ITEM No. 11

November 30, 2007

ERRATA SHEET

CHANGES TO ORDER NO. R8-2007-0003, NPDES NO. CA8000326

(Language deleted is ~~strike through~~)
(Language added is **bold and shaded**)

1. Order No. R8-2007-0003, page 20 of the Order, modify paragraph IV.C.9., as follows:

   9. 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 **surface waters except where allowed and described in this Order**. ~~drainage systems that could affect surface water quality standards.~~

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

November 30, 2007

ITEM: **11***

SUBJECT: Renewal of Waste Discharge and Producer/User Reclamation Requirements for the Irvine Ranch Water District's Michelson Water Reclamation Plant, Order No. R8-2007-0003, NPDES No. CA8000326, Orange County

DISCUSSION:

See attached Fact Sheet

RECOMMENDATIONS:

Adopt Order No. R8-2007-0003, NPDES No. CA8000326 as presented.

COMMENT SOLICITATION:

Comments were solicited from the discharger and the following agencies:

U.S. Environmental Protection Agency, Permits Issuance Section (WTR-5) – Doug Eberhardt
U.S. Army District, Los Angeles, Corps of Engineers - Regulatory Branch
U.S. Fish and Wildlife Service, Carlsbad
State Water Resources Control Board, Office of the Chief Counsel – Erik Spiess
State Department of Fish and Game, Los Alamitos
State Department of Water Resources, Glendale
California Department of Public Health, Santa Ana – Anthony Nhan
California Department of Public Health, Carpinteria - Jeff Stone
Orange County Health Care Agency, Santa Ana – Larry Honeybourne
Orange County Water District - Nira Yamachika
Orange County Sanitation District – Robert Ghirelli
Southern California Association of Governments – Mark A. Pisano
The Irvine Company - Sat Tamaribuchi
Orange County, Resources and Development Management Department -
City of Newport Beach – City Manager
City of Irvine – City Manager
SPON – Jack Skinner
Robert Caustin
Orange County Coastkeeper - Garry Brown
Lawyers for Clean Water C/c San Francisco Baykeeper

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ORDER NO. R8-2007-0003
NPDES NO. CA8000326

WASTE DISCHARGE AND PRODUCER/USER RECLAMATION REQUIREMENTS FOR THE IRVINE RANCH WATER DISTRICT MICHELSON WATER RECLAMATION PLANT DISCHARGE TO RATTLESNAKE AND SAND CANYON RESERVOIRS

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

Table 1. Discharger Information

Discharger/Operator	**Irvine Ranch Water District**
Name of Facility	**Michelson Water Reclamation Plant**
Facility Address	**3512 Michelson Drive**
	Irvine, CA 92612
	Orange County
The U.S. Environmental Protection Agency (USEPA) and the Regional Water Quality Control Board have classified this discharge as a major discharge.	

The discharge by the Irvine Ranch Water District from the discharge points identified below is subject to waste discharge requirements as set forth in this Order:

Table 2. Discharge Locations

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
001	Recycled water to distribution system serving recycled water users	33°39'50"N	117°50'17"W	Irvine GMZ
002	Recycled water to San Joaquin Reservoir	33°37'12"N	117°50'39"W	Irvine GMZ
003	Tertiary treated effluent	33°43'37"N	117°44'27"W	Rattlesnake Reservoir & Irvine GMZ
004	Tertiary treated effluent	33°38'55"N	117°47'47"W	Sand Canyon Reservoir & Irvine GMZ

Table 2. Discharge Locations

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
005	Dewatered groundwater	33°39'47"N	117°50'16"W	San Diego Creek Reach 1 tributary to Upper Newport Bay
006	Dewatered groundwater	33°39'51"N	117°50'27"W	San Joaquin Freshwater Marsh tributary to Upper Newport Bay
Storm-007	Pumped stormwater (emergency)	33°39'47"N	117°50'16"W	San Diego Creek Reach 1 tributary to Upper Newport Bay
Storm-008	Pumped stormwater (emergency)	33°39'51"N	117°50'27"W	San Joaquin Freshwater Marsh tributary to Upper Newport Bay

Table 3. Administrative Information

This Order was adopted by the Regional Water Quality Control Board on:	**November 30, 2007**
This Order shall become effective on:	**November 30, 2007**
This Order shall expire on:	**November 1, 2012**
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:	**May 5, 2012**

IT IS HEREBY ORDERED, that this Order supercedes Order No. 01-95 as amended by Order No. R8-2004-0107 except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the Water Code (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, Gerard J. Thibeault, 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 **November 30, 2007**.

Gerard J. Thibeault, Executive Officer

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I. FACILITY INFORMATION

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

Table 4. Facility Information

Discharger/Operator	**Irvine Ranch Water District**
Name of Facility	**Michelson Water Reclamation Plant**
Facility Address	**3512 Michelson Drive**
	Irvine, CA 92612
	Orange County
Facility Contact, Title, and Phone	**Paul Cook, Assistant General Manager, Phone: (949) 453-5590**
Mailing Address	**15600 Sand Canyon Avenue, Irvine, CA 92618**
Type of Facility	**POTW**
Facility Design Flow	**18 million gallons per day tertiary treatment**

II. FINDINGS

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

A. Background. The Irvine Ranch Water District (hereinafter Discharger) is currently discharging pursuant to Order No. 01-95 as amended by Order No. R8-2004-0107, and National Pollutant Discharge Elimination System (NPDES) Permit No. CA8000326. The Discharger submitted a Report of Waste Discharge, dated July 11, 2006, and applied for a NPDES permit renewal to discharge up to 18 million gallons per day (mgd) of tertiary treated wastewater from its Michelson Water Reclamation Plant(hereinafter Facility, or MWRP) to Rattlesnake Reservoir and Sand Canyon Reservoir. Order No. 01-95 also regulated discharges of dewatered groundwater from on-site wells to Reach 1 of San Diego Creek and San Joaquin Freshwater Marsh. The application was deemed complete in June 2007.

For the purposes of this Order, references to the "discharger" or "permittee" in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

B. Facility Description. The Discharger owns and operates the Michelson Water Reclamation Plant (MWRP). The wastewater treatment systems consist of primary, secondary, and tertiary treatment. Recycled water is directly delivered from DP 001 to customers for irrigation and other recycled water reuse, except groundwater recharge. Wastewater from this Facility is discharged at Discharge Point (DP) 003 and at DP 004 to Rattlesnake Reservoir and Sand Canyon Reservoir, respectively, for storage. Both reservoirs are waters of the United States. The area of recycled water use overlies the Irvine Groundwater Management Zone.

Because of high groundwater elevation at the Facility site, dewatering of the shallow groundwater zone is necessary to protect in-ground facilities. The area is dewatered through a network of shallow zone wells with two separate discharge points, DP 005 and DP 006. These discharge points discharge either into Reach 1 of San Diego Creek or into the San Joaquin Freshwater Marsh. Reach 1 of San Diego Creek and San Joaquin Freshwater Marsh are tributaries to San Diego Creek and waters of the U.S. This Order also regulates the groundwater dewatering discharges from the Facility.

C. **Legal Authorities.** This Order is issued 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 California Water Code (commencing with section 13370). It shall serve as a NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the Water Code (commencing with section 13260).

D. **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 Order requirements, is hereby incorporated into this Order and constitutes part of the Findings for this Order. Attachments A through E and G through K are also incorporated into this Order.

E. **California Environmental Quality Act (CEQA).** Under Water Code section 13389, this action to adopt 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). This action also involves the re-issuance of waste discharge requirements for an existing facility that discharges treated wastewater to land and as such, is exempt from the provisions of the California Environmental Quality Act (commencing with Section 21100) in that the activity is exempt pursuant to Title 14 of the California Code of Regulations Section 15301. The Discharger completed the MWRP capacity expansion project Environmental Impact report, SCH 2005051174 on December 28, 2005. The EIR was certified on February 27, 2006

F. **Technology-based Effluent Limitations**. Section 301(b) of the CWA and implementing USEPA permit regulations at section 122.44, title 40 of the Code of Federal Regulations[1], 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 Part 133 and/or Best Professional Judgment (BPJ) in accordance with Part 125, section 125.3. A detailed discussion of the technology-based effluent limitations development is included in the Fact Sheet (Attachment F).

G. **Water Quality-Based Effluent Limitations.** Section 301(b) of the CWA and section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards. This Order contains requirements, expressed as a technology equivalence requirement, more stringent than secondary treatment requirements that are necessary to meet applicable water quality standards. The rationale for these requirements, which consist of tertiary treatment or equivalent requirements or other provisions, is discussed in the Fact Sheet.

Section 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 section 122.44(d)(1)(vi).

H. **Water Quality Control Plans.** The Regional Water Board adopted a revised Water Quality Control Plan for the Santa Ana Region (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 in the Santa Ana Region addressed through the plan. More recently, the Basin Plan was amended significantly 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.

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1 *All further statutory references are to title 40 of the Code of Federal Regulations unless otherwise indicated.*

This Basin Plan Amendment was adopted by the Regional Water Board on January 22, 2004. The State Water Resources Control Board (State Water Board) and Office of Administrative Law (OAL) approved the Amendment on September 30, 2004 and December 23, 2004, respectively. EPA approved the surface water standards components of the N/TDS Amendment on June 20, 2007.

In addition, the Basin Plan implements State Water Resources Control Board (State Water Board) Resolution No. 88-63, which established State policy that all waters should be considered suitable or potentially suitable for municipal or domestic supply (i.e., designated MUN), unless certain exception criteria apply. Pursuant to these criteria, the Regional Board excepted certain waters, including Rattlesnake and Sand Canyon Reservoirs, San Diego Creek and Newport Bay, from the MUN designation.

Table 5. Basin Plan Beneficial Uses

Discharge Point	Receiving Water Name	Beneficial Use(s)
001-008	Irvine Groundwater Management Zone	Present or Potential: Municipal and domestic supply, agricultural supply, industrial service supply, and industrial process supply.
003	Rattlesnake Reservoir	Present or Potential: Agricultural supply, water contact recreation, non-contact water recreation, warm freshwater habitat, wildlife habitat Excepted from Municipal and Domestic Supply
004	Sand Canyon Reservoir	Present or Potential: Agricultural supply, water contact recreation, non-contact water recreation, warm freshwater habitat, wildlife habitat Excepted from Municipal and Domestic Supply
005 Storm-007	San Diego Creek, Reach 1	Present or Potential: Water contact recreation, non-contact water recreation, warm freshwater habitat, and wildlife habitat Excepted from Municipal and Domestic Supply
006, Storm-008	San Joaquin Freshwater Marsh	Present or Potential: Water contact recreation; non-contact water recreation; warm freshwater habitat; preservation of biological habitats of special significance; rare, threatened or endangered species; and wildlife habitat Excepted from Municipal and Domestic Supply
005 & 006, Storm-007 & 008	Newport Bay, Upper	Present or Potential: Navigation, Water contact recreation, Non-contact water recreation, Commercial and sport fishing, Preservation of biological habitats of special significance, Wildlife habitat, Rare, threatened or endangered species, Spawning, reproduction, and development, Marine habitat, Shellfish harvesting, and Estuarine habitat. Excepted from Municipal and Domestic Supply

Requirements of this Order implement the Basin Plan.

I. **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.

J. **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 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.

K. **Compliance Schedules and Interim Requirements.** Section 2.1 of the SIP provides that, based on a Discharger's request and demonstration that it is infeasible for an existing Discharger to achieve immediate compliance with an effluent limitation derived from a CTR criterion, compliance schedules may be allowed in an NPDES permit. Unless an exception has been granted under section 5.3 of the SIP, a compliance schedule may not exceed 5 years from the date that the permit is issued or reissued, nor may it extend beyond 10 years from the effective date of the SIP (or May 18, 2010) to establish and comply with CTR criterion-based effluent limitations. Where a compliance schedule for a final effluent limitation exceeds 1 year, the Order must include interim numeric limitations for that constituent or parameter. Where allowed by the Basin Plan, compliance schedules and interim effluent limitations or discharge specifications may also be granted to allow time to implement a new or revised water quality objective. A detailed discussion of the basis for the compliance schedule(s) and interim effluent limitation(s) and/or discharge specifications is included in the Fact Sheet. On August 24, 2007, the Discharger submitted a report that detailed the plan and schedule for achieving compliance with total recoverable copper and total recoverable mercury effluent limitations as soon as possible but no later than April 1, 2009.

L. **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. section 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.

M. Stringency of Requirements for Individual Pollutants. This Order contains both technology-based and water quality based effluent limitations for individual pollutants. The technology-based effluent limitations consist of restrictions on BOD_5 and Suspended Solids. Restrictions on the same pollutants are discussed in Section IV.B.1. of Attachment F. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. In addition, this Order contains effluent limitations more stringent than the minimum, federal technology-based requirements that are necessary to meet water quality standards. These limitations are not more stringent than required by the CWA.

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 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 section 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. 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 section 131.21(c)(1).

N. Antidegradation Policy. Section 131.12 requires that the 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 quality of waters 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. As discussed in detail in the Fact Sheet, the permitted discharge is consistent with the antidegradation provisions of section 131.12 and State Water Board Resolution No. 68-16.

O. **Anti-Backsliding Requirements.** Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at title 40, Code of Federal Regulations section 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order, except TDS. The TDS effluent limitations in this Order implement revised TDS objectives in the Basin Plan that are less stringent than the prior objectives. The result is that the TDS effluent limitations are likewise less stringent. In addition, this Order does not include a TDS limit based on water supply quality plus a mineral use increment. The rationale for this change is described in the Fact Sheet. As discussed in detail in the Fact Sheet, the relaxation of TDS effluent limitations is consistent with the anti-backsliding requirements of the CWA and federal regulations.

P. **Endangered Species Act.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the state. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.

Q. **Monitoring and Reporting.** Section 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. Water Code sections 13267 and 13383 authorizes the Regional Water Board to require technical and monitoring reports. The Monitoring and Reporting Program establishes monitoring and reporting requirements to implement federal and State requirements. This Monitoring and Reporting Program is provided in Attachment E.

R. **Biosolids 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. However, this Order includes Regional Board biosolids requirements.

S. **State General Waste Discharge Requirements for Sanitary Sewer Systems.** The State Water Board issued General Waste Discharge Requirements for Sanitary Sewer Systems, Water Quality Order No. 2006-0003 on May 2, 2006, requiring public agencies that own sanitary sewer systems, comprised of more 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).

This Order requires the Discharger and other governmental agencies[2] to obtain enrollment for regulation under the General Water Quality Order No. 2006-0003. The Discharger has already enrolled.

T. **Standard and Special Provisions.** Standard Provisions, which apply to all NPDES permits in accordance with section 122.41, and additional conditions applicable to specified categories of permits in accordance with section 122.42, are provided in Attachment D. The Discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42. The Regional Water Board has also included in this Order special provisions applicable to the Discharger. A rationale for the special provisions contained in this Order is provided in the attached Fact Sheet.

U. **Provisions and Requirements Implementing State Law.** The provisions/requirements in subsections IV.C., and V.B. of this Order are included to implement state law only. These provisions/requirements are not required or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.

V. **TMDLs**. In June 2007, the U. S. EPA approved the State's 2004-2006 303(d) list of impaired water bodies. This list included Reaches 1 and 2 of San Diego Creek and Upper and Lower Newport Bay. One or more of these water bodies were determined to be impaired by one or more pollutants, including: fecal coliform, nutrients, metals and pesticides. Nutrient, fecal coliform, sediment, and toxic pollutants TMDLs have been established for the San Diego Creek/Newport Bay watershed. This Order implements relevant TMDL requirements (see Attachment F).

W. **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.

X. **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. Wastewater discharged to reservoirs shall be limited to tertiary treated and disinfected effluent that meets the conditions in Section IV.A.

B. Discharge of wastewater at a location or in a manner different from those described in this Order is prohibited.

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2 *Member agencies and sewering agencies discharging wastewater into the facility.*

C. 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.

D. Wastes discharged from on-site dewatering wells to San Diego Creek and San Joaquin Freshwater Marsh shall be limited to extracted/dewatered groundwater.

E. The discharge of any substances in concentrations toxic to animal or plant life is prohibited.

F. The discharge of any radiological, chemical, or biological warfare agent or high level radiological waste is prohibited.

G. The discharge of recycled water into the Sand Canyon Reservoir is prohibited from October 1 through May 1 of each year whenever the reservoir surface water elevation is at or above 176.5 feet[3] above mean sea level.

H. The discharge of recycled water to San Diego Creek or its tributaries in any manner is prohibited. Recycled water that is stored in Sand Canyon Reservoir may be discharged to San Diego Creek only when the storm water runoff from the reservoir watershed causes an overflow into Sand Canyon Wash. This Order allows the emergency discharge of water from the reservoir during rainfall events occurring over a 7-day period or less that result in rainfall equivalent to that from a 25-year, 24-hour storm event.

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Tertiary Treated Effluent Limitations – Discharge Points 003 & 004

Unless otherwise specifically specified hereinafter, compliance with the following effluent limitations is measured at monitoring locations M-003A and M-004A as described in the attached MRP (Attachment E).

1. Final Effluent Limitations – Discharge Point 003 & 004

a. The Discharge shall maintain compliance with the following effluent limitations:

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3 *This elevation corresponds to approximately 200 acre-feet of storage water.*

Table 6. Effluent Limitations at DPs 003 and 004

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Biochemical Oxygen Demand 5-day @ 20°C	mg/L	20	30	--	--	--
Total Suspended Solids	mg/L	20	30	--	--	--
pH[4]	standard units	--	--	--	6.5	8.5
Total Chlorine Residual[5]	mg/L	--	--	--	--	0.1
Ammonia-Nitrogen	mg/L	1.5	--	--	--	--
Total Recoverable Copper*	µg/L	12	--	23	--	--
Total Recoverable Mercury*	µg/L	0.051	--	0.102		

* Final Limits specified herein are effective starting on April 1, 2009 and thereafter. Interim effluent limitations are specified for this constituent in IV.A.2., below.

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. **TDS Limitations** - The 12-month flow weighted running average TDS constituent concentrations shall not exceed 720 mg/L.

d. The discharge shall at all times be adequately oxidized, filtered, and disinfected treated wastewater and shall meet the following limitations.

(1) When filtration is through natural undisturbed soils or a bed of filter media, the turbidity of the filter effluent shall not exceed any of the following:

(a) Average of 2 Nephelometric Turbidity Unit (NTU) within any 24-hour period;

(b) 5 NTU more than 5 percent of the time in any 24-hour period; and

(c) 10 NTU at any time.

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4 *See Section VII.L. – Compliance Determination.*

5 *Compliance with this limitation is to be achieved at M-003B and M-004B, as described in the attached MRP (Attachment E).*

(2) The disinfected effluent shall meet the following:

(a) When chlorine disinfection process is utilized followed by filtration, a CT (the product of total chlorine residual and modal contact time measured at the same point) value of not less than 450 milligram-minutes per liter at all times with a modal contact time of at least 90 minutes, based on peak dry weather design flow shall be provided.

(b) 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.

(c) The weekly average concentration of total coliform bacteria shall not exceed a Most Probable Number (MPN) of 2.2 total coliform bacteria per 100 milliliters (ml). (see Compliance Determination VII.K.1., below)

(d) 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.

(e) No total coliform bacteria sample shall exceed an MPN of 240 total coliform bacteria per 100 ml.

e. There shall be no visible oil and grease in the discharge.

2. Interim Effluent Limitations – DPs 003 & 004

a. During the period beginning November 30, 2007 and ending on March 31, 2009, the Discharger shall maintain compliance with the following limitations at Discharge Points 003 and 004. These interim effluent limitations shall apply in lieu of the corresponding final effluent limitations specified for the same parameters during the time period indicated in this provision.

Table 7. Interim Effluent Limitations at DPs 003 & 004

Parameter	Units	Effluent Limitations	
		Average Monthly	Maximum Daily
Total Recoverable Copper	µg/L	36	36
Total Recoverable Mercury	µg/L	0.2	0.2

3. Toxicity Requirements/Discharge Specifications

a. There shall be no acute or chronic toxicity in the plant effluent nor shall the plant effluent cause any acute or chronic toxicity in the receiving water. All waters shall be maintained free of toxic 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.

b. 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. Land Discharge Specifications – Not Applicable

C. Reclamation Specifications – Discharge Points 001 & 002

1. Upon the effective of this Order, the use of recycled water for parks, landscape irrigation, and/or other similar uses shall maintain compliance with the following limitations. Compliance is to be measured at representative monitoring locations REC-001 and REC-002 where representative samples of recycled water can be obtained for laboratory testing and analysis as described in the attached Monitoring and Reporting Program (Attachment E). The Discharger shall submit for approval by the Executive Officer other monitoring location(s) not specified herein where representative samples of recycled water could be obtained for laboratory testing and analysis with compliance measured at monitoring locations REC-001 and REC-002.

   a. Physical/Biological Limitations:

Table 8. Recycled Water Effluent Limitations at DPs 001 & 002

Parameter	Units	Effluent Limitations			
		Average Monthly	Average Weekly	Instantaneous Minimum	Instantaneous Maximum
Biochemical Oxygen Demand 5-day @ 20°C	mg/L	20	30	- -	- -
Total Suspended Solids	mg/L	20	30	- -	- -
pH	standard units	- -	- -	6	9

   b. TDS Limitations: For recycled water use on sites overlying the Irvine Groundwater Management Zone, the 12-month flow weighted running average TDS concentration shall not exceed 910 mg/L.

c. Recycled water described in Section 60307(a) of Division 4, Chapter 3, Title 22, California Code of Regulations and for irrigation of food crops, parks and playground, school yards, residential landscaping and other irrigation uses not specified in Section 60304(a) of Division 4, Chapter 3, Title 22, California Code of Regulations or not prohibited in other Sections of the California Code of Regulations shall at all times be adequately oxidized, filtered, and disinfected tertiary treated wastewater and shall meet the following limitations:

(1) The turbidity of the filter effluent shall not exceed any of the following:

a) Average of 2 Nephelometric Turbidity Units (NTU) within any 24-hour period;
b) 5 NTU more than 5 percent of the time in any 24-hour period; and
c) 10 NTU at any time.

(2) The disinfected effluent shall meet the following:

(a) The weekly average total coliform bacteria[6] shall not exceed a Most Probable Number (MPN) of 2.2 total coliform bacteria per 100 milliliters (ml).
(b) The number of total coliform organism shall not exceed an MPN of 23 total coliform bacteria per 100 ml in more than one sample in any 30-day period.
(c) No total coliform sample shall exceed an MPN of 240 total coliform bacteria per 100 ml.
(d) When chlorine disinfection process is utilized followed by filtration, a CT (the product of total chlorine residual and modal contact time[7] measured at the same point) value of not less than 450 milligram-minutes per liter at all times with a modal contact time of at least 90 minutes, based on peak dry weather design flow shall be provided.
(e) 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.

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6 *See Compliance Determination Section VII.K.1.*

7 *Modal contact time shall be calculated daily based on the minimum one-hour average value in a 24-hour period.*

d. Recycled water used for irrigation of food crops where the edible portion is produced above ground and not contacted by the recycled water shall at all times be adequately oxidized and disinfected so that average weekly total coliform bacteria in the disinfected effluent does not exceed a most probable number (MPN) of 2.2 per 100 milliliters utilizing the bacteriological results of the last seven days for which analyses have been completed, and the number of total coliform bacteria does not exceed an MPN of 23 per 100 milliliters in more than one sample.

e. Recycled water used for the uses listed below shall be an oxidized and disinfected water so that the average weekly total coliform bacteria[8] in the disinfected effluent does not exceed a most probable number (MPN) of 23 per 100 milliliters utilizing the bacteriological results of the last seven days for which analyses have been completed, and the number of total coliform bacteria does not exceed an MPN of 240 per 100 milliliters in more than one sample in any 30 day period.

   (1) Industrial boiler feed, nonstructural fire fighting, backfill consolidation around nonpotable piping, soil compaction, mixing concrete, dust control on roads and streets, cleaning roads, sidewalks and outdoor work areas and industrial process water that will not come into contact with workers.
   (2) Irrigation of cemeteries, freeway landscaping, restricted access golf courses, ornamental nursery stock and sod farms where access by the general public is not restricted, pasture for animals producing milk for human consumption, and any nonedible vegetation where access is controlled so that irrigated area cannot be used as if it were part of a park, playground or school yard.

f. For recycled water uses specified in Sections 60304 and 60307 of Title 22 where filtration is provided pursuant Section 60301.320(a) and coagulation is not used as part of the treatment process, the Discharger shall comply with the following:

   (1) The turbidity of the influent to the filters is continuously measured and the influent turbidity does not exceed 5 NTU for more than 15 minutes and never exceeds 10 NTU;
   (2) The filter effluent turbidity shall not exceed 2 NTU; and;
   (3) Should the filter influent turbidity exceed 5 NTU for more than 15 minutes, chemical addition shall be automatically activated if available, if not, the wastewater shall be diverted.

2. For new reuse sites, the use of recycled water shall only commence after the California Department of Public Health (CDPH) grants final approval for such use. The Discharger shall provide the Regional Water Board with a copy of the CDPH approval letter within 30 days of the approval notice.

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8 *See Compliance Determination Section VII.K.2.*

3. The Discharger shall be responsible for assuring that recycled water is delivered and utilized in conformance with this Order, 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.

4. The Discharger shall establish and enforce Rules and Regulations for Recycled Water users, 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.

    a. Use of recycled water by the Discharger shall be consistent with its Rules and Regulations for Recycled Water Use.

    b. Any revisions made to the Rules and Regulations shall be subject to the review of the Regional Water Board, the CDPH, and the County Environmental Health Department. The revised Rules and Regulations or a letter certifying that the Discharger's Rules and Regulations contain the updated provisions in this Order, shall be submitted to the Regional Water Board within 60 days of adoption of this Order by the Regional Water Board.

5. The Discharger shall, within 60 days of the adoption of this Order, review and update as necessary its program to conduct compliance inspections of recycled water reuse sites. Inspections shall determine the status of compliance with the Discharger's Rules and Regulations for Recycled Water Use.

6. 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

7. Prior to delivering recycled water to any new user, the Discharger shall submit to the Regional Water Board, the CDPH and the 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.

    b. 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.

    c. The person or persons responsible for operation of the recycled water system at each use area.

    d. The specific use to be made of the recycled water at each use area.

e. 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.

f. 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.

8. The Discharger shall require the user(s) 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.

9. 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.

D. Dewatered Groundwater Discharge Specifications – Discharge Points 005 & 006

1. Only groundwater from dewatering operations at the Facility may be discharged.

2. Effluent Limitations:

   The Discharge shall maintain compliance with the following effluent limitations at DP 005 and DP 006 with compliance measured at monitoring locations M-005 and M-006, respectively, as described in Attachment E.

Table 9. Dewatered Groundwater Discharge Limits at DPs 005 & 006

Parameter	Units	Effluent Limitations			
		Average Monthly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
pH	Std units	--	--	6.5	8.5
Oil and Grease	mg/L	--	15	--	--
Total Suspended Solids	mg/L	50	75	--	--
Total Petroleum Hydrocarbons	µg/L	--	100	--	--
Total Nitrogen	mg/L	1		--	--

E. Stormwater Discharge Specifications - DPs 007 and 008

Stormwater discharges from this Facility shall comply with the Stormwater Requirements in Attachment J and K.

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 San Joaquin Freshwater Marsh, Rattlesnake and Sand Canyon reservoirs, Reach 1 of the San Diego Creek and downstream reaches:

   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

1. The 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 Standard Provisions included in Attachment D of this Order.

2. The Discharger shall comply with the following provisions:

   a. 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.

   b. 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, 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.

   c. Neither the treatment nor the discharge of pollutants shall create a pollution, contamination, or nuisance as defined by Section 13050 of the CWC.

   d. 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.

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

(1) Violation of any terms or conditions of this Order;
(2) Obtaining this Order by misrepresentation or failure to disclose fully all relevant facts, or;
(3) 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 the aquatic environment.

f. 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.

g. 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:

(1) 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.
(2) Significantly changing the disposal method or location, such as changing the disposal to another drainage area or water body.
(3) Significantly changing the method of treatment.
(4) Increasing the treatment plant design capacity beyond that specified in this Order.

h. 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.

i. 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.

j. 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.

k. 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.

l. If the Discharger demonstrates a correlation between the biological oxygen demand (BOD_5) and total organic carbon (TOC) concentrations in the effluent to the satisfaction of the Executive Officer, compliance with the BOD_5 limits contained in this Order may be determined based on analyses of the TOC of the effluent.

m. 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.

n. The treatment facilities shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.

B. Monitoring and Reporting Program (MRP) Requirements

The Discharger shall comply with the MRP, 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 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 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. By February 1, 2008, the Discharger shall submit for approval by the Executive Officer, a report that details the manner in which sampling, monitoring and reporting will be performed as required in this Order.

b. Toxicity Reduction Requirements.

(1) The Discharger shall develop an Initial Investigation Toxicity Reduction Evaluation (IITRE) work plan that describes the steps the Discharger intends to follow if required by Toxicity Reduction Requirements b.(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 TRE\TIE 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 develop a detailed Toxicity Reduction Evaluation and Toxicity Identification Evaluation (TRE/TIE) work plan that shall describe 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 semi-annual monitoring of potential sources of the reportable priority pollutant(s), which may include fish tissue monitoring and other bio-uptake sampling;

(b) Quarterly 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 that shall be sent to the Regional Water Board including:

i. All PMP monitoring results for the previous year;
ii. A list of potential sources of the reportable priority pollutant(s);
iii. A summary of all actions undertaken pursuant to the control strategy; and
iv. 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, 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 (POTWs Only)

a. 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 C.F.R. § 122.41(e)). The Discharger must report any non-compliance (40 C.F.R. § 122.41(l)(6) and (7)) and mitigate any discharge from the collection system in violation of this Order (40 C.F.R. § 122.41(d)). See the Order at Standard Provision VI.A.2.b. and Attachment D, subsections I.D, V.E, V.H, and I.C.

Furthermore, the General Waste Discharge Requirements for Collection System Agencies (Order No. 2006-0003 DWQ) contains requirements for operation and maintenance of collection systems and for reporting and mitigating sanitary sewer overflows. While the Discharger must comply with both Order No. 2006-0003 DWQ and this Order, the General Collection System WDR 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 Order No. 2006-0003-DWQ DWQ.

b. Sludge 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 Board and Integrated Waste Management Board'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, including permitting requirements and technical standards included in 40 CFR 503.
(3) Any proposed change in biosolids use or disposal practice from a previously approved practice should be reported to the Executive Officer and EPA 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.

c. Pretreatment Program

(1) The Discharger shall update as necessary and implement an acceptable pretreatment program.

(2) The Discharger shall update as necessary the appropriate contractual agreements with all governmental agencies[9]. The contractual agreements shall give the Discharger the authority to implement and enforce the EPA approved pretreatment program within the sewer service areas of the treatment facility. The Discharger shall assure that any other steps necessary to provide this implementation and enforcement authority (e.g. adoption of ordinances, etc.) are taken by all governmental agencies. If a governmental agency has an EPA approved pretreatment program for any portion of the service area of the treatment facility, the Discharger's pretreatment program shall contain provisions ensuring that that governmental agency's program is implemented. In the event that any agency discharging to Discharger's facility fails to effectively implement its individual EPA approved pretreatment program, the Discharger shall implement and enforce its approved program within that agency's service area.

(3) The Discharger shall ensure that the POTW[10] pretreatment program for all contributory agencies discharging to the Discharger's treatment facility are implemented and enforced. The Discharger shall be responsible and liable for the performance of all Control Authority pretreatment requirements contained in 40 CFR 403, including any subsequent regulatory revisions to Part 403. Where Part 403 or subsequent revisions place mandatory actions upon the Discharger as Control Authority but does not specify a timetable for completion of the actions, the Discharger shall submit for approval of the Regional Water Board's Executive Officer, a schedule for implementation of the required actions and shall implement the approved schedule. The schedule for implementation shall be submitted within six months from the date that such mandatory actions are established. For violations of pretreatment requirements, the Discharger shall be subject to enforcement actions, penalties, fines and other remedies by the EPA, or other appropriate parties, as provided in the CWA, as amended (33 USC 1351 et seq.). The EPA or the Regional Water Board may also initiate enforcement action against an industrial user (IU) for non-compliance with applicable standards and requirements as provided in the CWA.

(4) The Discharger shall perform the pretreatment functions as required in 40 CFR Part 403 including, but not limited to:

(a) Enforce the pretreatment requirements under 40 CFR 403.5 and 403.6;

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9 *Member agencies and sewering agencies discharging wastewater into the facility.*

10 *Publicly owned treatment works.*

(b) Implement the necessary legal authorities as provided in 40 CFR 403.8(f)(1);

(c) Implement the programmatic functions as provided in 40 CFR 403.8(f)(2);

(d) Publish a list of significant non-compliance as required by 40 CFR 403.8(f)(2)(vii); and

(e) Provide the requisite funding and personnel to implement the pretreatment program as provided in 40 CFR 403.8(f)(3).

(5) The following wastes shall not be introduced into the treatment works:

(a) Wastes which create a fire or explosion hazard in the treatment works;

(b) Wastes which will cause corrosive structural damage to treatment works, but, in no case, wastes with a pH lower than 5.0 unless the works are designed to accommodate such wastes;

(c) Wastes at a flow rate and/or pollutant discharge rate which is excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency;

(d) Solid or viscous wastes in amounts that would cause obstruction to the flow in sewers or otherwise interfere with the proper operation of the treatment works.

(6) The Discharger shall ensure compliance with any existing or future pretreatment standard promulgated by EPA under Section 307 of the CWA or amendments thereto for any discharge to the municipal system.

(7) The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants 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.

(8) The Discharger shall require each user not in compliance with any pretreatment standard to submit periodic notice (over intervals not to exceed nine months) of progress toward compliance with applicable toxic and pretreatment standards developed pursuant to the CWA or amendments thereto. The Discharger shall forward a copy of such notice to the Regional Water Board and to the EPA Regional Administrator.

6. Other Special Provisions

a. Compliance Schedules. Reports of compliance or non-compliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order shall be submitted no later than fourteen days following each schedule date.

7. Compliance Schedules

a. The Discharger shall implement the approved plan and schedule for achieving compliance with total recoverable copper and total recoverable mercury effluent limitations as soon as possible but no later than April 1, 2009. Quarterly progress reports are also required to be submitted.

b. Violation(s) of interim effluent limitations are subject to the same enforcement remedies provided in the Water Code for violation(s) of final effluent limits.

c. This Order will be reopened to consider appropriate changes to the compliance schedule if and as necessary based on submission of additional justification.

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 reporting level (RL).

B. Multiple Sample Data.

When determining compliance with an AMEL or MDEL 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.

C. Average Monthly Effluent Limitation (AMEL).

If the average (or when applicable, the median determined by subsection B above for multiple sample data) of daily discharges over a calendar month exceeds the AMEL for a given parameter, this will represent a single violation, though the Discharger will 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 will 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.

D. Average Weekly Effluent Limitation (AWEL).

If the average or when applicable, the median determined by subsection B above for multiple sample data of daily discharges over a calendar week exceeds the AWEL for a given parameter, this will represent a single violation, though the Discharger will 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 will 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.

E. Maximum Daily Effluent Limitation (MDEL).

If a daily discharge or when applicable, the median determined by subsection B above for multiple sample data of 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.

F. 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).

G. 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 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 exceed the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).

H. 12-Month Running Average Effluent Limitation (12-MRAEL).
Compliance with the 12-month running average limits under Discharge Specification IV.A.1.c., and IV.C.1.b. shall be determined by the arithmetic mean of the last twelve monthly averages.

I. Total Chlorine Residual Limitation (TCR).
Compliance determinations for total chlorine residual shall be determined at the boundary of the zone of initial dilution approved by the Regional Board Executive Office.

J. Turbidity Limitations.
The Discharger shall be considered in compliance with Discharge Specifications IV.A.1.d.(1) and IV.C.1.c.(1) if the following conditions are met. If the Discharger is using a properly operating backup turbidimeter, the reading of the backup turbidimeter shall be considered in determining whether there has been an actual noncompliance:

1. There are no excursions above the limits specified in Discharge Specifications IV.A.1.d.(1).(a) and IV.C.1.c.(1).(a);
2. Exceedances of the "10 NTU at any time" turbidity requirement do not exceed a duration of one minute.
3. The apparent exceedance was caused by interference with, or malfunction of, the monitoring instrument.

K. Coliform Organism Effluent Limitations.

1. Compliance with the average weekly total coliform limit expressed in Discharge Specification IV.A.1.d.(2)(c), IV.C.1.c.(2)(a), and IV.C.1.d. shall be based on a median of test results from the previous 7 days. 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. Compliance with the average weekly total coliform limit expressed in Discharge Specification IV.C.1.e. shall be based on a median of test results from the previous 7 days. To comply with the limit, the 7-day median MPN must not exceed 23 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 23 for more than one day in the week.

L. pH Effluent Limitations.

Pursuant to 40 CFR 401.17, the Discharger shall be in compliance with the pH limitations specified in the Discharge Specification IV.A.1.a, above, provided that both of the following conditions are satisfied:

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

M. 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.

ATTACHMENT A – DEFINITIONS

Arithmetic Mean (μ), 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:

Arithmetic mean = $\mu = \Sigma x / n$ where: Σx 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.

Coefficient of Variation (CV) is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

Criteria Continuous Concentration (CCC) equals the highest concentration of a pollutant to which aquatic life can be exposed for an extended period of time (4 days) without deleterious effects.

Criteria Maximum Concentration (CMC) equals the highest concentration of a pollutant to which aquatic life can be exposed for a short period of time without deleterious effects.

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.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.

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

Dilution Credit is the amount of dilution granted to a discharge in the calculation of a water quality-based effluent limitation, based on the allowance of a specified mixing zone. It is calculated from the dilution ratio or determined through conducting a mixing zone study or modeling of the discharge and receiving water.

Dilution Ratio is the critical low flow of the upstream receiving water divided by the flow of the effluent discharged.

Effluent Concentration Allowance (ECA) is a value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the coefficient of variation for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The ECA has the same meaning as waste load allocation (WLA) as used in USEPA guidance (Technical Support Document For Water Quality-based Toxics Control, March 1991, second printing, EPA/505/2-90-001).

Enclosed Bays means indentations along the coast that enclose an area of oceanic water within distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between the headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. Enclosed bays include, but are not limited to, Humboldt Bay, Bodega Harbor, Tomales Bay, Drake's Estero, San Francisco Bay, Morro Bay, Los Angeles-Long Beach Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay. Enclosed bays do not include inland surface waters or ocean waters.

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.

Estuaries means waters, including coastal lagoons, located at the mouths of streams that serve as areas of mixing for fresh and ocean waters. Coastal lagoons and mouths of streams that are temporarily separated from the ocean by sandbars shall be considered estuaries. Estuarine waters shall be considered to extend from a bay or the open ocean to a point upstream where there is no significant mixing of fresh water and seawater. Estuarine waters included, but are not limited to, the Sacramento-San Joaquin Delta, as defined in Water Code section 12220, Suisun Bay, Carquinez Strait downstream to the Carquinez Bridge, and appropriate areas of the Smith, Mad, Eel, Noyo, Russian, Klamath, San Diego, and Otay rivers. Estuaries do not include inland surface waters or ocean waters.

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).

Load Allocation (LA) is the portion of receiving water's total maximum daily load that is allocated to one of its nonpoint sources of pollution or to natural background sources.

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.

Maximum Daily Flow is the maximum flow sample of all samples collected in a calendar 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 title 40 of the Code of Federal Regulations, Part 136, Attachment B, revised as of July 3, 1999.

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.

Mixing Zone is a limited volume of receiving water that is allocated for mixing with a wastewater discharge where water quality criteria can be exceeded without causing adverse effects to the overall water body.

New Discharger includes any building, structure, facility, or installation from which there is, or may be, a discharge of pollutants, the construction of which commenced after the effective date of this Policy.

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

Ocean Waters are the territorial marine waters of the State as defined by California law to the extent these waters are outside of enclosed bays, estuaries, and coastal lagoons. Discharges to ocean waters are regulated in accordance with the State Water Board's California Ocean Plan.

Objectionable Bottom Deposits are an accumulation of materials or substances on or near the bottom of a water body, which creates conditions that adversely impact aquatic life, human health, beneficial uses, or aesthetics. These conditions include, but are not limited to, the accumulation of pollutants in the sediments and other conditions that result in harm to benthic organisms, production of food chain organisms, or fish egg development. The presence of such deposits shall be determined by RWQCB(s) on a case-by-case basis.

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 Water Code section 13263.3(d), shall be considered to fulfill the PMP requirements.

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 State or Regional Water Board.

Reporting Level (RL) is the ML (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the MLs included in this Order. The MLs included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Regional Water Board either from Appendix 4 of the SIP 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.

Satellite Collection System is the portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility that a sanitary sewer system is tributary to.

Source of Drinking Water is any water designated as municipal or domestic supply (MUN) in a Regional Water Board Basin Plan.

Standard Deviation (σ) is a measure of variability that is calculated as follows:

$$\sigma = (\Sigma[(x - \mu)^2]/(n - 1))^{0.5}$$

where:

x is the observed value;

μ is the arithmetic mean of the observed values; and

n is the number of samples.

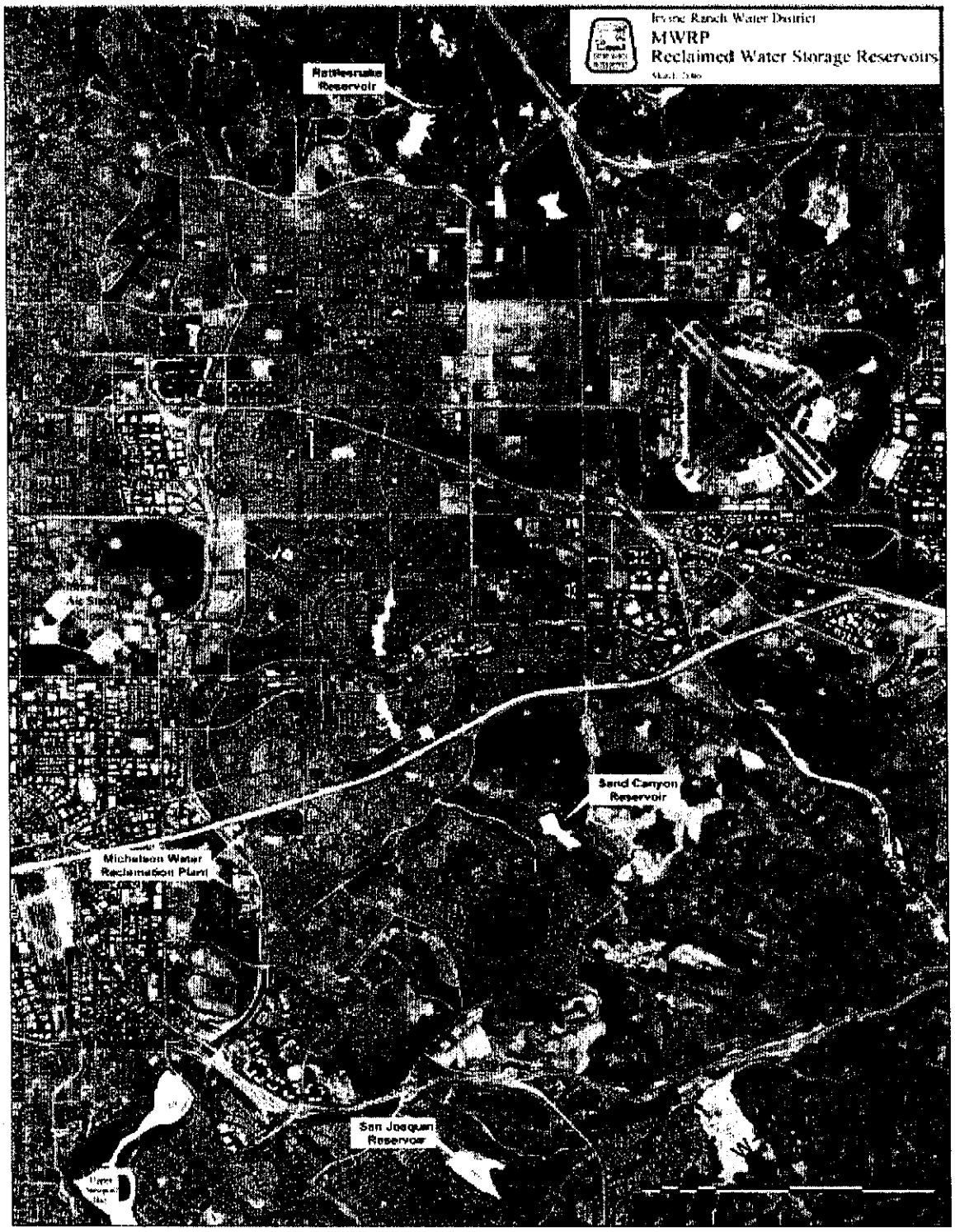
Toxicity Reduction Evaluation (TRE) is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)

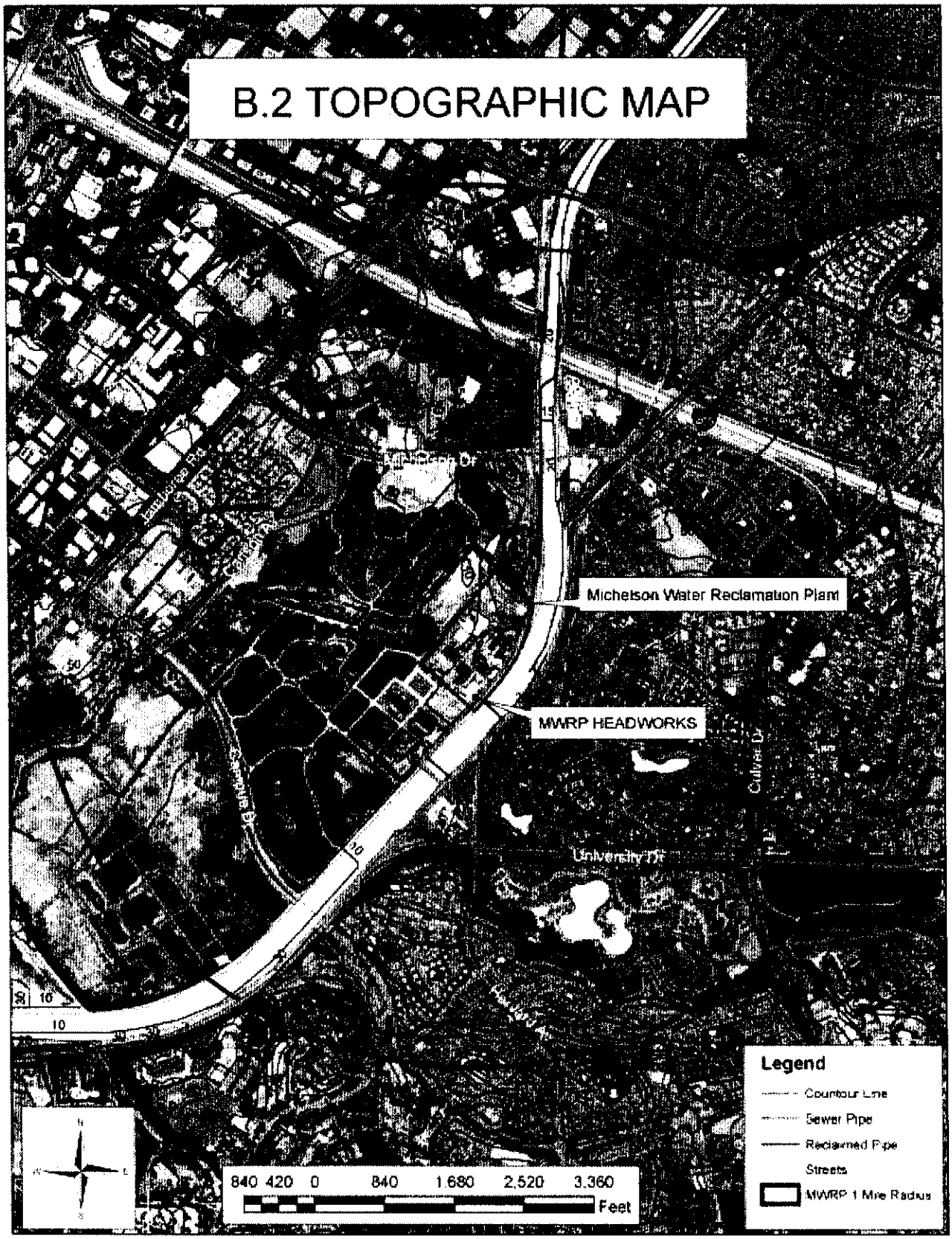
Use Attainability Analysis is a structured scientific assessment of the factors affecting the attainment of the use which may include physical, chemical, biological and economic factors as described in 40 CFR 131.10(g) (40 CFR 131.3, revised as of July 1, 1997).

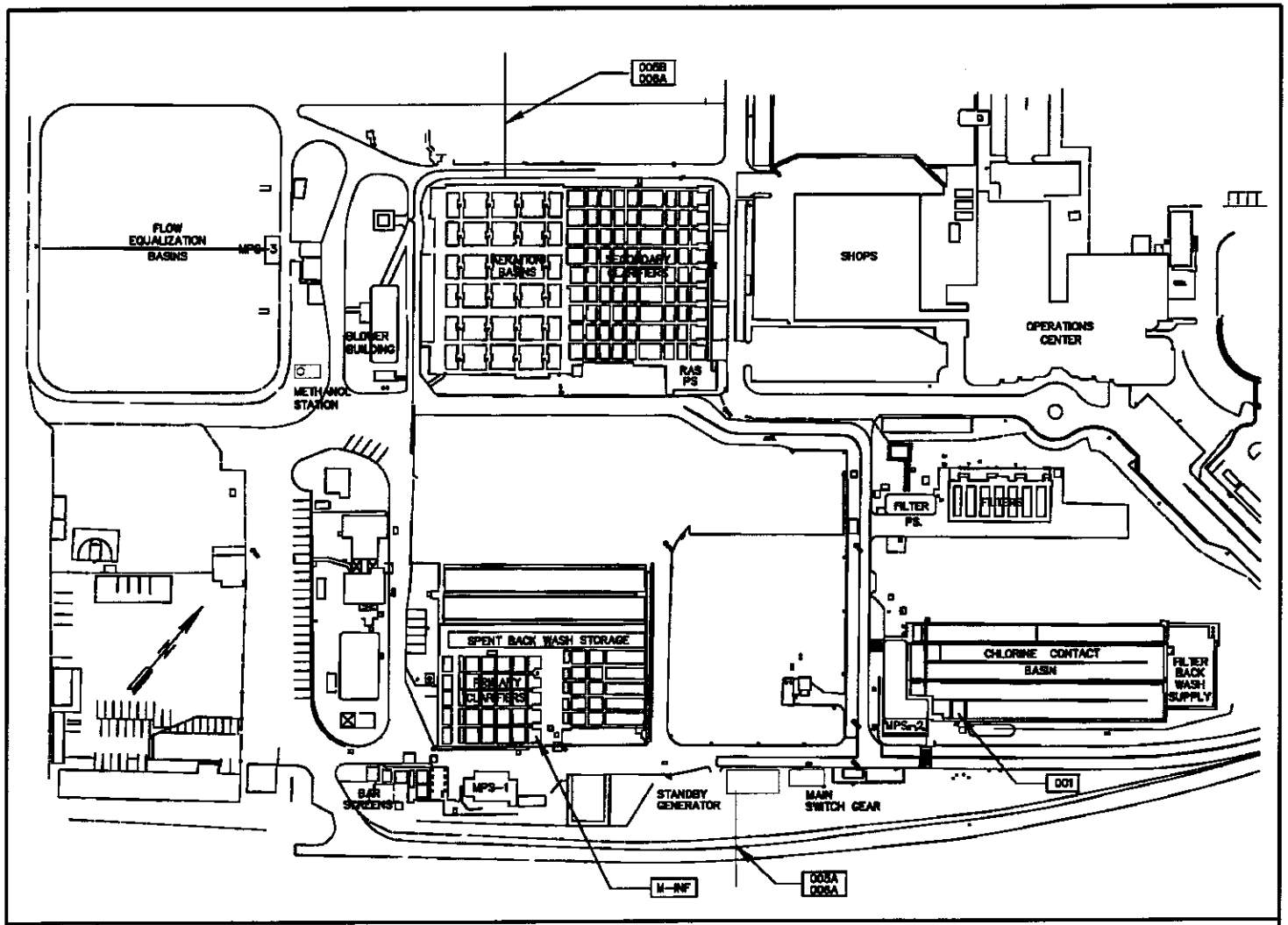
Water Effect Ratio (WER) is an appropriate measure of the toxicity of a material obtained in a site water divided by the same measure of the toxicity of the same material obtained simultaneously in a laboratory dilution water.

12-Month Running Average Effluent Limitation (12-MRAEL): the highest allowable average of monthly discharges over last twelve months, calculated as the sum of all monthly discharges measured during last twelve months divided by the number of monthly discharges measured during that time period.

ATTACHMENT B – LOCATION



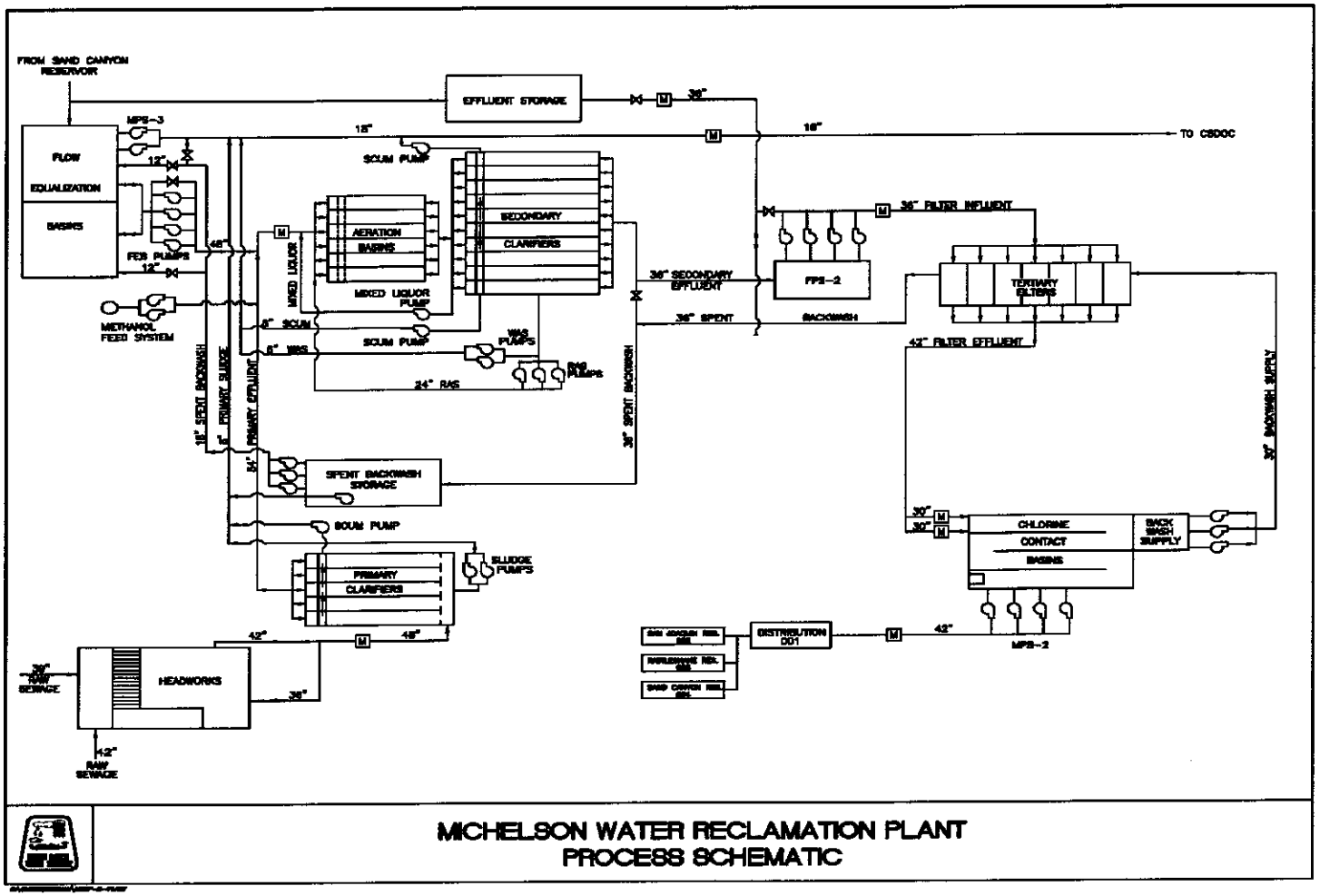

B.2 TOPOGRAPHIC MAP
Michelson Water Reclamation Plant
MWRP HEADWORKS
Culver Dr
University Dr
Legend
Contour Line
Sewer Pipe
Reclaimed Pipe
Streets
MWRP 1 Mile Radius
840 420 0 840 1,680 2,520 3,360
Feet



MWRP FACILITY LAYOUT

Q:\CHUCK BORGMAN\MWRP-F-LAYOUT

ATTACHMENT C – FLOW SCHEMATIC



ATTACHMENT D –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 and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. (40 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 122.41(e).)

E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 C.F.R. § 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 C.F.R. § 122.5(c).)

F. Inspection and Entry

The Discharger shall allow the Regional Water Board, State Water Board, 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 C.F.R. § 122.41(i); Wat. Code, § 13383):

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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 122.41(i)(3)); and

4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location. (40 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 122.41(m)(4)(i)):

   a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 C.F.R. § 122.41(m)(4)(i)(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 C.F.R. § 122.41(m)(4)(i)(B)); and

   c. The Discharger submitted notice to the Regional Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. (40 C.F.R. § 122.41(m)(4)(i)(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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 Discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. (40 C.F.R. § 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 C.F.R. § 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 C.F.R. § 122.41(n)(3)):

   a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 C.F.R. § 122.41(n)(3)(i));

   b. The permitted facility was, at the time, being properly operated (40 C.F.R. § 122.41(n)(3)(ii));

   c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) (40 C.F.R. § 122.41(n)(3)(iii)); and

   d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above. (40 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 Water Code. (40 C.F.R. § 122.41(l)(3); § 122.61.)

III. STANDARD PROVISIONS – MONITORING

A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 C.F.R. § 122.41(j)(1).)

B. Monitoring results must be conducted according to test procedures under Part 136 or, in the case of sludge use or disposal, approved under Part 136 unless otherwise specified in Part 503 unless other test procedures have been specified in this Order. (40 C.F.R. § 122.41(j)(4); § 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 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 C.F.R. § 122.41(j)(2).)

B. Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements (40 C.F.R. § 122.41(j)(3)(i));

2. The individual(s) who performed the sampling or measurements (40 C.F.R. § 122.41(j)(3)(ii));

3. The date(s) analyses were performed (40 C.F.R. § 122.41(j)(3)(iii));

4. The individual(s) who performed the analyses (40 C.F.R. § 122.41(j)(3)(iv));

5. The analytical techniques or methods used (40 C.F.R. § 122.41(j)(3)(v)); and

6. The results of such analyses. (40 C.F.R. § 122.41(j)(3)(vi).)

C. Claims of confidentiality for the following information will be denied (40 C.F.R. § 122.7(b)):

1. The name and address of any permit applicant or Discharger (40 C.F.R. § 122.7(b)(1)); and

2. Permit applications and attachments, permits and effluent data. (40 C.F.R. § 122.7(b)(2).)

V. STANDARD PROVISIONS – REPORTING

A. Duty to Provide Information

The Discharger shall furnish to the Regional Water Board, State Water Board, or USEPA within a reasonable time, any information which the Regional Water Board, State Water Board, 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, State Water Board, or USEPA copies of records required to be kept by this Order. (40 C.F.R. § 122.41(h); Wat. Code, § 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 122.22(b)(1));

   b. The authorization specifies 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 C.F.R. § 122.22(b)(2)); and

   c. The written authorization is submitted to the Regional Water Board and State Water Board. (40 C.F.R. § 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 and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 C.F.R. § 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 C.F.R. § 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 C.F.R. § 122.22(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 State Water Board for reporting results of monitoring of sludge use or disposal practices. (40 C.F.R. § 122.41(l)(4)(i).)

3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under Part 136 or, in the case of sludge use or disposal, approved under Part 136 unless otherwise specified in 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 122.41(l)(6)(i).)

2. The following shall be included as information that must be reported within 24 hours under this paragraph (40 C.F.R. § 122.41(l)(6)(ii)):

   a. Any unanticipated bypass that exceeds any effluent limitation in this Order. (40 C.F.R. § 122.41(l)(6)(ii)(A).)

   b. Any upset that exceeds any effluent limitation in this Order. (40 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 section 122.29(b) (40 C.F.R. § 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 that are not subject to effluent limitations in this Order. (40 C.F.R. § 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 C.F.R.§ 122.41(l)(1)(iii).)

G. Anticipated Noncompliance

The Discharger shall give advance notice to the Regional Water Board or State Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with General Order requirements. (40 C.F.R. § 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 C.F.R. § 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, State Water Board, or USEPA, the Discharger shall promptly submit such facts or information. (40 C.F.R. § 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 Water Code, 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 122.42(b)(3).)

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

The Code of Federal Regulations section 122.48 requires that all NPDES permits specify monitoring and reporting requirements. Water Code Sections 13267 and 13383 also authorize the Regional Water Quality Control Board (Regional Water Board) to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements, which implement the federal and California regulations.

I. GENERAL MONITORING PROVISIONS

A. General Monitoring Provision

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), or 40CFR136. (revised as of April 11, 2007) "Guidelines Establishing Test Procedures for the Analysis of Pollutants," promulgated by the United States Environmental Protection Agency (EPA),

2. All laboratory analyses shall be performed in accordance with test procedures under 40 CFR 136 (revised as of April 11, 2007) "Guidelines Establishing Test Procedures for the Analysis of Pollutants," promulgated by the United States Environmental Protection Agency (EPA), unless otherwise specified in this MRP. In addition, the Regional Water Board and/or EPA, at their discretion, may specify test methods that are more sensitive than those specified in 40 CFR 136.

3. Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the California Department of Public Health in accordance with the provision of Water Code Section 13176, and must include quality assurance/quality control data with their reports, or EPA or at laboratories approved by the Regional Water Board's Executive Officer.

4. 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.

5. For effluent wastewater monitoring:

a. The Discharger shall require its testing laboratory to calibrate the analytical system down to the minimum level (ML)[1] specified in Attachment "H" for priority pollutants with effluent limitations in this Order, 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 calculated effluent limitation. The Discharger may select any one of those cited analytical methods for compliance determination. If no ML value is below the effluent limitation, then the lowest ML value and its associated analytical method, listed in Attachment "H" 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)[2], shall be reported as "Detected, but Not Quantified," or "DNQ." The estimated chemical concentration of the sample shall also be reported.
   (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 reporting level achieved by the testing laboratory; and
   (2) The laboratory's current MDL, as determined by the procedure found in 40 CFR 136 (revised as of April 11, 2007).

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1 *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.*

2 *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, revised as of April 11, 2007.*

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 (revised as of April 11, 2007). 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[3] is below the minimum level value specified in Attachment "H" 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.

6. For non-priority pollutants monitoring, all analytical data shall be reported with method detection limits, as determined by the procedure found in 40 CFR 136 (revised as of April 11, 2007).

7. The Discharger shall have, and implement an acceptable written quality assurance (QA) plan for laboratory analyses. Duplicate chemical analyses must be conducted on a minimum of ten percent (10%) of the samples, or at least one sample per month, whichever is greater. A similar frequency shall be maintained for analyzing spiked samples. When requested by the Regional Water Board or EPA, the Discharger will participate in the NPDES discharge monitoring report QA performance study.

8. 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 supercedes 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);
      (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);

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3 *See Federal Register/ Vol. 65, No. 97 / Thursday, May 18, 2000 / Rules and Regulations.*

(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; and,
j. Copies of all reports required by this Order.
k. Electronic data and information generated by the Supervisory Control And Data Acquisition (SCADA) System.

9. The flow measurement system shall be calibrated at least once per year or more frequently, to ensure continued accuracy.

10. 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.

11. 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. 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.

d. A "grab" sample is defined as any individual sample collected in less than 15 minutes.

e. 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.

f. Daily samples shall be collected on each day of the week.

g. Monthly samples shall be collected on any representative day of each month.

h. Quarterly samples: A representative sample shall be taken on any representative day of January, April, July, and October and test results shall be reported in either micrograms/liter (ug/L) or milligrams/liter (mg/L), as appropriate, by the last day of the month following the month that the sample was taken.

i. Semi-annual samples shall be collected in January and July.

j. Annual samples shall be collected in accordance with the following schedule:

Table 1 Annual Sampling Schedule

Year	Annual Samples
2008	January
2009	April
2010	July
2011	October
2012	January
2013	April

B. Laboratory Certification

Laboratories analyzing monitoring samples shall be certified by the Department of Public Health, in accordance with the provision of Water Code section 13176, and must include quality assurance/quality control data with their reports.

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 and Longitude
--	M-INF	Influent distribution channel	33°39'47" & 117°50'19"
001	REC-001	Effluent from MWRP to recycling system	33°39'50" & 117°50'17"
002	REC-002	Effluent to San Joaquin Reservoir	33°37'12" & 117°50'39"
003	M-003A	Effluent to Rattlesnake Reservoir	33°43'37" & 117°44'43"
003	M-003B	Rattlesnake Reservoir ZID boundary	33°43'37" & 117°44'27"
004	M-004A	Effluent to Sand Canyon Reservoir	33°38'55" & 117°47'47"
004	M-004B	Sand Canyon Reservoir ZID boundary	33°38'50" & 117°47'50"
005	M-005	Dewatered groundwater to Reach 1 of San Diego Creek	33°39'47" & 117°50'16"
006	M-006	Dewatered groundwater to San Joaquin Freshwater Marsh	33°39'51" & 117°50'27"
007	Storm-007	Emergency stormwater overflow to reach 1 of San Diego Creek	33°39'47" & 117°50'16"

Table 2 Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description	Latitude and Longitude
008	Storm-008	Emergency stormwater overflow to San Joaquin Marsh	33°39'51" & 117°50'27"
	R-001	Receiving surface water—Rattlesnake Reservoir 3 location spatial composite	33°43'46" & 117°44'12" 33°43'42" & 117°44'23" 33°43'41" & 117°44'29"
	R-002	Receiving surface water—Sand Canyon Reservoir location 3 spatial composite	33°38'38" & 117°47'46" 33°38'48" & 117°47'48" 33°38'51" & 117°47'47"

III. INFLUENT MONITORING REQUIREMENTS

A. Monitoring Location M-INF

1. Sampling stations shall be established for the points of inflow to the treatment plant. The sampling station(s) shall be located upstream of any in-plant return flows and where representative sample(s) of the influent of the treatment plant can be obtained.

2. The Discharger shall monitor the influent to the Facility at Monitoring Location M-INF as follows. If more than one analytical test method is listed for a given parameter, the Discharger must select from the listed methods and corresponding Minimum Level:

Table 3 Influent Monitoring M-INF

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Flow	mgd	Recorder/Totalizer	Continuous	See Section I.A.3, above, of this MRP
pH	pH Units	Recorder	Continuous	"
Specific Conductance	µmhos/cm	Recorder	Continuous	"
COD	mg/L	Composite	Weekly	"
BOD_5	mg/L	Composite	Weekly	
Total Suspended Solids	mg/L	Composite	Weekly	"
Total Dissolved Solids	mg/L	Composite	Monthly	"
Ammonia-Nitrogen	mg/L	Grab	Monthly	"
Total Kjeldahl Nitrogen	mg/L	Composite	Monthly	"
Total Inorganic Nitrogen	mg/L	Composite	Quarterly	See Section I.A.3. above, of this MRP
Total Hardness	mg/L	Composite	Quarterly	"
Arsenic	µg/L	Composite	Quarterly	See Section I.A.2. above, of this MRP

Table 3 Influent Monitoring M-INF

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Total Recoverable Cadmium	µg/L	Composite	Quarterly	See Section I.A.2. above, of this MRP
Total Chromium or Chromium VI	µg/L	Composite	Quarterly	"
Total Recoverable Copper	µg/L	Composite	Quarterly	"
Total Recoverable Lead	µg/L	Composite	Quarterly	"
Total Recoverable Mercury	µg/L	Composite	Quarterly	"
Total Recoverable Nickel	µg/L	Composite	Quarterly	"
Selenium	µg/L	Composite	Quarterly	"
Total Recoverable Silver	µg/L	Composite	Quarterly	"
Total Recoverable Zinc	µg/L	Composite	Quarterly	"
Cyanide (Free)	µg/L	Grab	Quarterly	See Section I.A.2. above, of this MRP
Volatile organic portion of EPA Priority Pollutants[4] (See Attachment G)	µg/L	Grab	Annually	"
Remaining EPA Priority Pollutants[5] (See Attachment G)	µg/L	Composite	Annually	See Section I.A.2. above, of this MRP

IV. EFFLUENT MONITORING REQUIREMENTS TO SURFACE WATER

The Discharger shall monitor the treated effluent at monitoring locations as follows. If more than one analytical test method is listed for a given parameter, the Discharger must select from the listed methods and corresponding Minimum Level.

A. Effluent Monitoring Locations M-003 & M-004

1. The Discharger shall monitor tertiary treated effluent for DP 003 and DP 004 at Monitoring Locations M-003A and M-004A as follows.

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4 *EPA priority pollutants are those remaining volatile organic pollutants listed in Attachment "G" which are not specifically listed in this monitoring program table.*

5 *Remaining EPA priority pollutants are those pollutants listed in Attachment "G" which are not volatile organics and pollutants not specifically listed in this monitoring program table.*

Table 4 Tertiary Effluent Monitoring M-003A & M-004A

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method and Minimum Level, units, respectively
Flow	mgd	Recorder/ Totalizer	Continuous	See Section I.A.3. above, of this MRP
Specific Conductance	µmhos/cm	Recorder	Continuous	"
pH	pH units	"	Continuous	"
Turbidity[6]	NTU	Recorder	Continuous	"
CT[7]	mg/L-min	Recorder	Continuous	See Section I.A.3., above, of this MRP
Coliform Organisms[8]	MPN per 100 ml[9]	Grab	Daily	See Section I.A.3., above of this MRP
Temperature	°C	Grab	Weekly	See Section I.A.3. above, of this MRP
BOD_5	mg/L	Composite	Weekly	See Section I.A.3. above, of this MRP
Total Suspended Solids	mg/L	Composite	Weekly	See Section I.A.3. above
COD	mg/L	Composite	Monthly	"
Ammonia-Nitrogen	mg/L	Grab	Monthly	See Section I.A.3. above, of this MRP
Total Dissolved Solids	mg/L	Composite	Monthly	See Section I.A.3. above
Total Hardness	mg/L	Composite	Monthly	See Section I.A.3. above
Total Inorganic Nitrogen	mg/L	Composite	Monthly	See Section I.A.3. above
Total Nitrogen	mg/L	Composite	Monthly	See Section I.A.3. above
Total Phosphorous	mg/L	Composite	Monthly	See Section I.A.3. above
Total Recoverable Copper	µg/L	Composite	Monthly	See Sections I.A.2., I.A.3., above of this MRP and RL[10] 5 µg/L
Total Recoverable Mercury	µg/L	Composite	Monthly	See Sections I.A.2., I.A.3. above of this MRP and RL 0.05 µg/L
Bis (2-ethylhexyl) phthalate	µg/L	Grab	Monthly	See Sections I.A.2., I.A.3., above of this MRP and RL 5 µg/L
Toxicity	TUc	See Section	Monthly	See Section V, Below

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6 *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.*

7 *CT is the product of total chlorine residual and modal contact time measured at the same point. Compliance with CT shall be determined daily based on low chlorine residual and/or peak flow.*

8 *Samples for total coliform bacteria shall be collected daily. Samples shall be taken from the disinfected effluent.*

9 *MPN/100mL = Most Probable Number per 100 milliliters.*

10 *Reporting Level.*

Table 4 Tertiary Effluent Monitoring M-003A & M-004A

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method and Minimum Level, units, respectively
		V.A, Below		
Bicarbonate	mg/L	Composite	Quarterly	See Section I.A.3. above, of this MRP
Boron	mg/L	Composite	Quarterly	See Section I.A.3. above
Calcium	mg/L	Composite	Quarterly	See Section I.A.3. above
Carbonate	mg/L	Composite	Quarterly	See Section I.A.3. above
Chloride	mg/L	Composite	Quarterly	See Section I.A.3. above
Fluoride	mg/L	Composite	Quarterly	See Section I.A.3. above, of this MRP
Magnesium	mg/L	Composite	Quarterly	See Section I.A.3. above
Sodium	mg/L	Composite	Quarterly	See Section I.A.3. above
Sulfate	mg/L	Composite	Quarterly	See Section I.A.3. above
Aluminum	mg/L	Composite	Quarterly	See Section I.A.3. above
Antimony	mg/L	Composite	Quarterly	See Sections I.A.2., I.A.3., above of this MRP
Arsenic	µg/L	Composite	Quarterly, (See IV. A.3., below)	See Section I.A.3. above
Barium	µg/L	Composite	Quarterly, (See IV. A.3., below)	See Section I.A.3. above
Total Recoverable Cadmium	µg/L	Composite	Quarterly (See IV. A.3., below)	See Sections I.A.2., I.A.3., above of this MRP and RL 0.5 µg/L
Chromium VI or Total Chromium[11]	µg/L	Composite	Quarterly (See IV. A.3., below)	See Sections I.A.2., I.A.3. above of this MRP and RL 5 µg/L, Total Cr, RL 2 µg/L
Cobalt	µg/L	Composite	Quarterly (See IV. A.3., below)	See Section I.A.3. above,
Cyanide, free	µg/L	Grab	Quarterly (See IV. A.3., below)	See Sections I.A.2., I.A.3., above of this MRP and RL 5 µg/L
Total Recoverable Lead	µg/L	Composite	Quarterly (See IV. A.3., below)	See Sections I.A.2., I.A.3. above of this MRP and RL 2 µg/L
Total Recoverable Nickel	µg/L	Composite	Quarterly (See IV. A.3., below)	See Sections I.A.2., I.A.3., above of this MRP and RL
Total Recoverable Selenium	µg/L	Composite	Quarterly (See IV. A.3., below)	See Sections I.A.2., I.A.3. above of this MRP and RL 2 µg/L

11 *If Total Chromium test result is greater than 11 µg/L, the following sample shall be tested for Chromium VI, until directed otherwise.*

Table 4 Tertiary Effluent Monitoring M-003A & M-004A

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method and Minimum Level, units, respectively
Total Recoverable Silver	µg/L	Composite	Quarterly (See IV. A.3., below)	See Sections I.A.2., I.A.3., above of this MRP and RL 1 µg/L
Total Recoverable Zinc	µg/L	Composite	Quarterly (See IV. A.3., below)	See Sections I.A.2., I.A.3., above of this MRP
Volatile organic portion of remaining EPA Priority Pollutants (See Attachment "G")	µg/L	Grab	Annually (See IV. A.4., below)	See Sections I.A.2., I.A.3., above of this MRP
Remaining EPA Priority Pollutants (See Attachment "G")	µg/L	Composite	Annually (See IV. A.4., below)	See Sections I.A.2., I.A.3., above of this MRP

2. The Discharger shall monitor tertiary treated effluent for DP 003 and DP 004 at Monitoring Locations M-003B and M-004B for Total Residual Chlorine as follows.

Table 5 Tertiary Effluent Monitoring M-003B & M-004B

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method and Minimum Level, units, respectively
Total Residual Chlorine	mg/L	Grab	Weekly	See Section I.A.3. above of this MRP

3. The monitoring frequency for those priority pollutants that are detected during the required quarterly monitoring at a concentration greater than the concentration specified for that pollutant[12] in Attachment I shall be accelerated to monthly. To return to the monitoring frequency specified, the Discharger shall request and receive approval from the Regional Water Board's Executive Officer or designee.

4. 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[12] in Attachment I shall be accelerated to quarterly for one year. To return to the monitoring frequency specified, the Discharger shall request and receive approval from the Regional Water Board's Executive Officer or designee.

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12 *For those priority pollutants without specified criteria values, accelerated monitoring is not required.*

5. If there are no discharges of treated effluent to DP 003 and DP 004, the Discharger is not required to monitor for all the constituents in Table 4 and Table 5, above. However, the Discharger shall record on a permanent log on a daily basis when there is no discharge and report this information together with the monthly report.

6. If there are discharges of water other than treated effluent at DP 003 and DP 004, the volume (mgd), date and source of the water shall be recorded on the permanent log. This information shall be reported together with the monthly report.

B. Dewatered Groundwater Monitoring Locations M-005 & M-006

1. The Discharger shall monitor dewatered groundwater effluent at M-005 and M-006 at the time of the discharge, as follows:

Table 6 Dewatered Groundwater Monitoring M-005 & M-006

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method and Minimum Level, units, respectively
Flow	mgd	Estimate	Daily	See Section I.A.3., above, of this MRP
pH	pH units	Grab	Quarterly	See Section I.A.3., above, of this MRP
Total Suspended Solids	mg/L	Grab	Quarterly	See Sections I.A.2., I.A.3., above of this MRP
Total Petroleum Hydrocarbons	µg/L	Grab	Quarterly	See Sections I.A.2., I.A.3., above of this MRP
Oil & Grease	mg/L	Grab	Quarterly	See Sections I.A.2., I.A.3., above of this MRP
Total Nitrogen	mg/L	Grab	Quarterly	See Sections I.A.2., I.A.3., above of this MRP
Total Phosphorous	mg/L	Grab	Quarterly	See Sections I.A.2., I.A.3., above of this MRP
Total Sulfide	mg/L	Grab	Quarterly	See Sections I.A.2., I.A.3., above of this MRP
Total Recoverable Selenium	µg/L	Grab	Quarterly	See Sections I.A.2., I.A.3., above of this MRP

V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

A. Toxicity Monitoring Requirements at M-003A and M-004A

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 by the end of the next business day following the completion of such tests.

3. A minimum of one monthly chronic toxicity test shall be conducted on representative composite samples.

4. 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 that 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.

5. The presence of chronic toxicity shall be estimated as specified in Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms. Fourth Edition. EPA-821-R-02-013.

6. 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 toxicant to which organisms are exposed in a chronic test, that causes no observable adverse effect on the tests 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).

7. Additional Testing Requirements

   a. A series of at least five dilutions and a control will be tested. Five dilutions of 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[13], 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.

8. 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 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 Board and the Discharger for evaluation; (5) The Discharger shall review the test acceptability criteria in accordance with the EPA test protocols, Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms. Fourth Edition. EPA-821-R-02-013.

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.

9. 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 and approved by the Executive Officer on a case-by case basis upon submittal of the documentation supporting Discharger's determination that a different species is more sensitive and appropriate.

10. Reporting: Results of all toxicity testing conducted within the month following the reporting period shall be submitted monthly in accordance with "Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms. Fourth Edition. EPA-821-R-02-013." The report shall include a determination of the median value of all chronic toxicity testing results conducted during the two previous months.

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13 *Refers to USEPA Manual "Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms. - 4th Ed., October 2002, EPA-821-R-02-013.*

11. 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.

VI. LAND DISCHARGE MONITORING REQUIREMENTS – NOT APPLICABLE

VII. RECLAMATION MONITORING REQUIREMENTS

A. Monitoring Locations REC-001 & REC-002

1. The Discharger shall monitor recycled water at REC-001 and REC-002 as follows:

Table 7 Reclamation Monitoring at REC-001 & REC-002

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Flow	mgd	Recorder/Totalizer	Continuous	---
pH	Standard units	Recorder/Totalizer	Continuous	--
CT[14]	mg/L-min	Recorder	Continuous	See Section I.A.3., above, of this MRP
Turbidity	NTU	Recorder	Continuous	"
Coliform Organisms	MPN per 100 mL	Grab	Daily	"
BOD_5	mg/L	Composite	Weekly	See Section I.A.3., above, of this MRP
Total Suspended Solids	mg/L	Composite	Weekly	See Section I.A.3., above, of this MRP
TDS	mg/L	Composite	Monthly	See Section I.A.3., above, of this MRP

B. Monitoring Users

Whenever recycled water is supplied to a user, the Discharger shall record on a permanent log: the volume of recycled water supplied; the user of recycled water; the locations of those sites including the names of the groundwater management zones underlying the recycled water use sites; type of use (e.g. irrigation, industrial, etc); and the dates at which water is supplied. The Discharger shall submit annually a summary report of the recorded information by groundwater management zone to the Regional Water Board.

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14 *CT is the product of total chlorine residual and modal contact time measured at the same point.*

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

A. Monitoring Requirements for Surface Water

1. The Discharger shall monitor receiving water at R-001 & R-002 as follows:

Table 8 Receiving Water Monitoring Requirements at R-001 & R-002

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Total Chlorine Residual	mg/L	Grab	weekly	See Section I.A.3., above, of this MRP
Dissolved Oxygen	mg/L	Grab	weekly	See Section I.A.3., above, of this MRP
Temperature	^{0}C	Grab	weekly	See Section I.A.3., above, of this MRP
pH	pH unit	Grab	weekly	"
Total Nitrogen	mg/L	Grab	monthly	See Section I.A.3., above, of this MRP
Total Inorganic Nitrogen	mg/L	Grab	monthly	See Section I.A.3., above, of this MRP
Ammonia Nitrogen	mg/L	Grab	monthly	See Section I.A.3., above, of this MRP
Hardness	mg/L	Grab	monthly	See Section I.A.3., above, of this MRP
Color change, foam, deposition of material, odor	--	Observe	monthly	See Section I.A.3., above, of this MRP
Volatile organic portion of EPA Priority Pollutants	µg/L	Grab	Semi-annually	See Section I.A.2., above, of this MRP
Remaining EPA Priority Pollutants	µg/L	Grab	Semi-annually	See Section I.A.2., above, of this MRP

2. The Discharger shall provide a permanent measuring device at the Sand Canyon Reservoir that shows surface water elevation based on mean sea level datum line. The device shall be accessible and elevation marking shall be easily readable.

3. During the winter months, from October 1 through March 1 of each year, the following shall also be monitored at Sand Canyon Reservoir:

   a. Recycled water discharges into the reservoir shall be estimated and recorded on a permanent log daily.

   b. Overflow discharges from the reservoir to Sand Canyon Wash shall be estimated and recorded on a permanent log daily.

   c. The date and duration of storm events which has occurred and contributed stormwater into the reservoir shall be noted and recorded on a permanent log daily.

d. Every Tuesday and Friday, the surface water elevation shall be determined and recorded on a permanent log.

B. Monitoring Requirements for Groundwater – Not Applicable

IX. OTHER MONITORING REQUIREMENTS

A. Biosolids Monitoring

The Discharger shall maintain a permanent log of all the solids hauled away from the treatment facility for use/disposal elsewhere and shall provide a monthly summary of the volume, type, (screenings, raw sludge), use (for further treatment at OCSD, composting , etc), and the destination.

B. Stormwater Monitoring

The Discharger shall comply with Attachments J and K - Stormwater Monitoring and Reporting Requirements.

C. Water Supply Monitoring

1. In August of each year, a sample of each source of the water supplied to the sewered area shall be obtained and analyzed for total dissolved solids concentration expressed in "mg/L".

2. Monthly reports shall be submitted stating the amount (in percentage or acre-feet) supplied to the sewered area from each source of water and the resulting flow-weighted water supply quality for total dissolved solids.

D. Pretreatment Monitoring and Reporting

1. The Discharger shall submit to the Regional Water Board and the EPA Region 9, a semiannual compliance status report. The semiannual compliance status reports shall cover the periods January 1 - June 30 and July 1 - December 31. The reports shall be submitted by March 31 and September 30. This semiannual reporting requirement shall commence for the first full semiannual reporting period following issuance of this Order. The reports shall identify:

   a. All significant industrial users (SIUs) which violated any standards or reporting requirements during that quarter;

   b. The violations committed (distinguish between categorical and local limits);

   c. The enforcement actions undertaken; and

d. The status of active enforcement actions from previous periods, including closeouts (facilities under previous enforcement actions which attained compliance during the quarter).

2. Annually, the Discharger shall submit a report to the Regional Water Board, the State Water Resources Control Board and the EPA Region 9 describing the pretreatment activities within the service area during the previous year. In the event that any control authority within the service area is not in compliance with any conditions or requirements of this Order or their approved pretreatment program (such as due to industrial user discharges, interjurisdictional agency agreement implementation issues, or other causes,) then the Discharger shall also include the reasons for non-compliance and state how and when the Discharger and the control authority shall comply with such conditions and requirements. This annual report shall cover operations from July 1 through June 30 of each fiscal year and is due on October 31 of each year. The report shall contain, but not be limited to, the following information:

   a. A summary of analytical results from representative, flow-proportioned, 24-hour composite sampling of the POTW's influent and effluent wastewaters for those pollutants which are known or suspected to be discharged by industrial users (IUs) as identified by EPA under Section 307(a) of the CWA. The summary will include the result of annual full priority pollutant scan, with quarterly samples analyzed only for those pollutants[15] detected in the full scan. The Discharger shall also provide any influent or effluent monitoring data for non-priority pollutants which the Discharger believes may be causing or contributing to Interference, Pass Through or adversely impacting sludge quality. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR 136 and amendments thereto.

   b. A discussion of any upset, interference, or pass-through incidents at the treatment plant (if any), which the Discharger knows or suspects were caused by IUs of the POTW system. The discussion shall include the following:

      (1) The reasons why the incidents occurred, the corrective actions taken, and, if known, the name and address of the IU(s) responsible.
      (2) A review of the applicable pollutant limitations to determine whether any additional limitations, or changes to existing requirements, may be necessary to prevent pass through, interference or noncompliance with sludge disposal requirements.

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15 *The Discharger is not required to analyze for asbestos.*

c. A complete and updated list of the Discharger's significant industrial users (SIUs), including names, North American Industry Classification System (NAICS), code(s) and addresses, and a list of any SIU deletions and/or additions. The Discharger shall provide a brief explanation for each deletion. The SIU list shall identify the SIUs subject to Federal Categorical Standards by specifying which set(s) of standards are applicable to each SIU. The list shall also indicate which SIUs are subject to local limitations more stringent than Federal Categorical Standards and those, which are not subject to local limits.

d. A list or table characterizing the industrial compliance status of each SIU, including:

(1) SIU name;
(2) Industrial category;
(3) The type (processes) of wastewater treatment in place;
(4) Number of samples taken by the POTW during the year;
(5) Number of samples taken by the SIU during the year;
(6) Whether all needed certifications (if allowed) were provided by SIUs which have limits for total toxic organics;
(7) Federal and Regional Standards violated during the year, reported separately;
(8) Whether the SIU at any time in the year was in Significant Noncompliance (SNC)[16], as defined by 40 CFR 403.12 (f)(2)(vii); and
(9) A summary of enforcement actions against the SIU taken during the year, including the type of action, final compliance date, and amount of fines assessed/collected (if any). Proposed actions, if known, should be included.
(10) Number of inspections conducted at each SIU during the year.

e. A compliance summary table which includes:

(1) SIU's which were in SNC at any time during the year;
(2) The total number of SIUs which are in SNC with pretreatment compliance schedules during the year;
(3) The total number of notices of violation and administrative orders issued against SIUs during the year;
(4) The total number of civil and criminal judicial actions filed against SIUs during the year;
(5) The number of SIUs which were published as being in SNC during the year; and
(6) The number of IUs from which penalties were collected during the year.

f. A short description of any significant changes in operating the pretreatment program which differ from the previous year including, but not limited to changes concerning:

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16 *SNC is determined at the beginning of each quarter based on data of the previous six months.*

(1) The program's administrative structure;
(2) Local industrial discharge limitations;
(3) Monitoring program or monitoring frequencies;
(4) Legal authority or enforcement policy;
(5) Funding mechanisms; and
(6) Resource requirements and/or staffing levels.

g. A summary of the annual pretreatment budget, including the cost of pretreatment program functions and equipment purchases.

h. A summary of public participation activities to involve and inform the public.

i. A description of any changes in sludge disposal methods and a discussion of any concerns not described elsewhere in the report.

3. The cumulative number of industrial users that the Discharger has notified regarding Baseline Monitoring Reports and the cumulative number of industrial user responses.

4. The Discharger shall submit the semiannual compliance status reports and the annual pretreatment report to EPA Region 9, the State Board and the Regional Water Board.

X. REPORTING REQUIREMENTS

A. General Monitoring and Reporting Requirements

1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.
2. All analytical data shall be reported with method detection limit[17] (MDLs) and with identification of either reporting level or limits of quantitation (LOQs).
3. 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.
4. 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 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.

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17 *The standardized test procedure to be used to determine the method detection limit (MDL) is given at Appendix B, 'Definition and Procedure for the Determination of the Method Detection Limit' of 40 CFR 136.*

5. The Discharger shall tabulate the monitoring data to clearly illustrate compliance and/or noncompliance with the requirements of the Order.

6. 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 reporting level achieved by the testing laboratory; and

   b. The laboratory's current MDL, as determined by the procedure found in 40 CFR 136 (revised as of April 11, 2007).

   c. 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 (revised as of April 11, 2007). 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[18] 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.

7. 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 which 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.

8. 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.

9. At any time during the term of this Order when electronic submittal of monitoring reports has become the norm, the State or Regional Water Board may notify the Discharger to discontinue submittal of hard copies of reports. When such notification is given, the Discharger shall stop submitting hard copies of required monitoring reports.

10. The Discharger shall report monitoring results for specific parameters in accordance with the following table:

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18 *See Federal Register/ Vol. 65, No. 97 / Thursday, May 18, 2000 / Rules and Regulations.*

Table 9 Reporting Requirements

Parameter	Measurement
Flow	Daily total flow
pH	Daily High and daily low
Total Residual Chlorine	Daily Maximum
Electrical Conductivity	Daily High
Turbidity	Daily maximum

11. 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 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. At any time during the term of this permit, the State or Regional Water Board may notify the Discharger to electronically submit Self-Monitoring Reports (SMRs) using the State Water Board's California Integrated Water Quality System (CIWQS) Program Web site (http://www.waterboards.ca.gov/ciwqs/index.html). Until such notification is given, the Discharger shall submit hard copy SMRs. 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 MRP under Sections III through IX. 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 Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On...	Monitoring Period	SMR Due Date
Continuous	The effective day of this Order	All	Submit with monthly SMR
Daily	The effective day 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 day 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	1st day of calendar month through last day of calendar month	first day of the second month following the reporting 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 colleted in January; April 1 through June 30; samples are colleted in April; July 1 through September 30; samples are colleted in July; October 1 through December 31; samples are colleted in October	first day of the second month following the reporting 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 reporting period, submit with monthly SMR
Annually	The effective day of this Order	January 1 through December 31	April 1 each year including report requirements in Attachments

4. Reporting Protocols. The Discharger shall report with each sample result the applicable reported Minimum Level (ML) and the current Method Detection Limit (MDL), as determined by the procedure in 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 reported ML shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).

b. Sample results less than the RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration 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. Multiple Sample Data. When determining compliance with an AMEL for priority pollutants 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, 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.

   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.

6. The Discharger shall submit hard copy SMRs (with an original signature) when required by subsection B.1 above in accordance with the following requirements:

   a. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations.

b. 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. SMRs must be submitted to the Regional Water Board, signed and certified as required by the Standard Provisions (Attachment D), to the address listed below:

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

7. 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.

8. By April 1 of each year, the Discharger shall submit an annual report to the Regional Water Board. The annual report shall include the following:

a. Tabular and graphical summaries of the monitoring data obtained during the previous year;

b. A discussion of the compliance record and the corrective actions taken or planned, which may be needed to bring the discharge into full compliance with the waste discharge requirements;

c. A summary of the quality assurance (QA) activities for the previous year; and

d. For priority pollutant constituents that do not have effluent limitations but are required to be monitored, the Discharger shall evaluate the monitoring data obtained during the previous year and determine whether detected constituents are at levels that would warrant reopening the permit to include effluent limitations for such constituent(s). To conduct this evaluation, the concentration of detected constituents shall be compared to the most stringent applicable receiving water objectives (freshwater or human health (consumption of organisms only) as specified for that pollutant in 40 CFR 131.38[19]). The Discharger shall include a discussion of the corrective actions taken or planned to address values above receiving water objectives.

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19 *See Federal Register/ Vol. 65, No. 97 / Thursday, May 18, 2000 / Rules and Regulations.*

C. Discharge Monitoring Reports (DMRs)

1. As described in Section X.B.1 above, at any time during the term of this permit, the State or Regional Water Board may notify the Discharger to electronically submit SMRs that will satisfy federal requirements for submittal of Discharge Monitoring Reports (DMRs). Until such notification is given, the Discharger shall submit DMRs in accordance with the requirements described below.

2. DMRs must be signed and certified as required by the standard provisions (Attachment D). The Discharger shall submit the original DMR and one copy of the DMR to the address listed below:

Table 11 Monitoring Reporting Submittal

Standard Mail	FedEx/UPS/ Other Private Carriers
State Water Resources Control Board Division of Water Quality c/o DMR Processing Center PO Box 100 Sacramento, CA 95812-1000	State Water Resources Control Board Division of Water Quality c/o DMR Processing Center 1001 I Street, 15th Floor Sacramento, CA 95814

3. All discharge monitoring results must be reported on the official USEPA pre-printed DMR forms (EPA Form 3320-1). Forms that are self-generated will not be accepted unless they follow the exact same format of EPA Form 3320-1.

   Regional Administrator
   U. S. Environmental Protection Agency
   Region 9 – Attention WTR – 7
   75 Hawthorne Street
   San Francisco, CA 94105

D. Other Reports

1. 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 report the progress in satisfaction of compliance schedule dates specified in Special Provisions – VI.C.7 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.5 above.

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. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

Table 1. Facility Information

WDID	8 302006002
Discharger/Operator	Irvine Ranch Water District
Name of Facility	Michelson Water Reclamation Plant
Address	3512 Michelson Drive
	Irvine, CA 92612
	Orange County
Facility Contact, Title and Phone	Paul Cook, Assistant General Manager, Phone: (949) 453-5590
Authorized Person to Sign and Submit Reports	Paul Cook, Assistant General Manager, Phone: (949) 453-5590
Mailing Address	15600 Sand Canyon Avenue, Irvine, CA 92618
Billing Address	P.O. BOX 57000, Irvine, CA 92619-7000
Type of Facility	POTW
Major or Minor Facility	Major
Threat to Water Quality	1
Complexity	A
Pretreatment Program	Y
Reclamation Requirements	Producer/User
Facility Permitted Flow	18 million gallons per day (mgd)
Facility Design Flow	18 mgd
Watershed	San Diego Creek/Newport Bay watershed
Receiving Water	Irvine Groundwater Management Zone. Surface waters: Rattlesnake and Sand Canyon Reservoirs, Reach 1 of San Diego Creek, San Joaquin Freshwater Marsh and Upper Newport Bay.
Receiving Water Type	Inland Surface Water, Estuary and Groundwater

A. The Irvine Ranch Water District (hereinafter Discharger, IRWD or District) is the owner and operator of the Michelson Water Reclamation Plant (hereinafter Facility, or MWRP) and its recycled water distribution system.

For the purposes of this Order, references to the "discharger" or "permittee" in applicable federal and State laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

B. The Facility discharges wastewater to waters of the United States, including: 1) tertiary treated wastewater to Sand Canyon Reservoir and Rattlesnake Reservoir; 2) dewatered groundwater to Reach 1 of San Diego Creek and San Joaquin Freshwater Marsh, which are tributaries of Upper Newport Bay. The discharge is currently regulated by Order No. 01-95, which was adopted on December 7, 2001 and expired on December 1, 2006. Order No. 01-95 was amended by Order No. R8-2004-0107 on December 20, 2004. The amendment added San Joaquin Reservoir as an additional recycled water storage reservoir in the distribution system. The terms and conditions of the current Order and its amendment have been automatically continued and remain in effect until new Waste Discharge Requirements and NPDES permit are adopted pursuant to this Order.

C. The Discharger filed a report of waste discharge and submitted an application for renewal of its Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) permit on July 11, 2006. Supplemental Information was requested starting March 2007. The latest supplemental information was received on June 2007. A site visit was conducted on April 18, 2007, to observe operations and collect additional data to develop permit limitations and conditions. The application was deemed complete in June 2007.

II. FACILITY DESCRIPTION

A. Description of Wastewater and Biosolids Treatment or Controls

1. Facility Background

a. MWRP wastewater treatment.

This Facility is a publicly owned treatment works with primary, secondary, and tertiary treatment capacity of 18 million gallons per day (mgd). The Facility is located at 3512 Michelson Drive, Irvine, Orange County. This Facility treats residential, commercial, and industrial wastes from areas within central Orange County that are designated as Revenue Area 14 of the Orange County Sanitation District. Revenue Area 14 includes the City of Irvine, portions of the Cities of Tustin and Newport Beach, and parts of unincorporated Orange County. Total population served is about 322,000.

MWRP receives wastewater from three sewer trunk lines: the North Irvine tributary area; the South Irvine tributary area; and, the Harvard Avenue Trunk sewer (HATS).

The North Irvine trunk line serves the Cities of Irvine, Foothill Ranch and portions of Tustin, and provides the majority of the wastewater to the treatment plant. IRWD has the ability to bypass all or part of the wastewater to the Orange County Sanitation District (OCSD) through OCSD's Main Street trunk sewer. Sewage

entering the IRWD treatment plant from the north and from HATS can be diverted directly into the Main Street trunk sewer. Sewage entering the treatment plant from the south flows by gravity through primary treatment, then can be pumped from the treatment plant up to the Main Street trunk sewer. All sewage solids are pumped from the treatment plant up to the Main Street trunk sewer. Currently, the Harvard Area Trunk Sewer (HATS) is connected directly to OCSD, however, IRWD is pursuing a project to connect HATS to MWRP.

The South Irvine sewer trunk line serves the University of California, and part of the Cities of Irvine and Newport Beach. There is no diversion capacity on this sewer. However, should the need arise, all of this wastewater can be pumped to the Main Street sewer through the MWRP sludge line and on to OCSD for treatment and disposal. As a member of OCSD, IRWD can utilize treatment and disposal at OCSD facilities in Fountain Valley.

In January 1986, the Discharger joined the Orange County Sanitation District (OCSD) to dispose of untreated wastewater generated within the Discharger's service area when it is not needed for reclamation. In February of 1987, the Discharger and OCSD entered into a memorandum of understanding (MOU) governing the administration of the Discharger's industrial waste program. The MOU brought industries considered as Class I industries by the IRWD's wastewater discharge regulations/ordinance under a joint IRWD/OCSD Class I permit, which is administered by OCSD's ordinance. The MOU also preserves the independent authority and responsibilities of both agencies, thereby allowing the Discharger to operate its pretreatment program for the MWRP in compliance with Federal and state pretreatment regulations. This Order requires the Discharger to update, as necessary, its MOU with OCSD.

By agreement with OCSD, the Discharger acquired a capacity right of 32 mgd for the delivery, treatment, and disposal of raw wastewater to OCSD treatment facilities. During periods of low demand for recycled water, wastewater that is not needed for recycling is diverted to OCSD Plant #1 for treatment and disposal to the Pacific Ocean.

Order No. 01-95 prohibited the direct discharge of tertiary treated wastewater to surface waters, except for the two reservoirs, Rattlesnake and Sand Canyon. During dry weather, when the recycled water demand is high, the Discharger treats all the wastewater generated within its service area and delivers all treated wastewater to its recycled water users.

b. Groundwater Dewatering.

The MWRP is located adjacent to the San Joaquin Freshwater Marsh and San Diego Creek. The groundwater elevation at the Facility site is high. Consequently, dewatering of the shallow groundwater zone is necessary to protect in-ground facilities. The area is dewatered through a network of shallow zone wells with two separate discharge points, either into Reach 1 of San Diego Creek or into the San Joaquin Freshwater Marsh. This Order also regulates the discharges from the groundwater dewatering activities.

2. Design Characteristics

The Facility consists of the following treatment processes:

Table 2. MWRP Treatment Processes

Preliminary Treatment	Primary Treatment	Secondary Treatment	Tertiary Treatment
In-line channel grinders	Primary clarifiers, flow equalization basins	Activated sludge treatment using diffused aeration basins and secondary clarifiers. Activated sludge process can be operated either in carbonaceous or nitrification/denitrification modes. Nitrification/denitrification mode uses methanol augmented anoxic zone at the head of the aeration system	Addition of Alum prior to filtration. Conventional down flow dual media filters, chlorination. Potassium hydroxide pH adjustment capability is provided to regulate pH as needed.

The treatment design capacity of MWRP is 18 mgd. Treated wastewater flows at MWRP for the last three years are listed below:

Table 3. Treated Wastewater at MWRP

Year	Design Capacity, MGD	Produced, Annual Average Daily Flow, MGD
2004	18	12.2
2005	18	12.4
2006	18	12.3

Attachment B provides a map of the area around this Facility.
Attachment C provides a treatment flow schematic for this Facility.

3. Biosolids/Sludge Handling Practices

All wastes sludge and scum, including comminuted waste and grit are collected and pumped into an OCSD sewer line, then to OCSD's plant #1 for treatment and disposal.

4. Recycled Water Reuse and Other Water Sources

Recycled Water Storage. The Discharger uses a combination of closed storage tanks and open storage reservoirs to satisfy the demand for recycled water. The designations and capacities of the closed storage tanks are shown below:

Table 4. Closed Tanks

Tanks Name	Volume in Million Gallons (MG)
Zone A North	5
Zone A South	10
Irvine Industrial Complex East Zone B	5
Coast Zone G	2.5
Coast Zone D	5

The open reservoirs hold the greatest capacity and are the primary mechanism for seasonal storage of recycled water. The capacities and designations of the open storage reservoirs are shown below:

Table 5. Open Reservoirs

Reservoir	Capacity, MG	Designation
Sand Canyon	250	Water of US
Rattlesnake	359	Water of US
San Joaquin	954	Restricted Impoundment

The amending Order No. R8-2004-0107 added the San Joaquin Reservoir to the waste discharge requirements for storage of recycled water as part of the recycled water system. San Joaquin Reservoir was converted from a treated domestic water storage reservoir to a recycled water reservoir. As a treated domestic water reservoir, San Joaquin Reservoir excluded any surface water from entering the reservoir and was essentially a restricted access impoundment. IRWD has maintained the reservoir design features that divert any surface water around the reservoir.

Recycled Water Uses. Recycled water is currently being used for all categories of reuse defined in Title 22, with the exception of groundwater recharge. Recycled water is either directly delivered to customers through 800 miles of pipes or discharged to dedicated recycled water storage reservoirs prior to reuse. Currently, during dry season, all treated wastewater is used in a wide variety of ways, including crop and landscape irrigation, industrial process water, wetlands, cooling towers, car wash supply, toilet flushing in high rise commercial buildings and community facilities, decorative fountains, and sanitary landfill dust control and soil compaction activities.

In the fall of 1997, the OCSD, the City of Newport Beach, and the Discharger dedicated an 8 mgd recycled water pipeline, the Green Acres Project (GAP) II pipeline. This pipeline connected the Discharger's recycled water distribution system to the Orange County Water District's GAP system to provide up to 4.2 mgd of recycled water for irrigation, and up to 3.8 mgd recycled water disposal directly into the OCSD's ocean outfall. Treated wastewater sent to OCWD's GAP and to the OCSD outfall is listed below:

Table 6. Treated Water Sent to OCWD and OCSD

Year	OCWD GAP, Total MGY[1]	OCSD Outfall[2], MGY
2004	662.8	0.127
2005	709	15
2006	756	0

1. Flow was intermittent, unit in million gallons per year (MGY).
2. OCSD outfall is used only when the supply of recycled water exceeds the IRWD system demands.

Other Water Sources for Recycling Uses. MWRP is not the only source of water supplies to IRWD's recycled water system. While the MWRP tertiary effluent is the largest source of recycled water, IRWD utilizes other sources of recycled water and non-potable water to augment its supply for recycled water uses.

In 2000, IRWD acquired ownership of the Los Alisos Water District (LAWD). LAWD operated a water reclamation plant that provided LAWD's agricultural and landscape customers with recycled water for irrigation. IRWD is completing a pipeline connection that would allow recycled water from the LAWD sewage treatment plant to augment the recycled water supply in the IRWD recycled water system.

In the upper reaches of the recycled water system, IRWD supplements the recycled water supply with unfiltered water from Irvine Lake. Irvine Lake gets most of its water from the Colorado River and local runoff. This water is chlorinated and can be pumped directly into Rattlesnake Reservoir.

Groundwater wells within the Irvine management zone are used to supplement the supply of water in the recycled water system, including wells that are part of groundwater cleanup activities within the former EL Toro Marine Corps Air Station. These wells intercept groundwater contaminated with small amounts of trichloroethylene (TCE). The water is treated by stripping away the TCE, after which the treated water is pumped into the recycled water distribution system.

5. Irvine Desalter Project

In the fourth quarter of 2006, IRWD completed construction of the Irvine Desalter Project Potable Treatment Plant (PTP), Shallow Ground Water Unit Treatment Plant (SGU) and the South Irvine Brine Line (SIBL). The desalter plants became operational in January 2007. Groundwater is extracted and desalted and the PTP brine and high TDS treated SGU water are exported through the SIBL and discharged to the Pacific Ocean via the Aliso Creek Ocean Outfall (ACOO). removed salts The product water from the treatment facilities is used to augment the supply water to IRWD's service areas.

B. Discharge Points and Receiving Waters

1. **Discharge Point for Recycling Water Reuse**
   Recycled water is delivered via DP 001 to the distribution system serving recycled water users.

   Recycled water is delivered via DP 002 to San Joaquin Reservoir for storage.

   Tertiary treated wastewater is discharged to surface waters at two points located at Rattlesnake Reservoir and Sand Canyon Reservoir, designated as DP 003 and 004, respectively.

2. **Discharge Points for Dewatered Groundwater**
   Dewatered groundwater is discharged to Reach 1 of San Diego Creek at DP 005 and/or San Joaquin Freshwater Marsh at DP 006. Both San Diego Creek and San Joaquin Freshwater Marsh are tributaries to Upper Newport Bay.

3. **Stormwater Discharge points**
   Stormwater from the facility is channeled into an onsite emergency storage pond, from which it is pumped to the treatment plant for treatment. However, during heavy storms, the stormwater may be discharged to surface water. This Order designates two stormwater runoff discharge points as Storm DPs 007 and 008.

4. Recycled water use area and reservoirs overly the Irvine Groundwater Management Zone.

Table 7. Summary of Discharge Points and Receiving Waters

Discharge Serial No.	Latitude	Longitude	Description and Receiving Waters	Flow & Frequency
001	33°39'50"N	117°50'17"W	Recycled water to distribution system serving recycled water users	12.3 MGD Continuous
002	33°37'12"N	117°50'39"W	Recycled water to San Joaquin Reservoir, overlying Irvine GMZ	Variable up to 12.3 MGD
003	33°43'37"N	117°44'27"W	Tertiary treated effluent to Rattlesnake Reservoir, overlying Irvine GMZ	Variable up to 12.3 MGD
004	33°38'55"N	117°47'47"W	Tertiary treated effluent to Sand Canyon Reservoir, overlying Irvine GMZ	Variable up to 12.3 MGD
005	33°39'47"N	117°50'16"W	Dewatering groundwater to San Diego Creek Reach 1 tributary to Upper Newport Bay	Up to 0.3 MGD
006	33°39'51"N	117°50'27"W	Dewatering groundwater to San Joaquin Freshwater Marsh tributary to Upper Newport Bay	Up to 0.3 MGD
Storm-007	33°39'47"N	117°50'16"W	Pumped stormwater (emergency) to San Diego Creek Reach 1 tributary to Upper Newport Bay	Unmetered

Table 7. Summary of Discharge Points and Receiving Waters

Discharge Serial No.	Latitude	Longitude	Description and Receiving Waters	Flow & Frequency
Storm-008	33°39'51"N	117°50'27"W	Pumped stormwater (emergency) to San Joaquin Freshwater Marsh tributary to Upper Newport Bay	Unmetered

C. Summary of Existing Requirements and Self-Monitoring Report (SMR) Data

1. Effluent limitations/Discharge Specifications contained in the previous Order No. 01-95 for discharges to Rattlesnake and Sand Canyon reservoirs and representative monitoring data from the terms of the previous Order are as follows:

Table 8. Historic Effluent Monitoring Data at DPs 003 and 004

Parameter (units)	Effluent Limitation*			Monitoring Data (From 2004 – To – 2006)			
	Average Monthly	Average Weekly	Maximum Daily	Highest Average Monthly Discharge	Highest Average Weekly Discharge	Highest Daily Discharge	Highest 12-Month Average
pH (SU)			6.5-8.5			Out of pH range	
Chlorine Residual (mg/L)			0.1, IMAX			0.1	
BOD5 (mg/L)	20	30	1.4	3.9			
Suspended Solids (mg/L)	20	30		2.6	4.6		
Coliform Organisms (MPN/100 mL)		<2.2			<2.2		
Ammonia-Nitrogen (mg/L)	1.5					0.13	
Turbidity, NTU			Avg Daily, 2			6.6	
TDS (mg/L)	12-M, 720						670
TDS (mg/L)	increment 250						307
Total Hardness (mg/L)	12-M, 380						209
TIN (mg/L)							
Selenium (µg/L)						6.6	
Lead (µg/L)						4.9	
Copper, (µg/L)						36	
Cyanide (µg/L)						ND	
Mercury (µg/L)						0.26	
Bis(2-ethylhexyl) phthalate (µg/L)						1.2	

*: Effluent limitations set forth by Order No. 01-95 (NPDES No. CA8000326).

Table 9. Historic Effluent Monitoring Data of Groundwater at DP 005

Parameter (units)	Effluent Limitation*			Monitoring Data (From 2004 – To 2006)			
	Average Monthly	Average Weekly	Maximum Daily	Highest Average Monthly Discharge	Highest Average Weekly Discharge	Highest Daily Discharge	Highest 12-Month Average
TN (mg/L)	1			1.16			
Suspended Solids (mg/L)	50		75	3		3	

*: Effluent limitations set forth by Order No. 01-95 (NPDES No. CA8000326).

Table 10. Historic Effluent Monitoring Data of Groundwater at DP 006

Parameter (units)	Effluent Limitation*			Monitoring Data (From 2004 – To 2006)			
	Average Monthly	Average Weekly	Maximum Daily	Highest Average Monthly Discharge	Highest Average Weekly Discharge	Highest Daily Discharge	Highest 12-Month Average
TN (mg/L)				2			
Suspended Solids (mg/L)				3.6		6.5	
Selenium (µg/L)						2.91	
Lead (µg/L)						<0.5	
Copper, (µg/L)						2.65	

*: Effluent limitations set forth by Order No. 01-95 (NPDES No. CA8000326).

The previous Order prohibited the direct discharge of tertiary treated wastewater to surface water, except into the two reservoirs, Rattlesnake Reservoir and Sand Canyon Reservoir. However, during wet weather conditions, storm water runoff from the reservoir watershed occasionally causes overflows[1] from Sand Canyon Reservoir into San Diego Creek. The previous Order 01-95 allows emergency discharge of water from the reservoir during rainfall events occurring over a 7-day period or less that result in rainfall equivalent to that from a 25-year, 24-hour storm event. The Discharger has implemented best management practices to minimize overflows from Sand Canyon Reservoir by limiting recycled water storage at 200 acre-feet or less from October 1st to March 1st of each year. Historically, Sand Canyon Reservoir spilled in 1980, 1983, 1991, 1993, and 1997-1998. The years 1980, 1983, 1997-1998 were identified as El Nino years.

D. Compliance Summary

Based on a review of effluent monitoring data submitted by the Discharger for the 2004 through 2006 periods, it was determined that the wastewater discharged from the wastewater treatment facility was in violation of the following effluent limitations:

[1] *Rattlesnake Reservoir is not expected to overflow during the life of this Order.*

Table 11. Compliance Summary

Date	Parameter	Value	Permit Limit	Reason for Violation	Corrective Measures
July 2006	turbidity	6.6 NTU	2 NTU	Process upset	Retained HDR Engineering to evaluate process upset, determine the conditions that led to the upset and recommend corrective actions
March, May, July, September, 2006	CT	290 mg-min/L	450 mg-min/L	On-line Chlorine reading low	Recalibrated on-line meter for chlorine, then CT rose above 450.
July to Aug. 2006	pH	Out of range	6.5-8.5	Process upset	

E. Planned Changes

In 2005, IRWD prepared an Environmental Impact Report for the Michelson Water Reclamation Plant's ultimate expansion to 33 mgd and related process changes. The comment period for this EIR closed on December 28, 2005. Final Design began in mid-2006 and will be completed in early 2008. Construction is expected to begin in mid 2008 and end in 2010.

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 is issued 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 California Water Code (commencing with Section 13370). It shall serve as a NPDES permit for point source discharges from this Facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to article 4, Chapter 4, Division 7 of the Water Code (commencing with Section 13260). This Order also includes Producer/User Recycling Requirements to regulate recycled water use for irrigation and other industrial uses.

B. California Environmental Quality Act (CEQA)

Under Water Code section 13389, this action to adopt 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.) For the plant expansion project, a mitigated negative declaration and addendum was adopted on July 2, 2003 and October 5, 2005, respectively. This action also involves the re-issuance of waste discharge requirements for an existing facility that discharges treated wastewater to land and as such, is exempt from the provisions of California Environmental Quality Act (commencing with Section 21100) in that the activity is exempt pursuant to Title 14 of the California Code of Regulations Section 15301". MWRP has completed the capacity expansion project Environmental Impact Report, SCH 2005051174 on December 28, 2005. The EIR was certified on February 27, 2006.

C. State and Federal Regulations, Policies, and Plans

1. **Water Quality Control Plans.** 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 water bodies. Based on the exception criteria specified in Resolution No. 88-63, the Regional Water Board excepted Reach 1 and 2 of the San Diego Creek and Upper and Lower Newport Bay 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. EPA approved the surface water standards components of the N/TDS Amendment on June 20, 2007. Effluent limitations for TDS and TIN in this Order are based on applicable water quality objectives, adopted and now in effect as part of the N/TDS Amendment. TDS limits for recycled water use are based on the TDS objective for the affected groundwater management zone.

   As previously discussed, the Facility discharges wastewater from several discharge points. The designated beneficial uses of receiving waters affected by the discharge from the Facility are as follows:

Table 12. Basin Plan Beneficial Uses

Discharge Point	Receiving Water Name	Beneficial Use(s)
001 to 08	Irvine Groundwater Management Zone	Present or Potential: Municipal and domestic supply, agricultural supply, industrial service supply, and industrial process supply.
003	Rattlesnake Reservoir	Present or Potential: Agricultural supply, water contact recreation, non-contact water recreation, warm freshwater habitat, and wildlife habitat Excepted from Municipal and Domestic Supply
004	Sand Canyon Reservoir	Present or Potential: Agricultural supply, water contact recreation, non-contact water recreation, warm freshwater habitat, and wildlife habitat Excepted from Municipal and Domestic Supply
005, Storm-007	San Diego Creek, Reach 1	Present or Potential: Water contact recreation, non-contact water recreation, warm freshwater habitat, and wildlife habitat Excepted from Municipal and Domestic Supply
006, Storm-008	San Joaquin Freshwater Marsh	Present or Potential: Water contact recreation; non-contact water recreation; warm freshwater habitat; preservation of biological habitats of special significance; rare, threatened or endangered species; and wildlife habitat Excepted from Municipal and Domestic Supply
005 & 006, Storm-007 & 008	Newport Bay, Upper	Present or Potential: Water contact recreation, Non-contact water recreation, Commercial and sport fishing, Preservation of biological habitats of special significance, Wildlife habitat, Rare, threatened or endangered species, Spawning, reproduction, and development, Marine habitat, Shellfish harvesting, and Estuarine habitat Excepted from Municipal and Domestic Supply

Requirements of this Order implement the Basin Plan.

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 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.** Section 131.12 requires that the 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 section 131.12 and State Water Board Resolution No. 68-16.

6. **Anti-Backsliding Requirements.** Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at title 40, Code of Federal Regulations[2] section 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.

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

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2 *All further statutory references are to title 40 of the Code of Federal Regulations unless otherwise indicated.*

D. Impaired Water Bodies on CWA 303d) List

Section 303(d) of the CWA requires states to identify water bodies where water quality standards are not expected to be met after technology-based effluent limitations have been implemented for point sources. For all 303(d)-listed water bodies and pollutants, the Regional Water Board has developed and/or plans to develop total maximum daily loads (TMDLs) that specify waste load allocations (WLA) for point sources and load allocations (LA) for non-point sources.

On June 28, 2007, the U. S. EPA approved the State's 2004-2006-303(d) list of impaired water bodies. This list included Reaches 1 and 2 of San Diego Creek and Upper and Lower Newport Bay. One or more of these water bodies were determined to be impaired by various pollutants, including: sediment, fecal coliform, nutrients, metals and organochlorine compounds. TMDLs have been developed to address these impairments as follows:

E. TMDLs.

Nutrient TMDL

On April 17, 1998, the Regional Water Board adopted Resolution No. 98-9, amending the Basin Plan to incorporate a Nutrient Total Maximum Daily Load (TMDL) for the Newport Bay/San Diego Creek Watershed. The TMDL was amended by Resolution No. 98-100 on October 9, 1998 and thereafter approved by the State Water Resources Control Board, Office of Administrative Law and the US EPA. The nutrient TMDL was developed to address aesthetic and recreational nuisances created by algal blooms in Newport Bay, as well as the concern that these blooms may adversely affect wildlife. The TMDL establishes final targets that are based on a 50% reduction in nitrogen loading. The TMDL requires that the 50% reduction be achieved no later than December 31, 2007 for summer loading (between April 1 and September 30); the 50% reduction in winter inputs (between October 1 and March 31) is to be achieved no later than December 31, 2012. While the TMDL requires reductions in nutrient loadings, it is recognized that too few nutrients in a waterbody can potentially adversely affect wildlife.

Like prior Order No. 01-95, this Order implements relevant requirements of the Nutrient TMDL. To implement the nutrient TMDL, this Order includes a total nitrogen effluent limit of 1 mg/L for groundwater dewatering discharges to San Diego Creek, which is tributary to Newport Bay. The Discharger has complied and proposes to continue to comply with this requirement by implementing a nitrogen offset program. Nitrogen discharges in excess of 1 mg/L will be offset by nitrogen reductions as the result of the Discharger's diversion and treatment of San Diego Creek flows in the IRWD constructed wetlands in the San Joaquin Freshwater Marsh.

Sediment TMDL
On April 19, 1998, the Regional Water Board adopted Resolution No. 98-69, amending the Basin Plan to establish a Total Maximum Daily Load for sediment for the Newport bay/San Diego Creek Watershed. On October 9, 1998, the Regional Water Board adopted Resolution No.98-101 amending Resolution No. 98-69 to clarify certain portions of the Sediment TMDL as recommended by the Office of Administrative Law. This sediment TMDL applies to Orange County and Cities within the watershed and does not apply to discharges from this Facility.

Fecal Coliform Bacteria TMDL
On April 9, 1999, the Regional Water Board adopted Resolution No.99-10, amending the Basin Plan to establish a Total Maximum Daily Load for Fecal Coliform Bacteria in Newport Bay. The amendment requires the implementation of best Management Practices (BMPs) to control bacterial inputs to provide a reasonable assurance that water quality standards will be met. This TMDL applies to urban and agricultural stormwater discharges and not to the Facility discharge. The waste discharge requirements for this Facility include effluent limitations for coliform that are more stringent than the TMDLs.

Toxics TMDL
On June 14, 2002, the U.S. Environmental Protection Agency, Region 9 promulgated Total Maximum Daily Loads for Toxics Pollutants for San Diego Creek and Newport Bay. EPA established TMDLs for a number of toxic pollutants, including : selenium; several heavy metals; and a number of organic chemicals, including modern pesticides (i.e., diazinon and chlorpyrifos), legacy pesticides (DDT, Chlordane, etc.) and polychlorinated biphenyls (PCBs). Reasonable potential analysis conducted for effluent discharges from the Facility do not indicate the presence of the TMDL constituents in the discharge at levels of concern, except for copper.

Diazinon and Chlorpyrifos TMDL
The toxic substance TMDLs promulgated by the U.S. Environmental Protection Agency (U.S. EPA) on June 14, 2002 included a TMDL for diazinon and chlorpyrifos in San Diego Creek, and for chlorpyrifos in Upper Newport Bay.

On April 4, 2003, the Regional Water Board adopted Resolution No. R8-2003-0039, amending the Basin Plan to incorporate a Diazinon and Chlorpyrifos Total Maximum Daily Load for San Diego Creek and Upper Newport Bay. The amendment includes an implementation plan but is identical to the TMDL established by the U.S. EPA with respect to numeric targets and load allocations. The amendment also provided background information concerning the water quality impairment being addressed, and the sources of diazinon and chlorpyrifos in the Newport Bay watershed.

Reasonable potential analysis conducted for effluent discharges from the Facility do not indicate the presence of the TMDL constituents in the discharge.

F. Other Plans, Polices and Regulations

In most areas of the watershed, there is no significant amount of receiving water at the point of discharge. Therefore, no mixing zone allowance is included in the calculation of effluent limits. Consequently, compliance with the effluent limits is required to be determined at the end of the discharge pipe or at a location prior to where the discharge enters the receiving water.

G. Rattlesnake Reservoir and Sand Canyon Reservoir

Rattlesnake Reservoir and Sand Canyon Reservoir are used as impoundments to store and deliver recycled water. Rattlesnake Reservoir and Sand Canyon Reservoir are isolated from other surface waters. Except during catastrophic storm events, water in Rattlesnake Reservoir is not released into downstream surface waters, while the Sand Canyon Reservoir is managed to reduce recycled overflow to the maximum extent practicable.

IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

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 in the Code of Federal Regulations: section 122.44(a) requires that permits include applicable technology-based limitations and standards; and section 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 previous permit Order No. 01-95 provisions and are consistent with the requirements set for other discharges regulated by NPDES permits 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 section 122.44, title 40 of the Code of Federal Regulations, 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 Part 133 and/or Best Professional Judgment (BPJ) in accordance with Part 125, section 125.3.

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_5), total suspended solids (TSS), and pH.

C. Water Quality-Based Effluent Limitations (WQBELs) for DPs 003 & 004

1. Scope and Authority

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

Section 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 section 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. Applicable Beneficial Uses and Water Quality Criteria and Objectives

a. The Basin Plan specifies narrative and numeric water quality objectives applicable to surface water as follows.

Table 13. Applicable Basin Plan Surface Water Quality Objectives

Constituents	Basis for Limitations
Ammonia Nitrogen	Dissociates under certain conditions to the toxic un-ionized form. Thus nitrogen discharges to the surface water pose a threat to aquatic life and instream beneficial uses, as well as to the beneficial uses of affected groundwater. The previous Order 01-95 included an ammonia- nitrogen average monthly limit of 1.5 mg/L. The same limit is included in this Order.
Hydrogen Ion (pH)	Hydrogen Ion (pH) is a measure of Hydrogen Ion concentration in the water. A pH range of 6.5 to 8.5 for surface water discharges is specified.
Oil & Grease	Oil and related materials have a high surface tension and are not soluble in water, resulting in odors and visual impacts.
Total Chlorine Residual	Chlorine and its reaction product are toxic to aquatic life. To protect aquatic life, the Basin Plan specifies that for wastewater discharged into inland surface waters the chlorine residual should not exceed 0.1 mg/L

Total Chlorine Residual: Recycled water from the MWRP is distributed to the Sand Canyon and Rattlesnake Reservoirs for storage. Super-chlorination of the recycled water is necessary to prevent fouling of the recycled water distribution lines. As such, discharges of recycled water into the reservoirs contain concentrations of residual chlorine that may be toxic to aquatic organisms that may be present in the reservoirs. However, the residual chlorine present in the discharges dissipates within the reservoirs such that, currently, the reservoirs support aquatic life, including fish. The discharge of chlorinated recycled water to the reservoirs does not compromise the beneficial uses of the reservoirs, which include warm water aquatic habitat. The discharge of chlorinated recycled water to the reservoirs is necessary to accommodate wastewater reclamation and water conservation. It is in the public interest to accommodate these activities.

This Order specifies an effluent limitation for total chlorine residual to protect aquatic life beneficial uses. Compliance with this limitation is to be achieved outside a zone of initial dilution (about 45 feet away from the outfall at each reservoir), wherein dissipation of the chlorine occurs.

TDS/Ammonia-Nitrogen: TDS/Ammonia-Nitrogen limitations are specified in the Order for discharges to surface waters, including Sand Canyon and Rattlesnake Reservoirs. The proposed TDS and Ammonia-Nitrogen limits are based on the prior effluent limits in Order No. 01-95. The TDS/ Ammonia-Nitrogen limits are shown in the table below.

Table 14. TDS/ Ammonia-Nitrogen Limits

TDS, mg/L	Ammonia-Nitrogen, mg/L
720	1.5

In accordance with the antibacksliding exception specified in CWA Section 402(o)(2) (A), the material changes to the quality of source water and recycled water produced by the MWRP justify removing the TDS limit on the quality of the water supplied to the service area plus a reasonable use increment for TDS of 250 mg/L.

In accordance with 40 CFR Section 122.45(d), there may be instances in which the basis for a limit for a particular continuous discharge may be impracticable to be stated as a maximum daily, average weekly, or average monthly effluent limitation. The Regional Water Board has determined that it is not practicable to express TDS effluent limitation as average weekly and average monthly effluent limitations because the TDS objectives in the Basin Plan were established primarily to protect the underlying groundwater. Consequently, a 12-month average period is more appropriate.

b. CTR and SIP. The National Toxics Rule, California Toxics Rule (CTR) 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.

c. Requirement to meet 2.2 total coliform bacteria limit in the effluent. 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 treated). The degree of treatment specified represents an approximately 5-log reduction in the virus content of the water. The California Department of Public Health (CDPH) has determined that this degree of virus removal is necessary to protect the health of people using these impoundments for water contact recreation. The CDPH 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.

3. Determining the Need for WQBELs

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 to determine if a pollutant in a discharge 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 considers criteria from the CTR, and when applicable, water quality objectives specified in the Basin Plan.

Sufficient data are needed to conduct a complete RPA. If data are not sufficient, the Discharger will be required to gather the appropriate data for the Regional Water Board to conduct the RPA. Upon review of the data, and if the Regional Water Board determines that WQBELs are needed to protect the beneficial uses, the permit will be reopened for appropriate modification.

The RPA was performed for the priority pollutants for which effluent data were available. Based on the review of data provided by the Discharger, copper and mercury indicate reasonable potential to exceed water quality objectives. Consequently, effluent limits for total recoverable copper and mercury are included in the Order. Some freshwater metals criteria in the CTR are expressed as a function of total hardness. The metals criteria are equations in which hardness is the variable. The actual numeric value of the criterion is calculated using hardness measurements. Use of a fixed hardness value results in a fixed numerical effluent limit for each metal, thereby simplifying the effluent limitation and facilitating the determination of compliance. To calculate the metals criteria, the effluent average hardness of 181 mg/L was used.

The following table is a summary of the RPA evaluation for copper and mercury for discharges to surface water, using monitoring data submitted by the Discharger.

Table 15. MWRP Effluent Monitoring Data, µg/L

Date	Cu	Hg		Hardness, mg/L
		Reported Value	Detection Level	
Feb-04	36			172
10/5/2004		0.2	0.2	
Dec-04	17			225
Jun-05	10.6			152
10/12/2005		0.098	0.1	
Jul-06	17.9			162
Sep-06	16.2			171
Oct-06	17.1			167

Table 16. RPA Evaluation for DPs 003 & 004

Parameter	unit	Effluent	CTR			Exceedance of CTR		
		MEC[3]	CMC[4]	CCC[5]	Human Health	CMC	CCC	Human Health
Copper	µg/L	36	23.5	14.9		Yes	Yes	
Mercury	µg/L	0.2			0.051			Yes

Note: Median value of hardness in effluent flows was 181 mg/l. Samples were collected in last three years.

4. WQBEL Calculations

a. For priority pollutants, water quality based effluent limits are based on monitoring results and the calculation process outlined in Section 1.4 of the California Toxic Rule and the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays and Estuaries of California are summarized in the following Table 12. The criteria calculation is based on CTR for freshwater.

The metals criteria in the CTR are equations in which hardness is the variable. The actual numeric value of the criterion is calculated using hardness measurements. Use of a fixed hardness value results in a fixed numerical effluent limit for each metal, thereby simplifying the effluent limitation and facilitating the determination of compliance. This Order uses the median value of effluent hardness data during the last three years.

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3 *MEC = observed maximum pollutant concentration.*

4 *CMC = Criteria Maximum Concentration.*

5 *CCC = Criteria Continuous Concentration.*

Table 17. Calculating MWRP Effluent Limitations at DPs 003 & 004

PERMIT LIMIT CALCULATION AND DETERMINATION OF THE MOST APPROPRIATE ML VALUE CONSIDERING CV

MWRP Effluent Limitations at DP-003 and 004

unit in µg/L

					CV = 0.6, long-term average			Aquatic Life		Human		Permit Limit	
	Caltoxics				Acute M	Chronic M	LTA	Objective/limits		Health Limits		Concentration Limit	
	Freshwater		Human Health		0.321	0.527		**3.11**	**1.55**	**2.01**			
Constituent	CMC	CCC	H2O+Org	Organisms	Acute LTA	Chronic LTA		MDEL	AMEL	MDEL	AMEL	MDEL	AMEL
total recoverable copper	23.5	14.9			7.5	7.8	***7.5***	23.5	11.7			**23**	**12**
total recoverable Mercury				0.051						0.102	0.051	**0.102**	**0.051**

1. Median effluent hardness of 181 mg/L is based on samples collected during the last three years. .
2. For Order No. R8-2007-0003.

5. Whole Effluent Toxicity (WET)

This Order does not specify WET limits but requires chronic toxicity monitoring. The monitoring data indicated that during the past three years (2004 through 2006), the monthly trigger of 1 TUc has been exceeded sixteen times, eleven of which occurred in 2006. These data indicate that MWRP effluent exhibits reproductive toxicity of unknown origin. Accelerated monitoring as required in the Order was conducted by the Discharger and a limited TIE was also performed targeting pesticides. Results of the limited TIE were inconclusive. This Order continues to require accelerated monitoring and TIE's when the 1 TUc trigger is exceeded.

D. Best Professional Judgment-Based Effluent Specifications for DPs 003 & 004

For tertiary treated wastewater, the BOD_5 and TSS concentration limits are based on Best Professional Judgment. The technology-based secondary treatment standards specifying BOD_5 and TSS concentration limits are less stringent.

Table 18. Tertiary Effluent BOD_5 and TSS Limits

Constituent	Average Weekly	Average Monthly
Biochemical Oxygen Demand	30 mg/L	20 mg/L
Suspended Solids	30 mg/L	20 mg/L

E. Summary of Final Effluent Limitations for DPs 003 & 004

1. Satisfaction of Anti-Backsliding Requirements

All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order except for total dissolved solids (TDS). The removal of the TDS limit based on water supply plus a 250 mg/L mineral increment is discussed below.

This Order no longer includes a TDS limit based on the quality of the water supplied to the service area plus a reasonable use increment for TDS of 250 mg/L. This is based on consideration of the following. First, IRWD has significantly improved the quality of domestic water supply to its service area through construction and operation of the Irvine Desalter Project (see section II.A.5.), reduced reliance on high TDS imported water and use of low TDS groundwater. As a result of these efforts, IRWD's recycled water is now approximately 250 mg/L TDS below the management zone objective. In addition, water conservation requirements have been implemented within IRWD's service area (and elsewhere in California) that have the effect of raising the mineral increment. These requirements include: establishment of a low flow standard for flush toilets; requiring low flow shower heads and other plumbing fixtures; and, reduction in the volume of water used in automatic washers and dishwashers. It is no longer productive or sensible to apply the mineral

increment to IRWD's recycled water since the increment has not been updated to reflect mineral increases likely to result from the implementation of requisite water conservation measures.

2. Satisfaction of Antidegradation Policy

Discharges in conformance with the requirements of this Order will not result in a 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 where, as here, is it applicable. During dry weather, all the treated effluent from this Facility is and will continue to be recycled. During periods of low demand for recycled water, wastewater that is not needed for recycling is diverted to OCSD facilities for treatment and ocean disposal. Implementation of the Groundwater Replenishment Project, a joint effort of the OCSD (which includes the Discharger) and the Orange County Water District has created and will create additional demand for recycled water. The limitations in this Order are established at levels that assure no degradation of groundwater will occur as the result of wastewater recycling. Therefore, this discharge is consistent with federal and state antidegradation policies.

3. Stringency of Requirements for Individual Pollutants

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 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 section 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 section 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.

4. Summary of Final Effluent Limitations for DPs 003 & 004:

Table 19. Summary of Water Quality-based Final Effluent Limitations for Discharge Points 003 & 004

Parameter	Units	Effluent Limitations					Basis
		Average Monthly or as noted herein	Average Weekly	Max Daily	Instantaneous Minimum	Instantaneous Maximum	
BOD_5	mg/L	20	30	--	--	--	PO
Total Suspended Solids	mg/L	20	30	--	--	--	PO
Total Residual Chlorine	mg/L	--	--	--	--	0.1	BP
Ammonia Nitrogen	mg/L	1.5					PO
TDS	mg/L	720 (12-M avg)	--	--	--	--	BP
pH	Std. unit	--	--	--	6.5	8.5	PO, BP
Total recoverable Copper	µg/L	12		23			CTR, SIP
Total recoverable Mercury	µg/L	0.051		0.102			CTR, SIP
Coliform	MPN	--	2.2 Median of last 7 days	--	--	--	PO, Title 22

Notes: PO = Previous Order, 01-95; BP= Basin Plan.

F. Interim Effluent Limitations for DPs 003 & 004

Section 2.1 Compliance Schedules of the SIP specifies that "Based on an existing Discharger's request and demonstration that it is infeasible for the Discharger to achieve immediate compliance with a CTR criterion, or with an effluent limitation based on a CTR criterion, the Regional Water Board may establish a compliance schedule in an NPDES permit. The Discharger has demonstrated that it is infeasible to achieve compliance with effluent limits for total recoverable copper and mercury and has requested a schedule for compliance with these limits in this Order. The SIP also requires (Section 2.2.1 Interim Requirements under a Compliance Schedule) that if a compliance schedule is granted and exceeds one year, the Regional Board shall establish interim numeric limitations and may impose other relevant requirements.

During the period beginning November 30, 2007 and ending no later than March 31, 2009, the discharge of tertiary treated effluent shall maintain compliance with the following limitations at Discharge Points 003 and 004, with compliance measured at Monitoring Locations M-003A and M-004A, respectively, as described in the attached MRP.

Table 20. Interim Effluent Limitations at DPs 003 & 004

Parameter	Units	Average Monthly	Maximum Daily
Total Recoverable Copper	µg/L	36	36
Total Recoverable Mercury	µg/L	0.2	0.2

G. Land Discharge Specifications – Not Applicable

H. Reclamation Specifications – DPs 001 & 002

1. Section 13523 of the California Water Code provides that a Regional Water Board, after consulting with and receiving the recommendations from the CDPH and any party who has requested in writing to be consulted, and after any necessary hearing, shall prescribe water reclamation requirements for water which is used or proposed to be used as recycled water, if, in the judgment of the Board, such requirements are necessary to protect the public health, safety, or welfare. Section 13523 further provides that such requirements shall include, or be in conformance with, the statewide uniform water recycling criteria established by the CDPH pursuant to California Water Code Section 13521.

2. Reclamation specifications in the proposed Order are upon 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 13521.

3. The TDS limitation of 910 mg/L for recycled water reuse on sites overlying the Irvine Groundwater Management Zone is based on the TDS water quality objective in Table 5-3 of the amended Basin Plan.

4. TIN limits: When recycled water is reused for irrigation, no nitrogen limit is established for the effluent, since nitrogen is anticipated to be used by plants

   For San Joaquin Reservoir, it is estimated that the potential seepage could be up to 80 gallons per minute (gpm). Seepage that does not percolate into the groundwater would likely flow to an unnamed creek that is tributary to Bonita Creek, and thence San Diego Creek, a tributary to Upper Newport Bay. Potential seepage from San Joaquin Reservoir could have nitrate concentrations on the order of 2 to 3 mg/L of nitrate as nitrogen. However, 70 to 80 percent of this nitrate may be reduced by natural riparian processes. Therefore, the nitrate concentrations in the seepage could be reduced to less than 1 mg/L. The water quality effects of the seepage are

expected to be insignificant. In any case, IRWD operates the San Joaquin Freshwater Marsh wetlands ponds treatment system. Flows diverted from San Diego Creek are treated in the ponds and then re-enter the Creek. The pond treatment system results in significant reductions in nitrogen entering Newport Bay via San Diego Creek, the Bay's major tributary. The nitrogen removed by the wetlands treatment system significantly more than offset nitrogen inputs to the Creek and Newport Bay that result from seepage from the Reservoir.

I. Groundwater Dewatering Requirements – DPs 005 and 006

1. As discussed in Section III.E. Nutrient TMDL, the nutrient TMDL specifies wasteload and load allocations for total nitrogen mass inputs to the San Diego Creek/Newport Bay watershed from identified sources.

   Total nitrogen concentration in discharges from dewatering operations at the MWRP site show an average of 1 mg/L. For some months, the monthly average was greater than 1 mg/L. To implement the nutrient TMDL, this Order includes a total nitrogen effluent limit of 1 mg/L for groundwater dewatering discharges to Reach 1 of San Diego Creek, which is tributary to Newport Bay. The Discharger complies with this requirement by implementing a nitrogen offset program. Nitrogen discharges in excess of 1 mg/L will be offset by nitrogen reductions as the result of the Discharger's diversion and treatment of San Diego Creek flows in the IRWD constructed wetlands in the San Joaquin Freshwater Marsh.

2. Monitoring data for selenium in dewatered groundwater indicate insignificant levels (approximately 2.9 µg/L), which are below the CTR criterion. . Therefore, selenium does not have reasonable potential to exceed water quality criteria. No selenium limit is included in this Order.

3. Available monitoring data for priority metals in dewatered groundwater indicate insignificant levels. Therefore, no effluent limitations are included in this Order.

4. Summary of Effluent Limitations at DPs 005 and 006

Table 21. Dewatered Groundwater Discharge Limits at DPs 005 & 006

Parameter	Units	Effluent Limitations				
		Average Monthly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	Basis
pH	Std units	--	--	6.5	8.5	BP
Oil and Grease	mg/L	--	15	--	--	BP
Total Suspended Solids	mg/L	50	75	--	--	BP
Total Petroleum Hydrocarbons	µg/L	--	100	--	--	BP
Total Nitrogen to Reach 1 of San Diego Creek and tributary thereto	mg/L	1		--	--	TMDL

J. Stormwater Discharge Requirements – DPs 007 & 008

Discharge requirements for stormwater runoff from on-site discharges to San Diego Creek and San Joaquin Freshwater Marsh are the same as dewatered groundwater. Attachments J & K shows the required stormwater monitoring and the best management plan.

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

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

2. The previous Order 01-95 prohibited the discharge of recycled water into the Sand Canyon Reservoir between the period of October 1 through March 1 of each year whenever the reservoir surface water elevation is at or above 176.5 feet above mean sea level. This prohibition is intended to prevent/limit overflows from Sand Canyon Reservoir into San Diego Creek caused by stormwater runoff from the reservoir watershed.

B. Groundwater

The receiving groundwater limitations in the proposed Order are based upon the water quality objectives contained in the Basin Plan.

VI. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

Section 122.48 of 40 CFR requires all NPDES permits to specify recording and reporting of monitoring results. Sections 13267 and 13383 of the CWC authorize the Regional Water Boards to require technical and monitoring reports. The 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.

A. Influent Monitoring

This Order carries forward the treatment plant influent monitoring requirements specified in Order No. 01-95 without change. Influent monitoring is required to determine the effectiveness of the treatment program and assess treatment plant performance.

B. Effluent Monitoring

The Discharger is required to conduct monitoring of the permitted discharges in order to evaluate compliance with permit conditions. Monitoring requirements are given in the

proposed monitoring and reporting program (Attachment E). This provision requires compliance with the monitoring and reporting program, and is based on 40 CFR 122.44(i), 122.62, 122.63 and 124.5. The SMP is a standard requirement in almost all NPDES permits (including the proposed Order) issued by the Regional Water Board. In addition to containing definitions of terms, it specifies general sampling/analytical protocols and the requirements of reporting of spills, violations, and routine monitoring data in accordance with NPDES regulations, the California Water Code, and Regional Water Board's policies. The monitoring and reporting program also contains sampling program specific for the Discharger's wastewater treatment plant. It defines the sampling stations and frequency, pollutants to be monitored, and additional reporting requirements. 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 continues the monitoring requirements specified in the Order No. 01-95 with modifications. This Order also requires the Discharger to conduct accelerated monitoring for those constituents that are detected in the annual priority pollutant scan.

C. Whole Effluent Toxicity Testing Requirements

Whole effluent toxicity (WET) protects 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 approach 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 whenever there is a discharge of recycled water to waters of the US,

Sand Canyon and Rattlesnake Reservoirs. 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.

D. Receiving Water Monitoring

1. Surface Water

a. The Discharger shall provide a permanent measuring device at the Sand Canyon Reservoir that shows surface water elevation based on mean sea level datum line. The device shall be accessible and elevation markings shall be easily readable.

b. Receiving water monitoring is required to determine compliance with receiving water limitations and to characterize the water quality of the receiving water. Requirements are based on the Basin Plan.

2. Groundwater - Not Applicable

E. Other Monitoring Requirements

1. Water Supply Monitoring - The Discharger is required to collect a sample of each source of water supplied and analyze for total dissolved solids.

2. Biosolids Monitoring – Not Applicable

3. Pretreatment Monitoring - These monitoring and reporting requirements are established pursuant EPA 40 CFR 403 regulations. IRWD and OCSD jointly implement pretreatment monitoring.

VII. RATIONALE FOR PROVISIONS

A. Standard Provisions

Standard Provisions, which apply to all NPDES permits in accordance with section 122.41, and additional conditions applicable to specified categories of permits in accordance with section 122.42, are provided in Attachment D. The Discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42.

Section 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. Section 123.25(a)(12) allows the state to omit or modify conditions to impose more stringent requirements. In accordance with section 123.25, this Order omits federal conditions that address enforcement authority specified in sections 122.41(j)(5) and (k)(2) because the enforcement authority under the 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 provisions are based on 40 CFR Parts 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 and Additional Monitoring Requirements

a. Toxicity Identification Evaluations or Toxicity Reduction Evaluations. This provision is based on the SIP, Section 4, Toxicity Control Provisions.

3. Best Management Practices and Pollution Prevention

Best Management Practices and Pollution Prevention - The requirements are based on the SIP Section 2.4.5.1

4. Construction, Operation, and Maintenance Specifications

Construction, Operation, and Maintenance Specifications - The requirements are based on requirements that were specified in the prior Order.

5. Special Provisions for Municipal Facilities (POTWs Only)

a. Oxidized, filtered, and disinfected by UV and/or chlorine Wastewater Requirements: These requirements are based on Title 22 requirements for the use of recycled water.

b. Pretreatment: The treatment plant capacity is 18 mgd and there are significant industrial users within the service areas. Consequently, this Order contains requirements for the implementation of an effective 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.

IRWD administers its Pretreatment Program jointly with OCSD under a Memorandum of Understanding (MOU) signed in 1987. Under the MOU, OCSD

has the initial responsibility for enforcement and administers its enforcement responsibility through the OCSD Enforcement Management System. According to the ;OCSD-IRWD Pretreatment Program Compliance Audit, IRWD must have its own enforcement responsibility plan in order to be in compliance with the Federal Pretreatment Regulations in 40CFR403. IRWD prepared such document.

c. The State Water Board issued General Waste Discharge Requirements for Sanitary Sewer Systems, Water Quality Order No. 2006-0003-DWQ (General Order) on May 2, 2006. 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 enrollment for regulation under the General Order by December 1, 2006.

6. Other Special Provisions – Not Applicable

7. Compliance Schedules

This Order establishes final effluent limitations for total recoverable copper and total recoverable mercury that are new limits for the discharge. This Order also contains a compliance schedule that provides the Discharger time to bring their discharges into compliance with the newly established final limits. In accordance with Section 2.1 of the SIP, compliance schedules can only be provided by the Board after the Discharger has submitted a report that demonstrates that it is infeasible for the Discharger to achieve immediate compliance with newly established final effluent limitations.

On August 24, 2007, the Discharger submitted a report that detailed the plan and schedule for achieving compliance with total recoverable copper and total recoverable mercury effluent limitations as soon as possible but no later than March 31, 2009.

This Order includes interim and final limits and a schedule for compliance with the final limitations. The maximum detected effluent concentrations for these pollutants are set as the interim average monthly and maximum daily effluent limits. This is in

accordance with SIP Section 2.2.1, which stipulates that "Numeric interim limitations for the pollutant must be based on current treatment Facility performance or on existing permit limitations, whichever is more stringent."

The proposed permit allows the Discharger up to March 31, 2009, to achieve compliance with the final limitations for total recoverable copper and total recoverable mercury. Quarterly reporting is required to inform the Regional Board about the progress made by the Discharger to achieve compliance with the final limitations within the specified time.

VIII. PUBLIC PARTICIPATION

The California Regional Water Quality Control Board, Santa Ana Region (Regional Water Board) is considering the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for Michelson Water Reclamation Plant. 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 discharge and has provided them with an opportunity to submit their written comments and recommendations. Notification was provided through the posting of Notice of Public Hearing at the Irvine City Hall and at the local newspaper; and at the Regional Water Board website: http://www.waterboards.ca.gov/santaana on October 31, 2007.

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 must be received at the Regional Water Board offices by 5:00 p.m. on November 9, 2007.

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

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: November 30, 2007
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, WDRs, and permit. 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 is 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 Resources Control 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, 1001 I Street
Sacramento, CA 95812-0100

E. Information and Copying

The Report of Waste Discharge (RWD), related documents, tentative effluent limitations and special provisions, comments received, and other information are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Regional Water Board by calling (951) 320-2008.

F. Register of Interested Persons

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

G. Additional Information

Requests for additional information or questions regarding this Order should be directed to Jane Qiu at (951) 320-2008.

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		**Base/Neutral Extractibles**		**Pesticides**
12.	Thallium	56.	Acenaphthene	102.	Aldrin
13.	Zinc	57.	Acenaphthylene	103.	Alpha BHC
	Miscellaneous	58.	Anthracene	104.	Beta BHC
14.	Cyanide	59.	Benzidine	105.	Delta BHC
15.	Asbestos (not required unless requested)	60.	Benzo (a) Anthracene	106.	Gamma BHC
16.	2,3,7,8-Tetrachlorodibenzo-P-Dioxin (TCDD)	61.	Benzo (a) Pyrene	107.	Chlordane
	Volatile Organics	62.	Benzo (b) Fluoranthene	108.	4, 4' - DDT
17.	Acrolein	63.	Benzo (g,h,i) Perylene	109.	4, 4' - DDE
18.	Acrylonitrile	64.	Benzo (k) Fluoranthene	110.	4, 4' - DDD
19.	Benzene	65.	Bis (2-Chloroethoxy) Methane	111.	Dieldrin
20.	Bromoform	66.	Bis (2-Chloroethyl) Ether	112.	Alpha Endosulfan
21.	Carbon Tetrachloride	67.	Bis (2-Chloroisopropyl) Ether	113.	Beta Endosulfan
22.	Chlorobenzene	68.	Bis (2-Ethylhexyl) Phthalate	114.	Endosulfan Sulfate
23.	Chlorodibromomethane	69.	4-Bromophenyl Phenyl Ether	115.	Endrin
24.	Chloroethane	70.	Butylbenzyl Phthalate	116.	Endrin Aldehyde
25.	2-Chloroethyl Vinyl Ether	71.	2-Chloronaphthalene	117.	Heptachlor
26.	Chloroform	72.	4-Chlorophenyl Phenyl Ether	118.	Heptachlor Epoxide
27.	Dichlorobromomethane	73.	Chrysene	119.	PCB 1016
28.	1,1-Dichloroethane	74.	Dibenzo (a,h) Anthracene	120.	PCB 1221
29.	1,2-Dichloroethane	75.	1,2-Dichlorobenzene	121.	PCB 1232
30.	1,1-Dichloroethylene	76.	1,3-Dichlorobenzene	122.	PCB 1242
31.	1,2-Dichloropropane	77.	1,4-Dichlorobenzene	123.	PCB 1248
32.	1,3-Dichloropropylene	78.	3,3'-Dichlorobenzidine	124.	PCB 1254
33.	Ethylbenzene	79.	Diethyl Phthalate	125.	PCB 1260
34.	Methyl Bromide	80.	Dimethyl Phthalate	126.	Toxaphene
35.	Methyl Chloride	81.	Di-n-Butyl Phthalate		
36.	Methylene Chloride	82.	2,4-Dinitrotoluene		
37.	1,1,2,2-Tetrachloroethane	83.	2-6-Dinitrotoluene		
38.	Tetrachloroethylene	84.	Di-n-Octyl Phthalate		
39.	Toluene	85.	1,2-Dipenylhydrazine		
40.	1,2-Trans-Dichloroethylene	86.	Fluoranthene		
41.	1,1,1-Trichloroethane	87.	Fluorene		
42.	1,1,2-Trichloroethane	88.	Hexachlorobenzene		
43.	Trichloroethylene	89.	Hexachlorobutadiene		
44.	Vinyl Chloride	90.	Hexachlorocyclopentadiene		

ATTACHMENT H – MINIMUM LEVELS

MINIMUM LEVELS IN PPB (µg/l)

Table 1- VOLATILE SUBSTANCES[1]	GC	GCMS
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 (*Bromomethane*)	1.0	2
Methyl Chloride (*Chloromethane*)	0.5	2
Methylene Chloride (*Dichloromethane*)	0.5	2
1,1,2,2 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.

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1 *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)

Table 2 – Semi-Volatile Substances[2]	GC	GCMS	LC
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)

Table 2 - SEMI-VOLATILE SUBSTANCES[2]	GC	GCMS	LC	COLOR
Pentachlorophenol	1	5		
Phenol [3]	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	

Table 3– INORGANICS[4]	FAA	GFAA	ICP	ICPMS	SPGFAA	HYDRIDE	CVAA	COLOR	DCP
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	

2 *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.*

3 *Phenol by colorimetric technique has a factor of 1.*

4 *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)

Table 4- PESTICIDES – PCBs[5]	GC
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

5 *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	1.7
5a	Chromium III	168
5b	Chromium VI	5.7
6	Copper	7.4
7	Lead	2.4
8	Mercury	0.026
9	Nickel	43
10	Selenium	2.5
11	Silver	5.6
12	Thallium	3.2
13	Zinc	99
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
28	***1,1-Dichloroethane***	***5***
29	1,2-Dichloroethane	0.19
30	1,1-Dichloroethylene	0.029
31	1,2-Dichloropropane	0.26
32	1,3-Dichloropropylene	5
33	***Ethylbenzene***	***0.3***
34	Methyl Bromide	24
35	Methyl Chloride	--
36	Methylene Chloride	2.4
37	1,1,2,2-Tetratchloroethane	0.085

	CONSTITUENT	µg/L
38	Tetratchloroethylene	0.4
39	***Toluene***	***0.15***
40	***1,2,-Trans-dichloroethylene***	***10***
41	***1,1,1-Trichloroethane***	***200***
42	1,1,2-Trichloroethane	0.3
43	Trichloroethylene	1.35
44	***Vinyl Chloride***	***0.5***
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	Acenapthene	600
57	Acenapthylene	--
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- Chloronapthalene	850
72	4-Chlrorphenyl phenyl ether	--
73	Chrysene	0.0022
74	Dibenzo (a,h) anthracene	0.0022
75	***1,2-Dichlorobenzene***	***0.6***

See notes below for italicized constituents.

ATTACHMENT I. -Continued

	CONSTITUENT	µg/L
76	1,3-Dichlorobenzene	200
77	***1,4-Dichlorobenzene***	***5***
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
90	***Hexachlorocyclopentadiene***	***50***
91	Hexachloroethane	0.95
92	Indeno (1,2,3-cd) pyrene	0.0022
93	Isophorone	4.2
94	***Naphthalene***	***17***
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
101	***1,2,4 -Trichlorobenzene***	***5***
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[1]).
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 181 mg/L and for pentachlorophenol, the pH value used is 7.5 standard units.

[1] *See Federal Register/ Vol. 65, No. 97 / Thursday, May 18, 2000 / Rules and Regulations.*

ATTACHMENT J – STORMWATER POLLUTION PREVENTION PLAN REQUIREMENTS

1. *Implementation Schedule*

The storm water pollution prevention plan (SWPPP) shall be updated and implemented in a timely manner, but in no case later than January 1, 2008.

2. *Objectives*

The SWPPP has two major objectives: (a) to identify and evaluate sources of pollutants associated with industrial activities that may affect the quality of storm water discharges and authorized non-storm water discharges from the facility; and (b) to identify and implement site-specific best management practices (BMPs) to reduce or prevent pollutants associated with industrial activities in storm water discharges and authorized non-storm water discharges. BMPs may include a variety of pollution prevention measures or other low-cost pollution control measures. They are generally categorized as non-structural BMPs (activity schedules, prohibitions of practices, maintenance procedures, and other low-cost measures) and as structural BMPs (treatment measures, run-off controls, over-head coverage). To achieve these objectives, Dischargers should consider the five phase process for SWPPP development and implementation as shown in Table A, below.

The SWPPP requirements are designed to be sufficiently flexible to meet the various needs of the facility. SWPPP requirements that are not applicable to the facility should not be included in the SWPPP.

A facility's SWPPP is a written document that shall contain a compliance activity schedule, a description of industrial activities and pollutant sources, descriptions of BMPs, drawings, maps, and relevant copies or references of parts of other plans. The SWPPP shall be revised whenever appropriate and shall be readily available for review by facility employees or Regional Water Board inspectors.

3. *Planning and Organization*

   a. *Pollution Prevention Team*

   The SWPPP shall identify a specific individual or individuals and their positions within the facility organization as members of a storm water pollution prevention team responsible for developing the SWPPP, assisting the facility manager in SWPPP implementation and revision, and conducting all monitoring program activities required in the Stormwater monitoring program of Order No. R8-2007-0003. The SWPPP shall clearly identify the storm water pollution prevention related responsibilities, duties, and activities of each team member.

b. Review Other Requirements and Existing Facility Plans

The SWPPP may incorporate or reference the appropriate elements of other regulatory requirements. The Discharger shall review all local, state, and federal requirements that impact, complement, or are consistent with the requirements of Order No. R8-2007-0003. The Discharger shall identify any existing facility plans that contain storm water pollutant control measures or relate to the requirements of Order No. R8-2007-0003. As examples, Dischargers whose facilities are subject to Federal Spill Prevention Control and Countermeasures' requirements should already have instituted a plan to control spills of certain hazardous materials. Similarly, the Discharger whose facilities are subject to air quality related permits and regulations may already have evaluated industrial activities that generate dust or particulates.

4. *Site Map*

The SWPPP shall include a site map. The site map shall be provided on an 8-1/2 x 11 inch or larger sheet and include notes, legends, and other data as appropriate to ensure that the site map is clear and understandable. If necessary, the Discharger may provide the required information on multiple site maps. The following information shall be included on the site map:

a. The facility boundaries; the outline of all storm water drainage areas within the facility boundaries; portions of the drainage area impacted by run-on from surrounding areas; and direction of flow of each drainage area, on-site surface water bodies, and areas of soil erosion. The map shall also identify nearby water bodies (such as rivers, lakes, ponds) and municipal storm drain inlets where the facility's storm water discharges and authorized non-storm water discharges may be received.

b. The location of the storm water collection and conveyance system, associated points of discharge, and direction of flow. Include any structural control measures that affect storm water discharges, authorized non-storm water discharges, and run-on. Examples of structural control measures are catch basins, berms, detention ponds, secondary containment, oil/water separators, diversion barriers, etc.

c. An outline of all impervious areas of the facility, including paved areas, buildings, covered storage areas, or other roofed structures.

d. Locations where materials are directly exposed to precipitation and the locations where significant spills or leaks identified in Section 6.a.(4)., below, have occurred.

e. Areas of industrial activity. This shall include the locations of all 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 rinsing areas, and other areas of industrial activity which are potential pollutant sources.

5. *List of Significant Materials*

The SWPPP shall include a list of significant materials handled and stored at the site. For each material on the list, describe the locations where the material is being stored, received, shipped, and handled, as well as the typical quantities and frequency. Materials shall include raw materials, intermediate products, final or finished products, recycled materials, and waste or disposed materials.

6. *Description of Potential Pollutant Sources*

a. The SWPPP shall include a narrative description of the facility's industrial activities, as identified in Section 4.e., above, associated potential pollutant sources, and potential pollutants that could be discharged in storm water discharges or authorized non-storm water discharges. At a minimum, the following items related to a facility's industrial activities shall be considered:

1) Industrial Processes

Describe each industrial process, the type, characteristics, and quantity of significant materials used in or resulting from the process, and a description of the processes (manufacturing or treatment), cleaning, rinsing, recycling, disposal, or other activities related to the process. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described.

2) Material Handling and Storage Areas

Describe each handling and storage area, type, characteristics, and quantity of significant materials handled or stored, description of the shipping, receiving, and loading procedures, and the spill or leak prevention and response procedures. Where applicable, areas protected by containment structures and the corresponding containment capacity shall be described.

3) Dust and Particulate Generating Activities

Describe all industrial activities that generate dust or particulates that may be deposited within the facility's boundaries and identify their discharge locations; the characteristics of dust and particulate pollutants; the approximate quantity of dust and particulate pollutants that may be deposited within the facility boundaries; and a description of the primary areas of the facility where dust and particulate pollutants would settle.

4) Significant Spills and Leaks

Describe materials that have spilled or leaked in significant quantities in storm water discharges or non-storm water discharges. Include toxic chemicals (listed in 40 Code of Federal Regulations [CFR] Part 302) that have been discharged to storm water as reported on U.S. Environmental Protection Agency (U.S. EPA) Form R, and oil and

hazardous substances in excess of reportable quantities (see 40 CFR, Parts 110, 117, and 302).

The description shall include the type, characteristics, and approximate quantity of the material spilled or leaked, the cleanup or remedial actions that have occurred or are planned, the approximate remaining quantity of materials that may be exposed to storm water or non-storm water discharges, and the preventative measures taken to ensure spills or leaks do not reoccur. Such list shall be updated as appropriate during the term of Order No. R8-2007-0003.

5) Non-Storm Water Discharges

The Discharger shall investigate the facility to identify all non-storm water discharges and their sources. As part of this investigation, all drains (inlets and outlets) shall be evaluated to identify whether they connect to the storm drain system.

All non-storm water discharges shall be described. This shall include the source, quantity, frequency, and characteristics of the non-storm water discharges and associated drainage area.

Non-storm water discharges that contain significant quantities of pollutants or that do not meet the conditions of Order No. R8-2007-0003 are prohibited. (Examples of prohibited non-storm water discharges are contact and non-contact cooling water, boiler blowdown, rinse water, wash water, etc.). The SWPPP must include BMPs to prevent or reduce contact of non-storm water discharges with significant materials or equipment.

6) Soil Erosion

Describe the facility locations where soil erosion may occur as a result of industrial activity, storm water discharges associated with industrial activity, or authorized non-storm water discharges.

b. The SWPPP shall include a summary of all areas of industrial activities, potential pollutant sources, and potential pollutants. This information should be summarized similar to Table B below. The last column of Table B, "Control Practices", should be completed in accordance with Section 8., below.

7. *Assessment of Potential Pollutant Sources*

a. The SWPPP shall include a narrative assessment of all industrial activities and potential pollutant sources as described in Section 6., above, to determine:

1) Which areas of the facility are likely sources of pollutants in storm water discharges and authorized non-storm water discharges, and

2) Which pollutants are likely to be present in storm water discharges and authorized non-storm water discharges. The Discharger shall consider and evaluate various

factors when performing this assessment such as current storm water BMPs; quantities of significant materials handled, produced, stored, or disposed of; likelihood of exposure to storm water or authorized non-storm water discharges; history of spill or leaks; and run-on from outside sources.

b. The Discharger shall summarize the areas of the facility that are likely sources of pollutants and the corresponding pollutants that are likely to be present in storm water discharges and authorized non-storm water discharges.

The Discharger is required to develop and implement additional BMPs as appropriate and necessary to prevent or reduce pollutants associated with each pollutant source. The BMPs will be narratively described in Section 8., below.

8. *Storm Water Best Management Practices*

The SWPPP shall include a narrative description of the storm water BMPs to be implemented at the facility for each potential pollutant and its source identified in the site assessment phase (Sections 6. and 7., above). The BMPs shall be developed and implemented to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. Each pollutant and its source may require one or more BMPs. Some BMPs may be implemented for multiple pollutants and their sources, while other BMPs will be implemented for a very specific pollutant and its source.

The description of the BMPs shall identify the BMPs as (1) existing BMPs, (2) existing BMPs to be revised and implemented, or (3) new BMPs to be implemented. The description shall also include a discussion on the effectiveness of each BMP to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. The SWPPP shall provide a summary of all BMPs implemented for each pollutant source. This information should be summarized similar to Table B.

The Discharger shall consider the following BMPs for implementation at the facility:

a. Non-Structural BMPs: Non-structural BMPs generally consist of processes, prohibitions, procedures, schedule of activities, etc., that prevent pollutants associated with industrial activity from contacting with storm water discharges and authorized non-storm water discharges. They are considered low technology, cost-effective measures. The Discharger should consider all possible non-structural BMPs options before considering additional structural BMPs (see Section 8.b., below). Below is a list of non-structural BMPs that should be considered:

1) Good Housekeeping: Good housekeeping generally consist of practical procedures to maintain a clean and orderly facility.

2) Preventive Maintenance: Preventive maintenance includes the regular inspection and maintenance of structural storm water controls (catch basins, oil/water separators, etc.) as well as other facility equipment and systems.

3) Spill Response: This includes spill clean-up procedures and necessary clean-up equipment based upon the quantities and locations of significant materials that may spill or leak.

4) Material Handling and Storage: This includes all procedures to minimize the potential for spills and leaks and to minimize exposure of significant materials to storm water and authorized non-storm water discharges.

5) Employee Training: This includes training of personnel who are responsible for (a) implementing activities identified in the SWPPP, (b) conducting inspections, sampling, and visual observations, and (c) managing storm water. Training should address topics such as spill response, good housekeeping, and material handling procedures, and actions necessary to implement all BMPs identified in the SWPPP. The SWPPP shall identify periodic dates for such training. Records shall be maintained of all training sessions held.

6) Waste Handling/Recycling: This includes the procedures or processes to handle, store, or dispose of waste materials or recyclable materials.

7) Record Keeping and Internal Reporting: This includes the procedures to ensure that all records of inspections, spills, maintenance activities, corrective actions, visual observations, etc., are developed, retained, and provided, as necessary, to the appropriate facility personnel.

8) Erosion Control and Site Stabilization: This includes a description of all sediment and erosion control activities. This may include the planting and maintenance of vegetation, diversion of run-on and runoff, placement of sandbags, silt screens, or other sediment control devices, etc.

9) Inspections: This includes, in addition to the preventative maintenance inspections identified above, an inspection schedule of all potential pollutant sources. Tracking and follow-up procedures shall be described to ensure adequate corrective actions are taken and SWPPPs are made.

10) Quality Assurance: This includes the procedures to ensure that all elements of the SWPPP and Monitoring Program are adequately conducted.

b. Structural BMPs: Where non-structural BMPs as identified in Section 8.a., above, are not effective, structural BMPs shall be considered. Structural BMPs generally consist of structural devices that reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. Below is a list of structural BMPs that should be considered:

1) Overhead Coverage: This includes structures that provide horizontal coverage of materials, chemicals, and pollutant sources from contact with storm water and authorized non-storm water discharges.

2) Retention Ponds: This includes basins, ponds, surface impoundments, bermed areas, etc., that do not allow storm water to discharge from the facility.

3) Control Devices: This includes berms or other devices that channel or route run-on and runoff away from pollutant sources.

4) Secondary Containment Structures: This generally includes containment structures around storage tanks and other areas for the purpose of collecting any leaks or spills.

5) Treatment: This includes inlet controls, infiltration devices, oil/water separators, detention ponds, vegetative swales, etc., that reduce the pollutants in storm water discharges and authorized non-storm water discharges.

9. *Annual Comprehensive Site Compliance Evaluation*

The Discharger shall conduct one comprehensive site compliance evaluation in each reporting period (July 1-June 30). Evaluations shall be conducted within 8-16 months of each other. The SWPPP shall be revised, as appropriate, and the revisions implemented within 90 days of the evaluation. Evaluations shall include the following:

a. A review of all visual observation records, inspection records, and sampling and analysis results.

b. A visual inspection of all potential pollutant sources for evidence of, or the potential for, pollutants entering the drainage system.

c. A review and evaluation of all BMPs (both structural and non-structural) to determine whether the BMPs are adequate, properly implemented and maintained, or whether additional BMPs are needed. A visual inspection of equipment needed to implement the SWPPP, such as spill response equipment, shall be included.

d. An evaluation report that includes, (1) identification of personnel performing the evaluation, (2) the date(s) of the evaluation, (3) necessary SWPPP revisions, (4) schedule, as required in Section 10.e, below, for implementing SWPPP revisions, (5) any incidents of non-compliance and the corrective actions taken, and (6) a certification that the Discharger is in compliance with Order No. R8-2007-0003. If the above certification cannot be provided, explain in the evaluation report why the Discharger is not in compliance with this order. The evaluation report shall be submitted as part of the annual report, retained for at least five years, and signed and certified in accordance with Attachment D, Standard Provision, Section V Reporting, Subsection B. Signatory and Certification Requirements of Order No. R8-2007-0003.

10. *SWPPP General Requirements*

a. The SWPPP shall be retained on site and made available upon request by a representative of the Regional Water Board and/or local storm water management agency (local agency) which receives the storm water discharges.

b. The Regional Water Board and/or local agency may notify the Discharger when the SWPPP does not meet one or more of the minimum requirements of this section. As requested by the Regional Water Board and/or local agency, the Discharger shall submit a SWPPP revision and implementation schedule that meets the minimum requirements of this section to the Regional Water Board and/or local agency that requested the SWPPP revisions. Within 14 days after implementing the required SWPPP revisions, the Discharger shall provide written certification to the Regional Water Board and/or local agency that the revisions have been implemented.

c. The SWPPP shall be revised, as appropriate, and implemented prior to changes in industrial activities which (1) may significantly increase the quantities of pollutants in storm water discharge, (2) cause a new area of industrial activity at the facility to be exposed to storm water, or (3) begin an industrial activity which would introduce a new pollutant source at the facility.

d. The SWPPP shall be revised and implemented in a timely manner, but in no case more than 90 days after a Discharger determines that the SWPPP is in violation of any requirement(s) of Order No. R8-2007-0003.

e. When any part of the SWPPP is infeasible to implement by the deadlines specified in Order No. R8-2007-0003, due to proposed significant structural changes, the Discharger shall submit a report to the Regional Water Board prior to the applicable deadline that (1) describes the portion of the SWPPP that is infeasible to implement by the deadline, (2) provides justification for a time extension, (3) provides a schedule for completing and implementing that portion of the SWPPP, and (4) describes the BMPs that will be implemented in the interim period to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges. Such reports are subject to Regional Water Board approval and/or modifications. The Discharger shall provide written notification to the Regional Water Board within 14 days after the SWPPP revisions are implemented.

f. The SWPPP shall be provided, upon request, to the Regional Water Board. The SWPPP is considered a report that shall be available to the public by the Regional Water Board under Section 308(b) of the Clean Water Act.

TABLE A

FIVE PHASES FOR DEVELOPING AND IMPLEMENTING INDUSTRIAL STORM WATER POLLUTION PREVENTION PLANS

PLANNING AND ORGANIZATION

*Form pollution prevention team
*Review other plans

ASSESSMENT PHASE

*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 risks

BEST MANAGEMENT PRACTICES IDENTIFICATION PHASE

*Non-structural BMPs
*Structural BMPs
*Select activity and site-specific BMPs

IMPLEMENTATION PHASE

*Train employees
*Implement BMPs
*Conduct record keeping and reporting

EVALUATION / MONITORING

*Conduct annual site evaluation
*Review monitoring information
*Evaluate BMPs
*Review and revise SWPPP

TABLE B

EXAMPLE

ASSESSMENT OF POTENTIAL POLLUTION SOURCES AND CORRESPONDING BEST MANAGEMENT PRACTICES SUMMARY

AREA	ACTIVITY	POLLUTANT SOURCE	POLLUTANT	BEST MANAGEMENT PRACTICES
Vehicle & equipment fueling	Fueling	Spills and leaks during delivery	Fuel oil	- Use spill and overflow protection - Minimize run-on of storm water into the fueling area - Cover fueling area - Use dry cleanup methods rather than hosing down area - Implement proper spill prevention control program - Implement adequate preventative maintenance program to prevent tank and line leaks - Inspect fueling areas regularly to detect problems before they occur - Train employees on proper fueling, cleanup, and spill response techniques.
		Spills caused by topping off fuel oil	Fuel oil	
		Hosing or washing down fuel area	Fuel oil	
		Leaking storage tanks	Fuel oil	
		Rainfall running off fueling areas, and rainfall running onto and off fueling area	Fuel oil	

ATTACHMENT K – STORMWATER MONITORING AND REPORTING REQUIREMENTS

1. *Implementation Schedule*

The Discharger shall continue to implement their existing Stormwater monitoring program and implement any necessary revisions to their Stormwater monitoring program in a timely manner, but in no case later than January 1, 2008. The Discharger may use the monitoring results conducted in accordance with their existing Stormwater monitoring program to satisfy the pollutant/parameter reduction requirements in Section 5.c., below, and Sampling and Analysis Exemptions and Reduction Certifications in Section 10, below.

2. *Objectives*

The objectives of the monitoring program are to:

a. Ensure that storm water discharges are in compliance with waste discharge requirements specified in Order No. R8-2007-0003.

b. Ensure practices at the facility to reduce or prevent pollutants in storm water discharges and authorized non-storm water discharges are evaluated and revised to meet changing conditions.

c. Aid in the implementation and revision of the SWPPP required by Attachment "J" Stormwater Pollution Prevention Plan of Order No. R8-2007-0003.

d. Measure the effectiveness of best management practices (BMPs) to prevent or reduce pollutants in storm water discharges and authorized non-storm water discharges. Much of the information necessary to develop the monitoring program, such as discharge locations, drainage areas, pollutant sources, etc., should be found in the Storm Water Pollution Prevention Plan (SWPPP). The facility's monitoring program shall be a written, site-specific document that shall be revised whenever appropriate and be readily available for review by employees or Regional Water Board inspectors.

3. *Non-Storm Water Discharge Visual Observations*

a. The Discharger shall visually observe all drainage areas within their facility for the presence of unauthorized non-storm water discharges;

b. The Discharger shall visually observe the facility's authorized non-storm water discharges and their sources;

c. The visual observations required above shall occur quarterly, during daylight hours, on days with no storm water discharges, and during scheduled facility operating hours[1]. Quarterly visual observations shall be conducted in each of the following periods: January-March, April-June, July-September, and October-December. The Discharger shall conduct quarterly visual observations within 6-18 weeks of each other.

d. Visual observations shall document the presence of any discolorations, stains, odors, floating materials, etc., as well as the source of any discharge. Records shall be maintained of the visual observation dates, locations observed, observations, and response taken to eliminate unauthorized non-storm water discharges and to reduce or prevent pollutants from contacting non-storm water discharges. The SWPPP shall be revised, as necessary, and implemented in accordance with Attachment "A" Stormwater Pollution Prevention Plan of Order No. R8-2007-0003.

4. *Storm Water Discharge Visual Observations*

a. With the exception of those facilities described in Section 4.d., below, the Discharger shall visually observe storm water discharges from one storm event per month during the wet season (October 1-May 30). These visual observations shall occur during the first hour of discharge and at all discharge locations. Visual observations of stored or contained storm water shall occur at the time of release.

b. Visual observations are only required of storm water discharges that occur during daylight hours that are preceded by at least three (3) working days[2] without storm water discharges and that occur during scheduled facility operating hours.

c. Visual observations shall document the presence of any floating and suspended material, oil and grease, discolorations, turbidity, odor, and source of any pollutants. Records shall be maintained of observation dates, locations observed, observations, and response taken to reduce or prevent pollutants in storm water discharges. The SWPPP shall be revised, as necessary, and implemented in accordance with Attachment "J" Stormwater Pollution Prevention Plan of Order No. R8-2007-0003.

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1 *"Scheduled facility operating hours" are the time periods when the facility is staffed to conduct any function related to industrial activity, but excluding time periods where only routine maintenance, emergency response, security, and/or janitorial services are performed.*

2 *Three (3) working days may be separated by non-working days such as weekends and holidays provided that no storm water discharges occur during the three (3) working days and the non-working days.*

d. The Discharger with storm water containment facilities shall conduct monthly inspections of their containment areas to detect leaks and ensure maintenance of adequate freeboard. Records shall be maintained of the inspection dates, observations, and any response taken to eliminate leaks and to maintain adequate freeboard.

5. *Sampling and Analysis*

a. The Discharger shall collect storm water samples during the first hour of discharge from (1) the first storm event of the wet season, and (2) at least one other storm event in the wet season. All storm water discharge locations shall be sampled. Sampling of stored or contained storm water shall occur at the time the stored or contained storm water is released. The Discharger that does not collect samples from the first storm event of the wet season are still required to collect samples from two other storm events of the wet season and shall explain in the "Annual Stormwater Report" (see Section 12, below) why the first storm event was not sampled.

b. Sample collection is only required of storm water discharges that occur during scheduled facility operating hours and that are preceded by at least (3) three working days without storm water discharge.

c. The samples shall be analyzed for:

1) Total suspended solids (TSS) pH, specific conductance, and total organic carbon (TOC). Oil and grease (O&G) may be substituted for TOC;

2) Toxic chemicals and other pollutants that are likely to be present in storm water discharges in significant quantities. If these pollutants are not detected in significant quantities after two consecutive sampling events, the Discharger may eliminate the pollutant from future sample analysis until the pollutant is likely to be present again;

3) The Discharger is not required to analyze a parameter when either of the two following conditions are met: (a) the parameter has not been detected in significant quantities from the last two consecutive sampling events, or (b) the parameter is not likely to be present in storm water discharges and authorized non-storm water discharges in significant quantities based upon the Discharger's evaluation of the facilities industrial activities, potential pollutant sources, and SWPPP; and

4) Other parameters as required by the Regional Water Board.

6. *Sample Storm Water Discharge Locations*

a. The Discharger shall visually observe and collect samples of storm water discharges from all drainage areas that represent the quality and quantity of the facility's storm water discharges from the storm event.

b. If the facility's storm water discharges are commingled with run-on from surrounding areas, the Discharger should identify other visual observation and sample collection locations that have not been commingled by run-on and that represent the quality and quantity of the facility's storm water discharges from the storm event.

c. If visual observation and sample collection locations are difficult to observe or sample (e.g., sheet flow, submerged outfalls), the Discharger shall identify and collect samples from other locations that represent the quality and quantity of the facility's storm water discharges from the storm event.

d. The Discharger that determines that the industrial activities and BMPs within two or more drainage areas are substantially identical may either (1) collect samples from a reduced number of substantially identical drainage areas, or (2) collect samples from each substantially identical drainage area and analyze a combined sample from each substantially identical drainage area. The Discharger must document such a determination in the annual Stormwater report.

7. Visual Observation and Sample Collection Exceptions

The Discharger is required to be prepared to collect samples and conduct visual observations at the beginning of the wet season (October 1) and throughout the wet season until the minimum requirements of Sections 4. and 5., above, are completed with the following exceptions:

a. The Discharger is not required to collect a sample and conduct visual observations in accordance with Section 4 and Section 5, above, due to dangerous weather conditions, such as flooding, electrical storm, etc., when storm water discharges begin after scheduled facility operating hours or when storm water discharges are not preceded by three working days without discharge. Visual observations are only required during daylight hours. The Discharger that does not collect the required samples or visual observations during a wet season due to these exceptions shall include an explanation in the "Annual Stormwater Report" why the sampling or visual observations could not be conducted.

b. The Discharger may conduct visual observations and sample collection more than one hour after discharge begins if the Discharger determines that the objectives of this section will be better satisfied. The Discharger shall include an explanation in the "Annual Stormwater Report" why the visual observations and sample collection should be conducted after the first hour of discharge.

8. *Alternative Monitoring Procedures*

The Discharger may propose an alternative monitoring program that meets Section 2, above, monitoring program objectives for approval by the Regional Water Board's Executive Officer. The Discharger shall continue to comply with the monitoring requirements of this section and may not implement an alternative monitoring plan until the alternative monitoring plan is approved by the Regional Water Board's Executive Officer. Alternative monitoring plans are subject to modification by the Regional Water Board's Executive Officer.

9. *Monitoring Methods*

a. The Discharger shall explain how the facility's monitoring program will satisfy the monitoring program objectives of Section 2., above. This shall include:

1) Rationale and description of the visual observation methods, location, and frequency;

2) Rationale and description of the sampling methods, location, and frequency; and

3) Identification of the analytical methods and corresponding method detection limits used to detect pollutants in storm water discharges. This shall include justification that the method detection limits are adequate to satisfy the objectives of the monitoring program.

b. 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). All monitoring instruments and equipment (including the Discharger's own field instruments for measuring pH and Electro-conductivity) shall be calibrated and maintained in accordance with manufacturers' specifications to ensure accurate measurements. All laboratory analyses must be conducted according to test procedures under 40 CFR Part 136, unless other test procedures have been specified in Order No. R8-2007-0003 or by the Regional Water Board's Executive Officer. All metals shall be reported as total recoverable metals or unless otherwise specified in Order No. R8-2007-0003. With the exception of analysis conducted by the Discharger, all laboratory analyses shall be conducted at a laboratory certified for such analyses by the California Department of Public Health. The Discharger may conduct their own sample analyses if the Discharger has sufficient capability (qualified employees, laboratory equipment, etc.) to adequately perform the test procedures.

10. *Sampling and Analysis Exemptions and Reductions*

A Discharger who qualifies for sampling and analysis exemptions, as described below in Section 10.a.(1) or who qualifies for reduced sampling and analysis, as described below in Section 10.b., must submit the appropriate certifications and required documentation to the Regional Water Board prior to the wet season (October 1) and certify as part of the annual Stormwater report submittal. A Discharger that qualifies for either the Regional Water Board or local agency certification programs, as described below in Section 10.a.(2) and (3), shall submit certification and documentation in accordance with the requirements of those programs. The Discharger who provides certification(s) in accordance with this section are still required to comply with all other monitoring program and reporting requirements. The Discharger shall prepare and submit their certification(s) using forms and instructions provided by the State Water Board, Regional Water Board, or local agency or shall submit their information on a form that contains equivalent information. The Discharger whose facility no longer meets the certification conditions must notify the Regional Water Board's Executive Officer (and local agency) within 30 days and immediately comply with Section 5., Sampling and Analysis requirements. Should a Regional Water Board (or local agency) determine that a certification does not meet the conditions set forth below, the Discharger must immediately comply with the Section 5., Sampling and Analysis requirements.

a. Sampling and Analysis Exemptions

A Discharger is not required to collect and analyze samples in accordance with Section 5., above, if the Discharger meets all of the conditions of one of the following certification programs:

1) No Exposure Certification (NEC)

This exemption is designed primarily for those facilities where all industrial activities are conducted inside buildings and where all materials stored and handled are not exposed to storm water. To qualify for this exemption, the Discharger must certify that their facilities meet all of the following conditions:

a) All prohibited non-storm water discharges have been eliminated or otherwise permitted.

b) All authorized non-storm water discharges have been identified and addressed in the SWPPP.

c) All areas of past exposure have been inspected and cleaned, as appropriate.

d) All significant materials related to industrial activity (including waste materials) are not exposed to storm water or authorized non-storm water discharges.

e) All industrial activities and industrial equipment are not exposed to storm water or authorized non-storm water discharges.

f) There is no exposure of storm water to significant materials associated with industrial activity through other direct or indirect pathways such as from industrial activities that generate dust and particulates.

g) There is periodic re-evaluation of the facility to ensure conditions (a), (b), (d), (e), and (f) above are continuously met. At a minimum, re-evaluation shall be conducted once a year.

2) Regional Water Board Certification Programs

The Regional Water Board may grant an exemption to the Section 5. Sampling and Analysis requirements if it determines a Discharger has met the conditions set forth in a Regional Water Board certification program. Regional Water Board certification programs may include conditions to (a) exempt the Discharger whose facilities infrequently discharge storm water to waters of the United States, and (b) exempt the Discharger that demonstrate compliance with the terms and conditions of Order No. R8-2007-0003.

3) Local Agency Certifications

A local agency may develop a local agency certification program. Such programs must be approved by the Regional Water Board. An approved local agency program may either grant an exemption from Section 5. Sampling and Analysis requirements or reduce the frequency of sampling if it determines that a Discharger has demonstrated compliance with the terms and conditions of the Industrial Activities Storm Water General Permit Order No. 97-03-DWQ which was adopted by the State Water Resources Control Board on April 17, 1997.

b. Sampling and Analysis Reduction

1) A Discharger may reduce the number of sampling events required to be sampled for the remaining term of Order No. R8-2007-0003 if the Discharger provides certification that the following conditions have been met:

a) The Discharger has collected and analyzed samples from a minimum of six storm events from all required drainage areas;

b) All prohibited non-storm water discharges have been eliminated or otherwise permitted;

c) The Discharger demonstrates compliance with the terms and conditions of the Order No. R8-2007-0003 for the previous two years (i.e., completed Annual Stormwater Reports, performed visual observations, implemented appropriate BMPs, etc.);

d) The Discharger demonstrates that the facility's storm water discharges and authorized non-storm water discharges do not contain significant quantities of pollutants; and

e) Conditions (b), (c), and (d) above are expected to remain in effect for a minimum of one year after filing the certification.

2) Unless otherwise instructed by the Regional Water Board, the Discharger shall collect and analyze samples from two additional storm events during the remaining term of Order No. R8-2007-0003 in accordance with Table A, below. The Discharger shall collect samples of the first storm event of the wet season. The Discharger that does not collect samples from the first storm event of the wet season shall collect samples from another storm event during the same wet season. The Discharger that does not collect a sample in a required wet season shall collect the sample from another storm event in the next wet season. The Discharger shall explain in the "Annual Stormwater Report" why the first storm event of a wet season was not sampled or a sample was not taken from any storm event in accordance with the Table A schedule, below.

Table A. REDUCED MONITORING SAMPLING SCHEDULE

Discharger Filing Sampling Reduction Certification By	Samples Shall be Collected and Analyzed in these wet seasons	
	Sample 1	Sample 2
Sept. 1, 2007	Oct. 1, 2007-May 31, 2008	Oct. 1, 2007-May 31, 2008
Sept. 1, 2008	Oct. 1, 2008-May 31, 2009	Oct. 1, 2008-May 31, 2009
Sept. 1, 2009	Oct. 1, 2009-May 31, 2010	Oct. 1, 2009-May 31, 2010
Sept. 1, 2010	Oct. 1, 2010-May 31, 2011	Oct. 1, 2010-May 31, 2011
Sept. 1, 2011	Oct. 1, 2011-May 31, 2012	Oct. 1, 2011-May 31, 2012
Sept. 1, 2012	Oct. 1, 2012-May 31, 2013	Oct. 1, 2012-May 31, 2013

11. Records

Records of all storm water monitoring information and copies of all reports (including the Annual Stormwater Reports) required by Order No. R8-2007-0003 shall be retained for a period of at least five years. These records shall include:

a. The date, place, and time of site inspections, sampling, visual observations, and/or measurements;

b. The individual(s) who performed the site inspections, sampling, visual observations, and or measurements;

c. Flow measurements or estimates;

d. The date and approximate time of analyses;

e. The individual(s) who performed the analyses;

f. Analytical results, method detection limits, and the analytical techniques or methods used;

g. Quality assurance/quality control records and results;

h. Non-storm water discharge inspections and visual observations and storm water discharge visual observation records (see Sections 3. and 4., above);

i. Visual observation and sample collection exception records (see Section 5.a, 6.d, 7, and 10.b.(2), above;

j. All calibration and maintenance records of on-site instruments used;

k. All Sampling and Analysis Exemption and Reduction certifications and supporting documentation (see Section 10);

l. The records of any corrective actions and follow-up activities that resulted from the visual observations.

12. Annual Report

The Discharger shall submit an Annual Stormwater Report by July 1 of each year to the Executive Officer of the Regional Water Board and to the local agency (if requested). The report shall include a summary of visual observations and sampling results, an evaluation of the visual observation and sampling and analysis results, laboratory reports, the Annual Comprehensive Site Compliance Evaluation Report required in Section 9. of Attachment "J" of Order No. R8-2007-0003, an explanation of why a facility did not implement any activities required by Order No. R8-2007-0003 (if not already included in the Evaluation Report), and records specified in Section 11., above. The method detection limit of each analytical parameter shall be included. Analytical results that are less than the method detection limit shall be reported as "less than the method detection limit". The Annual Stormwater Report shall be signed and certified in accordance with Attachment D. Federal Standard Provisions, Section V-Reporting, Subsection B. Signatory and Certification requirements of Order No. R8-2007-0003. The Discharger shall prepare and submit their Annual Stormwater Reports using the annual report forms provided by the State Water Board or Regional Water Board or shall submit their information on a form that contains equivalent information.

13. Watershed Monitoring Option

Regional Water Boards may approve proposals to substitute watershed monitoring for some or all of the requirements of this section if the Regional Water Board finds that the watershed monitoring will provide substantially similar monitoring information in evaluating Discharger compliance with the requirements of Order No. R8-2007-0003.