

STATE WATER RESOURCES CONTROL BOARD

WATER QUALITY ORDER NO. 97-10-DWQ

GENERAL WASTE DISCHARGE REQUIREMENTS FOR DISCHARGES TO LAND BY SMALL DOMESTIC WASTEWATER TREATMENT SYSTEMS

(Note: Attachments A & B, Environ. Checklist, Negative Declaration (see also Res. 97-112). These Attachments are not available electronically, if you would like a copy please contact Johnny Gonzales at (916) 341-5510.

Findings:

1. Section 13260(a) of the California Water Code (CWC) requires that any person discharging waste or proposing to discharge waste within any region, other than to a community sewer system, that could affect the quality of the waters of the State, file a report of waste discharge (ROWD).
2. Discharges to land from small domestic wastewater treatment and disposal systems have certain common characteristics, such as similar constituents, concentrations of constituents, disposal techniques, flow ranges and they require the same or similar treatment standards. These types of discharges are more appropriately regulated under general Waste Discharge Requirements (general WDRs).
3. Only domestic wastewater treatment and disposal systems with a maximum average daily flow of 20,000 gallons or less that discharge to land (small domestic systems) are eligible for coverage under these general WDRs. Small domestic systems are typically located at campgrounds, mobile home parks, roadside rest stops, condominiums/subdivisions using community waste treatment systems, restaurants, schools, resort hotels and lodges, small correctional facilities, and Recreation Vehicles (RV) dump locations, including RV parks. Single family residences with small domestic systems, for purposes of these general WDRs, are specifically excluded.
4. All WDRs must implement the applicable water quality control plan (Basin Plan) for the Region affected by the discharge. Therefore, these general WDRs require dischargers to comply with all applicable Basin Plan provisions, including any prohibitions and water quality objectives, governing the discharge.
5. This Order establishes minimum standards only for small domestic systems. The discharger must comply with any more stringent standards in the applicable Basin Plan. In the event of a conflict between the provisions of this Order and the Basin Plan, the more stringent provision prevails.
6. The beneficial uses for the ground waters of the State are: municipal supply (MUN), industrial service supply (IND), industrial process supply (PROC), fresh water replenishment (FRESH), aquaculture (AQUA), wildlife habitat (WILD), and agricultural supply (AGR). The following list shows the beneficial uses that apply to each region. Some beneficial uses only apply to certain geographical areas.

Region	Listed Beneficial Uses
1	MUN, AGR, IND, PROC
2	MUN, AGR, IND, PROC, FRESH
3	MUN, AGR, IND, PROC
4	MUN, AGR, IND, PROC, AQUA

Item No. 6 Attachment No. 1
October 22, 2004 Meeting
Low Threat Report

5	MUN, AGR, IND, PROC
6	MUN, AGR, IND, FRESH, WILD
7	MUN, AGR, IND
8	MUN, AGR, IND, PROC
9	MUN, AGR, IND, PROC, FRESH

To the extent that the applicable Basin Plan designates additional or different beneficial uses, the Basin Plan shall control.

7. Dischargers seeking coverage under these general WDRs shall file: (1) a standard application for WDRs (Report of Waste Discharge), a Form 200, or an equivalent document; and (2) a first annual fee of \$400 which corresponds to a Threat to Water Quality and Complexity of 3b in the fee schedule listed in Section 2200 of Title 23, California Code of Regulations (CCR). Upon review by Regional Water Quality Control Board (RWQCB) staff, a determination will be made as to whether or not coverage under these general WDRs is appropriate. The discharger shall be notified by a letter from the RWQCB's Executive Officer when coverage under these general WDRs has begun.

8. Each RWQCB has its own waiver policies and conditions. Any discharger currently under a waiver from the RWQCB does not need to apply for coverage under these general WDRs.

9. Although a discharge may be eligible for coverage under this general WDR, the appropriate RWQCB may determine that the discharge would be better regulated under an individual WDR, under another general WDR, or under a National Pollutant Discharge Elimination System (NPDES) permit for discharges to surface waters. If a discharge is regulated under an individual or general WDR, or a waiver, or under an NPDES permit issued by an RWQCB, the applicability of this general WDR to the discharge is immediately terminated on the effective date of the RWQCB's WDR or NPDES permit.

10. This Order does not preempt or supersede the authority of municipalities, flood control agencies, or other local agencies to prohibit, restrict, or control discharges of waste subject to their jurisdiction.

11. These WDRs are exempt from Chapter 15 requirements pursuant to CCR, Title 23, Chapter 15, Section 2511(a).

12. This general WDR is intended to cover both new and existing small domestic systems. The adoption of WDRs for existing small domestic systems is exempt from the California Environmental Quality Act (CEQA) under CCR, Title 14, Section 15261 or Section 15301 as ongoing or existing projects.

13. The State Water Resources Control Board (SWRCB) has adopted a Mitigated Negative Declaration in compliance with CEQA for new small domestic systems. The potential significant environmental impacts from discharges from new small domestic systems can be mitigated to a level of insignificance by compliance with this Order.

14. Pursuant to Section 13263 of the CWC, the SWRCB, in establishing the requirements contained herein, considered factors including but not limited to the following:

a. Past, present, and probable future beneficial uses of water.

b. Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.

- c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area.
- d. Economic considerations.
- e. The need for developing housing within the Region(s).
- f. The need to develop and use recycled water.

15. The SWRCB has notified potential dischargers and all other known interested parties of the intent to prescribe WDRs as described in this Order.

16. The SWRCB, in a public meeting, heard and considered all comments pertaining to the proposed discharge.

IT IS HEREBY ORDERED that the discharger, in order to meet the provisions contained in Division 7 of the CWC and regulations adopted thereunder, shall comply with the following:

A. Prohibitions:

- 1. The direct or indirect discharge of any wastewater to surface waters or surface water drainage courses is prohibited.
- 2. The treatment and disposal of wastes at the facility shall not cause pollution, contamination, or nuisance as defined in CWC Section 13050.
- 3. The discharge of wastewater, other than domestic wastewater, into a small domestic system is prohibited.
- 4. Bypass or overflow of treated or untreated waste is prohibited.
- 5. The discharge of waste to land not owned or controlled by the discharger is prohibited.
- 6. The discharge of wastes from small domestic systems which is not authorized by this general WDR or other Order or waiver by the RWQCB is prohibited.
- 7. Discharge of waste classified as "hazardous", or "designated", as defined in CCR, Title 23, Chapter 15, Section 2521(a) and CWC Section 13173, respectively, to any part of the wastewater disposal system is prohibited.

B. Requirements:

- 1. For All Small Domestic Systems:
 - a. Odors of sewage origin shall not be perceivable beyond the limits of the discharger's property boundaries.
 - b. The siting, design, construction, operation, maintenance, and monitoring of all small domestic systems must comply with all of the applicable provisions of the RWQCB's Basin Plan.

c. The discharger shall not discharge waste in excess of the maximum design and disposal capacity of the small domestic system.

d. The discharge of waste from small domestic systems shall comply with all applicable provisions of the RWQCB's Basin Plan, including but not limited to any prohibitions and water quality objectives.

2. For Septic Systems, the Following Additional requirements Apply:

a. Septic tank cleanings shall be performed only by a duly authorized service.

b. The discharger shall maintain a log of all septic cleanings. At a minimum the log shall include the date of the cleaning, and the name, address, phone number, and license number (if applicable) of the cleaner.

c. Dischargers who accept wastes from RVs or other mobile waste systems must ensure that such wastes (with constituents including formaldehyde, zinc, and phenol) do not deleteriously affect the septic system or impact the ground water.

3. For Activated Sludge Systems, the Following Additional Requirements Apply:

If collected screenings, sludges, and other solids removed from liquid wastes are disposed of at a landfill, such disposal shall comply with CCR, Title 23, Section 2510, et seq. (Chapter 15).

b. If sewage sludge is land applied, disposed of at a monofill, or incinerated, this activity shall comply with existing Federal, State, and local laws and regulations, including requirements of 40 CFR 503, the RWQCB, and the county ordinances, and shall be approved by the appropriate RWQCB's Executive Officer.

c. The discharger shall submit a sludge disposal plan and obtain the appropriate RWQCB Executive Officer's written permission prior to any disposal of sludge. The Executive Officer shall be informed of any changes in this plan at least 60 days in advance of the change.

4. For Aerated Pond Systems, the Following Additional Requirements Apply:

If collected screenings, sludges, and other solids removed from liquid wastes are disposed of at a landfill, such disposal shall comply with CCR, Title 23, Section 2510, et seq. (Chapter 15).

5. For Subsurface Disposal Systems, the Following Additional Requirements Apply:

a. The subsurface wastewater disposal system(s) shall be maintained so that at no time will sewage surface at any location.

b. No part of the disposal system(s) shall extend to a depth where waste may pollute ground water.

6. For Surface Disposal Systems, the Following Additional Requirements Apply:

a. A minimum freeboard of two (2) feet shall be maintained at all times in the basins or ponds.

b. Public contact with wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.

c. Basins or ponds shall have sufficient capacity to accommodate allowable wastewater flow and design seasonal precipitation and ancillary inflow and infiltration during the winter season. Design seasonal precipitation shall be based on criteria, if any, set in the appropriate RWQCB's Basin Plan. If no criteria is set in the appropriate RWQCB's Basin Plan, then seasonal precipitation shall be based on historical 24 hour rain fall, using a 10 year return frequency.

d. Disposal in ponds shall be conducted in a manner such that there shall be no stranded or exposed sewage solids.

C. Ground Water and Surface Water Limitations:

1. The discharge shall not:

a. Pollute ground or surface waters.

b. Adversely affect beneficial uses or cause an exceedance of any applicable Basin Plan water quality objectives for ground or surface waters.

2. Where treated wastewater is applied to land by sprinkler or spray methods, the discharger shall manage wastewater application to prevent it from commingling with storm water runoff, or such runoff shall be fully retained.

D. Provisions:

1. For All Small Domestic Systems:

a. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise damage the discharge facilities.

b. The discharger shall ensure that all site operating personnel are familiar with the contents of this general WDR and shall maintain a copy of this general WDR at the site.

c. Prior to any modifications in the discharger's facility which would result in a material change in the quality or quantity of wastewater treated or discharged, or any material change in the location of discharge, the discharger shall report all pertinent information in writing to the appropriate RWQCB and obtain confirmation from the appropriate RWQCB that such modifications do not disqualify the discharger from coverage under these general WDRs. Either confirmation or new WDRs must be obtained before any modifications are implemented.

d. The discharger shall comply with "General Monitoring and Reporting Program No. 97-10-DWQ (Attachment A), and any future revisions, as specified by the appropriate RWQCB's Executive Officer.

e. The appropriate RWQCB's Executive Officer and the Director of the County Environmental Health Department or equivalent agency shall be notified immediately of any failure of the wastewater containment facilities. Such failure shall be promptly corrected in accordance with the requirements of this Order.

f. The discharger at all times shall 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 conditions of this Order. The discharger shall keep in a state of readiness all systems

necessary to achieve compliance with the conditions of this Order. All systems, both those in service and reserve, shall be inspected and maintained on a regular basis. Records shall be kept of the tests and made available to the RWQCB.

g. This Order does not convey any property rights or exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the discharger from liability under Federal, State, or local laws, and do not create a vested right to continue to discharge wastewater.

h. This Order does not relieve the discharger from responsibility to obtain other necessary local, State, and Federal permits to construct facilities necessary for compliance with this Order, nor does this Order prevent imposition of additional standards, requirements, or conditions by any other regulatory agency.

i. The discharger shall allow the RWQCB or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

(1) Enter upon the premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this Order;

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

(3) Inspect, at reasonable times, any facilities, equipment, practices, or operations regulated or required under this Order; and

(4) Sample, photograph, video record, and/or monitor at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the CWC, any substances or parameters at this location.

j. All regulated disposal systems shall be readily accessible for sampling and inspection.

k. The SWRCB will review this Order periodically and will revise requirements when necessary.

l. Paragraphs of this Order are severable. If any paragraph is found invalid, the remaining paragraphs shall not be affected.

m. After notice and opportunity for a hearing, coverage of an individual discharge under this Order may be terminated or modified for cause, including but not limited to the following:

(1) Violation of any term or condition contained in this Order;

(2) Obtaining this Order by misrepresentation or failure to disclose all relevant facts;

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

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

- n. The discharger shall furnish, within a reasonable time, any information the RWQCB or the SWRCB may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the discharger's coverage under this Order. The Discharger shall also furnish to the RWQCB or the SWRCB, upon request, copies of records required to be kept by this Order.
- o. Unless otherwise approved by the appropriate RWQCB's Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the U. S. Environmental Protection Agency (U.S. EPA).
- p. The discharger shall retain records of all monitoring information including all calibration and maintenance records, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, or report. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the appropriate RWQCB's Executive Officer.
- q. The discharger shall immediately remove any wastes which are discharged at the site regulated by this Order in violation of these requirements.
- r. All performed maintenance and noncompliance issues shall be reported with the monitoring reports as required.
- s. Adequate measures shall be taken to assure that unauthorized persons are effectively excluded from contact with the wastewater disposal facility(s).
- t. The discharger shall comply with all of the conditions of this Order. Any noncompliance with this Order constitutes a violation of the Porter-Cologne Water Quality Control Act and/or appropriate Basin Plan and is grounds for an enforcement action.
- u. Waste treatment facilities subject to this Order shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Division 4, Chapter 14, Title 23 CCR.
- v. The discharger shall comply with all of the conditions contained in the Standard Provisions included with this Order as Attachment B.

2. For Septic Systems, the Following Additional Provisions Apply:

- a. All employees of the regulated facility shall receive training on how to minimize pollutant discharges to the septic system. This instruction should include the following topics:
- (1) Proper disposal of materials handled at the regulated facility.
 - (2) Methods to wash tools and other objects so that no contaminants are introduced into the septic system.
 - (3) Methods to wash hands so that no contaminants are introduced into the septic system.
- b. Any off-site disposal of septage shall be only to a legal point of disposal, with the approval of the

legal disposal site operator. For purposes of these requirements, a legal disposal site is one for which requirements have been established by the appropriate RWQCB and which is in full compliance therewith. Any septage handling shall be in such a manner as to prevent its reaching surface waters or watercourses.

3. For Activated Sludge and Aerated Pond Systems, the Following Additional Provisions Apply:

a. The Discharger shall obtain prior written approval from the appropriate RWQCB's Executive Officer specifying location and method of disposal before disposing of treated or untreated sludge or similar solid waste materials. Such written approval is valid until a change in the manner or location of disposal occurs, or until the discharger is otherwise notified by the appropriate RWQCB's Executive Officer. In addition, the discharger shall provide the results of any sludge analyses as specified by the RWQCB's Executive Officer.

b. The discharger shall provide safeguards to electric power failure as follows:

(1) The discharger, within ninety (90) days of the effective date of this Order, shall submit to the appropriate RWQCB for approval a description of the existing safeguards provided to assure that, should there be reduction, loss, or failure of electric power, the discharger shall comply with the terms and conditions of its Order. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means. A description of the safeguards provided shall include an analysis of the frequency, duration, and impact of power failures experienced over the past five years or from time of start-up, whichever is shorter, on effluent quality and on the capability of the discharger to comply with the terms and conditions of the Order. The appropriate RWQCB shall determine whether the safeguards are adequate.

(2) Should the RWQCB not approve the existing safeguards, the discharger, within ninety (90) days of having been advised by the appropriate RWQCB that the existing safeguards are inadequate, shall provide to the RWQCB a schedule of compliance for providing safeguards such that in the event of reduction, loss, or failure of electric power, the permittee will comply with the terms and conditions of this Order. The schedule of compliance, upon approval of the appropriate RWQCB's Executive Officer, shall become a condition of this Order as it applies to the specific discharger.

(3) If the discharger already has an approved plan(s), the plan shall be revised and updated as specified in the plan or whenever there has been a material change in design or operation. A revised plan shall be submitted to the appropriate RWQCB within ninety (90) days of the material change.

4. For Subsurface Disposal Systems, the Following Additional Provisions Apply:

New small domestic systems shall reserve sufficient land area for possible future 100 percent replacement of the subsurface disposal area until such time as the discharger's facility is connected to a municipal sewerage system.

Certification

The undersigned, Administrative Assistant to the SWRCB, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on November 18, 1997.

AYE: John Caffrey

James M. Stubchaer

Marc Del Piero

Mary Jane Forster

John W. Brown

NO: None

ABSENT: None

ABSTAIN: None

/s/

Maureen Marché
Administrative Assistant to the Board