

State of California  
California Regional Water Quality Control Board  
Santa Ana Region

Staff Report

July 24, 2015

**ITEM:** \*10

**SUBJECT:** Renewal of Waste Discharge and Water Reclamation Requirements for the City of Beaumont, Beaumont Wastewater Treatment Plant, Order No. R8-2015-0026, NPDES No. CA0105376

**DISCUSSION:**

See attached Fact Sheet

**RECOMMENDATIONS:**

Adopt Order No. R8-2015-0026, NPDES No. CA0105376, as presented.

**COMMENTS SOLICITATION:**

Comments were solicited from the City of Beaumont and the following agencies:

US Environmental Protection Agency, Permits Issuance Section (WTR-5) – Dr. Peter Kozelka

US Army District, Los Angeles, Corps of Engineers – Regulatory Branch

US 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 Water Resources, Glendale

State Department of Fish and Wildlife, Ontario

State Water Resources Control Board, Division of Drinking Water, San Diego – Steve Williams

Santa Ana Watershed Project Authority – Celeste Cantu

Santa Ana River Dischargers Association – Edward Filadelfia

Riverside County Flood Control and Water Conservation District – Jason Uhley

Riverside County Environmental Health – John Watkins

Yucaipa Valley Water District – Joe Zoba

Beaumont-Cherry Valley Water District – Eric Fraser

San Geronio Pass Water Agency – Jeffrey W. Davis

City of Banning – Art Vela

Orange County Water District – Nira Yamachika / Marsha Westropp

Inland Empire Waterkeeper – Megan Brousseau

Orange County Coastkeeper – Garry Brown

Lawyers for Clean Water – Daniel Cooper

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

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**ORDER NO. R8-2015-0026**  
**NPDES NO. CA0105376**

**WASTE DISCHARGE REQUIREMENTS AND MASTER RECLAMATION PERMIT**  
**FOR THE**  
**CITY OF BEAUMONT**  
**BEAUMONT WASTEWATER TREATMENT PLANT**  
**RIVERSIDE COUNTY**

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

**Table 1. Discharger/Facility Information**

<b>Discharger</b>	City of Beaumont
<b>Mailing Address</b>	550 E 6 <sup>th</sup> Street, Beaumont, CA 92223
<b>Name of Facility</b>	Beaumont Wastewater Treatment Plant
The U.S. Environmental Protection Agency (USEPA) and the Regional Water Quality Control Board have classified this discharge as a <b>major</b> discharge.	

Discharges by the City of Beaumont, from the discharge points identified below are subject to waste discharge requirements as set forth in this Order:

**Table 2. Discharge Locations and Recycled Water Use Areas**

Discharge Point	Effluent Description	Discharge Point (Latitude)	Discharge Point (Longitude)	Receiving Water
001	Tertiary treated and disinfected wastewater	33° 55' 24" N	116° 59' 34" W	Cooper's Creek, San Timoteo Groundwater Management Zone (STGMZ)
007	Tertiary treated and disinfected wastewater	33° 55' 53" N	116° 59' 14" W	An unnamed tributary of Marshall Creek, Beaumont Groundwater Management Zone (BGMZ)
R-001	Tertiary treated and disinfected recycled water delivered to Tukwet Canyon Golf Course			BGMZ, STGMZ
R-002	Tertiary treated and disinfected recycled water delivered to Oak Valley Golf Course			BGMZ
R-003	Tertiary treated and disinfected recycled water delivered to Beaumont Cherry Valley Water District			BGMZ
S-003	Stormwater	33° 55' 25" N	116° 59' 31" W	Cooper's Creek
S-004	Stormwater	33° 55' 24" N	116° 59' 38" W	Cooper's Creek
S-005	Stormwater	33° 55' 23" N	116° 59' 42" W	Cooper's Creek
S-006	Stormwater	33° 55' 25" N	116° 59' 24" W	Cooper's Creek

**Table 3. Administrative Information**

This Order was adopted by the Regional Water Board on:	<b>July 24, 2015</b>
This Order shall become effective on:	<b>August 1, 2015</b>
This Order shall expire on:	<b>July 31, 2020</b>
The Discharger shall file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, as application for issuance of new waste discharge requirements no later than:	<b>February 3, 2020</b>

IT IS HEREBY ORDERED, that this Order supersedes and rescinds Order No. R8-2006-0003, as amended by Order No. R8-2009-0002, except for enforcement purposes, and, in order to meet the provisions contained in Division 7 of the California Water Code (CWC) (commencing with section 13000) and regulations adopted thereunder, and the provisions of the federal Clean Water Act (CWA) and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order.

I, Kurt V. Berchtold, 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, Santa Ana Region, on July 24, 2015.

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**Kurt V. Berchtold, Executive Officer**

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## Discharger/Facility Information

Information regarding the City of Beaumont and its Wastewater Treatment Plant is summarized in Table 4, below, and in sections I and II of the Fact Sheet (Attachment F). Section I of the Fact Sheet also includes information regarding the Discharger's permit application.

**Table 4. Discharger/Facility Information**

<b>Discharger</b>	City of Beaumont
<b>Discharger Contact</b>	Elizabeth Gibbs-Urtiaga , City Manager, (951) 769-8534
<b>Mailing Address</b>	550 E. 6th Street, Beaumont, CA 92223
<b>Facility</b>	Beaumont Wastewater Treatment Plant
<b>Facility Location</b>	715 W. 4th Street, Beaumont, CA
<b>Type of Facility</b>	POTW
<b>Facility Design Flow</b>	4 Million Gallons per Day (MGD)

## II. FINDINGS

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

- A. Legal Authorities.** This Order serves as Waste Discharge Requirements (WDRs) pursuant to Article 4, Chapter 4 of California Water Code (CWC) commencing with Section 13260 and serves as a Master Reclamation permit pursuant to Article 4, Chapter 7 CWC commencing with Section 13523.1. This Order shall also serve as an NPDES permit pursuant to Section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (USEPA) and Chapter 5.5, Division 7 of the CWC for point source discharges from this facility to surface waters.
- B. Background and Rationale for Requirements.** The Regional Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for requirements in the Order, is hereby incorporated into this Order and constitutes part of the Findings for this Order. Attachments A, B, D, E, G, H, I, J, and K are also incorporated into this Order.
- C. California Environmental Quality Act (CEQA).** Under CWC section 13389, the action to adopt these waste discharge requirements is exempt from the provisions of the California Environmental Quality Act (CEQA), (Public Resources Code section 21000 et seq).

- D. Notification of Interested Parties.** The Regional Water Board has notified the Discharger and interested agencies and 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. Details of notification are provided in the Fact Sheet of this Order.
- E. Consideration of Public Comment.** The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet of this Order.

### III. DISCHARGE PROHIBITIONS

- A.** The discharge of wastewater at a location or in a manner different from those described in this Order is prohibited.
- B.** The bypass or overflow of untreated wastewater or wastes to surface waters or surface water drainage courses is prohibited, except as allowed in Standard Provision I. G. of Attachment D, Federal Standard Provisions.
- C.** The discharge of any substances in concentrations toxic to animal or plant life is prohibited.
- D.** The discharge of any radiological, chemical, or biological warfare agent or high level radiological waste is prohibited.

### IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

#### **A. Effluent Limitations – Discharge Points 001 and 007**

Unless otherwise specified hereinafter, compliance with the following effluent limitations shall be measured at monitoring location M-001 as described in the attached Monitoring and Reporting Program (Attachment E).

1. Effluent Limitations

The Discharger shall comply with the following:

a. Physical/Biological/Chemical Limitations:

**Table 5. Effluent Limitations at DP-001 and DP-007**

Parameter	Units	Effluent Limitations		
		Average Monthly	Average Weekly	Maximum Daily
Biochemical Oxygen Demand 5-day @ 20°C	mg/L (lbs/day)	20 (667)	30 (1001)	--
Total Suspended Solids	mg/L (lbs/day)	20 (667)	30 (1001)	--
Ammonia-Nitrogen	mg/L (lbs/day)	4.5 (150)	--	--

b. Percent Removal:

The average monthly percent removal of BOD 5-day 20°C and total suspended solids shall not be less than 85 percent.

c. Total Dissolved Solids (TDS) – Discharge Point 001:

For flows up to 1.8 MGD, the 12-month flow weighted running average TDS concentration of the discharge shall not exceed 400 mg/L. For flows in excess of 1.8 MGD, the 12-month flow weighted running average TDS concentration of the discharge shall not exceed 300 mg/L. Compliance with these limits shall be determined based on the conditions specified in Provision VI. C. 6. of this Order.

d. Total Dissolved Solids (TDS) – Discharge Point 007:

The 12-month flow weighted running average TDS concentration of the discharge shall not exceed 230 mg/L. Compliance with this limit shall be determined based on the conditions specified in Provision VI. C. 6. of this Order.

e. Total Inorganic Nitrogen (TIN) – Discharge Point 001:

For flows up to 1.8 MGD, the 12-month flow weighted running average TIN concentration of the discharge shall not exceed 6 mg/L. For flows in excess of 1.8 MGD, the 12-month flow weighted running average TIN concentration of the discharge shall not exceed 3.6 mg/L. Compliance with these limits shall be determined based on the conditions specified in Provision VI. C. 6. of this Order.

f. Total Inorganic Nitrogen (TIN) – Discharge Point 007:

The 12-month flow weighted running average TIN concentration of the discharge shall not exceed 2.0 mg/L. Compliance with this limit shall be determined based on the conditions specified in Provision VI. C. 6. of this Order.

**2. Tertiary Treated Wastewater:**

The discharge shall at all times be a filtered and subsequently disinfected wastewater and shall meet the following limitations:

- a. "Filtered wastewater" means an oxidized wastewater that has been coagulated and passed through a bed of filter media pursuant to the following:
  - 1) At a rate that does not exceed 5 gallons per minute per square foot of surface area in mono, dual, or mixed media gravity, upflow or pressure filtration systems, or does not exceed 2 gallons per minute per square foot of surface area in traveling bridge automatic backwash filters; and
  - 2) The turbidity of the filtered wastewater shall not exceed any of the following:
    - a) An average of 2 NTU within a 24-hour period;
    - b) 5 NTU more than 5 percent of the time within a 24-hour period; and
    - c) 10 NTU at any time
- b. Disinfection: The discharge shall meet the following:

When a disinfection process combined with the filtration process is utilized, the combined process shall demonstrate inactivation and/or removal of 99.999 percent of the plaque-forming units of F-specific bacteriophage MS2, or polio virus in the wastewater. A virus that is at least as resistant to disinfection as polio virus may be used for purposes of the demonstration. The UV disinfection process shall be approved by the Division Chief of the State Water Resources Control Board's Division of Drinking Water (DDW) and the Discharger shall comply with all operational parameters specified by DDW.
- c. Coliform: The disinfected wastewater shall meet the following:
  - 1) The weekly median concentration of total coliform bacteria shall not exceed a Most Probable Number (MPN) of 2.2 total coliform bacteria per 100 milliliters (ml). To comply with the limit, the 7-day median MPN must not exceed 2.2 per 100 milliliters on any day during the week. However, only

one violation is recorded for each calendar week, even if the 7-day median MPN value is greater than 2.2 for more than one day in the week,

- 2) The number of total coliform bacteria shall not exceed an MPN of 23 total coliform bacteria per 100 ml in more than one sample in any 30-day period, and
- 3) No total coliform bacteria sample shall exceed an MPN of 240 total coliform bacteria per 100 ml.

### 3. pH

The pH of the discharge at shall be maintained between 6.5 to 8.5 pH units. Compliance with pH limits shall be determined as follows:

- 1) The total time during which the pH is outside the range of 6.5-8.5 pH units shall not exceed 7 hours and 26 minutes in any calendar month; and
- 2) No individual excursion from the above range shall exceed 60 minutes.

### 4. Toxicity Requirements

There shall be no acute or chronic toxicity in the discharge nor shall the discharge cause any acute or chronic toxicity in the receiving water. All waters shall be maintained free of substances in concentrations which are toxic to, or which produce detrimental physiological responses in human, plant, animal, or indigenous aquatic life. This Order contains no numeric limitation for toxicity. However, the Discharger shall conduct chronic toxicity monitoring.

The Discharger shall implement the accelerated monitoring as specified in Attachment E when the result of any single chronic toxicity test of the effluent exceeds 1.0 TUc.

**B. Recycled Water Specifications – Discharge Points R-001, R-002 and R-003**

Unless otherwise specified hereinafter, compliance with the following limitations shall be measured at monitoring location M-001 as described in the attached Monitoring and Reporting Program (Attachment E).

The Discharger shall comply with the following limitations for the production and use of recycled water supplied for landscape irrigation, or other similar uses:

**1. Physical/Biological Limitations:**

**Table 6. Recycled Water Effluent Limitations**

Parameter	Units	Effluent Limitations	
		Average Monthly	Average Weekly
Biochemical Oxygen Demand 5-day @ 20°C	mg/L	20	30
Total Suspended Solids	mg/L	20	30

**2. Total Dissolved Solids (TDS)**

The 12-month flow weighted running average TDS constituent concentration shall not exceed 330 mg/L. Compliance with this limit shall be determined based on the conditions specified in Provision VI. C. 6. of this Order.

**3. Disinfected Tertiary Recycled Water:**

Recycled Water shall at all times be a filtered and subsequently disinfected wastewater and shall meet the following limitations:

- a. "Filtered wastewater" means an oxidized wastewater that has been coagulated and passed through a bed of filter media pursuant to the following:
  - 1) At a rate that does not exceed 5 gallons per minute per square foot of surface area in mono, dual, or mixed media gravity, upflow or pressure filtration systems, or does not exceed 2 gallons per minute per square foot of surface area in traveling bridge automatic backwash filters; and
  - 2) The turbidity of the filtered wastewater shall not exceed any of the following:
    - a) An average of 2 NTU within a 24-hour period;
    - b) 5 NTU more than 5 percent of the time within a 24-hour period; and
    - c) 10 NTU at any time

b. Disinfection: Recycled Water shall meet the following:

When a disinfection process combined with the filtration process is utilized, the combined process shall demonstrate inactivation and/or removal of 99.999 percent of the plaque-forming units of F-specific bacteriophage MS2, or polio virus in the wastewater. A virus that is at least as resistant to disinfection as polio virus may be used for purposes of the demonstration. The UV disinfection process shall be approved by the Division Chief of the State Water Resources Control Board's Division of Drinking Water (DDW) and the Discharger shall comply with all operational parameters specified by DDW.

c. Coliform: The disinfected recycled water shall meet the following:

- 1) The weekly median concentration of total coliform bacteria shall not exceed a Most Probable Number (MPN) of 2.2 total coliform bacteria per 100 milliliters (ml). To comply with the limit, the 7-day median MPN must not exceed 2.2 per 100 milliliters on any day during the week. However, only one violation is recorded for each calendar week, even if the 7-day median MPN value is greater than 2.2 for more than one day in the week,
  - 2) The number of total coliform bacteria shall not exceed an MPN of 23 total coliform bacteria per 100 ml in more than one sample in any 30-day period, and
  - 3) No total coliform bacteria sample shall exceed an MPN of 240 total coliform bacteria per 100 ml.
4. Prior to the delivery of recycled water to its first user, Discharger shall submit to the Executive Officer of the Regional Water Board and the State Water Board's Division of Drinking Water for approval an Engineering Report developed pursuant to Title 22, Division 4, Chapter 3, Article 7, California Code of Regulations. The report shall clearly describe the design and reliability features specified in Articles 8, 9 and 10 of the regulations.
5. The Discharger shall be responsible for assuring that recycled water is delivered and utilized in conformance with this Order and the recycling criteria contained in Title 22, Division 4, Chapter 3, Sections 60301 through 60355, California Code of Regulations. The Discharger shall conduct periodic inspections of the facilities of the recycled water users to monitor compliance by the users with this Order.

6. The Discharger shall establish and enforce Rules and Regulations for Recycled Water Use, governing the design and construction of recycled water use facilities and the use of recycled water in accordance with the uniform statewide recycling criteria established pursuant to the California Water Code Section 13521 contained in Title 22, Division 4, Chapter 3, Sections 60301 through 60355, California Code of Regulations. The Rules and Regulations for Recycled Water Use shall be submitted to the Executive Officer of the Regional Water Board, the State Water Board's Division of Drinking Water and the Riverside County Environmental Health Department for approval prior to the delivery of recycled water to the first user.
7. The discharger shall ensure that the use of recycled water by each user is consistent with its Rules and Regulations for Recycled Water Use.
8. Any revisions made to the Rules and Regulations shall be subject to the review of the Executive Officer of the Regional Water Board, State Water Board's Division of Drinking Water and the Riverside County Environmental Health Department.
9. Prior to the delivery of recycled water to its first user, the Discharger shall develop a program to conduct compliance inspections of recycled water use sites. Inspections shall determine the status of compliance with the Discharger's Rules and Regulations for Recycled Water Use. The Discharger shall review and update the inspection program, as necessary, with the addition of each new user.
10. The storage, delivery, or use of recycled water shall not individually or collectively, directly or indirectly, result in a pollution or nuisance, or adversely affect water quality, as defined in the California Water Code.
11. Prior to delivering recycled water to any new user, the Discharger shall submit to the Regional Water Board, the State Water Board's Division of Drinking Water, and the Riverside County Environmental Health Department a report containing the following information for review and approval:
  - a. The average number of persons estimated to be served at each use site area on a daily basis.
  - a. The specific boundaries of the proposed use site area, including a map showing the location of each facility, drinking water fountain, and impoundment to be used.
  - b. The person or persons responsible for operation of the recycled water system at each use area.
  - c. The specific use to be made of the recycled water at each use area.
  - d. The methods to be used to assure that the installation and operation of the recycled system will not result in cross connections between the recycled water

and potable water piping systems. This shall include a description of the pressure, dye or other test methods to be used to test the system.

- e. Plans and specifications which include following:
- 1) Proposed piping system to be used.
  - 2) Pipe locations of both the recycled and potable systems.
  - 3) Type and location of the outlets and plumbing fixtures that will be accessible to the public.
  - 4) The methods and devices to be used to prevent backflow of recycled water into the potable water system.
  - 5) Plan notes relating to specific installation and use requirements.
13. The Discharger shall require each user of recycled water to designate an on-site supervisor responsible for the operation of the recycled water distribution system within the recycled water use area. The supervisor shall be responsible for enforcing this Order, prevention of potential hazards, the installation, operation and maintenance of the distribution system, maintenance of the distribution and irrigation system plans in "as-built" form, and for the distribution of the recycled wastewater in accordance with this Order.
14. Recycled water shall at all times be maintained within the property lines of any user. There shall be no direct or indirect discharge of recycled water into drainage systems that could affect surface water quality standards.

### **C. Stormwater Discharge Specifications**

1. Storm water from the facility (meaning storm water runoff, surface runoff, and drainage) shall not:
  - a. Cause or contribute to a violation of any applicable water quality standards contained in the Basin Plan, or in any other State or Federal regulations.
  - b. Cause or threaten to cause pollution, contamination, or nuisance.
  - c. Contain a hazardous substance equal to or in excess of a reportable quantity listed in 40 C.F.R. Part 117 and/or 40 C.F.R. Part 302.
  - d. Adversely impact human health or the environment.
  - e. Result in noncompliance with the lawful requirements of municipalities, counties, drainage districts, and other local agencies on storm water discharges into storm drain systems or other courses under their jurisdiction.
2. The Discharger must update and implement its Storm Water Pollution Prevention Plan for the Facility in accordance with Attachment J of this Order by January 1, 2016<sup>1</sup>.

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<sup>1</sup> During the interim, the Discharger shall continue implementing its current Storm Water Pollution Prevention Plan.

3. Storm water discharges from the facility shall be in compliance with the provisions of State Water Board's Order No. 2014-0057-DWQ except that the Discharger need not file a Notice of Intent for coverage under the State Water Board's Order and need not pay a separate fee for it.

## V. RECEIVING WATER LIMITATIONS

### A. Surface Water Limitations

1. Receiving water limitations are based upon water quality objectives contained in the Basin Plan. As such, they are a required part of this Order. The discharge shall not cause the following in receiving waters:
  - a. Coloration of the receiving waters, which causes a nuisance or adversely affects beneficial uses.
  - b. Deposition of oil, grease, wax or other materials in the receiving waters in concentrations which result in a visible film or in coating objects in the water, or which cause a nuisance or affect beneficial uses.
  - c. An increase in the amounts of suspended or settleable solids in the receiving waters, which will cause a nuisance or adversely affect beneficial uses as a result of controllable water quality factors.
  - d. Taste or odor-producing substances in the receiving waters at concentrations, which cause a nuisance or adversely affect beneficial uses.
  - e. The presence of radioactive materials in the receiving waters in concentrations, which are deleterious to human, plant or animal life.
  - f. The depletion of the dissolved oxygen concentration below 5.0 mg/l.
  - g. The temperature of the receiving waters to be raised above 90°F (32°C) during the period of June through October, or above 78°F (26°C) during the rest of the year.
  - h. The concentration of pollutants in the water column, sediments, or biota to adversely affect the beneficial uses of the receiving water. The discharge shall not result in the degradation of inland surface water communities and populations, including vertebrate, invertebrate, and plant species.
2. The discharge of wastes shall not cause a violation of any applicable water quality standards for receiving waters adopted by the Regional Water Board or State Water Board, as required by the Clean Water Act and regulations adopted thereunder.

3. Pollutants not specifically mentioned and limited in this Order shall not be discharged at levels that will bioaccumulate in aquatic resources to levels, which are harmful to human health.

## **B. Groundwater Limitations**

The discharge of waste or use of recycled water shall not cause the underlying groundwater to be degraded, to exceed water quality objectives, unreasonably affect beneficial uses, or cause a condition of pollution or nuisance.

## **VI. PROVISIONS**

### **A. Standard Provisions**

1. The Discharger shall comply with all Federal Standard Provisions included in Attachment D of this Order.
2. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this facility, may subject the Discharger to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.
3. In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition, discharge limitations (e.g., maximum daily effluent limitation), or receiving water limitation of this Order, the Discharger shall notify the Regional Water Board by telephone (951) 782-4130 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, and/or email within 24 hours. The email notifications allow for proper documentation and can help to outline the issue that has occurred, unless the Regional Water Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe the measures being taken to remedy the current noncompliance and, prevent recurrence including, where applicable, a schedule of implementation. Other noncompliance requires written notification as above at the time of the normal monitoring report.
4. Neither the treatment nor the discharge of waste shall create a pollution, contamination, or nuisance as defined by Section 13050 of the CWC.
5. 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 noncomplying discharge.

6. 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, or;
  - c. In addition to any other grounds specified herein, this Order may be modified or revoked at any time if, on the basis of any data, the Regional Water Board determines that continued discharges may cause unreasonable degradation of water quality.
7. If an effluent standard or discharge prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307 (a) of the Clean Water Act for a toxic pollutant which is present in the discharge, and such standard or prohibition is more stringent than any limitation for that pollutant in this Order, this Order may be modified or revoked and reissued to conform to the effluent standard or discharge prohibition.
8. The Discharger shall file with the Regional Water Board a Report of Waste Discharge at least 180 days before making any material change in the character, location, or volume of the discharge. A material change includes, but is not limited to, the following:
  - a. Adding a major industrial waste discharge to a discharge of essentially domestic sewage, or adding a new process or product by an industrial facility resulting in a change in the character of the waste.
  - b. Significantly changing the disposal method or location, such as changing the disposal to another drainage area or water body.
  - c. Significantly changing the method of treatment.
  - d. Increasing the treatment plant design capacity beyond that specified in this Order.
9. 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.
10. The Discharger shall maintain a copy of this Order at the site so that it is available to site operating personnel at all times. Key operating personnel shall be familiar with its content.
11. The Discharger shall optimize chemical additions needed in the treatment process to meet waste discharge requirements so as to minimize total dissolved solid increases in the treated wastewater.
12. Collected screenings, sludge, and other solids removed from liquid wastes shall be disposed of in a manner approved by the Regional Water Board's Executive Officer.

13. In the event of any change in control or ownership of land or waste discharge facility presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to the Regional Water Board.
14. The treatment facilities shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
15. The Discharger shall file a written report with the Regional Board within ninety (90) days after the average dry-weather waste flow for any month equals or exceeds 75 percent of the design capacity of the waste treatment and/or disposal facilities. 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 month, the date on which instantaneous peak flow occurred, the rate of that peak flow, and the total flow for the day.
  - b. The Discharger's best estimate of when the average daily dry-weather flow rate will equal or exceed the design capacity of the treatment and/or disposal facilities.
  - c. The Discharger's intended schedule for studies, design, and/or other steps needed to provide additional capacity for the waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units.

## **B. Monitoring and Reporting Program Requirements**

The Discharger shall comply with the Monitoring and Reporting Program, and future revisions thereto, in Attachment E of this Order. This monitoring and reporting program may be modified by the Executive Officer at any time during the term of this Order, and may include an increase in the number of parameters to be monitored, the frequency of the monitoring or the number and size of samples to be collected. Any increase in the number of parameters to be monitored, the frequency of the monitoring or the number and size of samples to be collected may be reduced back to the levels specified in the original monitoring and reporting program at the discretion of the Executive Officer.

## **C. Special Provisions**

### **1. Reopener Provisions**

- a. This Order will be reopened to address any changes in State or federal statutes, plans, policies or regulations that would affect the quality requirements for the discharges.

- b. This Order may be reopened to include effluent limitations for pollutants determined to be present in the discharge in concentrations that pose a reasonable potential to cause or contribute to violations of water quality objectives.
- c. This Order may be reopened and modified in accordance with the requirements set forth at 40 CFR 122 and 124, to include the appropriate conditions or limits to address demonstrated effluent toxicity based on newly available information, or to implement any EPA-approved new State water quality standards applicable to effluent toxicity.
- d. This Order may be reopened for modification, or revocation and reissuance, as a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special conditions may be, but are not limited to, fish tissue sampling, whole effluent toxicity, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in this Order as a result of the special condition monitoring data.
- e. This Order may be reopened to incorporate appropriate biosolids requirements if the State Water Resources Control Board and the Regional Water Board are given the authority to implement regulations contained in 40 CFR 503.

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

- a. Toxicity Reduction Requirements.
  - 1) The Discharger shall update, as necessary, its Initial Investigation Toxicity Reduction Evaluation (IITRE) work plan that describes the steps the Discharger intends to follow if required by Toxicity Reduction Requirement 2), below. The work plan shall include at a minimum:
    - a) A description of the investigation and evaluation techniques that will be used to identify potential causes/sources of the exceedance, effluent variability, and/or efficiency of the treatment system in removing toxic substances. This shall include a description of an accelerated chronic toxicity testing program.
    - b) A description of the methods to be used for investigating and maximizing in-house treatment efficiency and good housekeeping practices.
    - c) A description of the evaluation process to be used to determine if implementation of a more detailed TREETIE is necessary.
  - 2) The Discharger shall implement the IITRE work plan whenever the results of chronic toxicity tests of the effluent exceed:

- a) A two month median value of 1.0 TUc for survival or reproduction endpoint  
or,
  - b) Any single test value of 1.7 TUc for survival endpoint.
- 3) The Discharger shall update, as necessary, its detailed Toxicity Reduction Evaluation and Toxicity Identification Evaluation (TRE/TIE) work plan that describes the steps the Discharger intends to follow if the implemented IITRE fails to identify the cause of, or to rectify, the toxicity.
- 4) The Discharger shall use as guidance, at a minimum, EPA manuals EPA/600/2-88/070 (industrial), EPA/600/4-89-001A (municipal), EPA/600/6-91/005F (Phase I), EPA/600/R-92/080 (Phase II), and EPA-600/R-92/081 (Phase III) to identify the cause(s) of toxicity. If during the life of this Order the aforementioned EPA manuals are revised or updated, the revised/updated manuals may also be used as guidance. The detailed TRE/TIE work plan shall include:
- a) Further actions to investigate and identify the cause of toxicity;
  - b) Actions the Discharger will take to mitigate the impact of the discharge and to prevent the recurrence of toxicity; and
  - c) A schedule for these actions.
- 5) The Discharger shall implement the TRE/TIE workplan if the IITRE fails to identify the cause of, or rectify, the toxicity, or if in the opinion of the Executive Officer the IITRE does not adequately address an identified toxicity problem.
- 6) The Discharger shall assure that adequate resources are available to implement the required TRE/TIE.

### 3. Best Management Practices and Pollution Prevention

#### a. Pollutant Minimization Program

- 1) The Discharger shall develop and conduct a Pollutant Minimization Program (PMP) as further described below when there is evidence (e.g., sample results reported as DNQ when the effluent limitation is less than the MDL, sample results from analytical methods more sensitive than those methods required by this Order, presence of whole effluent toxicity, health advisories for fish consumption, results of benthic or aquatic organism tissue sampling) that a priority pollutant is present in the effluent above an effluent limitation and either:
  - a) A sample result is reported as DNQ and the effluent limitation is less than the RL; or
  - b) A sample result is reported as ND and the effluent limitation is less than the MDL.
- 2) The PMP shall include, but not be limited to, the following actions and submittals acceptable to the Regional Water Board:
  - a) An annual review and annual monitoring of potential sources of the reportable priority pollutant(s), which may include fish tissue monitoring and other bio-uptake sampling;
  - b) Annual monitoring for the reportable priority pollutant(s) in the influent to the wastewater treatment system;
  - c) Submittal of a control strategy designed to proceed toward the goal of maintaining concentrations of the reportable priority pollutant(s) in the effluent at or below the effluent limitation;
  - d) Implementation of appropriate cost-effective control measures for the reportable priority pollutant(s), consistent with the control strategy; and
  - e) An annual status report to be sent to the Regional Water Board that includes:
    - (1) All PMP monitoring results for the previous year;
    - (2) A list of potential sources of the reportable priority pollutant(s);
    - (3) A summary of all actions undertaken pursuant to the control strategy; and
    - (4) A description of actions to be taken in the following year.

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

- a. The Discharger's wastewater treatment plant shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Title 23, Division 3, Chapter 14, California Code of Regulations.
- b. The Discharger shall provide safeguards to assure that should there be reduction, loss, or failure of electric power, the Discharger will comply with the requirements of this Order.
- c. The Discharger shall update as necessary, the "Operation and Maintenance Manual (O&M Manual)" which it has developed for the treatment facility to conform to latest plant changes and requirements. The O&M Manual shall be readily available to operating personnel onsite. The O&M Manual shall include the following:
  - 1) Description of the treatment plant table of organization showing the number of employees, their duties and qualifications, and plant attendance schedules (daily, weekends and holidays, part-time, etc.). The description should include documentation that the personnel are knowledgeable and qualified to operate the treatment facility so as to achieve the required level of treatment at all times.
  - 2) Detailed description of safe and effective operation and maintenance of treatment processes, process control instrumentation and equipment.
  - 3) Description of laboratory and quality assurance procedures.
  - 4) Process and equipment inspection and maintenance schedules.
  - 5) Description of safeguards to assure that, should there be reduction, loss, or failure of electric power, the Discharger will be able to comply with requirements of this Order.
  - 6) Description of preventive (fail-safe) and contingency (response and cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. These plans shall identify the possible sources (such as loading and storage areas, power outage, waste treatment unit failure, process equipment failure, tank and piping failure) of accidental discharges, untreated or partially treated waste bypass, and polluted drainage.

## 5. Special Provisions for Municipal Facilities

### a. Sewer Collection System Requirements:

The Discharger's collection system is part of the system that is subject to this Order. As such, the Discharger must properly operate and maintain its collection system (40 CFR 122.41(e)). The Discharger must report any non-compliance (40 CFR 122.41(l)(6) and (7)) and mitigate any discharge from the collection system in violation of this Order (40 CFR 122.41(d)). See the Order at Standard Provision VI.A.2.b. and Attachment D, sections I.D, V.E, V.H, and I.C.

Furthermore, the Statewide General Waste Discharge Requirements for Sanitary Sewer System, Order No. 2006-0003 DWQ (General Order), as amended by Order No. WQ 2008-0002-EXEC, contains requirements for operation and maintenance of sanitary sewer systems and for reporting and mitigating sanitary sewer overflows. While the Discharger must comply with both the General Order and this Order, the General Order more clearly and specifically stipulates requirements for operation and maintenance and for reporting and mitigating sanitary sewer overflows. The Discharger and other governmental agencies that are discharging wastewater into the facility are required to obtain enrollment for regulation under the General Order.

### b. Biosolids Disposal Requirements

- 1) Collected screenings, sludge, and other solids removed from liquid wastes shall be disposed of in a manner that is consistent with State Water Resources Control Board and California Department of Resources Recycling and Recovery's joint regulations (Title 27) of the California Code of Regulations and approved by the Regional Water Board's Executive Officer.
- 2) The use and disposal of biosolids shall comply with existing Federal and State laws and regulations and local government ordinances, including conditions in 40 CFR 503, which include pollutant, pathogen reduction, and vector attraction reduction requirements for the use or disposal practice selected.
- 3) Any proposed change in biosolids use or disposal practice from a previously approved practice should be reported to the Executive Officer and USEPA Regional Administrator at least 90 days in advance of the change.
- 4) The Discharger shall take all reasonable steps to minimize or prevent any discharge or biosolids use or disposal that has the potential of adversely affecting human health or the environment.

**6. Compliance with TDS and TIN Limits**

- a. The Discharger shall achieve compliance with the Effluent Limitations IV.A.1.c., IV.A.1.d., IV.A.1.e., and IV.A.1.f. and Recycled Water Specification IV.B.2. by March 1, 2020, in accordance with the following time schedule:

**Table 7. Time Schedule for Compliance with TDS and TIN Limits**

Task	Task Completion Date	Report of Task Completion Due <sup>2</sup>
Feasibility Study	June 1, 2016	June 15, 2016
Preliminary Design	January 1, 2017	January 15, 2017
Financing Plan	January 1, 2018	January 15, 2018
Final Design and Plans and Specifications	April 1, 2018	April 15, 2018
Begin Construction	September 1, 2018	September 15, 2018
Status Report	September 1, 2019	September 15, 2019

- b. During the interim, the discharger shall account for the flow and concentrations of all discharges in excess of the TDS and TIN limits specified in this order, starting from the effective date of this Order.
- c. By January 1, 2025, all discharges that exceeded the TDS and TIN limits specified in this Order shall be completely offset. Compliance shall be calculated by mathematically combining the flow-weighted averages of discharges under the specified limits with those over the limits.
- d. Noncompliance with the above provisions may result in the consideration of each of the above-mentioned exceedances of the TDS and TIN limits as violations of this Order.

**VII. COMPLIANCE DETERMINATION**

Compliance with the effluent limitations contained in Section IV of this Order will be determined as specified below:

**A. General.**

Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined in the MRP and Attachment A of this Order. For purposes of reporting and administrative enforcement by the Regional and State Water Boards, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the minimum level (ML).

<sup>2</sup> A report containing a detailed discussion of the status of the task shall be submitted to the Regional Water Board Executive Officer within 15-days of the Task Completion Date.

**B. Average Monthly Effluent Limitation (AMEL).**

If the average, or when applicable, the median for multiple sample data (see subsection G, below), of daily discharges over a calendar month exceeds the AMEL for a given parameter, this will represent a single violation, though the Discharger may be considered out of compliance for each day of that month for that parameter (e.g., resulting in 31 days of non-compliance in a 31-day month). If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the Discharger may be considered out of compliance for that calendar month. The Discharger will only be considered out of compliance for days when the discharge occurs. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month.

**C. Average Weekly Effluent Limitation (AWEL).**

If the average, or when applicable, the median for multiple sample data (see subsection G, below), of daily discharges over a calendar week exceeds the AWEL for a given parameter, this will represent a single violation, though the Discharger may be considered out of compliance for each day of that week for that parameter, resulting in 7 days of non-compliance. If only a single sample is taken during the calendar week and the analytical result for that sample exceeds the AWEL, the Discharger may be considered out of compliance for that calendar week. The Discharger will only be considered out of compliance for days when the discharge occurs. For any one calendar week during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar week.

**D. Maximum Daily Effluent Limitation (MDEL).**

If a daily discharge exceeds the MDEL for a given parameter, the Discharger will be considered out of compliance for that parameter for that 1 day only within the reporting period. For any 1 day during which no sample is taken, no compliance determination can be made for that day.

**E. Instantaneous Minimum Effluent Limitation.**

If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, the Discharger will be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both are lower than the instantaneous minimum effluent limitation would result in two instances of non-compliance with the instantaneous minimum effluent limitation).

**F. Instantaneous Maximum Effluent Limitation.**

If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, the Discharger may be considered out of compliance for that parameter for that single sample. Non-compliance for each sample may be considered separately (e.g., the results of two grab samples taken within a calendar day that both exceed the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).

**G. Multiple Sample Data.**

When determining compliance with an AMEL for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

1. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

**H. 12-Month Running Average Effluent Limitation.**

Compliance with the 12-month running average limits under Effluent Limitations and Discharge Specifications IV.A.1.c. and IV.B.2 shall be determined by the arithmetic mean of the last twelve monthly averages.

### **I. Priority Pollutants.**

The Discharger shall be deemed out of compliance with an effluent limitation if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation.

1. Compliance determination shall be based on the reporting level selected from minimum level (ML)<sup>3</sup> specified in Attachment "I" of this Order, unless an alternative reporting level is approved by the Regional Water Board's Executive Officer. When there is more than one ML value for a given substance, the Discharger shall select the ML value that is below the calculated effluent limitation, and use its associated analytical method, listed in Attachment "I" of this Order. If no ML value is below the effluent limitation, then the Regional Water Board will select as the reporting level the lowest ML value and its associated analytical method.
2. When determining compliance with an average monthly limit and more than one sample result is available in a month, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of detected but not quantified (DNQ) or not detected (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:
  - a. The data set shall be ranked from low to high, reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
  - b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ. If a sample result, or the arithmetic mean or median of multiple sample results, is below the reporting level, and there is evidence that the priority pollutant is present in the effluent above an effluent limitation and the Discharger conducts a pollutant minimization program (PMP)<sup>4</sup>, the Discharger shall not be deemed out of compliance.

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<sup>3</sup> Minimum level is the concentration at which the entire analytical system must give a recognizable signal and acceptable point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

<sup>4</sup> The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation.

**J. Compliance Determination**

Compliance determinations shall be based on available analyses for the time interval associated with the effluent limitation. Where only one sample analysis is available in a specified time interval (e. g., monthly or weekly average), that sample shall serve to characterize the discharge for the entire interval. If quarterly sample results show noncompliance with the average monthly limit and that sample result is used for compliance determinations for each month of the quarter, then three separate violations of the average monthly limit shall be deemed to have occurred.

Compliance with a single effluent limitation which applies to a group of chemicals (e.g., PCBs), based on a single sample shall be determined by considering the concentrations of individual members of the group to be zero if the analytical response for the individual chemical falls below the method detection limit (MDL) for that chemical.

## ATTACHMENT A – DEFINITIONS

**Arithmetic Mean ( $\mu$ )**, also called the average, is the sum of measured values divided by the number of samples. For ambient water concentrations, the arithmetic mean is calculated as follows:

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

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

**Average Monthly Effluent Limitation (AMEL)**: the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

**Average Weekly Effluent Limitation (AWEL)**: the highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

**Best Management Practices (BMPs)** are methods, measures, or practices designed and selected to reduce or eliminate the discharge of pollutants to surface waters from point and nonpoint source discharges including storm water. BMPs include structural and non-structural controls, and operation and maintenance procedures, which can be applied before, during, and/or after pollution producing activities.

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

**Carcinogenic** pollutants are substances that are known to cause cancer in living organisms.

**Daily Discharge**: Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that reasonably represents a calendar day for purposes of sampling (as specified in the permit), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

**Detected, but Not Quantified (DNQ)** are those sample results less than the RL, but greater than or equal to the laboratory's MDL.

**Estimated Chemical Concentration** is the estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

**Existing Discharger** means any discharger that is not a new discharger. An existing discharger includes an “increasing discharger” (i.e., an existing facility with treatment systems in place for its current discharge that is or will be expanding, upgrading, or modifying its existing permitted discharge after the effective date of this Policy).

**Infeasible** means not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.

**Inland Surface Waters** are all surface waters of the State that do not include the ocean, enclosed bays, or estuaries.

**Instantaneous Maximum Effluent Limitation:** the highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

**Instantaneous Minimum Effluent Limitation:** the lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

**Maximum Daily Flow** is the maximum flow sample of all samples collected in a calendar day.

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

**MEC:** Maximum Effluent Concentration.

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

**Method Detection Limit (MDL)** is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, as defined in 40 CFR 136, Appendix B, revised as of May 14, 1999.

**Monthly Averages** is the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month. For TDS and TIN determination, the monthly averages shall be flow weighted.

**Minimum Level (ML)** is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

**Not Detected (ND)** are those sample results less than the laboratory's MDL.

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

**Pollutant Minimization Program (PMP)** means waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Regional Water Board may consider cost-effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to CWC Section 13263.3(d), shall be considered to fulfill the PMP requirements. The following reporting protocols and definitions are used in determining the need to conduct a Pollution Minimization Program (PMP). Reporting protocols in the Monitoring and Reporting Program, Attachment E, Section X.B.4 describe sample results that are to be reported as Detected but Not Quantified (DNQ) or Not Detected (ND). Definitions for a Minimum Level (ML) and Method Detection Limit (MDL) are provided in Attachment A. A Reporting Level (RL) is the ML associated with an analytical method selected by the Discharger that is authorized for monitoring effluent limitations under this Order.

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

**Process Optimization** means minor changes to the existing facility and treatment plant operations that optimize the effectiveness of the existing treatment processes.

**Public Entity** includes the federal government or a state, county, city and county, city, district, public authority, or public agency.

**Reporting Level (RL)** is the ML corresponding to an approved analytical method for reporting a sample result that is selected either from Appendix 4 of the SIP by the Regional Water Board in accordance with Section 2.4.2 of the SIP or established in accordance with Section 2.4.3 of the SIP. The ML is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the ML depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the RL.

**Source of Drinking Water** is any water designated as municipal or domestic supply (MUN) in a RWQCB basin plan.

ATTACHMENT B – VICINITY MAP

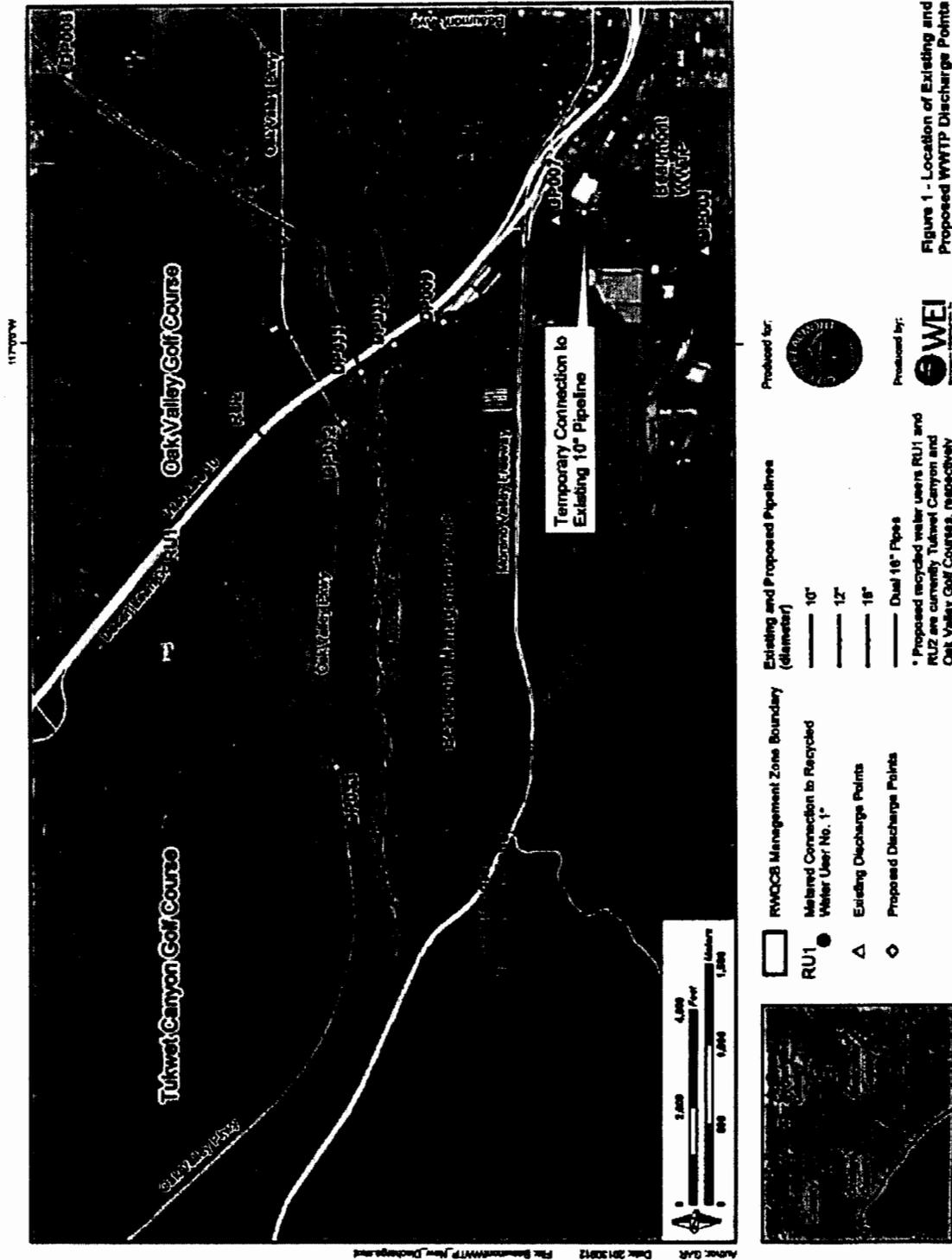


Figure 1 - Location of Existing and Proposed WWTP Discharge Points

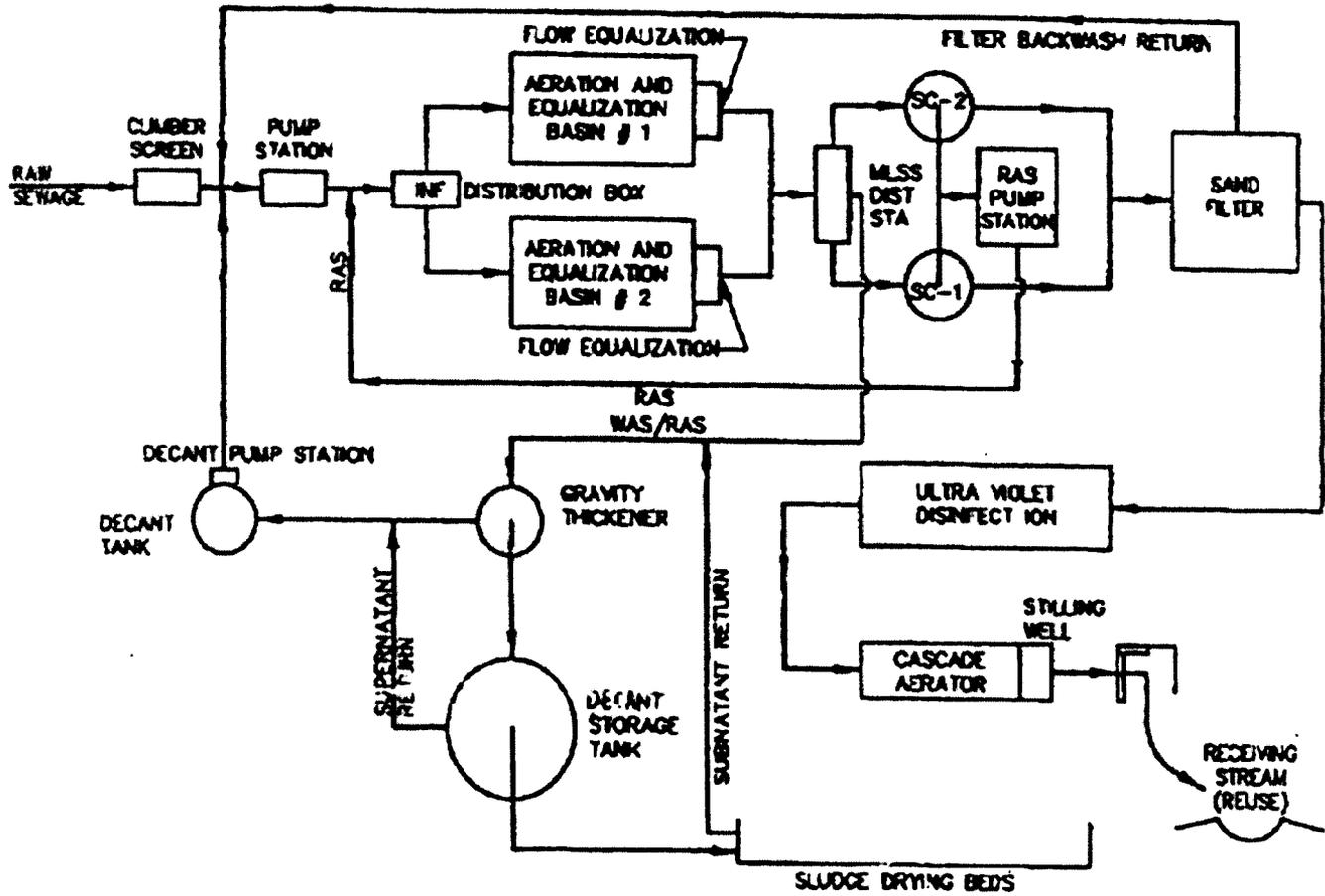
Produced for: Produced by:

Existing and Proposed Pipelines (diameters)  
 10"  
 12"  
 18"  
 Dual 18" Pipes  
 \* Proposed recycled water users RU1 and RU2 are currently Tahwat Canyon and Oak Valley Golf Courses, respectively

RWQCB Management Zone Boundary  
 Metered Connection to Recycled Water User No. 1  
 Existing Discharge Points  
 Proposed Discharge Points  
 RU1  
 RU2



ATTACHMENT C – FLOW SCHEMATIC



## **ATTACHMENT D – FEDERAL STANDARD PROVISIONS**

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

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

1. The Discharger must comply with all of the conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (CWC) and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application [40 CFR §122.41(a)].
2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement [40 CFR §122.41(a)(1)].

#### **B. Need to Halt or Reduce Activity Not a Defense**

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order [40 CFR §122.41(c)].

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

The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment [40 CFR §122.41(d)].

#### **D. Proper Operation and Maintenance**

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order [40 CFR §122.41(e)].

## E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges [40 CFR §122.41(g)].
2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of State or local law or regulations [40 CFR §122.5(c)].

## F. Inspection and Entry

The Discharger shall allow the Regional Water Quality Control Board (RWQCB), State Water Resources Control Board (SWRCB), United States Environmental Protection Agency (USEPA), 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 [40 CFR §122.41(i)] [CWC 13383(c)]:

1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order [40 CFR §122.41(i)(1)];
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order [40 CFR §122.41(i)(2)];
3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order [40 CFR §122.41(i)(3)];
4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the CWC, any substances or parameters at any location [40 CFR §122.41(i)(4)].

## G. Bypass

1. Definitions
  - a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility [40 CFR §122.41(m)(1)(i)].
  - b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production [40 CFR §122.41(m)(1)(ii)].

2. Bypass not exceeding limitations – The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3, I.G.4, and I.G.5 below [40 CFR §122.41(m)(2)].
3. Prohibition of bypass – Bypass is prohibited, and the Regional Water Board may take enforcement action against a Discharger for bypass, unless [40 CFR §122.41(m)(4)(i)]:
  - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage [40 CFR §122.41(m)(4)(A)];
  - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance [40 CFR §122.41(m)(4)(B)]; and
  - c. The Discharger submitted notice to the Regional Water Board as required under Standard Provisions – Permit Compliance I.G.5 below [40 CFR §122.41(m)(4)(C)].
4. The Regional Water Board may approve an anticipated bypass, after considering its adverse effects, if the Regional Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above [40 CFR §122.41(m)(4)(ii)].
5. Notice
  - a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a notice, if possible at least 10 days before the date of the bypass [40 CFR §122.41(m)(3)(i)].
  - b. Unanticipated bypass. The Discharger shall submit notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below (24-hour notice) [40 CFR Section 122.41(m)(3)(ii)].

## H. Upset

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation [40 CFR §122.41(n)(1)].

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance I.H.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review [40 CFR Section 122.41(n)(2)].
2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that [40 CFR §122.41(n)(3)]:
  - a. An upset occurred and that the Discharger can identify the cause(s) of the upset [40 CFR §122.41(n)(3)(i)];
  - b. The permitted facility was, at the time, being properly operated [40 CFR §122.41(n)(3)(i)];
  - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) [40 CFR Section 122.41(n)(3)(iii)]; and
  - d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above [40 CFR §122.41(n)(3)(iv)].
3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof [40 CFR §122.41(n)(4)].

## II. STANDARD PROVISIONS – PERMIT ACTION

### A. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition [40 CFR §122.41(f)].

## **B. Duty to Reapply**

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit [40 CFR §122.41(b)].

## **C. Transfers**

This Order is not transferable to any person except after notice to the Regional Water Board. The Regional Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the CWC [40 CFR §122.41(l)(3)] [40 CFR §122.61].

## **III. STANDARD PROVISIONS – MONITORING**

- A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity [40 CFR §122.41(j)(1)].
- B. 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 Order [40 CFR §122.41(j)(4)] [40 CFR §122.44(i)(1)(iv)].

## **IV. STANDARD PROVISIONS – RECORDS**

- A. Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), the Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Water Board Executive Officer at any time [40 CFR §122.41(j)(2)].

**B. Records of monitoring information shall include:**

1. The date, exact place, and time of sampling or measurements [40 CFR §122.41(j)(3)(i)];
2. The individual(s) who performed the sampling or measurements [40 CFR §122.41(j)(3)(ii)];
3. The date(s) analyses were performed [40 CFR §122.41(j)(3)(iii)];
4. The individual(s) who performed the analyses [40 CFR §122.41(j)(3)(iv)];
5. The analytical techniques or methods used [40 CFR §122.41(j)(3)(v)]; and
6. The results of such analyses [40 CFR §122.41(j)(3)(vi)].

**C. Claims of confidentiality for the following information will be denied [40 CFR §122.7(b)]:**

1. The name and address of any permit applicant or Discharger [40 CFR §122.7(b)(1)]; and
2. Permit applications and attachments, permits and effluent data [40 CFR §122.7(b)(2)].

**V. STANDARD PROVISIONS – REPORTING**

**A. Duty to Provide Information**

The Discharger shall furnish to the Regional Water Board, SWRCB, or USEPA within a reasonable time, any information which the Regional Water Board, SWRCB, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Regional Water Board, SWRCB, or USEPA copies of records required to be kept by this Order [40 CFR §122.41(h)] [CWC 13267].

**B. Signatory and Certification Requirements**

1. All applications, reports, or information submitted to the Regional Water Board, State Water Board, and/or USEPA shall be signed and certified in accordance with Standard Provisions – Reporting V.B.2, V.B.3, V.B.4, and V.B.5 below [40 CFR Section 122.41(k)].

2. All permit applications shall be signed by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of USEPA) [40 CFR Section 122.22(a)(3)].
3. All reports required by this Order and other information requested by the Regional Water Board, State Water Board, or USEPA shall be signed by a person described in Standard Provisions – Reporting V.B.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - a. The authorization is made in writing by a person described in Standard Provisions – Reporting V.B.2 above [40 CFR Section 122.22(b)(1)];
  - b. 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.) [40 CFR Section 122.22(b)(2)]; and
  - c. The written authorization is submitted to the Regional Water Board and State Water Board [40 CFR Section 122.22(b)(3)].
4. If an authorization under Standard Provisions – Reporting V.B.3 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Standard Provisions – Reporting V.B.3 above must be submitted to the Regional Water Board, State Water Board or USEPA prior to or together with any reports, information, or applications, to be signed by an authorized representative [40 CFR Section 122.22(c)].
5. Any person signing a document under Standard Provisions – Reporting V.B.2 or V.B.3 above shall make the following certification:
  -

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations” [40 CFR Section 122.22(d)].

### C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order [40 CFR §122.41(l)(4)].
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Regional Water Board or SWRCB for reporting results of monitoring of sludge use or disposal practices [40 CFR §122.41(l)(4)(i)].
3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 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, or as specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Regional Water Board [40 CFR §122.41(l)(4)(ii)].
4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order [40 CFR §122.41(l)(4)(iii)].

### D. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date [40 CFR §122.41(l)(5)].

### E. Twenty-Four Hour Reporting

1. 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 five (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 [40 CFR §122.41(l)(6)(i)].
2. The following shall be included as information that must be reported within 24 hours under this paragraph [40 CFR §122.41(l)(6)(ii)]:
  - a. Any unanticipated bypass that exceeds any effluent limitation in this Order [40 CFR §122.41(l)(6)(ii)(A)].
  - b. Any upset that exceeds any effluent limitation in this Order [40 CFR §122.41(l)(6)(ii)(B)].

3. The Regional Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours [40 CFR §122.41(l)(6)(iii)].

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

The Discharger shall give notice to the Regional Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when [40 CFR §122.41(l)(1)]:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR §122.29(b) [40 CFR §122.41(l)(1)(i)]; or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in this Order nor to notification requirements under 40 CFR Part 122.42(a)(1) (see Additional Provisions—Notification Levels VII.A.1) [40 CFR §122.41(l)(1)(ii)].
3. The alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan [40 CFR §122.41(l)(1)(iii)].

#### **G. Anticipated Noncompliance**

The Discharger shall give advance notice to the Regional Water Board or SWRCB of any planned changes in the permitted facility or activity that may result in noncompliance with General Order requirements [40 CFR §122.41(l)(2)].

#### **H. Other Noncompliance**

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting V.C, V.D, and V.E above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E above [40 CFR Section 122.41(l)(7)].

#### **I. Other Information**

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Regional Water Board, SWRCB, or USEPA, the Discharger shall promptly submit such facts or information [40 CFR §122.41(l)(8)].

## VI. STANDARD PROVISIONS – ENFORCEMENT

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

## VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

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

All POTWs shall provide adequate notice to the Regional Water Board of the following [40 CFR Section 122.42(b)]:

1. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to Sections 301 or 306 of the CWA if it were directly discharging those pollutants [40 CFR Section 122.42(b)(1)]; and
2. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of the Order [40 CFR Section 122.42(b)(2)].
3. Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW [40 CFR Section 122.42(b)(3)].

## Attachment E – Monitoring and Reporting Program

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## Attachment E – Monitoring and Reporting Program

California Water Code sections 13267 and 13383 authorize the Regional Water Board to require technical and monitoring reports. The Code of Federal Regulations (CFR) at 40 CFR 122.48 requires that all NPDES permits specify monitoring and reporting requirements. This Monitoring and Reporting Program establishes monitoring and reporting requirements that implement the state and federal regulations.

### I. GENERAL MONITORING PROVISIONS

1. All sampling and sample preservation shall be in accordance with the current edition of "*Standard Methods for the Examination of Water and Wastewater*" (American Public Health Association).
2. All laboratory analyses shall be performed in accordance with test procedures under 40 CFR 136 "Guidelines Establishing Test Procedures for the Analysis of Pollutants," promulgated by the United States Environmental Protection Agency (USEPA), unless otherwise specified in this MRP. In addition, the Regional Water Board and/or USEPA, at their discretion, may specify test methods that are more sensitive than those specified in 40 CFR 136. (See also I.7., below)
3. Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the California State Water Resources Control Board, Division of Drinking Water in accordance with Water Code Section 13176, and must include quality assurance/quality control data with the reports, or at laboratories approved by the Regional Water Board's Executive Officer or the USEPA.
4. Whenever the Discharger monitors any pollutant more frequently than is required by this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the discharge monitoring report specified by the Executive Officer.
5. In conformance with federal regulations 40 CFR 122.45(c), analyses to determine compliance with the effluent limitations for metals shall be conducted using the total recoverable method. For Chromium (VI), the dissolved method in conformance with 40 CFR 136 may be used to measure compliance with the Chromium (VI) limitation.

6. The Discharger shall require its laboratory to participate in the annual DMR-QA Study Program. There are two options to satisfy the requirements of the DMR-QA Study Program: (1) The Discharger can require its laboratory to obtain and analyze a DMR-QA sample as part of the DMR-QA Study; or (2) Per the waiver issued by U.S. EPA to the State Water Board, the Discharger can submit the results of the most recent Water Pollution Performance Evaluation Study from its laboratory. The Discharger shall ensure that the results of the DMR-QA Study or the results of the most recent Water Pollution Performance Evaluation Study are submitted annually to the State Water Board.
7. For effluent monitoring:
  - a. The Discharger shall require its testing laboratory to calibrate the analytical system down to the minimum level (ML)<sup>1</sup> specified in Attachment "H" for priority pollutants, unless an alternative minimum level is approved by the Regional Water Board's Executive Officer. When there is more than one ML value for a given substance, the discharger shall use the ML values, and their associated analytical methods listed in Attachment "H" that are below the effluent limitation. For analysis of priority pollutants without effluent limitations, the Discharger shall use an ML value that is below the trigger values listed in Attachment "I". If no ML value is below the effluent limitation, or the trigger value listed in Attachment "I", then the lowest ML and associated analytical method shall be used. Any internal quality control data associated with the sample must be reported when requested by the Executive Officer. The Regional Water Board will reject the quantified laboratory data if quality control data is unavailable or unacceptable.
  - b. The discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:
    - 1) Sample results greater than or equal to the reported ML shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).
    - 2) Sample results less than the reported ML, but greater than or equal to the laboratory's current Method Detection Limit (MDL)<sup>2</sup>, shall be reported as "Detected, but Not Quantified," or "DNQ." The estimated chemical concentration of the sample shall also be reported.

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<sup>1</sup> Minimum level is the concentration at which the entire analytical system must give a recognizable signal and acceptable point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

<sup>2</sup> MDL is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analytical concentration is greater than zero, as defined in 40 CFR 136, Appendix B.

- 3) Sample results not detected above the laboratory's MDL shall be reported as "not detected" or "ND."
  - c. The Discharger shall submit to the Regional Water Board reports necessary to determine compliance with effluent limitations in this Order and shall follow the chemical nomenclature and sequential order of priority pollutant constituents shown in Attachment "G" – Priority Pollutant Lists. The Discharger shall report with each sample result:
    - 1) The minimum level achieved by the testing laboratory; and
    - 2) The laboratory's current MDL, as determined by the procedure found in 40 CFR 136.
  - d. For receiving water monitoring and for those priority pollutants without effluent limitations, the Discharger shall require its testing laboratory to quantify constituent concentrations to the lowest achievable MDL as determined by the procedure found in 40 CFR 136. In situations where the most stringent applicable receiving water objective (freshwater or human health (consumption of organisms only), as specified for that pollutant in 40 CFR 131.38<sup>3</sup> is below the minimum level value specified in Attachment "G" and the Discharger cannot achieve an MDL value for that pollutant below the ML value, the Discharger shall submit justification why a lower MDL value cannot be achieved. Justification shall be submitted together with monthly monitoring reports.
8. For non-priority pollutants monitoring, all analytical data shall be reported with identification of practical quantitation levels and with method detection limits, as determined by the procedure found in 40 CFR 136.
  9. For every item of monitoring data where the requirements are not met, the monitoring report shall include a statement discussing the reasons for noncompliance, the actions undertaken or proposed that will bring the discharge into full compliance with requirements at the earliest time, and an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Regional Water Board by letter when compliance with the time schedule has been achieved.

10. The Discharger shall assure that records of all monitoring information are maintained and accessible for a period of at least five years (this retention period supersedes the retention period specified in Section IV.A. of Attachment D from the date of the sample, report, or application. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge or by the request of the Regional Water Board at any time. Records of monitoring information shall include:
  - a. The information listed in Attachment D- IV Standard Provisions – Records, subparagraph B. of this Order;
  - b. The laboratory which performed the analyses;
  - c. The date(s) analyses were performed;
  - d. The individual(s) who performed the analyses;
  - e. The modification(s) to analytical techniques or methods used;
  - f. All sampling and analytical results, including
    - 1) Units of measurement used;
    - 2) Minimum reporting level for the analysis (minimum level, practical quantitation level (PQL));
    - 3) Results less than the reporting level but above the method detection limit (MDL);
    - 4) Data qualifiers and a description of the qualifiers;
    - 5) Quality control test results (and a written copy of the laboratory quality assurance plan);
    - 6) Dilution factors, if used; and
    - 7) Sample matrix type.
  - g. All monitoring equipment calibration and maintenance records;
  - h. All original strip charts from continuous monitoring devices;
  - i. All data used to complete the application for this Order; Copies of all reports required by this Order, and
  - j. Electronic data and information generated by the Supervisory Control and Data Acquisition (SCADA) System.
  
11. The flow measurement system shall be calibrated at least once per year or more frequently, to ensure continued accuracy.
  
12. 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. In the event that continuous monitoring equipment is out of service for greater than a 24-hour period, the Discharger shall obtain a representative grab sample each day the equipment is out of service. The Discharger shall correct the cause(s) of failure of the continuous monitoring equipment as soon as practicable. In its monitoring report, the Discharger shall specify the period(s) during which the equipment was out of service and if the problem has not been corrected, shall identify the steps which the Discharger is taking or proposes to take to bring the equipment back into service and the schedule for these actions.

13. Monitoring and reporting shall be in accordance with the following:

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- b. The monitoring and reporting of influent, effluent, and sludge shall be done more frequently as necessary to maintain compliance with this Order and/or as specified in this Order.
- c. A "grab" sample is defined as any individual sample collected in less than 15 minutes.
- d. A composite sample is defined as a combination of no fewer than eight individual grab samples obtained over the specified sampling period. The volume of each individual grab sample shall be proportional to the discharge flow rate at the time of sampling. The compositing period shall equal the specific sampling period, or 24 hours, if no period is specified.
- e. Daily samples shall be collected on each day of the week.
- f. Monthly samples shall be collected on any representative day of each month.
- g. Quarterly samples: A representative grab sample shall be taken on any representative day of January, April, July, and October and test results shall be reported in micrograms/liter (ug/L) by the last day of the month following the month that the sample was taken.
- h. Semi-annual samples shall be collected in January and July.
- i. Annual samples shall be collected in accordance with the following schedule:

**Table 1. Annual Sampling Schedule**

<b>Year</b>	<b>Annual Samples</b>
2015	October
2016	January
2017	April
2018	October
2019	January

## II. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order:

**Table 2. Monitoring Station Locations**

Discharge Point Name	Monitoring Location Name	Monitoring Location Description	Latitude	Longitude
(Influent)	M-INF	Grit Chamber		
DP-001	M-001	Discharge to Coopers Creek	33° 55' 24" N	116° 59' 34" W
DP-007, R-001, R-002, and R-003	REC-001	Outfall to Recycled Water Distribution System	33° 55' 24" N	116° 59' 34" W
S-003	SM-003	V-Shaped Concrete Channel	33° 55' 25" N	116° 59' 31" W
S-004	SM-004	V-Shaped Concrete Channel	33° 55' 24" N	116° 59' 38" W
S-005	SM-005	V-Shaped Concrete Channel	33° 55' 23" N	116° 59' 42" W
S-006	SM-006	V-Shaped Concrete Channel	33° 55' 25" N	116° 59' 24" W

## III. INFLUENT MONITORING REQUIREMENTS

1. A sampling station shall be established for the point of inflow to the treatment plant. The sampling station shall be located upstream of any in-plant return flows and where representative samples of the influent to the treatment plant can be obtained.
2. The Discharger shall monitor the influent to the facility at Monitoring Location M-INF as follows:

**Table 3. Influent Monitoring Requirements**

Constituent	Units	Type of Sample	Minimum Frequency of Sampling & Analysis (See I.13., above)	Required Analytical Test Method
Flow	MGD	Recorder/Totalizer	Continuous	---
Specific Conductance	µmhos/cm	Recorder	"	See Section I.2, above
pH	pH units	"	"	"
BOD <sub>5</sub>	mg/L	Composite	Daily	"
Total Suspended Solids	"	"	"	"

#### IV. EFFLUENT MONITORING REQUIREMENTS

1. The Discharger shall monitor the wastewater discharged from Discharge Point 001 at Monitoring Location M-001 as follows:

**Table 4. Effluent Monitoring at M-001**

Constituent	Units	Type of Sample	Minimum Frequency of Sampling & Analysis (See Section I.13., above)	Required Analytical Test Method
Flow	MGD	Recorder/ Totalizer	Continuous	---
Specific Conductance	µmhos/cm	Recorder	"	See Section I.2, above
pH	pH units	"	"	"
Turbidity <sup>4</sup>	NTU	"	"	"
BOD <sub>5</sub>	mg/L	Composite	Daily	"
Total Suspended Solids	"	"	"	"
Coliform Organisms	MPN per 100 mL	Grab	"	"
Ammonia-Nitrogen	"	Composite	Monthly	"
Total Dissolved Solids	"	"	"	"
Total Hardness	"	"	"	"
Total Inorganic Nitrogen	"	"	"	"
Toxicity	TUc	"	"	See Section V., below
Volatile organic portion of EPA Priority Pollutants (See Attachment "G") <sup>5</sup>	"	Grab	Annually (See Sections I.13.j., above, and IV.2., below)	See Sections I.2. and I.7., above
Remaining EPA Priority Pollutants (See Attachment "G")	"	Composite	"	"

2. The monitoring frequency for those priority pollutants that are detected during the required annual monitoring at a concentration greater than the concentration specified for that pollutant<sup>5</sup> in Attachment I shall be accelerated to quarterly. To return to the monitoring frequency specified, the Discharger shall request and receive approval from the Regional Water Board's Executive Officer or designee.

<sup>4</sup> Turbidity analysis shall be continuous, performed by a continuous recording turbidimeter. Compliance with the daily average operating filter effluent turbidity shall be determined by averaging the levels of recorded turbidity taken at a minimum of four-hour intervals over a 24-hour period. The results of the daily average turbidity determinations shall be reported monthly.

<sup>5</sup> For those priority pollutants without specified criteria values, accelerated monitoring is not required.

## V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

1. The Discharger shall conduct critical life stage chronic toxicity testing in accordance with Method 1002.0 - Survival and Reproduction test for water flea, *Ceriodaphnia dubia* as specified in "Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms", Fourth Edition, Environmental Monitoring Systems Laboratory, U.S. Environmental Protection Agency 2002, Cincinnati, Ohio (October 2002, EPA-821-R-02-013).
2. The Discharger shall establish procedures to ensure that the toxicity testing laboratory notifies the discharger of the results of toxicity testing within twenty-four hours of completing such tests.
3. The Discharger shall increase the frequency of chronic toxicity testing to every two weeks whenever any test result exceeds 1.0 TUc. The first test under the accelerated schedule shall be conducted within two weeks of receiving notice of the test which exceeds 1.0 TUc, and every two weeks thereafter. The discharger may resume the regular test schedule when two consecutive chronic toxicity tests result in 1.0 TUc, or when the results of the Initial Investigation Reduction Evaluation conducted by the discharger have adequately addressed the identified toxicity problem.
4. Results for both survival and reproduction endpoints shall be reported in TUc, where  $TUc = 100/NOEC$  or  $100/ICp$  or  $ECp$  (p is the percent effluent). The no observed effect concentration (NOEC) is the highest concentration of the discharge to which organisms are exposed in a chronic test, that causes no observable adverse effect on the test organisms (e.g., the highest concentration of toxicant to which the values for the observed responses are not statistically significant different from the controls). The inhibition concentration (IC) is a point estimate of the toxicant concentration that causes a given percent reduction in a non-quantal biological measurement (e.g., reproduction or growth) calculated from a continuous model (the EPA Interpolation Method). The effective concentration (EC) is a point estimate of the toxicant concentration that would cause a given percent reduction in quantal biological measurement (e.g., larval development, survival) calculated from a continuous model (e.g., probit).
5. Additional Testing Requirements
  - a. A series of at least five dilutions and a control will be tested. The series shall be within 60% to 100% effluent concentration.
  - b. If organisms are not cultured in-house, concurrent testing with reference toxicants shall be conducted. Where organisms are cultured in-house, monthly reference toxicant testing is sufficient. Reference toxicants shall also be conducted using the same test conditions as the effluent toxicity test (e.g., same test duration, etc.).

- c. If either of the reference toxicant test or the effluent tests do not meet all test acceptability criteria as specified in the manual<sup>6</sup>, then the discharger must re-sample and re-test within 14 days or as soon as the discharger receives notification of failed tests.
  - d. Control and dilution water should be receiving water or lab water, as appropriate, as described in the manual. If the dilution water used is different from the culture water, a second control, using culture water shall also be used.
6. Quality Assurance/Control:
- a. A quality assurance/quality control (QA/QC) program shall be instituted to verify the results of the effluent toxicity monitoring program. The QA/QC program shall include but shall not be limited to the following: (1) Selection of an independent testing laboratory; (2) Approval by the Regional Water Board's Executive Officer or Executive Officer's designee of the independent testing laboratory; (3) Once during the year, the Discharger shall split samples with the independent laboratory for conducting chronic toxicity testing; (4) Results from the independent laboratory shall be submitted to the Regional Water Board and the Discharger for evaluation; (5) The discharger shall review the test acceptability criteria in accordance with the EPA test protocols, EPA/600/4-91/002.
  - b. Results from the independent laboratory of the annual QA/QC split samples are to be used for Quality Assurance/Quality Control (QA/QC) purposes only and not for purposes of determining compliance with other requirements of this Order.
7. The use of alternative methods for measuring chronic toxicity may be considered by the Executive Officer on a case-by-case basis. The use of a different test species, in lieu of conducting the required test species may be considered/approved by the Regional Water Board Executive Officer on a case-by case basis upon submittal of the documentation supporting the Discharger's determination that a different species is more sensitive and appropriate.
8. Reporting: Results of all toxicity testing shall be submitted by the first day of the second month following sampling. The report shall include a determination of the median value of all chronic toxicity testing results conducted during the two previous months.
9. Whenever an Initial Investigation Reduction Evaluation is conducted, the results of the evaluation shall be submitted upon completion. In addition, monthly status reports shall be submitted as part of the Discharger's monitoring report for the previous month.

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<sup>6</sup> Refers to USEPA Manual "Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms. 4th Edition. October 2002, EPA-821-R-02-013."

**VI. LAND DISCHARGE MONITORING REQUIREMENTS - NOT APPLICABLE**

**VII. RECYCLED WATER MONITORING REQUIREMENTS**

**A. Monitoring for Discharge Point DP-007, R-001, R-002, and R-003**

The Discharger shall monitor recycled water at REC-001 only when there is no effluent flow from DP-001. If monitoring is conducted at M-001 at the same time, then only the flow rate shall be measured at REC-001.

**Table 8. Reclamation Monitoring at REC-001**

Parameter	Units	Sample Type	Minimum Sampling & Testing Frequency (See Section I.13., above)	Required Analytical Test Method
Flow	mgd	Recorder/Totalizer	Continuous	---
pH	pH units	Recorder	"	See Section I.2, above
Turbidity	NTU	"	"	"
BOD <sub>5</sub>	mg/L	Composite	Weekly	"
Total Suspended Solids	"	"	"	"
Coliform Organisms	MPN per 100 mL	Grab	Daily	"
Total Inorganic Nitrogen	"	"	Monthly	"
TDS	"	"	"	"

**B. Monitoring Reclaimed Water Users**

Whenever recycled water is supplied to a user, the user's name, the dates and volumes of recycled water use, the location(s) of use ( including the name of the groundwater management zone underlying the recycled water use site), and the type of use (e.g. irrigation, industrial, etc.) shall be recorded on a permanent log. A copy of this log shall be submitted on a quarterly basis with the monthly reports due in February, May, August, and November.

## VIII. OTHER MONITORING REQUIREMENTS

### A. Biosolids Monitoring

1. The Discharger shall monitor for the pollutants included in Table 1 of 40 CFR Section 503.13 at the frequencies specified in 40 CFR 503.16. The Discharger must also demonstrate pollutant (40 CFR 503.13), pathogen and vector attraction reductions (40 CFR 503.15) that are specified for land application.
2. The Discharger shall maintain a permanent log of solids hauled away from the treatment facilities for use/disposal elsewhere, including the date hauled, the volume or weight (in dry tons), type (screening, grit, raw sludge, biosolids), application (agricultural, composting, etc.), and destination. This information shall be reported quarterly.

### B. Storm Water Monitoring and Reporting

For storm water discharges, the Discharger shall comply with the monitoring and reporting requirements as outlined in Attachment "I" and other requirements specified in State Water Board's Order No. 2014-0057-DWQ.

### C. "Maximum Benefit" Monitoring

Pursuant to Resolution No. R8-2014-0005 and in cooperation with the other "maximum benefit" partners<sup>7</sup>, the City of Beaumont was required to submit and implement a surface water monitoring program and a groundwater monitoring program for San Timoteo Creek and for the San Timoteo GMZ and Beaumont GMZ. On December 22, 2014, the City and the other "Maximum Benefit" Partners submitted a final proposed Monitoring Plan. The Regional Board Executive Officer approved the December 22, 2014 submittal on January 6, 2015. The Discharger shall implement the approved monitoring plan. Annual Reporting of this monitoring program shall be submitted by April 15<sup>th</sup> of each year.

## IX. REPORTING REQUIREMENTS

### A. General Monitoring and Reporting Requirements

1. The Discharger shall comply with all Federal Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.
2. Discharge monitoring data shall be submitted in a format acceptable by the Regional Water Board. Specific reporting format may include preprinted forms and/or electronic media. The results of all monitoring required by this Order shall

<sup>7</sup> For the San Timoteo GMZ, Yucaipa Valley Water District is the additional "maximum benefit" partner. For the Beaumont GMZ, Beaumont Cherry Valley Water District, San Gorgonio Pass Agency, the City of Banning and the Yucaipa Valley Water District are all "maximum benefit" partners.

be reported to the Regional Water Board, and shall be submitted in such a format as to allow direct comparison with the limitations and requirements of this Order.

3. The Discharger shall submit to the Regional Water Board reports necessary to determine compliance with effluent limitations in this Order and shall follow the chemical nomenclature and sequential order of priority pollutant constituents shown in Attachment G – Priority Pollutant Lists. The Discharger shall report with each sample result:
  - a. The minimum level achieved by the testing laboratory; and
  - b. The laboratory's current MDL, as determined by the procedure found in 40 CFR 136.
  - c. For those priority pollutants without effluent limitations, the Discharger shall require its testing laboratory to quantify constituent concentrations to the lowest achievable MDL as determined by the procedure found in 40 CFR 136. In situations where the trigger value listed in Attachment I is below the minimum level value specified in Attachment H and the Discharger cannot achieve an MDL value for that pollutant below or equal to the ML value, the Discharger shall submit justification why a lower MDL value cannot be achieved. Justification shall be submitted together with monthly monitoring reports.
4. For every item of monitoring data where the requirements are not met, the monitoring report shall include a statement discussing the reasons for noncompliance, and of the actions undertaken or proposed that will bring the discharge into full compliance with requirements at the earliest time, and an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Regional Water Board by letter when compliance with the time schedule has been achieved.
5. The reports for June and December shall include a roster of plant personnel, including job titles, duties, and level of State certification for each individual.
6. The Discharger shall report monitoring results for specific parameters in accordance with the following table:

**Table 9. Reporting Requirements**

Parameter	Measurement
Flow	Daily Total
pH	Daily High and Daily low
Total Residual Chlorine	Daily Maximum
Electrical Conductivity	Daily Maximum
Turbidity	Daily Maximum

7. The Discharger shall file a written report with the Regional Water Board within ninety (90) days after the average dry-weather wastewater flow for any month equals or exceeds 75 percent of the design capacity of the waste treatment and/or disposal facilities. 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 month, the date on which the instantaneous peak flow occurred, the rate of that peak flow, and the total flow for the day.
  - b. The Discharger's best estimate of when the average daily dry-weather flow rate will equal or exceed the design capacity of the treatment 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 before the waste flow rate equals the capacity of present units.

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

1. The Discharger shall submit Self-Monitoring Reports (SMRs) electronically using the State Water Board's California Integrated Water Quality System (CIWQS) Program Web site (<http://www.waterboards.ca.gov/ciwqs/index.html>). The CIWQS Web site will provide additional directions for SMR submittal in the event there will be service interruption for electronic submittal.
2. The Discharger shall report in the SMR the results for all monitoring specified in this Monitoring and Reporting Program. Additionally, the Discharger shall report in the SMR the results of any special studies, acute and chronic toxicity testing, TRE/TIE, PMP, and Pollution Prevention Plan required by Special Provisions – VI.C. of this Order. The Discharger shall submit monthly, quarterly, and annual SMRs including the results of all required monitoring using USEPA-approved test methods or other test methods specified in this Order. If the Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR.

3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

**Table 10. Monitoring and Reporting Schedule**

Monitoring Frequency	Monitoring Period Begins On	Monitoring Period	SMR Due Date <sup>8</sup>
Continuous	The effective date of this Order	All	Submit with monthly SMR
Daily	The effective date of this Order	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	Submit with monthly SMR
Weekly	The effective date of this Order	Sunday through Saturday	Submit with monthly SMR
Monthly	First day of calendar month following permit effective date or on permit date if that date is first day of the month	1 <sup>st</sup> day of calendar month through last day of calendar month	First day of the second month following the monitoring period, submit as monthly SMR
Quarterly	Closest of January 1, April 1, July 1, or October 1 following permit effective date	January 1 through March 31, samples are collected in January; April 1 through June 30; samples are collected in April; July 1 through September 30; samples are collected in July; October 1 through December 31; samples are collected in October	First day of the second month following the monitoring period, submit with monthly SMR
Semiannually	Closest of January 1 or July 1 following permit effective date	January 1 through June 30 July 1 through December 31	First day of the second month following the monitoring period, submit with monthly SMR
Annually	The effective day of this Order	1 <sup>st</sup> day of calendar month through last day of calendar month (See Section I.13.j, above)	First day of the second month following the monitoring period, submit with monthly SMR
"Maximum Benefit" Monitoring Annual Report	December 22, 2014	January 1 through December 31	April 15 <sup>th</sup> of each year

4. Reporting Protocols. The Discharger shall report with each sample result the applicable Minimum Level (ML) and the current Method Detection Limit (MDL), as determined by the procedure in 40 CFR Part 136.

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

- a. Sample results greater than or equal to the ML shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).

<sup>8</sup> Should the due date fall on a weekend or holiday, the due date shall be extended to the next work day.

- b. Sample results less than the ML, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration<sup>9</sup> of the sample shall also be reported.

For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ as well as the words "Estimated Concentration" (may be shortened to "Est. Conc."). The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (+ a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

- c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.
  - d. Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from *extrapolation* beyond the lowest point of the calibration curve.
5. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the WDRs; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.

### C. Discharge Monitoring Reports (DMRs)

The Discharger to electronically submit USEPA Discharge Monitoring Reports (DMRs) using the CIWQS Program.

### D. Other Reports

The Discharger shall report the results of any special studies, acute and chronic toxicity testing, TRE/TIE, PMP, and Pollution Prevention Plan required by Special Provisions – VI.C. of this Order. The Discharger shall submit reports with the first monthly SMR scheduled to be submitted on or immediately following the report due date in compliance with SMR reporting requirements described in subsection X.B.3 above.

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<sup>9</sup> See definition in Attachment A

## ATTACHMENT F: FACT SHEET

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## ATTACHMENT F: FACT SHEET

As described in Section II of this Order, this Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

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

### I. DISCHARGER/FACILITY INFORMATION

The following table summarizes administrative information related to the Facility.

**Table 1. Discharger/Facility Information**

<b>WDID</b>	8 330101001
<b>Discharger</b>	City of Beaumont
<b>Discharger Legally Responsible Officer</b>	Elizabeth Gibbs-Urtiaga, City Manager
<b>Mailing Address</b>	550 E 6th Street, Beaumont, CA 92223
<b>Name of Facility</b>	Beaumont Wastewater Treatment Plant
<b>Facility Address</b>	715 W. 4th Street, Beaumont, CA
<b>Facility Contact</b>	Kim Dunbar, Chief Operator (951) 892-3295
<b>Billing Address</b>	Same as Mailing Address
<b>Type of Facility</b>	POTW/Water Reclamation Facility
<b>Major or Minor Facility</b>	Major
<b>Threat to Water Quality</b>	1
<b>Complexity</b>	A
<b>Pretreatment Program</b>	N
<b>Recycled Water Requirements</b>	Producer
<b>Facility Design Flow</b>	4 million gallons per day (mgd)
<b>Permitted Flow</b>	4 mgd
<b>Watershed</b>	Upper Santa Ana River Watershed
<b>Receiving Water</b>	Cooper’s Creek, Marshal Creek, Noble Creek, San Timoteo Creek, Beaumont Groundwater Management Zone, San Timoteo Groundwater Management Zone.
<b>Receiving Water Types</b>	Streams, Groundwater Management Zones

The City of Beaumont (hereinafter Discharger) owns the Beaumont Wastewater Treatment Plant (hereinafter Facility), a tertiary treatment facility. Utilities Partners LLC, a private contractor, currently operates the Facility for the City. The facility receives and treats domestic and commercial/industrial wastewater generated within the City of Beaumont and Highland Springs (portions of the unincorporated area of Cherry Valley).

## II. FACILITY DESCRIPTION

### A. Wastewater and Biosolids Treatment or Controls

The wastewater treatment system consists of bar screens, activated sludge extended aeration, equalization, clarification, dual media sand filtration, UV disinfection and sludge thickening/drying. The Facility produces tertiary treated water that complies with requirements established in Title 22 of the California Code of Regulations for unrestricted non-potable water reuse. The Discharger proposes to add a reverse osmosis treatment system to meet the TDS and TIN requirements of this Order.

The Facility utilizes sludge thickeners and a centrifuge to dewater biosolids.

Stormwater runoff from the facility is discharged to Cooper's Creek through four separate outfalls.

Attachment B shows the location of the Facility and discharge points.

Attachment C is a flow schematic of the treatment system.

### B. Discharge Points and Receiving Waters

- Tertiary treated wastewater is currently discharged to Cooper's Creek, a tributary of Marshall Creek, and to Nobel Creek through the discharge points listed in Table 2, below. These creeks are tributaries of San Timoteo Creek. The Discharger is in the process of constructing a pipeline to deliver recycled water to two golf courses. The points of delivery of the recycled water are identified as R-001 and R-002. In addition, the Discharger may deliver recycled water to the Beaumont-Cherry Valley Water District (BCVWD) for delivery of recycled water to various users for irrigation. The Discharger may also use recycled water for groundwater recharge in the future. Although this Order addresses the use of recycled water for landscape irrigation, such as at R-001, R-002, and R-003, it will need to be reopened, or the Regional Water Board will need to issue a separate Order, to consider the use of recycled water for groundwater recharge.

Although the discharge point to Cooper's Creek overlies the Beaumont Groundwater Management Zone (GMZ), studies have shown that very little wastewater actually recharges that GMZ and that the discharge actually recharges the San Timoteo GMZ. Wastewater discharges to Discharge Point 007, as well as recycled water used at the golf courses and within the BCVWD recycled water service area will recharge the Beaumont GMZ.

**Table 2. Discharge Locations and Recycled Water Use Areas**

Discharge Point	Effluent Description	Discharge Point (Latitude)	Discharge Point (Longitude)	Receiving Water
001	Tertiary treated and disinfected wastewater	33° 55' 24" N	116° 59' 34" W	Cooper's Creek, San Timoteo Groundwater Management Zone (STGMZ)
007	Tertiary treated and disinfected wastewater	33° 55' 53" N	116° 59' 14" W	An unnamed tributary of Marshall Creek, Beaumont Groundwater Management Zone (BGMZ)
R-001	Tertiary treated and disinfected recycled water delivered to Tukwet Canyon Golf Course			BGMZ, STGMZ
R-002	Tertiary treated and disinfected recycled water delivered to Oak Valley Golf Course			BGMZ
R-003	Tertiary treated and disinfected recycled water delivered to Beaumont-Cherry Valley Water District			BGMZ
S-003	Stormwater	33° 55' 25" N	116° 59' 31" W	Cooper's Creek
S-004	Stormwater	33° 55' 24" N	116° 59' 38" W	Cooper's Creek
S-005	Stormwater	33° 55' 23" N	116° 59' 42" W	Cooper's Creek
S-006	Stormwater	33° 55' 25" N	116° 59' 24" W	Cooper's Creek

**C. Summary of Existing Requirements**

Wastewater discharges from the Facility are currently regulated by Order No. R8-2006-0003, NPDES No CA105376, as amended by Order No. R8-2009-0002. The Discharger is required to meet tertiary treatment standards for discharges to surface waters and for the production of recycled water.

The Order required the Discharger to implement maximum benefit commitments regarding the Beaumont and San Timoteo Groundwater Management Zones that were specified in the Basin Plan at the time of the adoption of the Order. The Order also

contained effluent and recycled water limits for total dissolved solids (TDS) and total inorganic nitrogen (TIN) based on “Maximum Benefit” objectives for those groundwater management zones and commitments made by the Discharger.<sup>1</sup>

#### **D. Compliance Summary**

The Discharger has been in general compliance with all of the effluent limitations of the Order, with the exception of some sporadic violations of turbidity, pH, and coliform.

#### **E. Planned Changes**

As discussed below, the Discharger has committed to constructing and operating a reverse osmosis treatment system to reduce the TDS and TIN concentrations of the discharge in order to comply with the new, more restrictive, effluent limits. The Discharger is also considering a future expansion of the Facility to treat up to 8 mgd of wastewater. The Discharger will need to submit a new report of waste discharge for this expansion before the Regional Water Board can consider revising these waste discharge requirements to address the increased wastewater flow.

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

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

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

This Order serves as Waste Discharge Requirements pursuant to Article 4, Chapter 4 of California Water Code (CWC) commencing with Section 13260 and serves as a Master Reclamation permit pursuant to Article 4, Chapter 7 CWC commencing with Section 13523.1. This Order shall also serve as an NPDES permit pursuant to Section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (USEPA) and Chapter 5.5, Division 7 of the CWC for point source discharges from this facility to surface waters.

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

Under Water Code Section 13389, this action to adopt waste discharge requirements that serve as an NPDES permit is exempt from the provisions of CEQA, Public Resources Code section 21000 et seq. (County of Los Angeles v. California State Water Resources Control Board (2006) 143 Cal.App.4th 985, mod. (Nov. 6, 2006, B184034) 50 Cal.Rptr.3d 619, 632-636.).

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<sup>1</sup> The Basin Plan has since been revised and the management plan for the Beaumont and San Timoteo Groundwater Management Zones has been modified.

**C. State Regulations, Policies, and Plans**

**1. Water Quality Control Plan**

The Regional Water Board adopted an updated Water Quality Control Plan for the Santa Ana Basin (hereinafter Basin Plan) that became effective on January 24, 1995. The Basin Plan designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the Plan. In addition, State Water Resources Control Board (State Water Board) Resolution No. 88-63 (Sources of Drinking Water Policy) requires that, with certain exceptions, the Regional Water Board assign the municipal and domestic water supply use to all water bodies. Based on the exception criteria specified in Resolution No. 88-63, the Regional Water Board excepted San Timoteo Creek and downstream reaches of the Santa Ana River from the municipal and domestic supply beneficial use.

On January 22, 2004, the Regional Water Board adopted Resolution No. R8-2004-0001, amending the Basin Plan to incorporate revised boundaries for groundwater subbasins, now termed “management zones”, new nitrate-nitrogen and TDS objectives for the new management zones, and new nitrogen and TDS management strategies applicable to both surface and ground waters. The State Water Board and Office of Administrative Law (OAL) approved the N/TDS Amendment on September 30, 2004 and December 23, 2004, respectively. Accordingly, these waste discharge requirements implement relevant, groundwater-related components of the N/TDS Amendment. Specifically, the total dissolved solids (TDS) and total inorganic nitrogen (TIN) limitations established in this Order are based on the Basin Plan.

As previously discussed, the Beaumont Wastewater Treatment Plant discharges wastewater to tributaries of San Timoteo Creek. The discharges also overlie the Beaumont and San Timoteo Groundwater Management Zones. The designated beneficial uses of receiving waters affected by the discharge are as follows:

**Table 3. Beneficial Uses**

Receiving Water Name	Beneficial Uses
San Timoteo Creek	Agriculture Supply, groundwater recharge, body contact and non-body contact recreation, warm water aquatic habitat, and wildlife habitat. Excepted from municipal and domestic supply.
Beaumont and San Timoteo Groundwater Management Zones	Municipal Supply, agricultural supply, industrial service supply, and industrial process supply

Requirements of this Order implement the Basin Plan.

On April 25, 2014, the Regional Board adopted Resolution No. R8-2014-0005, "Resolution Amending the Water Quality Control Plan for the Santa Ana River Basin to Incorporate Updates to the Salt Management Plan for the Santa Ana Region". Resolution No. R8-2014-0005 included updates to the Salt Management Plan – "Maximum Benefit" programs for the San Timoteo Watershed including the Beaumont GMZ and the San Timoteo GMZ. To continue salt regulations under the "maximum benefit" TDS and nitrate-nitrogen objectives for the San Timoteo GMZ and the Beaumont GMZ, Resolution No. R8-2014-0005 requires the City of Beaumont and the other "maximum benefit" partners<sup>2</sup> to continue to implement surface and ground water monitoring programs, to implement a non-potable water supply system and to implement a recycled water recharge program. In addition, by January 31, 2015, the City was required to submit a plan and a schedule for construction of desalter(s) and brine disposal facilities. The City submitted the Desalter Plan on January 28, 2015 which the Regional Board Executive Officer approved on March 26, 2015. The City is required to implement this approved Plan and Schedule for building a desalter and complete construction by March 2020.

By October 29, 2015, the City along with other "maximum benefit" partners is also required by Resolution No. R8-2014-0005 to develop a Salt Mitigation Plan to mitigate excess salt loading above the antidegradation water quality objectives should the Regional Board make a finding that the lowering of water quality associated with the "maximum benefit" TDS and nitrate-nitrogen water quality objectives that are higher than historical water quality (the "antidegradation" objectives) is not of maximum benefit to the people of the state.

## **2. National Toxics Rule (NTR) and California Toxics Rule (CTR)**

USEPA adopted the NTR on December 22, 1992, and later amended it on May 4, 1995 and November 9, 1999. About forty criteria in the NTR applied in California. On May 18, 2000, USEPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on February 13, 2001. These rules contain water quality criteria for priority pollutants.

## **3. State Implementation Policy**

On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP became effective on April 28, 2000 with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by

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<sup>2</sup> For the San Timoteo GMZ, Yucaipa Valley Water District is the additional "maximum benefit" partner. For the Beaumont GMZ, Beaumont Cherry Valley Water District, San Gorgonio Pass Agency, the City of Banning and the Yucaipa Valley Water District are all "maximum benefit" partners.

the Regional Water Board in the Basin Plan. The SIP became effective on May 18, 2000 with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005 that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.

#### **4. Alaska Rule**

On March 30, 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards (WQS) become effective for CWA purposes (40 C.F.R. § 131.21, 65 Fed. Reg. 24641 (April 27, 2000)). Under the revised regulation (also known as the Alaska rule), new and revised standards submitted to USEPA after May 30, 2000, must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000, may be used for CWA purposes, whether or not approved by USEPA.

#### **5. Antidegradation Policy**

40 CFR 131.12 requires that state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. The permitted discharge must be consistent with the antidegradation provision of 40 CFR 131.12 and State Water Board Resolution No. 68-16.

All effluent limitations in this Order are at least as stringent as those in prior waste discharge requirements for the Facility. Based on data currently available, discharges in compliance with the terms and conditions of this Order should not result in a lowering of water quality and are therefore consistent with antidegradation provisions.

#### **6. Anti-Backsliding Requirements**

Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at 40 CFR 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed or eliminated. Section 402(o) allows for backsliding when there is information available that wasn't available when the original effluent limits were set. Data collected since Order No. R8-2006-0003 was adopted show selenium no longer poses a reasonable potential to cause or create an exceedance of water quality standards. Therefore,

pursuant to CWA Section 402(o)(2)(B)(i), a limit for selenium is no longer included in this Order. This Order conforms to the anti-backsliding requirements of the CWA and federal regulations.

## **7. Monitoring and Reporting Requirements**

Sections 13267 and 13383 of the CWC authorize the Regional Water Board to require technical and monitoring reports. 40 CFR 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. The Monitoring and Reporting Program (MRP) establishes monitoring and reporting requirements to implement State and federal requirements. This MRP is provided in Attachment E.

## **8. Pretreatment**

Not applicable. The design flow is less than 5 mgd and there are no categorical industrial discharges to this facility.

## **9. Biosolids**

On February 19, 1993, the USEPA issued a final rule for the use and disposal of sewage sludge, 40 CFR, Part 503. This rule requires that producers of sewage sludge meet certain reporting, handling, and disposal requirements. The State of California has not been delegated the authority to implement this program, therefore, the U.S. Environmental Protection Agency is the implementing agency. However, this Order includes Biosolids monitoring requirements.

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

Neither Coopers Creek, Marshal Creek, Noble Creek, nor San Timoteo Creek are listed as being impaired by any pollutant.

## **E. Other Plans, Policies and Regulations**

Not Applicable

## **IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS FOR SURFACE WATER LIMITATIONS**

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. There are two principal bases for effluent limitations; 40 CFR 122.44(a) requires that permits include applicable technology-based limitations and standards, and 40 CFR 122.44(d) requires that permits include water quality-based effluent

limitations to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water.

## **A. Discharge Prohibitions**

The discharge prohibitions are based on the Federal Clean Water Act, Basin Plan, State Water Board's plans and policies, U.S. Environmental Protection Agency guidance and regulations, and the previous waste discharge requirements, Order No. R8-2006-0003, and are consistent with the discharge prohibitions set for other discharges regulated by waste discharge requirements adopted by the Regional Water Board.

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

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

Section 301(b) of the CWA and implementing USEPA permit regulations at 40 CFR122.44 require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards at 40 CFR Part 133 and/or Best Professional Judgment (BPJ) in accordance with 40 CFR125.3.

Regulations promulgated in 40 CFR 125.3(a)(1) require technology-based effluent limitations for municipal dischargers to be placed in waste discharge requirements based on Secondary Treatment Standards or Equivalent to Secondary Treatment Standards.

The Federal Water Pollution Control Act Amendments of 1972 (PL 92-500) established the minimum performance requirements for POTWs [defined in Section 304(d)(1)]. Section 301(b)(1)(B) of that Act requires that such treatment works must, as a minimum, meet effluent limitations based on secondary treatment as defined by the USEPA Administrator. Based on this statutory requirement, USEPA developed secondary treatment regulations, which are specified in 40 CFR Part 133. These technology-based regulations apply to all municipal wastewater treatment plants and identify the minimum level of effluent quality attainable by secondary treatment in terms of biochemical oxygen demand (BOD<sub>5</sub>), total suspended solids (TSS) and pH.

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

As noted in section IV.C.4., below, tertiary treatment is required to protect beneficial uses of San Timoteo Creek. The technology-based limits, more restrictive than the above-mentioned federal standards for BOD<sub>5</sub> and TSS, which are based on BPJ for levels achievable with tertiary treatment, summarized in the Table below are applicable.

**Table 4. Summary of Technology-Based Effluent Limits for Tertiary Treatment**

Constituent	Average Weekly (mg/L)	Average Monthly (mg/L)	Average Monthly Removal Rate %
Biochemical Oxygen Demand, 5-day 20°C	30	20	85
Total Suspended Solids	30	20	85

The federal secondary treatment standard for pH to be in the range of 6 – 9 su and the removal rate requirement of 85% of the BOD<sub>5</sub> and TSS from the influent flow are also applicable to this discharge.

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

#### 1. Scope and Authority

Section 301(b) of the CWA and 40 CFR 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

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

The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated uses of the receiving water as specified in the Basin Plan, and achieve applicable water quality objectives and criteria that are contained in other state plans and policies, or any applicable water quality criteria contained in the CTR and NTR.

## 2. The Basin Plan

Table 3, above, lists the beneficial uses of San Timoteo Creek and the Beaumont and San Timoteo GMZs. The Basin Plan specifies narrative and numeric water quality objectives for all inland surface waters, including San Timoteo Creek. Some of those applicable to these receiving waters are listed in the following table (Table 5).

**Table 5. Examples of Basin Plan Surface Water Quality Objectives**

Constituents	Basis for Limitations
Ammonia Nitrogen	“Un-ionized ammonia (NH <sub>3</sub> or UIA) is toxic to Fish and other aquatic organisms. In water, UIA exists in equilibrium with ammonium (NH <sub>4</sub> <sup>+</sup> ) and hydroxide (OH <sup>-</sup> ) ions. The proportions of each change with temperature, pH and salinity of the water.” Thus, ammonia discharges to surface water pose a threat to aquatic life and instream beneficial uses, as well as to the beneficial uses of affected groundwater. The Basin Plan specifies total ammonia and un-ionized ammonia objectives and an effluent limit of 4.5 mg/L for discharges to San Timoteo, listed in Table 5-6.
Hydrogen Ion (pH)	Hydrogen Ion (pH) is a measure of the Hydrogen Ion concentration in the water. Extreme pH levels can have adverse effects on aquatic biota and can corrode pipes and concrete. The Basin Plan specifies that the pH in inland surface waters shall not be depressed below 6.5, nor raised above 8.5 as a result of controllable water quality factors.

**TDS and TIN Limits.** TDS and TIN limits in this order are based on the water quality objectives for the underlying groundwater management zones. The Basin Plan lists two sets of objectives for TDS and TIN – “antidegradation” and “maximum benefit”. In the case of the Beaumont and San Timoteo GMZs, the Regional Water Board established the maximum benefit objectives to encourage the use of recycled water in the area. As such, the maximum benefit objectives are used to calculate effluent limits for recycled water use; whereas, the antidegradation objectives are applicable to the continued wastewater discharges from the facility.

The State Water Resources Control Board and the U.S. Fish and Wildlife Service have determined that the City must continue discharging 1.8 mgd of treated wastewater into Cooper’s Creek in order to maintain the established riparian habitat. Although this is not a use of recycled water, per se, the discharge is being put to a beneficial use. As such, the Regional Water Board has determined that it is appropriate to base effluent limits on the maximum benefit objectives for the San Timoteo GMZ for the first 1.8 mgd of discharge to Cooper’s Creek.

A 25% nitrogen reduction factor, as specified in the Basin Plan, has been used to calculate the TIN effluent limits in this Order.

### **3. NTR, CTR and SIP**

The National Toxics Rule, California Toxics Rule, and State Implementation Policy specify numeric objectives for toxic substances and the procedures whereby these objectives are to be implemented. The procedures include those used to conduct reasonable potential analysis to determine the need for effluent limitations for priority and non-priority pollutants.

### **4. Requirement to Meet Title 22, Tertiary Treatment**

Article 3, Section 60305 of Title 22, Chapter 3, "Use of Recycled Water for Impoundments" of the California Code of Regulations specifies that recycled water used as a source of supply in a nonrestricted recreational impoundment shall be at all times an adequately disinfected, oxidized, coagulated, clarified, filtered wastewater (tertiary recycled water). The degree of treatment specified represents an approximately 5-log reduction in the virus content of the water. The State Water Resources Control Board, Division of Drinking Water (DDW), has determined that this degree of virus removal is necessary to protect the health of people using these impoundments for water contact recreation. The DDW has developed wastewater disinfection guidelines ("Wastewater Disinfection for Health Protection", Department of Health Services, Sanitary Engineering Branch, February 1987) for discharges of wastewater to surface waters where water contact recreation (REC-1) is a beneficial use. The disinfection guidelines recommend the same treatment requirements for wastewater discharges to REC-1 waters as those stipulated in Title 22 for supply of recycled water to nonrestricted recreational impoundments, since the public health risks under both scenarios are analogous. The disinfection guidelines are based on sound science and are widely used as guidance to assure public health and beneficial use protection.

San Timoteo Creek is not a "nonrestricted recreational impoundment" pursuant to the definitions in Title 22. However, it is used for water contact recreation and, accordingly, is designated REC-1 (water contact beneficial use). People recreating in San Timoteo Creek face an exposure similar to those coming in contact with recycled water in an impoundment. Therefore, to protect the water contact recreation beneficial use and to prevent nuisance and health risk, it is necessary and appropriate to require the same degree of treatment for wastewater discharges to tributaries of San Timoteo Creek as would be required for the use of recycled water in a nonrestricted recreational impoundment. Thus, this Order specifies requirements based on tertiary or equivalent treatment.

#### **D. Determining the Need for WQBELs for Priority Pollutants**

In accordance with Section 1.3 of the SIP, the Regional Water Board conducted a reasonable potential analysis (RPA) for each priority pollutant with an applicable criterion or objective to determine if a WQBEL is required in the Order. The Regional Water Board analyzed effluent data submitted by the Discharger for the past several years to determine if a pollutant has the reasonable potential to cause or contribute to

an excursion above a state water quality standard. For all parameters that have the reasonable potential to cause or contribute to an excursion above a water quality standard, numeric WQBELs are required. The RPA considered criteria from the CTR, and when applicable, water quality objectives specified in the Basin Plan.

A reasonable potential analysis was conducted on effluent data supplied by the Discharger from January 2009 through January 2015 and found that no constituents posed a reasonable potential to cause or contribute to a violation of a water quality standard. A hardness value of 150 mg/L, which was the minimum effluent hardness, was used in the RPA for metals. Detailed spreadsheets of the RPA are available in the Regional Water Board files. A summary of the results of the analysis for some of the more common metals is displayed in Table 6, below.

**Table 6. Reasonable Potential Analysis Results**

Constituent	Units	MEC	C	CMC	CCC	Water & Org	Org. Only	MCL	Reasonable Potential
Cadmium, Total Recoverable	ug/L	<1.000	3.4	N/A	3.4	N/A	N/A	5	No
Chromium (III)	ug/L	2.2	290	2400	290	N/A	N/A	N/A	No
Copper, Total Recoverable	ug/L	7.1	13	21	13	1300	N/A	1000	No
Selenium, Total Recoverable	ug/L	1.1	5	20	5	170	4200	50	No
Zinc, Total Recoverable	ug/L	80	170	170	170	7400	26000	5000	No

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

This Order does not specify WET limits but continues the requirement for chronic toxicity monitoring. The discharge has not exceeded the Chronic Toxicity trigger specified in the previous Order. Therefore, there is not a reasonable potential for the discharge to cause or contribute to toxicity in the receiving waters. If chronic toxicity is greater than 1.0 TUc, the Order requires the Discharger to accelerate toxicity monitoring from monthly to twice per month. If the toxicity is verified, then the Order requires the Discharge to implement an Initial Investigation Toxicity /Reduction Evaluation.

**F. Effluent Limitation Considerations**

**1. Satisfaction of Anti-Backsliding Requirements**

With the exception of selenium, all effluent limitations in this order are at least as stringent as the effluent limitations in the previous order. As noted above, data collected since the previous order was adopted show that selenium no longer poses a reasonable potential to cause or create an exceedance of water quality standards. Therefore, pursuant to CWA Section 402(o)(2)(B)(i), limits for selenium are no longer included in this Order.

## **2. Satisfaction of Antidegradation Policy**

Discharges in conformance with the requirements of this Order will not result in a long-term lowering of water quality and, therefore, conform to antidegradation requirements specified in Resolution No. 68-16, which incorporates the federal antidegradation policy at 40 CFR 131.12. Discharges in excess of the TDS and/or TIN limits are required to be fully offset by the operation of a reverse osmosis facility according to a time schedule specified in Provision IV.C.3. of the Order.

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

This Order contains both technology-based and water quality-based effluent limitations. The technology-based effluent limitations consist of restrictions on BOD<sub>5</sub>, suspended solids, and pH. In order to protect the water contact recreation beneficial use of the receiving waters, this Order requires the Discharger to comply with tertiary treatment effluent limits which are more restrictive than the federal secondary standards. Ammonia-nitrogen effluent limits specified in this Order are based on the un-ionized ammonia objective for San Timoteo Creek. Water-quality based effluent limits for TDS and TIN are also included in the Order. These limits are based on the water quality objectives of the affected underlying groundwater management zones.

Water quality-based effluent limitations have been scientifically derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to California and federal law and are the applicable federal water quality standards. To the extent that toxic pollutant water quality-based effluent limitations were derived from the CTR, the CTR is the applicable standard pursuant to 40 CFR 131.38. The scientific procedures for calculating the individual water quality-based effluent limitations for priority pollutants are based on the CTR-SIP, which was approved by USEPA on May 18, 2000. Apart from certain surface water standards changes resulting from the N/TDS Basin Plan amendment that do not materially affect the quality requirements for the discharges regulated by this Order, all beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by USEPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to USEPA prior to May 30, 2000, but not approved by USEPA before that date, are nonetheless "applicable water quality standards for purposes of the CWA" pursuant to 40 CFR 131.21(c)(1). Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

## V. RATIONALE FOR RECYCLED WATER SPECIFICATIONS

1. Section 13523.1 of the California Water Code provides that a Regional Water Board may prescribe a master recycling permit to a supplier and/or distributor of recycled water. Section 13523.1 requires that such a permit includes:
  - a. Waste discharge requirements adopted pursuant to CWC Section 13260,
  - b. A requirement that the Discharger comply with the uniform statewide recycling criteria established pursuant to CWC Section 13521.
  - c. A requirement that the Discharger establishes and enforces rules or regulations for recycled water users.
  - d. A requirement that the Discharger submit quarterly reports summarizing recycled water use.
  - e. A requirement that the Discharger conducts periodic inspections of the facilities of recycled water users, and
  - f. Any other requirements determined to be appropriate by the Regional Board.
2. Reclamation specifications in the proposed Order are based on the recycling criteria contained in Title 22, Division 4, Chapter 3, Sections 60301 through 60355, California Code of Regulations, and the California Water Code Section 13523.1.
3. As noted above, the TDS limits specified in this Order for recycled water use are based on the maximum benefit objectives for the Beaumont and San Timoteo Groundwater Management Zones.
4. This Order does not specify a nitrogen limit for recycled water when it is used for irrigation, since it is assumed that all of the nitrogen will be used by plants and the lack of nitrogen in the water that percolates beyond the root zone will not adversely affect water quality.

## VI. STORMWATER DISCHARGE REQUIREMENTS

The Discharger is required to update and implement the Storm Water Pollution Prevention Plan for the Facility in accordance with Attachment J & K I of this Order by January 1, 2016 and the Discharger is required to comply with the State Water Board's Order No. 2014-0057-DWQ except that the Discharger does not have to file a Notice of Intent or pay a separate fee for coverage under the State Water Board's Order. .

## **VII. RATIONALE FOR RECEIVING WATER LIMITATIONS**

### **A. Surface Water**

The surface water receiving water limitations in this Order are based on the water quality objectives contained in the Basin Plan.

### **B. Groundwater**

Not applicable at this time. However, this Order may be reopened if it is found that the effluent and recycled water limitations are not protective of underlying groundwater.

## **VIII. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS**

Sections 13267 and 13383 of the CWC authorize the Regional Water Boards to require technical and monitoring reports. 40 CFR 122.48 also requires all NPDES permits to specify recording and reporting of monitoring results. The Monitoring and Reporting Program (MRP), Attachment E of this Order, establishes monitoring and reporting requirements to implement federal and State requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this facility.

The proposed monitoring is necessary to evaluate the performance of the treatment plant and ensure compliance with the effluent limits established in the Order. The monitoring also requires annual scans for all priority pollutants, accelerated monitoring for those pollutants that are detected above specific triggers, and includes reopener provisions that allow for future changes to add effluent limits and more frequent monitoring.

### **A. Influent Monitoring**

The monitoring includes constituents and frequencies sufficient to evaluate the performance of the treatment plant, and pretreatment requirements.

### **B. Effluent Monitoring**

The Discharger is required to conduct monitoring of the permitted discharges in order to evaluate compliance with permit conditions. Pollutants to be monitored include all pollutants for which effluent limitations are specified. Further, in accordance with Section 1.3 of the SIP, periodic monitoring is required for all priority pollutants defined by the CTR, for which criteria apply and for which no effluent limitations have been established, to evaluate reasonable potential to cause or contribute to an excursion above a water quality standard.

This Order modifies the monitoring requirements specified in previous Order and adds and/or deletes monitoring requirements corresponding to those pollutants for which limits were added or removed from the previous Order. This Order also requires the Discharger to conduct accelerated monitoring for those priority pollutants that are detected in the annual analyses for priority pollutants.

### **C. Whole Effluent Toxicity Testing Requirements**

Whole effluent toxicity (WET) tests provide an indicator for potential adverse effects on the receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. WET tests measure the degree of response of exposed aquatic test organisms to an effluent. The WET test implements the narrative “no toxics in toxic amounts” criterion. There are two types of WET tests: acute and chronic. An acute toxicity test is conducted over a shorter time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction, and growth.

The Basin Plan specifies a narrative objective for toxicity, requiring that all waters be maintained free of toxic substances in concentrations that are lethal to or produce other detrimental response on aquatic organisms. Detrimental response includes but is not limited to decreased growth rate, decreased reproductive success of resident or indicator species, and/or significant alterations in population, community ecology, or receiving water biota.

In addition to the Basin Plan requirements, Section 4 of the SIP states that a chronic toxicity effluent limitation is required in permits for all discharges that will cause, have the reasonable potential to cause, or contribute to chronic toxicity in receiving waters. Therefore, in accordance with the SIP, this Order requires the Discharger to conduct chronic toxicity testing. In addition, the Order establishes thresholds that when exceeded requires the Discharger to conduct accelerated toxicity testing and/or conduct toxicity identification evaluation (TIE) studies.

This Order requires the Discharger to conduct chronic toxicity testing of the effluent on a monthly basis for discharges to Temescal Creek. The Order also requires the Discharger to conduct an Initial Investigation Toxicity Reduction Evaluation (IITRE) program when either the two-month median of toxicity test results exceeds 1 TUc or any single test exceeds 1.7 TUc for survival endpoint. Based on the results of this investigation program and at the discretion of the Executive Officer, a more rigorous Toxicity Reduction Evaluation/Toxicity Identification Evaluation (TRE/TIE) may be required. A re-opener provision is included in the Order to incorporate a chronic toxicity effluent limitation if warranted by the toxicity test results.

This Order does not require the Discharger to conduct acute toxicity tests on the effluent, as compliance with the chronic toxicity limits obviously demonstrates that the effluent will not cause acute toxicity.

## **D. Receiving Water Monitoring**

Coopers Creek is essentially an effluent dominated stream. Under normal circumstances all of the effluent percolates into the San Timoteo Groundwater Management Zone a relatively short distance downstream of the discharge point. Since the effluent is already being monitored at the discharge point, there is no need to monitor the receiving water, as well.

## **E. Other Monitoring Requirements**

### **1. Biosolids Monitoring**

The Discharger is required to monitor for the pollutants included in Table 1 of 40 CFR Section 503.13 at the frequencies specified in 40 CFR 503.16. The Discharger must also demonstrate pollutant (40 CFR 503.13), pathogen and vector attraction reductions (40 CFR 503.15) that are specified for land application. Discharger is also required to maintain a permanent log of solids hauled away from the Facility for use/disposal elsewhere, including the date hauled, the volume or weight (in dry tons), type (screening, grit, raw sludge, biosolids), application (agricultural, composting, etc.), and destination. This information is required be reported quarterly.

### **2. Pretreatment Monitoring**

The Discharger is currently not required to implement an Industrial User Pretreatment Program. Therefore, pretreatment monitoring is not specified in this Order.

### **3. Stormwater Monitoring**

The Discharger is required to monitor stormwater discharges in accordance with Attachment K of this Order, which is based on the requirements contained in the State Water Board's General Industrial Storm Water Permit, Order No. 2014-0057-DWQ..

## **IX. RATIONALE FOR PROVISIONS**

### **A. Federal Standard Provisions**

Federal Standard Provisions, which apply to all NPDES permits in accordance with 40 CFR 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR 122.42, are provided in Attachment D.

40 CFR 122.41(a)(1) and (b) through (n) establish conditions that apply to all State-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. 40 CFR 123.25(a)(12) allows the state to omit or modify conditions to impose more stringent requirements. In accordance with

40 CFR 123.25, this Order omits federal conditions that address enforcement authority specified in 40 CFR 122.41(j)(5) and (k)(2) because the enforcement authority under the California Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387(e).

## **B. Special Provisions**

### **1. Reopener Provisions**

The reopener provisions are based on 40 CFR 122.44(c) and 123. The Regional Water Board may reopen the permit to modify permit conditions and requirements. Causes for modifications include the promulgation of new regulations, modification in sludge use or disposal practices, or adoption of new regulations by the State Water Board or Regional Water Board, including revisions to the Basin Plan.

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

This Order also requires the Discharger to update, as necessary, its procedures to conduct Toxicity Identification and Reduction Evaluations. This provision is based on the SIP, Section 4, Toxicity Control Provisions.

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

The requirements are based on the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California, Section 2.4.5.1. and are applicable to POTW facilities including the Discharger.

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

The requirements are based on requirements that were specified in the prior Order.

## 5. Special Provisions for Municipal Facility - POTWs Only

- a. Sewer Collection System Requirements: The State Water Board issued General Waste Discharge Requirements for Sanitary Sewer Systems, Order No. 2006-0003-DWQ on May 2, 2006 and amended it by Order No. WQ 2008-0002-EXEC. The General Order requires public agencies that own or operate sanitary sewer systems with greater than one mile of pipes or sewer lines to enroll for coverage under the General Order. The General Order requires agencies to develop sanitary sewer management plans (SSMPs) and report all sanitary sewer overflows (SSOs), among other requirements and prohibitions.

Furthermore, the General Order contains requirements for operation and maintenance of collection systems and for reporting and mitigating sanitary sewer overflows. Inasmuch that the Discharger's collection system is part of the system that is subject to this Order, certain standard provisions are applicable as specified in Provisions, section VI.C.5. For instance, the 24-hour reporting requirements in this Order are not included in the General Order. The Discharger must comply with both the General Order and this Order. The Discharger and public agencies that are discharging wastewater into the facility were required to obtain coverage for regulation under the General Order.

- b. Biosolids Disposal Requirements: On February 19, 1993, the USEPA issued a final rule for the use and disposal of sewage sludge, 40 CFR, Part 503. This rule requires that producers of sewage sludge meet certain reporting, handling, and disposal requirements. The State of California has not been delegated the authority to implement this program, therefore, the U.S. Environmental Protection Agency is the implementing agency.
- c. Pretreatment Requirements: The treatment plant capacity is 4 mgd and there are no significant industrial users within the service areas. Consequently, this Order does not contain requirements for the implementation of a pretreatment program pursuant to Section 307 of the Federal Clean Water Act; Parts 35 and 403 of Title 40, Code of Federal Regulations (40 CFR 35 and 40 CFR 403); and/or Section 2233, Title 23, California Code of Regulations.

## 6. Compliance with TDS and TIN Limits

As noted above, this Order includes TDS and TIN effluent and recycled water use limits that are based on the water quality objectives of the underlying groundwater management zones. The limits are more restrictive than those in the Discharger's current permit and the Discharger cannot comply with the new limits at this time.

The Discharger has committed to construct a new reverse osmosis (RO) treatment system to meet the new TDS and TIN limits. Construction is to begin by September 2018, with the plant becoming operational by March 1, 2020. This Order contains a time schedule to achieve compliance with the TDS and TIN limits based on the Discharger's commitments.

During the interim, from the effective date of this Order to the full compliance date of March 2020, the Discharger is required to account for the flow and concentrations of all discharges in excess of the limits. Once the RO system is operational, the Discharger is required to operate it in such a way that all of the excess concentrations are offset by January 1, 2025.

If the RO system is not operational by March 2020, or if the discharges in excess of the limits are not offset by January 2025, all discharges in excess of the limits will be considered violations of this Order.

## **X. PUBLIC PARTICIPATION**

The California Regional Water Quality Control Board, Santa Ana Region is considering the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for the City of Beaumont. As a step in the WDR adoption process, the Regional Water Board staff has developed tentative WDRs. The Regional Water Board encourages public participation in the WDR adoption process.

### **A. Notification of Interested Parties**

The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharges and has provided them with an opportunity to submit their written comments and recommendations. Notification was provided through the posting of a Notice of Public Hearing in the area of the discharge, in the local newspaper, and at the Regional Water Board website.

### **B. Written Comments**

The staff determinations are tentative. Interested persons are invited to submit written comments concerning these tentative WDRs. Comments must be submitted either in person or by mail to the Executive Office at the Regional Water Board at the address above on the cover page of this Order.

To be fully responded to by staff and considered by the Regional Water Board, written comments should be received at the Regional Water Board offices by 5:00 p.m. on June 26, 2015.

### **C. Public Hearing**

The Regional Water Board will hold a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: July 24, 2015  
Time: 9:00 A.M.  
Location: Irvine Ranch Water District  
15600 Sand Canyon Avenue  
Irvine, CA

Interested persons are invited to attend. At the public hearing, the Regional Water Board will hear testimony, if any, pertinent to the discharge and this Order. Oral testimony will be heard; however, for accuracy of the record, important testimony should be in writing.

Please be aware that dates and venues may change. Our web address <http://www.waterboards.ca.gov/santaana> where you can access the current agenda for changes in dates and locations.

### **D. Waste Discharge Requirements Petitions**

Any aggrieved person may petition the State Water Board to review the decision of the Regional Water Board regarding the final WDRs. The petition must be submitted within 30 days of the Regional Water Board's action to the following address:

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

### **E. Information and Copying**

Documents related to this Order, including comments received, are on file and may be inspected at the Regional Water Board's office at any time between 9:00 a.m. and 3:00 p.m., Monday through Friday. Copying of documents may be arranged through the Regional Water Board by calling (951) 782-4130.

### **F. Register of Interested Persons**

Any person interested in being placed on the mailing list for information regarding this Order should contact the Regional Water Board, reference this order, and provide a name, address, and phone number.

## **G. Additional Information**

Requests for additional information or questions regarding this Order should be directed to Najah Amin at (951) 320-6362.

**ATTACHMENT G - EPA PRIORITY POLLUTANT LIST**

EPA PRIORITY POLLUTANT LIST		
Metals	Acid Extractibles	Base/Neutral Extractibles (continuation)
1. Antimony	45. 2-Chlorophenol	91. Hexachloroethane
2. Arsenic	46. 2,4-Dichlorophenol	92. Indeno (1,2,3-cd) Pyrene
3. Beryllium	47. 2,4-Dimethylphenol	93. Isophorone
4. Cadmium	48. 2-Methyl-4,6-Dinitrophenol	94. Naphthalene
5a. Chromium (III)	49. 2,4-Dinitrophenol	95. Nitrobenzene
5b. Chromium (VI)	50. 2-Nitrophenol	96. N-Nitrosodimethylamine
6. Copper	51. 4-Nitrophenol	97. N-Nitrosodi-N-Propylamine
7. Lead	52. 3-Methyl-4-Chlorophenol	98. N-Nitrosodiphenylamine
8. Mercury	53. Pentachlorophenol	99. Phenanthrene
9. Nickel	54. Phenol	100. Pyrene
10. Selenium	55. 2, 4, 6 – Trichlorophenol	101. 1,2,4-Trichlorobenzene
11. Silver	<b>Base/Neutral Extractibles</b>	<b>Pesticides</b>
12. Thallium	56. Acenaphthene	102. Aldrin
13. Zinc	57. Acenaphthylene	103. Alpha BHC
	<b>Miscellaneous</b>	
14. Cyanide	58. Anthracene	104. Beta BHC
15. Asbestos (not required unless requested)	59. Benzidine	105. Delta BHC
16. 2,3,7,8-Tetrachlorodibenzo-P-Dioxin (TCDD)	60. Benzo (a) Anthracene	106. Gamma BHC
	<b>Volatile Organics</b>	
17. Acrolein	61. Benzo (a) Pyrene	107. Chlordane
18. Acrylonitrile	62. Benzo (b) Fluoranthene	108. 4, 4' - DDT
19. Benzene	63. Benzo (g,h,i) Perylene	109. 4, 4' - DDE
20. Bromoform	64. Benzo (k) Fluoranthene	110. 4, 4' - DDD
21. Carbon Tetrachloride	65. Bis (2-Chloroethoxy) Methane	111. Dieldrin
22. Chlorobenzene	66. Bis (2-Chloroethyl) Ether	112. Alpha Endosulfan
23. Chlorodibromomethane	67. Bis (2-Chloroisopropyl) Ether	113. Beta Endosulfan
24. Chloroethane	68. Bis (2-Ethylhexyl) Phthalate	114. Endosulfan Sulfate
25. 2-Chloroethyl Vinyl Ether	69. 4-Bromophenyl Phenyl Ether	115. Endrin
26. Chloroform	70. Butylbenzyl Phthalate	116. Endrin Aldehyde
27. Dichlorobromomethane	71. 2-Chloronaphthalene	117. Heptachlor
28. 1,1-Dichloroethane	72. 4-Chlorophenyl Phenyl Ether	118. Heptachlor Epoxide
29. 1,2-Dichloroethane	73. Chrysene	119. PCB 1016
30. 1,1-Dichloroethylene	74. Dibenzo (a,h) Anthracene	120. PCB 1221
31. 1,2-Dichloropropane	75. 1,2-Dichlorobenzene	121. PCB 1232
32. 1,3-Dichloropropylene	76. 1,3-Dichlorobenzene	122. PCB 1242
33. Ethylbenzene	77. 1,4-Dichlorobenzene	123. PCB 1248
34. Methyl Bromide	78. 3,3'-Dichlorobenzidine	124. PCB 1254
35. Methyl Chloride	79. Diethyl Phthalate	125. PCB 1260
36. Methylene Chloride	80. Dimethyl Phthalate	126. Toxaphene
37. 1,1,2,2-Tetrachloroethane	81. Di-n-Butyl Phthalate	
38. Tetrachloroethylene	82. 2,4-Dinitrotoluene	
39. Toluene	83. 2,6-Dinitrotoluene	
40. 1,2-Trans-Dichloroethylene	84. Di-n-Octyl Phthalate	
41. 1,1,1-Trichloroethane	85. 1,2-Dipenylyhydrazine	
42. 1,1,2-Trichloroethane	86. Fluoranthene	
43. Trichloroethylene	87. Fluorene	
44. Vinyl Chloride	88. Hexachlorobenzene	
	89. Hexachlorobutadiene	
	90. Hexachlorocyclopentadiene	

**ATTACHMENT H – MINIMUM LEVELS**

**MINIMUM LEVELS IN PPB (µg/l)**

<b>Table 1- VOLATILE SUBSTANCES<sup>1</sup></b>	<b>GC</b>	<b>GCMS</b>
Acrolein	2.0	5
Acrylonitrile	2.0	2
Benzene	0.5	2
Bromoform	0.5	2
Carbon Tetrachloride	0.5	2
Chlorobenzene	0.5	2
Chlorodibromomethane	0.5	2
Chloroethane	0.5	2
Chloroform	0.5	2
Dichlorobromomethane	0.5	2
1,1 Dichloroethane	0.5	1
1,2 Dichloroethane	0.5	2
1,1 Dichloroethylene	0.5	2
1,2 Dichloropropane	0.5	1
1,3 Dichloropropylene (volatile)	0.5	2
Ethylbenzene	0.5	2
Methyl Bromide ( <i>Bromomethane</i> )	1.0	2
Methyl Chloride ( <i>Chloromethane</i> )	0.5	2
Methylene Chloride ( <i>Dichloromethane</i> )	0.5	2
1,1,1,2 Tetrachloroethane	0.5	1
Tetrachloroethylene	0.5	2
Toluene	0.5	2
trans-1,2 Dichloroethylene	0.5	1
1,1,1 Trichloroethane	0.5	2
1,1,2 Trichloroethane	0.5	2
Trichloroethylene	0.5	2
Vinyl Chloride	0.5	2
1,2 Dichlorobenzene (volatile)	0.5	2
1,3 Dichlorobenzene (volatile)	0.5	2
1,4 Dichlorobenzene (volatile)	0.5	2

**Selection and Use of Appropriate ML Value:**

ML Selection: When there is more than one ML value for a given substance, the discharger may select any one of those ML values, and their associated analytical methods, listed in this Attachment that are below the calculated effluent limitation for compliance determination. If no ML value is below the effluent limitation, then the discharger shall select the lowest ML value, and its associated analytical method, listed in the PQL Table.

ML Usage: The ML value in this Attachment represents the lowest quantifiable concentration in a sample based on the proper application of all method-based analytical procedures and the absence of any matrix interferences. Assuming that all method-specific analytical steps are followed, the ML value will also represent, after the appropriate application of method-specific factors, the lowest standard in the calibration curve for that specific analytical technique. Common analytical practices sometimes require different treatment of the sample relative to calibration standards.

Note: chemical names in parenthesis and italicized is another name for the constituent.

<sup>1</sup> The normal method-specific factor for these substances is 1, therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance.

**MINIMUM LEVELS IN PPB (µg/l)**

<b>Table 2 – Semi-Volatile Substances<sup>2</sup></b>	<b>GC</b>	<b>GCMS</b>	<b>LC</b>
2-Chloroethyl vinyl ether	1	1	
2 Chlorophenol	2	5	
2,4 Dichlorophenol	1	5	
2,4 Dimethylphenol	1	2	
4,6 Dinitro-2-methylphenol	10	5	
2,4 Dinitrophenol	5	5	
2- Nitrophenol		10	
4- Nitrophenol	5	10	
4 Chloro-3-methylphenol	5	1	
2,4,6 Trichlorophenol	10	10	
Acenaphthene	1	1	0.5
Acenaphthylene		10	0.2
Anthracene		10	2
Benzidine		5	
Benzo (a) Anthracene (1,2 Benzanthracene)	10	5	
Benzo(a) pyrene (3,4 Benzopyrene)		10	2
Benzo (b) Flouranthene (3,4 Benzofluoranthene)		10	10
Benzo(g,h,i)perylene		5	0.1
Benzo(k)fluoranthene		10	2
bis 2-(1-Chloroethoxyl) methane		5	
bis(2-chloroethyl) ether	10	1	
bis(2-Chloroisopropyl) ether	10	2	
bis(2-Ethylhexyl) phthalate	10	5	
4-Bromophenyl phenyl ether	10	5	
Butyl benzyl phthalate	10	10	
2-Chloronaphthalene		10	
4-Chlorophenyl phenyl ether		5	
Chrysene		10	5
Dibenzo(a,h)-anthracene		10	0.1
1,2 Dichlorobenzene (semivolatile)	2	2	
1,3 Dichlorobenzene (semivolatile)	2	1	
1,4 Dichlorobenzene (semivolatile)	2	1	
3,3' Dichlorobenzidine		5	
Diethyl phthalate	10	2	
Dimethyl phthalate	10	2	
di-n-Butyl phthalate		10	
2,4 Dinitrotoluene	10	5	
2,6 Dinitrotoluene		5	
di-n-Octyl phthalate		10	
1,2 Diphenylhydrazine		1	
Fluoranthene	10	1	0.05
Fluorene		10	0.1
Hexachloro-cyclopentadiene	5	5	
1,2,4 Trichlorobenzene	1	5	

**MINIMUM LEVELS IN PPB (µg/l)**

<b>Table 2 - SEMI-VOLATILE SUBSTANCES<sup>2</sup></b>	<b>GC</b>	<b>GCMS</b>	<b>LC</b>	<b>COLOR</b>
Pentachlorophenol	1	5		
Phenol <sup>3</sup>	1	1		50
Hexachlorobenzene	5	1		
Hexachlorobutadiene	5	1		
Hexachloroethane	5	1		
Indeno(1,2,3,cd)-pyrene		10	0.05	
Isophorone	10	1		
Naphthalene	10	1	0.2	
Nitrobenzene	10	1		
N-Nitroso-dimethyl amine	10	5		
N-Nitroso -di n-propyl amine	10	5		
N-Nitroso diphenyl amine	10	1		
Phenanthrene		5	0.05	
Pyrene		10	0.05	

<b>Table 3– INORGANICS<sup>4</sup></b>	<b>FAA</b>	<b>GFAA</b>	<b>ICP</b>	<b>ICPMS</b>	<b>SPGFAA</b>	<b>HYDRIDE</b>	<b>CVAA</b>	<b>COLOR</b>	<b>DCP</b>
Antimony	10	5	50	0.5	5	0.5			1000
Arsenic		2	10	2	2	1		20	1000
Beryllium	20	0.5	2	0.5	1				1000
Cadmium	10	0.5	10	0.25	0.5				1000
Chromium (total)	50	2	10	0.5	1				1000
Chromium VI	5							10	
Copper	25	5	10	0.5	2				1000
Lead	20	5	5	0.5	2				10000
Mercury				0.5			0.2		
Nickel	50	5	20	1	5				1000
Selenium		5	10	2	5	1			1000
Silver	10	1	10	0.25	2				1000
Thallium	10	2	10	1	5				1000
Zinc	20		20	1	10				1000
Cyanide								5	

<sup>2</sup> With the exception of phenol by colorimetric technique, the normal method-specific factor for these substances is 1000, therefore, the lowest standards concentration in the calibration curve is equal to the above ML value for each substance multiplied by 1000.

<sup>3</sup> Phenol by colorimetric technique has a factor of 1.

<sup>4</sup> The normal method-specific factor for these substances is 1, therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance.

**MINIMUM LEVELS IN PPB (µg/l)**

<b>Table 4- PESTICIDES – PCBs<sup>5</sup></b>	<b>GC</b>
Aldrin	0.005
alpha-BHC (a-Hexachloro-cyclohexane)	0.01
beta-BHC (b-Hexachloro-cyclohexane)	0.005
Gamma-BHC (Lindane; g-Hexachloro-cyclohexane)	0.02
Delta-BHC (d-Hexachloro-cyclohexane)	0.005
Chlordane	0.1
4,4'-DDT	0.01
4,4'-DDE	0.05
4,4'-DDD	0.05
Dieldrin	0.01
Alpha-Endosulfan	0.02
Beta-Endosulfan	0.01
Endosulfan Sulfate	0.05
Endrin	0.01
Endrin Aldehyde	0.01
Heptachlor	0.01
Heptachlor Epoxide	0.01
PCB 1016	0.5
PCB 1221	0.5
PCB 1232	0.5
PCB 1242	0.5
PCB 1248	0.5
PCB 1254	0.5
PCB 1260	0.5
Toxaphene	0.5

Techniques:

- GC - Gas Chromatography
- GCMS - Gas Chromatography/Mass Spectrometry
- HRGCMS - High Resolution Gas Chromatography/Mass Spectrometry (i.e., EPA 1613, 1624, or 1625)
- LC - High Pressure Liquid Chromatography
- FAA - Flame Atomic Absorption
- GFAA - Graphite Furnace Atomic Absorption
- HYDRIDE - Gaseous Hydride Atomic Absorption
- CVAA - Cold Vapor Atomic Absorption
- ICP - Inductively Coupled Plasma
- ICPMS - Inductively Coupled Plasma/Mass Spectrometry
- SPGFAA - Stabilized Platform Graphite Furnace Atomic Absorption (i.e., EPA 200.9)
- DCP - Direct Current Plasma
- COLOR - Colorimetric

<sup>5</sup> The normal method-specific factor for these substances is 100, therefore, the lowest standard concentration in the calibration curve is equal to the above ML value for each substance multiplied by 100.

**ATTACHMENT I – TRIGGERS FOR MONITORING PRIORITY POLLUTANTS**

	CONSTITUENT	µg/L
1	Antimony	7
2	Arsenic	75
3	Beryllium	--
4	Cadmium	3.7
5a	Chromium III	120
5b	Chromium VI	5.5
6	Copper	14.2
7	Lead	12.2
8	Mercury	0.026
9	Nickel	30
10	Selenium	2.5
11	Silver	11.2
12	Thallium	2.8
13	Zinc	70
14	Cyanide	2.6
15	Asbestos	--
16	2,3,7,8-TCDD (Dioxin)	0.000000007
17	Acrolein	160
18	Acrylonitrile	0.03
19	Benzene	0.6
20	Bromoform	2.2
21	Carbon Tetrachloride	0.13
22	Chlorobenzene	340
23	Chlorodibromomethane	0.22
24	Chloroethane	--
25	2-Chloroethyl vinyl ether	--
26	Chloroform	--
27	Dichlorobromomethane	0.28
<b>28</b>	<b>1,1-Dichloroethane</b>	<b>5</b>
29	1,2-Dichloroethane	0.19
30	1,1-Dichloroethylene	0.029
31	1,2-Dichloropropane	0.26
32	1,3-Dichloropropylene	5
<b>33</b>	<b>Ethylbenzene</b>	<b>0.3</b>
34	Methyl Bromide	24
35	Methyl Chloride	--
36	Methylene Chloride	2.4
37	1,1,2,2-Tetrachloroethane	0.085

	CONSTITUENT	µg/L
38	Tetrachloroethylene	0.4
<b>39</b>	<b>Toluene</b>	<b>0.15</b>
<b>40</b>	<b>1,2,-Trans-dichloroethylene</b>	<b>10</b>
<b>41</b>	<b>1,1,1-Trichloroethane</b>	<b>200</b>
42	1,1,2-Trichloroethane	0.3
43	Trichloroethylene	1.35
<b>44</b>	<b>Vinyl Chloride</b>	<b>0.5</b>
45	2-Chlorophenol	60
46	2,4-Dichlorophenol	46.5
47	2,4-Dimethylphenol	270
48	2-Methy-4,6-Dinitrophenol	6.7
49	2,4-Dinitrophenol	35
50	2-Nitrophenol	--
51	4-Nitrophenol	--
52	3-Methyl-4-Chlorophenol	--
53	Pentachlorophenol	0.14
54	Phenol	10500
55	2,4,6-Trichlorophenol	1.05
56	Acenaphthene	600
57	Acenaphthylene	--
58	Anthracene	4800
59	Benzidine	0.00006
60	Benzo (a) anthracene	0.0022
61	Benzo (a) pyrene	0.0022
62	Benzo (b) fluoranthene	0.0022
63	Benzo (g,h,i) pyrylene	--
64	Benzo (k) fluorantene	0.0022
65	Bis (2-Chloroethoxy) methane	--
66	Bis (2-Chloroethyl) ether	0.016
67	Bis (2-Chloroisopropyl) ether	700
68	Bis (2-ethyhexyl) phthalate	0.9
69	4-Bromophenyl phenyl ether	--
70	Butyl benzyl phthalate	1500
71	2- Chloronaphthalene	850
72	4-Chlorophenyl phenyl ether	--
73	Chrysene	0.0022
74	Dibenzo (a,h) anthracene	0.0022
<b>75</b>	<b>1,2-Dichlorobenzene</b>	<b>0.6</b>

See notes below for italicized constituents.

**ATTACHMENT I. -Continued**

	CONSTITUENT	µg/L
76	1,3-Dichlorobenzene	200
<b>77</b>	<b><i>1,4-Dichlorobenzene</i></b>	<b><u>5</u></b>
78	3,3-Dichlorobenzidine	0.02
79	Diethyl phthalate	11,500
80	Dimethyl phthalate	156,500
81	Di-N-butyl phthalate	1,350
82	2,4-Dinitrotoluene	0.055
83	2,6-Dinitrotoluene	--
84	Di-N-octyl phthalate	--
85	1,2-Diphenylhydrazine	0.02
86	Fluoranthene	150
87	Fluorene	650
88	Hexachlorobenzene	0.00038
89	Hexachlorobutadiene	0.22
<b>90</b>	<b><i>Hexachlorocyclopentadiene</i></b>	<b><u>50</u></b>
91	Hexachloroethane	0.95
92	Indeno (1,2,3-cd) pyrene	0.0022
93	Isophorone	4.2
<b>94</b>	<b><i>Naphthalene</i></b>	<b><u>17</u></b>
95	Nitrobenzene	8.5
96	N-Nitrosodimethylamine	0.00035
97	N-Nitrosodi-N-propylamine	0.0025
98	N-Nitrosodiphenylamine	2.5
99	Phenantrene	--

	CONSTITUENT	µg/L
100	Pyrene	480
<b>101</b>	<b><i>1,2,4-Trichlorobenzene</i></b>	<b><u>5</u></b>
102	Aldrin	0.00007
103	BHC Alpha	0.0020
104	BHC Beta	0.007
105	BHC Gamma	0.010
106	BHC Delta	--
107	Chlordane	0.00029
108	4,4-DDT	0.0003
109	4,4-DDE	0.0003
110	4,4-DDD	0.00042
111	Dieldrin	0.00007
112	Endosulfan Alpha	0.028
113	Endosulfan Beta	0.028
114	Endosulfan Sulfate	55
115	Endrin	0.018
116	Endrin Aldehyde	0.38
117	Heptachlor	0.00011
118	Heptachlor Epoxide	0.00005
119	PCB 1016	0.000085
120	PCB 1221	0.000085
125	PCB 1260	0.000085
126	Toxaphene	0.00037

Notes:

1. For constituents not shown italicized, the values shown in the Table are fifty percent of the most stringent applicable receiving water objectives (freshwater or human health (consumption of water and organisms) as specified for that pollutant in 40 CFR 131.38<sup>1</sup>).
2. For constituents shown bold and italicized, the values shown in the Table are based on the California Department of Health Services maximum contaminant levels (MCLs) or Notification Level. Notification Level based trigger is underlined.
3. For hardness dependent metals, the hardness value used is 120 mg/L and for pentachlorophenol, the pH value used is 7.5 standard units

<sup>1</sup> See Federal Register/ Vol. 65, No. 97 / Thursday, May 18, 2000 / Rules and Regulations.

## **ATTACHMENT J – STORM WATER POLLUTION PREVENTION PLAN (SWPPP)**

### **A. SWPPP Elements**

The Discharger shall update its site-specific SWPPP for the Facility by January 1, 2016. The updated SWPPP shall contain the following elements, as described further in this Section:

1. Facility Name and Contact Information;
2. Site Map;
3. List of Industrial Materials;
4. Description of Potential Pollution Sources;
5. Assessment of Potential Pollutant Sources;
6. Minimum BMPs;
7. Advanced BMPs, if applicable;
8. Monitoring Implementation Plan;
9. Annual Comprehensive Facility Compliance Evaluation (Annual Evaluation); and,
10. Date that SWPPP was Initially Prepared and the Date of Each SWPPP Amendment, if Applicable.

### **B. SWPPP Implementation and Revisions**

The Discharger shall implement the updated SWPPP for the Facility by January 1, 2016<sup>1</sup>. The Discharger shall also revise the SWPPP whenever necessary.

### **C. SWPPP Performance Standards**

1. The Discharger shall ensure a SWPPP is prepared to:
  - a. Identify and evaluate all sources of pollutants that may affect the quality of industrial storm water discharges and authorized non-storm water discharges (NSWDs);
  - b. Identify and describe the minimum BMPs (see Section H.1 below) and any advanced BMPs (see Section H.2 below) implemented to reduce or prevent pollutants in industrial storm water discharges and authorized NSWDs. BMPs shall be selected to achieve compliance with Section IV.D. of this Order; and,

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<sup>1</sup> During the interim, the Discharger shall continue implementing its current SWPPP.

- c. Identify and describe conditions or circumstances which may require future revisions to be made to the SWPPP.
2. The Discharger shall prepare a SWPPP in accordance with all applicable SWPPP requirements of this Attachment. A copy of the SWPPP shall be maintained at the Facility.

#### **D. Planning and Organization**

##### **1. Pollution Prevention Team**

The Discharger must have a Pollution Prevention Team established and responsible for assisting with the implementation of the requirements in this Attachment. The Discharger shall include in the SWPPP detailed information about its Pollution Prevention Team including:

- a. The positions within the facility organization (collectively, team members) who assist in implementing the SWPPP and conducting all monitoring requirements in the Stormwater Monitoring Program and Reporting Requirements (Attachment J) of this Order;
- b. The responsibilities, duties, and activities of each of the team members; and,
- c. The procedures to identify alternate team members to implement the SWPPP and conduct required monitoring when the regularly assigned team members are temporarily unavailable (due to vacation, illness, out of town business, or other absences).

##### **2. Other Requirements and Existing Facility Plans**

- a. The Discharger shall ensure its SWPPP is developed, implemented, and revised as necessary to be consistent with any applicable municipal, state, and federal requirements that pertain to the requirements in this Order.
- b. The Discharger may include in their SWPPP the specific elements of existing plans, procedures, or regulatory compliance documents that contain storm water-related BMPs or otherwise relate to the requirements of this Order.
- c. The Discharger shall properly reference the original sources for any elements of existing plans, procedures, or regulatory compliance documents included as part of their SWPPP and shall maintain a copy of the documents at the Facility as part of the SWPPP.
- d. The Discharger shall document in their SWPPP the Facility's scheduled operating hours. Scheduled facility operating hours that would be considered irregular (temporary, intermittent, seasonal, weather dependent, etc.) shall also be documented in the SWPPP.

## **E. Site Map**

1. The Discharger shall prepare a site map that includes notes, legends, a north arrow, and other data as appropriate to ensure the map is clear, legible and understandable.
2. The Discharger may provide the required information on multiple site maps.
3. The Discharger shall include the following information on the site map:
  - a. The Facility boundary, storm water drainage areas within the Facility boundary, and portions of any drainage area impacted by discharges from surrounding areas. Include the flow direction of each drainage area, on-facility surface water bodies, areas of soil erosion, and location(s) of nearby water bodies (such as rivers, lakes, wetlands, etc.) or municipal storm drain inlets that may receive the Facility's industrial storm water discharges and authorized NSWDDs;
  - b. Locations of storm water collection and conveyance systems, associated discharge locations, and direction of flow. Include any sample locations if different than the identified discharge locations;
  - c. Locations and descriptions of structural control measures<sup>2</sup> that affect industrial storm water discharges, authorized NSWDDs, and/or run-on;
  - d. Identification of all impervious areas of the Facility, including paved areas, buildings, covered storage areas, or other roofed structures;
  - e. Locations where materials are directly exposed to precipitation and the locations where identified significant spills or leaks (see Section G.1.d below) have occurred; and
  - f. Areas of industrial activity subject to this Order. Identify all industrial storage areas and storage tanks, shipping and receiving areas, fueling areas, vehicle and equipment storage/maintenance areas, material handling and processing areas, waste treatment and disposal areas, dust or particulate generating areas, cleaning and material reuse areas, and other areas of industrial activity that may have potential pollutant sources.

## **F. List of Industrial Materials**

The Discharger shall ensure the SWPPP includes a list of industrial materials handled at the Facility, and the locations where each material is stored, received, shipped, and handled, as well as the typical quantities and handling frequency.

## **G. Potential Pollutant Sources**

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<sup>2</sup> Examples of structural control measures are catch basins, berms, detention ponds, secondary containment, oil/water separators, diversion barriers, etc.

## 1. Description of Potential Pollutant Sources

### a. Industrial Processes

The Discharger shall ensure the SWPPP describes each industrial process including: manufacturing, cleaning, maintenance, recycling, disposal, and any other activities related to the process. The type, characteristics, and approximate quantity of industrial materials used in or resulting from the process shall be included. Areas protected by containment structures and the corresponding containment capacity shall be identified and described.

### b. Material Handling and Storage Areas

The Discharger shall ensure the SWPPP describes each material handling and storage area, including: the type, characteristics, and quantity of industrial materials handled or stored; the shipping, receiving, and loading procedures; the spill or leak prevention and response procedures; and the areas protected by containment structures and the corresponding containment capacity.

### c. Dust and Particulate Generating Activities

The Discharger shall ensure the SWPPP describes all industrial activities that generate a significant amount of dust or particulate that may be deposited within the Facility boundaries. The SWPPP shall describe such industrial activities, including the discharge locations, the source type, and the characteristics of the dust or particulate pollutant.

### d. Significant Spills and Leaks

The Discharger shall:

- i. Evaluate the Facility for areas where spills and leaks can likely occur;
- ii. Ensure the SWPPP includes:
  - a) A list of any industrial materials that have spilled or leaked in significant quantities and have discharged from the Facility's storm water conveyance system within the previous five-year period;
  - b) A list of any toxic chemicals identified in 40 Code of Federal Regulations section 302 that have been discharged from the facilities' storm water conveyance system as reported on U.S. EPA Form R, as well as oil and hazardous substances in excess of reportable quantities (40 C.F.R. §§ 110, 117, and 302) that have discharged from the Facility's storm water conveyance system within the previous five-year period;

- c) A list of any industrial materials that have spilled or leaked in significant quantities and had the potential to be discharged from the Facility's storm water conveyance system within the previous five-year period; and,
  - iii. Ensure that for each discharge or potential discharge listed above the SWPPP includes the location, characteristics, and approximate quantity of the materials spilled or leaked; approximate quantity of the materials discharged from the Facility's storm water conveyance system; the cleanup or remedial actions that have occurred or are planned; the approximate remaining quantity of materials that have the potential to be discharged; and the preventive measures taken to ensure spills or leaks of the material do not reoccur.
- e. NSWDs
- The Discharger shall:
- i. Ensure the SWPPP includes an evaluation of the Facility that identifies all NSWDs, sources, and drainage areas;
  - ii. Ensure the SWPPP includes an evaluation of all drains (inlets and outlets) that identifies connections to the storm water conveyance system;
  - iii. Ensure the SWPPP includes a description of how all unauthorized NSWDs have been eliminated; and,
  - iv. Ensure all NSWDs are described in the SWPPP. This description shall include the source, quantity, frequency, and characteristics of the NSWDs, associated drainage area, and whether it is an authorized or unauthorized NSWD.

f. Erodible Surfaces

The Discharger shall ensure the SWPPP includes a description of the Facility locations where soil erosion may be caused by industrial activity, contact with storm water, authorized and unauthorized NSWDS, or run-on from areas surrounding the Facility.

2. Assessment of Potential Pollutant Sources

- a. The Discharger shall ensure that the SWPPP includes a narrative assessment of all areas of industrial activity with potential industrial pollutant sources. At a minimum, the assessment shall include:
  - i. The areas of the Facility with likely sources of pollutants in industrial storm water discharges and authorized NSWDS;
  - ii. The pollutants likely to be present in industrial storm water discharges and authorized NSWDS;
  - iii. The approximate quantity, physical characteristics (e.g., liquid, powder, solid, etc.), and locations of each industrial material handled, produced, stored, recycled, or disposed;
  - iv. The degree to which the pollutants associated with those materials may be exposed to, and mobilized by contact with, storm water;
  - v. The direct and indirect pathways by which pollutants may be exposed to storm water or authorized NSWDS;
  - vi. All sampling, visual observation, and inspection records;
  - vii. The effectiveness of existing BMPs to reduce or prevent pollutants in industrial storm water discharges and authorized NSWDS;
  - viii. The estimated effectiveness of implementing, to the extent feasible, minimum BMPs to reduce or prevent pollutants in industrial storm water discharges and authorized NSWDS; and,
- b. Based upon the assessment above, Dischargers shall identify in the SWPPP any areas of the Facility where the minimum BMPs described in subsection H.1 below will not adequately reduce or prevent pollutants in storm water discharges in compliance with Section IV.D of this Order. Dischargers shall identify any advanced BMPs, as described in subsection H.2 below, for those areas.
- c. Based upon the assessment above, the Discharger shall identify any additional parameters, beyond the required parameters in Section I.B.5 of the Stormwater

Monitoring Program and Reporting Requirements (Attachment J) that indicate the presence of pollutants in industrial storm water discharges.

## H. Best Management Practices (BMPs)

### 1. Minimum BMPs

The Discharger shall, to the extent feasible, implement and maintain all of the following minimum BMPs to reduce or prevent pollutants in industrial storm water discharges.<sup>3</sup>

#### a. Good Housekeeping

The Discharger shall:

- i. Observe all outdoor areas associated with industrial activity; including storm water discharge locations, drainage areas, conveyance systems, waste handling/disposal areas, and perimeter areas impacted by off-facility materials or storm water run-on to determine housekeeping needs. Any identified debris, waste, spills, tracked materials, or leaked materials shall be cleaned and disposed of properly;
- ii. Minimize or prevent material tracking;
- iii. Minimize dust generated from industrial materials or activities;
- iv. Ensure that all Facility areas impacted by rinse/wash waters are cleaned as soon as possible;
- v. Cover all stored industrial materials that can be readily mobilized by contact with storm water;
- vi. Contain all stored non-solid industrial materials or wastes (e.g., particulates, powders, shredded paper, etc.) that can be transported or dispersed by the wind or contact with storm water;
- vii. Prevent disposal of any rinse/wash waters or industrial materials into the storm water conveyance system;
- viii. Minimize storm water discharges from non-industrial areas (e.g., storm water flows from employee parking area) that contact industrial areas of the Facility; and,

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<sup>3</sup> For the purposes of this Order, the requirement to implement BMPs "to the extent feasible" requires Dischargers to select, design, install and implement BMPs that reduce or prevent discharges of pollutants in their storm water discharge in a manner that reflects best industry practice considering technological availability and economic practicability and achievability.

- ix. Minimize authorized NSWDS from non-industrial areas (e.g., potable water, fire hydrant testing, etc.) that contact industrial areas of the Facility.

b. Preventive Maintenance

The Discharger shall:

- i. Identify all equipment and systems used outdoors that may spill or leak pollutants;
- ii. Observe the identified equipment and systems to detect leaks, or identify conditions that may result in the development of leaks;
- iii. Establish an appropriate schedule for maintenance of identified equipment and systems; and,
- iv. Establish procedures for prompt maintenance and repair of equipment, and maintenance of systems when conditions exist that may result in the development of spills or leaks.

c. Spill and Leak Prevention and Response

The Discharger shall:

- i. Establish procedures and/or controls to minimize spills and leaks;
- ii. Develop and implement spill and leak response procedures to prevent industrial materials from discharging through the storm water conveyance system. Spilled or leaked industrial materials shall be cleaned promptly and disposed of properly;
- iii. Identify and describe all necessary and appropriate spill and leak response equipment, location(s) of spill and leak response equipment, and spill or leak response equipment maintenance procedures; and,
- iv. Identify and train appropriate spill and leak response personnel.

d. Material Handling and Waste Management

The Discharger shall:

- i. Prevent or minimize handling of industrial materials or wastes that can be readily mobilized by contact with storm water during a storm event;
- ii. Contain all stored non-solid industrial materials or wastes (e.g., particulates, powders, shredded paper, etc.) that can be transported or dispersed by the wind or contact with storm water;
- iii. Cover industrial waste disposal containers and industrial material storage containers that contain industrial materials when not in use;

- iv. Divert run-on and storm water generated from within the Facility away from all stockpiled materials;
  - v. Clean all spills of industrial materials or wastes that occur during handling in accordance with the spill response procedures (see Section H.1.c above); and,
  - vi. Observe and clean as appropriate, any outdoor material or waste handling equipment or containers that can be contaminated by contact with industrial materials or wastes.
- e. Erosion and Sediment Controls
- For each erodible surface Facility location identified in the SWPPP (see Section G.1.f above), the Discharger shall:
- i. Implement effective wind erosion controls;
  - ii. Provide effective stabilization for inactive areas, finished slopes, and other erodible areas prior to a forecasted storm event;
  - iii. Maintain effective perimeter controls and stabilize all site entrances and exits to sufficiently control discharges of erodible materials from discharging or being tracked off the site;
  - iv. Divert run-on and storm water generated from within the Facility away from all erodible materials; and,
  - v. If sediment basins are implemented, ensure compliance with the design storm standards as described in Section H.6 below.

f. Employee Training Program

The Discharger shall:

- i. Ensure that all team members implementing the various compliance activities of this Attachment are properly trained to implement the requirements of this Attachment, including but not limited to: BMP implementation, BMP effectiveness evaluations, visual observations, and monitoring activities. If a Discharger enters Level 1 status, appropriate team members shall be trained by a Qualified Industrial Storm Water Practitioner (QISP);
- ii. Prepare or acquire appropriate training manuals or training materials;
- iii. Identify which personnel need to be trained, their responsibilities, and the type of training they shall receive;
- iv. Provide a training schedule; and,
- v. Maintain documentation of all completed training classes and the personnel that received training in the SWPPP.

g. Quality Assurance and Record Keeping

The Discharger shall:

- i. Develop and implement management procedures to ensure that appropriate staff implements all elements of the SWPPP, including the Monitoring Implementation Plan;
- ii. Develop a method of tracking and recording the implementation of BMPs identified in the SWPPP; and
- iii. Maintain the BMP implementation records, training records, and records related to any spills and clean-up related response activities for a minimum of five (5) years.

2. Advanced BMPs

- a. In addition to the minimum BMPs described in Section H.1 above, the Discharger shall, to the extent feasible, implement and maintain any advanced BMPs identified in Section G.2.b., necessary to reduce or prevent discharges of pollutants in its storm water discharge in a manner that complies with Section IV.D. of this Order.
- b. Advanced BMPs may include one or more of the following BMPs:

i. Exposure Minimization BMPs

These include storm resistant shelters (either permanent or temporary) that prevent the contact of storm water with the identified industrial materials or area(s) of industrial activity.

ii. Storm Water Containment and Discharge Reduction BMPs

These include BMPs that divert, infiltrate, reuse, contain, retain, or reduce the volume of storm water runoff. Dischargers are encouraged to utilize BMPs that infiltrate or reuse storm water where feasible.

iii. Treatment Control BMPs

This is the implementation of one or more mechanical, chemical, biologic, or any other treatment technology that will meet the treatment design standard.

iv. Other Advanced BMPs

Any additional BMPs not described in subsections b.i through iii above that are necessary to comply with Section IV.D. of this Order.

3. BMP Descriptions

a. The Discharger shall ensure that the SWPPP identifies each BMP being implemented at the Facility, including:

- i. The pollutant(s) that the BMP is designed to reduce or prevent in industrial storm water discharges;
- ii. The frequency, time(s) of day, or conditions when the BMP is scheduled for implementation;
- iii. The locations within each area of industrial activity or industrial pollutant source where the BMP shall be implemented;
- iv. The individual and/or position responsible for implementing the BMP;
- v. The procedures, including maintenance procedures, and/or instructions to implement the BMP effectively;
- vi. The equipment and tools necessary to implement the BMP effectively; and,
- vii. The BMPs that may require more frequent visual observations beyond the monthly visual observations.

- b. The Discharger shall identify any BMPs described in subsection a above that are implemented in lieu of any of the minimum or applicable advanced BMPs.

#### 4. BMP Summary Table

The Discharger shall prepare a table summarizing each identified area of industrial activity, the associated industrial pollutant sources, the industrial pollutants, and the BMPs being implemented.

#### 5. Design Storm Standards for Treatment Control BMPs

All new treatment control BMPs employed by the Discharger to comply with Section H.2 Advanced BMPs and new sediment basins installed after July 1, 2015 shall be designed to comply with design storm standards in this Section, except as provided in an Industrial Activity BMP Demonstration (Section II.D.2.a of the Stormwater Monitoring Program and Reporting Requirements – Attachment J). A Factor of Safety shall be incorporated into the design of all treatment control BMPs to ensure that storm water is sufficiently treated throughout the life of the treatment control BMPs. The design storm standards for treatment control BMPs are as follows:

- a. Volume-based BMPs: The Discharger, at a minimum, shall calculate<sup>4</sup> the volume to be treated using one of the following methods:
  - i. The volume of runoff produced from an 85<sup>th</sup> percentile 24-hour storm event, as determined from local, historical rainfall records;
  - ii. The volume of runoff produced by the 85<sup>th</sup> percentile 24-hour storm event, determined as the maximized capture runoff volume for the Facility, from the formula recommended in the Water Environment Federation's Manual of Practice;<sup>5</sup> or,
  - iii. The volume of annual runoff required to achieve 80% or more treatment, determined in accordance with the methodology set forth in the latest edition of California Stormwater Best Management Practices Handbook<sup>6</sup>, using local, historical rainfall records.
- b. Flow-based BMPs: The Discharger shall calculate the flow needed to be treated using one of the following methods:

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<sup>4</sup> All hydrologic calculations shall be certified by a California licensed professional engineer in accordance with the Professional Engineers Act (Bus. & Prof. Code § 6700, et seq).

<sup>5</sup> Water Environment Federation (WEF). Manual of Practice No. 23/ ASCE Manual of Practice No. 87, cited in chapter 5 (1998 Edition) and Cited in Chapter 3 (2012 Edition) .

<sup>6</sup> California Stormwater Quality Association. Stormwater Best Management Practice New Development and Redevelopment Handbook. < <http://www.casqa.org/> >. [as of July 3, 2013].

- i. The maximum flow rate of runoff produced from a rainfall intensity of at least 0.2 inches per hour for each hour of a storm event;
- ii. The maximum flow rate of runoff produced by the 85th percentile hourly rainfall intensity, as determined from local historical rainfall records, multiplied by a factor of two; or,
- iii. The maximum flow rate of runoff, as determined using local historical rainfall records, that achieves approximately the same reduction in total pollutant loads as would be achieved by treatment of the 85th percentile hourly rainfall intensity multiplied by a factor of two.

## I. MONITORING IMPLEMENTATION PLAN

The Discharger shall prepare a Monitoring Implementation Plan in accordance with the requirements of this Attachment. The Monitoring Implementation Plan shall be included in the SWPPP and shall include the following items:

1. An identification of team members assigned to conduct the monitoring requirements;
2. A description of the following in accordance with the USEPA's "Industrial Stormwater Monitoring and Sampling Guide," dated March 2009, available at: [http://www.epa.gov/npdes/pubs/msgp\\_monitoring\\_guide.pdf](http://www.epa.gov/npdes/pubs/msgp_monitoring_guide.pdf) and the "NPDES Storm Water Sampling Guidance Document," dated July 1992, available at: <http://www.epa.gov/npdes/pubs/owm0093.pdf>.
  - a. Discharge locations;
  - b. Visual observation procedures; and,
  - c. Visual observation response procedures related to monthly visual observations and sampling event visual observations.
3. Justifications for any of the following that are applicable to the Facility:
  - a. Alternative discharge locations in accordance with Section C.3 of the Stormwater Monitoring Program and Reporting Requirements (Attachment J) of this Order;
4. Procedures for field instrument calibration instructions, including calibration intervals specified by the manufacturer; and,
5. An example Chain of Custody form used when handling and shipping water quality samples to the lab.

**TABLE A: Five Phases for Developing and Implementing an Industrial Storm Water Pollution Prevention Plan (SWPPP)**

**PLANNING AND ORGANIZATION**

- \*Form Pollution Prevention Team
- \*Review other Facility plans

**ASSESSMENT**

- \*Develop a site map
- \*Identify potential pollutant sources
- \*Inventory of materials and chemicals
- \*List significant spills and leaks
- \*Identify Non-Storm Water Discharges
- \*Assess pollutant risk

**Best Management Practice (BMP) IDENTIFICATION**

- \*Identify minimum required BMPs
- \*Identify any advanced BMPs

**IMPLEMENTATION**

- \*Train employees for the Pollution Prevention Team
- \*Implement BMPs
- \*Collect and review records

**EVALUATION / MONITORING**

- \*Conduct annual Facility evaluation (Annual Evaluation)
- \*Review monitoring information
- \*Evaluate BMPs
- \*Review and revise SWPPP

**TABLE B: Example - Assessment of Potential Industrial Pollution Sources and Corresponding BMPs Summary**

<b>Area</b>	<b>Activity</b>	<b>Pollutant Source</b>	<b>Industrial Pollutant</b>	<b>BMPs</b>
Vehicle and Equipment Fueling	Fueling	Spills and leaks during delivery	Fuel oil	-Use spill and overflow protection
		Spills caused by topping off fuel tanks	Fuel oil	-Train employees on proper fueling, cleanup, and spill response techniques
		Hosing or washing down fuel area	Fuel oil	-Use dry cleanup methods rather than hosing down area -Implement proper spill prevention control program
		Leaking storage tanks	Fuel oil	-Inspect fueling areas regularly to detect problems
		Rainfall running off fueling area, and rainfall running onto and off fueling area	Fuel oil	-Minimize run-on of storm water into the fueling area, cover fueling area

## ATTACHMENT K – STORM WATER MONITORING AND REPORTING REQUIREMENTS

### I. MONITORING

#### A. Visual Observations

##### 1. Monthly Visual Observations

- a. At least once per calendar month, the Discharger shall visually observe each drainage area for the following:
  - i. The presence or indications of prior, current, or potential unauthorized NSWDS and their sources;
  - ii. Authorized NSWDS, sources, and associated BMPs to ensure that BMPs are included in the SWPPP and implemented to reduce, to the extent practicable, the flow or volume of authorized NSWDS and that authorized NSWDS do not contain quantities of pollutants that cause or contribute to an exceedance of a water quality standards ; and,
  - iii. Outdoor industrial equipment and storage areas, outdoor industrial activities areas, BMPs, and all other potential source of industrial pollutants.
- b. The monthly visual observations shall be conducted during daylight hours of scheduled facility operating hours and on days without precipitation.
- c. The Discharger shall provide an explanation in the Annual Report for uncompleted monthly visual observations.

##### 2. Sampling Event Visual Observations

Sampling event visual observations shall be conducted at the same time sampling occurs at a discharge location. At each discharge location where a sample is obtained, the Discharger shall observe the discharge of storm water associated with industrial activity.

- a. The Discharger shall ensure that visual observations of storm water discharged from containment sources (e.g. secondary containment or storage ponds) are conducted at the time that the discharge is sampled.
- b. Any Discharger employing volume-based or flow-based treatment BMPs shall sample any bypass that occurs while the visual observations and sampling of storm water discharges are conducted.

- c. The Discharger shall visually observe and record the presence or absence of floating and suspended materials, oil and grease, discolorations, turbidity, odors, trash/debris, and source(s) of any discharged pollutants.
- d. In the event that a discharge location is not visually observed during the sampling event, the Discharger shall record which discharge locations were not observed during sampling or that there was no discharge from the discharge location.
- e. The Discharger shall provide an explanation in the Annual Report for uncompleted sampling event visual observations.

### 3. Visual Observation Records

The Discharger shall maintain records of all visual observations. Records shall include the date, approximate time, locations observed, presence and probable source of any observed pollutants, name of person(s) that conducted the observations, and any response actions and/or additional SWPPP revisions necessary in response to the visual observations.

4. The Discharger shall revise BMPs as necessary when the visual observations indicate pollutant sources have not been adequately addressed in the SWPPP.

## **B. Sampling and Analysis**

1. A Qualifying Storm Event (QSE) is a precipitation event that:
  - a. Produces a discharge for at least one drainage area; and,
  - b. Is preceded by 48 hours with no discharge from any drainage area.
2. The Discharger shall collect and analyze storm water samples from two (2) QSEs within the first half of each reporting year (July 1 to December 31), and two (2) QSEs within the second half of each reporting year (January 1 to June 30).
3. Except as provided in Section C.4 below (Representative Sampling Reduction), samples shall be collected from each drainage area at all discharge locations. The samples must be:
  - a. Representative of storm water associated with industrial activities and any commingled authorized NSWDS; or,

- b. Associated with the discharge of contained storm water.
4. Samples from each discharge location shall be collected within four (4) hours of:
  - a. The start of the discharge; or,
  - b. The start of facility operations if the QSE occurs within the previous 12-hour period (e.g., for storms with discharges that begin during the night for facilities with day-time operating hours). Sample collection is required during scheduled facility operating hours and when sampling conditions are safe in accordance with Section C.6.a.ii below.
5. The Discharger shall analyze all collected samples for the following parameters:
  - a. Total suspended solids (TSS) and oil and grease (O&G);
  - b. pH (see Section C.2 below); and
  - c. Copper and Iron.
6. The Discharger shall select corresponding NALs, analytical test methods, and reporting units from the list provided in Table 1 below. The Discharger may also propose analytical test methods with substantially similar or more stringent method detection limits than existing approved analytical test methods.

**TABLE 11: Parameter NAL Values, Test Methods, and Reporting Units**

PARAMETER	TEST METHOD	REPORTING UNITS	ANNUAL NAL	INSTANTANEOUS MAXIMUM NAL
pH	See Section XI.C.2	pH units	N/A	Less than 6.0 Greater than 9.0
Suspended Solids (TSS), Total	SM 2540-D	mg/L	100	400
Oil & Grease (O&G), Total	EPA 1664A	mg/L	15	25
Copper, Total (H)	EPA 200.8	mg/L	0.0332**	
Iron, Total	EPA 200.7	mg/L	1.0	

SM – Standard Methods for the Examination of Water and Wastewater, 18<sup>th</sup> edition

EPA – U.S. EPA test methods

(H) – Hardness dependent

\* The NAL is the highest value used by U.S. EPA based on their hardness table in the 2008 Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (2008 MSGP).

7. The Discharger shall ensure that the collection, preservation and handling of all storm water samples are in accordance with the U.S. EPA's Guidance Documents mentioned in Section I.2 of Attachment I.
8. Samples from different discharge locations shall not be combined or composited except as allowed in Section C.5 (Qualified Combined Samples) below.
9. The Discharger shall ensure that all laboratory analyses are conducted according to test procedures under 40 Code of Federal Regulations part 136, including the observation of holding times, unless other test procedures have been specified by the Regional Board.
10. Sampling Analysis Reporting
  - a. The Discharger shall submit all sampling and analytical results for all individual or Qualified Combined Samples in its annual report.
  - b. The Discharger shall provide the method detection limit when an analytical result from samples taken is reported by the laboratory as a

"non-detect" or less than the method detection limit. A value of zero shall not be reported.

- c. The Discharger shall provide the analytical result from samples taken that is reported by the laboratory as below the minimum level (often referred to as the reporting limit) but above the method detection limit.

### **C. Methods and Exceptions**

1. The Discharger shall comply with the monitoring methods in this General Permit and the U.S. EPA's Guidance Documents mentioned in Section I.2 of Attachment I.
2. pH Methods
  - a. Dischargers that have never entered Level 1 status for pH, are eligible to screen for pH using wide range litmus pH paper or other equivalent pH test kits. The pH screen shall be performed as soon as practicable, but no later than 15 minutes after the sample is collected.
  - b. Dischargers that enter Level 1 status (see Section II.C. below) for pH shall, in the subsequent reporting years, analyze for pH using methods in accordance with 40 Code of Federal Regulations 136 or use a calibrated portable instrument for pH.
  - c. Dischargers using a calibrated portable instrument for pH shall ensure that all field measurements are conducted in accordance with the accompanying manufacturer's instructions.
3. Alternative Discharge Locations
  - a. The Discharger is required to identify, when practicable, alternative discharge locations for any discharge locations identified in accordance with Section B.4, above if the facility's discharge locations are:
    - i. Affected by storm water run-on from surrounding areas that cannot be controlled; and/or,
    - ii. Difficult to observe or sample (e.g. submerged discharge outlets, dangerous discharge location accessibility).

- b. The Discharger shall include in its annual report any alternative discharge location or revisions to the alternative discharge locations in the Monitoring Implementation Plan.

4. Sample Collection and Visual Observation Exceptions

- a. Sample collection and visual observations are not required under the following conditions:
  - i. During dangerous weather conditions such as flooding or electrical storms; or,
  - ii. Outside of scheduled facility operating hours. The Discharger is not precluded from collecting samples or conducting visual observations outside of scheduled facility operating hours.
- b. In the event that samples are not collected, or visual observations are not conducted in accordance with Section I.B.5, above due to these exceptions, an explanation shall be included in the Annual Report.

5. Sampling Frequency Reduction Certification

- a. Dischargers are eligible to reduce the number of QSEs sampled each reporting year in accordance with the following requirements:
  - i. Results from four (4) consecutive QSEs that were sampled (QSEs may be from different reporting years) did not exceed any NALs as defined in Section II.A. below; and
  - ii. The Discharger is in full compliance with the requirements of this Order and has submitted via CIWQS all annual reports on-time during the time period in which samples were collected.
- b. The Regional Board may notify a Discharger that it may not reduce the number of QSEs sampled each reporting year if the Discharger is subject to an enforcement action.
- c. Upon Sampling Frequency Reduction certification, the Discharger shall collect and analyze samples from one (1) QSE within the first half of each reporting year (July 1 to December 31), and one (1) QSE within the second half of each reporting year (January 1 to June 30). All other monitoring, sampling, and reporting requirements remain in effect.
- d. A Discharger may reduce sampling per the Sampling Frequency Reduction certification unless notified by the Regional Board that: (1) the

Sampling Frequency Reduction certification has been rejected or (2) additional supporting documentation must be submitted. In such instances, a Discharger is ineligible for the Sampling Frequency Reduction until the Regional Board provides Sampling Frequency Reduction certification approval.

- e. A Discharger loses its Sampling Frequency Reduction certification if an NAL exceedance occurs (see Section II.A below).

## II. EXCEEDANCE RESPONSE ACTIONS (ERAs)

### A. NALs and NAL Exceedances

The Discharger shall perform sampling, analysis and reporting in accordance with this Stormwater Monitoring Program and Reporting Requirements and shall compare the results to the two types of NAL values in Table 1 to determine whether either type of NAL has been exceeded for each applicable parameter. The two types of potential NAL exceedances are as follows:

1. Annual NAL exceedance: The Discharger shall determine the average concentration for each parameter using the results of all the sampling and analytical results for the entire facility for the reporting year (i.e., all "effluent" data). The Discharger shall compare the average concentration for each parameter to the corresponding annual NAL values in Table 1. For Dischargers using composite sampling or flow-weighted measurements in accordance with standard practices, the average concentrations shall be calculated in accordance with the U.S. EPA's NPDES Storm Water Sampling Guidance Document.<sup>7</sup> An annual NAL exceedance occurs when the average of all the analytical results for a parameter from samples taken within a reporting year exceeds the annual NAL value for that parameter listed in Table 1; and,
2. Instantaneous maximum NAL exceedance: The Discharger shall compare all sampling and analytical results from each distinct sample to the corresponding instantaneous maximum NAL values in Table 1. An instantaneous maximum NAL exceedance occurs when two (2) or more analytical results from samples taken for any single parameter within a reporting year exceed the instantaneous maximum NAL value (for TSS and O&G) or are outside of the instantaneous maximum NAL range for pH.

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<sup>7</sup> U.S. EPA. NPDES Storm Water Sampling Guidance Document. <<http://www.epa.gov/npdes/pubs/owm0093.pdf>>. [as of February 4, 2014]

## **B. Baseline Status**

At the beginning of a Discharger's NOI Coverage, the Discharger has Baseline status for all parameters.

## **C. Level 1 Status**

A Discharger's Baseline status for any given parameter shall change to Level 1 status if sampling results indicate an NAL exceedance for that same parameter. Level 1 status will commence on July 1 following the reporting year during which the exceedance(s) occurred.<sup>8</sup>

### **1. Level 1 ERA Evaluation**

- a. By October 1 following commencement of Level 1 status for any parameter with sampling results indicating an NAL exceedance, the Discharger shall:
  - b. Complete an evaluation, with the assistance of a QISP, of the industrial pollutant sources at the facility that are or may be related to the NAL exceedance(s); and,
  - c. Identify in the evaluation the corresponding BMPs in the SWPPP and any additional BMPs and SWPPP revisions necessary to prevent future NAL exceedances and to comply with Section IV.D of this Order. Although the evaluation may focus on the drainage areas where the NAL exceedance(s) occurred, all drainage areas shall be evaluated.

### **2. Level 1 ERA Report**

- a. Based upon the above evaluation, the Discharger shall, as soon as practicable but no later than January 1 following commencement of Level 1 status :

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<sup>8</sup> For all sampling results reported before June 30th of the preceding reporting year. If sample results indicating an NAL exceedance are submitted after June 30<sup>th</sup>, the Discharger will change status once those results have been reported.

- i. Revise the SWPPP as necessary and implement any additional BMPs identified in the evaluation;
  - ii. Certify and submit via CIWQS a Level 1 ERA Report prepared by a QISP that includes the following:
    - 1) A summary of the Level 1 ERA Evaluation required in subsection C.1 above; and,
    - 2) A detailed description of the SWPPP revisions and any additional BMPs for each parameter that exceeded an NAL.
  - iii. Certify and submit via CIWQS the QISP's identification number, name, and contact information (telephone number, e-mail address).
- b. A Discharger's Level 1 status for a parameter will return to Baseline status once a Level 1 ERA report has been completed, all identified additional BMPs have been implemented, and results from four (4) consecutive QSEs that were sampled subsequent to BMP implementation indicate no additional NAL exceedances for that parameter.
3. NAL Exceedances Prior to Implementation of Level 1 Status BMPs.

Prior to the implementation of an additional BMP identified in the Level 1 ERA Evaluation or October 1, whichever comes first, sampling results for any parameter(s) being addressed by that additional BMP will not be included in the calculations of annual average or instantaneous NAL exceedances.

#### **D. Level 2 Status**

A Discharger's Level 1 status for any given parameter shall change to Level 2 status if sampling results indicate an NAL exceedance for that same parameter while the Discharger is in Level 1. Level 2 status will commence on July 1 following the reporting year during which the NAL exceedance(s) occurred.<sup>9</sup>

##### **1. Level 2 ERA Action Plan**

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<sup>9</sup> For all sampling results reported before June 30th of the preceding reporting year. If sample results indicating an NAL exceedance are submitted after June 30<sup>th</sup>, the Discharger will change status upon the date those results have been reported into SMARTS.

- a. Dischargers with Level 2 status shall certify and submit via CIWQS a Level 2 ERA Action Plan prepared by a QISP that addresses each new Level 2 NAL exceedance by January 1 following the reporting year during which the NAL exceedance(s) occurred. For each new Level 2 NAL exceedance, the Level 2 Action Plan will identify which of the demonstrations in subsection D.2.a through c the Discharger has selected to perform. A new Level 2 NAL exceedance is any Level 2 NAL exceedance for 1) a new parameter in any drainage area, or 2) the same parameter that is being addressed in an existing Level 2 ERA Action Plan in a different drainage area.
  - b. The Discharger shall certify and submit via CIWQS the QISP's identification number, name, and contact information (telephone number, e-mail address) if this information has changed since previous certifications.
  - c. The Level 2 ERA Action Plan shall at a minimum address the drainage areas with corresponding Level 2 NAL exceedances.
  - d. All elements of the Level 2 ERA Action Plan shall be implemented as soon as practicable and completed no later than 1 year after submitting the Level 2 ERA Action Plan.
  - e. The Level 2 ERA Action Plan shall include a schedule and a detailed description of the tasks required to complete the Discharger's selected demonstration(s) as described below in Section D.2.a through c.
2. Level 2 ERA Technical Report

On January 1 of the reporting year following the submittal of the Level 2 ERA Action Plan, a Discharger with Level 2 status shall certify and submit a Level 2 ERA Technical Report prepared by a QISP that includes one or more of the following demonstrations:

a. Industrial Activity BMPs Demonstration

This shall include the following requirements, as applicable:

- i. Shall include a description of the industrial pollutant sources and corresponding industrial pollutants that are or may be related to the NAL exceedance(s);

- ii. Shall include an evaluation of all pollutant sources associated with industrial activity that are or may be related to the NAL exceedance(s);
- iii. Where all of the Discharger's implemented BMPs, including additional BMPs identified in the Level 2 ERA Action Plan, achieve compliance with the effluent limitations of this General Permit and are expected to eliminate future NAL exceedance(s), the Discharger shall provide a description and analysis of all implemented BMPs;
- iv. In cases where all of the Discharger's implemented BMPs, including additional BMPs identified in the Level 2 ERA Action Plan, achieve compliance with the effluent limitations of this General Permit but are not expected to eliminate future NAL exceedance(s), the Discharger shall provide, in addition to a description and analysis of all implemented BMPs:
  - 1) An evaluation of any additional BMPs that would reduce or prevent NAL exceedances;
  - 2) Estimated costs of the additional BMPs evaluated; and,
  - 3) An analysis describing the basis for the selection of BMPs implemented in lieu of the additional BMPs evaluated but not implemented.
- v. The description and analysis of BMPs required in subsection a.iii above shall specifically address the drainage areas where the NAL exceedance(s) responsible for the Discharger's Level 2 status occurred, although any additional Level 2 ERA Action Plan BMPs may be implemented for all drainage areas; and,
- vi. If an alternative design storm standard for treatment control BMPs (in lieu of the design storm standard for treatment control BMPs in Section H.6 of Attachment I) will achieve compliance with Section IV.D of this Order, the Discharger shall provide an analysis describing the basis for the selection of the alternative design storm standard.

b. Non-Industrial Pollutant Source Demonstration

This shall include:

- i. A statement that the Discharger has determined that the exceedance of the NAL is attributable solely to the presence of non-industrial pollutant sources. (The pollutant may also be present due to industrial activities, in which case the Discharger must demonstrate that the pollutant contribution from the industrial activities by itself does not result in an NAL exceedance.) The sources shall be identified as either run-on from adjacent properties, aerial deposition from man-made sources, or as generated by on-site non-industrial sources;
- ii. A statement that the Discharger has identified and evaluated all potential pollutant sources that may have commingled with storm water associated with the Discharger's industrial activity and may be contributing to the NAL exceedance;
- iii. A description of any on-site industrial pollutant sources and corresponding industrial pollutants that are contributing to the NAL exceedance;
- iv. An assessment of the relative contributions of the pollutant from (1) storm water run-on to the facility from adjacent properties or non-industrial portions of the Discharger's property or from aerial deposition and (2) the storm water associated with the Discharger's industrial activity;
- v. A summary of all existing BMPs for that parameter; and,
- vi. An evaluation of all on-site/off-site analytical monitoring data demonstrating that the NAL exceedances are caused by pollutants in storm water run-on to the facility from adjacent properties or non-industrial portions of the Discharger's property or from aerial deposition.

c. Natural Background Pollutant Source Demonstration

This shall include:

- i. A statement that the Discharger has determined that the NAL exceedance is attributable solely to the presence of the pollutant in the natural background that has not been disturbed by industrial

activities. (The pollutant may also be present due to industrial activities, in which case the Discharger must demonstrate that the pollutant contribution from the industrial activities by itself does not result in an NAL exceedance);

- ii. A summary of all data previously collected by the Discharger, or other identified data collectors, that describes the levels of natural background pollutants in the storm water discharge;
- iii. A summary of any research and published literature that relates the pollutants evaluated at the facility as part of the Natural Background Source Demonstration;
- iv. Map showing the reference site location in relation to facility along with available land cover information;
- v. Reference site and test site elevation;
- vi. Available geology and soil information for reference and test sites;
- vii. Photographs showing site vegetation;
- viii. Site reconnaissance survey data regarding presence of roads, outfalls, or other human-made structures; and,
- ix. Records from relevant state or federal agencies indicating no known mining, forestry, or other human activities upstream of the proposed reference site.

### 3. Level 2 ERA Technical Report Submittal

- a. The Discharger shall certify and submit via CIWQS the Level 2 ERA Technical Report described in Section D.2 above.
- b. The State Water Board and Regional Boards may review the submitted Level 2 ERA Technical Reports. Upon review of a Level 2 ERA Technical Report, the Regional Boards may reject the Level 2 ERA Technical Report and direct the Discharger to take further action(s) to comply with Section IV.D. of this Order.
- c. Dischargers with Level 2 status who have submitted the Level 2 ERA Technical Report are only required to annually update the Level 2 ERA Technical Report based upon additional NAL exceedances of the same

parameter and same drainage area (if the original Level 2 ERA Technical Report contained an Industrial Activity BMP Demonstration and the implemented BMPs were expected to eliminate future NAL exceedances in accordance with Section II.D.2.a.ii), facility operational changes, pollutant source(s) changes, and/or information that becomes available via compliance activities (monthly visual observations, sampling results, annual evaluation, etc.). The Level 2 ERA Technical Report shall be prepared by a QISP and be certified and submitted via SMARTS by the Discharger with each Annual Report. If there are no changes prompting an update of the Level 2 ERA Technical Report, as specified above, the Discharger will provide this certification in the Annual Report that there have been no changes warranting re-submittal of the Level 2 ERA Technical Report.

- d. Dischargers are not precluded from submitting a Level 2 ERA Action Plan or ERA Technical Report prior to entering Level 2 status if information is available to adequately prepare the report and perform the demonstrations described above. A Discharger who chooses to submit a Level 2 ERA Action Plan or ERA Technical Report prior to entering Level 2 status will automatically be placed in Level 2 in accordance to the Level 2 ERA schedule.
4. Eligibility for Returning to Baseline Status
- a. Dischargers with Level 2 status who submit an Industrial Activity BMPs Demonstration in accordance with subsection 2.a.i through iii above and have implemented BMPs to prevent future NAL exceedance(s) for the Level 2 parameter(s) shall return to baseline status for that parameter, if results from four (4) subsequent consecutive QSEs sampled indicate no additional NAL exceedance(s) for that parameter(s). If future NAL exceedances occur for the same parameter(s), the Discharger's Baseline status will return to Level 2 status on July 1 in the subsequent reporting year during which the NAL exceedance(s) occurred. These Dischargers shall update the Level 2 ERA Technical Report as required above in Section D.3.c.
  - b. Dischargers are ineligible to return to baseline status if they submit any of the following:
    - i. A industrial activity BMP demonstration in accordance with subsection 2.a.iv above;
    - ii. An non-industrial pollutant source demonstration; or,

iii. A natural background pollutant source demonstration.

5. Level 2 ERA Implementation Extension

- a. Dischargers that need additional time to submit the Level 2 ERA Technical Report shall be automatically granted a single time extension for up to six (6) months upon submitting the following items into SMARTS, as applicable:
  - i. Reasons for the time extension;
  - ii. A revised Level 2 ERA Action Plan including a schedule and a detailed description of the necessary tasks still to be performed to complete the Level 2 ERA Technical Report; and
  - iii. A description of any additional temporary BMPs that will be implemented while permanent BMPs are being constructed.
- b. The Regional Water Boards will review Level 2 ERA Implementation Extensions for completeness and adequacy. Requests for extensions that total more than six (6) months are not granted unless approved in writing by the Regional Board. The Regional Board may (1) reject or revise the time allowed to complete Level 2 ERA Implementation Extensions, (2) identify additional tasks necessary to complete the Level 2 ERA Technical Report, and/or (3) require the Discharger to implement additional temporary BMPs.

### **III. ANNUAL COMPREHENSIVE FACILITY COMPLIANCE EVALUATION (ANNUAL EVALUATION)**

The Discharger shall conduct one Annual Evaluation for each reporting year (July 1 to June 30). If the Discharger conducts an Annual Evaluation fewer than eight (8) months, or more than sixteen (16) months, after it conducts the previous Annual Evaluation, it shall document the justification for doing so. The Discharger shall revise the SWPPP, as appropriate, and implement the revisions within 90 days of the Annual Evaluation. At a minimum, Annual Evaluations shall consist of:

- A. A review of all sampling, visual observation, and inspection records conducted during the previous reporting year;
- B. An inspection of all areas of industrial activity and associated potential pollutant sources for evidence of, or the potential for, pollutants entering the storm water conveyance system;
- C. An inspection of equipment needed to implement the BMPs;
- D. An inspection of any BMPs;
- E. A review and effectiveness assessment of all BMPs for each area of industrial activity and associated potential pollutant sources to determine if the BMPs are properly designed, implemented, and are effective in reducing and preventing pollutants in industrial storm water discharges and authorized NSWDDs; and,
- F. An assessment of any other factors needed to comply with the requirements in Section IV.B below.

### **IV. ANNUAL REPORT**

- A. The Discharger shall certify and submit via CIWQS an Annual Report no later than July 15<sup>th</sup> following each reporting year.
- B. The Discharger shall include in the Annual Report:
  - 1. A Compliance Checklist that indicates whether a Discharger complies with this Stormwater Monitoring Program and Reporting Requirements;
  - 2. An explanation for any non-compliance of requirements within the reporting year, as indicated in the Compliance Checklist;
  - 3. An identification, including page numbers and/or sections, of all revisions made to the SWPPP within the reporting year; and,
  - 4. The date(s) of the Annual Evaluation.

## **V. MONITORING AND RECORDS**

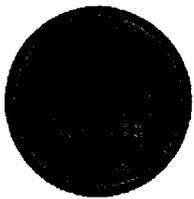
1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
2. If Dischargers monitor any pollutant more frequently than required, the results of such monitoring shall be included in the calculation and reporting of the data submitted.
3. Records of monitoring information shall include:
  - a. The date, exact location, and time of sampling or measurement;
  - b. The date(s) analyses were performed;
  - c. The individual(s) that performed the analyses;
  - d. The analytical techniques or methods used; and,
  - e. The results of such analyses.
4. Dischargers shall retain, for a period of at least five (5) years, either a paper or electronic copy of all storm water monitoring information, records, data, and reports required by this Order. Copies shall be available for review by the Water Board's staff at the facility during scheduled facility operating hours.
5. Upon written request by U.S. EPA or the local MS4, Dischargers shall provide paper or electronic copies of Annual Reports or other requested records to the Water Boards, U.S. EPA, or local MS4 within ten (10) days from receipt of the request.

Item 10  
July 24, 2015

Comments Received and Response to Comments

Comments were received from the following:

1. Beaumont- Cherry Valley Water District
2. Libi Uremovic; includes a number of attachments



www.bcvwd.org

# Beaumont-Cherry Valley Water District

Phone: (951) 845-9581 Fax: (951) 845-0159

June 25, 2015

## Board of Directors

David Hoffman  
Division 5

John Covington  
Division 4

Daniel Slawson  
Division 3

Ken Ross  
Division 2

Jeffrey Cottrell  
Division 1

Michael J. Adackapara  
Division Chief  
Regional Water Quality Control Board  
3737 Main Street, Suite 500  
Riverside, CA 92501-3221

**Subject: City of Beaumont  
Comments on Draft Discharge Permit Requirements  
R8-2015-0026, NPDES CA0105376**

Dear Mr. Adackapara:

The Beaumont Cherry Valley Water District (BCVWD or "District") is one of the principal water suppliers in the San Geronio Pass providing water service to over 46,000 people through over 16,000 connections. We serve the residents of the City of Beaumont and the unincorporated community of Cherry Valley. We have both a potable and non-potable water system. Our non-potable water system consists of a looped system of over 25 miles of pipeline around the City of Beaumont.

Our water supply is exclusively groundwater supplemented by imported water from the State Water Project purchased from the San Geronio Pass Water Agency. The imported water is recharged into the Beaumont Management Zone (BMZ), banked and subsequently extracted for use. Over the last seven years, we have extracted an average of 10,388 acre-ft (AF) or about 84% of our supply from the Beaumont Basin and the BMZ. Protecting the aquifer is extremely important to us and is why we offer the following comments on the above referenced draft permit.

Our concerns center on the following:

- 1. Protection of Groundwater Quality in the vicinity of Discharge Points DP-007 through DP-013.** The permit allows the discharge of tertiary filtered wastewater with a TDS of 230 mg/L and TIN of 2 mg/L. Nothing addresses the other issues associated with recharge of recycled water.

The discharge at these locations is a planned groundwater recharge project and must not be allowed until advanced wastewater treatment is provided to all of the effluent to minimize the discharge of chemicals of emerging concern and other regulated organics and inorganics. The current proposed treatment process does not provide this level of treatment.

BCVWD has wells master planned in the vicinity of DP-007 through DP-013 based on a recent report prepared the Beaumont Basin Watermaster<sup>1</sup> which identifies this area as having the greatest depth to the bottom of the upper aquifer, the highest hydraulic conductivity, and greatest specific yield among other factors. Discharging of recycled water from the referenced discharge points, without advanced treatment, will severely impact the District's ability to site wells to meet future demands.

- 2. The permit allows the City to provide recycled water to the Oak Valley Greens (R-02) and Tukwet Canyon Golf Courses (R-01).** The District already has a non-potable water pipeline to supply both of these golf courses. The pipeline serving Oak Valley Greens has been in the ground since 2003/04 or so and the Tukwet Canyon Courses since 2006 or so. Having the City of Beaumont provide recycled water to the courses requires the construction of a separate and parallel recycled water pipeline and unnecessary expenditure of public funds. Furthermore it is a duplication of service which will be challenged.

Recycled water has played a major role in the District's water supply portfolio since before Urban Water Management Plans (UWMPs) were required. Our current UWMP and our draft Water Master Plan envisions almost full utilization of the City of Beaumont's recycled water volume. The District has historically identified the City's recycled water as a key component to accommodate the City's planned growth. Our projected non-potable water demands are so large, we prepared a Facilities Plan for a second connection with Yucaipa Valley Water District. This Plan has been approved by the State Board and we are in the process of implementing this project.

The City formed Community Facilities District (CFD) 93-1 in 1993 to fund the installation of infrastructure including potable and non-potable water facilities to serve proposed development planned in the City.

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<sup>1</sup> Draft 2013 Reevaluation of the Beaumont Basin Safe Yield prepared for the Beaumont Basin Watermaster by Thomas Harder and Company in association with Alda, Inc., April 2, 2014.

Funds were collected from developers to fund these facilities which included about 25 to 30 miles of non-potable water transmission mains and a 2 million gallon non-potable water storage tank all owned and operated by BCVWD. Current residents are now repaying these CFD, Mello Roos Bonds, through property taxes. The District's non-potable water system has been installed with "purple pipe" and common areas, street medians, new parks and schools have all been plumbed in anticipation of recycled water use. The system serving these current 300 or so connections (about 1,800 acre-ft/year demand) is currently pressurized with potable water. Without the City's recycled water, this becomes a stranded investment, placing an unnecessary burden on potable water supplies.

The two golf courses are currently using their own wells to provide water. They are overlies under the Beaumont Basin Adjudication. Providing recycled water to an overlie, requires the overlie to transfer the equivalent amount of groundwater to the recycled water provider's groundwater storage account which can then be pumped for potable use. These offsets were included in BCVWD's UWMP and water supply assessments for existing and planned development.

Providing recycled water to the golf courses will not reduce BCVWD's potable water demand. It will not reduce BCVWD's need for Northern California imported water. For "maximum benefit" the City should be directed provide recycled water through BCVWD's existing system where there would be an immediate reduction in per capita water consumption and an equivalent reduction on the demand for Northern California Water.

3. **This discharge permit will require the installation of desalting processes to accommodate at least a portion of the flow.** (If planned groundwater recharge occurs as discussed previously, desalting and advanced oxidation processes for the full discharge flow will be required.) The City envisions a start of the art, "zero liquid discharge," system which will one of the first of its kind anywhere. Our concern here is two-fold: a) the schedule is much too aggressive for such a complex project and b) in light of the City's current financial situation, it is doubtful the City will be able to fund/finance the facilities needed for compliance.
  
4. **The City's past record of performance in meeting regional board deadlines is a concern.** The City was issued discharge order R8-2009-0002 in 2009 which allowed discharge to DP-007 and DP-008 providing the discharge met "full" Title 22. This was done to attempt to

Michael J. Adackapara  
June 25, 2015  
Page 4

comply with "maximum benefit." Six years has passed and the effluent is still not complying with full Title 22. The City was notified of this fact in a meeting as early as 2007 or so by the Department of Public Health; the Department provided a list of items that needed to be addressed. Little has been done to our knowledge. We have concern, based on their past track record, that the City will not meet the requirements and schedule in the draft permit resulting in a water quality impact.

BCVWD wants to work cooperatively with the City and others to meet the water supply needs of the area which includes a diversified portfolio of recycled water, imported water, and storm water capture.

We appreciate the opportunity to provide comments to this draft permit. If you have any questions or need supporting information or data, please do not hesitate to contact Dan Jagers, Director of Engineering, or me at (951)-845-9581.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Fraser", written over a horizontal line.

Eric Fraser  
General Manager

Libi Uremovic  
P.O. Box 2894  
Rancho Cordova, CA 95741  
(702) 503-2022  
[libiure@gmail.com](mailto:libiure@gmail.com)

June 23, 2015

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

RE: City of Beaumont Order #R8-2015-0026

The Santa Ana Regional Water Quality Control Board is once again issuing an Order for the City of Beaumont to produce Title 22 Complaint Recycled Water and provide for Brine disposal. The Order contains many good provisions, but will be worthless without enforcement from the Regional Board.

In 1993 the City was required to build a recycled water facility as a condition for the approval of additional housing. The facility was scheduled to be completed in November, 1995. The population of Beaumont has increased from 8,000 to 40,000. Bonds were issued and Mitigation Fees collected, but a Title 22 complaint recycled water facility has never been built. We now know that the money earmarked to build the recycled water facility was embezzled.

For the past 20 years the Regional Board has turned a blind eye as the City of Beaumont neglected/ refused to produce Title 22 compliant recycled water. Instead of enforcing Title 22 compliance the Board has neglected their duties to regulate and have even helped the City hide penalties imposed from sewage spills.

In 2007 Beaumont not only failed to meet another deadline to produce recycled water they even forged their General Plan and stated that they did in fact produce Title 22 compliant recycled water. Deadlines to produce Title 22 complaint recycled water have come and gone without any enforcement from the Board. The December 30, 2014 deadline to produce Title 22 compliant recycled water was not even acknowledged by the City.

Even after the FBI Raids and State Auditor's Investigation the City still continues to defraud the Public and the State Water Quality Control Board.

Beaumont recently attempted a 'mock' public bid to appear as though the City was hiring a legitimate company to operate the sewer facility. Contractors attempting to Bid on the Contract stated that it was obvious that the City had no intention of hiring a legitimate sewer plant operator.

Deepak Moorjani, Principal of Urban Logic Consultants, has been the City's Sewer Plant Operator for the past 20 years. When new operators were required the City simply opened another dummy corporation and changed the letterhead. The City claims that Moorjani stopped working at the sewer plant on March 31, 2015, but they have made this claim numerous times in the past. The Santa Ana Regional Board addresses correspondence to Urban Logic Employees and Urban Logic Employees are noted in the Regional Board Minutes as representing the City of Beaumont.

Wildermuth has also been involved with Beaumont's sewer plant for 20 years. The Santa Ana Regional Board has accepted documents and reports from Wildermuth that the Board knew or should have known were fraudulent. Wildermuth has refused to release their Payroll as required by State Law for all sewer plant contractors.

The Order lists Beaumont City Manager Alan Kapanicas and Utility Partners as the City's contacts, but neither the City Manager nor the Company are working for the City.

The Order requires Beaumont to identify the Plant operators and signature with penalty of perjury on all documents, but the City can not produce an Employee or Contractor with the credentials to operate the facility. The City recently hired HRGreen to work 8 hours per week in order to fulfill the requirement to have an Engineer. HRGreen will not be operating the sewer facility and may not even be allowed access to the facility.

The Order requires the City of Beaumont to invest millions of dollars to produce Title 22 compliant recycled water. Beaumont City Council has not even set a Budget for their next Fiscal Year. All of the bond funds, mitigation fees, and taxes collected to build a recycled water facility and brine disposal are gone.

This Order has never been presented to Council. A week after the Order was released Beaumont City Council approved expansion of the plant, which is a direct violation of the Order. The City has no made no provisions to comply with this Order and no provisions to produce Title 22 compliant recycled water and brine disposal.

The Santa Ana Regional Water Quality Control Board's gross negligence has aided and abetted the City of Beaumont's fraud and embezzlement. The Santa Ana Regional Water Quality Control Board's gross negligence has put 40,000 Citizens' well being at risk.

It is now imperative that the Regional Board strictly enforce Beaumont's compliance with Order #R-8-2015-0026. The Board must invoke a Cease and Desist Order for failure to comply as monetary penalties have no effect on the City.

It is also Imperative that the Regional Board report any knowledge of criminal activity to the appropriate State and Federal Authorities.

#### ATTACHMENTS

Beaumont Financing Authority  
1993 Revenue Bond Series A \$8,500,00  
(Sewer Enterprise Project)  
1993 Sewer Bond: <http://emma.msrb.org/MS90568-MS65876-MD127415.pdf>

Beaumont Financing Authority  
1994 Local Agency Revenue Bond Series A \$7,535,000  
1994 Local Agency Revenue Bond Series B \$2,755,000  
1994 Sewer Bond: <http://emma.msrb.org/MS98152-MS73460-MD142327.pdf>

\$9,790,00 2001 Wastewater Bond Called After Embezzlement Discovered.

Email from Contractor regarding the City of Beaumont's Fraudulent Public Bid Contract.

Email from Regional Board Director to Kyle Warsinski, who is the City's front for Deepak Moorjani, regarding my comments to the State Water Quality Control Board.

Begin forwarded message:

**From:** Mark Wippler <wipplerm@hotmail.com>

**Subject:** Tour of the City of Beaumont's WWTP 5/14/15

**Date:** May 14, 2015 at 4:11:42 PM PDT

**To:** "libi@libionline.net" <libi@libionline.net>

Libi,

Today the City of Beaumont provided a pre-bid walk through of their "state of the art" wastewater treatment facility to potential Operational and Maintenance contractors. The current contract operators "Utility Partners" contract is due to expire soon and it is time to rebid these services.

As part of due diligence for the Operations and Maintenance company I work for it brought me to some of your articles.

I do not know your experience regarding wastewater treatment processes but your insight into Beaumont not having a "state of the art" wastewater treatment facility is correct.

I have been in the water/wastewater treatment career field for 35 years. I possess a CA Grade V Wastewater Treatment Plant Operator license, CWEA Maintenance Technologist Grade IV, and CWEA Laboratory Analyst Grade I.

It is not likely that the company I work for will waste their time bidding for this contract.

Certain clues from the city staff indicate that the city is not willing to conduct due diligence on their part in actually looking for an operation and maintenance contractor for their facilities.

1.) Short timelines from the pre-bid walk through which was today (May 14, 10:00 am), to when the sealed bid is due (two weeks)(May 28,2015) At a minimum it should be 30 to 60 days.

2) NO Pictures to be taken of the facility. (Of course IF your a terrorist and plan to sabotage the facility I could see their point ;- ) However you would not have been able to capture the dead bird floating in the effluent stream of their filters, the chipping paint on their clarifiers, or other operation and maintenaneec issues that you figure would have been corrected BEFORE allowing a tour.

3) In the Pre-Bid documents the City is requiring specific CA grade certifications that do not match facility requirements. From my experiences these requests could be "current contractor" specific items that limit other outside contractors from the bidding process.

4) One item requesting the new contractor to have experience operating a "Biolac" treatment system is absurd. Their process is considered conventional activated sludge and is no different to operate than any other activated sludge process. The only reason communities go with this type system is price. It is cheap to install but can become expensive to operate over time.

If you would like further information regarding wastewater treatment do not hesistate to call.

Thanks for your time :-)

As we have therefore opportunity, let us do good unto all men... (Galatians 6:10a)

Mark Wippler  
[wipplerm@hotmail.com](mailto:wipplerm@hotmail.com)  
1.661.874.2248

**From:** "Berchtold, Kurt@Waterboards"  
<Kurt.Berchtold@waterboards.ca.gov>  
**Subject:** Regional Board Meeting  
**Date:** April 22, 2015 at 8:58:39 AM PDT  
**To:** Kyle Warsinski <kylew@beaumontcares.com>

Kyle,

I understand that there was a speaker during the Public Forum at yesterday's State Water Board meeting who raised issues about the City of Beaumont. I have attached a copy of the handout that was provided to the State Water Board members. I wanted to let you know that the speaker also said she plans to appear at the Regional Board's meeting on May 1 to raise these issues at the public forum. If you want to provide any comments to the Board on behalf of the City at the public forum, you would be welcome to do that. Let me know if you need any other information.

Kurt V. Berchtold  
Executive Officer  
Santa Ana RWQCB  
(951) 782-3286  
[kurt.berchtold@waterboards.ca.gov](mailto:kurt.berchtold@waterboards.ca.gov)

*The 'attachment' was my business card.*

## City of Beaumont Sewer Plant Scam

On September 10, 2014 the Beaumont-Cherry Valley Water District voted to obtain Title 22 Compliant Recycled Water from the Yucaipa Valley Water District after waiting 20 years for the City of Beaumont to build a Wastewater Treatment Plant and produce Title 22 Compliant Recycled Water. (Action Item 4)

[http://www.bcvwd.org/PDF\\_Files/bowl\\_minutes/2014/09-10-2014%20Regular%20Board%20Meeting%20Minutes.pdf](http://www.bcvwd.org/PDF_Files/bowl_minutes/2014/09-10-2014%20Regular%20Board%20Meeting%20Minutes.pdf)

The City of Beaumont's original Sewer Plant was built in 1929. It had the sewage capacity for a few thousand homes and no wastewater recycling abilities.

In 1993 the City obtained an \$8.5 Million Bond to upgrade and expand the old Sewer Plant and build a Wastewater Treatment Plant to provide sewer and recycled water for the 4,000 current homes and businesses and 2,200 anticipated new homes and businesses.

From 1993 – 2001 the City of Beaumont has obtained a total of \$25.8 Million in Bond Debt to build a Wastewater Treatment Plant, but the facility was never built.

Review of the 2001 Wastewater Bond Fund Account reveals that between July 2009 - March 2012 Union Bank transferred \$3.9 Million to another accounted coded 'Urban Logic Consultants'.

The City has built over 13,000 homes in the last 20 years without adequate sewer facilities or a recycled water facility. The City relies on an Aquifer Basin that has been in Overdraft for years, and water purchased from the State, if available.

If the Beaumont-Cherry Valley area continues to use drinking water for construction, lawns, and golf courses their drinking water supply is projected to run out in less than 5 years.

The Property Owners in the Developments pay additional Mello Roos taxes in part for proper sewer facilities and a Wastewater Treatment Plant that produces Title 22 Compliant recycled water. Developers were also charged Mitigation Fees for Recycled Water. Unknown Millions in Additional Taxes and Fees have been collected from Property Owners and Developers for a Wastewater Treatment Facility that was never built.

For 20 years the Sewer Plant has been operated by Deepak Moorjani, City Engineer/Urban Logic Consultant. The City claims outside companies operate the Sewer Plant, but in the last 20 years the 'outside companies' have consisted of Moorjani changing the letterhead from 'Urban Logic Services' to 'Aqurion' to 'Utility Partners'.

The last time the City attempted to become Title 22 Compliant was in 2007.

The State Regional Quality Control Board has issued Guidelines and Penalties upon the City of Beaumont, but the Board has failed to uphold any Standards or properly Regulate the City and protect the Citizens.

Instead of building the Wastewater Treatment Plant the City lied and told the community that they built a state-of-the-art Wastewater Treatment Facility when in fact they built nothing at all.

The City now has the construction of the Wastewater Treatment Facility on their 'to do' list with a price tag of \$69.5 Million. The City has collected enough money to build the Plant, but all the money's gone.

All of the Bond money is gone. All of the Mello Roos Taxes are gone. All of the Mitigation Fees are gone. All of the Additional Fees and Taxes charged to the citizenry are gone. In the last 20 years the City of Beaumont has collected over \$50 Million to build a Wastewater Treatment Facility. There is no Plant and all the money's gone.

The City claims that it currently 'recharges' - meaning dumps - millions of gallons of wastewater into the Basin every day. Wastewater that did not meet the standards for Title 22 Compliance in 2007.

The City of Beaumont has a Population of 40,000 People, Bond Debt over \$350 Million, Lawsuits over \$100 Million, 30 Year Mortgages, a 3-4 Year Drinking Water Supply, and an Infrastructure that's little more than smoke and mirrors.

## Beaumont Wastewater Treatment Plant Time-Line

1993: City Adopts Resolution 1993-65 Charging Sewer Connection Fees to build a Wastewater Treatment Plant.

1993: City Obtains an \$8.5 Million Sewer Bond to Upgrade the Sewer Plant and Construct a Wastewater Treatment Facility. Bond states that the new facilities will have the Capacity to serve the 4,000 Existing homes and 2,200 Additional Homes.

1994: City Obtains \$10,290,000 Mello Roos Bond to Build 2,200 Homes.

1996: City Adopts Resolution 2006-73 Increasing Wastewater Treatment System Fees, Establishing a Salt Mitigation Fee, and Authorizing Expansion of Wastewater Treatment Facility.

1996: City Obtains \$7.5 Million Sewer Bond to Construct Wastewater Treatment Plant and Pay 1993 Bond

2001: City Obtains \$9.78 Million Wastewater Lease Revenue Bond. Bond States Wastewater Facility was Built in 1994 and is Title 22 Compliant

2002: March 5<sup>th</sup> Council Agenda Item 3.j 'Contract Extension for Wastewater Services with Urban Logic Services'

2003: Deepak Moorjani Changes Letterhead from 'Urban Logic Services' to 'Aqurion Services' and submits letter to Kapanicas stating that he sold the company, which consisted of the Beaumont Wastewater Contract, to an out-of-state company.

2000-2011: City Obtains \$300 Million in Mello Roos Bonds and Builds an Additional 8,000 Homes. All Bonds state that Funds will be Used to Build Sewer and Wastewater Treatment Facilities.

2006: City Council Passes Resolution 2006-73 Increasing Wastewater Treatment System Fees and Authorizes Expansion of Wastewater Treatment Plant.

2007: California Department of Health Issues 12 Requirements for the City of Beaumont to Become Title 22 Compliant. City never replies or attempts to qualify for Title 22 again.

2008: City Adopts Resolution 2008-45 Authorizing Funding to Construct Recycled Water System

2008: City Adopts Resolution 2008-50 Establishing Recycled Water Capital Reserve Fund in Accordance with State Water Resources Control Board Requirement.

2009: 403,000 Gallons of Raw Sewage Spill into the San Timoteo Creek

2010: California Regional Water Quality Control Board Issues Administrative Civil Liability Order No. R8-2010-0022

2010: Moorjani Changes Letterhead From 'Aqurion Services' to 'Utility Partners'

2009-2012: Union Bank Funnels \$6.6 Million to Urban Logic Consultants through the 2001 Wastewater Improvement Bond Fund Account

September 10, 2014: Beaumont-Cherry Valley Water District Votes to Receive Recycled Water from Yucaipa Water District as the City of Beaumont has Not built a Wastewater Treatment Plant or Attempted to Become Title 22 Compliant Since 2007.

September 16, 2014: Beaumont City Council Workshop list on the 'Critical Facilities Future Budget (What Beaumont will be able to afford) - \$60.5 Million Wastewater Treatment Plant Expansion, Desalination and Brine Removal

## Beaumont 2001 Wastewater Treatment Bond Embezzlement

Bond Fund Accounts are individual accounts established and maintained by the Bond Trustee. All \$350 Million Bond Debt issued to the City of Beaumont has one (1) Bond Trustee: Union Bank.

The Use and Amount of money deposited into each Fund Account is established by each Bonds' Sources and Uses of Funds Disclosure page.

The Beaumont 2001 Wastewater Bond page 19 list the Bond Fund Accounts as:

Wastewater Escrow Fund \$7,987,365  
Wastewater Improvement Fund \$1,518,760  
Costs of Issuance Fund \$ 475,000  
Rate Stabilization Fund \$ 300,000  
Total Uses \$10,281,125

The Beaumont GAAP Audits report the following amounts paid for Sewer Fund Machinery & Equipment:

FYE 2010 \$4.4 Million  
FYE 2011 \$2.4 Million  
FYE 2012 \$2.6 Million  
FYE 2013 \$2.3 Million

The definition of Machinery and Equipment is: 'Assets having a physical existence and expected to be used for a period exceeding one year.' Consulting, labor, and advertising expenses do not qualify as machinery and equipment.

Because the Check Warrants do not show millions in equipment purchases, a public records request was filed for the checks to show the Sewer Fund machinery and equipment purchased in the last four years. The City produced a copy of the General Ledger Sewer Fund 10 listing the money paid with Checks AND the 2001 Sewer Bond Wastewater Improvement Fund Accounts for the fiscal years ending in 2010, 2011, and 2012.

The July 1, 2009 Wastewater Improvement Fund Account shows a Beginning Balance of \$6,656,617.29. Page 19 of the Bond states the total amount the Trustee should have deposit into this Fund Account was only 1.5 Million.

From July 2009 thru June 2010 a total of \$1,784,199.99 was funneled to Urban Logic Consultants, \$15,794.90 to Bentley Systems, and \$871,810.73 to the City of Beaumont's Citibank Account.

From July 2010 thru June 2011 a total of \$1,116,859.95 was funneled to Urban Logic Consultants.

From July 2011 to March 2012 a total of \$999,021.56 was funneled to Urban Logic Consultants and \$1,835,084 to Citibank. The final Balance on March 31, 2012 was \$13.59.

When Beaumont Finance Director, William Alyward, was asked for the documentation from April 2012 through June 30, 2013 he replied that there is no documentation. There is nothing resembling a receipt for the \$2.3 Million in Equipment and Machinery recorded on the GAAP Audit FYE 2013.

The General Ledger from July 2009 through June 2012 lists a total of \$7,767,855.05 in Expenses with \$2.8 Million paid to Urban Logic, \$2.3 Million to J.F. Shea, \$92,676 to Moody Construction, and \$780,000 to Wildermuth Environmentals.

Nearly \$8 Million of the \$9.7 Million 2001 Wastewater Bond was supposed to be used to pay old bond debt, but \$3.9 Million was funneled to Urban Logic and \$2.7 Million was funneled back to the City through Citibank.

And the Wastewater Treatment Plant? There is no Wastewater Treatment Plant in Beaumont. All the money was embezzled.



Account Number  
6711674106

Account Name  
BEAUMONT 2001-IMPROVEMENT FUND

### Account Statement

Statement Period

July 1, 2011 through July 31, 2011

### Asset Detail - Principal Portfolio

#### Cash & Cash Equivalents

Asset Name	CUSIP	Shares/ Units Held	Cost Basis	Market Value	Price/ Date Priced	Percentage of Portfolio	Current Yield
<b>Money Market Funds</b>							
BLACKROCK INSTITUTIONAL FUNDS T-FUND INSTITUTIONAL SHARES CASH MANAGEMENT SWEEPS	09248U718S	2,769,750.160	2,769,750.16	2,769,750.16	1.0000 07/29/2011	100.00%	0.01%
<b>Total Cash &amp; Cash Equivalents</b>		<b>2,769,750.160</b>	<b>\$2,769,750.16</b>	<b>\$2,769,750.16</b>		<b>100.00%</b>	<b>0.01%</b>
<b>Total Principal Portfolio</b>		<b>2,769,750.160</b>	<b>\$2,769,750.16</b>	<b>\$2,769,750.16</b>		<b>100.00%</b>	<b>0.01%</b>
<b>Total Account Values</b>		<b>2,769,750.160</b>	<b>\$2,769,750.16</b>	<b>\$2,769,750.16</b>		<b>100.00%</b>	<b>0.01%</b>

### Transaction Detail

Date	Description	CUSIP	Principal Cash	Cost Basis
Beginning Balance			\$0.00	\$2,811,654.36
07/05/11	CASH RECEIPT OF DIVIDEND EARNED ON BLACKROCK T-FUND MMKT INSTL #60 DIVIDEND FROM 6/1/11 TO 6/30/11	09248U718S	23.80	
07/11/11	CASH DISBURSEMENT PAID TO URBAN LOGIC CONSULTANTS, INC TRANSFER TO UB CHKING/SAVING REQ 122- WASTERWATER ENTERPRISE PROJECT		(98,928.00)	



Account Number  
6711674106

Account Name  
BEAUMONT 2001 - IMPROVEMENT FUND

### Account Statement

Statement Period

August 1, 2011 through August 31, 2011

### Asset Detail - Principal Portfolio

Cash & Cash Equivalents

Asset Name	CUSIP	Shares/ Units Held	Cost Basis	Market Value	Price/ Date Priced	Percentage of Portfolio	Current Yield
Money Market Funds							
BLACKROCK INSTITUTIONAL FUNDS T-FUND INSTITUTIONAL SHARES CASH MANAGEMENT SWEEPS	09248U718S	2,683,767.330	\$2,683,767.33	\$2,683,767.33	1.0000 08/31/2011	100.00%	0.02%
<b>Total Cash &amp; Cash Equivalents</b>		<b>2,683,767.330</b>	<b>\$2,683,767.33</b>	<b>\$2,683,767.33</b>		<b>100.00%</b>	<b>0.02%</b>
<b>Total Principal Portfolio</b>		<b>2,683,767.330</b>	<b>\$2,683,767.33</b>	<b>\$2,683,767.33</b>		<b>100.00%</b>	<b>0.02%</b>
<b>Total Account Values</b>		<b>2,683,767.330</b>	<b>\$2,683,767.33</b>	<b>\$2,683,767.33</b>		<b>100.00%</b>	<b>0.02%</b>

### Transaction Detail

Date	Description	CUSIP	Principal Cash	Cost Basis
	Beginning Balance		\$0.00	\$2,709,750.16
08/01/11	CASH RECEIPT OF DIVIDEND EARNED ON BLACKROCK T-FUND MMKT INSTL #60 CURRENT 7 DAY AVERAGE .01%	09248U718S	23.86	
08/01/11	SWEEP FEE COLLECTED CASH MGT CHG: BLACKROCK T-FUND MMKT INSTL #60	09248U718S	(21.69)	
08/11/11	CASH DISBURSEMENT PAID TO URBAN LOGIC CONSULTANTS TRANSFER TO LDC CHKING/SAVING REC 123-WASTEWATER ENTEFFRISE PROJECTS		(85,985.00)	

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■ **Account Number**  
 6711674196  
 ■ **Account Name**  
 BEAUMONT 2001 - IMPROVEMENT FUND

### Account Statement

■ **Statement Period**  
 September 1, 2011 through September 30, 2011

### Asset Detail - Principal Portfolio

#### ■ Cash & Cash Equivalents

Asset Name	CUSIP	Shares/ Units Held	Cost Basis	Market Value	Price/ Date Priced	Percentage of Portfolio	Current Yield
<b>Money Market Funds</b>							
BLACKROCK INSTITUTIONAL FUNDS T-FUND INSTITUTIONAL SHARES CASH MANAGEMENT SWEEPS	09248U718S	2,593,295.970	2,593,295.97	2,593,295.97	1.0000 09/30/2011	100.00%	0.01%
<b>Total Cash &amp; Cash Equivalents</b>		<b>2,593,295.970</b>	<b>2,593,295.97</b>	<b>\$2,593,295.97</b>		<b>100.00%</b>	<b>0.01%</b>
<b>Total Principal Portfolio</b>		<b>2,593,295.970</b>	<b>2,593,295.97</b>	<b>\$2,593,295.97</b>		<b>100.00%</b>	<b>0.01%</b>
<b>Total Account Values</b>		<b>2,593,295.970</b>	<b>2,593,295.97</b>	<b>\$2,593,295.97</b>		<b>100.00%</b>	<b>0.01%</b>

### Transaction Detail

Date	Description	CUSIP	Principal Cash	Cost Basis
Beginning Balance			\$0.00	\$2,403,767.33
09/01/11	CASH RECEIPT OF DIVIDEND EARNED ON BLACKROCK T-FUND MMKT INSTL #61 CURRENT 7 DAY AVERAGE .01%	09248U718S	23.14	
09/09/11	CASH DISBURSEMENT PAID TO UREAN LOGIC CONSULTANTS, INC. TRANSFER TO UB CHKING/SAVING REQ 124-WASTERWATER ENTERPRISE PRJCTS		(90,494.50)	

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Account Number  
6711674106

Account Name  
BEAUMONT 2001-IMPROVEMENT FUND

### Account Statement

Statement Period

October 1, 2011 through October 31, 2011

### Asset Detail - Principal Portfolio

Cash & Cash Equivalents

Asset Name	CUSIP	Shares/ Units Held	Cost Basis	Market Value	Price/ Date Priced	Percentage of Portfolio	Current Yield
<b>Money Market Funds</b>							
BLACKROCK INSTITUTIONAL FUNDS T-FUND INSTITUTIONAL SHARES CASH MANAGEMENT SWEEPS	092480718S	2,473,011.960	2,473,011.96	2,473,011.96	1.0000 10/31/2011	100.00%	0.01%
<b>Total Cash &amp; Cash Equivalents</b>		<b>2,473,011.960</b>	<b>\$2,473,011.96</b>	<b>\$2,473,011.96</b>		<b>100.00%</b>	<b>0.01%</b>
<b>Total Principal Portfolio</b>		<b>2,473,011.960</b>	<b>\$2,473,011.96</b>	<b>\$2,473,011.96</b>		<b>100.00%</b>	<b>0.01%</b>
<b>Total Account Values</b>		<b>2,473,011.960</b>	<b>\$2,473,011.96</b>	<b>\$2,473,011.96</b>		<b>100.00%</b>	<b>0.01%</b>

### Transaction Detail

Date	Description	CUSIP	Principal Cash	Cost Basis
	Beginning Balance		\$0.00	\$2,583,285.67
10/03/11	CASH RECEIPT OF DIVIDEND EARNED ON BLACKROCK FUND MKMT INSTL #60 CURRENT 7 DAY AVERAGE .01%	092480718S	21.54	
10/14/11	CASH DISBURSEMENT PAID TO URBAN LOGIC CONSULTANTS, INC. TRANSFER TO UB CHECKING/SAVING ; REQ 125 WASTEWATER ENTERPRISE PRJCTS		(129,305.55)	

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Account Number  
6711674106

Account Name  
BEAUMONT 2001-IMPROVEMENT FUND

### Account Statement

#### Statement Period

November 1, 2011 through November 30, 2011

### Asset Detail - Principal Portfolio

#### Cash & Cash Equivalents

Asset Name	CUSIP	Shares/ Units Held	Cost Basis	Market Value	Price/ Date Priced	Percentage of Portfolio	Current Yield
<b>Money Market Funds</b>							
BLACKROCK INSTITUTIONAL FUNDS T-FUND INSTITUTIONAL SHARES CASH MANAGEMENT SWEEPS	09248U718S	2,384,552.120	\$2,384,552.12	\$2,384,552.12	1.0000 11/30/2011	100.00%	0.01%
<b>Total Cash &amp; Cash Equivalents</b>		<b>2,384,552.120</b>	<b>\$2,384,552.12</b>	<b>\$2,384,552.12</b>		<b>100.00%</b>	<b>0.01%</b>
<b>Total Principal Portfolio</b>		<b>2,384,552.120</b>	<b>\$2,384,552.12</b>	<b>\$2,384,552.12</b>		<b>100.00%</b>	<b>0.01%</b>
<b>Total Account Values</b>		<b>2,384,552.120</b>	<b>\$2,384,552.12</b>	<b>\$2,384,552.12</b>		<b>100.00%</b>	<b>0.01%</b>

### Transaction Detail

Date	Description	CUSIP	Principal Cash	Cost Basis
Beginning Balance			\$0.00	\$2,473,011.86
11/01/11	CASH RECEIPT OF DIVIDEND EARNED ON BLACKROCK T-FUND MMKT INSTL #60 CURRENT 7 DAY AVERAGE .01%	09248U718S	21.47	
11/01/11	SWEEP FEE COLLECTED CASH MGT CHG: BLACKROCK T-FUND MMKT INSTL #60	09248U718S	(18.06)	
11/01/11	PURCHASED 3.41 UNITS OF BLACKROCK T-FUND MMKT INSTL #60 TRADE DATE 11/01/11	09248U718S	(3.41)	3.41
11/08/11	CASH DISBURSEMENT PAID TO URBAY LOGIC CONSULTANTS, INC TRANSFER TO UB CHKING/SAVING ; REQ 126 - WASTEWATER ENTERPRISE PROJ.		(88,463.25)	



Account Number  
6711674106

Account Name  
BEAUMONT 2001-IMPROVEMENT FUND

### Account Statement

Statement Period

December 1, 2011 through December 31, 2011

### Asset Detail - Principal Portfolio

Cash & Cash Equivalents

Asset Name	CUSIP	Shares/ Units Held	Cost Basis	Market Value	Price/ Date Priced	Percentage of Portfolio	Current Yield
<b>Money Market Funds</b>							
BLACKROCK INSTITUTIONAL FUNDS T-FUND INSTITUTIONAL SHARES CASH MANAGEMENT SWEEPS	09248U718S	417,234.580	417,234.58	417,234.58	1.0000 12/30/2011	100.00%	0.01%
<b>Total Cash &amp; Cash Equivalents</b>		<b>417,234.580</b>	<b>\$417,234.58</b>	<b>\$417,234.58</b>		<b>100.00%</b>	<b>0.01%</b>
<b>Total Principal Portfolio</b>		<b>417,234.580</b>	<b>\$417,234.58</b>	<b>\$417,234.58</b>		<b>100.00%</b>	<b>0.01%</b>
<b>Total Account Values</b>		<b>417,234.580</b>	<b>\$417,234.58</b>	<b>\$417,234.58</b>		<b>100.00%</b>	<b>0.01%</b>

### Transaction Detail

Date	Description	CUSIP	Principal Cash	Cost Basis
Beginning Balance			\$0.00	\$2,314,552.12
12/01/11	CASH RECEIPT OF DIVIDEND EARNED ON BLACKROCK-T-FUND MMKT INSTL #60 CURRENT 7 DAY AVERAGE .01%	09248U718S	19.71	
12/01/11	SWEEP FEE COLLECTED CASH MGT CHG-BLACKROCK-T-FUND MMKT INSTL #60	09248U718S	(15.74)	
12/01/11	PURCHASED 3.97 UNITS OF BLACKROCK-T-FUND MMKT INSTL #60 TRADE DATE 12/01/11	09248U718S	(3.97)	3.97
12/08/11	CASH DISBURSEMENT PAID TO URBAN LOGIC CONSULTANTS TRANSFER TO CUR CHKING/SAVING REQ 127-WASTEWATER ENTERPRISES PROJECT		(97,619.76)	

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■ **Account Number**  
 6711674106  
 ■ **Account Name**  
 BEAUMONT 2001 - IMPROVEMENT FUND

**Account Statement**

■ **Statement Period**  
 December 1, 2011 through December 31, 2011

**Transaction Detail** (continued)

<b>Date</b>	<b>Description</b>	<b>CUSIP</b>	<b>Principal Cash</b>	<b>Cost Basis</b>
12/08/11	SOLD 97,619.76 UNITS OF BLACKROCK FUND MMKT INSTL #60 TRADE DATE 12/08/11	09248U718S	97,619.76	(97,619.76)
12/14/11	CASH DISBURSEMENT PAID TO URBAY LOGIC CONSULTANTS TRANSFER TO BE CHKING/SAVING REQ. 12B - REDEVELOPMENT PROJECTS		(34,617.75)	
12/14/11	CASH DISBURSEMENT PAID TO CITIBANK FSB REQUISITION PAYMENT REQ #128; WWTP CLEANUP		(1,835,084.00)	
12/14/11	SOLD 1,869,702 UNITS OF BLACKROCK FUND MMKT INSTL #60 TRADE DATE 12/14/11	09248U718S	1,869,701.75	(1,869,701.75)
<b>Net Activity</b>			<b>\$0.00</b>	<b>(\$1,787,317.54)</b>
<b>Ending Balance</b>			<b>\$0.00</b>	<b>\$417,234.58</b>

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Account Number  
6711674106

Account Name  
BEAUMONT 2001-IMPROVEMENT FUND

Account Statement

Statement Period

January 1, 2012 through January 31, 2012

Transaction Detail (continued)

Date	Description	CUSIP	Principal Cash	Cost Basis
01/05/12	PURCHASED 417,236.2 UNITS OF BLACKROCKT-FUND MMKT INSTL #60 TRADE DATE 01/05/12	09248U718S	(417,236.19)	417,236.19
01/05/12	SOLD 417,236.2 UNITS OF BLACKROCKT-FUND MMKT INSTL #60 TRADE DATE 01/05/12	09248U718S	417,236.19	(417,236.19)
01/06/12	PURCHASED 417,236.2 UNITS OF BLACKROCKT-FUND MMKT INSTL #60 TRADE DATE 01/06/12	09248U718S	(417,236.19)	417,236.19
01/12/12	CASH DISBURSEMENT PAID TO URBAN LOGIC CONSULTANTS TRANSFER TO UF CHKING/SAVING ); REQ 129-WASTEWATER ENTERPRISE PROJECTS INV# 2012-101		(148,335.25)	
01/12/12	SOLD 148,335.3 UNITS OF BLACKROCKT-FUND MMKT INSTL #60 TRADE DATE 01/12/12	09248U718S	148,335.25	(148,335.25)
<b>Net Activity</b>			<b>\$0.00</b>	<b>(\$148,333.64)</b>
<b>Ending Balance</b>			<b>\$0.00</b>	<b>\$289,999.94</b>

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■ **Account Number**  
 6711674106  
 ■ **Account Name**  
 BEAUMONT 2001-IMPROVEMENT FUND

### Account Statement

■ **Statement Period**  
 February 1, 2012 through February 29, 2012

### Transaction Detail (continued)

<b>Date</b>	<b>Description</b>	<b>CUSIP</b>	<b>Principal Cash</b>	<b>Cost Basis</b>
02/13/12	CASH DISBURSEMENT PAID TO URBAN LOGIC CONSULTANTS TRANSFER TO UB CHKING/SAVING REQ 130-WASTEWATER ENTERPRISE PROJECTS INV# 2012-108		(197,485.25)	
02/13/12	SOLD 197,485.0 UNITS OF BLACKROCK FUND MMKT INSTL #60 TRADE DATE 02/13/12	09248U7185	197,485.25	(197,485.25)
<b>Net Activity</b>			<b>\$0.00</b>	<b>(\$17,482.64)</b>
<b>Ending Balance</b>			<b>\$0.00</b>	<b>\$11,418.30</b>

3 / 3



**Account Number**  
 6711674106  
**Account Name**  
 BEAUMONT 2001-IMPROVEMENT FUND

**Account Statement**

**Statement Period**  
 March 1, 2012 through March 31, 2012

**Asset Detail - Principal Portfolio**

**Cash & Cash Equivalents**

Asset Name	CUSIP	Shares/ Units Held	Cost Basis	Market Value	Price/ Date Priced	Percentage of Portfolio	Current Yield
<b>Money Market Funds</b>							
BLACKROCK INSTITUTIONAL FUNDS T-FUND INSTITUTIONAL SHARES CASH MANAGEMENT SWEEPS	09248U718S	13.590	13.59	13.59	1.0000 03/30/2012	100.00%	0.00%
<b>Total Cash &amp; Cash Equivalents</b>		<b>13.590</b>	<b>\$13.59</b>	<b>\$13.59</b>		<b>100.00%</b>	<b>0.00%</b>
<b>Total Principal Portfolio</b>		<b>13.590</b>	<b>\$13.59</b>	<b>\$13.59</b>		<b>100.00%</b>	<b>0.00%</b>
<b>Total Account Values</b>		<b>13.590</b>	<b>\$13.59</b>	<b>\$13.59</b>		<b>100.00%</b>	<b>0.00%</b>

**Transaction Detail**

Date	Description	CUSIP	Principal Cash	Cost Basis
Beginning Balance			\$0.00	\$71,418.30
03/01/12	CASH RECEIPT OF DIVIDEND EARNED ON BLACKROCK-T-FUND MMKT INSTL #60 DIVIDEND FROM 2/1/12 TO 2/29/12	09248U718S	6.18	
03/01/12	SWEEP FEE COLLECTED CASH MGT CHG: BLACKROCK-T-FUND MMKT INSTL #60	09248U718S	(0.89)	
03/01/12	PURCHASED 0.29 UNITS OF BLACKROCK-T-FUND MMKT INSTL #60 TRADE DATE 03/01/12	09248U718S	(0.29)	0.29
03/03/12	CASH DISBURSEMENT PAID TO URBAN LOGIC CONSULTANTS TRANSFER TO UB CHKING/SAVING REQ. 131 WASTEWATER ENTERPRISE PFOJ INV# 2012-116, CONTRACT CERTIFICATE #124		(71,405.00)	

Journal Entry Series	TRX Date	Account Number	Account Description	Debit Amount	Credit Amount	Originating Master Name
229491 Purchasing	3/14/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	92,908.53	-	J.F. SHEA CONSTRUCTION INC
230222 Purchasing	3/21/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	114,887.82	-	J.F. SHEA CONSTRUCTION INC
231931 Purchasing	4/18/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	112,923.56	-	J.F. SHEA CONSTRUCTION INC
234223 Purchasing	5/16/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	198,921.18	-	J.F. SHEA CONSTRUCTION INC
236440 Purchasing	6/18/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	379,734.81	-	J.F. SHEA CONSTRUCTION INC
214079 Purchasing	7/20/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	71,331.40	-	URBAN LOGIC CONSULTANTS
215005 Purchasing	8/2/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	86,595.00	-	URBAN LOGIC CONSULTANTS
215422 Purchasing	8/14/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	69,417.70	-	URBAN LOGIC CONSULTANTS
217279 Purchasing	9/6/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	118,150.68	-	URBAN LOGIC CONSULTANTS
218779 Purchasing	9/26/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	3,929.00	-	URBAN LOGIC CONSULTANTS
218782 Purchasing	9/26/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	77,155.00	-	URBAN LOGIC CONSULTANTS
218785 Purchasing	9/26/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	2,553.00	-	URBAN LOGIC CONSULTANTS
219191 Purchasing	10/3/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	3,075.00	-	URBAN LOGIC CONSULTANTS
219194 Purchasing	10/3/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	72,012.75	-	URBAN LOGIC CONSULTANTS
220297 Purchasing	10/18/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	37,790.00	-	URBAN LOGIC CONSULTANTS
220298 Purchasing	10/18/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	2,535.00	-	URBAN LOGIC CONSULTANTS
220299 Purchasing	10/18/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	4,295.00	-	URBAN LOGIC CONSULTANTS
220305 Purchasing	10/18/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	22,597.50	-	URBAN LOGIC CONSULTANTS
220306 Purchasing	10/18/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	195.00	-	URBAN LOGIC CONSULTANTS
222052 Purchasing	11/8/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	8,825.00	-	URBAN LOGIC CONSULTANTS
222053 Purchasing	11/8/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	9,005.00	-	URBAN LOGIC CONSULTANTS
222054 Purchasing	11/8/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	14,248.51	-	URBAN LOGIC CONSULTANTS
222059 Purchasing	11/8/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	39,860.25	-	URBAN LOGIC CONSULTANTS
222970 Purchasing	11/29/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	3,230.00	-	URBAN LOGIC CONSULTANTS
222971 Purchasing	11/29/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	7,790.00	-	URBAN LOGIC CONSULTANTS
222972 Purchasing	11/29/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	1,430.00	-	URBAN LOGIC CONSULTANTS
222978 Purchasing	11/29/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	35,458.75	-	URBAN LOGIC CONSULTANTS
222980 Purchasing	11/29/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	1,950.00	-	URBAN LOGIC CONSULTANTS
223882 Purchasing	12/13/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	12,805.00	-	URBAN LOGIC CONSULTANTS
223883 Purchasing	12/13/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	10,888.75	-	URBAN LOGIC CONSULTANTS
223884 Purchasing	12/13/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	5,045.00	-	URBAN LOGIC CONSULTANTS
223890 Purchasing	12/13/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	29,307.00	-	URBAN LOGIC CONSULTANTS
223891 Purchasing	12/13/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	4,290.00	-	URBAN LOGIC CONSULTANTS
225987 Purchasing	1/17/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	1,560.00	-	URBAN LOGIC CONSULTANTS
225988 Purchasing	1/17/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	18,560.86	-	URBAN LOGIC CONSULTANTS
225989 Purchasing	1/17/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	6,425.00	-	URBAN LOGIC CONSULTANTS
225990 Purchasing	1/17/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	780.00	-	URBAN LOGIC CONSULTANTS
225991 Purchasing	1/17/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	3,600.75	-	URBAN LOGIC CONSULTANTS
225994 Purchasing	1/17/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	35,113.25	-	URBAN LOGIC CONSULTANTS
227048 Purchasing	2/1/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	1,365.00	-	URBAN LOGIC CONSULTANTS
227049 Purchasing	2/1/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	24,681.50	-	URBAN LOGIC CONSULTANTS
227050 Purchasing	2/1/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	18,604.80	-	URBAN LOGIC CONSULTANTS
227051 Purchasing	2/1/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	390.00	-	URBAN LOGIC CONSULTANTS
227052 Purchasing	2/1/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	2,136.64	-	URBAN LOGIC CONSULTANTS

227055	Purchasing	2/1/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	18,713.75	-	URBAN LOGIC CONSULTANTS
228805	Purchasing	2/28/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	64,687.93	-	URBAN LOGIC CONSULTANTS
228806	Purchasing	2/28/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	9,682.87	-	URBAN LOGIC CONSULTANTS
228807	Purchasing	2/28/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	455.00	-	URBAN LOGIC CONSULTANTS
228810	Purchasing	2/28/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	27,261.50	-	URBAN LOGIC CONSULTANTS
229429	Purchasing	3/13/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	52,750.05	-	URBAN LOGIC CONSULTANTS
229430	Purchasing	3/13/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	2,530.00	-	URBAN LOGIC CONSULTANTS
229431	Purchasing	3/13/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	21,650.00	-	URBAN LOGIC CONSULTANTS
229434	Purchasing	3/13/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	26,247.85	-	URBAN LOGIC CONSULTANTS
230918	Purchasing	4/4/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	68,274.88	-	URBAN LOGIC CONSULTANTS
230919	Purchasing	4/4/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	4,480.00	-	URBAN LOGIC CONSULTANTS
230923	Purchasing	4/4/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	650.00	-	URBAN LOGIC CONSULTANTS
230924	Purchasing	4/4/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	3,620.00	-	URBAN LOGIC CONSULTANTS
232946	Purchasing	5/2/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	3,950.25	-	URBAN LOGIC CONSULTANTS
232948	Purchasing	5/2/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	3,510.00	-	URBAN LOGIC CONSULTANTS
232956	Purchasing	5/2/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	39,180.63	-	URBAN LOGIC CONSULTANTS
234426	Purchasing	5/15/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	85,330.25	-	URBAN LOGIC CONSULTANTS
234430	Purchasing	5/15/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	4,400.00	-	URBAN LOGIC CONSULTANTS
238027	Purchasing	6/30/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	57,500.50	-	URBAN LOGIC CONSULTANTS
238032	Purchasing	6/30/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	10,890.00	-	URBAN LOGIC CONSULTANTS
238035	Purchasing	6/30/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	3,600.00	-	URBAN LOGIC CONSULTANTS
238038	Purchasing	6/30/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	2,730.00	-	URBAN LOGIC CONSULTANTS
239374	Purchasing	6/30/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	280.00	-	URBAN LOGIC CONSULTANTS
232947	Purchasing	5/2/2013	10-4050-4060-0001	SEPTIC CONVERSION PROJECT	10,590.00	-	URBAN LOGIC CONSULTANTS

**Auditor adjustments**

240638	Purchasing	8/1/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	\$2,695.00	\$0.00	URBAN LOGIC CONSULTANTS
240642	Purchasing	8/1/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	\$39,331.40	\$0.00	URBAN LOGIC CONSULTANTS
240643	Purchasing	8/1/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	\$28,417.13	\$0.00	URBAN LOGIC CONSULTANTS
240644	Purchasing	8/1/2013	10-4050-4060-0000	CONTRACTUAL SERVICES	\$2,530.00	\$0.00	URBAN LOGIC CONSULTANTS

Journal Entry Series	TRX Date	Account Number	Account Description	Debit Amount	Credit Amount	Originating Master Name
191612	Purchasing 9/22/2011	10-4060-4070-0000	SPEC DEPT SUPPLIES	113,508.61	-	GODWIN PUMPS
187531	Purchasing 8/5/2011	10-4050-4060-0000	CONTRACTUAL SERVICES	11,513.00	-	J.F. SHEA CONSTRUCTION INC
190835	Purchasing 9/14/2011	10-4050-4060-0000	CONTRACTUAL SERVICES	58,320.50	-	URBAN LOGIC CONSULTANTS
193486	Purchasing 10/21/2011	10-4050-4060-0000	CONTRACTUAL SERVICES	63,833.50	-	URBAN LOGIC CONSULTANTS
195107	Purchasing 11/9/2011	10-4050-4060-0000	CONTRACTUAL SERVICES	63,400.00	-	URBAN LOGIC CONSULTANTS
197186	Purchasing 12/8/2011	10-4050-4060-0000	CONTRACTUAL SERVICES	42,995.00	-	URBAN LOGIC CONSULTANTS
199643	Purchasing 1/13/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	88,045.00	-	URBAN LOGIC CONSULTANTS
201762	Purchasing 2/10/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	21,676.50	-	URBAN LOGIC CONSULTANTS
204283	Purchasing 3/14/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	91,477.50	-	URBAN LOGIC CONSULTANTS
204288	Purchasing 3/14/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	168,647.75	-	URBAN LOGIC CONSULTANTS
204792	Purchasing 3/22/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	82,245.00	-	URBAN LOGIC CONSULTANTS
206751	Purchasing 4/19/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	200,115.25	-	URBAN LOGIC CONSULTANTS
207711	Purchasing 5/3/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	138,255.25	-	URBAN LOGIC CONSULTANTS
209484	Purchasing 5/24/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	124,975.00	-	URBAN LOGIC CONSULTANTS
210412	Purchasing 6/7/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	101,191.14	-	URBAN LOGIC CONSULTANTS
211346	Purchasing 6/22/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	90,371.15	-	URBAN LOGIC CONSULTANTS
212370	Purchasing 6/30/2012	10-4050-4060-0000	CONTRACTUAL SERVICES	83,632.75	-	URBAN LOGIC CONSULTANTS

## Beaumont Wastewater Treatment Plant Fraud

The legal definition of Fraud is: *A false representation of a matter of fact—whether by words or by conduct, by false or misleading allegations, or by concealment of what should have been disclosed—that deceives and is intended to deceive another so that the individual will act upon it to her or his legal injury.*

In the WRCOG vs City of Beaumont Ruling Judge Chaffee stated: “..fraud by clear and convincing evidence..”

Judge Chaffee was referring to mitigation fees collected for roads, but the fraud committed by the City of Beaumont regarding the Wastewater Treatment Plant is even more obvious and detrimental to the citizens of the Pass Area.

A 'sewer plant' is a facility that processes sewer waste.

A 'wastewater treatment plant' is a facility that produces recycled water from sewer waste.

In 1993 the City of Beaumont received their first bond to upgrade the sewer plant and build a wastewater treatment plant. The wastewater treatment plant was supposed to be completed in 1995. 'Completed' as in able to produce Title 22 Compliant recycled water.

The hard fact is that Beaumont Council and Staff never built a wastewater treatment plant - they just started calling the sewer plant a wastewater treatment plant.

For 20 years Beaumont City Council and Staff have repeatedly lied about having a 'state-of-the-art' wastewater treatment plant that produced Title 22 Compliant recycled water. The City repeatedly issued press releases and publicly lied to their citizens and to other agencies.

Page 19 of their 2007 General Plan states: “The City of Beaumont Wastewater Treatment Plant was recently expanded to accommodate up to 4.0 million gallons per day of effluent. The City estimates that up to 2,240 acre-feet of recycled wastewater are made available to the community through this plant's operation on an annual basis.”

In the State of California wastewater can not be not classified as 'recycled wastewater' until/unless it is Title 22 Compliant. The City has never produced Title 22 Compliant recycled water. NEVER.

The City hasn't even attempted to become Title 22 Compliant since 2007. The Bond Fund Accounts verified that the money from the 2001 Wastewater Bond was embezzled between 2009 - March 2012.

The Beaumont-Cherry Valley Water District did their part and installed the purple pipes for recycled water, but the City didn't/couldn't produce the recycled water. Instead they just put signs on the purple pipes stating that the water was recycled water.

The City has refused to allow Beaumont-Cherry Valley Water District Board and Staff Members access to their alleged wastewater treatment plant. The City refuses to allow the men in the door because these men will know that it's all a big lie.

“If you tell a lie big enough and keep repeating it, people will eventually come to believe it.”  
Joseph Goebbels

The City's lies about building a state-of-the-art recycled water plant is fraud by clear and convincing evidence. The only question is: what did the developers know?

Below are City of Beaumont links containing fraudulent documents regarding the recycled water and wastewater treatment plant:

General Plan pg 19: <http://www.ci.beaumont.ca.us/DocumentCenter/Home/View/63>

"The City's treatment plant and recycled water meet or exceed all stat and federal standards"  
<http://www.ci.beaumont.ca.us/documentcenter/view/2804>

"In 1994 the city replaced the old plant with a new state-of-the-art facility .."  
<http://www.ci.beaumont.ca.us/ArchiveCenter/ViewFile/Item/132>

"Water Use Per Home 280 Gal/Day Available for Recycling, Landscape Irrigation, Recharge, and Reuse."  
<http://www.ci.beaumont.ca.us/documentcenter/view/19140>

"Wastewater treatment plant expansion and upgrading, water recycling, and storm drains: \$21.2 Million."  
"Beaumont's Water History 1994: The City's wastewater treatment plant is expanded and upgraded"  
<http://www.ci.beaumont.ca.us/ArchiveCenter/ViewFile/Item/167>

"The City owns and operates its own Wastewater Treatment Plant"  
<http://www.ci.beaumont.ca.us/documentcenter/view/15910>

Transcripts from the September 10, 2014 Beaumont-Cherry Valley Water District Workshop

Dr Avi Greene, Four Seasons: "I have no knowledge at all, so I am a complete novice at this. The only thing that spurred my interest was that we have these purple pipes that we paid for that was part of, you know, and I was asking about those. Those are suppose to be for the reclaimed water. So I said, "O great". When we moved in, which was about five years ago, we were told that this would be for reclaimed water. I said "great, great idea." It turns out of course as everyone knows, there is no reclaimed water flowing through those, it's all clean water."

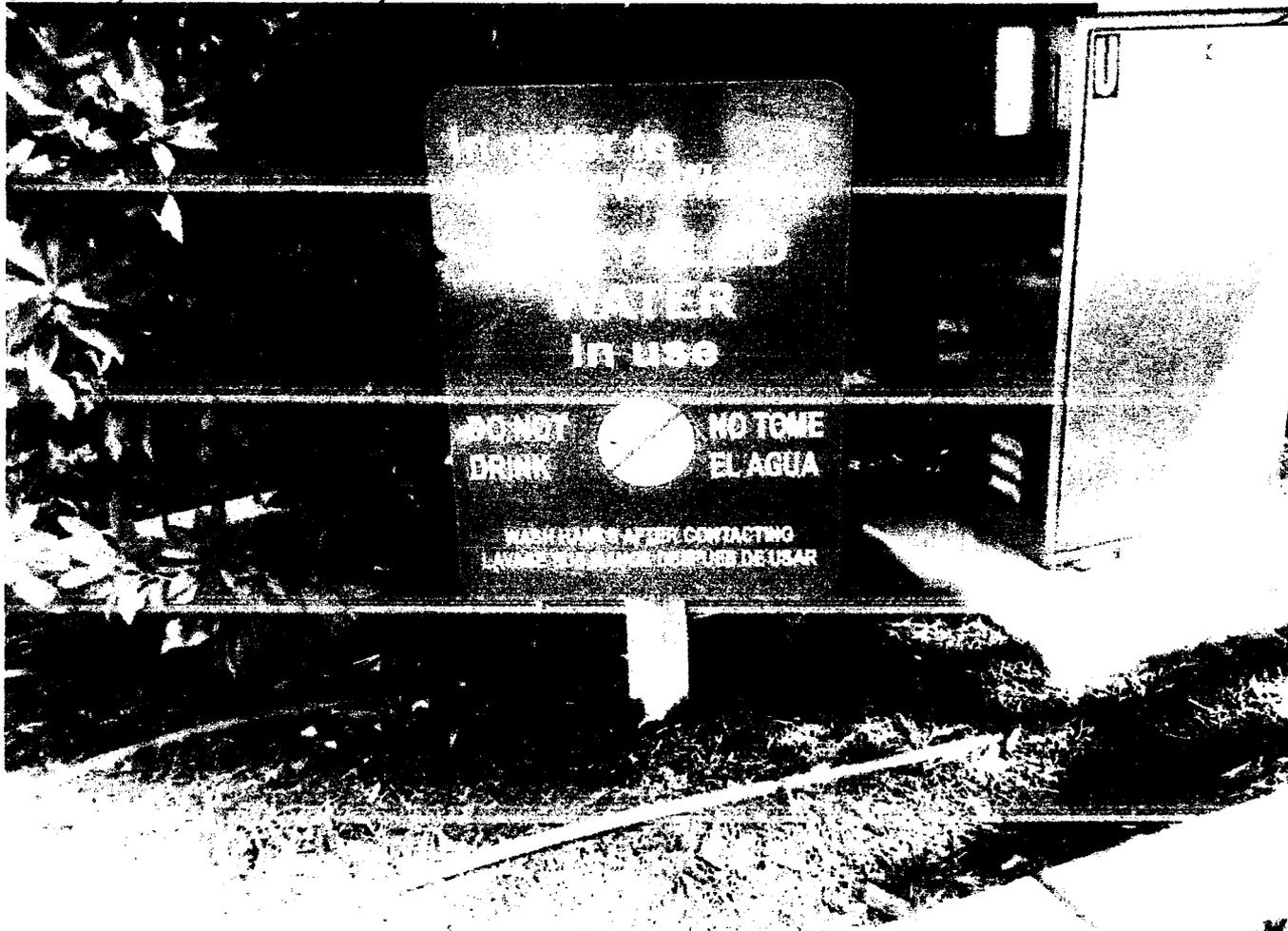
Water Board Director Ken Ross: "I met with the Regional Water Quality Control Board to find out if the City in fact had a state-of-the-art sewer operation like they said. The members of the Board laughed. They can not get the water clean enough to recycle."

Water Board Director Dr. Blair Ball: "We got our people together to go look at the wastewater treatment plant, but we were denied access because one staff member from the City of Beaumont didn't wear her right shoes. So everything stopped and they never let us in. They never let us in."

District General Manager Eric Fraser: "there was discussion from the City of Beaumont Officials at the ad hock committee and also reported out at the alliance meeting that "Beaumont's on track, 45 days we will be on track and have our Title 22 approval and legalize that water right away." And that's what was assured to me by Kyle and some other Officials from Beaumont. So I took a moment and called Mr. Williams at the Department of Public Health and asked him where are they at and do you think that's going to happen? Have they approved the protocols? What's going on? Mr. Williams indicated that he hasn't heard from the City of Beaumont in quite some time."

From: julya115@adl.com  
Subject: IMG-20141004-00117.jpg  
Date: October 4, 2014 at 2:52 PM  
To: libi@errolignali.com

Sent from my Verizon Wireless BlackBerry





**Community Development Goal 8. The City of Beaumont will continue to provide for the development of wastewater treatment infrastructure to accommodate future demand.**



The City of Beaumont Wastewater Treatment Plant was recently expanded to accommodate up to 4.0 million gallons per day of effluent. The City estimates that up to 2,240 acre-feet of recycled wastewater are made available to the community through this plant's operation on an annual basis.

- *Community Development Element Policy 28.* The City of Beaumont will continue to protect water quality through effective wastewater system management.
- *Community Development Element Policy 29.* The City of Beaumont will continue to ensure that future development is adequately served by wastewater treatment facilities.
- *Community Development Element Policy 30.* The City of Beaumont will continue to plan for the development of a system that will use reclaimed water for irrigation.

**Community Development Goal 9. The City of Beaumont will continue to cooperate with the local school district to ensure the existing and future demands are met.**

The following policies underscore the City's commitment in working with the Beaumont Unified School District to ensure that there are adequate services and facilities to meeting existing and future demand.

- *Community Development Element Policy 31.* The City of Beaumont will cooperate with the

Beaumont Unified School District and the community college district to promote the provision of high quality services and facilities for local residents.

- *Community Development Element Policy 32.* The City of Beaumont will continue to maintain a proactive relationship with the Beaumont Unified School District as a means to promote quality school facilities and programs.

**Community Development Goal 10. The City of Beaumont will continue to explore innovative strategies to pay for needed infrastructure.**

While much of the Planning Area is currently undeveloped, most of this undeveloped land has entitlements for future development. Many thousands of new housing units and millions of square feet of commercial and industrial development are contemplated under the General Plan's land use policy. The timely provision of new infrastructure to meet both existing and projected demand is an important consideration that is addressed in the policies contained herein.

- *Community Development Element Policy 33.* The City of Beaumont will continue to require future development to pay their pro-rata share for infrastructure and public facilities.
- *Community Development Element Policy 34.* The City of Beaumont will continue to explore the feasibility of using assessment districts, benefit assessment districts, traffic mitigation fees, Mello-Roos, or other financial mechanisms as a means to finance the construction of new infrastructure.
- *Community Development Element Policy 35.* The City of Beaumont will continue to assist

Beaumont City Document Dated January 1, 2010, which begs the question: Did the City also take money from the Developers for a new wastewater treatment plant?

<http://www.ci.beaumont.ca.us/ArchiveCenter/ViewFile/Item/84>

The 1929 sewer plant had served the community well. But with development just over the horizon, a modern wastewater treatment plant had to be built at a cost \$6.2 million.

The capacity of the new facility allowed new subdivisions and commercial and industrial development that created jobs.

To raise money, Beaumont came up with an innovative method of turning developers into "partners" for growth.

→ About a dozen developers put up the money for a new wastewater treatment plant that would allow building to go forward and upgrade water quality for existing residents. Builders believed in the city's future potential, so they put a special tax on their raw land.

Builders like John Stewart recalled sitting in day-long meetings for weeks with city officials. His company put up \$750,000 to help pay for the new treatment plant. Later, his approximately 500-home project, Three Rings Ranch, helped ignite Beaumont's building boom.

The plant opened in 1994 — five years ahead of the housing boom.

^  
There is  
no recycled  
water plant

From City of Beaumont Website, Date Unknown, But refers to 'Mayor Deforge', 2008-2012.

<http://www.ci.beaumont.ca.us/ArchiveCenter/ViewFile/Item/132>

## Waste Water Treatment Plant

High-tech control rooms, big, blue ponds, and 140 miles of underground lines keep up with sewer treatment in Beaumont.

### Long and growing tradition

In 1929, Beaumont built its first treatment plant and located it in the southwestern portion of the city. In 1994, the city replaced the old plant with a new state-of-the-art facility on 15 acres in the very same location along 4th Street.

Developer fees paid for most of the plant.

*we hardly notice because it, doesn't exist.*

Today, the treatment facility handles 4 million gallons a day. And we hardly notice in a plant where we have come to expect excellence and the highest level of service. The facility, which is operated by a private company for Beaumont, works diligently to uphold the strict state and federal standards for recycled water.

The plant has a modular design that keeps costs down and can be expanded in years to come.

### Cutting edge water recycling

Beaumont's treatment plant uses a seven-step process to turn waste into environmentally safe recycled water and sludge.

In 1994, the city was the first to get a permit and use the ultraviolet process —instead of toxic chlorine — to disinfect and recycle water.

By working closely with the plant's operator and county and state agencies, Beaumont has become a leader in the world of water recycling. Our efforts help the environment and the Beaumont Basin.

1.8 million gallons a day are fed into Cooper's Creek to preserve riparian habitat.

700,000 gallons a day are poured into the Basin to replenish water levels.

Future: 8 million gallons a day —enough water to supply 15,000 homes for a year — will be recycled for landscaping and to replenish our groundwater supply.

Beaumont's recycled water travels down the Santa Ana River and is used by thirsty Southern Californians as it flows toward Orange County and the ocean.

### Looking ahead

We're able to double the capacity of our wastewater treatment plant and create 8 million gallons a day of recycled water enough to supply the needs of 15,000 homes for a year.

# Regulatory Environment

*city no date  
propaganda*

Treatment plants operate in a complicated and rigorous regulatory environment.

Beaumont's plant operates under a permit issued by the Santa Ana Regional Water Quality Control Board.

Recycled water must meet or exceed federal and state water quality standards.

↘ The city's treatment plant and recycled water ↙ meet or exceed all state and federal standards.

The plant operator is a private company under contract with the City of Beaumont.

**OFFICIAL STATEMENT**

**NEW ISSUE — BOOK-ENTRY ONLY**

**RATING**  
**NOT RATED**

*In the opinion of McFarlin & Anderson, Irvine, California, Bond Counsel, subject to certain qualifications described herein, under existing law the interest on the Bonds is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of federal alternative minimum taxes imposed on individuals and corporations, although for purposes of computing the alternative minimum tax imposed on certain corporations, such interest is taken into account in determining certain income and earnings. In the further opinion of Bond Counsel, such interest is exempt from California personal income taxes. Bond Counsel expresses no opinion regarding other tax consequences related to the ownership or disposition of or the accrual or receipt of interest on, the Bonds. See "LEGAL MATTERS — Tax Matters" herein and the form of opinion of Bond Counsel attached hereto as Appendix C.*

COUNTY OF RIVERSIDE

STATE OF CALIFORNIA

**\$8,500,000**  
**BEAUMONT FINANCING AUTHORITY**  
**1993 REVENUE BONDS, SERIES A**  
**(SEWER ENTERPRISE PROJECT)**

Dated: August 1, 1993

Due: September 1, as shown below

Interest on the Bonds is payable on March 1, 1994, and semiannually thereafter on September 1 and March 1 of each year until maturity or earlier redemption (see "THE BONDS — General Provisions" herein). The Bonds will be issued as fully registered bonds, registered in the name of Cede & Co. as nominee of the Depository Trust Company, New York, New York, ("DTC"). Under the book-entry system maintained by DTC, the Bonds will be available to actual purchasers of the Bonds (the "Beneficial Owners") only through brokers and dealers who are or act through DTC Participants as described herein. Beneficial Owners will not be entitled to receive physical delivery of the Bonds. Ownership interest in the Bonds will be in denominations of \$5,000 and integral multiples thereof. Principal, premiums, if any, and interest due with respect to the Bonds is payable to DTC by Meridian Trust Company of California, San Francisco, California, as Trustee (the "Trustee") and, so long as DTC or its nominee remains the registered bondholder, disbursement of such payments to the Beneficial Owners is the responsibility of the DTC Participants. In the event that the book-entry system is no longer used with respect to the Bonds, the Beneficial Owners will become the registered owners of the Bonds and will be paid principal, premium, if any, and interest by the Trustee, all as described herein.

The Bonds are subject to optional, mandatory and special mandatory redemption prior to maturity as described herein.

**MATURITY SCHEDULE**

**\$8,500,000 6.9% Term Bonds due September 1, 2023 (Price 100%)**

The Bonds are payable from the revenue pledged under the Indenture, described herein (see "THE LEGAL DOCUMENTS — THE INDENTURE") consisting primarily of installment payments to be made by the City of Beaumont (the "City") to the BEAUMONT FINANCING AUTHORITY (the "Authority") under an installment sale agreement as described herein. The City's obligation to make installment payments is payable solely from Net Revenues of the Sewer Enterprise of the City, as described herein (see "SOURCES OF PAYMENT FOR THE BONDS" and "BONDOWNERS' RISKS" herein).

The Bonds are not a debt of the State of California or of any political subdivision thereof other than the Authority to the limited extent described herein and neither the faith and credit nor the taxing power of the State of California or of any political subdivision thereof (including the Authority) is pledged to the payment of the principal of, interest or premium of the Bonds. The Authority has no taxing power.

This cover page contains certain information for quick reference only. It is not a summary of this issue. Potential investors must read the entire Official Statement to obtain information essential to the making of an informed investment decision.

The Bonds are offered when, as and if issued and accepted by the Underwriter, subject to approval as to legality by McFarlin & Anderson, Irvine, California, Bond Counsel and subject to certain other conditions. Certain matters will be passed upon by Jones, Hall, Hill & White, a Professional Law Corporation, San Francisco, California, Disclosure Counsel, and for the Authority by Aklufi & Wysocki, Riverside, California. It is anticipated that the Bonds in book-entry form will be available for delivery in definitive form to DTC in New York, New York, on or about September 16, 1993.

**CHILTON & O'CONNOR, INC.**  
**INVESTMENT BANKERS**

Dated: August 31, 1993

1993 Sewer

**BEAUMONT FINANCING AUTHORITY  
1993 REVENUE BONDS, SERIES A  
(SEWER ENTERPRISE PROJECT)**

**CITY COUNCIL**

*Janice C. Laja, Mayor  
Frank H. Parrott, Mayor Pro Tem  
Matthew A. Brey, Councilmember  
Donald W. McLaughlin, Councilmember  
Matthew J. Russo, Councilmember*

**CITY STAFF**

*Dayle Keller, City Manager  
Alan C. Kapanicas, Interim Director of Administrative Services*

**PROFESSIONAL SERVICES**

**Bond Counsel**

*McFarlin & Anderson  
Irvine, California*

**City Attorney**

*Joseph A. Aklufi  
Aklufi & Wsocki, Riverside*

**Project Manager**

*Urban Logic Consultants  
Temecula, California*

**Civil Engineer**

*Trans-Pacific Consultants  
Temecula, California*

**Waste Water Engineer**

*Lee & Ro  
City of Industry, California*

**Sewer Rate Consultant**

*David Taussig & Associates, Inc.  
Newport Beach, California*

**Underwriter**

*Chilton & O'Connor, Inc.  
Los Angeles, California*

**Disclosure Counsel**

*Jones Hall Hill & White  
A Professional Law Corporation  
San Francisco, California*

**Trustee**

*Meridian Trust Company of California  
San Francisco, California*

another intermediate clarifier. From the intermediate clarifier partially treated waste water is discharged to another trickling filter which is followed by a secondary clarifier. Finally, the treated waste water is chlorinated and discharged to Cooper's Creek. Solids from the various clarifiers are pumped to an anaerobic digester for stabilization. The digested sludge from the digester is dried in drying beds prior to disposal at local landfills, or on agricultural land.

Because the existing headworks and primary clarifiers can adequately treat flows in excess of the current average flow of 1.0 MGD, these units will continue to be used (with minor modifications) as the flows increase. The existing anaerobic digester will continue to be used to digest sludge from the existing primary clarifiers. Construction of the new facilities should start during the winter of 1993 and should be completed by March 1995. A temporary pumping station will be constructed just downstream of the existing primaries for diversion of primary effluent to the new secondary treatment process. A single lined activated sludge basin with aeration units for denitrification will be installed along with a disinfection contact tank.

The treated effluent from the new facilities should meet the current discharge requirements. For example, total inorganic nitrogen (TIN) should be less than 10 mg/l (as N) more than 85 percent of the time, ammonia nitrogen should be less than 2 mg/l (as N), turbidity should be less than 2 and the coliform concentration should be less than 2.2 per 100 ml.

The existing headworks has two channels for reliability. The secondary treatment process will be designed for complete treatment even if both of the primary clarifiers are out of service. The activated sludge basin will be designed so that the aeration or mixing units can be removed from service one at a time without impairing treatment efficiency. Multiple filters will be provided.

#### Governmental Organizations

The City, incorporated in 1912, is a general law city governed by a Mayor and four City Council members who are elected to four-year alternating terms. The City has adopted the Council-Manager form of operation. The City Council appoints the City Manager who is responsible for the day-to-day administration of City business, the coordination of all departments of the City, including the Sewer Enterprise, and carrying out the policies established by the City Council. The Public Works Director will exercise general supervision over the Sewer Enterprise.

Bonds were issued, as a result of future acts or omissions of the Authority or the City in violation of their covenants in the Indenture or the Installment Sale Agreement, as applicable. Should such an event of taxability occur, the Bonds are not subject to a special redemption and will remain outstanding until maturity or until redeemed under other provisions set forth in the Indenture.

### Secondary Market

There can be no guarantee that there will be a secondary market for the Bonds or, if a secondary market exists, that such Bonds can be sold for any particular price. Occasionally, because of general market conditions or because of adverse history or economic prospects connected with a particular issue, secondary marketing practices in connection with a particular issue are suspended or terminated. Additionally, prices of issues for which a market is being made will depend upon then prevailing circumstances. Such prices could be substantially different from the original purchase price.

## THE SEWER ENTERPRISE

### Background

The Sewer Enterprise consists of collection and treatment facilities which now serve the equivalent of approximately 3,982 customer units. The existing treatment structures and equipment are nearing the end of their useful life and have limited capacity to meet future demand. Current waste water flows are at the system's rated capacity of 1.0 MGD.

The waste water treatment plant is operating under a permit issued by the State Regional Water Control Board which requires the plant to comply with new water quality standards by March 1995. To meet the permit requirements, the Sewer Enterprise will construct new waste water treatment facilities, with a maximum capacity of 1.4 MGD, northeast of the existing headworks. Of the facilities total capacity, 1.0 MGD will be reserved for existing users, and the excess capacity of up to .4 MGD will be reserved for new development and is planned to be sold to Community Facilities District 93-1.

Community Facilities District 93-1 contains 13 improvement areas, of which 12 have authorized bonded indebtedness and the levy of a special tax. When the CFD issues special tax bonds (expected in October 1993), the City of Beaumont intends to sell the excess capacity to the CFD for approximately \$3,400,000. In the alternative, the City may exchange the excess capacity for special tax bonds with a face value of approximately \$3,400,000. The income from these bonds would supplement the user fees in meeting the City's obligations under the Installment Sales Agreement.

### The Project

The Project involves acquisition of and improvements to the Sewer Enterprise, including construction of a new waste water treatment plant. The new facility will use an activated sludge process. The activated sludge process will remove nitrogen using anoxic treatment zones which convert nitrates to nitrogen gas. The nitrogen gas is then discharged into the atmosphere. The treated waste water will then be pumped to sand filters and the filtered water will then be disinfected using sodium hypochlorite.

The existing treatment plant includes a headworks for grit removal, comminution and metering. The discharge from the headworks enters two primary clarifiers, which are followed by a trickling filter and

**NEW ISSUE-BOOK ENTRY ONLY**

**RATING  
NOT RATED**

*In the opinion of McFarlin & Anderson, Irvine, California, Bond Counsel, subject to certain qualifications described herein, under existing law the interest on the 1994 Series A and the 1994 Series B Bonds (the "Bonds") is excluded from gross income for federal income tax purposes and is not an item of tax preference for purposes of federal alternative minimum taxes imposed on individuals and corporations, although for purposes of computing the alternative minimum tax imposed on certain corporations, such interest is taken into account in determining certain income and earnings. In the further opinion of Bond Counsel, such interest is exempt from California personal income taxes. Bond Counsel expresses no opinion regarding other tax consequences related to the ownership or disposition of, or the accrual or receipt of interest on, the Bonds. See "LEGAL MATTERS — Tax Matters" herein and the form of opinion of Bond Counsel attached hereto as Appendix G.*

**COUNTY OF RIVERSIDE**

**STATE OF CALIFORNIA**

**\$7,535,000**

**\$2,755,000**

**BEAUMONT FINANCING AUTHORITY  
1994 LOCAL AGENCY REVENUE BONDS  
SERIES A**

**BEAUMONT FINANCING AUTHORITY  
1994 LOCAL AGENCY REVENUE BONDS  
SERIES B**

**Dated: January 15, 1994**

**Due: September 1, as shown below**

Interest on the Bonds is payable on September 1, 1994, and semiannually thereafter on March 1 and September 1 of each year until maturity or earlier redemption (see "THE BONDS — General Provisions" herein). The Bonds will be issued as fully registered bonds, registered in the name of Cede & Co. as nominee of the Depository Trust Company, New York, New York, ("DTC"). Under the book-entry system maintained by DTC, the Bonds will be available to actual purchasers of the Bonds (the "Beneficial Owners") only through brokers and dealers who are or act through DTC Participants as described herein. Beneficial Owners will not be entitled to receive physical delivery of the Bonds. Ownership interest in the Bonds will be in denominations of \$5,000 and integral multiples thereof. Principal, premiums, if any, and interest due with respect to the Bonds is payable to DTC by Meridian Trust Company of California, San Francisco, California, as Trustee (the "Trustee") and, so long as DTC or its nominee remains the registered bondholder, disbursement of such payments to the Beneficial Owners is the responsibility of the DTC Participants. In the event that the book-entry system is no longer used with respect to the Bonds, the Beneficial Owners will become the registered owners of the Bonds and will be paid principal, premium, if any, and interest by the Trustee, all as described herein.

The Bonds are subject to optional, mandatory and special mandatory redemption prior to maturity as described herein.

**1994 SERIES A MATURITY SCHEDULE**

**\$7,535,000 7% Term Bonds due September 1, 2023 (Price 98.764%)**

**1994 SERIES B MATURITY SCHEDULE**

**\$3,000,000 SINK BOND**

<b>Maturity Date Sept. 1</b>	<b>Principal Amount</b>	<b>Interest Rate</b>	<b>Reoffering Yield</b>	<b>Maturity Date Sept. 1</b>	<b>Principal Amount</b>	<b>Interest Rate</b>	<b>Reoffering Yield</b>
1999	\$65,000	5.75%	5.75%	2002	\$75,000	6.20%	6.20%
2000	70,000	5.95	5.95	2003	80,000	6.30	6.30
2001	75,000	6.10	6.10				

**\$2,390,000 7.25% Term Bonds due September 1, 2023 (Price 100%)**

The Bonds are payable from the revenue pledged under the Indenture, described herein (see "THE LEGAL DOCUMENTS — THE INDENTURE") consisting primarily of principal and interest payments on local obligations, as described herein (see "SOURCES OF PAYMENT FOR THE BONDS" and "BONDOWNERS' RISKS" herein).

The Bonds are not a debt of the State of California or of any political subdivisions thereof other than the Authority to the limited extent described herein and neither the faith and credit nor the taxing power of the State of California or of any political subdivision thereof (including the Authority) is pledged to the payment of the principal of, interest or premium of the Bonds. The Authority has no taxing power.

This cover contains certain information for quick reference only. It is not a summary of this issue. Potential investors must read the entire Official Statement to obtain information essential to the making of an informed investment decision.

The Bonds are offered when, as and if issued and accepted by the Underwriter, subject to approval as to legality by McFarlin & Anderson, Irvine, California, Bond Counsel and subject to certain other conditions. Certain matters will be passed upon for the Underwriter by Jones, Hall, Hill & White, a Professional Law Corporation, San Francisco, California, Disclosure Counsel, and for the Authority by Aklufi & Wysocki, Riverside, California. It is anticipated that the Bonds in book-entry form will be available for delivery in definitive form to DTC in New York, New York, on or about February 9, 1994.

**CHILTON & O'CONNOR, INC.**  
INVESTMENT BANKERS

**Dated: January 27, 1994**

*1994 Bond*

**BEAUMONT FINANCING AUTHORITY  
1994 LOCAL AGENCY REVENUE BONDS**

**BEAUMONT FINANCING AUTHORITY GOVERNING BOARD  
AND CITY COUNCIL**

*Janice C. Leje, Mayor*  
*Frank H. Parrott, Mayor Pro Tem*  
*Matthew A. Brey, Councilmember*  
*Roger N. Berg, Councilmember*  
*Matthew J. Russo, Councilmember*

**CITY AND AUTHORITY STAFF**

*Dayle Keller, City Manager and Executive Director*  
*Alan C. Kapanicas, Interim Director of Administrative Services*  
*David W. Dillon, Director of Economic Development*

**PROFESSIONAL SERVICES**

**Bond Counsel**  
McFarlin & Anderson  
Irvine, California

**Authority Counsel and City Attorney**  
Joseph A. Aklufi  
Aklufi & Wysocki, Riverside

**Project Manager**  
Urban Logic Consultants  
Temecula, California

**Civil Engineer**  
Trans-Pacific Consultants  
Temecula, California

**Special Tax Consultant**  
David Taussig & Associates, Inc.  
Newport Beach, California

**Underwriter**  
Chilton & O'Connor, Inc.  
Los Angeles, California

**Disclosure Counsel**  
Jones Hall Hill & White  
A Professional Law Corporation  
San Francisco, California

**Trustee**  
Meridian Trust Company of California  
San Francisco, California

1994 Bond

# OFFICIAL STATEMENT

**\$7,535,000**

**BEAUMONT FINANCING AUTHORITY  
1994 LOCAL AGENCY REVENUE BONDS  
SERIES A**

**\$2,755,000**

**BEAUMONT FINANCING AUTHORITY  
1994 LOCAL AGENCY REVENUE BONDS  
SERIES B**

This Official Statement which includes the cover page and appendices (the "Official Statement") is provided to furnish certain information concerning the sale of the Beaumont Financing Authority (the "Authority") 1994 Local Agency Revenue Bonds Series A and Series B (the "Bonds"); in the aggregate principal amount of \$10,290,000.

## INTRODUCTORY STATEMENT

This introduction contains only a brief description of this issue and does not purport to be complete. The introduction is subject in all respects to more complete information in the entire Official Statement and the offering of the Bonds to potential investors is made only by means of the entire Official Statement and the documents summarized herein. See "**BOND OWNERS' RISKS**" herein for a discussion of special risk factors that should be considered in evaluating the investment quality of the Bonds.

### Overview

Throughout the 1980s, while other communities in western Riverside County were expanding rapidly, growth in the Beaumont area was severely restricted due to the capacity limits of the City's wastewater treatment facilities. Without new wastewater treatment facilities, several new master planned communities and mixed use developments which had been approved by the City could not be built. To build new wastewater treatment facilities the City raised \$1,600,000 from developers and contributed its own sewer enterprise funds. In addition, the City formed the Authority which issued, in 1993, sewer revenue bonds with a par value of \$8,500,000 to finance the balance of the required facilities.



Construction on the new wastewater facilities has begun, and Beaumont is now able to support the growth which bypassed the City in the 1980s. Growth is projected, by Empire Economics, to pick-up again in the mid-1990s. The envisioned growth is not expected to be as rapid as the late 1980s, but is anticipated to begin incrementally in late 1994 and early 1995. (See **Appendix D**.)

Accessibility, affordability, and amenities are the primary factors which will, in the view of Empire Economics, make Beaumont an attractive location for new home buyers. Only Victorville which is more remote, across the Cajon Pass, offers this same combination of factors.

Beaumont is within easy driving distance of the Riverside and San Bernardino employment markets, and only 36 miles from the Ontario International Airport employment center. Beaumont is served by

1994 Bond

## Facilities to be Financed by the District

The Bonds are proposed to be issued based upon the estimates shown below. The Developers have not agreed to pay any costs overruns. Cost overruns will reduce the facilities which can be financed. The adopted District resolutions authorize the issuance of District Bonds to be issued to fund the planning, design, permitting and construction of public facilities. The authorized public facilities proposed for funding through the issuance of District Bonds are defined as follows:

**Critical Facilities.** Critical facilities are those facilities which have the highest priority in terms of the City of Beaumont's Comprehensive Public Facilities Financing Program (Program). Critical Facilities represent programs and improvements that benefit large areas of the City and its sphere of influence. Included in the list of Critical Facilities are City Program costs related to the preparation of a comprehensive public facility financing plan, construction of water, sewer and transportation master planning, expansion of the wastewater treatment plant and prepaid BSF fees to fund market absorption and appraisal reports.

**Joint Facilities.** Joint facilities are those facilities which have the second highest priority in terms of the City Program. Joint facilities represent improvements which benefit multiple Improvement Areas within the District. Included in joint facilities are master planned water, sewer and drainage improvements.

**Individual Facilities.** Individual facilities are those facilities which have the lowest priority in terms of the City Program. Individual facilities represent improvements that generally benefit individual Improvement Areas within the District. Included in individual facilities are master planned, in tract water and sewer improvements and preliminary engineering funding.

The following table summarizes authorized District facilities which are to be designed, acquired or constructed through this financing.

---

**City of Beaumont**  
**Community Facilities District 93-1**  
**Series 1994A Facilities<sup>1</sup>**

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• <b>Critical Facilities</b>		
1.	City Program <sup>2</sup>	\$ 837,000
2.	Water System Master Plan <sup>3</sup>	70,000
3.	Treatment Plant Facilities	2,954,000
4.	Sewer System Master Plan <sup>3</sup>	75,000
5.	Reclaimed Water System	371,000
6.	Southwest Properties Trans. System	1,095,488
7.	Prepaid BSF Fees	17,487
	<b>Subtotal</b>	<b>\$5,419,975</b>
• <b>Joint Facilities</b>		
1.	Noble Creek Sewer	\$ 738,500
2.	Southwest Properties Sewer <sup>3</sup>	157,000
3.	Southwest Properties Water <sup>3</sup>	100,000

Bond: 2001 Wastewater Enterprise Series A Lease Revenue Bond

Amount: \$9,790,000

Kapanicas listed as 'City Manager, Finance Director, City Clerk'

Page 3 Refunding Program states: "The Financing Authority has previously issued its Local Agency Revenue Refunding Bonds 1996 Series A in the aggregate principal amount of \$7,510,000, All of which remain outstanding."

Page 19 Sources of Funds lists Remaining Funds from 1996 Wastewater Bond at \$686,925

Page 19 Uses of Funds lists the following:

Wastewater Escrow Fund	\$7,987,365
Wastewater Improvement Fund	\$1,518,760
Costs of Issuance Fund	\$475,000
Rate Stabilization Fund	\$300,000

Escrow Fund Memo states: "See 'Introductory Statement – The Refunding Program' herein."  
(pg 3)

Page 44 The Project states: "The Wastewater Enterprise improvements to be planned, designed, and/or constructed with proceeds from the Bonds will include reclaimed water facilities, electrical generation and conservation facilities and improvements to the sanitary and storm sewer systems."

Page 45 Wastewater Enterprise Description: "The Beaumont Wastewater Reclamation Facility was constructed in 1994. The tertiary treated wastewater generated by the facility complies with all Title 22 and State Regional Water Quality Control Board discharge requirements."

The Wastewater Improvement Fund Account monthly statements show \$6.6 Million funneled to Urban Logic Consultants from 2009 – 2012.

**NEW ISSUE-BOOK ENTRY ONLY**

**RATING**

Standard & Poor's: AAA/A1+

(See "CONCLUDING INFORMATION - Rating on the Bonds" herein)

*In the opinion of McFarlin & Anderson, Lake Forest, California ("Bond Counsel"), based upon an analysis of existing laws, regulations, rulings and court decisions, and assuming, among other matters, compliance with certain covenants and agreements, interest on the Bonds is excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986 and is exempt from State of California personal income taxes. In the opinion of Bond Counsel, interest on the Bonds is not a specific preference item for purposes of the federal individual or corporate alternative minimum taxes, although Bond Counsel observes that such interest is included in adjusted current earnings when calculating corporate alternative minimum taxable income. Bond Counsel expresses no opinion regarding any other tax consequences related to the ownership or disposition of, or the accrual or receipt of interest on, the Bonds. See "LEGAL MATTERS - Tax Matters" herein.*

**RIVERSIDE COUNTY**

**STATE OF CALIFORNIA**



**\$9,790,000**

**BEAUMONT UTILITY AUTHORITY**

**VARIABLE RATE REVENUE BONDS, 2001 SERIES A**

**(WASTEWATER ENTERPRISE PROJECT)**

**PRICE: 100%**

**Dated: Date of Delivery**

**Due: September 1, 2041**

The cover page contains certain information for quick reference only. It is not a summary of the issue. Potential investors must read the entire Official Statement to obtain information essential to the making of an informed investment decision. Investment in the Bonds involves risks. See "BOND OWNERS' RISKS" herein for a discussion of special risk factors that should be considered in evaluating the investment quality of the Bonds.

The Bonds are being issued pursuant to an Indenture of Trust, dated as of August 1, 2001 (the "Indenture"), by and between the Beaumont Utility Authority (the "Authority") and BNY Western Trust Company, as trustee (the "Trustee"). A portion of the proceeds of the Bonds will be used to make an initial lease payment under a Lease Agreement, dated as of August 1, 2001 (the "Lease Agreement"), by and between the Authority and the City of Beaumont (the "City"), pursuant to which the Authority will lease from the City the City's wastewater system. The City will use such lease payment to refund and defease certain obligations of the Beaumont Financing Authority. See "INTRODUCTORY STATEMENT - The Refunding Program" herein.

Interest on the Bonds is payable on September 1, 2001, and the first business day of each month thereafter, so long as the Bonds bear interest at a Variable Rate, and, after conversion to a fixed interest rate, at a fixed interest rate (the "Fixed Rate") as determined in accordance with the Indenture (see "THE BONDS - General Provisions" herein). So long as the Bonds bear interest at the Variable Rate, Owners of the Bonds will have the right to have their Bonds purchased in the manner described herein (see "THE BONDS - Option to Tender prior to Fixed Rate Conversion Date" herein).

Payments of principal of and interest (but not any premium) on the Bonds will be initially supported by an irrevocable direct-pay letter of credit (the "Letter of Credit") issued to the Trustee, the drawings under which will be used to pay the principal of and interest on the Bonds when due. The Letter of Credit will also be drawn on, if other funds are not available, to purchase Bonds tendered by Owners at the Purchase Price. The Letter of Credit will be issued by

**Union Bank of California, N.A.**

(the "Credit Entity") and, if the Credit Entity wrongfully dishonors a properly presented and conforming draw on the Letter of Credit or if the Credit Entity repudiates the Letter of Credit, funds will be made available under an irrevocable confirming letter of credit (the "Confirming Letter of Credit") to be issued by the

**California State Teachers' Retirement System**

(the "Confirming Credit Entity"). The Letter of Credit will expire on August 22, 2006 and the Confirming Letter of Credit will expire on August 22, 2004 unless extended or unless a substitute letter of credit or substitute confirming letter of credit or other replacement securities meeting the requirements of the Indenture is provided.

The information contained within this Official Statement was prepared under the direction of the Authority by the following firm serving as Financing Consultant to the Authority.



**Rod Gunn Associates, Inc.**

The Bonds are special obligations of the Authority payable from Net Wastewater Revenues pledged under the Indenture (see "SUMMARY OF THE LEGAL DOCUMENTS - THE INDENTURE" herein) (see "SOURCES OF PAYMENT FOR THE BONDS", "BOND OWNERS' RISKS" and "APPENDIX A - DEFINITIONS OF CERTAIN TERMS USED IN THE INDENTURE" herein). It is anticipated that the Bonds, in book-entry form, will be available for delivery through the facilities of DTC in New York, New York on or about August 23, 2001 (see "THE BONDS - General Provisions - Book-Entry Only System" herein).

The date of the Official Statement is August 14, 2001.

**O'CONNOR & COMPANY SECURITIES**  
PUBLIC FINANCE

**BEAUMONT UTILITY AUTHORITY  
BEAUMONT, CALIFORNIA**

**AUTHORITY BOARD AND CITY COUNCIL**

Roger Berg. *Chairperson and Mayor*  
Brian DeForge. *Vice Chairperson and Mayor Pro Tem*  
Larry Dressel. *Board Member and Council Member*  
Jeffery Fox. *Board Member and Council Member*  
Placido Valdivia. *Board Member and Council Member*

**AUTHORITY AND CITY STAFF**

Alan C. Kapanicas. *City Manager, Finance Director and City Clerk*  
David W. Dillon. *Director of Economic Development*

**PROFESSIONAL SERVICES**

**Bond Counsel**

McFarlin & Anderson  
Lake Forest, California

**Authority Counsel and City Attorney**

Aklufi & Wysocki  
Riverside, California

**Disclosure Counsel**

Fulbright & Jaworski L.L.P.  
Los Angeles, California

**Financing Consultant**

Rod Gunn Associates, Inc.  
Seal Beach, California

**Project Engineer**

Urban Logic Consultants  
Temecula, California

**Trustee & Escrow Bank**

BNY Western Trust Company  
Los Angeles, California

**Underwriter**

O'Connor & Company Securities  
Newport Beach, California

**Variable Rate Remarketing Agent**

Lehman Brothers  
New York, New York

**FOR ADDITIONAL INFORMATION**

Alan C. Kapanicas, City of Beaumont, California (909) 769-8520  
Rod Gunn Associates, Inc. (562) 598-7677  
O'Connor & Company Securities (949) 717-2000

which an Alternate Credit Facility is issued are referred to herein as a "Reimbursement Agreement." The Credit Entity and any issuer of an Alternate Credit Facility are sometimes referred to as the "Credit Entity."

**Confirming Letter of Credit.** The Bonds are further supported by an irrevocable, transferable confirming letter of credit (the "Confirming Letter of Credit") issued by the California State Teachers' Retirement System, a component unit of the State of California (the "Confirming Credit Entity"). Under the Confirming Letter of Credit, the Trustee will be permitted to draw an amount not exceeding the stated amount indicated in the Confirming Letter of Credit to pay all of the outstanding principal amount of and interest on the Bonds when due or, if other funds are not available, to purchase Bonds tendered by Owners at the Purchase Price in the event the Credit Entity wrongfully dishonors a properly presented and conforming draw on the Letter of Credit or if the Credit Entity repudiates the Letter of Credit.

The Authority has the right to replace the Confirming Letter of Credit with an Alternate Confirming Letter of Credit upon the terms and conditions set forth in the Indenture and the Confirmation Agreement.

### **Purpose**

The City and the Authority have entered into a Lease Agreement, dated as of August 1, 2001 (the "Lease Agreement"), whereby the City has leased its wastewater system (the "Wastewater Enterprise") to the Authority.

The Bonds are being issued to make an initial lease payment under the Lease Agreement, which lease payment will be used by the City to refund the Financing Authority's previously issued Prior Wastewater Bonds (see "The Refunding Program" below), to finance certain improvements to the Wastewater Enterprise and to pay the expenses of the Authority in connection with the delivery of the Bonds (see "THE BONDS - Estimated Sources and Uses of Funds" and "THE PROJECT" herein).

### **The Refunding Program**

The Financing Authority has previously issued its Local Agency Revenue Refunding Bonds 1996 Series A (Sewer Enterprise Project) (the "Prior Wastewater Bonds") in the aggregate principal amount of \$7,510,000, all of which remain outstanding.

On the Delivery Date, a portion of the Authority's initial lease payment to the City, together with certain other funds, will be deposited in trust with BNY Western Trust Company, Los Angeles, California as escrow holder (the "Escrow Bank") pursuant to an Escrow Deposit and Trust Agreement, dated as of August 1, 2001, between the Authority and the Escrow Bank (the "Wastewater Escrow Agreement"). The deposit will be in an amount sufficient to pay principal and interest on the Prior Wastewater Bonds through and including September 1, 2001 and to pay the redemption price with respect to the remaining Prior Wastewater Bonds on September 1, 2001. The lien of the Prior Wastewater Bonds created by the Prior Wastewater Indenture, including, without limitation, the pledge of Gross Wastewater Revenues pursuant to the Prior Wastewater Indenture, will be discharged, terminated and of no further force and effect upon the deposit with the Escrow Bank of the amounts required pursuant to the Wastewater Escrow Agreement.

### **The Bonds**

**Redemption.** The Bonds are subject to optional and mandatory redemption prior to maturity (see "THE BONDS - Redemption" herein). The Bonds are also subject to optional and mandatory tender in certain circumstances (see "THE BONDS - Tender and Purchase of Bonds" herein).

**Registration, Transfer and Exchange.** The Bonds will be issued in fully registered form without coupons. When delivered, the Bonds will be registered in the name of The Depository Trust Company,

## Estimated Sources and Uses of Funds

Proceeds from the sale of the Bonds, along with moneys released from the Prior Wastewater Bonds Indenture, will be applied as follows:

### Sources of Funds

Principal Amount of Bonds	\$ 9,790,000.00
Less Underwriter's Discount	(195,000.00)
Net Bond Proceeds	\$ 7,594,200.00
Prior Funds	<u>686,925.00</u>
Available Funds	<u>\$10,281,125.00</u>

### Uses of Funds

Wastewater Escrow Fund (1)	\$ 7,987,365.00
Wastewater Improvement Fund	1,518,760.00
Costs of Issuance Fund (2)	475,000.00
Rate Stabilization Fund (3)	<u>300,000.00</u>
Total Uses	<u>\$10,281,125.00</u>

(1) See "INTRODUCTORY STATEMENT - The Refunding Program" herein.

(2) Expenses include fees of the Credit Entity, the Confirming Credit Entity, the Remarketing Agent, Bond Counsel, Disclosure Counsel, the Financing Consultant, Authority Counsel, the Project Engineer, the Rating Agency, the Escrow Bank and the Trustee, costs of printing the Official Statement, Administrative Expenses of the Authority, and other costs of issuance of the Bonds.

(3) An amount equal to the Rate Stabilization Requirement (see "APPENDIX A - DEFINITIONS OF CERTAIN TERMS" herein).

## THE PROJECT

The Wastewater Enterprise improvements to be planned, designed and/or constructed with proceeds from the Bonds will include reclaimed water facilities, electrical generation and conservation facilities and improvements to the sanitary and storm sewer systems. ✓

The reclaimed water facilities include a 2.0 million gallon reclaimed water storage reservoir, pumping facilities, transmission pipelines and discharge structures. The City has received approval of a planning grant from the State of California Water Resources Control Board, Department of Water Recycling (Grant Contract No. 8-139-550-0) to study the project and prepare a Facilities Plan which may qualify the City to receive a low interest loan to construct reclaimed water facilities. The City has also entered into a Memorandum of Understanding with the State of California Department of Water Resources which may lead to the City working with the State and other local agencies on conjunctive use and other water conservation projects using matching grant funds. The City has adopted Ordinance No. 773 which among other things requires mandatory use of reclaimed water for irrigation in accordance with State Law, and Negative Declaration No. 00-ND-04 which was adopted for the City reclaimed water facility project.

The City is investigating the possibility of constructing a "pumped storage" electrical generation facility at the Beaumont Wastewater Treatment Plant. The facility would generate approximately 0.5 MW by pumping water to an upstream reservoir during "off-peak" hours and letting the water flow through downstream turbines to generate electricity during "on-peak" hours. The facility would be designed to supply electricity to operate the air blowers, ultraviolet disinfection unit and other treatment process units which require electricity for operation. The City is also investigating the availability of State grants to help fund the pumped storage electrical generation project. Additional facilities which may be funded by bond proceeds may include the replacement and/or improvement of sanitary and storm sewer systems which consist of pipelines, streets and structures.

# THE WASTEWATER ENTERPRISE

## General

The service area of the Wastewater Enterprise encompasses the entire city limits, plus approximately 730 single family residences within the Highland Springs Country Club located in the unincorporated area of Riverside County.

The sewer collection system serves approximately 4,928 total equivalent dwelling units ("EDUs") including 4,267 residential EDUs, and 661 commercial-industrial EDUs.

## Wastewater Enterprise Description

The sewer collection system consists primarily of gravity collection sewers which tie into gravity trunk sewers. One portion of the service area generally located south of Sixth Street near Highland Springs Avenue is served by two (2) sewer lift stations and force mains. Two (2) new sewer lift stations and force mains are currently under construction to serve new developing areas of the City.

The Beaumont Wastewater Reclamation Facility ("BWRA") was constructed in 1994. BWRA was designed to treat 1.5 million gallons per day ("Mgd") of wastewater to a "tertiary" level and is currently being expanded to treat 2.0 Mgd of effluent per day. The expansion is expected to be completed by September 2002. The tertiary treated wastewater generated by the facility complies with all Title 22 and State Regional Water Quality Control Board discharge requirements. On May 19, 2000, the California Regional Water Quality Control Board issued a new permit for treatment up to 2.0 Mgd of effluent per day. The facility is currently treating 1.27 Mgd and 0.23 Mgd is available for future development. At such time as the capacity is reached, planned improvements will increase the capacity to 2.0 Mgd. It is currently estimated by the City that these improvements will be required by July 2003 at a cost of approximately \$800,000.

All treated effluent is suitable for reclamation, including use on golf courses for irrigation and groundwater recharge. The activated sludge process treatment facility includes headworks, effluent station, equalization and aeration basins, secondary clarifiers, automatic backwash filters, and ultra-violet wastewater disinfection system, and a solids dewatering, drying and management. Approximately 7,000 linear feet of reclaimed water pipeline has been constructed to convey reclaimed water to irrigation and groundwater recharge facilities.

## **City of Beaumont 2001 Wastewater Bond Called After Embezzlement Revealed.**

On November 4, 2014 Union Bank Director-Regional Manager of Corporate Trust, James Myers, notified Union Bank Director of Public Finance, Anne Kupfer, that the City of Beaumont's 2001 Wastewater Bond had been Called.

On November 19, 2014, Union Bank Trustee Michael Boughton transferred \$5,069,508.87 from the 13 different Mello Roos Bonds to pay the Wastewater Bond. These transactions are credited to Fund 12 on the General Ledger. There is no Fund 12 listed on the City's Budget.

On November 25th Union Bank transferred another \$1,154,670.72 to the City, but these transactions were not recorded on the General Ledger. On November 25th the City also received a deposit for \$1,300,251.05. \$1,300,000 was recorded on the General Ledger with the memo "Risk Management".

On November 25th the City transferred \$7,610,000 to Union Bank . This transaction is not recorded on the City's General Ledger.

**From:** James Myers  
**Sent:** Tuesday, November 04, 2014 8:06 AM  
**To:** Anne Kupfer [MH]  
**Subject:** Beaumont Utility Authority Letter of Credit Mandatory Tender  
**Importance:** High

H Anne,

I left a voicemail for you yesterday about the Beaumont Letter of Credit. Under the terms of the Indenture, since the Letter of Credit expires on 12/31/14, the bonds are subject to Mandatory Tender and Purchase on December 1, 2014, (the first bond payment date at least 5 days before the expiration of the letter of credit) notwithstanding Beaumont's intention to "pay off" the bonds sometime in December.

What this means is that we will need to draw on the full amount of the Letter of Credit for the December 1<sup>st</sup> Mandatory Tender Date. The bonds will then need to be registered in the name of MUFG Union Bank as the new Owner.

Notice of the tender should be going out today. Please contact me if you have any questions.

Thanks,

Jim

**James Myers**

**Director-Regional Manager/Corporate Trust**



**MUFG Union Bank, N.A.**

350 California Street, 11<sup>th</sup> Floor

San Francisco, CA 94104

----- Original message -----

From: Anne Kupfer

Date: 11/07/2014 9:55 AM (GMT-08:00)

To: "Bill Aylward ([baylward@ci.beaumont.ca.us](mailto:baylward@ci.beaumont.ca.us))" , "Alan Kapanicas ([akapanicas@ci.beaumont.ca.us](mailto:akapanicas@ci.beaumont.ca.us))"

Cc: Robert Sakai

Subject: FW: Beaumont Utility Authority Letter of Credit Mandatory Tender

Hi Bill and Alan,

I received this notice from the trustee (see below) that, unless they get paid off by December 1<sup>st</sup>, they will have to do a mandatory draw on the bank and we will have to book a bank loan. Since we do not want to fund a loan, and charge the high interest rate, is it possible to pay off sooner. Please let me know.

Thanks,

Anne

**Anne Kupfer**

Director

Public Finance



**MUFG Union Bank, N.A.**

445 South Figueroa St. 5<sup>th</sup> floor

Los Angeles, Ca. 90071

T: 213 236-6434

C: 310 502-0500

[akupfer@us.mufg.jp](mailto:akupfer@us.mufg.jp)

A member of MUFG, a global financial group

Authorized Representative of The Bank of Tokyo-Mitsubishi UFJ, Ltd.

**From:** "Bill Aylward" <[baylward@ci.beaumont.ca.us](mailto:baylward@ci.beaumont.ca.us)>

**Subject:** RE: Beaumont Utility Authority Letter of Credit Mandatory Tender

**Date:** November 7, 2014 at 10:10:19 AM PST

**To:** "Anne Kupfer" <[Anne.Kupfer@unionbank.com](mailto:Anne.Kupfer@unionbank.com)>, "Alan Kapanicas" <[akapanicas@ci.beaumont.ca.us](mailto:akapanicas@ci.beaumont.ca.us)>

Our plan is to have money to trustee around Thanksgiving

Sent from my Verizon Wireless 4G LTE smartphone

(July 24, 2015, Item 10)

**RESPONSE TO COMMENTS ON ORDER NO. R8-2015-0026, NPDES NO. CA0105376, WASTE DISCHARGE REQUIREMENTS AND MASTER RECLAMATION PERMIT FOR THE CITY OF BEAUMONT, BEAUMONT WASTEWATER TREATMENT PLANT, RIVERSIDE COUNTY**

Comments were received from the following entities and/or persons:

1. Beaumont Cherry Valley Water District (District)
2. Libi Uremovic (Ms. Uremovic). Ms. Uremovic's comments included a number of attachments.

These comments, including the attachments and the response to comments are posted on the Regional Board's website at:

[http://www.waterboards.ca.gov/santaana/board\\_info/agendas/2015/R8\\_AA\\_07\\_24\\_15\\_English.pdf](http://www.waterboards.ca.gov/santaana/board_info/agendas/2015/R8_AA_07_24_15_English.pdf)

Comments that are relevant to the proposed order are summarized below and responses are provided after each comment. Comments 1-4 are from the District; the remainder are from Ms. Uremovic.

1. **Comment:** The discharge at DP-007 through DP-013 should not be allowed until advanced wastewater treatment is provided to minimize the chemicals of emerging concern and other regulated organics and inorganics. (the first four comments are from the District)

**Response:** Please note that Discharge Points (DP) 008 through 013 have been deleted from the draft Order as these are potential groundwater recharge points. Any groundwater recharge will have to be addressed by the Regional Board under a separate order or by reopening this Order to include groundwater recharge requirements. The proposed Order does not regulate groundwater recharge. We would like to point out that the wastewater treatment currently provided by the Beaumont Wastewater Treatment Plant is consistent with the state laws and regulations and better than the secondary treatment standards prescribed by federal regulations. With respect to chemicals of emerging concern, please refer to a four year extensive study that was conducted by the Emerging Constituents Task Force<sup>1</sup>. The Task Force consisted of water and wastewater agencies in the Santa Ana Region and the study was reviewed and endorsed by the Regional Board (Regional Board Resolution No. R8-2009-0071). The study concluded that the emerging constituents were either non-detect or were present in extremely low concentrations where no adverse health effects would be expected. Also please note that the proposed Order includes limits for regulated organics and inorganics. The Fact Sheet (Attachment F) also explains how a reasonable potential analysis is used to develop limits for priority

<sup>1</sup> [http://www.waterboards.ca.gov/santaana/board\\_info/agendas/2014/03\\_14/03-14-14\\_item\\_16.pdf](http://www.waterboards.ca.gov/santaana/board_info/agendas/2014/03_14/03-14-14_item_16.pdf)

pollutants.

2. **Comment 2:** The permit allows the City of Beaumont to provide recycled water to the Oak Valley Greens and Tukwet Canyon Golf Courses. The District has already constructed recycled water supply lines to these golf courses and it would be a waste of public resources to construct separate and parallel pipelines by the City of Beaumont for the same purpose. (District)

**Response:** The proposed Order includes a third recycled water discharge point (R-003) for providing recycled water to Beaumont Cherry Valley Water District. We hope that the District and the City will work cooperatively and collaboratively to provide recycled water consistent with the "maximum benefit" agreements.

3. **Comment:** The proposed Order includes an aggressive schedule for installation of desalting facilities to accommodate at least a portion of the flow. The District also expressed its concerns regarding the City's ability to meet these obligations because of its current financial situation.

**Response:** The schedule for installation of the desalting facilities is based on commitments from the City. Resolution No. R8-2014-0005 requires the City of Beaumont and the other "maximum benefit" partners to continue to implement surface and ground water monitoring programs, to implement a non-potable water supply system and to implement a recycled water recharge program. In addition, the City was required to submit a plan by January 31, 2015 and a schedule for construction of desalter(s) and brine disposal facilities. The City submitted the Desalter Plan on January 28, 2015 which the Regional Board's Executive Officer approved on March 26, 2015. This issue was discussed at the January 20, 2015 City Council meeting. The federal Clean Water Act and the California Water Code provides for substantial penalties for violations of NPDES permits. The District's concern regarding the City's financial situation is noted.

4. **Comment:** The City's past record of performance in meeting Regional Board deadlines is a concern.

**Response:** The requirements are clearly specified and the City has made commitments to meet these requirements. Section VI.A.2 of the draft Order includes a discussion of the penalties for violations of the terms and conditions of the Order.

5. **Comment:** The Regional Board's draft Order requires the City to produce Title 22 compliant water and desalter requirements; however, these requirements will be worthless without enforcement.

**Response:** Please note that the City's wastewater treatment plant produces tertiary treated and disinfected recycled water. The level of treatment required to produce Title 22 compliant recycled water is not any more stringent. The water

recycling criteria in Sections 60301 through 60355 of California Code of Regulations, Title 22, require that all recycled water users prepare a Title 22 engineering report prior to distributing recycled water to their users. The City is required to prepare a Title 22 report prior to start of recycled water distribution for surface irrigation or similar uses. The City is currently not distributing recycled water to any recycled water users. The recycled water produced by the City meets current requirements in its existing NPDES permit. With respect to the desalter requirements, the City has made commitments and provided a schedule for meeting those commitments. Those commitments are included in the draft Order. As indicated above (Item 3, above), the City Council has been apprised of these commitments. On March 26, 2015, the Executive Officer approved the desalter plan that the City submitted on January 28, 2015. There are substantial penalties for violation of the NPDES permit as specified in Section VI.A.2 of the draft Order. The Regional Board will take enforcement action for violations of the Permit.

6. **Comment:** In 1993 the City was required to build a recycled water facility as a condition for the approval of additional housing; bonds were issued, fees were collected and the money was embezzled.

**Response:** The proposed Order regulates the discharge of treated wastewater and the use of recycled water. The Regional Board does not regulate the issuance of bonds or the collection of fees by the cities.

7. **Comment:** For the past 20 years the Regional Board has turned a blind eye as the City of Beaumont neglected/refused to produce Title 22 compliant recycled water. Instead of enforcing Title 22 compliance, the Board has neglected its duties and has helped the City hide penalties imposed from sewage spills.

**Response:** The City's wastewater treatment plant has been producing tertiary treated, disinfected recycled water for over a decade. A Title 22 engineering report has to be developed and approved by the State Water Resources Control Board, Division of Drinking Water, prior to the City distributing recycled water for surface irrigation or other similar uses. We want to point out that the current discharge quality is consistent with any treatment requirements for recycled water that may be prescribed under Title 22, Sections 60301 through 60355. The commenter seems to confuse the discharge requirements in the permit and Title 22 requirements. The City currently discharges its treated wastewater to Cooper's Creek in accordance with the waste discharge requirements specified in its NPDES permit. The allegation that the Regional Board has neglected its duties and has helped the City to hide penalties imposed from sewage spills is incorrect. The Regional Board has imposed administrative civil liability on the City and all enforcement actions that the Regional Board takes are publicly noticed for at least 30-days for public comments and the enforcement action only becomes final after all public comments are properly addressed.

8. **Comment:** Deadlines to produce Title 22 compliant water has come and gone and the City has done nothing to meet this requirement.

**Response:** Again the commenter appears to confuse Title 22 engineering report requirements versus waste discharge requirements for the discharge of treated wastewater to Cooper's Creek. The City has been meeting the treatment requirements for its discharge to Cooper's Creek. A Title 22 engineering report is only required when the City provides recycled water for surface irrigation or similar uses.

9. **Comment:** Even after the FBI raid, the City continues to defraud the public and the State Water Quality Control Board.

**Response:** It is not clear how the State Water Quality Control Board is being defrauded by the City. Without any specifics, it is not possible to respond to such allegations.

10. **Comment:** The recent bid process by the City to hire a treatment plant operator was flawed.

**Response:** The existing NPDES permit and the proposed Order require that the wastewater treatment plant be operated by persons possessing the appropriate level of "operator certification." Regional Board staff ensures that the City complies with this requirement. The Regional Board does not get involved with the City's bid process.

11. **Comment:** The Santa Ana Water Board addresses all correspondence to Urban Logic, the prior operator of the treatment plant.

**Response:** We know that in prior years Urban Logic was the contractor that operated the treatment plant. If there is a new contractor, we will get the information from the City.

12. **Comment:** The Santa Ana Regional Board has been accepting fraudulent documents and reports from Mr. Wildermuth.

**Response:** We have no way of responding without any specifics to support these allegations.

13. **Comment:** The Order lists the wrong contact information for the city manager and the plant operator.

**Response:** This information has been updated.

14. **Comment:** The Order requires the City to identify plant operators and sign the documents under penalty of perjury. The City cannot produce an employee with

the credentials needed to operate the plant.

**Response:** Regional Board staff conducts periodic inspections to verify the credentials of the wastewater treatment plant operators. So far we have not come across any problems with the plant operator certifications.

15. **Comment:** The Order requires the City to spend millions of dollars and the City has not budgeted for any of the facilities required under the Order.

**Response:** The commenter indicates that millions of dollars will be required to produce Title 22 compliant recycled water. The treated water currently produced by the City's wastewater treatment is equivalent in quality to Title 22 compliant recycled water; no further treatment would be required. As stated in Item 4, above, the City is aware of the requirements in the proposed Order and it is our expectation that the City will budget enough money for desalter or other facilities required under this Order.

16. **Comment:** The Order was never presented to the City Council.

**Response:** The Order was presented to the City Council during its July 7, 2015 meeting.

17. **Comment:** The Santa Ana Regional Water Quality Control Board's gross negligence has aided and abetted the City of Beaumont's fraud and embezzlement.

**Response:** Without any specifics, we are unable to respond to such allegations. We note, however, that the City has generally been in compliance with its existing permit, but when violations have occurred, the Regional Board has taken appropriate enforcement actions.

18. **Comment:** The Regional Board should strictly enforce Order No. R8-2015-0026.

**Response:** We intend to take appropriate enforcement action for any violation of the Order.

19. **Comment:** It is imperative that the Regional Board report any criminal activity to the appropriate state and federal authorities.

**Response:** Comment noted.