

California Regional Water Quality Control Board
Santa Ana Region

September 5, 2008

STAFF REPORT

ITEM: * 9

SUBJECT: Amendment of Order No. R8-2007-0003, Waste Discharge Requirements and Producer/User Water Recycling Requirements for Irvine Ranch Water District's Michelson Water Reclamation Plant – Order No. R8-2008-0072.

DISCUSSION:

On November 30, 2007, the Regional Water Quality Control Board (the Regional Board) adopted Order No. R8-2007-0003, prescribing Waste Discharge Requirements and Producer/User Water Recycling Requirements for the Irvine Ranch Water District's (IRWD) Michelson Water Reclamation Plant in Orange County.

Order No. R8-2007-0003, at Part III. Discharge Prohibition G, prohibits the discharge of recycled water to the Sand Canyon Reservoir at Discharge point 004 from October 1 through May 1 of each year when the reservoir surface water elevation is at or above 176.5 feet above mean sea level. The May 1 date is an error. The intent of the prohibition is to prevent the discharge of recycled water from the reservoir during the winter season. In previous Waste Discharge Requirements adopted by the Regional Board, this prohibition applied from October 1 through March 1, which allowed the Discharger to fill the reservoir with recycled water during the typically warm and dry months, when the demand for recycled water is the greatest. It is appropriate to amend the May 1 deadline in Order No. R8-2007-0003 to March 1, the date specified in prior Regional Board Orders for the IRWD facility.

Order No. R8-2007-0003, at Part IV Effluent Limitations and Discharge Specifications, and at Monitoring and Reporting Requirements Part IV Effluent Monitoring Requirements to Surface Water, establishes effluent limits, discharge specifications, and monitoring and reporting requirements for discharges of recycled water from the Michelson Water Reclamation Plant to the recycled water distribution system, and three storage reservoirs. One of these reservoirs is privately owned, while the other two are surface waters of the United States. The Discharger does not provide different treatment of recycled water for discharges to the various reservoirs and the recycled water system (at Discharge Locations 001 through 004), so these discharges are of essentially the same quality. The proposed amendment allows the Discharger to demonstrate compliance with the Effluent Limitations, Discharge Specifications, and Monitoring and Reporting Requirements for discharges at all Discharge Locations by monitoring at Discharge Location 001.

At the request of IRWD, staff has prepared amendments to Order No. R8-2007-0003 to address these changes and also to clarify the requirements for adding new recycled water users. The amendments are of a minor nature and do not significantly change the requirements of Order No. R8-2007-0003.

The following show the proposed changes to Order No. R8-2007-0003. Additions are bold and highlighted. Deletions are shown in strike-out type.

1. Page 13 of the Order, Discharge Prohibitions, modify paragraph III.G. as follows:
 - G. The discharge of recycled water into the Sand Canyon Reservoir is prohibited from October 1 through ~~May~~ **March** 1 of each year whenever the reservoir surface water elevation is at or above 176.5 feet above mean sea level.
2. Page 18 of the Order, Reclamation Specifications, modify paragraph IV.C.2. as follows:
 2. For new reuse sites, the use of recycled water shall only commence after the California Department of Public Health (CDPH) grants final approval for such use. **If CDPH does not respond or does not explicitly disapprove the use of recycled water at new reuse sites within 30 days of receipt of the information required in IV.C.7., below, then the Discharger may assume final approval by CDPH and may commence distribution of recycled water at the new site(s).** The Discharger shall provide the Regional Water Board with a copy of the CDPH approval letter, **if provided**, within 30 days of the approval notice.
3. Page 19 of the Order, Reclamation Specifications, modify Paragraph IV.C.7. as follows:
 7. Prior to delivering recycled water to any new user, the Discharger shall submit to the CDPH and the County Environmental Health Department a report containing the information **specified in a-f, below**, for review and approval. **The Discharger shall maintain this new user information and make it available onsite during inspection upon request by Regional Board, CDPH and/or County Environmental Health Department staff. This new user information shall be submitted to the Regional Board upon request by the Executive Officer.**

4. Page E-13 of Attachment E, Effluent Monitoring Requirements to Surface Waters, add new paragraph IV.A.7. as follows:
 7. **The Discharger shall monitor and report the volume of groundwater pumped from the Newport Bay Watershed and discharged into the Discharger's reservoirs. The Discharger shall also monitor and report when there is "No Discharge" to the reservoirs of either groundwater or recycled water.**

5. Page E--16 of Attachment E, Reclamation Monitoring Requirements, add new paragraph VII.A.2. as follows:
 2. **The Discharger may demonstrate compliance with the Effluent Limitations, Discharge Specifications, and Monitoring and Reporting Requirements in this Order for discharges at all Discharge Locations, including recycled water reuse sites, by monitoring at Discharge Location 001.**

RECOMMENDATION:

Adopt Order No. R8-2008-0072, as presented.

Comments were solicited from the following agencies:

U.S. Environmental Protection Agency, Permits Issuance Section (WTR-5) – Doug Eberhardt
U.S. Army District, Los Angeles, Corps of Engineers - Regulatory Branch
U.S. Fish and Wildlife Service, Carlsbad
State Water Resources Control Board, Office of the Chief Counsel – David Rice
State Water Resources Control Board, Division of Water Quality – Phil Isorena
State Department of Fish and Game, Los Alamitos
State Department of Water Resources - Glendale
California Department of Public Health, Santa Ana – Oliver Pacifico
California Department of Public Health, Carpinteria - Jeff Stone
Orange County Health Care Agency
Orange County Water District - Nira Yamachika
Orange County Sanitation District – Robert Ghirelli
Southern California Association of Governments – Mark A. Pisano
The Irvine Company - Sat Tamaribuchi
Orange County, Resources and Development Management Department -
City of Newport Beach – City Manager
City of Irvine – City Manager
SPON – Jack Skinner
Robert Caustin

Order No. R8-2008-0072
Amending Order No. R8-2007-0003
IRWD's Michelson Water Reclamation Plant
Staff Report

Page 4 of 4

Orange County Coastkeeper - Garry Brown
Lawyers for Clean Water C/c San Francisco Baykeeper
Irvine Ranch Water District – Paul Cook

**California Regional Water Quality Control Board
Santa Ana Region**

**Order No. R8-2008-0072
Amending Order No. R8-2007-0003
NPDES No. CA8000326**

**Waste Discharge Requirements and Producer/User Water Recycling
Requirements**

for the

**Irvine Ranch Water District's
Michelson Water Reclamation Plant
Orange County**

**California Regional Water Quality Control Board
Santa Ana Region**

**Order No. R8-2008-0072
Amending Order No. R8-2007-0003
NPDES No. CA8000326**

**Waste Discharge Requirements and Producer/User Water Recycling
Requirements**

for the

**Irvine Ranch Water District's
Michelson Water Reclamation Plant
Orange County**

California Regional Water Quality Control Board
Santa Ana Region

Order No. R8-2008-0072
Amending Order No. R8-2007-0003

Waste Discharge and Producer/User Reclamation Requirements
For
Irvine Ranch Water District's
Michelson Water Reclamation Plant
Orange County

The California Regional Water Quality Control Board, Santa Ana Region (hereinafter Regional Board), finds that:

1. On November 30, 2007, the Regional Board adopted Order No. R8-2007-0003, prescribing Producer/User Water Recycling Requirements for the Irvine Ranch Water District's (hereinafter Discharger) Michelson Water Reclamation Plant in Orange County.
2. In a meeting with Regional Board staff on January 14, 2008, the Discharger requested several minor changes to Order No. R-8-2007-0003, to correct an error, to clarify the Water Reclamation Requirements for adding new users of recycled water, and some modifications to the monitoring and reporting requirements.
3. Order No. R8-2007-0003, at Part III. Discharge Prohibition G, prohibits the discharge of recycled water to the Sand Canyon Reservoir at Discharge point 004 from October 1 through May 1 of each year when the reservoir surface water elevation is at or above 176.5 feet above mean sea level. The May 1 date is an error. The intent of the prohibition is to prevent the discharge of recycled water from the reservoir during the winter season. In previous Waste Discharge Requirements adopted by the Regional Board, this prohibition applied from October 1 through March 1, which allowed the Discharger to fill the reservoir with recycled water during the typically warm and dry months, when the demand for recycled water is the greatest. It is appropriate to amend the May 1 deadline in Order No. R8-2007-0003 to March 1, the date specified in prior Regional Board Orders for the IRWD facility.

4. Order No. R8-2007-0003, at Part IV. Effluent Limitations and Discharge Specifications, and at Monitoring and Reporting Requirements Part IV. Effluent Monitoring Requirements to Surface Water, establishes effluent limits, discharge specifications, and monitoring and reporting requirements for discharges of recycled water from the Michelson Water Reclamation Plant to the recycled water distribution system and three storage reservoirs. One of these reservoirs is privately owned, while the other two are surface waters of the United States. The Discharger does not provide different treatment of recycled water for discharges to the various reservoirs and the recycled water system (at Discharge Locations 001 through 004), so these discharges are of essentially the same quality. The proposed amendment allows the Discharger to demonstrate compliance with the Effluent Limitations, Discharge Specifications, and Monitoring and Reporting Requirements for discharges at all Discharge Locations by monitoring at Discharge Location 001.
5. It is appropriate to amend Order No. R8-2007-0003 to correct the error in the date of the prohibition on discharges to Sand Canyon Reservoir, to clarify the requirements for adding new users of recycled water, and to specify amended Monitoring and Reporting requirements.
6. This Order is an amendment of waste discharge requirements for an existing facility and, as such, is exempt from the California Environmental Quality Act (Public Resources Code, Section 21100 et. seq.) in accordance with Section 15301, Chapter 3, Title 14, California Code of Regulations.
7. The Board has notified the Discharger and other interested agencies and persons of its intent to amend the producer/user water recycling requirements set forth in Order No. R8-2007-0003 and has provided them with an opportunity to submit their written views and recommendations.
8. The Regional Board, in a public meeting, heard and considered all comments pertaining to these water-recycling requirements.

IT IS HEREBY ORDERED that Order No. R8-2007-0003 be amended as follows:

1. Page 13 of the Order, Discharge Prohibitions, modify paragraph III.G. as follows:
 - G. The discharge of recycled water into the Sand Canyon Reservoir is prohibited from October 1 through March 1 of each year whenever the reservoir surface water elevation is at or above 176.5 feet above mean sea level.

2. Page 18 of the Order, Reclamation Specifications, modify paragraph IV.C. 2. as follows:
 2. For new reuse sites, the use of recycled water shall only commence after the California Department of Public Health (CDPH) grants final approval for such use. If CDPH does not respond or does not explicitly disapprove the use of recycled water at new reuse sites within 30 days of receipt of the information required in IV.C.7., below, then the Discharger may assume final approval by CDPH and may commence distribution of recycled water at the new site(s). The Discharger shall provide the Regional Water Board with a copy of the CDPH approval letter, if provided, within 30 days of the approval notice.
3. Page 19 of the Order, Reclamation Specifications, modify Paragraph IV.C.7. as follows:
 7. Prior to delivering recycled water to any new user, the Discharger shall submit to the CDPH and the County Environmental Health Department a report containing the information specified in a-f, below, for review and approval. The Discharger shall maintain this new user information and make it available onsite during inspection upon request by Regional Board, CDPH and/or County Environmental Health Department staff. This new user information shall be submitted to the Regional Board upon request by the Executive Officer.
4. Page E-13 of Attachment E, Effluent Monitoring Requirements to Surface Waters, add new paragraph IV.A.7. as follows:
 7. The Discharger shall monitor and report the volume of groundwater pumped from the Newport Bay Watershed and discharged into the Discharger's reservoirs. The Discharger shall also monitor and report when there is "No Discharge" to the reservoirs of either groundwater or recycled water.
5. Page E--16 of Attachment E, Reclamation Monitoring Requirements, add new paragraph VII.A.2. as follows:
 2. The Discharger may demonstrate compliance with the Effluent Limitations, Discharge Specifications, and Monitoring and Reporting Requirements in this Order for discharges at all Discharge Locations, including recycled water reuse sites, by monitoring at Discharge Location 001.

6. All other conditions and requirements of Order No. R8-2007-0003 shall remain unchanged.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, Santa Ana Region, on September 5, 2008.

Gerard J. Thibeault
Executive Officer



California Regional Water Quality Control Board Santa Ana Region



Linda S. Adams
Secretary for
Environmental Protection

3737 Main Street, Suite 500, Riverside, California 92501-3348
Phone (951) 782-4130 • FAX (951) 781-6288 • TDD (951) 782-3221
www.waterboards.ca.gov/santaana

Arnold Schwarzenegger
Governor

August 1, 2008

Paul Cook, Assistant General Manager
Irvine Ranch Water District
15600 Sand Canyon Avenue
Irvine, Ca 92618

AMENDMENT OF WASTE DISCHARGE AND PRODUCER/USER RECLAMATION REQUIREMENTS FOR THE IRVINE RANCH WATER DISTRICT'S MICHELSON WATER RECLAMATION PLANT, ORANGE COUNTY - ORDER NO. R8-2008-0072

Dear Mr. Cook:

Enclosed is a copy of tentative Order No. R8-2008-0072 for your review and comments. The tentative Order amends Order No. R8-2007-0003, NPDES No. CA8000326, for the discharge of tertiary treated and disinfected wastewater from IRWD's Michelson Water Reclamation Plant to Rattlesnake and Sand Canyon Reservoirs in Orange County.

This Order will be considered by the Regional Board on September 5, 2008. The Board meeting will start at 9 a.m. and will be held at the City Council Chambers of Loma Linda, 25541 Barton Road, City of Loma Linda. Although all comments that are provided up to and during the public hearing on this matter will be considered, receipt of comments by August 15, 2008, would be appreciated so that they can be used in the formulation of the draft Order that will be transmitted to the Board two weeks prior to the hearing. The draft Order may contain changes resulting from comments received from you and others. To view and/or download a copy of the draft Order, please access our website at http://www.waterboards.ca.gov/santaana/board_info/agendas/2008_agendas.shtml on or after August 25, 2008.

Federal and State regulations require that the public be notified of the public hearing regarding these waste discharge requirements at least 30 days in advance. Therefore, in order for the Board to consider your waste discharge requirements on September 5, 2008, such notice must be made by August 5, 2008. Copies of the "Notice of Public Hearing" are also enclosed. Two copies are to be posted by August 5, 2008, in conspicuous places, one in the vicinity of the facility and one in the locality to be affected by the discharge (e.g. local post office, library, city hall, or courthouse). A copy of the notice must be published in a local newspaper of general circulation for one day, no later than August 5, 2008. The expense of publication is to be paid by the District. By August 15, 2008, you must file with this office proof of posting and publication. Proof of posting shall consist of a statement executed on the enclosed form and the proof of publication shall consist of an affidavit from the publisher or the foreman of the newspaper, with a copy of the notice as published, attached.

California Environmental Protection Agency



Paul Cook

August 1, 2008

If you have any questions, please contact Jun Martinez at (951) 782-3258 or Jane Qiu at (951) 320-2008.

Sincerely,

for *Filomeno T. Marty Jr.*
Joanne E. Schneider
Environmental Program Manager

Enclosure: Tentative Order No. R8-2008-0072 and Staff Report
Notice of Public Hearing and Statement of Posting Notice



Please complete and return this copy by August 15, 2008

TO: Jane Qiu
CRWQCB Region 8
3737 Main Street, Suite 500
Riverside, CA 92501-3348

STATEMENT OF POSTING NOTICE

I, _____, hereby state
(name of person posting the notices)

THAT I am the discharger or acting on behalf of the discharger,

THAT I have posted a copy of the "Notice of Public Hearing" at each of the following locations:

Location 1: _____
(describe how and where)

Date Posted: _____

Location 2: _____
(describe how and where)

Date Posted: _____

THAT the notices were posted in conspicuous places in the locality to be affected by the discharge;

THAT the notices pertained to:

Order No. R8-2008-0072 to amend Order No. R8-2007-0003 of the California Regional Water Quality Control Board - Santa Ana Region

NPDES NO. CA8000326

Discharger: Irvine Ranch Water District, Michelson Water Reclamation Plant

I declare under penalty of perjury that the foregoing is true.

(Signature of person who posted the copies of the notice)

Date: _____

Place: _____

California Regional Water Quality Control Board
Santa Ana Region
3737 Main Street, Suite 500
Riverside, CA 92501-3348

NOTICE OF PUBLIC HEARING

For
Order No. R8-2008-0072,
Amending Order No. R8-2007-0003, NPDES No. CA8000326
Waste Discharge And Producer/User Reclamation Requirements
(National Pollutant Discharge Elimination System Permit)
For
Irvine Ranch Water District
Michelson Water Reclamation Plant
Orange County

On the basis of preliminary staff review and application of lawful standards and regulations, the California Regional Water Quality Control Board, Santa Ana Region, proposes to amend Order No. R8-2007-0003 Waste Discharge and Producer/User Water Recycling Requirements for the discharge of tertiary treated and disinfected wastewater from the Irvine Ranch Water District, Michelson Water Reclamation Plant to Rattlesnake and Sand Canyon Reservoirs in Orange County. The proposed amendments would correct an error and clarify the requirements for new recycled water users contained in Order No. R8-2007-0003.

The Board is seeking comments concerning the proposed waste discharge requirements and the potential effects of the discharge on the water quality and beneficial uses of the affected receiving waters.

The Board will hold a public hearing to consider adoption of the proposed waste discharge requirements as follows:

DATE: September 5, 2008
TIME: 9:00 a.m.
PLACE: City Council Chambers of Loma Linda
25541 Barton Road
City of Loma Linda

The Board's proposed Order, related documents, and all comments and petitions received may be inspected and copied at the Regional Board office, 3737 Main Street, Suite 500, Riverside, CA 92501-3348 (phone 951-782-4130) by appointment scheduled between the hours of 9:00 a.m. and 3:00 p.m., Monday through Friday. Copies of the proposed Order will be mailed to interested persons upon request to Jane Qiu at (951) 320-2008. The proposed Order can also be downloaded from our website at http://www.waterboards.ca.gov/santaana/board_decisions/tentative_orders/index.shtml starting August 6, 2008

Interested persons are invited to submit written comments on the proposed Order No. R8-2008-0072. Interested persons are also invited to attend and express their views on issues relating to the proposed Order. Oral statements will be heard, but should be brief to allow all interested persons time to be heard. For the accuracy of the record, all testimony (oral statements) should be submitted in writing.

Although all comments that are provided up to and during the public hearing on this matter will be considered, receipt of comments by August 15, 2008 would be appreciated so that they can be used in the formulation of the draft Order that will be transmitted to the Board two weeks prior to the hearing. To view or download a copy of the tentative Order that the Board will consider at its meeting, please access our website at http://www.waterboards.ca.gov/santaana/board_info/agendas/2008_agendas.shtml on or after August 25, 2008.

Any person who is physically challenged and requires reasonable accommodation to participate in this Regional Board Meeting should contact Felipa Carrillo at (951) 782-3285 no later than August 15, 2008. Please bring the foregoing to the attention of any persons known to you who would be interested in this matter.