CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN DIEGO REGION

ORDER NO. R9-2009-0147

WASTE DISCHARGE REQUIREMENTS FOR RITE TIME PHARMACEUTICALS INC. ANZA COMMERCIAL CENTER ONSITE WASTEWATER TREATMENT SYSTEM RIVERSIDE COUNTY

The following Discharger is subject to waste discharge requirements as set forth in this Order:

Table 1. Facility Information

Discharger	Rite Time Pharmaceuticals Inc.
Name of Facility	Anza Commercial Center Onsite Wastewater Treatment System (OWTS)
Facility Address	Highway 371 (Cahuilla Road) west of Maze Stone Road, Anza, CA 92539
	Riverside
Facility Contact, Phone	Mr. Soji Akanwo, (951) 763-7670
Mailing Address	P.O Box 390415, Anza, CA 92539
Type of Facility	Onsite Wastewater Treatment System
Facility Design Flow	7,000 Gallons Per Day

The discharge by Rite Time Pharmaceuticals Inc. from the discharge points identified below is subject to waste discharge requirements as set forth in this Order:

Table 2. Discharge Location

Discharge Point	Effluent Description	Hydrologic Area of Discharge
001 (Subsurface irrigation areas)	Secondary treated effluent	Cave Rocks Hydrologic Area (HA 902.70)
002 (Seepage pits)	Secondary treated effluent	Cave Rocks Hydrologic Area (HA 902.70)

Table 3. Administrative Information

This Order was adopted by the California Regional Water Quality Control Board, San Diego Region on:	November 18, 2009
This Order shall become effective on:	November 18, 2009

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A. FINDINGS

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

1. Mr. Soji Akanwo of Rite Time Pharmaceuticals Inc. (Discharger) submitted a Report of Waste Discharge (ROWD) for the treatment and subsurface disposal of domestic wastewater from a proposed commercial center development in Anza, Riverside County.

2. The proposed Onsite Wastewater Treatment System (OWTS) for the Anza Commercial Center development is located in the NW ¼ of Section 21, T7S, R3E, S.B.M in the Anza Hydrologic Subarea (HSA 902.73) of the Cave Rocks Hydrologic Area (HA 902.70) of the Santa Margarita Hydrologic Unit (HU 902.00) on the southwest corner of Highway 371 (Cahuilla Road) and Maze Stone Road in Anza, Riverside County.

3. The proposed OWTS will serve a pharmacy, medical clinic, restaurant, and six retail stores all located at the Anza Commercial Center. The proposed OWTS consists of a grease interceptor, a primary equalization tank, a recirculation/blending tank, Advantex AX 100 trickling biofilter units, and a post anoxic dosing tank. The primary disposal system will be a subsurface drip irrigation system. Seepage pits will serve as an emergency back-up to the drip irrigation system. Both the onsite wastewater treatment and disposal systems will have a design capacity of 7,000 gallons per day and will be designed and installed to satisfy the requirements of the Regional Board and the County of Riverside, Department of Environmental Health (County DEH).

4. Domestic wastewater typically contains high concentrations of total dissolved solids, chlorides, phosphates, total nitrogen, and pathogens. Although most constituents can be removed to acceptable levels under optimal system operational and performance conditions, some remain in the effluent exiting the system. In order to prevent pollution or contamination of waters of the State and the creation of nuisance, a contract with a service provider is needed to ensure adequate maintenance and monitoring of the treatment and disposal system.

5. Groundwater from an onsite well will serve as the potable water supply for the Anza Commercial Center. Analysis results for a groundwater sample taken from the onsite well on August 1, 2008 were are as follows:

Table 4. Onsite Well Water Quality

CONSTITUENT (mg/L or as noted)											
TDS	Cl	SO_4	pH (pH units)	N	Mg	HCO3	Total Alkalinity (mg/L as $CaCO_3$)	Total Hardness (mg/L as $CaCO_3$)	Ca	Na	F
390	80	120	7.9	ND	12	0.05	160	67	47	75	0.3

Notes: TDS = Total Dissolved Solids; Cl = Chloride; SO_4 = Sulfate; N = Nitrate and Nitrite Nitrogen; Mg = Magnesium; HCO_3 = Bicarbonate; mg/L as $CaCO_3$ = milligram per liter as Calcium Carbonate; Ca = Calcium; Na = Sodium; F = Fluoride.

6. This Order serves as Waste Discharge Requirements (WDRs) pursuant to Article 4, Chapter 4, Division 7 of the California Water Code (commencing with section 13260).

7. This Regional Board adopted a *Water Quality Control Plan for the San Diego Basin* (hereinafter Basin Plan) on September 8, 1994 that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. In addition, the Basin Plan implements State Water Resources Control Board (State Water Board) Resolution No. 88-63, which established State policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Beneficial uses applicable to the Anza HSA are municipal and domestic water supply (MUN), agricultural supply (AGR), and industrial service supply (IND).

8. The Basin Plan establishes the following groundwater quality objectives for the Caverocks Hydrologic Area:

Table 5. Water Quality Objectives for Groundwater

HYDROLOGIC AREA	CONSTITUENT (mg/L or as noted)												
	(Concentrations not to be exceeded more than 10% of the time during any one year period)												
	TDS	Cl	SO_4	%Na	NO_3-	Fe	Mn	MBAS	B	ODOR	TURB (NTU)	COLOR (UNITS)	F
Caverocks 902.70	500	250	250	60	10	0.3	0.05	0.5	0.75	none	5	15	1.0

Notes: TDS = Total Dissolved Solids; Cl = Chloride; SO_4 = Sulfate; %Na = Percent Sodium; NO_3 = Nitrate; Fe = Iron; Mn = Manganese; MBAS = Methylene Blue Activated Substances; B = Boron; Turb = Turbidity (NTU = Nephelometric Turbidity Units); F = Fluoride.

9. This Order contains technology-based discharge specifications, based on design criteria for removal of biochemical oxygen demand and suspended solids by secondary treatment technology and water quality based

discharge specifications derived from the Basin Plan water quality objectives.

10. The State Water Resources Control Board *Recycled Water Policy* states that the appropriate way to address salt and nutrient issues is through the development of regional or subregional salt and nutrient management plans. The development of the salt and nutrient management plans is expected to be a cooperative effort amongst local water and wastewater entities and local salt/nutrient contributing stakeholders. The Discharger is a stakeholder in the development of the Anza Hydrologic Subarea's salt and nutrient management plan. Upon adoption of a Basin Plan amendment to include the management plan, these waste discharge requirements may be revised to apply salinity and nutrient restrictions on the discharge in accordance with the plan.

11. A discharge is compliance with this Order will be consistent with State Water Board Resolution No. 68-16 (also known as the State Antidegradation Policy) because the discharge will not cause groundwater at the site to exceed water quality objectives, and will not adversely affect beneficial uses of groundwater. The commercial center project is also in the maximum benefit of the people of the State because it will provide needed services to the community of Anza.

12. A discharge in compliance with this Order will be consistent with the standards, policies, and regulations established in the Basin Plan for the achievement of water quality objectives.

13. This Regional Board has established standard waste discharge requirement provisions that are applicable to the subject OWTS.

14. The County of Riverside adopted a mitigated negative declaration for the project in accordance with California Environmental Quality Act (Public Resources Code, section 21000 et seq.) on August 31, 2009. The project entails construction of a commercial center with an OWTS serving the commercial center. The mitigated negative declaration identified that the project will not have a significant effect on water quality.

15. This Regional Board has considered all water resource related environmental factors associated with the discharge of waste.

16. This Regional Board has notified the Discharger and interested persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations.

17. This Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, that Rite Time Pharmaceuticals Inc., in order to meet the provisions contained in Division 7 of the Water Code and regulations adopted there under shall comply with the following:

B. PROHIBITIONS

1. Discharges of wastes, including windblown spray and runoff of effluent applied for irrigation, to lands which have not been specifically described in the report of waste discharge and for which valid waste discharge requirements are not in force are prohibited.

2. Storage, use and/or disposal of wastes in a manner that would result in ponding or surfacing of wastes on lands beyond the disposal area, as described in the findings of this Order, is prohibited.

3. Discharge of treated or untreated solid or liquid waste to a navigable water or tributary of a navigable water is prohibited unless as authorized by an National Pollution Discharge Elimination System (NPDES) permit issued by the Regional Board.

4. Neither the treatment, storage, nor disposal of waste shall create a condition of pollution, contamination or nuisance as defined by section 13050 of the Water Code.

5. The disposal of wastewater shall not cause a violation of prohibitions stated in the Basin Plan.

6. Discharge of waste other than domestic wastewater to the onsite disposal system is prohibited.

C. DISCHARGE SPECIFICATIONS

1. The monthly average effluent flowrate from the Anza Commercial Center OWTS shall not exceed **7,000 gallons per day**.

2. The discharge of an effluent containing pollutants in excess of the following discharge specifications is prohibited:

Table 6. Discharge Specifications

CONSTITUENT	UNITS	12-MONTH AVERAGE[1]	MONTHLY AVERAGE[2]	DAILY MAXIMUM[3]
Biochemical Oxygen Demand (BOD @ 20 C)	mg/L	-	30	45
Total Suspended Solids	mg/L	-	30	45
Total Dissolved Solids	mg/L	650	-	-
Total Nitrogen (as N)	mg/L	12	-	-
Chloride	mg/L	250	-	-
Sulfate	mg/L	250	-	-
Manganese	mg/L	0.05	-	-

CONSTITUENT	UNITS	12-MONTH AVERAGE[1]	MONTHLY AVERAGE[2]	DAILY MAXIMUM[3]
Fluoride	mg/L	1.0	-	-
Boron	mg/L	0.75	-	-
Iron	mg/L	0.3	-	-
Methylene Blue Activated Substances	mg/L	0.5	-	-
pH	pH units	-	Within the limits of 6.0-9.0 at all times	

[1]The 12-month average discharge specification shall apply to the arithmetic mean of the results of all samples collected during a calendar year.

[2]The monthly average discharge specification shall apply to the arithmetic mean of the results of all samples collected during each calendar month.

[3]The daily maximum discharge specification shall apply to the results of a single composite or grab sample representing non-overlapping 24-hour periods.

3. The Discharger shall participate as a stakeholder in the development of any salt/nutrient management plan for the Anza Hydrologic Subarea.

D. OWTS DESIGN AND OPERATION SPECIFICATIONS

1. Prior to installation of the OWTS and the disposal system, a design plan shall be submitted to the Regional Board. The design plan shall be signed by and prepared by a professional civil engineer, licensed pursuant to California law, or other person as may be permitted under the provisions of the California Business and Professions Code. At a minimum, the design plan shall include but not be limited to the following measures, unless alternative measures are prepared that provide equivalent water quality protection:

   a. The OWTS and disposal system shall be protected against 100-year peak stream flows as defined by the Riverside County Flood Control Agency;

   b. The OWTS and disposal system shall be protected against erosion, overland runoff, and other impacts resulting from a 100-year, 24-hour frequency storm;

   c. The disposal system shall be designed and maintained to reduce orifice clogging and root intrusion;

   d. The disposal area shall be calculated as extending one foot beyond the sides of the outermost emitter lines;

   e. Subsurface drip disposal systems shall be considered pressure distribution systems. Head loss calculations shall be provided to insure proper hydraulic pressure at the emitter;

f. Pump selection and pump performance curves shall be included in the design plan;

g. Recirculation rates shall be determined;

h. Check valves, petcocks, inline filters, and vacuum breaking device locations shall be shown on the design drawings;

i. Drip irrigation systems shall be time-dosed over the 24-hour period, demand control dosing shall override timed-dosing in periods of flow where timed dosing cannot accommodate the excessive flow;

j. Emitter lines shall be designed as a continuous loop circuit with no dead-ends and be drawn to scale with emitter spacing indicated on the drawings;

k. Vacuum release valves shall be installed at the highpoint of the emitter lines;

l. The maximum emitter longitudinal spacing on an emitter line shall be 2 feet, the maximum spacing between adjacent emitter lines in an absorption bed configuration shall be 2 feet. Twenty four inches of separation from the seasonal high water table shall be measured from the emitter orifice;

m. The setback from drip emitter lines to building foundations and property lines shall be no less than two feet;

n. No part of the disposal system shall be closer than 150 feet to any water supply well or closer than 100 feet to any stream, channel, or other water source;

o. The horizontal distance between pressure water pains and any part of the OWTS or disposal system shall not be less than 10 feet;

p. The elevation of any fill covering the disposal area shall extend no less then 18 inches away from all emitter lines before tapering down to natural grade; Minimum cover on the emitter lines shall be 6 inches for all drip irrigation systems. The maximum cover shall be no greater than 12 inches;

q. The system shall include a petcock on the dosing pump discharge line for effluent sampling;

r. All systems shall incorporate an automatic mechanism for backwashing or flushing the drip lines and filters; and

s. Drip irrigation systems shall be designed to have a minimum operating pressure at the emitter head of 10 pounds per square inch (psi), a maximum operating pressure at the emitter head of

45 psi, a maximum system operation pressure of 60 psi, and a maximum discharge rate per emitter of 1.5 gallons per hour.

2. The professional civil engineer who designed the onsite wastewater treatment and disposal systems, or the civil engineer's designee, shall observe the entire installation and shall certify in writing that the installed system complies with the certified design plan. The professional civil engineer shall affix their signature, engineering license number, and certification statement to the certification report. The certification statement shall read:

   "I certify that the engineering features of the onsite wastewater treatment and disposal systems have been examined by me and found to substantially comply with all specifications contained in the design plan that was the basis for issuance of the waste discharge requirements. I certify that the operation and maintenance manual for this OWTS and disposal system have been prepared or examined by me or by an individual(s) under my direct supervision and that there is reasonable assurance, in my professional judgment that the system, when properly operated and maintained in accordance with this manual, will achieve the established performance standards and comply with all applicable statutory requirements and rules of the State of California."

   The discharge shall not commence until such time that the following tasks are completed:

   a. The certification report is received by the Regional Board.

   b. The exposed OWTS, drip irrigation system, and seepage pits have been inspected by the Regional Board or its designee prior to being buried.

   c. The Regional Board has received a copy of the record plan as described in OWTS Design and Operation Specification D.3 below.

   d. The Regional Board notifies the Discharger by letter that the discharge may be initiated.

3. The Discharger shall submit a copy of the record plan to the Regional Board within 60 days of installation of the onsite treatment and disposal systems.

4. A copy of the facility operation and maintenance (O & M) manual shall be maintained at the site and shall be available to operation personnel and Regional Board staff at all times. The O & M manual shall include, at a minimum:

a. The name, address, telephone number, and business and professional license number of the OWTS designer;

b. The name, address, telephone number, and business and professional license number, where applicable, of the OWTS installer;

c. The name, address, and telephone number of the service provider that maintains any supplemental treatment system;

d. Instructions for proper operation and maintenance and a protocol for assessing performance of the OWTS;

e. The record plan, which details the "as-built" installation of the OWTS, including but not limited to final placement of the OWTS, its components, and sizes and specifications of components;

f. The design flow and performance requirements for the OWTS;

g. A list of types of substances that could inhibit performance if discharged to the OWTS; and

h. A list of substances that could cause a condition of pollution or nuisance if discharged to the OWTS, including but not limited to pharmaceutical drugs and water softener regeneration brines.

5. The Discharger shall obtain and maintain, in addition to the O&M manual and record plan, a contract with a service provider to ensure proper operation, maintenance, and monitoring of the OWTS. Proper operation and maintenance includes effective performance, adequate funding, adequate training of service providers, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order.

6. Upon the sale of the Property, it is the obligation of the Discharger to provide the buyer, through escrow or otherwise, with a complete copy of this Order, the O&M manual, and the record plan for the OWTS.

7. The disposal system shall be flushed once every three months for the first year or until vegetation is establish, whichever occurs first. Flushing shall occur every six months thereafter.

8. Adequate measures shall be taken to assure that unauthorized persons are effectively excluded from contact with the wastewater.

9. Access openings to the septic tank shall have watertight risers and shall be set with six inches of finished grade.

10. Access openings shall be secured to prevent unauthorized access.

11. The Discharger shall comply with the attached Monitoring and Reporting Program No. R9-2009-0147, and future revisions thereto as specified by the Regional Board. Monitoring results shall be reported at the intervals specified in Monitoring and Reporting Program No. R9-2009-0147.

E. SEWAGE SOLIDS AND SLUDGE SPECIFICATION

1. Solids and sludge storage shall not create a nuisance, such as objectionable odors or flies, and shall not result in groundwater contamination or pollution. All collected sludge and other solids pumped from the OWTS must be disposed of in a municipal solid waste landfill or disposed of in a sludge-only landfill accordance with Code of Federal Regulations (CFR) Title 40 Parts 503 and 258, and California Code of Regulations (CCR) Title 27.

2. Septic tanks shall be pumped when the combined thickness of sludge and scum exceeds one third of the septic tank depth as measured from the water line to the bottom of the tank.

F. STANDARD PROVISIONS

1. The Discharger must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the Water Code and is grounds for (a) enforcement action; (b) termination, revocation and reissuance, or modification of this Order; or (c) denial of a report of waste discharge in application for new or revised waste discharge requirements.

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

   a. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this Order.
   b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order.

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

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

3. The Water Code provides that any person who intentionally or negligently violates any waste discharge requirements issued, reissued, or amended by this Regional Board shall be liable civilly in accordance with sections 13350 (d), (e), or 13350 (f) of the Water Code.

4. The Water Code provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or falsifying any information provided in the monitoring reports is guilty of a misdemeanor and is subject to a civil liability in accordance with section 13268 of the Water Code.

5. The Discharger shall report any noncompliance that may endanger health or the environment. Any such information shall be provided orally to the Regional Board 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 be corrected; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Regional Board, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence(s) must be reported to the Regional Board within 24 hours:

   a. Any OWTS upset that causes the discharge specifications of this Order to be exceeded.

   b. Any spill or overflow of treated or untreated wastewater from the wastewater collection system, OWTS, and disposal facilities which runs off onto property not owned by the Discharger, or is 1,000 gallons or greater resulting from pipeline breaks, pump failure, obstruction, surcharge, or any other circumstances. This includes a discharge of treated effluent to the disposal area by means other than irrigation which runs off onto property not owned by the Discharger or is 1,000 gallons or greater.

6. The Discharger shall take all reasonable steps to minimize 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.

7. In an enforcement action, a defense for the Discharger shall not be that halting or reducing the permitted activity would have been necessary in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment facility, the Discharger shall, to the extent necessary to maintain compliance with this Order, control production, all discharges, or both, until the facility is restored or an alternative method of treatment is provided. This provision applies for example, when the primary source of power of the OWTS fails, reduces, or is lost.

8. Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, shall as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Director of Environmental Health Services, County of Riverside in accordance with California Health and Safety Code section 5411.5 and the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Water Board or the Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of section 13271 of the Water Code unless the Discharger is in violation of a prohibition in the Basin Plan.

9. A copy of this Order shall be maintained at the Discharger's facility and shall be available to operating personnel at all times.

10. The Discharger shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this Order, and records of all data used to complete the application for this Order. 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.

11. The Discharger shall furnish to this Regional Board, within a reasonable time, any information which it may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The Discharger shall also furnish, upon request, copies of records required to be kept by this Order.

12. This Order may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:

    a. Violation of any terms or conditions of this Order.

    b. Obtaining this Order by misrepresentation or failure to disclose fully all relevant facts.

    c. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

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

13. The Discharger shall file a new Report of Waste Discharge at least 120 days prior 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 wastes.

    b. Significant change in the treatment or disposal method (e.g., change in the method of treatment which would significantly alter the nature of the waste).

    c. Change in the disposal area from that described in the findings of this Order.

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

    e. Other circumstances that result in a material change in character, amount, or location of the waste discharge.

    f. Any planned change in the regulated facility or activity that may result in noncompliance with this Order.

14. This Order is not transferable to any person except after notice to the Regional Board. The Discharger shall submit this notice in writing at least 30 days in advance of any proposed transfer. The notice must

include a written agreement between the existing and new Discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current Discharger and the new Discharger. This agreement shall include an acknowledgement that the existing Discharger is liable for violations up to the transfer date and that the new Discharger is liable from the transfer date on. The Regional Board may require modification or revocation and reissuance of this Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the Water Code.

15. Where the Discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information.

16. All applications, reports, or information submitted to the Regional Board shall be signed and certified as follows:

    a. The Report of Waste Discharge shall be signed as follows:

       For a corporation - by a principal Executive Officer of at least the level of Vice-President.

       1. For a partnership or sole proprietorship - by a general partner or the proprietor, respectively.

       2. For a municipality, State, federal or other public agency – by either a principal Executive Officer or ranking elected official.

    b. All other reports required by this Order and other information required by the Regional Board shall be signed by a person designated in paragraph (a) of this provision, or by a duly authorized representative of that person.
       An individual is a duly authorized representative only if all of the following are true:

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

       2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity.

       3. The written authorization is submitted to the Regional Board.

    c. Any person signing a document under this section 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."

17. The Discharger shall submit reports required under this Order or other information required by the Regional Board to the following address:

Groundwater Basins Branch
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, California 92123

G. NOTIFICATIONS

1. This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the Discharger from liability under federal, state, or local laws, nor create a vested right for the Discharger to continue the waste discharge.

2. These requirements have not been reviewed by the United States Environmental Protection Agency (USEPA), and are not issued pursuant to section 402 of the Clean Water Act (CWA).

3. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision 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.

4. This Order takes effect on the date of adoption by the Regional Board.

I, David W. Gibson, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on November 18, 2009.

DAVID W. GIBSON, Executive Officer
California Regional Water Quality Control Board
San Diego Region

CIWQS REG MEAS ID: 370535

ATTACHMENT NO.1 TO TENTATIVE ORDER NO. R9-2009-0147

KEY TERMS AND DEFINITIONS

"Annually" means a calendar year.

"Conventional leachfield" means a gravity subsurface disposal system.

"Design plan" means the report containing design specifications for the proposed OWTS and disposal system. The design plan must discuss the requirements listed in OWTS Design and Operation Specifications D.1 of Order No. R9-2009-0147.

"Disposal system" means a subsurface drip irrigation system for the final wastewater treatment and subsurface discharge.

"Domestic wastewater" means the type of wastewater normally discharged from, or similar to, that discharged from plumbing fixtures.

"(Drip) emitter line" means the tubes that comprise the subsurface drip irrigation system and deliver treated domestic wastewater to the upper layer of the soil column.

"Onsite wastewater treatment system(s)" (OWTS) has the same meaning found in section 13290 of the Water Code. The short form of the term may be singular or plural.

"Ponding" means the accumulation of water on the surface of the ground.

"Property" means the location of the OWTS. Specifically, the approximately 3 acre property located in the NW ¼ of Section 21, T7S, R3E, S.B.M on the southwest corner of Cahuilla Road and Maze Road, Anza CA.

"Qualified professional" means an individual licensed or certified by a State of California agency to design and construct OWTS, including an individual who possesses a registered environmental health specialist certificate or is currently licensed as a professional engineer or professional geologist.

"Record plan" means the document prepared by either a qualified professional or person authorized to install OWTS. The record plan details the 'as-built' installation of the OWTS, including but not limited to final placement of an OWTS, its components, sizes, and the specifications of components.

"Semiannually" means a period of six consecutive calendar months beginning on January 1 or July 1.

"Septic tank" means a watertight, covered receptacle designed for primary treatment of wastewater and constructed to:

1. Receive wastewater discharged from a building;
2. Separate settleable and floating solids from liquid;
3. Digest organic matter by anaerobic bacterial action;
4. Store digested solids; and
5. Clarify wastewater for further treatment with final subsurface discharge.

"Septic tank effluent" means wastewater discharged from a septic tank.

"Service provider" means a person capable of operating, monitoring, and maintaining an OWTS consistent with the requirements and responsibilities of this Order and the O&M manual.

"Sewage sludge or solids" means the solid portion of the wastewater that has settled out of the liquid and accumulates at the bottom of the septic tank.

"Subsurface drip irrigation system" means a disposal system designed to apply wastewater at the upper layer of the soil column using pressure distribution.

"Surface flow" means the movement of wastewater that has surfaced and flows away from the disposal area.

"Treated domestic wastewater" means the wastewater that has undergone additional wastewater treatment for the purpose of distributing to a subsurface drip irrigation system.

"Quarterly" means once per three consecutive month period beginning with January, April, July, or October.

"Weekly" means a period of seven consecutive days beginning with Sunday.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

MONITORING AND REPORTING PROGRAM NO. R9- 2009-0147

FOR RITE TIME PHARMACEUTICALS INC., ANZA COMMERCIAL CENTER
ONSITE WASTEWATER TREATMENT SYSTEM
RIVERSIDE COUNTY

This Monitoring and Reporting Program is issued pursuant to Water Code section 13267 and is intended to determine compliance with Waste Discharge Requirements in Order No. R9-2009-0147

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 Monitoring and Reporting Program (MRP) 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 notifying, and receiving approval from the Regional Board for the proposed monitoring location change.

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 ten percent from true discharge rates throughout the range of expected discharge volumes.

3. Monitoring must be conducted according to United States Environmental Protection Agency (USEPA) test procedures approved under Code of Federal Regulations (CFR), Title 40, Part 136, "Guidelines Establishing Test Procedures for Analysis of Pollutants Under the Clean Water Act" as amended, unless other test procedures have been specified in this MRP.

4. Unless otherwise permitted by the Regional Board, all analyses shall be conducted at a laboratory certified to perform such analyses by the California Department of Public Health (CDPH). The Discharger must use a laboratory capable of producing and providing quality assurance/quality control (QA/QC) records for Regional Board review.

The director of the laboratory whose name appears on the certification shall supervise all analytical work in his/her laboratory and shall sign all reports submitted to the Regional Board.

5. Any report presenting new analytical data is required to include the complete laboratory analytical report(s). The laboratory analytical report must be signed by the laboratory director and contain:

   a. Complete sample analytical report;

   b. Complete laboratory quality assurance/quality control (QA/QC) report;

   c. Discussion of the QA/QC data; and

   d. A transmittal letter that shall indicate whether or not all the analytical work was supervised by the director of the laboratory, and contain the following statement, "All analyses were conducted at a laboratory certified for such analyses by the CDPH in accordance with current USEPA procedures."

6. Specific methods of analysis must be identified in the Discharger's monitoring reports. If the Discharger proposes to use methods or test procedures other than those included in the most current version of 40 CFR 136, "*Guidelines Establishing Test Procedures for the Analysis of Pollutants; Procedures for Detection and Quantification*", the exact methodology must be submitted for review and must be approved by the Regional Board prior to use.

7. Monitoring results must be reported on discharge monitoring report forms accepted by the Regional Board.

8. If the Discharger monitors any pollutants more frequently than required by this MRP, using test procedures approved under 40 CFR, Part 136, or as specified in this MRP, 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.

9. The Discharger shall retain records of all monitoring information, including all calibration and maintenance records and copies of all reports required by this MRP, and records of all data used to complete the application for this MRP. 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 required by the Regional Board. Records of monitoring information shall include the following:

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

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

c. The date(s) analyses were performed.

d. The individual(s) who performed the analyses.

e. The analytical techniques or methods used.

f. The results of such analyses.

10. All monitoring instruments and devices that are used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.

11. The Discharger shall report all instances of noncompliance, including a discussion of any steps taken as required by Standard Provision F.5 of Order No. R9-2009-0147, when monitoring reports are submitted to the Regional Board.

12. The monitoring reports shall be signed by an authorized person as required by Standard Provision F.16 of Order No. R9-2009-0147.

13. A grab sample is an individual sample of at least 100 milliliters collected at a randomly selected time over a period not exceeding 15 minutes.

14. The Discharger shall identify all missing or non-valid monitoring or sampling results in monitoring reports submitted. All instances of missing or non-valid results must be accompanied by an explanation of their root cause and the steps the Discharger has or will take to prevent future instances. Missing or non-valid results may be considered violations of Order No. R9-2009-0147 that could result in enforcement action depending on the frequency of such instances and efforts by the Discharger to prevent such failures.

B. EFFLUENT MONITORING

1. Samples of the final effluent shall be collected from the OWTS prior to discharge to the disposal system. The Discharger is responsible for monitoring and reporting in accordance with the following criteria:

Table 1. Effluent Monitoring

CONSTITUENT	UNIT	TYPE OF SAMPLE	SAMPLING FREQUENCY[1]	REPORTING FREQUENCY[4]
Flow Rate	Gallons per Day (GPD)	Continuous	Continuous	Annually
Biological Oxygen Demand(BOD, 5 day@ 20 C)	Milligrams per liter (mg/L)	Grab	Quarterly[2]	Annually
Total Suspended Solids (TSS)	mg/L	Grab	Quarterly[2]	Annually
pH	pH Units	Grab	Quarterly[2]	Annually
Total Dissolved Solids	mg/L	Grab	Quarterly[3]	Annually
Total Nitrogen (as N)	mg/L	Grab	Quarterly[3]	Annually
Boron	mg/L	Grab	Quarterly[3]	Annually
Chloride	mg/L	Grab	Quarterly[3]	Annually
Sulfate	mg/L	Grab	Quarterly[3]	Annually
Manganese	mg/L	Grab	Quarterly[3]	Annually
Fluoride	mg/L	Grab	Quarterly[3]	Annually
Methylene Blue Activated Substances	mg/L	Grab	Quarterly[3]	Annually
Iron	mg/L	Grab	Quarterly[3]	Annually

[1] Quarterly is defined as once per three consecutive month period beginning with January, April, July, or October. Semiannually is defined as a period of six consecutive calendar months beginning with January or July.

[2] Sampling frequency shall be reduced from quarterly to semiannually after the first two years of operation of the OWTS. The Discharger, however, shall increase sampling frequency to weekly whenever the effluent concentration for a given constituent exceeds the daily maximum discharge specification in Table 6 of Order No. R9-2009-0147. The Discharger shall continue to collect weekly samples until compliance with the daily maximum discharge specification has been achieved for three consecutive periods. After compliance is achieved, the Discharger shall resume sampling at the specified frequency.

[3] Sampling frequency shall be reduced from quarterly to annually for those constituents with concentrations reported below the 12-month average discharge specification for the first two years of operation of the OWTS. For constituents with concentrations reported above the 12-month average discharge specification during any of the first two years of operation, sampling shall continue to be conducted quarterly until compliance with the 12-month average discharge specification is achieved for two consecutive calendar years.

[4] Annually is defined as once per calendar year.

C. GROUNDWATER MONITORING

1. Within **180 days** of adoption of this Order, the Discharger shall submit a groundwater monitoring plan to the Regional Board for review and approval for monitoring groundwater in the vicinity of the disposal area. The groundwater monitoring plan shall be developed in accordance with Provisions C.2 and C.3 of this MRP and certified by a geologist or civil engineer licensed in the state of California. Groundwater monitoring in accordance with the plan shall begin no later than **November 2010**.

2. Monitoring wells shall be constructed to allow collection of groundwater from the top five feet of the first groundwater encountered, to a depth of at least 15 feet below the water table at the time of well boring, with an appropriate screened interval, and at a minimum of three locations that meet the following criteria:

   a. A groundwater monitoring well located upgradient from the leach field to provide background groundwater quality data prior to any possible impact from wastewater discharges.

   b. Two representative groundwater wells located downgradient from the leach field to provide water quality information in groundwater that may be impacted by wastewater discharges.

   c. The groundwater monitoring wells shall be located to allow the determination of groundwater flow direction.

3. The Discharger shall collect groundwater samples from all monitoring wells constructed as described in Provisions C.1 of this MRP. Groundwater shall be monitored in accordance with the criteria specified in Table 7, Groundwater Monitoring.

Table 2. Groundwater Monitoring

CONSTITUENT	UNIT	TYPE OF SAMPLE	SAMPLING FREQUENCY	REPORTING FREQUENCY
Total Dissolved Solids	mg/L	Grab	Semiannually	Annually
Total Nitrogen (as N)	mg/L	Grab	Semiannually	Annually
Boron	mg/L	Grab	Semiannually	Annually
Chloride	mg/L	Grab	Semiannually	Annually
Sulfate	mg/L	Grab	Semiannually	Annually
Manganese	mg/L	Grab	Semiannually	Annually
Fluoride	mg/L	Grab	Semiannually	Annually
Methylene Blue Activated Substances	mg/L	Grab	Semiannually	Annually
Iron	mg/L	Grab	Semiannually	Annually

D. MAINTENANCE AND INSPECTION

1. The Discharger shall inspect the septic tanks annually and report the sludge depth and scum thickness (in feet) in each compartment of each septic tank annually.

2. Visual inspections of the disposal system shall be conducted on a weekly basis for the first three months and on a monthly basis for the following nine months. After the first year, a visual inspection of the disposal system shall be conducted every six months.

3. A record of inspections and maintenance activities shall be maintained by the Discharger for a minimum of five years. Records must include the date of the inspection and/or maintenance, and a summary of all observations or activities.

E. SEWAGE SOLIDS AND SLUDGE

A log of the type, quantity, location and manner of disposal of solids removed in the course of sewage treatment shall be maintained at the facility and a report summarizing the data shall be submitted annually.

F. REPORT SCHEDULE

Monitoring Reports shall be submitted to the Regional Board in accordance with the following schedule:

Table 3. Report Schedule

Reporting Frequency	Report Period	Report Due
Annual	January – December	January 30

Monitoring reports shall be submitted to:

Groundwater Basins Branch
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, California 92123

Ordered by:

DAVID W. GIBSON, Executive Officer
California Regional Water Quality
Control Board, San Diego Region

DATE: November 18, 2009