except for flowrate monitoring, is required at that treatment plant.

The following shall constitute the influent monitoring program:

TABLE NO. 4 **INFLUENT MONITORING PROGRAM**

PARAMETER	UNIT	TYPE OF SAMPLE	MINIMUM FREQUENCY
Flowrate	MGallons/Day	recorder/totalizer	continuous
BOD_5 @ 20°C	mg/L	24-hr composite	weekly
Suspended Solids	mg/L	24-hr composite	weekly

C. EFFLUENT MONITORING

1. A sampling station shall be established at each facility's discharge point where representative samples of the discharge to the Santa Margarita River watershed can be obtained. The following shall constitute the effluent monitoring program for the discharger:

TABLE NO. 5 **EFFLUENT MONITORING PROGRAM**

CONSTITUENT	UNITS	TYPE OF SAMPLE	MINIMUM FREQUENCY OF ANALYSIS*
Flowrate	MGallons/Day		Continuous
Biochemical Oxygen Demand (BOD_5) @ 20° C	mg/L	24-hr Composite	Daily[14]
Total Suspended Solids	mg/L	24-hr Composite	Daily[14]
pH	pH units	Grab	Daily[14]
Total Chlorine Residual	mg/L	Grab	Daily[15]
Total Dissolved Solids	mg/L	Grab	Weekly
Settleable Solids	ml/L	Grab	Weekly
Manganese	mg/L	Grab	Weekly
Methylene Blue Active Substances	mg/L	Grab	Weekly
Oil & Grease	mg/L	Grab	Weekly
Temperature	°C		Weekly
Turbidity	NTU	Grab	Weekly
Color	Color Units	Grab	Weekly
Dissolved Oxygen	mg/L	Grab	Weekly
Fecal Coliform	MPN/100 ml	Grab	No fewer than 5 times per month
Chloride	mg/L	Grab	Monthly

CONSTITUENT	UNITS	TYPE OF SAMPLE	MINIMUM FREQUENCY OF ANALYSIS*
Percent Sodium	%	Grab	Monthly
Sulfate	mg/L	Grab	Monthly
Nitrogen	mg/L	Grab	Monthly
Phosphorus	mg/L	Grab	Monthly
Iron	mg/L	Grab	Monthly
Boron	mg/L	Grab	Monthly
Fluoride	mg/L	Grab	Monthly
Acute Toxicity	TUa	Composite	Quarterly
Chronic Toxicity	TUc	Composite	Quarterly

* See Appendix for footnotes

2. In accordance with 40 CFR 131.36(d)(10)(i) and (ii), the discharger shall submit an annual report of Priority Toxic Pollutants no later than February 1 of each year. The results of the analyses will be representative of the previous calendar year, and shall be based upon at least one effluent sample from the previous calendar year. The annual report shall indicate the results of all analyses in conjunction with all applicable criteria. The effluent samples will be collected after all treatment processes and operations, and prior to any dilution.

   The water classifications and the applicable pollutants and criteria are defined in 40 CFR 131.36(d)(10)(i), and the pollutants and criteria are listed in 40 CFR 131.36(b)(1). All CFR footnotes pertaining to the CFR sections, or supporting CFR sections, shall apply. The Criterion Continuous Concentration (CCC), as defined in the above CFR sections, is the highest concentration of a pollutant to which aquatic life can be exposed for an extended period of time (4 days) without deleterious effects. Where applicable, if the CCC is exceeded for any pollutant, another effluent sample should be taken and analyzed within 48 hours of the original sampling to verify the exceedance. Where resampling can not be conducted within 48 hours, the single original sampling shall serve as the basis of compliance. All results shall be included in the annual report.

   The minimum frequency of monitoring for these constituents is automatically increased to twice the minimum frequency specified here if any analysis for this constituent yields a result higher than any effluent limit specified or referenced in Order No. 99-58 for this constituent. The increased minimum frequency of monitoring shall remain in effect until the results of a minimum of four consecutive analyses for this constituent are below all effluent limits specified in Order No. 99-58 for this constituent.

D. BIOMONITORING

The Acute Toxicity test will be used to determine the presence of acute toxicity as specified in "Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms" (EPA 600/4-90/027, September 1991 or subsequent editions)". A quarterly toxicity test shall be conducted using a 24-hour composite sample of 100% undiluted effluent and a control sample. A 96-hour, static-renewal test shall be conducted using the Fathead Minnow (Pimephales promelas). The test results shall be reported as percent survival of the test organism or 96-hour LC-50. If acceptable test results are not achieved, the discharger must resample and retest within 14 days. If acceptable test results are not achieved on the retest, a toxicity reduction evaluation (TRE) shall be implemented by the discharger (see Section D. below).

The Chronic Toxicity test will be conducted using 24-hour composite samples of 100% undiluted effluent and a control sample. Three test species with approved test protocols shall be used to measure compliance and are listed in the Table below. After a screening period, future monitoring may use the most sensitive specie. The sensitivity of the test organisms listed below to a reference toxicant shall be determined concurrently with each test and reported with the test results. If acceptable test results are not achieved on the retest, a toxicity reduction evaluation (TRE) shall be implemented by the discharger (see Section D. below).

TABLE NO. 6 **CHRONIC TOXICITY TESTING**

SPECIES	EFFECT	TEST DURATION (DAYS)	REFERENCE
Fathead Minnow (Pimphales Promelas)	larval survival and growth rate	7	Horning & Weber (1989)
Water Flea (Ceriodaphnia Dubia)	number of young surviving	7	Horning & Weber (1989)
Alga (Selanastrum Capricornutum)	growth rate	4	Horning & Weber (1989)

Reference: Horning, W.B. and C.I. Weber, 1989." Short-term Methods For Estimating The Chronic Toxicity of Effluents and Receiving Waters To Freshwater Organisms". (EPA/600/4-89/001)

As an alternative protocol, the discharger may request to this RWQCB in writing that compliance with the acute toxicity limit be based on the mortality data from the chronic tests. In addition, the discharger may request that other species/tests be substituted.

E. TOXICITY REDUCTION EVALUATION (TRE)

The discharger must submit to this RWQCB a copy of its TRE workplan within 90 days of the issuance of this Order. Toxicity Reduction Evaluation Methods Manuals (Phases I, II, and III) are available to assist the discharger in developing and implementing the TRE workplan.

Whenever the acute and/or chronic toxicity limits have been exceeded on a resample or retest, or when treatment plant operations are adversely impacted by influent toxicity, the discharger shall notify this RWQCB within 5 working days and begin implementation of a TRE to identify the cause(s) of the toxicity. Upon completion of the TRE, the discharger shall notify this RWQCB within 14 days of the results of the TRE as follows:

(1) The dates when the limitation(s) was exceeded.
(2) The findings of the TRE to identify the cause(s) of the toxicity.
(3) The actions the discharger has taken or will take to correct the noncompliance and to prevent the reoccurrence of the toxicity.
(4) If corrective actions have not been completed within the 14-day period, a time schedule shall be submitted showing the dates by which corrective actions will be completed.

F. RECEIVING WATER MONITORING

The discharger shall establish two receiving water monitoring stations:

1. Immediately upstream of each discharge point where the receiving water is unaffected by the discharge; and

2. Approximately 250 feet downstream of each discharge point.

To determine compliance with water quality standards, the receiving water quality monitoring program must document conditions in the vicinity of the receiving water discharge points, at reference stations, and at areas beyond the immediate vicinity of the discharge points where discharge impacts might reasonably be expected. Monitoring must reflect conditions during all critical environmental periods.

Receiving water monitoring shall be conducted as specified below. Station location, sampling, sample preservation and analyses, when not specified, shall be by methods approved by the Executive Officer. The monitoring program may be modified by the Executive Officer at any time.

The following shall constitute the receiving water monitoring program for each discharge point:

TABLE NO. 7 RECEIVING WATER MONITORING PROGRAM

CONSTITUENT	UNITS	SAMPLE TYPE	MINIMUM FREQUENCY OF ANALYSES**
Dissolved Oxygen*	mg/L	Grab	Weekly
Total Chlorine Residual	mg/L	Grab	Weekly
Fecal Coliform	MPN/100 ml	Grab	5 times/month
Total Nitrogen	mg/L	Grab	Weekly
Total Phosphorus	mg/L	Grab	Weekly
Flowrate	cfs	Visual Observation	Weekly

* Dissolved oxygen concentrations shall be determined no later than 8:00 A.M.

** Receiving water monitoring shall be conducted during periods of flow in the SMR. At the same time samples are collected from the receiving water monitoring stations, the following information shall be recorded: observations of wind (direction and speed); weather (e.g., cloudy, sunny, or rainy); tidal conditions and flow direction, as applicable; observations of water color or discoloration; oil and grease; turbidity; odor, and materials of sewage origin in the water or on the riverbank(s); river mouth conditions (i.e. open or closed due to sand deposition), as applicable; time of sampling; air temperature (°C); water temperature (°C); and any other pertinent observations made during sampling.

G. SEWAGE SOLIDS

A log of the type, quantity, and manner of disposal of solids removed in the course of sewage treatment shall be maintained and submitted quarterly to the RWQCB.

A report identifying the volume of screenings, sludges, grit, and other solids removed from the wastewater and the point(s) at which these wastes were disposed of shall be submitted annually. A copy of all annual reports required by 40 CFR Part 503 shall be submitted to the Regional Board at the same time those reports are submitted to USEPA. In addition, an annual report shall be submitted to the EPA and this RWQCB containing monitoring results and vector attraction reduction requirements in accordance with 40 CFR 503.

H. ANNUAL SUMMARY OF MONITORING DATA

By February 1 of each year, the discharger shall submit an annual report to the Executive Officer. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. In addition, the discharger shall discuss the compliance record and the corrective actions taken or planned which may be needed to bring the discharge into full compliance with this Order.

All reports submitted in response to this Order shall comply with the signatory requirements in Section B of the Standard Provisions.

The discharger shall implement the above monitoring program on the first day of the month following the effective date of this Order. The Monitoring and Reporting Program of Order No. 94-51 shall remain in effect between the adoption date of this Order and the implementation of Monitoring and Reporting Program No. 99-58 of this Order.

Ordered by

JOHN H. ROBERTUS
Executive Officer
September 8, 1999

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD (RWQCB)
SAN DIEGO REGION

STANDARD PROVISIONS

A. General Provisions (Applicable To All Permits)

1. Duty To Comply [40 CFR 122.41(a)][CWC 133.81]

   a. The discharger must comply with all of the conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and the Porter-Cologne Water Quality Control Act and is grounds for enforcement action, permit termination, revocation and reissuance or modification, or for denial of a permit renewal application.

   b. The discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions, even if this permit has not been modified to incorporate the requirement.

2. Duty To Reapply [40 CFR 122.41(b)][CWC 2235.4]

   a. If the discharger wishes to continue an activity regulated by this permit after the expiration date of this permit, the discharger must apply for and obtain a new permit. The discharger shall submit a new application at least 180 days before the permit expires.

   b. The terms and conditions of an expired permit are automatically continued pending issuance of a new permit if all requirements of the federal NPDES regulations on continuation of expired permits are complied with.

3. Duty To Mitigate [40 CFR 122.41(d)]

   a. The discharger shall take all reasonable steps to minimize, prevent, and/or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance. These impacts may be any event which has a reasonable likelihood of adversely affecting human health or the environment.

4. Proper Operation and Maintenance [40 CFR 122.41(e)]

a. The discharger shall at all time properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the discharger to achieve compliance with this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a discharger only when necessary to achieve compliance with the conditions of this permit.

5. Permit Actions [40 CFR 122.41(f)][CWC 1326(e)][40 CFR 122.44(b)(1)]

a. The filing of a request by the discharger for modification, revocation and reissuance, or termination of this Order, or a notification of planned changes in or anticipated noncompliance with this Order, does not stay any condition of this Order.

b. This permit may be modified, revoked and reissued, or terminated for cause, including, but not limited to, all of the following:

(1) Violation of any condition contained in this permit.

(2) Obtaining this permit by misrepresentation, or failure to disclose fully all relevant facts.

(3) A change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge. [CWC 13381]

c. The RWQCB may also review and revise this permit at any time upon application of any affected person, or on the Regional Board's own motion.

d. If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant which is present in the discharge, and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition and the discharger so notified.

e. For the purposes of this permit, the term "permittee" used in parts of 40 CFR incorporated into this permit by reference and/or applicable to this permit

shall have the same meaning as the term "discharger" used elsewhere in this permit.

f. For the purposes of this permit, the term "Director" used in parts of 40 CFR incorporated into this permit by reference and/or applicable to this permit shall have the same meaning as the term "RWQCB" used elsewhere in this permit, except that in 40 CFR 122.41(h) & (I), "Director" shall mean "RWQCB, SWRCB, and USEPA."

6. Property Rights [40 CFR 122.41(g)][CWC 13263(g)]

a. This permit does not convey any property rights of any sort, or any exclusive privileges.

b. No discharge of waste into waters of the state, whether or not the discharge is made pursuant to waste discharge requirements, shall create a vested right to continue the discharge. All discharges of waste into waters of the state are privileges, not rights. {CWC 13263(g)]

7. Duty To Provide Information [40 CFR 122.41(h)]

a. The discharger shall furnish the RWQCB, SWRCB, or EPA, within a reasonable time, any information which the RWQCB, SWRCB, or EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The discharger shall also furnish to the RWQCB, SWRCB, or EPA upon request, copies of records required to be kept by this permit.

8. Inspection and Entry [40 CFR 122.41(1)]

a. The discharger shall allow the Regional Board, State Board, 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:

(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 permit.

(2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

(3) Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

(4) Sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or Porter-Cologne Water Quality Control Act, any substances or parameters at any location.

9. Bypass [40 CFR 122.41(m)]

a. Definitions.

(1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility.

(2) "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 which 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.

b. The discharger may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. Such bypasses are not subject to paragraphs (c) and (d) of this provision.

c. Notice.

(1) 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.

(2) The discharger shall submit notice of an unanticipated bypass as required in paragraph B.5 of the Monitoring and Reporting Requirements (24-hour notice).

d. Bypass is prohibited, and the Regional Board may take enforcement action against the discharger for bypass, unless:

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) 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 which occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The discharger submitted notices as required under paragraph c. of this provision.

e. The RWQCB may approve an anticipated bypass, after considering its adverse effects, if the RWQCB determines that it will meet the three conditions listed in paragraph (d) of this provision.

10. Upset [40 CFR 122.41(n)]

a. Definition. "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.

b. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of paragraph (c) of this provision are met. No determination made before an action for noncompliance, such as during administrative review of claims that noncompliance was caused by upset, is final administrative action subject to judicial review.

c. A discharger that wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the discharger can identify the cause(s) of the upset;

(2) The permitted facility was at the time being properly operated;

(3) The discharger submitted notice of the upset as required in provision B.5 of the Monitoring and Reporting Requirements (24-hour notice); and

(4) The discharger complied with any remedial measures required under provision A.3 of the General Provisions.

d. In any enforcement proceeding, the discharger seeking to establish the occurrence of an upset has the burden of proof.

11. Transfers [40 CFR 122.41(L)(3)][CWC 13377][40 CFR 122.61(a)(b)]

a. This permit is not transferable to any person except after notice to the RWQCB. The RWQCB may require modification or revocation and reissuance of the permit to change the name of the discharger and incorporate such other requirements as may be necessary under the Clean Water Act and the Porter-Cologne Water Quality Control Act.

b. Except as provided in paragraph (c) below, a permit may be transferred by the discharger to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made to identify the new discharger and incorporate such other requirements as may be necessary under the Clean Water Act.

c. As an alternative to transfers under paragraph (b) above, any NPDES permit may be automatically transferred to a new discharger if:

(1) The current discharger notifies the Regional Board at least 30 days in advance of the proposed transfer date in paragraph (c) (2) below;

(2) The notice includes a written agreement between the existing and new dischargers containing a specific date for transfer of permit responsibility, coverage, and liability; and

(3) The RWQCB does not notify the existing discharger and the proposed new discharger of its intent to modify or revoke and reissue the permit. A modification under this subparagraph may also be a minor modification under 40 CFR Part 122.63. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph (c) (2) above.

12. Severability

a. The provisions of this order are severable, and if any provision of this Order, or the application of any provisions of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.

13. Pollution, Contamination, Nuisance [CWC 13050]

a. The handling, transport, treatment, or disposal of waste or the discharge of waste to waters of the state in a manner which causes or threatens to cause a condition of pollution, contamination, or nuisance, as those terms are defined in CWC 13050, is prohibited.

B. Monitoring and Reporting Requirements (Applicable To All Permits)

1. Monitoring and Records [40 CFR 122.41(j)]

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

2. Plant Supervision and Operation [Title 23, CCR, Div 3, Chap 14]

a. If the discharger's wastewater treatment plant is publicly owned or subject to regulation by the California Public Utilities Commission, it shall be supervised and operated by persons possessing certificates of appropriate grade.

b. Except for records of monitoring information required by this permit related to the discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), the discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings of continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report, or application. This period may be extended by request of the RWQCB, SWRCB, or EPA at any time.

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 analysis;

(5) The analytical techniques or methods used; and

(6) The results of such analyses.

d. Monitoring results must be conducted according to test procedures under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR part 136 unless otherwise specified in 40 CFR Part 503, unless other test procedures have been specified in this permit.

3. Signatory Requirements [40 CFR 122.41(k)][40 CFR 122.22]

a. All permit applications submitted to the RWQCB, SWRCB, and/or EPA shall be signed as follows:

(1) For a corporation: by a responsible corporate officer. For the purpose of this provision, a responsible corporate officer means: a president, secretary, treasure, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

(3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a Federal agency includes: the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

b. All reports required by this permit and other information requested by the RWQCB, State Board, or EPA shall be signed by a person described in paragraph (a) of this provision, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in paragraph (a) of this provision;

(2) The authorization specified either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company (a duly authorized representative may thus be either a named individual or any individual occupying a named position); and

(3) The written authorization is submitted to the RWQCB, SWRCB or EPA.

c. If an authorization under paragraph (b) of this provision is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (b) of this provision must be submitted to the RWQCB, SWRCB or EPA prior to or together with any reports, information, or applications to be signed by an authorized representative.

d. Any person signing a document under paragraph (a) or (b) of this provision shall make the following certification:

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

4. Monitoring Reports [40 CFR 122.41(l)(4)]

a. Monitoring results shall be reported at the intervals specified in the permit.

b. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms approved by the RWQCB for reporting results of monitoring of pollutants and sludge use or disposal practices.

c. If the discharger monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in Part 503, or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or other approved form.

d. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

5. Compliance Schedules [40 CFR 122.41(l)(5)]

a. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

6. Twenty-four Hour Reporting [40 CFR 122.41(l)(6)]

a. The discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

b. The following shall be included as information that must be reported within 24 hours under this paragraph:

(1) Any unanticipated bypass which exceeds any effluent limitation in the permit.

(2) Any upset which exceeds any effluent limitation in the permit.

(3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the RWQCB in this permit is to be reported within 24 hours. The RWQCB may waive the above required written report on a case-by-case basis for reports under this provision if an oral report has been received within 24 hours.

7. Other Noncompliance [40 CFR 122.41(l)(7)]

a. The discharger shall report all instances of noncompliance not reported under Provisions (B.3), (B.4), and (B.5) at the time monitoring reports are submitted. The reports shall contain the information listed in Provision (B.5).

8. Other Information [40 CFR 122.41(l)(8)]

a. 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 RWQCB, the discharger shall promptly submit such facts or information.

9. Planned Changes [40 CFR 122.41(l)(l)]

a. The discharger shall give notice to the RWQCB as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when:

(1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR Part 122.29(b); or

(2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, not to notification requirements under 40 CFR Part 122.42 (a)(1); or

(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.

10. Anticipated Noncompliance [40 CFR 122.41(l)(2)]

    a. The discharger shall give advance notice to the RWQCB of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

11. Discharge Monitoring Quality Assurance (DMQA) Program [SWRCB/USEPA 106 MOA]

    a. The discharger shall conduct appropriate analyses on any sample provided by EPA as part of the DMQA program. The results of such analyses shall be submitted to USEPA's DMQA manager.

12. The following sections of 40 CFR are incorporated into this permit by reference:

    a. 122.5; *Effect of a permit*

    b. 122.21; *Application for a permit*

    c. 122.62; *Modification or revocation and reissuance of permits*

    d. 122.63; *Minor modification of permits*

    e. 122.64; *Termination of permits*

C. Enforcement Provisions (Applicable To All Permits)

1. The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act is subject to a civil penalty not to exceed $25,000 per day of violation. Any person who negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act is subject to a fine of not less than $2,500 nor more than $25,000 per day for each violation, or by imprisonment of not more than 1 year, or both. Higher penalties may be imposed for knowing violations and for repeat offenders. The Porter-Cologne Water Quality Control Act provides for civil and criminal penalties comparable to, and in some cases greater than, those provided under the Clean Water Act. [40 CFR 122.41(a)(2)][CWC Sections 13385 and 13387]

2. The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a

fine of not more than $10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both. [40 CFR 122.41(k)(2)]

3. The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or both. Higher penalties may be imposed for repeat offenders. [40 CFR 122.41(j)(5)]

D. Additional Conditions Applicable to Specified Categories of Discharges

1. Existing Manufacturing, Commercial, Mining, and Silvicultural Discharges [40 CFR 122.42(a)]

a. In addition to the Standard Provisions in Sections A, B, and C, the above classes of dischargers must notify the RWQCB as soon as they know or have reason to believe:

1. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels"

(a) One hundred micrograms per liter (100 µg/L);

(b) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2, 4- dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/L for antimony;

(c) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7); or

(d) The level established by the Regional Board in accordance with 40 CFR 122.44(f).

2. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels"

(a) Five hundred micrograms per liter (500 µg/L)

(b) One milligram per liter (1 mg/L) for antimony;

(c) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 CFR 122.21(g)(7).

(d) The level established by the RWQCB in accordance with 40 CFR 122.44(f).

2. Publicly-Owned Treatment Works (POTW) [40 CFR 122.42(b)]

a. All POTWs must provide adequate notice to the RWQCB of the following:

(1) Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Section 301 or 306 of the CWA if it were directly discharging those pollutants; and 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 issuance of the permit.

(2) For purposes of this section, adequate notice shall include information on the quality and quantity of effluent introduced into the POTW and any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.