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California Regional Water Quality Control Board

Central Coast Region

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Arnold Schwarzenegger
Governor

ORDER NO. R3-2006-0037
NPDES NO. CA0048127

The following Discharger is authorized to discharge in accordance with the conditions set forth in this Order.

Discharger	City of Lompoc
Indirect Dischargers	Vandenberg Air Force Vandenberg Village Community Services District
Name of Facility	City of Lompoc Regional Wastewater Reclamation Plant
Facility Address	1801 W. Central Ave
	Lompoc, CA 93436
	Santa Barbara County

The Discharger is authorized to discharge from the following discharge points as set forth below.

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
001	Secondary treated domestic wastewater	34° 39' 47" N	120° 28' 55" W	San Miguelito Creek

This Order was adopted by the Central Coast Water Board on:	July 7, 2006
This Order shall become effective on:	September 8, 2006
This Order shall expire on:	July 7, 2011
The U.S. Environmental Protection Agency (U.S. EPA) and the Central Coast Water Board have classified this discharge as a major discharge.	
The Discharger shall file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, <u>not later than 180 days in advance of the Order expiration date</u> as application for issuance of new waste discharge requirements.	

IT IS HEREBY ORDERED, that Order No. 01-87 is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in Division 7 of the California Water Code (CWC) 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, Roger W. Briggs, Executive Officer, do hereby certify the following is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on July 7, 2006.

Roger W. Briggs, Executive Officer

Order No. R3-2006-0037

Item No. 7 Attachment No. 1
July 7, 2006 Meeting
Reissuance of NPDES Permit –
Lompoc WWTP, VAFB &
Vandenberg CSD

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
REGION 3, CENTRAL COAST REGION**

ORDER NO. R3-2006-0037
NPDES NO. CA0048127

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I. FACILITY INFORMATION

The following Discharger is authorized to discharge in accordance with the conditions set forth in this Order.

Discharger	City of Lompoc Regional Wastewater Reclamation Plant
Indirect Dischargers	Vandenberg Air Force Base Vandenberg Village Community Services District
Name of Facility	City of Lompoc Regional Wastewater Reclamation Plant
Facility Address	1801 W. Central Ave
	Lompoc, CA 93436
	Santa Barbara County
Facility Contact, Title, Phone Number	Susan L Halpin, Wastewater Superintendent, (805) 875-8405
Mailing Address	P.O. Box 8001, Lompoc, CA 93483-8001
Type of Facility	POTW
Facility Design Flow	5.0 MGD (average dry weather flows)

II. FINDINGS

The California Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board), finds:

- A. **Background.** The City of Lompoc Regional Wastewater Reclamation Plant (LRWRP or discharger) is currently discharging under Order No. 01-87 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0048127. The discharger submitted a Report of Waste Discharge, dated November 18, 2005, and applied to renew its NPDES permit to discharge up to 5.0 million gallons per day (MGD, average dry weather flows) of treated wastewater from the LRWRP. Staff informally notified LRWRP staff that the application was complete during a January 17, 2006 meeting, and formally in writing by letter dated March 7, 2006.
- B. **Facility Description.** The Discharger owns and operates a domestic/municipal wastewater collection, treatment, and disposal system (i.e., Publicly Owned Treatment Works, or POTW). The POTW currently serves approximately 60,520 municipal and industrial users. Wastewater handling and treatment includes mechanical bar screens, two primary clarifiers, one biotower, one aeration tank, three secondary clarifiers and a chlorine contact tank. Sludge handling includes one gravity thickener, two sludge digesters, two sludge lagoons, drying beds and offsite disposal. The facility also maintains emergency retention basin during events of disinfection maintenance, spills, and other emergency situations. The wastewater is retained for a period of approximately 4 to 6 hours is then re-circulated through the treatment plant. Treated wastewater is discharged from Discharge Point 001 to San Miguelito Creek, which is tributary to the Santa Ynez River, waters of the United States within the Santa Ynez River Hydrologic Unit. Attachment B provides a topographic map of the area around the facility. Attachment C provides a flow schematic of the facility.
- The LRWRP is currently in the process of upgrading the facility. Details for the facility upgrade are described in Attachment F, Section II.A.
- 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 (EPA) and Chapter 5.5, Division 7 of the California Water Code (CWC). This Order shall serve as an NPDES permit for point source discharges from LRWRP to surface waters.
- D. **Background and Rationale for Requirements.** The Central Coast Water Board developed the requirements in this Order based on information submitted as part of the Report of Waste Discharge, through monitoring and reporting programs, and through special studies. Attachments A through H, which contain background information and rationale for Order requirements, are hereby incorporated into this Order and, thus, constitute part of the Findings for this Order.
- E. **California Environmental Quality Act (CEQA).** This action to adopt an NPDES permit is exempt from the provisions of CEQA (Public Resources Code Section 21100, et seq.) in accordance with CWC Section 13389.

LRWRP complied with CEQA requirements by certifying a mitigated negative declaration for the Wastewater Treatment Plant Master Plan Revisions and Upgrade on March 9, 2006. Central Coast Water Board Staff had no comment on the proposed treatment plant revisions and upgrades.

- F. **Technology-Based Effluent Limitations.** The Code of Federal Regulations (CFR) at 40 CFR 122.44 (a) requires that permits include applicable technology-based limitations and standards. This Order includes technology-based effluent limitations based on secondary treatment standards at 40 CFR Part 133 and/or based on best professional judgment pursuant to CWA Section 402 (a) (1) (B). The Central Coast Water Board has considered the factors listed at 40 CFR 125.3 (c) and (d) for establishing technology-based limitations using best professional judgment. Discussion of the development of the technology-based effluent limitations of this Order is included in the Fact Sheet (Attachment F).
- G. **Water Quality-Based Effluent Limitations.** Section 122.44 (d) of 40 CFR requires permits to include water quality-based effluent limitations (WQBELs) to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of receiving waters. Where numeric water quality objectives have not been established, 40 CFR 122.44 (d) specifies that WQBELs may be established using calculated numeric water quality criteria; using U.S. EPA water quality criteria established under CWA Section 304 (a), proposed State criteria or a State policy interpreting narrative criteria supplemented with other relevant information, or an indicator parameter for the pollutant of concern.
- H. **Water Quality Control Plans.** *The Water Quality Control Plan for the Central Coast Region* (hereinafter, the Basin Plan) designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives. Beneficial uses for San Miguelito Creek and the Santa Ynez River are presented in Table 2-1 of the Basin Plan and are identified below:

Table II-1–Beneficial Uses

Outfall	Receiving Water Name	Beneficial Use(s)
001	San Miguelito Creek and the Santa Ynez River	Municipal and Domestic Water Supply (MUN); Agricultural Supply (AGR); Industrial Process Supply (PROC); Industrial Service Supply (IND); Groundwater Recharge (GWR); Water Contact Recreation (REC-1); Non-Contact Water Recreation (REC-2); Wildlife Habitat (WILD); Cold Fresh Water Habitat (COLD); Warm Fresh Water Habitat (WARM); Migration of Aquatic Organisms (MIGR); Spawning, Reproduction, and/or Early Development (SPWN); Rare, Threatened, or Endangered Species (RARE); Freshwater Replenishment (FRSH); Commercial and Sport Fishing (COMM).

Groundwater throughout the Central Coast Region is suitable for agricultural water supply, municipal and domestic water supply, as well as industrial use.

The State Water Board adopted a *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California* (the Thermal Plan) on May 18, 1972 and amended this plan on September 18, 1975. The Thermal Plan contains temperature objectives for inland surface waters.

Requirements of this Order specifically implement the applicable Water Quality Control Plans described above.

- I. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** On December 22, 1992, and May 18, 2000, the U.S. EPA adopted the NTR and CTR, respectively. These rules include numeric water quality criteria for priority toxic pollutants and are applicable to this discharge.
- 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 establishes procedures to implement water quality criteria of the NTR and CTR as well as water quality objectives contained in the Basin Plan. The SIP requires dischargers to submit sufficient data to determine the need for WQBELs, and it establishes procedures for determining that need and for calculating WQBELs, when necessary. With respect to the priority pollutant criteria promulgated for California by the U.S. EPA through the NTR, the SIP became effective on April 28, 2000; and with respect to the priority pollutant criteria promulgated for California by the U.S. EPA through the CTR, the SIP became effective on May 18, 2000. The SIP was amended and implemented February 24, 2005, in accordance with State Water Board Resolution No. 2005-0019.

K. **Antidegradation Policy.** Section 131.12 of 40 CFR establishes an antidegradation policy and requires State water quality standards to include an antidegradation policy consistent with that federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16, which incorporates requirements of the federal antidegradation policy and requires that existing quality of receiving waters be maintained unless degradation is justified based on specific findings. As discussed in the Fact Sheet (Attachment F), the permitted discharge is consistent with the antidegradation provisions of 40 CFR 131.12 and State Board Resolution No. 68-16.

L. **Anti-Backsliding Requirements.** Sections 402 (o) (2) and 303 (d) (4) of the CWA and federal regulations at 40 CFR 122.44 (l) prohibit backsliding in NPDES permits; i.e., effluent limitations in a reissued permit must be at least as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. Order No. R3-2006-0037 complies with all anti-backsliding requirements, as effluent limitations in this Order are at least as stringent as effluent limitations in Waste Discharge Requirements Order No. 01-87, with some minor exceptions due only to the appropriate use of rounding the results of effluent limit calculations for this Order and removal of certain CTR effluent limitations.

More specifically, this Order has removed the CTR effluent limitations (except those for mercury, copper, dichlorobromomethane, and chlorodibromomethane, which were found to have reasonable potential in accordance with the SIP) based on (i) Section 303(d)(4) of the CWA, which allows backsliding from water quality based effluent limitations for discharges into waters not listed as impaired under Section 303(d) if the discharge meets anti-degradation requirements, and (ii) 40 CFR 122.44 (l)(2)(i)(B)(1), which states that "a permit may be renewed, reissued, or modified to contain a less stringent effluent limitation applicable to a pollutant, if information is available, which was not available at the time of permit issuance (other than revised regulation, guidance, or test methods) and which have justified the application of a less stringent effluent limitation at the time of permit issuance."

M. **Monitoring and Reporting.** 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 authorizes the Central Coast Water Board to require technical and monitoring reports. The attached Monitoring and Reporting Program (Attachment E) establishes monitoring and reporting requirements to implement federal and State requirements.

N. **Standard and Special Provisions.** NPDES Standard Provisions, established at 40 CFR 122.41 and 122.42 and applicable to all discharges, must be included in every NPDES permit and are included in Attachment D. The Central Coast Water Board has also included in this Order special provisions applicable to the Discharger (Attachment D-1). Rationale for these special provisions is provided in the attached Fact Sheet (Attachment F).

O. **Notification of Interested Parties.** The Central Coast Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements (WDRs) 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 (Attachment F) of this Order.

- P. Consideration of Public Comment.** The Central Coast 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 (Attachment F) of this Order.
- Q. Privilege to Discharge.** A permit and the privilege to discharge waste into waters of the state is conditional upon the discharge complying with provisions of Division 7 of the CWC and of the CWA (as amended or as supplemented by implementing guidelines and regulations); and with any more stringent effluent limitation necessary to implement water quality control plans, to protect beneficial uses, and to prevent nuisance.
- R. Mandatory Penalties.** Section 13385(h) et seq. of the California Water Code requires the Central Coast Water Board to impose mandatory penalties for certain effluent limit violations. Section 13385(h) et seq. applies to effluent discharged to San Miguelito Creek from this Discharger.
- S. Clean Water Act Section 303(d).** Section 303(d) of the Clean Water Act requires states to identify and prepare a list of water bodies that do not meet water quality standards and establish a Total Maximum Daily Load (TMDL) for the listed water bodies. A TMDL is the loading capacity of a pollutant that a water body can assimilate while protecting beneficial uses. TMDLs can be expressed in terms of either mass per time, concentration, or other appropriate measure [40 CFR §130.2(i)].
- T. Requirements Necessary to Comply with Federal Law.** This Order contains restrictions on individual pollutants that are no more stringent than required by the CWA. Individual pollutant restrictions consist of technology-based restrictions and water quality-based effluent limitations. The technology-based effluent limitations consist of restrictions on BOD₅ and TSS. These restrictions are specified in federal regulations as discussed in Fact Sheet, Section IV.B. and the technology-based pollutant restrictions are no 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 California Toxics Rule, the California Toxics Rule is the applicable standard pursuant to 40 C.F.R. 131.38. The scientific procedures for calculating the individual water quality-based effluent limitations are based on the CTR-SIP, which was approved by USEPA on May 1, 2001. 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 [Clean Water] Act" pursuant to 40 C.F.R. 131.21(c)(1). Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the technology-based requirements of the CWA and the applicable water quality standards for purposes of the CWA.
- U. California Water Code (CWC) Section 13241.** This Order contains groundwater limitations, which are not required by the CWA. In accordance with Section 13241 of the

CWC, the Central Coast Water Board has established water quality objectives for groundwater in the Basin Plan. The groundwater limitations listed in Section V.B. of this Order are consistent with the Basin Plan and are for the protection of past, present and potential groundwater beneficial uses. In establishing these limitations, the Central Coast Water Board has considered the factors listed in Section 13241 of the CWC. The groundwater limitations in this Order are consistent with other similar Orders throughout the Central Coast Region. Other dischargers have successfully implemented similar requirement. Beneficial uses and environmental characteristics of the area are discussed in Attachment F. The requirements are reasonably necessary to protect beneficial uses identified in the Basin Plan, and there is no economic information related to costs compliance sufficient, in the Board's determination to justify failing to protect beneficial uses. Similarly, the need to develop housing does not justify failing to protect beneficial uses, nor is there any evidence that compliance with groundwater limits will impact housing development. The Salt Management Plan may consider coordinated control of water quality factors. The City already investigated the need to develop and use recycled water and determined that recycling in infeasible, as discussed in the response to comments in Attachment F. The City of Lompoc has not submitted any information regarding economic considerations or the other factors set forth in Section 13241.

- V. **Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (General Permit).** The General Permit Order No. 2006-0003-DWQ, adopted May 2, 2006, applies to publicly owned sanitary sewer systems (collection systems) that are one mile or greater in length. The General Permit requires collection system entities to develop a Sanitary Sewer Management Plan (SSMP). SSMPs are required to include goals, organization, legal authority, operations and maintenance program, design and performance provisions, overflow emergency response plan, fats, oils, and greases (FOG) control program, systems evaluations and capacity assurance program, monitoring, measures, and program modifications, and SSMP Program audit. Additionally, the General Permit requires the collection system entities to report sanitary sewer overflows (SSOs). Collection system entities are required to report SSOs that are greater than 1,000 gallons, discharges to surface waters, or storm drains. Furthermore, SSO discharges less than 1,000 gallons shall also be report. Reporting provisions are set forth in the General Permit. Reporting shall occur through the Statewide Online SSO database. Reporting times vary depending on discharge amount and destination.

III. DISCHARGE PROHIBITIONS

- A. The discharge of any waste not specifically regulated by this Order, excluding storm water regulated by General Permit No. CAS000001 (Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities), is prohibited.
- B. Discharge of treated wastewater at a location other than Discharge Point 001 (34° 39' 47" N Latitude and 120° 28' 55" W Longitude), as described by this Order, is prohibited, unless the discharge is regulated by General Permit No. CAS000001 or another discharge permit.
- C. The overflow or bypass of wastewater from the Discharger's collection, treatment, or disposal facilities and the subsequent discharge of untreated wastewater, except as provided for in Attachment D, Standard Provision I. G (Bypass), is prohibited.
- D. Creation of a condition of pollution, contamination, or nuisance, as defined by Section 13050 of the CWC, is prohibited.
- E. The discharge shall not cause or contribute to adverse impacts to beneficial uses of water or to threatened or endangered species and their habitat.
- F. The discharge of radioactive substances is prohibited.

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations – Discharge Point 001

1. Final Effluent Limitations – Discharge Point 001

- a. The discharge of treated wastewater shall maintain compliance with the following effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location M-001, as described in the attached Monitoring and Reporting Program (Attachment E).

Table IV-1–Final Effluent Limitations

Parameter	Units	Effluent Limitation		
		Average Monthly	Average Weekly	Maximum Daily
Flow	MGD	5.0 ^a	-	-
BOD ₅ ^b	mg/L	30	45	90
	lbs/day	1250	1880	3750
TSS ^c	mg/L	30	45	90
	lbs/day	1250	1880	3750
Settleable Solids	mL/L	0.1	-	0.3
Turbidity	NTU	10	-	20
Oil and Grease	mg/L	5.0	-	10
Unionized Ammonia (as N)	mg/L	-	0.025	-
pH	std units	6.5 – 8.3 ^d		
TDS ^g	mg/L	1100	-	-
Chloride ^g	mg/L	250	-	-
Sodium ^g	mg/L	270	-	-
Nitrate (as N)	mg/L	-	-	10
Total Residual Chlorine	mg/L	-	-	See below ^e
Acute Toxicity	% survival	-	-	Pass/Fail ^f
Chronic Toxicity	TUc	-	-	1.0
Copper	µg/L	18	-	37
Mercury	µg/L	0.05	-	0.10
Molybdenum	µg/L	10	-	20
Chlorodibromomethane	µg/L	0.4	-	0.8
Dichlorobromomethane	µg/L	0.6	-	1.1

^a Average dry weather flow

^b BOD₅ = 5-day biochemical oxygen demand at 20° C

^c TSS = total suspended solids

^d When the Discharger continuously monitors effluent pH, levels shall be maintained within specified ranges 99% of the time. To determine 99% compliance, the following conditions shall be met.

- The total time during which pH is outside the range of 6.5 – 8.3 shall not exceed 7 hours and 26 minutes in any calendar month;
- No single excursion from the range of 6.5 – 8.3 shall exceed 30 minutes;
- No single excursion shall fall outside the range of 6.0 – 9.0;

- When continuous monitoring is not being performed, standard compliance guidelines shall be followed (i.e., between 6.5 and 8.3 at all times, measured daily).
 - ° Compliance determination for total chlorine residual shall be based on 99% compliance. To determine 99% compliance with effluent limitations for total chlorine residual, the following conditions shall be satisfied.
 - The total time during which the total chlorine residual values are above 0.02 mg/L (instantaneous maximum value) shall not exceed 7 hours and 26 minutes in any calendar month;
 - No individual excursion from 0.02 mg/L shall exceed 30 minutes;
 - No individual excursion shall exceed 0.1 mg/L; and
 - When continuous monitoring is not being used, standard compliance guidelines shall be followed (i.e. below 0.02 ppm at all times, measure once a day according to standard provisions).
 - If grab sampling is used instead of continuous analysis:
 - The total number of excursion above 0.02 mg./L shall be no more than one (1) individual excursion in any calendar month.
 - No individual excursion from 0.1 mg/L shall exceed 30 minutes, and must include results of no more than 2 grab samples.
 - No individual excursion shall exceed 2.0 mg/L.
 - f Survival of test organisms exposed to 100 percent effluent shall not be significantly reduced when compared, using a t-test (or another test consistent with the procedures described by *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, Fifth Edition, U.S. EPA Office of Water, EPA-821-R-02-012 (2002) or the latest edition), to the survival of control organisms.
 - § Compliance is based on 12-month running means.
- b. The average monthly percent removal of BOD₅ and TSS through the wastewater treatment facility shall not be less than 85 percent.
- c. The concentration of total coliform bacteria measured in treated effluent at Discharger Point 001 shall not exceed a most probable number (MPN) of 23 organisms per 100 milliliters (mL) as determined from the last seven days for which analyses have been completed. The number of total coliform bacteria shall not exceed a log mean of 200 per 100 mL and no more than 10% of the total samples during any calendar month shall exceed 400 MPN per 100 mL.
- d. Discharges of treated wastewater through Discharge Point 001 shall not contain floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.

V. RECEIVING WATER LIMITATIONS

A. Surface Water Limitations

Receiving water limitations are based on water quality objectives contained in the Basin Plan and are a required part of this Order. The discharge shall not cause a violation of the following receiving water limitations in San Miguelito Creek, which is tributary to the Santa Ynez River, or in the Santa Ynez River. The Central Coast Water Board may require the Discharger to investigate the cause of exceedances in the receiving water before determining whether the Discharger caused any water condition that exceeds the following receiving water limitations.

1. Waters shall be free of coloration that causes nuisance or adversely affects beneficial uses. Coloration attributable to materials of waste origin shall not be greater than 15 units or 10 percent above natural background color, whichever is greater.
2. Waters shall not contain taste or odor-producing substances in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin that cause nuisance, or that adversely affect beneficial uses.
3. Waters shall not contain floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.
4. Waters shall not contain suspended material in concentrations that cause nuisance or adversely affect beneficial uses.
5. Waters shall not contain settleable material in concentrations that result in deposition of material that cause nuisance or adversely affect beneficial uses.
6. Waters shall not contain oils, greases, waxes, or other similar materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect beneficial uses.
7. Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses.
8. The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses.
9. Concentrations of toxic metals and inorganic chemicals in waters shall not be increased in such a manner that may adversely affect beneficial uses.
10. Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increases in turbidity attributable to controllable water quality factors shall not exceed the following limits.

- a. Five NTU, where natural turbidity is less than 25 NTU
 - b. Twenty percent, where natural turbidity is between 25 and 50 NTU
 - c. Ten NTU, where natural turbidity is between 50 and 100 NTU.
 - d. Ten percent, where natural turbidity is greater than 100 NTU
11. The pH value shall not be depressed below 7.0 nor raised above 8.3, nor shall changes in ambient pH levels exceed 0.5 pH units.
 12. Dissolved oxygen concentrations in receiving waters shall not be reduced below 7 mg/L at any time.
 13. Natural temperature of receiving waters shall not be altered unless it can be demonstrated to the satisfaction of the Central Coast Water Board that such alteration in temperature does not adversely affect beneficial uses. At no time or place shall the temperature be increased by more than 5° F above natural receiving water temperature.
 14. 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 aquatic life. Survival of aquatic life in surface waters subjected to a waste discharge or other controllable water quality conditions shall not be less than that for the same water body in areas unaffected by the waste discharge.
 15. The discharge of wastes shall not cause concentrations of unionized ammonia (NH₃) to exceed 0.025 mg/L (as N) in receiving waters.
 16. No individual pesticide or combination of pesticides shall reach concentrations that adversely affect the beneficial uses of the receiving waters. There shall be no increase in pesticide concentrations found in bottom sediments or aquatic life. For waters where existing concentrations are presently nondetectable or where beneficial uses would be impaired by concentrations in excess of nondetectable levels, total identifiable chlorinated hydrocarbon pesticides shall not be present at concentrations detectable within the accuracy of analytical methods as prescribed in *Standard Methods for the Examination of Water and Wastewater*, latest edition, or other equivalent methods approved by the Executive Officer.
 17. Waters shall not contain organic substances in concentrations greater than the following.

Table V-1—Organic Concentration Limits

Parameter	Unit	Limit
Methylene Blue Activated Substances	mg/L	0.2
PCBs	µg/L	0.3
Phthalate Esters	µg/L	0.002

18. Phenol concentrations shall not exceed 1.0 µg/L.
19. Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life; or result in the accumulation of radionuclides in the food web to an extent which presents a hazard to human, plant, animal, or aquatic life. In no circumstance shall receiving waters contain concentrations of radionuclides in excess of the maximum contaminant levels (MCLs) for radioactivity presented in Table 4 of Title 22 California Code of Regulations, Division 4, Chapter 15, Article 5.
20. Receiving waters shall not contain concentrations of chemical constituents in excess of the primary maximum contaminant levels (MCLs) specified for drinking water in Table 64431-A (Primary MCLs for Inorganic Chemicals) and Table 64444-A (Primary MCLs for Organic Chemicals) of Title 22 California Code of Regulations, Division 4, and Chapter 15.
21. Receiving waters shall not contain concentrations of chemical constituents in amounts that adversely affect the agricultural beneficial use. (Interpretation of adverse effect shall be derived from guidelines of the University of California Agricultural Extension Service presented in Section III, Table 3-3 of the Basin Plan.)
22. Receiving waters shall not contain concentrations of chemical constituents in excess of those levels specified for irrigation and livestock watering in Section III, Table 3-4 of the Basin Plan. Salt concentrations for irrigation waters shall be controlled through implementation of the anti-degradation policy to the effect that mineral constituents of currently or potentially usable waters shall not be increased. It is emphasized that no controllable water quality factor shall degrade the quality of any groundwater resource or adversely affect long-term soil productivity.
23. Receiving waters shall not contain concentrations of chemical constituents known to be deleterious to fish or wildlife in excess of the levels presented in Section III, Table 3-5 of the Basin Plan.
24. Cadmium shall not exceed 0.003 mg/L, when hardness in receiving waters is greater than 100 mg/L as CaCO₃, nor shall cadmium exceed 0.0004 mg/L when hardness in receiving waters is equal to or less than 100 mg/L as CaCO₃.
25. Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200/100 ml, nor shall more than ten percent of total samples during any 30-day period exceed 400/100 ml.
26. Discharges shall not cause receiving water to exceed the following water quality objectives specifically identified for the Santa Ynez River Drainage (Lompoc Sub-Area) by Table 3-7 of the Basin Plan.

Table V-2--Surface Water Quality Objectives¹

Parameter	Unit	Objective
TDS	mg/L	1000
Chloride	mg/L	100
Sulfate	mg/L	350
Boron	mg/L	0.4
Sodium	mg/L	100

¹ - annual mean values

B. Groundwater Limitations

Activities at the facility shall not cause exceedance/deviation from the following water quality objectives for groundwater established by the Basin Plan. The Central Coast Water Board may require the discharger to investigate the cause of exceedances in the groundwater before determining whether the Discharger caused any water condition that exceeds the following groundwater limitations.

1. Groundwater shall not contain taste or odor-producing substances in concentrations that adversely affect beneficial uses.
2. The Discharger shall not cause a statistically significant increase of mineral constituent concentrations in underlying groundwaters as determined by comparison of samples collected from wells located up-gradient and down-gradient of the waters affected by the discharge.
3. Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life; or result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life. In no circumstances shall groundwater contain concentrations of radionuclides in excess of the maximum contaminant levels (MCLs) for radioactivity presented in Table 4 of Title 22 California Code of Regulations, Division 4, Chapter 15, Article 5.
4. The median concentration of total coliform organisms over any seven-day period shall be less than 2.2 organisms per 100 milliliters.
5. Groundwater shall not contain concentrations of chemical constituents in excess of the primary maximum contaminant levels (MCLs) specified for drinking water in Table 64431-A (Primary MCLs for Inorganic Chemicals) and Table 64444-A (Primary MCLs for Organic Chemicals) of Title 22 California Code of Regulations, Division 4, and Chapter 15.
6. Groundwater shall not contain concentrations of chemical constituents in amounts that adversely affect the agricultural beneficial use. (Interpretation of adverse effect shall be derived from guidelines of the University of California Agricultural Extension Service presented in Section III, Table 3-3 of the Basin Plan.)

7. Groundwater used for irrigation and livestock watering shall not exceed concentrations of chemical constituents in excess of those levels specified for irrigation and livestock watering in Section III, Table 3-4 of the Basin Plan.
8. Groundwaters shall not contain constituents greater than the following concentrations established in Table 3-8 of the Basin Plan for groundwaters within the Lompoc Plain Sub area of the Santa Ynez groundwater unit.

Table V-3-Groundwater Objectives¹

Parameter	Unit	Objective
TDS	mg/L	1250
Chloride	mg/L	250
Sulfate	mg/L	500
Boron	mg/L	0.5
Sodium	mg/L	250
Nitrogen	mg/L	2.0

¹ - based on median values

VI. PROVISIONS

A. Standard Provisions

Federal Standard Provisions. The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.

Central Coast Water Board Standard Provisions. The Discharger shall comply with all Central Coast Water Board Standard Provisions included in Attachment D-1 of this Order.

B. Monitoring and Reporting Program Requirements

The Discharger shall comply with the Monitoring and Reporting Program, and any future revisions thereto, in Attachment E of this Order. All monitoring shall be conducted according to 40 CFR Part 136, *Guidelines Establishing Test Procedures for Analysis of Pollutants*.

C. Special Provisions

1. Reopener Provision.

This permit may be reopened and modified in accordance with federal regulations at 40 CFR Parts 122 and 124, as necessary, to include additional conditions or limitations based on newly available information or to implement any U.S. EPA approved, new federal or state objective.

2. Toxicity Reduction Evaluation Workplan.

The Discharger shall maintain a Toxicity Reduction Evaluation (TRE) Workplan, which describes steps that the Discharger intends to follow in the event that the acute or chronic toxicity effluent limitation of this Order is exceeded in the discharge. The workplan shall be prepared in accordance with current technical guidance and reference material, including EPA/600/2-88-070 (for industrial discharges) or EPA/600/2-88/062 (for municipal discharges), and shall include, at a minimum:

- a. Actions that will be taken to investigate/identify the causes/sources of toxicity,
- b. Actions that will be evaluated to mitigate the impact of the discharge, to correct the non-compliance, and/or to prevent the recurrence of acute toxicity (this list of action steps may be expanded, if a TRE is undertaken), and
- c. A schedule under which these actions will be implemented.

When monitoring measures acute and chronic toxicity in the effluent above the limitations established by this Order, the Discharger shall resample immediately, if the discharge is continuing, and retest for acute toxicity. Results of an initial failed test and results of subsequent monitoring shall be reported to the Executive Officer (EO) as soon as possible following receipt of monitoring results. The EO will determine whether to initiate enforcement action, whether to require the Discharger to implement a TRE, or to implement other measures. When the EO requires the Discharger to conduct a TRE, the TRE shall be conducted giving due consideration to guidance provided by the U.S. EPA's Toxicity Reduction Evaluation Procedures, Phases 1, 2, and 3 (EPA document nos. EPA 600/3-88/034, 600/3-88/035, and 600/3-88/036). A TRE, if necessary, shall be conducted in accordance with the following schedule.

Table VI-1-TRE Schedule

Action Step	When Required
Take all reasonable measures necessary to immediately reduce toxicity, where the source is known.	Within 24 hours of identification of noncompliance.
Initiate the TRE in accordance to the Workplan.	Within 7 days of notification by the EO
Conduct the TRE following the procedures in the Workplan.	One year period or as specified in the plan
Submit the results of the TRE, including summary of findings, required corrective action, and all results and data.	Within 60 days of completion of the TRE
Implement corrective actions to meet Permit limits and conditions.	To be determined by the EO

3. Discharges of Storm Water

If applicable, the Discharger shall seek authorization to discharge under and meet the requirements of the State Water Resources Control Board's Water Quality Order 97-03-DWQ, NPDES General Permit No. CAS000001, *Waste Discharge Requirements*

for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities, as amended or reissued, for the control of storm water discharged from the site of the wastewater treatment and disposal facilities.

4. Biosolids Handling and Disposal

Language in this section was provided by the U.S. EPA Region IX Biosolids Coordinator as standard language for use in NPDES permits. "Biosolids" refers to non-hazardous sewage sludge as defined in 40 CFR 503.9. Sewage sludge that is hazardous as defined in 40 CFR 261 must be disposed in accordance with the Resource Conservation and Recovery Act (RCRA). Sludge with PCB levels greater than 50 mg/kg must be disposed in accordance with 40 CFR 761.

- a. Management of all solids and sludge must comply with all requirements of CFR Parts 257, 258, 501, and 503, including all monitoring, record-keeping, and reporting requirements. Since the State of California, hence the Regional and State Water Boards, has not been delegated the authority by the U.S. EPA to implement the biosolids program, enforcement of biosolids requirements of CFR Part 503 will occur under U.S. EPA's jurisdiction at this time.
- b. All biosolids generated by the Discharger shall be used or disposed of in compliance with the applicable portions of:
 - i. 40 CFR 503: for biosolids which are land applied (placed on the land for the purpose of providing nutrients or conditioning the soil for crops or vegetation), placed in surface disposal sites (placed on the land at dedicated land disposal sites or monofills for the purpose of disposal), stored, or incinerated;
 - ii. 40 CFR 258: for biosolids disposed in municipal solid waste landfills; and,
 - iii. 40 CFR 257: for all biosolids use and disposal practices not covered under 40 CFR 258 or 503.

40 CFR 503 Subpart B (land application) applies to biosolids applied for the purpose of enhancing plant growth or for land reclamation. 40 CFR 503 Subpart C (surface disposal) applies to biosolids placed on the land for the purpose of disposal.

The Discharger is responsible for ensuring that all biosolids produced at its facility are used or disposed of in compliance with these regulations, whether the Discharger uses or disposes of the biosolids itself or transfers them to another party for further treatment, use, or disposal. The Discharger is responsible for informing subsequent preparers, applicators, and disposers of the requirements that they must meet under 40 CFR 257, 258, and 503.

- c. Duty to mitigate: The Discharger shall take all reasonable steps to prevent or minimize any biosolids use or disposal in violation of applicable regulations and/or which has a likelihood of adversely affecting human health or the environment.
- d. No biosolids shall be allowed to enter wetlands or other waters of the United States.
- e. Biosolids treatment, storage, use, or disposal shall not contaminate groundwater.
- f. Biosolids treatment, storage, use, or disposal shall not create a nuisance such as objectionable odors or flies.
- g. The Discharger shall assure that haulers transporting biosolids off site for treatment, storage, use, or disposal take all necessary measures to keep the biosolids contained.
- h. If biosolids are stored for over two years from the time they are generated, the Discharger must ensure compliance with all the requirements for surface disposal under 40 CFR 503 Subpart C, or must submit a written notification to U.S. EPA with the information in Section 503.20(b), demonstrating the need for longer temporary storage.
- i. Any biosolids treatment, disposal, or storage site shall have facilities adequate to divert surface runoff from adjacent areas, to protect the site boundaries from erosion, and to prevent any conditions that would cause drainage from the materials at the site to escape from the site. Adequate protection is defined as protection from at least a 100-year storm and from the highest tidal stage that may occur.
- j. The discharge of biosolids shall not cause waste material to be in a position where it is, or can be, conveyed from the treatment and storage sites and deposited in the waters of the State.
- k. The Discharger shall design its pretreatment program local discharge limitations to achieve the metals concentration limits in 40 CFR 503.13 Table 3.
- l. Inspection and Entry: The U.S. EPA, Central Coast Water Board, or an authorized representative thereof, upon the presentation of credentials, shall be allowed by the Discharger, directly or through contractual arrangements with their biosolids management contractors, to:
 - i. Enter upon all premises where biosolids produced by the Discharger are treated, stored, used, or disposed, either by the Discharger or by another party to whom the Discharger transfers the biosolids for treatment, storage, use, or disposal;

- ii. Have access to and copy any records that must be kept under the conditions of this permit or of 40 CFR 503, by the Discharger or by another party to whom the Discharger transfers the biosolids for further treatment, storage, use, or disposal, and;
- iii. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations used in the biosolids treatment, storage, use, or disposal by the Discharger or by another party to whom the Discharger transfers the biosolids for treatment, storage, use, or disposal.
- m. Monitoring shall be conducted in accordance with the Monitoring and Reporting Program (MRP) of this Order (see Attachment E, MRP Section IX.A., *Biosolids Monitoring*).
- n. All the requirements of 40 CFR 503 and 23 CCR, Division 3, Chapter 15, and 27 CCR, Division 2 are enforceable by the U.S. EPA and this Central Coast Water Board whether or not the requirements are stated in an NPDES permit or any other permit issued to the Discharger.

5. Pretreatment Program

- a. The Discharger shall be responsible for the performance of all pretreatment requirements contained in 40 CFR 403 and shall be subject to enforcement actions, penalties, fines and other remedies by the U.S. EPA, or other appropriate parties, as provided in the Clean Water Act, as amended (33 USC 1351 et seq.) (the Act). The Discharger shall continue to implement and enforce its Approved POTW Pretreatment Program. The Discharger's Approved POTW Pretreatment Program is hereby made an enforceable condition of this permit. U.S. EPA or the Central Coast Water Board may initiate enforcement action against an industrial user for noncompliance with applicable standards and requirements as provided in the Act.
- b. The Discharger shall enforce the requirements promulgated under Sections 307 (b), 307 (c), 307 (d) and 402 (b) of the Act. The Discharger shall cause industrial users subject to Federal Categorical Standards to achieve compliance no later than the date specified in those requirements or, in the case of a new industrial user, upon commencement of the discharge.
- c. The Discharger shall perform the pretreatment functions as required in 40 CFR 403, including, but not limited to:
 - i. Implement the necessary authorities as provided in 40 CFR 403.8 (f) (1);
 - ii. Enforce the pretreatment requirements under 40 CFR 403.5 and 403.6;
 - iii. Implement the programmatic functions as provided in 40 CFR 403.8 (f) (2);
and

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

6. Salt Management Study

The Discharger shall complete a Salt Management Study with the goal of controlling levels of salts in discharges from the wastewater treatment facility to San Miguelito Creek and the Santa Ynez River and attainment of applicable water quality objectives for salts in the Lompoc Plain Sub-basin of the Santa Ynez Drainage Basin, as presented in Table 3-7 of the Basin Plan and in Section V. A. 26 of this Order.

The Salt Management Study shall be submitted to the Central Coast Water Board with the Discharger's Report of Waste Discharge, not later than 180 days prior to the expiration date of this Order, and shall include, but not be limited to, the following components.

- a. A summary of effluent and receiving water monitoring data, generated during the term of Order No. R3-2006-0037, for TDS, sulfate, chloride, sodium, and boron.
- b. Characterization of Source Water Supply(s) and Wastewater Quality - The Discharger shall fully characterize source water supplies and wastewater quality in terms of salt concentrations.
- c. Evaluation of Alternative Control Strategies - The Discharger shall evaluate means of controlling source water quality as well as residential, commercial, and industrial control strategies.
- d. Development of a Salt Management Plan - The Discharger shall develop a Salt Management Plan to ensure that discharges from the wastewater treatment facility do not interfere with attainment of applicable, concentration-based water quality objectives for salts in the Lompoc Plain Sub-basin of the Santa Ynez River Basin. The Plan shall include a schedule of not more than five years for full implementation.

VII. COMPLIANCE DETERMINATION

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

A. Average Monthly Effluent Limitation (AMEL).

If the average (or when applicable, the median) of daily discharges over a calendar month exceeds the AMEL for a given parameter, this will represent a single violation, although the Discharger is required to comply with the AMEL on each day of every 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.

B. Average Weekly Effluent Limitation (AWEL).

If the average of daily discharges over a calendar week exceeds the AWEL for a given parameter, an alleged violation will be flagged and the discharger will be considered out of compliance for each day of that week for that parameter, resulting in 7 days of non-compliance. The average of daily discharges over the calendar week that exceeds the AWEL for a parameter will be considered out of compliance for that week only. 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. For any one calendar week during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar week.

C. Maximum Daily Effluent Limitation (MDEL).

If a daily discharge exceeds the MDEL for a given parameter, an alleged violation will be flagged and the discharger will be considered out of compliance for that parameter for that one day only within the reporting period. For any one day during which no sample is taken, no compliance determination can be made for that day.

D. Instantaneous Minimum Effluent Limitation.

If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, a violation will be flagged and 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, not including follow-up or confirmation 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).

E. Instantaneous Maximum Effluent Limitation.

If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, a violation will be flagged and 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).

F. Six-month Median Effluent Limitation.

If the median of daily discharges over any 180-day period exceeds the six-month median effluent limitation for a given parameter, an alleged violation will be flagged and the discharger will be considered out of compliance for each day of that 180-day period for that parameter. The next assessment of compliance will occur after the next sample is taken. If only a single sample is taken during a given 180-day period and the analytical result for that sample exceeds the six-month median, the discharger will be considered out of compliance for the 180-day period. For any 180-period during which no sample is taken, no compliance determination can be made for the six-month median limitation.

ATTACHMENT A – DEFINITIONS

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.

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.

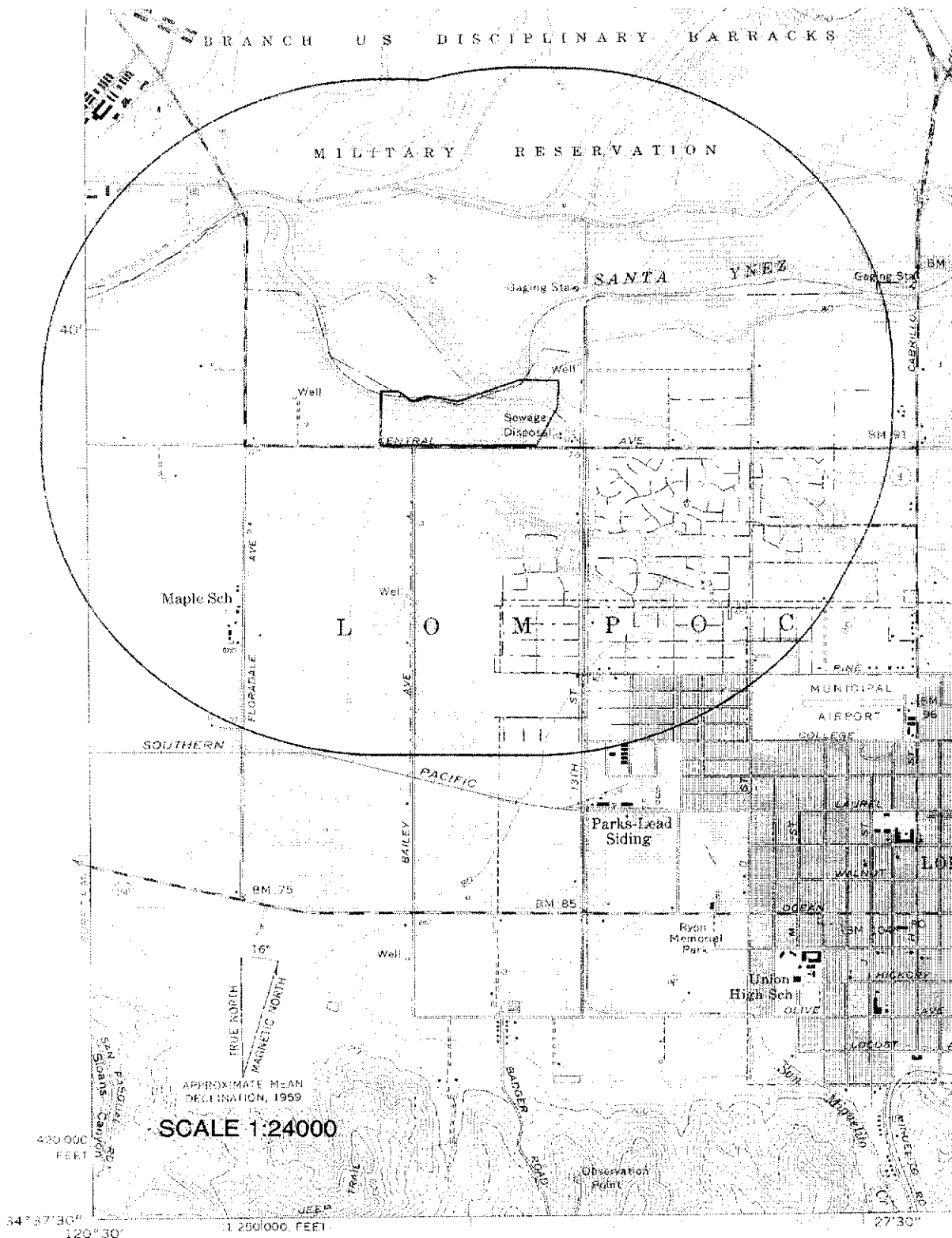
Instantaneous Maximum Effluent Limitation: the highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

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

Maximum Daily Effluent Limitation (MDEL): the highest allowable daily discharge of a pollutant.

Six-month Median Effluent Limitation: the highest allowable moving median of all daily discharges for any 180-day period.

ATTACHMENT B – TOPOGRAPHIC MAP



ATTACHMENT D – FEDERAL STANDARD PROVISIONS

I. STANDARD PROVISIONS – PERMIT COMPLIANCE

A. Duty to Comply

1. The Discharger must comply with all of the conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (CWC) and is grounds for enforcement action, for permit termination, revocation and reissuance, or denial of a permit renewal application [40 *CFR* §122.41(a)].
2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act 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 been modified to incorporate the requirement [40 *CFR* §122.41(a)(1)].

B. Need to Halt or Reduce Activity Not a Defense

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

C. Duty to Mitigate

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

D. Proper Operation and Maintenance

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

E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges [40 *CFR* §122.41(g)].

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

F. Inspection and Entry

The Discharger shall allow the Regional Water Quality Control Board (RWQCB), State Water Resources Control Board (SWRCB), United States Environmental Protection Agency (USEPA), and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to [40 CFR §122.41(i)] [CWC 13383(c)]:

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

G. Bypass

1. Definitions
 - a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility [40 CFR §122.41(m)(1)(i)].
 - b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production [40 CFR §122.41(m)(1)(ii)].
2. Bypass not exceeding limitations – The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3 and I.G.5 below [40 CFR §122.41(m)(2)].

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

H. Upset

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

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph H.2 of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review [40 CFR §122.41(n)(2)].

2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that [40 CFR §122.41(n)(3)]:
 - a. An upset occurred and that the Discharger can identify the cause(s) of the upset [40 CFR §122.41(n)(3)(i)];
 - b. The permitted facility was, at the time, being properly operated [40 CFR §122.41(n)(3)(i)];
 - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b [40 CFR §122.41(n)(3)(iii)]; and
 - d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above [40 CFR §122.41(n)(3)(iv)].
3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof [40 CFR §122.41(n)(4)].

II. STANDARD PROVISIONS – PERMIT ACTION

A. General

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

B. Duty to Reapply

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

C. Transfers

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

III. STANDARD PROVISIONS – MONITORING

- A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity [40 CFR §122.41(j)(1)].
- B. Monitoring results must be conducted according to test procedures under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503 unless other test procedures have been specified in this Order [40 CFR §122.41(j)(4)] [40 CFR §122.44(i)(1)(iv)].

IV. STANDARD PROVISIONS – RECORDS

- A. Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), the Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Central Coast Water Board Executive Officer at any time [40 CFR §122.41(j)(2)].
- B. **Records of monitoring information shall include:**
 - 1. The date, exact place, and time of sampling or measurements [40 CFR §122.41(j)(3)(i)];
 - 2. The individual(s) who performed the sampling or measurements [40 CFR §122.41(j)(3)(ii)];
 - 3. The date(s) analyses were performed [40 CFR §122.41(j)(3)(iii)];
 - 4. The individual(s) who performed the analyses [40 CFR §122.41(j)(3)(iv)];
 - 5. The analytical techniques or methods used [40 CFR §122.41(j)(3)(v)]; and
 - 6. The results of such analyses [40 CFR §122.41(j)(3)(vi)].
- C. **Claims of confidentiality for the following information will be denied [40 CFR §122.7(b)]:**
 - 1. The name and address of any permit applicant or Discharger [40 CFR §122.7(b)(1)]; and
 - 2. Permit applications and attachments, permits and effluent data [40 CFR §122.7(b)(2)].

V. STANDARD PROVISIONS – REPORTING

A. Duty to Provide Information

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

B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Central Coast Water Board, SWRCB, and/or USEPA shall be signed and certified in accordance with paragraph (2.) and (3.) of this provision [40 CFR §122.41(k)].
2. All permit applications shall be signed as follows:
 - a. For a corporation: By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures [40 CFR §122.22(a)(1)];
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively [40 CFR §122.22(a)(2)]; or
 - c. For a municipality, State, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of USEPA) [40 CFR §122.22(a)(3)].
3. All reports required by this Order and other information requested by the Central Coast Water Board, SWRCB, or USEPA shall be signed by a person described in

paragraph (b) of this provision, 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 paragraph (2.) of this provision [40 CFR §122.22(b)(1)];
 - b. The authorization specified either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company (a duly authorized representative may thus be either a named individual or any individual occupying a named position) [40 CFR §122.22(b)(2)]; and
 - c. The written authorization is submitted to the Central Coast Water Board, SWRCB, or USEPA [40 CFR §122.22(b)(3)].
4. If an authorization under paragraph (3.) of this provision 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 paragraph (3.) of this provision must be submitted to the Central Coast Water Board, SWRCB or USEPA prior to or together with any reports, information, or applications, to be signed by an authorized representative [40 CFR §122.22(c)].
5. Any person signing a document under paragraph (2.) or (3.) of this provision shall make the following certification:

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

C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program in this Order [40 CFR §122.41(l)(4)].
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Central Coast Water Board or SWRCB for reporting results of monitoring of sludge use or disposal practices [40 CFR §122.41(l)(4)(i)].
3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or

disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, or as specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Central Coast Water Board [40 CFR §122.41(l)(4)(ii)].

4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order [40 CFR §122.41(l)(4)(iii)].

D. Compliance Schedules

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

E. Twenty-Four Hour Reporting

1. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance [40 CFR §122.41(l)(6)(i)].
2. The following shall be included as information that must be reported within 24 hours under this paragraph [40 CFR §122.41(l)(6)(ii)]:
 - a. Any unanticipated bypass that exceeds any effluent limitation in this Order [40 CFR §122.41(l)(6)(ii)(A)].
 - b. Any upset that exceeds any effluent limitation in this Order [40 CFR §122.41(l)(6)(ii)(B)].
 - c. Violation of a maximum daily discharge limitation for any of the pollutants listed in this Order to be reported within 24 hours [40 CFR §122.41(l)(6)(ii)(C)].
3. The Central Coast Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours [40 CFR §122.41(l)(6)(iii)].

F. Planned Changes

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

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

G. Anticipated Noncompliance

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

H. Other Noncompliance

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting E.3, E.4, and E.5 at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E [40 CFR §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 Central Coast Water Board, SWRCB, or USEPA, the Discharger shall promptly submit such facts or information [40 CFR §122.41(l)(8)].

VI. STANDARD PROVISIONS – ENFORCEMENT

- A. The CWA provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed \$25,000 per day for each violation. The CWA provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500

to \$25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the Clean Water Act, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions [*40 CFR §122.41(a)(2)*] [*CWC 13385 and 13387*].

- B.** Any person may be assessed an administrative penalty by the Central Coast Water Board for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed \$10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$25,000. Penalties for Class II violations are not to exceed \$10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$125,000 [*40 CFR §122.41(a)(3)*].
- C.** The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both [*40 CFR §122.41(j)(5)*].
- D.** The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Order, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both [*40 CFR §122.41(k)(2)*].

VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

A. Non-Municipal Facilities

Existing manufacturing, commercial, mining, and silvicultural dischargers shall notify the Central Coast Water Board as soon as they know or have reason to believe [40 CFR §122.42(a)]:

1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" [40 CFR §122.42(a)(1)]:
 - a. 100 micrograms per liter ($\mu\text{g/L}$) [40 CFR §122.42(a)(1)(i)];
 - b. 200 $\mu\text{g/L}$ for acrolein and acrylonitrile; 500 $\mu\text{g/L}$ for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and 1 milligram per liter (mg/L) for antimony [40 CFR §122.42(a)(1)(ii)];
 - c. Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [40 CFR §122.42(a)(1)(iii)]; or
 - d. The level established by the Central Coast Water Board in accordance with 40 CFR §122.44(f) [40 CFR §122.42(a)(1)(iv)].
2. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" [40 CFR §122.42(a)(2)]:
 - a. 500 micrograms per liter ($\mu\text{g/L}$) [40 CFR §122.42(a)(2)(i)];
 - b. 1 milligram per liter (mg/L) for antimony [40 CFR §122.42(a)(2)(ii)];
 - c. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [40 CFR §122.42(a)(2)(iii)]; or
 - d. The level established by the Central Coast Water Board in accordance with 40 CFR §122.44(f) [40 CFR §122.42(a)(2)(iv)].

B. Publicly-Owned Treatment Works (POTWs)

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

1. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to Sections 301 or 306 of the CWA if it were directly discharging those pollutants [40 CFR §122.42(b)(1)]; and

2. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of the Order [*40 CFR §122.42(b)(2)*].

Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW [*40 CFR §122.42(b)(3)*].

**ATTACHMENT D-1 – CENTRAL COAST WATER BOARD STANDARD PROVISIONS
(JANUARY 1985)**

I. GENERAL PERMIT CONDITIONS:

A. Prohibitions

1. Introduction of "incompatible wastes" to the treatment system is prohibited.
2. Discharge of high-level radiological waste and of radiological, chemical, and biological warfare agents is prohibited.
3. Discharge of "toxic pollutants" in violation of effluent standards and prohibitions established under Section 307(a) of the Clean Water Act is prohibited.
4. "Bypass" and "overflow" of untreated and partially treated waste is prohibited.
5. Discharge of sludge, sludge digester or thickener supernatant, and sludge drying bed leachate to drainage ways, surface waters, or the ocean is prohibited.
6. Introduction of pollutants into the collection, treatment, or disposal system by an "indirect discharger" that:
 - a) inhibit or disrupt the treatment process, system operation, or the eventual use or disposal of sludge; or,
 - b) flow through the system to the receiving water untreated; and,
 - c) cause or "significantly contribute" to a violation of any requirement of this Order, is prohibited.
7. Introduction of "pollutant free" wastewater to the collection, treatment, and disposal system in amounts that threaten compliance with this order is prohibited.

B. Provisions

1. Collection, treatment, and discharge of waste shall not create a nuisance or pollution, as defined by Section 13050 of the California Water Code.
2. All facilities used for transport or treatment of wastes shall be adequately protected from inundation and washout as the result of a 100-year frequency flood.

3. Operation of collection, treatment, and disposal systems shall be in a manner that precludes public contact with wastewater.
4. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed in a manner approved by the Executive Officer.
5. Publicly owned wastewater treatment plants shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Title 23 of the California Administrative Code.
6. After notice and opportunity for a hearing, this order may be terminated for cause, including, but not limited to:
 - a) violation of any term or condition contained in this order;
 - b) obtaining this order by misrepresentation, or by failure to disclose fully all relevant facts;
 - c) a change in any condition or endangerment to human health or environment that requires a temporary or permanent reduction or elimination of the authorized discharge; and,
 - d) a substantial change in character, location, or volume of the discharge.
7. Provisions of this permit are severable. If any provision of the permit is found invalid, the remainder of the permit shall not be affected.
8. After notice and opportunity for hearing, this order may be modified or revoked and reissued for cause, including:
 - a) Promulgation of a new or revised effluent standard or limitation;
 - b) A material change in character, location, or volume of the discharge;
 - c) Access to new information that affects the terms of the permit, including applicable schedules;
 - d) Correction of technical mistakes or mistaken interpretations of law; and,
 - e) Other causes set forth under Sub-part D of 40 CFR Part 122.
9. Safeguards shall be provided to assure maximal compliance with all terms and conditions of this permit. Safeguards shall include preventative and contingency plans and may also include alternative power sources, stand-by generators, retention capacity, operating procedures, or other precautions.

Preventative and contingency plans for controlling and minimizing the affect of accidental discharges shall:

- a) identify possible situations that could cause "upset", "overflow" or "bypass", or other noncompliance. (Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks and pipes should be considered.)
 - b) evaluate the effectiveness of present facilities and procedures and describe procedures and steps to minimize or correct any adverse environmental impact resulting from noncompliance with the permit.
10. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Clean Water Act, or amendments thereto, the Board will revise and modify this Order in accordance with such more stringent standards.
11. Physical Facilities shall be designed and constructed according to accepted engineering practice and shall be capable of full compliance with this order when properly operated and maintained. Proper operation and maintenance shall be described in an Operation and Maintenance Manual. Facilities shall be accessible during the wet-weather season.
12. Production and use of reclaimed water is subject to the approval of the Board. Production and use of reclaimed water shall be in conformance with reclamation criteria established in Chapter 3, Title 22, of the California Administrative Code and Chapter 7, Division 7, of the California Water Code. An engineering report pursuant to section 60323, Title 22, of the California Administrative Code is required and a waiver or water reclamation requirements from the Board is required before reclaimed water is supplied for any use, or to any user, not specifically identified and approved either in this Order or another order issued by this Board.

C. General Monitoring Requirements:

1. Monitoring location, minimum sampling frequency, and sampling method for each parameter shall comply with the Monitoring and Reporting Program of this Order.
2. If results of monitoring a pollutant appear to violate effluent limitations based on a weekly, monthly, 30-day, or six-month period, but compliance or non-compliance cannot be validated because sampling is too infrequent, the frequency of sampling shall be increased to validate the test within the next monitoring period. The increased frequency shall be maintained until the Executive Officer agrees the original monitoring frequency may be resumed.

For example, if copper is monitored annually and results exceed the six-month median numerical effluent limitation in the permit, monitoring of copper must be increased to a frequency of at least once every two months (Section VII.F). If suspended solids are monitored weekly and results exceed the weekly average numerical limit in the permit, monitoring of suspended solids must be increased to at least four (4) samples every week (Section VII.B).

3. Water quality analyses performed in order to monitor compliance with this permit shall be by a laboratory certified by the State Department of Health Services for the constituent(s) being analyzed. Bioassay(s) performed in order to monitor compliance with this permit shall be in accord with guidelines approved by the State Water Resources Control Board and the State Department of Fish and Game. If the laboratory used or proposed for use by the discharger is not certified by the California Department of Health Services or, where appropriate, the Department of Fish and Game due to restrictions in the State's laboratory certification program, the discharger shall be considered in compliance with this provision provided:
 - a) Data results remain consistent with results of samples analyzed by the Central Coast Water Board;
 - b) A quality assurance program is used at the laboratory, including a manual containing steps followed in this program that is available for inspections by the staff of the Central Coast Water Board; and,
 - c) Certification is pursued in good faith and obtained as soon as possible after the program is reinstated.
4. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Samples shall be taken during periods of peak loading conditions. Influent samples shall be samples collected from the combined flows of all incoming wastes, excluding recycled wastes. Effluent samples shall be samples collected downstream of the last treatment unit and tributary flow and upstream of any mixing with receiving waters.
5. 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.

D. General Reporting Requirements:

1. Reports of marine monitoring surveys conducted to meet receiving water monitoring requirements of the Monitoring and Reporting Program shall include at least the following information:

- a) A description of climatic and receiving water characteristics at the time of sampling (weather observations, floating debris, discoloration, wind speed and direction, swell or wave action, time of sampling, tide height, etc.).
 - b) A description of sampling stations, including differences unique to each station (e.g., station location, grain size, rocks, shell litter, calcareous worm tubes, evident life, etc.).
 - c) A description of the sampling procedures and preservation sequence used in the survey.
 - d) A description of the exact method used for laboratory analysis. In general, analysis shall be conducted according to paragraph B.1 above, and Attachment D, Federal Standard Provision III.B. However, variations in procedure are acceptable to accommodate the special requirements of sediment analysis. All such variations must be reported with the test results.
 - e) A brief discussion of the results of the survey. The discussion shall compare data from the control station with data from the outfall stations. All tabulations and computations shall be explained.
2. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule shall be submitted within 14 days following each scheduled date unless otherwise specified within the permit. If reporting noncompliance, the report shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance. A second report shall be submitted within 14 days of full compliance.
 3. The "Discharger" shall file a report of waste discharge or secure a waiver from the Executive Officer at least 180 days before making any material change or proposed change in the character, location, or plume of the discharge.
 4. Within 120 days after the discharger discovers, or is notified by the Central Coast Water Board, that monthly average daily flow will or may reach design capacity of waste treatment and/or disposal facilities within four (4) years, the discharger shall file a written report with the Central Coast Water Board. The report shall include:
 - a) the best estimate of when the monthly average daily dry weather flow rate will equal or exceed design capacity; and,

- b) a schedule for studies, design, and other steps needed to provide additional capacity for waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units.

In addition to complying with Attachment D, Federal Standard Provision V.B, the required technical report shall be prepared with public participation and reviewed, approved and jointly submitted by all planning and building departments having jurisdiction in the area served by the waste collection, treatment, or disposal facilities.

5. All "Dischargers" shall submit reports to the:

California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

In addition, "Dischargers" with designated major discharges shall submit a copy of each document to:

Regional Administrator
US Environmental Protection Agency, Region 9
Attention: CWA Standards and Permits Office (WTR-5)
75 Hawthorne Street
San Francisco, California 94105

6. Transfer of control or ownership of a waste discharge facility must be preceded by a notice to the Central Coast Water Board at least 30 days in advance of the proposed transfer date. The notice must include a written agreement between the existing "Discharger" and proposed "Discharger" containing specific date for transfer of responsibility, coverage, and liability between them. Whether a permit may be transferred without modification or revocation and reissuance is at the discretion of the Board. If permit modification or revocation and reissuance is necessary, transfer may be delayed 180 days after the Central Coast Water Board's receipt of a complete permit application. Please also see Attachment D, Federal Standard Provision II.C.
7. Except for data determined to be confidential under Section 308 of the Clean Water Act (excludes effluent data and permit applications), all reports prepared in accordance with this permit shall be available for public inspection at the office of the Central Coast Water Board or Regional Administrator of EPA. Please also see Attachment D, Federal Standard Provision IV.C.
8. By February 1st of each year, the discharger shall submit an annual report to the Central Coast Water Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. The

discharger shall discuss the compliance record and corrective actions taken, or which may be needed, to bring the discharge into full compliance. The report shall address operator certification and provide a list of current operating personnel and their grade of certification. The report shall inform the Board of the date of the Facility's Operation and Maintenance Manual (including contingency plans as described in Provision A.16.), of the date the manual was last reviewed, and whether the manual is complete and valid for the current facility. The report shall restate, for the record, the laboratories used by the discharger to monitor compliance with effluent limits and provide a summary of performance relative to Section B above, *General Monitoring Requirements*.

If the facility treats industrial or domestic wastewater and there is no provision for periodic sludge monitoring in the Monitoring and Reporting Program, the report shall include a summary of sludge quantities, analyses of its chemical and moisture content, and its ultimate destination.

If applicable, the report shall also evaluate the effectiveness of the local source control or pretreatment program using the State Water Resources Control Board's "Guidelines for Determining the Effectiveness of Local Pretreatment Programs."

E. General Pretreatment Provisions

1. Discharge of pollutants by "indirect dischargers" in specific industrial sub-categories (appendix C, 40 CFR Part 403), where categorical pretreatment standards have been established, or are to be established, (according to 40 CFR Chapter 1, Subchapter N), shall comply with the appropriate pretreatment standards:
 - a) By the date specified therein;
 - b) Within three (3) years of the effective date specified therein, but in no case later than July 1, 1984; or,
 - c) If a new indirect discharger, upon commencement of discharge.

F. Enforcement

1. Any person failing to file a report of waste discharge or other report as required by this permit shall be subject to a civil penalty not to exceed \$5,000 per day.
2. Upon reduction, loss, or failure of the treatment facility, the "Discharger" shall, to the extent necessary to maintain compliance with this permit, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided.

G. Definitions [Not otherwise included in Attachment A to this Order]:

1. "Bypass" means the diversion of waste streams from any portion of a treatment facility.
2. A "composite sample" is a combination of no fewer than eight (8) individual samples obtained at equal time intervals (usually hourly) over the specified sampling (composite) period. The volume of each individual sample is proportional to the flow rate at the time of sampling. The period shall be specified in the Monitoring and Reporting Program ordered by the Executive Officer.
3. "Daily Maximum" limit means the maximum acceptable concentration or mass emission rate of a pollutant measured during a calendar day or during any 24-hour period reasonably representative of the calendar day for purposes of sampling. It is normally compared with results based on "composite samples" except for ammonia, total chlorine, phenolic compounds, and toxicity concentration. For all exceptions, comparisons will be made with results from a "grab sample".
4. "Duly Authorized Representative" is one where:
 - a) the authorization is made in writing by a person described in the signatory paragraph of Attachment D, Federal Standard Provision V.B;
 - b) the authorization specifies either an individual or the occupant of a position having either responsibility for the overall operation of the regulated facility, such as the plant manager, or overall responsibility for environmental matters of the company; and,
 - c) the written authorization was submitted to the Central Coast Water Board.
5. A "grab sample" is defined as any individual sample collected in less than 15 minutes. "Grab samples" shall be collected during peak loading conditions, which may or may not be during hydraulic peaks. It is used primarily in determining compliance with the daily maximum limits identified in Section VII.C. and instantaneous maximum limits identified in Section VII.D.
6. "Hazardous substance" means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act.
7. "Incompatible wastes" are:
 - 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 is specifically designed to accommodate such wastes;
 - c) Solid or viscous wastes in amounts which cause obstruction to flow in sewers, or which cause other interference with proper operation of treatment works;
 - d) Any waste, including oxygen demanding pollutants (BOD, etc), released in such volume or strength as to cause inhibition or disruption in the treatment works and subsequent treatment process upset and loss of treatment efficiency; and,
 - e) Heat in amounts that inhibit or disrupt biological activity in the treatment works or that raise influent temperatures above 40°C (104°F) unless the treatment works is designed to accommodate such heat.
8. "Indirect Discharger" means a non-domestic discharger introducing pollutants into a publicly owned treatment and disposal system.
9. "Log Mean" is the geometric mean. Used for determining compliance of fecal or total coliform populations, it is calculated with the following equation:

$$\text{Log Mean} = (C_1 \times C_2 \times \dots \times C_n)^{1/n}$$

in which "n" is the number of days samples were analyzed during the period and any "C" is the concentration of bacteria (MPN/100 ml) found on each day of sampling. "n" should be five or more.

10. "Mass emission rate" is a daily rate defined by the following equations:

$$\text{mass emission rate (lbs/day)} = 8.34 \times Q \times C; \text{ and,}$$

$$\text{mass emission rate (kg/day)} = 3.79 \times Q \times C,$$

where "C" (in mg/l) is the measured daily constituent concentration or the average of measured daily constituent concentrations and "Q" (in MGD) is the measured daily flow rate or the average of measured daily flow rates over the period of interest.

11. The "Maximum Allowable Mass Emission Rate," whether for a month, week, day, or six-month period, is a daily rate determined with the formulas in paragraph F.10, above, using the effluent concentration limit specified in the permit for the period and the average of measured daily flows (up to the allowable flow) over the period.

12. "Maximum Allowable Six-Month Median Mass Emission Rate" is a daily rate determined with the formulas in paragraph F.10, above, using the "six-month Median" effluent limit specified in the permit, and the average of measured daily flows (up to the allowable flow) over a 180-day period.
13. "Median" is the value below which half the samples (ranked progressively by increasing value) fall. It may be considered the middle value, or the average of two middle values.
14. "Monthly Average" (or "Weekly Average", as the case may be) is the arithmetic mean of daily concentrations or of daily mass emission rates over the specified 30-day (or 7-day) period

$$\text{Average} = (X_1 + X_2 + \dots + X_n) / n$$

in which "n" is the number of days samples were analyzed during the period and "X" is either the constituent concentration (mg/l) or mass emission rate (kg/day or lbs/day) for each sampled day. "n" should be four or greater.

15. "Municipality" means a city, town, borough, county, district, association, or other public body created by or under state law and having jurisdiction over disposal of sewage, industrial waste, or other waste.
16. "Overflow" means the intentional or unintentional diversion of flow from the collection and transport systems, including pumping facilities.
17. "Discharger", as used herein, means, as appropriate: (1) the Discharger, (2) the local sewerage entity (when the collection system is not owned and operated by the Discharger), or (3) "indirect discharger" (where "Discharger" appears in the same paragraph as "indirect discharger", it refers to the discharger.)
18. "Pollutant-free wastewater" means inflow and infiltration, storm waters, and cooling waters and condensates which are essentially free of pollutants.
19. "Primary Industry Category" means any industry category listed in 40 CFR Part 122, Appendix A.
20. "Removal Efficiency" is the ratio of pollutants removed by the treatment unit to pollutants entering the treatment unit. Removal efficiencies of a treatment plant shall be determined using "Monthly averages" of pollutant concentrations (C, in mg/l) of influent and effluent samples collected about the same time and the following equation (or its equivalent):

$$C_{\text{Effluent}} \text{ Removal Efficiency (\%)} = 100 \times (1 - C_{\text{effluent}} / C_{\text{influent}})$$

21. "Severe property damage" means substantial physical damage to property, damage to treatment facilities which causes them to become inoperable, or substantial and permanent loss to natural resources which can reasonably be expected to occur in the absence of a "bypass". It does not mean economic loss caused by delays in production.
22. "Sludge" means the solids, residues, and precipitates separated from, or created in, wastewater by the unit processes of a treatment system.
23. To "significantly contribute" to a permit violation means an "indirect discharger" must:
 - a) Discharge a daily pollutant loading in excess of that allowed by contract with the "Discharger" or by Federal, State, or Local law;
 - b) Discharge wastewater which substantially differs in nature or constituents from its average discharge;
 - c) Discharge pollutants, either alone or in conjunction with discharges from other sources, which results in a permit violation or prevents sewage sludge use or disposal; or
 - d) Discharge pollutants, either alone or in conjunction with pollutants from other sources, that increase the magnitude or duration of permit violations.
24. "Toxic Pollutant" means any pollutant listed as toxic under Section 307 (a) (1) of the Clean Water Act or under 40 CFR Part 122, Appendix D. Violation of maximum daily discharge limitations are subject to 24-hour reporting (Attachment D, Federal Standard Provision V.E.).
25. "Upset" means an exceptional incident causing noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Discharger. It does not include noncompliance caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.
26. "Zone of Initial Dilution" means the region surrounding or adjacent to the end of an outfall pipe or diffuser ports whose boundaries are defined through calculation of a plume model verified by the State Water Resources Control Board.

ATTACHMENT E – MONITORING AND REPORTING PROGRAM – TABLE OF CONTENTS

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

NPDES regulations at 40 CFR 122.48 require that all NPDES permits specify monitoring and reporting requirements. CWC Sections 13267 and 13383 also authorize the Central Coast Water Board to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements to implement the federal and California regulations. See attachments D and D-1 for additional monitoring requirements.

I. GENERAL MONITORING PROVISIONS

- A. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring locations specified below and, unless otherwise specified, before the monitored flow joins or is diluted by any other waste stream, body of water, or substance. Monitoring locations shall not be changed without notification to and approval of the Central Coast Water Board.

- B. Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than ± 10 percent from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration, and operation of acceptable flow measurement devices can be obtained from the following references.
 1. *A Guide to Methods and Standards for the Measurement of Water Flow*, U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 421, May 1975, 96 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by SD Catalog No. C13.10:421.)
 2. *Water Measurement Manual*, U.S. Department of Interior, Bureau of Reclamation, Second Edition, Revised Reprint, 1974, 327 pp. (Available from the U.S. Government Printing Office, Washington D.C. 20402. Order by Catalog No. 172.19/2:W29/2, Stock No. S/N 24003-0027.)
 3. *Flow Measurement in Open Channels and Closed Conduits*, U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 484, October 1977, 982 pp. (Available in paper copy or microfiche from National Technical Information Services (NTIS) Springfield, VA 22151. Order by NTIS No. PB-273 535/5ST.)
 4. *NPDES Compliance Sampling Manual*, U.S. Environmental Protection Agency, Office of Water Enforcement, Publication MCD-51, 1977, 140 pp. (Available from the General Services Administration (8FFS), Centralized Mailing Lists Services, Building 41, Denver Federal Center, CO 80225.)

- C. All analyses shall be performed in a laboratory certified to perform such analyses by the California Department of Health Services.
- D. 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. All flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices.
- E. Monitoring results, including noncompliance, shall be reported at intervals and in a manner specified in this MRP.
- F. Unless otherwise specified by this MRP, all monitoring shall be conducted according to test procedures established at 40 CFR 136, *Guidelines Establishing Test Procedures for Analysis of Pollutants*. All analyses shall be conducted using the lowest practical quantitation limit achievable using the specified methodology. Where effluent limitations are set below the lowest achievable quantitation limits, pollutants not detected at the lowest practical quantitation limits will be considered in compliance with effluent limitations. Analysis for toxics listed by the California Toxics Rule shall also adhere to guidance and requirements contained in the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (2005).

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 II-A–Monitoring Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description ^a
Influent	M-INF	Influent wastewater, and following all significant inputs to the collection system of untreated wastewater and inflow and infiltration
001	M-001	Outfall to San Miguelito Creek at 34° 39' 47" N and 120° 28' 55" W
Receiving Water	R-001	Upstream from Outfall 001 at V Street and Central Avenue
Receiving Water	R-002	Downstream approximately 20 yards from Outfall 001
Groundwater	GW-001	Located at the center of the southern perimeter of the LRWRP property line
Groundwater	GW-002	Located at the western perimeter of the LRWRP property line
Groundwater	GW-003	Located at 1641 West Central Avenue

a - include Latitude and Longitude, when available

III. INFLUENT MONITORING REQUIREMENTS

A. Monitoring Location M-INF

- The Discharger shall monitor influent to the wastewater treatment facility at Monitoring Location M-INF as follows.

Table III-A–Influent Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow Volume	MGD	continuous	daily
BOD ₅ ^a	mg/L	24-hr composite	monthly
TSS ^b	mg/L	24-hr composite	monthly

^a 5-day biochemical oxygen demand. BOD5 shall be monitored in influent at the same time as that parameter is monitored in effluent.

^b Total suspended solids

IV. EFFLUENT MONITORING REQUIREMENTS

A. Monitoring Location M-001

- The Discharger shall monitor treated wastewater at Monitoring Location M-001 as follows.

Table IV-A–Effluent Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency
Daily flow	MGD	metered	daily
Instantaneous Max. Flow	MGD	metered	daily
Maximum Daily Flow	MGD	metered	daily
Mean Daily Flow	MGD	metered	daily
pH ^a	stnd units	metered	continuous
Total Residual Chlorine ^e	mg/L	Metered (after dechlorination)	continuous
Chlorine Used	lbs/day	recorded	daily
BOD ₅	mg/L	24-hr composite	weekly
TSS	mg/L	24-hr composite	weekly
Settleable Solids	ml/L	grab	5 days / week
Dissolved Oxygen	mg/L	grab	weekly
Temperature ^a	° C	grab	5 days / week
Total Coliform Bacteria	MPN/100 mL	grab	5 days /week
TDS ^g	mg/L	24-hr composite	quarterly
Sodium ^g	mg/L	24-hr composite	quarterly
Chloride ^g	mg/L	24-hr composite	quarterly
Sulfate	mg/L	24-hr composite	quarterly
Boron	mg/L	24-hr composite	quarterly
Nitrate (as N)	mg/L	24-hr composite	monthly
Nitrite (as N)	mg/L	24-hr composite	quarterly
Organic Nitrogen (as N)	mg/L	24-hr composite	quarterly
Total Ammonia (as N) ^a	mg/L	grab	weekly
Unionized Ammonia (as N)	mg/L	calculated	weekly
Turbidity	NTUs	24-hr composite	monthly
Hardness (as CaCO ₃)	mg/L	24-hr composite	quarterly
Oil and Grease	mg/L	grab	quarterly ^f
Color	color units	24-hr composite	quarterly
Total Phosphorus	mg/L P	24-hr composite	quarterly
Chronic Toxicity ^b	TUc	grab	quarterly
Acute Toxicity ^b	% survival	grab	monthly
Copper	µg/L	grab	semiannual
Mercury	µg/L	grab	semiannual
Chlorodibromomethane	µg/L	grab	annual
Dichlorobromomethane	µg/L	grab	annual
Molybdenum	µg/L	grab	annual
CTR Pollutants ^c	µg/L	grab	annual
Title 22 Pollutants ^d	µg/L	grab	annual

^a Temperature and pH shall be measured simultaneously with the sample taken for measurement of total ammonia. Results shall be used to calculate un-ionized ammonia concentration.

- b. Acute and chronic toxicity monitoring shall be conducted according to methods described in Section V of this MRP, below.
- c. Those pollutants listed as Compound Nos. 1 – 126 by the California Toxics Rule at 40 CFR 131.38. Monitoring for the CTR pollutants in effluent shall occur simultaneously with monitoring required for the CTR pollutants in receiving water.
- d. Those pollutants with primary maximum contaminant levels (MCLs) specified by the Department of Health Services in Tables 64431-A (Primary MCLs for Inorganic Chemicals) and 64444-A (Primary MCLs for Organic Chemicals) of Title 22 California Code of Regulations, Division 4, and Chapter 15. Monitoring for the Title 22 pollutants in effluent shall occur simultaneously with monitoring required for the Title 22 pollutants in receiving water. Only one sample is required for constituents that are found in both Title 22 regulations and CTR.
- e. The discharger shall review continuous monitoring data and submit a summary (chlorine residual daily minimum, maximum, mean) to the Central Coast Water Board with monthly monitoring reports. Grab samples for compliance with effluent limits may be collected at the last accessible measurement location before discharge to San Miguelito Creek.
- f. Sampling frequency will increase to monthly if oil and grease effluent limitations are exceeded.
- g. Compliance is based on 12-month running mean.

V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

A. Acute Toxicity

Acute toxicity testing shall be performed using U.S. EPA Method 2001.0 (fathead minnow) in accordance with procedures described by *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, Fifth Edition, U.S. EPA Office of Water, EPA-821-R-02-012 (2002) or the latest edition.

The presence of acute toxicity is identified by significantly reduced survival, as determined by a t-test (or another test consistent with the procedures described by *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, Fifth Edition, U.S. EPA Office of Water, EPA-821-R-02-012 (2002) or the latest edition), of test organisms in 100 percent effluent compared to a control sample.

When toxicity monitoring finds acute toxicity in the effluent above the limitation established by Order No. R3-2006-0037, the Discharger shall immediately resample the effluent, if the discharge is continuing, and retest for acute toxicity. Results of the initial failed test and any toxicity monitoring results subsequent to the failed test shall be reported as soon as reasonable to the Executive Officer (EO). The EO will determine whether to initiate enforcement action, whether to require the Discharger to implement toxicity reduction evaluation (TRE) requirements, or to implement other measures.

The presence of effluent acute toxicity is represented by the statistically significant mortality of the test organism in the wastewater sample compared with their mortality in the control sample using the t-test and 95 percent confidence. Monthly test results meeting these criteria will be given a "Pass" (P) rating, and those not, will be given a "Fail" (F) rating.

B. Chronic Toxicity

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 (2002), EPA-821-R-02-013 or subsequent editions.

Chronic toxicity measures a sub-lethal effect (e.g., reduced growth) to experimental test organisms exposed to an effluent compared to that of the control organisms. The no observed effect concentration (NOEC) is the maximum tested concentration in a medium which does not cause known adverse effects upon chronic exposure in the species in question (i.e. the highest effluent concentration to which organisms are exposed in a chronic test that causes no observable adverse effects on the test organisms; e.g., the highest concentration of a toxicant to which the values for the observed responses are not statistically significantly different from the controls). Examples of chronic toxicity include but are not limited to measurements of toxicant effects on reproduction, growth, and sublethal effects that can include behavioral, physiological, and biochemical effects. Test results shall be reported in TUc, where $TUc = 100/NOEC$. For this discharge, the presence of chronic toxicity at more than 1 TUc shall trigger the Toxicity Reduction Evaluation requirements identified in Section VI.C.2. of this Order.

Test species shall include a vertebrate, an invertebrate, and an aquatic plant. After a three-month screening period, monitoring may be reduced to the most sensitive species. Screening phase chronic toxicity monitoring shall be conducted with the following three species with approved test protocols.

Table V-A– Short-Term Methods for Estimating Chronic Toxicity – Fresh Waters

Species	Scientific Name	Effect	Test Duration
Fathead minnow	<i>Pimephales promelas</i>	Larval survival; growth	7 days
Water flea	<i>Ceriodaphnia dubia</i>	Survival; number of young	6 to 8 days
Alga	<i>Selenastrum capricornutum</i>	Growth rate	4 days

Authorized dischargers shall conduct toxicity tests using effluent dilutions of 100 %, 85 %, 70 %, 50 %, and 25 %. Dilution and control waters shall be obtained from an area of the receiving waters, typically upstream, which is unaffected by the discharge. Standard dilution water can be used, if the receiving water itself exhibits toxicity or if approved by the Central Coast Water Board. If the dilution water used in testing is different from the water in which the test organisms were cultured, a second control sample using culture water shall be tested.

The sensitivity of test organisms to a reference toxicant shall be determined concurrently with each bioassay and reported with the test results.

C. Toxicity Reporting

1. The Discharger shall include a full report of toxicity test results with the regular monthly monitoring report and include the following information.
 - a. toxicity test results,
 - b. dates of sample collection and initiation of each toxicity test, and
 - c. acute and/or chronic toxicity discharge limitations (or value).
2. Toxicity test results shall be reported according to the appropriate guidance - *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, Fifth Edition, U.S. EPA Office of Water, EPA-821-R-02-012 (2002) or the latest edition, or *Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, Fourth Edition (2002), EPA-821-R-02-013 or subsequent editions.
3. If the initial investigation TRE workplan is used to determine that additional (accelerated) toxicity testing is unnecessary, these results shall be submitted with the monitoring report for the month in which investigations conducted under the TRE workplan occurred.
4. Within 14 days of receipt of test results exceeding an acute or chronic toxicity discharge limitation, the Discharger shall provide written notification to the Executive Officer of:
 - a. Findings of the TRE or other investigation to identify the cause(s) of toxicity,
 - b. Actions the Discharger has taken/will take, to mitigate the impact of the discharge and to prevent the recurrence of toxicity.

When corrective actions, including a TRE, have not been completed, a schedule under which corrective actions will be completed, will be implemented. If corrective actions have not been taken, then a reason shall be provided.

VI. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

A. Monitoring Locations R-001 and R-002

1. The Discharger shall monitor receiving water at Monitoring Locations R-001 (when flow exists) and R-002 as follows.

Table VI-A–Surface Water Monitoring Requirements

Parameter	Units	Sample Type	Monitoring Locations	Minimum Sampling Frequency
Flow	MG ^f	Estimated	R-001 and R-002	quarterly
pH	stnd units	grab	R-001 and R-002	quarterly
Temperature	° C	grab	R-001 and R-002	quarterly
Turbidity	NTUs	grab	R-001 and R-002	quarterly
Color	stnd units	grab	R-001 and R-002	quarterly
Dissolved Oxygen	mg/L % saturation	grab	R-001 and R-002	quarterly
TDS	mg/L	grab	R-001 and R-002	quarterly
Chloride	mg/L	grab	R-001 and R-002	quarterly
Sulfate	mg/L	grab	R-001 and R-002	quarterly
Sodium	mg/L	grab	R-001 and R-002	quarterly
Fecal coliform ^e	MPN/100 ml	grab	R-001 and R-002	quarterly
Boron	mg/L	grab	R-001 and R-002	quarterly
Nitrate (as N)	mg/L	grab	R-001 and R-002	quarterly
Methylene Blue Activated Substances ^d	mg/L	grab	R-001 and R-002	annual
Total Ammonia (as N)	mg/L	grab	R-001 and R-002	quarterly
Unionized Ammonia (as N)	mg/L	calculated	R-001 and R-002	quarterly
Hardness (as CaCO ₃)	mg/L	grab	R-001	quarterly
Acute Toxicity ^a	pass/fail	grab	R-001	quarterly
CTR Pollutants ^b	µg/L	grab	R-001	annual
Title 22 Pollutants ^c	µg/L	grab	R-001	annual

^a Acute toxicity testing in receiving water shall be conducted concurrently with acute toxicity testing in effluent.

^b Those pollutants listed as Compound Nos. 1 – 126 by the California Toxics Rule at 40 CFR 131.38. Monitoring of receiving water for the CTR pollutants shall occur simultaneously with effluent monitoring for the CTR pollutants (Table IV-1 of the MRP).

^c Those pollutants with primary maximum contaminant levels (MCLs) specified by the Department of Health Services in Tables 64431-A (Primary MCLs for Inorganic Chemicals) and 64444-A (Primary MCLs for Organic Chemicals) of Title 22 California Code of Regulations, Division 4, Chapter 15. Monitoring of receiving water for the Title 22 pollutants shall occur simultaneously with effluent monitoring for the CTR pollutants.

^d Monitoring frequency shall be decreased to twice during the permit cycle if initial sample results do not exceed Basin Plan Objectives set forth in Section II.A.2.a.

^e Based on a minimum of five samples for any 30-day period.

^f CFS and gpm are also accepted measurements in place of MGD.

B. Monitoring Location GW-001, GW-002, and GW-003

1. The Discharger shall monitor groundwater at GW-001, GW-002, and GW-003 as follows. After depth to groundwater has been measured, wells shall be purged before samples are collected for analysis.

Table VIII-B—Groundwater Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency
Depth to Groundwater	Feet	Measured	semiannually (April and Oct)
Nitrate as N	mg/L	grab	semiannually (April and Oct)
TDS	mg/L	grab	semiannually (April and Oct)
Sodium	mg/L	grab	semiannually (April and Oct)
Chloride	mg/L	grab	semiannually (April and Oct)
Sulfate	mg/L	grab	semiannually (April and Oct)
Boron	mg/L	grab	semiannually (April and Oct)
pH	stnd units	grab	semiannually (April and Oct)
Total Coliform Bacteria	MPN/100ml	grab	semiannually (April and Oct)
Title 22 Pollutants ^a	µg/L	grab	semiannually (April and Oct)

^a Groundwater shall not contain concentrations of chemical constituents in excess of the primary maximum contaminant levels (MCLs) specified for drinking water in Table 64431-A (Primary MCLs for Inorganic Chemicals) and Table 64444-A (Primary MCLs for Organic Chemicals) of Title 22 California Code of Regulations, Division 4, and Chapter 15.

VII. OTHER MONITORING REQUIREMENTS

A. Biosolids Monitoring

1. The Discharger shall collect a representative sample of wastewater sludge from the last point in the handling process and perform the following analyses one time per year. Records shall be maintained to show that sludge samples are representative of sludge from the LRWRP.

Table VII-A—Biosolids Monitoring

Pollutant	Units	Sample Type	Minimum Sampling Frequency
Quantity and Disposal Location	tons or yds ³	measured	annual
Moisture Content	percent	grab	annual
Total Kjeldahl Nitrogen (TKN)	mg/kg ^a	grab	annual
Ammonia (as N)	mg/kg ^a	grab	annual
Nitrate (as N)	mg/kg ^a	grab	annual
Total Phosphorous	mg/kg ^a	grab	annual
pH	stnd units	grab	annual
Oil & Grease	mg/kg ^a	grab	annual
Arsenic	mg/kg ^a	grab	annual

Pollutant	Units	Sample Type	Minimum Sampling Frequency
Cadmium	mg/kg ^a	grab	annual
Chromium	mg/kg ^a	grab	annual
Copper	mg/kg ^a	grab	annual
Lead	mg/kg ^a	grab	annual
Mercury	mg/kg ^a	grab	annual
Molybdenum	mg/kg ^a	grab	annual
Nickel	mg/kg ^a	grab	annual
Selenium	mg/kg ^a	grab	annual
Zinc	mg/kg ^a	grab	annual

^a Results shall be reported on a dry weight basis

2. In addition to the monitoring results required by Section IX.A.1., above, the Discharger shall report the following information in its Annual Report.
 - a. Annual production of biosolids in dry tons.
 - b. Percent solids content of biosolids which leave the site.
 - c. A schematic diagram showing solids handling facilities, including temporary and final storage areas. Include a narrative description of solids treatment and performance.
 - d. A description of disposal methods, including
 - i. For landfill disposal: tons placed in the landfill; the Central Coast Water Board's WDR numbers that regulate the landfill; the present classification of the landfill; and the names and locations of the landfills which receive biosolids.
 - ii. For land application: tons land applied; location of the land application sites; the Central Coast Water Board's WDR numbers that regulate the land application sites; the application rates in lbs/acre/year (specify the weight basis – e.g., dry weight or percent solids); and the subsequent uses of the land.

VIII. REPORTING REQUIREMENTS

A. General Monitoring and Reporting Requirements

1. The Discharger shall comply with all Standard Provisions (Attachment D and D-1) related to monitoring, reporting, and recordkeeping.
2. Pretreatment Reporting

By February 1st of each year, the Discharger shall submit an Annual Report to the State Water Board, Central Coast Water Board and U.S. EPA describing the

Discharger's pretreatment activities over the previous 12 months. In the event that the Discharger is not in compliance with any condition or requirement of this Order and permit pertaining to pretreatment, including any noncompliance with pretreatment audit or compliance inspection requirements, then the Discharger shall also include the reasons for noncompliance and state how and when the Discharger will comply with such conditions and requirements. This 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 plant's effluent and sludge as provided in the relevant sections of this Monitoring and Reporting Program. The Discharger shall also provide any influent, effluent or sludge monitoring data for nonpriority 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 Part 136 and amendments thereto.
- b. A discussion of upset, interference, or pass-through incidents, if any, at the POTW, which the Discharger knows or suspects, were caused by industrial users of the POTW system. The discussion shall include the reasons why incidents occurred, corrective actions taken and, if known, name and address of the industrial user(s), responsible. Discussions shall also include a review of 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.
- c. The cumulative number of industrial users that the Discharger has notified regarding Baseline Monitoring Reports and the cumulative number of industrial user responses.
- d. An updated list of the Discharger's industrial users, including their names and addresses, or a list of deletions and additions keyed to a previously submitted list. The Discharger shall provide a brief explanation for each deletion. The list shall identify the industrial users subject to Federal Categorical Standards by specifying which set(s) of standards are applicable. The list shall indicate which categorical industries, or specific pollutants from each industry, are subject to local limitations that are more stringent than the Federal Categorical Standards. The Discharger shall also list the non-categorical industrial users that are subject only to local discharge limitations. The Discharger shall characterize the compliance status of each industrial user by employing the following descriptions.
 - i. In compliance with Baseline Monitoring Report requirements (where applicable);
 - ii. Consistently achieving compliance;

- iii. Inconsistently achieving compliance;
- iv. Significantly violated applicable pretreatment requirements defined by 40 CFR 403.8 (f) (2) (vii);
- v. On a schedule to achieve compliance (include the date final compliance is required);
- vi. Not achieving compliance and not on a compliance schedule; or
- vii. The Discharger does not know the industrial user's compliance status.

A report describing the compliance status of any industrial user characterized by descriptions in Items iv. 4(c) through (g), above, shall be submitted quarterly from the annual report date to the State Board, Central Coast Water Board and U.S. EPA. The report shall identify the specific compliance status of each such industrial user. This quarterly reporting requirement shall commence upon issuance of this Order and Permit. Quarterly reports shall be submitted May 1, August 1, and November 1. The fourth quarter report shall be incorporated in the Annual Report (February 1). Quarterly reports shall briefly describe POTW compliance with audit/pretreatment compliance inspection requirements. If none of the aforementioned conditions exist, at a minimum, a letter indicating that all industries are in compliance and no violations or changes to the pretreatment program have occurred during the quarter must be submitted.

- viii. A summary of inspection and sampling activities conducted by the Discharger during the past year to gather information and data regarding industrial users. The summary shall include:
 - (a) Names and addresses of the industrial users subject to surveillance by the discharger and an explanation of whether they were inspected, sampled, or both and the frequency of these activities at each user; and
 - (b) Conclusions or results from the inspection or sampling of each industrial user.
- ix. A summary of compliance and enforcement activities during the past year. The summary shall include names and addresses of the industrial users affected by the following actions.
 - (a) Warning letters or notices of violation regarding the industrial users' apparent noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user, identify whether the apparent violation concerned the Federal Categorical Standards or local discharge limitations;

- (b) Administrative Orders regarding the industrial users' noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user, identify whether the violation concerned the Federal Categorical Standards or local discharge limitations;
 - (c) Civil actions regarding the industrial users' noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user, identify whether the violation concerned the Federal Categorical Standards or local discharge limitations;
 - (d) Criminal actions regarding the industrial users' noncompliance with Federal Categorical Standards or local discharge limitations. For each industrial user, identify whether the violation concerned Federal Categorical Standards or local discharge limitations;
 - (e) Assessment of monetary penalties. For each industrial user, identify the amount of the penalties;
 - (f) Restriction of flow to the POTW; or
 - (g) Disconnection from discharge to the POTW.
- x. Description of any significant changes in operating the pretreatment program, which differ from the information in the Discharger's Approved POTW Pretreatment Program including, but not limited to changes concerning: the program's administrative structure; local industrial discharge limitations; monitoring program or monitoring frequencies; legal authority or enforcement policy; finding mechanisms; resource requirements; or staffing levels.
 - xi. A summary of the annual pretreatment budget, including the costs of pretreatment program functions and equipment purchases.
 - xii. A summary of public participation activities to involve and inform the public.
 - xiii. A description of any changes in sludge disposal methods and a discussion of any concerns not described elsewhere in the report.

Reports shall be signed by a principal Executive Officer, ranking elected official, or other duly authorized employee if such employee is responsible for overall operation of the POTW. Signed copies of these reports shall be submitted to the Regional Administrator and the State at the following addresses:

State Water Quality Control Board
 Central Coast Region
 895 Aerovista Place, Suite 101
 San Luis Obispo, CA 93401-7906

Pretreatment & Compliance Section
 U.S. EPA Region 9
 Attn: W-5-2
 75 Hawthorne Street
 San Francisco, CA 94105

State Water Resources Control Board
 Div. of Water Quality, Pretreatment Unit
 1001 I Street
 Sacramento, CA 95812.

B. Self Monitoring Reports (SMRs)

1. At any time during the term of this permit, the State or Central Coast Water Board may notify the Discharger to electronically submit SMRs. Electronic submissions shall be conducted through the State Water Board's California Integrated Water Quality System (CIWQS) Program Web Site (<http://www.waterboards.ca.gov/ciwqs/index.html>). The CIWQS Web Site will provide additional directions for SMR submittal in the event there will be service interruption for electronic submittal. Until such notification is given, the Discharger shall submit hard copy SMRs.
2. The Discharger shall submit monthly SMRs, which include the results of all required monitoring using U.S. EPA-approved test methods or other test methods specified in this Order. Monthly reports shall be due on the 1st day of the second month following the end of each calendar month.
3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule.

Table VIII-A-Reporting Table

Sampling Frequency	Monitoring Period Begins	Monitoring Period	SMR Due Date
Continuous	July 7, 2006	All	-
Daily	July 7, 2006	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	First day of second calendar month following month of sampling
Weekly	July 9, 2006	Sunday through Saturday	First day of second calendar month following month of sampling
Monthly	August 1, 2006	First day of calendar month through last day of calendar month	First day of second calendar month following month of sampling
Quarterly	October 1, 2006	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	May 1 August 1 November 1 February 1
Semi-Annually	January 1, 2006	January 1 through June 30 July 1 through December 31	August 1 February 1
Annually	January 1, 2006	January 1 through December 31	February 1
2x / Permit Term	-	As specified by the MRP	As specified by the MRP

4. The Discharger shall report with each sample result the applicable Minimum Level (ML) and the current Method Detection Limit (MDL), as determined by the procedure in 40 CFR Part 136.
5. 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.
6. The Discharger shall attach the Monitoring Report Cover Letter (http://www.swrcb.ca.gov/rwqcb3/Permits/Monitoring_Report_Cover_Letter.pdf) to each SMR (i.e., monthly, quarterly, and annual reports). 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.
7. Monitoring reports shall be reported to the Central Coast Water Board on forms approved by the Executive Officer.
8. An Annual Self Monitoring Report shall be due on February 1 following each calendar year and shall include (refer to Section I.D.8. of Attachment D-1):
 - a. All data required by this MRP for the corresponding monitoring period, including appropriate calculations to verify compliance with effluent limitations.
 - b. A discussion of any incident of non-compliance and corrective actions taken.
9. Monitoring requirements of this MRP will be continuously evaluated, and this MRP may be revised at any time during the permit term, as necessary.

C. Discharge Monitoring Reports (DMRs)

1. As described in Section IX.B.1 above, at any time during the term of this permit, the State or Central Coast Water Board Water Board may notify the Discharger to electronically submit self-monitoring reports. Until such notification is given, the Discharger shall submit discharge-monitoring reports (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:

State Water Resources Control Board
Discharge Monitoring Report Processing Center
Post Office Box 671
Sacramento, CA 95812

3. All discharge monitoring results must be reported on the official U.S. EPA pre-printed DMR forms (EPA Form 3320-1). Forms that are self-generated or modified cannot be accepted.

D. Sewage Spill Reporting

1. Sewage spills greater than 1,000 gallons and/or all sewage spills that enter a water body of the State, or occur where public contact is likely, regardless of the size, shall be reported to the Central Coast Water Board by telephone as soon as notification is possible and can be provided without substantially impeding cleanup or other emergency measures, and no later than 24-hours from the time that the Dischargers have knowledge of the overflow.

In accordance with the Statewide Wastewater Collection Systems General Permit, the sewage spill must be reported to the Online Sanitary Sewer Overflow (SSO) Database as soon as possible, but no later than three (3) business days after the discharger is made aware of the SSO.

2. Unless fully contained, sewage spills to storm drains tributary to Waters of the United States shall be reported as discharges to surface waters.
3. The Dischargers shall sample all spills to surface waters to determine their effects on surface waters and submit the data to the Executive Officer in the next monthly monitoring report. Samples shall, at minimum, be analyzed for total and fecal coliform bacteria and enterococcus bacteria for spills to marine water, and fecal coliform bacteria for spills to fresh water. Sampling shall be conducted in the affected receiving water body upstream, at, and downstream of the spill's point of entry, and as necessary to characterize the spill's impact and to ensure adequate clean-up. Upstream monitoring is only required when the discharge is to a creek, stream, or similar open, accessible channel with continuous background flow.
4. Spills under 1,000 gallons that do not enter a water body shall be reported to the Central Coast Water Board in writing and electronically (Excel spreadsheet preferred) within the next monthly monitoring report. Such reports shall include, at a minimum, a tabular summary of spill dates, locations, volumes, whether the spill discharged to surface waters (including conveyances thereto) or land, whether cleanup and/or disinfection was performed, the spill's cause, the number of spills at the location in the last three years, and weather conditions.

In accordance with the Statewide Wastewater Collection Systems General Permit, the sewage spill must be reported to the Online Sanitary Sewer Overflow (SSO) Database 30-days after the end of the calendar month in which the SSO occurs (e.g., all SSOs occurring in the month of January must be entered into the Online SSO database March 1st).

5. The Dischargers shall update the Wastewater Collection System Questionnaire annually. The questionnaire updates may occur through the Online SSO Database at least every 12 months.
6. If no sewage spills occurred during the calendar month, the discharger will provide, within 30 days after the end of the calendar month, a statement through the Online SSO Database certifying that there were no SSOs for the designated month.
7. In accordance with the Governor's Office of Emergency Services (OES) 2002 Fact Sheet regarding the reporting of sewage releases, the California Water Code, commencing with Section 13271, requires that a discharge of sewage to State waters must be reported to OES.
8. To report sewage releases of 1,000 gallons or more (currently the federal reportable quantity) to OES, verbally notify the OES Warning Center at: (800) 852-7550, or (916) 845-8911. The following fax number should be used for follow-up information only: (916) 262-1677. The reportable quantity is subject to revision by the State of California. OES reporting requirements for sewage releases and hazardous materials can be located on the OES Website at www.oes.ca.gov in the California Hazardous Material Spill/Release Notification Guidance. The OES Hazardous Materials Unit staff is available for questions at (916) 845-8741.
9. OES Reporting Exceptions: Notification to OES of an unauthorized discharge of sewage or hazardous substances is not required if: 1) the discharge to State waters is a result of a cleanup or emergency response by a public agency; 2) the discharge occurs on land only and does not affect State waters; or 3) the discharge is in compliance with applicable waste discharge requirements. These exceptions apply only to the Dischargers' responsibility to report to OES, and do not alter the Central Coast Water Board's reporting policies or waste discharge requirements.
10. The discharger shall report SSOs to the Santa Barbara County Environmental Health Services department in accordance with California Health and Safety Code Section 5410 et seq.

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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.

I. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

WDID No.	3 420105001
Discharger	City of Lompoc
Indirect Dischargers	Vandenberg Air Force Base Vandenberg Village Community Services District
Name of Facility	City of Lompoc Regional Wastewater Reclamation Plant
Facility Address	1801 W. Central Ave
	Lompoc, CA 93436
	Santa Barbara County
Facility Contact, Title and Phone	Susan L Halpin, Wastewater Superintendent, (805) 875-8405
Authorized Person to Sign and Submit Reports	Susan L Halpin, Wastewater Superintendent, (805) 875-8405
Mailing Address	P.O. Box 8001, Lompoc, CA 93438-8001
Billing Address	P.O. Box 8001, Lompoc, CA 93438-8001
Type of Facility	POTW
Major or Minor Facility	Major
Threat to Water Quality	2
Complexity	A
Pretreatment Program	Yes
Reclamation Requirements	none
Facility Permitted Flow	5.0 MGD (average dry weather flow)
Facility Design Flow	5.0 MGD (average dry weather flow)
Watershed	Santa Ynez River
Receiving Water	San Miguelito Creek
Receiving Water Type	Inland, fresh water

- A. The City of Lompoc Regional Wastewater Reclamation Plant (hereinafter the Discharger) is the owner and operator of a publicly owned wastewater collection, treatment, and disposal system (i.e., Publicly Owned Treatment Works or POTW) located in the City of Lompoc, Santa Barbara County.
- B. The wastewater treatment facility discharges wastewater to San Miguelito Creek which is tributary to the Santa Ynez River, waters of the United States, and is currently regulated by Order No. 01-87, which was adopted on May 18, 2001.
- 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 November 18, 2005. Central Coast Water Board staff visited

the facility on October 18, 2005, and January 17, 2006, in preparation for reissuing these Waste Discharge Requirements.

II. FACILITY DESCRIPTION

A. Description of Wastewater and Biosolids Treatment and Controls

The City of Lompoc Regional Wastewater Reclamation Plant (LRWRP or Discharger) is located at the northwest corner of the City of Lompoc adjacent to San Miguelito Creek. Constructed in 1976-1977, the LRWRP provides sewerage service to approximately 60,520 municipal and industrial users from the City of Lompoc, Vandenberg Air Force Base, and Vandenberg Village Community Services District. The wastewater generated from the service area is approximately 90 percent domestic and 10 percent from commercial, light industrial and military sources. The design dry weather flow capacity of the LRWRP is 5.0 MGD ADWF, and during the last five years the LRWRP treated an average of 3.41 MGD. The following table describes influent flows to the treatment plant from January 2002 to September 2005.

Table II-F1–Influent Flow Rates

Year	Average Daily Influent Flow Rates (MGD)		
	Min Flow	Max Flow	Average Flow
2002	2.65	4.11	3.40
2003	3.52	4.84	3.31
2004	2.03	5.06	3.44
2005	2.02	6.46	3.49

The Discharger currently operates and retains responsibility for the wastewater collection system within the City of Lompoc, which includes two lift stations. Vandenberg Air Force Base and Vandenberg Village Community Services District retain ownership and direct responsibility for wastewater collection and transport up to the point of discharge to the LRWRP.

From the collection systems, wastewater enters the plant through mechanical bar screens before being pumped to the primary clarifier. Screenings are compacted and disposed of in a landfill. Sludge and grit from the clarifier is pumped through a grit clarifier/washer and then to a gravity sludge thickener; the separated and washed grit is also disposed of in a landfill. Primary clarifier effluent is pumped to the biofilter or trickling filter then to the activated sludge aeration tank for further waste removal and nitrification. Aeration tank effluent settles in three secondary clarifiers. Return activated sludge from the clarifiers is pumped back to the aeration tank. Waste activated sludge from the clarifiers is co-thickened with the primary sludge from the gravity sludge thickener and pumped to the anaerobic digesters for stabilization. Secondary effluent is disinfected with sodium hypochlorite and dechlorinated with calcium thiosulfate. A portion of the plant effluent is reclaimed and used on the site for landscape irrigation.

Thickened sludge and scum is fed to two anaerobic digesters operated in series. Stabilized anaerobic sludge is stored in two sludge lagoons until it is intermittently pumped to the sludge drying bed for dewatering. Dewatered biosolids are then sent to an off-site contractor for co-composting and final reuse. The gas produced by the anaerobic digesters is burned in internal combustion engines to power blowers that provide air to the aeration tank and heat water for the digesters.

In September 2004, the LRWRP began work to upgrade its wastewater treatment plant. The objectives of the plant upgrade project are to ensure compliance with permit limitations, improve the consistency of effluent quality, improve existing facilities, provide state-of-the-art instrumentation and control systems, increase capacity and provide redundancy for some existing facilities. The upgraded plant will include a replaced influent pumping station; grit removal and handling with aerated grit tank, grit classifiers and washers; biological treatment in two parallel oxidation ditches for nitrification and denitrification; secondary clarification in three sedimentation tanks; and ultraviolet disinfection. Final effluent will continue to be discharged at the existing outfall to San Miguelito Creek. Waste activated sludge, as well as scum, will be thickened in two dissolved air flotation thickeners before being anaerobically digested in the existing digesters. New boilers will burn digester gas to heat the digesters.

As of November 2005, the design phase for the upgrade project was 50% complete and final design is scheduled to be completed in April 2006. Construction is scheduled to begin in July 2006 and be completed in August 2008.

B. Discharge Points and Receiving Waters

Effluent is discharged from the LRWRP at Discharge Point 001 to San Miguelito Creek, approximately 400 yards upstream from its confluence with the Santa Ynez River. During dry months, the combined flow of San Miguelito Creek and plant effluent is the only flow in the Santa Ynez River. During high flows, the Santa Ynez River periodically flows over its banks combining with San Miguelito Creek so that the discharge is directly to the Santa Ynez River.

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

Effluent limitations from Order No. 01-87 and representative effluent data (Discharge Point 001) provided by the Discharger in its Report of Waste Discharge of November 18, 2005, are summarized in the following table.

CITY OF LOMPOC REGIONAL WASTEWATER RECLAMATION PLANT
 ORDER NO. R3-2006-0037
 NPDES NO. CA0048127

Monitoring Data

Pollutant	Units	Effluent Limitation				2002			2003			2004			2005		
		Daily Max	Weekly Avg	Monthly Avg	Annual Range	Annual Avg	Annual Range	Annual Avg	Annual Range	Annual Avg	Annual Range	Annual Avg	Annual Range	Annual Avg	Annual Range	Annual Avg	
CBOD ₅	mg/L	85	40	25	3.5-26	8.4	6.3-16.3	9.6	4.2-14.5	8.9	6.5-25.9	11.1					
Suspended Solids	mg/L	90	45	30	3.2-18.4	6.8	5.2-14.4	9.2	3.6-18.6	9.1	4.8-67	9.2					
Turbidity	NTU	20	--	10	2.1-5.3	3.1	2.6-5.5	3.8	2.4-7.0	3.9	2.8-9.8	5.5					
Oil and Grease	mg/L	10	--	5	0.5-1.1	0.7	0.7-2.4	1.3	1.1-1.9	1.4	3-5	4.6					
Unionized Ammonia	mg/L	--	0.025	--	0.0033-0.0474	0.0112	0.0059-0.1070	0.0178	0.0026-0.0219	0.0109	0.0020-0.0570	0.0169					
Total Dissolved Solids	mg/L	--	--	1100 ^a	928-1313	1052	991-1182	1085	967-1199	1096	1020-1074	1058					
Sodium	mg/L	--	--	270 ^a	165-234	198	235-184	207	188-237	213	162-268	215					
Chloride	mg/L	--	--	250 ^a	161-216	197	196-271	210	167-229	212	190-215	203					
Nitrite (as N)	mg/L	10	--	--	0.05-0.5	0.09	0.5-1.44	0.43	0.02-1.75	0.33	1.7-4.44	3.06					
Nitrate + Nitrite (as N)	mg/L	100	--	--	0.50-24.95	18.97	0.3-25.41	21.53	17.26-25.57	22.12	21.50-68.84	38.72					
Total Coliform	MPN				2-23	8	2-23	8	2-1600	14	2-13	3					
pH	s.u.		6-9		6.3-8.0		6.4-10.0		6.5-7.7		6.5-8.2						
Total Residual Chlorine	mg/L	0.02 ^b	--	--	0.0-0.05	0.001	0.0-0.034	0.0	0.0-1.1	0.008	0.0-3.2	0.032					

^a Compliance based on 12-month running means

^b Compliance determination for total chlorine residual is based on the following conditions.

- The total time during which the total chlorine residual values are above 0.02 mg/L (instantaneous maximum value) shall not exceed 7 hours and 26 minutes in any calendar month.
- No individual excursion from 0.02 mg/L shall exceed 30 minutes
- No individual excursion shall exceed 0.1 mg/L
- When continuous monitoring is not being used, standard compliance guidelines shall be followed (i.e. below 0.02 ppm at all times, measure once a day according to standard provisions).

D. Compliance Summary

Monitoring data for CBOD₅, TSS, turbidity, oil and grease, un-ionized ammonia, TDS, sodium, chloride, total coliform, pH, chlorine, nitrite, and nitrate plus nitrite were generally in compliance with limitations included in Order No. 01-87. A review of data generated during the term of Order No. 01-87 shows the following incidents of non-compliance.

- There was an exceedance for un-ionized ammonia recorded in April 2005(0.0418 mg/L).
- Total dissolved solids (TDS) exceeded the effluent limitation of 1,100 mg/L (12-month running mean) three times during the permit term (June 30, 2004 [1101 mg/L], July 31, 2004 [1103 mg/L], and August 31, 2004 [1101 mg/L]).
- The effluent limitation for total coliform was exceeded during a seven-day period from December 6, 2004, to December 13, 2006, when the median most probable number was 70 MPN.
- A pH excursion of 10.0 s.u. was recorded in November 2003.
- Exceedances of the effluent limitation for total residual chlorine were noted in 37 of 1,313 samples.

The Discharger has received at least seven oral notifications of violation and two mandatory minimum penalty (MMP) orders). Each MMP order had 15 violations ranging from effluent violations to exceedances of Category 1 and Category 2 parameters. Central Coast Water Board staff is currently in the process of drafting an additional MMP complaint in the amount of \$30,000. Violations include total dissolved solids, total chlorine residual, dichlorobromomethane, chlorodibromomethane, and cyanide.

Acute and Chronic Toxicity

Whole effluent, acute and chronic toxicity were monitored quarterly from March 2001 to July 2005. In this period, four effluent samples exceeded the chronic toxicity effluent limitation of 1.0 TUc. Six samples failed (pass/fail based on the t-test at 95 percent confidence) the acute toxicity effluent limitation established by Order No. 01-87. Incidents of non-compliance with acute and chronic toxicity limitations of Order No. 01-87 are summarized in the following table.

Table II-F2– Summary of Effluent Toxicity Non-Compliance

Sample Date	Acute Toxicity ¹	Chronic Toxicity ²
3/26/2001	-	> 10 TUc
3/27/2001	> 1.0 TUa	
4/2/2001	-	1.8 TUc
4/9/2001	-	3.1 TUc
9/13/2002	> 1.0 TUa	-

10/14/2003	-	1.8 TUc
5/19/2004	> 1.0 TUa	-
9/8/2004	> 1.0 TUa	-
9/15/2005	> 1.0 TUa	-
9/21/2005	> 1.0 TUa	-

¹ - Acute toxicity test must achieve a "Pass" in order to comply with Order No. 01-87. Pass/Fail based on a t-test at 95 percent confidence.

² - Chronic toxicity test must achieve a TUc of 1 or less in order to comply with Order No. 01-87.

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 (U.S. EPA) and Chapter 5.5, Division 7 of the California Water Code (CWC). It shall serve as an NPDES permit for point source discharges from this facility to surface waters.

B. California Environmental Quality Act (CEQA)

This action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21100, et seq.) in accordance with CWC Section 13389.

C. State and Federal Regulations, Policies, and Plans

1. **Water Quality Control Plans.** *The Water Quality Control Plan for the Central Coast Region* (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 requires that, with certain exceptions, the Central Coast Water Board assign the municipal and domestic supply use to water bodies that do not have beneficial uses listed in the Basin Plan. Beneficial uses applicable to San Miguelito Creek and the Santa Ynez River, which is the immediate receiving water for this discharge, are identified in Section II. H of the Order.

The Basin Plan establishes the following beneficial uses for groundwater throughout the Region.

- Municipal and Domestic Supply
- Industrial Use
- Agricultural Supply

2. **Thermal Plan.** The State Water Board adopted a *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California* (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains temperature objectives for inland surface waters.
3. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** U.S. EPA adopted the NTR on December 22, 1992, and amended it on May 4, 1995, and November 9, 1999. The CTR was adopted on May 18, 2000, and amended on February 13, 2001. These rules include water quality criteria for priority pollutants and are applicable to this discharge.
4. **State Implementation Policy.** On March 2, 2000, the State 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 applies to discharges of toxic pollutants into the inland surface waters, enclosed bays, and estuaries of California subject to regulation under the State's Porter-Cologne Water Quality Control Act (CWC Division 7) and CWA. The SIP establishes: (1) implementation provisions for priority pollutant criteria promulgated by the U.S. EPA through the NTR and the CTR, and for priority pollutant objectives established by the Central Coast Water Boards in their basin plans, (2) monitoring requirements for 2,3,7,8-TCDD equivalents; and (3) chronic toxicity control provisions. The SIP became effective on April 28, 2000, with respect to the priority pollutant criteria promulgated through the NTR and to the priority pollutant objectives established by the Central Coast Water Boards in their basin plans, with the exception of the provision on alternate test procedures for individual discharges that has been approved by U.S. EPA Regional Administrator. The alternate test procedures provision was effective on May 22, 2000. The SIP became effective on May 18, 2000. The SIP was amended and implemented February 24, 2005 in accordance with Resolution No. 2005-0019. The SIP includes procedures for determining the need for and calculating WQBELs, and requires Dischargers to submit data sufficient to do so.
5. **Antidegradation Policy.** NPDES regulations at 40 CFR 131.12 require that State water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16, which incorporates the requirements of the federal antidegradation policy. State Water Board Resolution No. 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. Data submitted by the Discharger demonstrated that there is no evidence that any constituent for which this permit does not specify an effluent limitation is present in the discharge. Therefore, the permitted discharge is consistent with the antidegradation provision of 40 CFR 131.12 and State Board Resolution No. 68-16.
6. **Anti-Backsliding Requirements.** Sections 402 (o) (2) and 303 (d) (4) of the CWA and federal regulations at 40 CFR 122.44 (l) prohibit backsliding in NPDES permits; i.e., effluent limitations in a reissued permit must be at least as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. Order No. R3-

2006-0037 complies with all anti-backsliding requirements, as effluent limitations in this Order are at least as stringent as effluent limitations in Waste Discharge Requirements Order No. 01-87, with some minor exceptions due only to the appropriate use of rounding the results of effluent limit calculations for this Order and removal of certain CTR effluent limitations.

More specifically, this Order has removed the CTR effluent limitations (except those for mercury, copper, dichlorobromomethane, and chlorodibromomethane, which were found to have reasonable potential in accordance with the SIP) based on (i) Section 303(d)(4) of the CWA, which allows backsliding from water quality based effluent limitations for discharges into waters not listed as impaired under Section 303(d) if the discharge meets anti-degradation requirements, and (ii) 40 CFR 122.44 (l)(2)(i)(B)(1), which states that "a permit may be renewed, reissued, or modified to contain a less stringent effluent limitation applicable to a pollutant, if information is available, which was not available at the time of permit issuance (other than revised regulation, guidance, or test methods) and which have justified the application of a less stringent effluent limitation at the time of permit issuance."

7. **Monitoring and Reporting Requirements.** NPDES regulations at 40 CFR 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. CWC Sections 13267 and 13383 authorize the Central Coast Water Boards to require technical and monitoring reports. The MRP establishes monitoring and reporting requirements to implement federal and State requirements. This MRP is provided in Attachment E.

8. **Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (General Permit).** The General Permit, Order No. 2006-0003-DWQ, was adopted May 2, 2006, and applies to publicly owned sanitary sewer systems (collection systems) that are one mile or greater in length. The General Permit requires collection system entities to develop a Sanitary Sewer Management Plan (SSMP). SSMPs are required to include the following elements: goals; organization; legal authority; operations and maintenance program; design and performance provisions; overflow emergency response plan; fats, oils, and greases (FOG) control program; systems evaluations and capacity assurance program; monitoring, measures, and program modifications; and SSMP Program audit. Additionally, the General Permit requires the collection system entities to report sanitary sewer overflows (SSOs). Collection system entities are required to report SSOs that are greater than 1,000 gallons and discharges to surface waters or storm drains. Furthermore, SSO discharges less than 1,000 gallons must also be reported. Reporting shall occur through the Statewide Online SSO database. Reporting times vary depending on discharge amount and destination.

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

On June 5 and July 25, 2003, the U.S. EPA approved the list of impaired water bodies, prepared by the State Water Resources Control Board pursuant to CWA Section 303 (d) – water bodies which are not expected to meet applicable water quality standards after

implementation of technology-based effluent limitations for point sources. This current 303 (d) list includes the Santa Ynez River as impaired by nitrate, salinity, TDS, chlorides, and sediment.

303 (d) impaired waters are assigned a priority ranking, based on such factors as the severity of the impairment, the potential to restore beneficial uses, and the availability of water quality data, for development of total maximum daily loads (TMDLs) – the determination of the maximum amounts of impairing pollutants which can be discharged from all sources (point and non-point) while maintaining water quality standards. TMDLs must be developed for all 303 (d) listed water bodies.

Total Maximum Daily Loads (TMDLs) addressing impairments to the Santa Ynez River have not been completed. Upon completion of TMDLs, wasteload allocations applicable to the Discharger will be incorporated into the permit.

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. NPDES regulations establish two principal bases for effluent limitations. At 40 CFR 122.44 (a) permits are required to include applicable technology-based limitations and standards; and at 40 CFR 122.44 (d) permits are required to include water quality-based effluent limitations (WQBELs) to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water. When numeric water quality objectives have not been established, but a discharge has the reasonable potential to cause or contribute to an excursion above a narrative criterion, WQBELs may be established using one or more of three methods described at 40 CFR 122.44 (d): 1) WQBELs may be established using a calculated water quality criterion derived from a proposed State criterion or an explicit State policy or regulation interpreting its narrative criterion; 2) WQBELs may be established on a case-by-case basis using U.S. EPA criteria guidance published under CWA Section 304 (a); or 3) WQBELs may be established using an indicator parameter for the pollutant of concern.

A. Discharge Prohibitions

1. Prohibition III A. The discharge of any waste not specifically regulated by the Permit, excluding storm water regulated by General Permit No. CAS000001 (Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities), is prohibited.

This prohibition is retained from Order No. 01-87. Because limitations and conditions of this Order have been prepared based on specific information provided by the Discharger and specific wastes described by the Discharger, the limitations and conditions of this Order may not adequately address waste streams not contemplated during the process of writing the Order. To prevent the discharge of such waste

streams that may be inadequately regulated, Order No. R3-2006-0037 prohibits the discharge of any waste that was not described to the Central Coast Water Board during the process of permit reissuance.

This prohibition has been retained from Order No. 01-87.

2. Prohibition III. B. Discharge of treated wastewater at a location other than Discharge Point 001 (34° 39' 47" N Latitude and 120° 28' 55" W Longitude), as described by this Order, is prohibited, unless the discharge is regulated by General Permit No. CAS000001 or another discharge permit.

Order No. R3-2006-0037 recognizes and authorizes a single point of discharge to waters of the State and the United States. This prohibition reflects the CWA Section 402 prohibition against discharges of pollutants except in compliance with the Act's permit requirements, effluent limitations, and other enumerated provisions.

This prohibition has been retained from Order No. 01-87.

3. Prohibition III. C. The overflow or bypass of wastewater from the Discharger's collection, treatment, or disposal facilities and the subsequent discharge of untreated wastewater, except as provided for in Attachment D, Standard Provision I. G (Bypass), is prohibited.

The discharge of untreated or partially treated wastewater from the Discharger's collection, treatment, or disposal facilities represents an unauthorized bypass pursuant to 40 CFR 122.41 (m) or an unauthorized discharge, which poses a threat to human health and/or aquatic life, and therefore, is explicitly prohibited by the Order.

This prohibition has been retained from Order No. 01-87.

4. Prohibition III. D. Creation of pollution, contamination, or nuisance, as defined by CWC Section 13050 is prohibited.

This prohibition has been retained from Order No. 01-87.

5. Prohibition III. E. The discharge shall not cause or contribute to adverse impacts to beneficial uses of water or to threatened or endangered species and their habitat.

This prohibition has been retained from Order No. 01-87. [response to comment is sufficient, no need to add here. Prohibition III.F. The discharge of radioactive substances is prohibited.

This prohibition has been retained from Order No. 01-87.

6. Adverse affects of the discharge to beneficial uses of water of threatened of endangered species is prohibited.

This prohibition has been retained from Order No. 01-87

B. Technology-Based Effluent Limitations

1. Scope and Authority

The CWA requires that technology-based effluent limitations be established based on several levels of controls.

- Best practicable treatment control technology (BPT) represents the average of the best performance by plants within an industrial category or subcategory. BPT standards apply to toxic, conventional, and nonconventional pollutants.
- Best available technology economically achievable (BAT) represents the best existing performance of treatment technologies that are economically achievable within an industrial point source category. BAT standards apply to toxic and nonconventional pollutants.
- Best conventional pollutant control technology (BCT) represents the level of control from existing industrial point sources of conventional pollutants, including BOD, TSS, fecal coliform, pH, and oil and grease. The BCT standard is established after considering the cost reasonableness of the relationship between the cost of attaining a reduction in effluent discharge and the benefits that would result, and also the cost effectiveness of additional industrial treatment beyond BPT.
- New source performance standards (NSPS) represent the best available demonstrated control technology standards. The intent of NSPS guidelines is to set limitations that represent state-of-the-art treatment technology for new sources.

The CWA requires U.S. EPA to develop effluent limitations, guidelines and standards (ELGs) representing application of BPT, BAT, BCT, and NSPS for specific industrial categories. Where the U.S. EPA has not yet developed ELGs for a particular industry or a particular pollutant, CWA Section 402 (a) (1) and U.S. EPA regulations at 40 CFR 125.3 authorize the use of best professional judgment (BPJ) to derive technology-based effluent limitations on a case-by-case basis. When BPJ is used, the permit writer must consider specific factors outlined at 40 CFR 125.3.

2. Applicable Technology-Based Effluent Limitations

At 40 CFR Part 133, the U.S. EPA has established the level of effluent quality attainable by secondary or equivalent wastewater treatment. The following standards from 40 CFR Part 133 are applicable to the LRWRP and are included in Order No. R3-2006-0037 as effluent limitations.

Table IV-F1–Summary of Technology-Based Effluent Limitations - Discharge Point 001

Parameter	Units	Effluent Limitation		
		Avg Monthly	Avg Weekly	Percent Removal
BOD ₅	mg/L	30	45	85 ^a
TSS	mg/L	30	45	85 ^a

^a The 30-day average percent removal shall not be less than 85 percent.

The inclusion of mass-based effluent limitations for BOD₅ and TSS in the Order reflect the preference for such limitations expressed by NPDES regulations at 40 CFR 122.45 (f). The intent of mass-based effluent limitations in NPDES permits is to prevent the use of dilution as a means to meet concentration-based limitations.

Although NPDES regulations at 40 CFR 133.102 allow the use of BOD₅ limitations, this Order retains limitations for both parameters from Order No. 01-87.

Daily maximum effluent limitations for settleable solids (0.3 ml/L), monthly average and daily maximum effluent limitations for oil and grease (5 and 10 mg/L) and turbidity (10 and 20 NTU) respectively, have been retained from Order No. 01-87. These limitations are also typical standards of performance for secondary treatment facilities and are included as limitations for the Discharger's facility based on the best professional judgment of Central Coast Water Board staff.

The monthly average flow limitation (calculated as daily flow averaged over each month) of 5.0 MGD average dry weather flow is retained from Order No. 01-87 and is intended to ensure that wastewater flows do not exceed the treatment facility's design capacity. LRWRP is currently in the process of upgrading the treatment facility. This upgrade may result in an increased average dry weather flow design capacity of 5.5 MGD. Facility upgrades are described in Section II.A. of this Fact Sheet.

C. Water Quality-Based Effluent Limitations (WQBELs)

1. Scope and Authority

NPDES regulations at 40 CFR 122.44 (d)(1)(i) require permits to include WQBELs for pollutants (including toxicity) that are or may be discharged at levels that cause, have reasonable potential to cause, or contribute to an excursion above any state water quality standard.

2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

Present and potential beneficial uses of San Miguelito Creek and the Santa Ynez River are described in Section II. H of the Order.

Water quality criteria applicable to the receiving waters are included in the NTR and the CTR, which contain numeric criteria for 126 priority, toxic pollutants, and in the

Basin Plan, which contain narrative and numeric criteria for several pollutants and pollutant parameters.

3. Determining the Need for WQBELs

NPDES regulations at 40 CFR 122.44 (d) require effluent limitations to control all pollutants which are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard.

The SIP, statewide policy that became effective on May 22, 2000, establishes procedures to implement water quality criteria from the NTR and CTR and for priority, toxic pollutant objectives established in the Basin Plan. The implementation procedures of the SIP include methods to determine reasonable potential (for pollutants to cause or contribute to excursions above State water quality standards) and to establish numeric effluent limitations, if necessary, for those pollutants, which show reasonable potential.

The SIP Section 1.3 requires the Central Coast Water Board to use all available, valid, relevant, and representative receiving water and effluent data and information to conduct a reasonable potential analysis. Here, the Discharger has collected and analyzed effluent samples for the CTR pollutants and the toxic pollutants with water quality objectives established in the Basin Plan from August 2000, July 2001, July 2002, July 2003, July 2004 and July 2005. Receiving water samples were not collected and analyzed for the toxic pollutants in this time period.

Some freshwater water quality criteria for metals are hardness dependent; i.e., as hardness decreases, the toxicity of certain metals increases and the applicable water quality criteria become correspondingly more stringent. In 20 effluent samples collected between January 2002 and September 2005 the Discharger measured hardness levels between 281 and 353 mg/L CaCO₃. Based on data generated by the Central Coast Water Board's Central Coast Ambient Monitoring Program (<http://www.ccamp.org/>) 16 samples were collected between January 2001 and March 2002 from the Santa Ynez River downstream from the City at Floradale Avenue. Hardness concentrations were measured at levels between 305 and 606 mg/L CaCO₃. The Central Coast Water Board staff has used 281 mg/L CaCO₃ to conduct a reasonable potential analysis, as this figure will be the most protective of aquatic life and is a meaningful hardness concentration to expect in effluent dominated conditions.

To conduct the reasonable potential analysis, the Central Coast Water Board identified the maximum observed effluent (MEC) and background (B) concentrations for each priority, toxic pollutant from receiving water and effluent data provided by the Discharger and compared this data to the most stringent applicable water quality criterion (C) for each pollutant from the NTR, CTR, and the Basin Plan. Section 1.3 of the SIP establishes three triggers for a finding of reasonable potential.

Trigger 1. If the MEC is greater than C, there is reasonable potential, and an effluent limitation is required.

Trigger 2. If B is greater than C, and the pollutant is detected in effluent (MEC > ND), there is reasonable potential, and an effluent limitation is required.

Trigger 3. After reviewing other available and relevant information, a permit writer may decide that a WQBEL is required. Such additional information may include, but is not limited to: the facility type, the discharge type, solids loading analyses, lack of dilution, history of compliance problems, potential toxic impact of the discharge, fish tissue residue data, water quality and beneficial uses of the receiving water, CWA 303 (d) listing for the pollutant, and the presence of endangered or threatened species or their critical habitat.

The reasonable potential analysis for the LRWRP demonstrates reasonable potential for discharges from Outfall No. 001 to cause or contribute to exceedances of applicable water quality criteria for copper, mercury, dichlorobromomethane, chlorodibromomethane and molybdenum. The following table summarizes the reasonable potential analysis for each priority, toxic pollutant that has been measured in effluent since August 2000. No other pollutants with applicable, numeric water quality criteria from the NTR, CTR, and the Basin Plan were measured above detectable concentrations during the five monitoring events conducted by the Discharger since August 2000.

Table IV-F2-Reasonable Potential Analysis Results

Pollutant	C	MEC	B	RPA Result
Total Chromium	11 and 16 µg/L, freshwater aquatic life, chronic and acute criteria for Cr ⁺⁶ from the CTR	1.6 µg/L (7/7/2004)	ND	No
Copper	23 and 37 µg/L, freshwater aquatic life, chronic and acute criteria from the CTR based on receiving water hardness of 281 mg/L CaCO ₃	40 µg/L (8/17/2000)	ND	Yes (MEC > C)
Mercury	0.05 µg/L, human health criterion from the CTR	0.3 µg/L (8/17/200)	ND	Yes (MEC > C)
Nickel	125 and 1,120 µg/L, freshwater aquatic life, chronic and acute criteria from the CTR based on receiving water hardness of 281 mg/L CaCO ₃	2.64 µg/L (7/27/2005)	ND	No
Zinc	288 µg/L, freshwater aquatic life, chronic and acute criteria from the CTR based on receiving water hardness of 281 mg/L CaCO ₃	60.0 µg/L (7/1/2002)	ND	No

Pollutant	C	MEC	B	RPA Result
Chlorodibromomethane	0.4 µg/L, human health criterion from the CTR	1.7 µg/L (7/27/2005)	ND	Yes (MEC > C)
Chloroform	No criteria	9.6	ND	No
Dichlorobromomethane	0.56 µg/L, human health criterion from the CTR	5.8 µg/L (7/27/2005)	ND	Yes (MEC > C)
Aluminum	1,000 µg/L human health criterion of the Basin Plan Title 22 MCL	130 µg/L (7/11/2001)	ND	No
Barium	1,000 µg/L human health criterion of the Basin Plan Title 22 MCL	90 µg/L (7/15/2003)	ND	No
Iron	5,000 µg/L agriculture use criterion of the Basin Plan for irrigation supply	220 µg/L (8/17/2000)	ND	No
Lithium	2,500 µg/L agriculture use criterion of the Basin Plan for irrigation supply	950 µg/L (7/1/2002)	ND	No
Manganese	200 µg/L agriculture use criterion of the Basin Plan for irrigation supply	25.90 µg/L (7/27/2005)	ND	No
Molybdenum	10 µg/L agriculture use criterion of the Basin Plan for irrigation supply	20 µg/L (8/17/2000)	ND	Yes (MEC > C)

ND - No data available

4. WQBEL Calculations

Final WQBELs for copper, mercury, dichlorobromomethane, chlorodibromomethane and molybdenum have been determined using the methods described in Section 1.4 of the SIP.

Step 1: For each water quality criterion/objective, an effluent concentration allowance (ECA) is calculated from the following equation to account for dilution and background levels of each pollutant.

$$ECA = C + D (C - B), \text{ where}$$

- C = the applicable water quality criterion (adjusted for receiving water hardness and expressed as total recoverable metal, if necessary)
- D = the dilution credit
- B = the background concentration

Because the receiving water is effluent dominated during the dry months, no credit is being allowed for dilution, $D = 0$, and therefore, $ECA = C$.

Step 2: For each ECA based on aquatic life criterion/objective (copper), the long-term average discharge condition (LTA) is determined by multiplying the ECA times a factor (multiplier), which adjusts the ECA to account for effluent variability. The

multiplier varies depending on the coefficient of variation (CV) of the data set and whether it is an acute or chronic criterion/objective. Table 1 of the SIP provides pre-calculated values for the multipliers based on the value of the CV. When the data set contains less than 10 sample results (as for the LRWRP), or 80 percent or more of the data are reported as non-detect (ND), the CV is set equal to 0.6. Derivation of the multipliers is presented in Section 1.4 of the SIP.

From Table 1 of the SIP, multipliers for calculating LTAs at the 99th percentile occurrence probability are 0.321 (acute multiplier) and 0.527 (chronic multiplier). LTAs are determined as follows.

Table IV-F3—LTA Results for Copper

Pollutant	ECA		ECA Multiplier		LTA (µg/L)	
	Acute	Chronic	Acute	Chronic	Acute	Chronic
Copper	37	23	0.321	0.527	11.9	12.1

Step 3: WQBELs, including an average monthly effluent limitation (AMEL) and a maximum daily effluent limitation (MDEL) are calculated using the most limiting (the lowest) LTA. The LTA is multiplied times a factor that accounts for averaging periods and exceedance frequencies of the effluent limitations, and for the AMEL, the effluent monitoring frequency. Here, the CV is set equal to 0.6, and the sampling frequency is set equal to 4 (n = 4). The 99th percentile occurrence probability was used to determine the MDEL multiplier and a 95th percentile occurrence probability was used to determine the AMEL multiplier. From Table 2 of the SIP the MDEL multiplier is 3.11 and the AMEL multiplier is 1.55. Final WQBELs for copper are calculated as follows.

Table IV-F4—Final WQBELs for Copper

Pollutant	LTA	MDEL Multiplier	AMEL Multiplier	MDEL (µg/L)	AMEL (µg/L)
Copper	11.9	3.11	1.55	37	18

Step 4: When the most stringent water quality criterion/objective is a human health criterion/objective (mercury, chlorodibromomethane, dichlorobromomethane, and molybdenum), the AMEL is set equal to the ECA, and the MDEL is calculated by multiplying the ECA times the ratio of the MDEL multiplier to the AMEL multiplier.

From Table 2 of the SIP, when CV = 0.6 and n = 4, the MDEL multiplier at the 99th percentile occurrence probability equals 3.11, and the AMEL multiplier at the 95th percentile occurrence probability equals 1.55. Final WQBELs for mercury, chlorodibromomethane, dichlorobromomethane, and molybdenum are determined as follows.

Table IV-F5—Final WQBELs for Mercury, Chlorodibromomethane, Dichlorobromomethane, and Molybdenum.

Pollutant	ECA	MDEL/AMEL Multiplier	MDEL (µg/L)	AMEL (µg/L)
Mercury	0.05	2.01 (3.11/1.55)	0.10	0.05
Chlorodibromomethane	0.4	2.01	0.8	0.4
Dichlorobromomethane	0.56	2.01	1.1	0.6
Molybdenum	10	2.01	20	10

Order No. 01-87 established effluent limitations for 138 toxic pollutants plus nitrite and nitrate, derived from water quality criteria of the Basin Plan and the CTR and applied directly as end-of-pipe effluent limitations. Although Order No. 01-87 was adopted in May 2001, approximately one year after the State Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (the SIP), in establishing limitations for 138 toxic pollutants, Order No. 01-87 does not reflect the methodology of the SIP. As highlighted in the text of this Fact Sheet immediately above, the SIP includes procedures to determine which toxic pollutants show a reasonable potential to cause or contribute to excursions above applicable water quality standards. In accordance with NPDES regulations at 40 CFR 122.44 (d), effluent limitations are then required only for those pollutants that show “reasonable potential.”

Based on effluent monitoring data generated before adoption of Order No. 01-87, that Order identified 10 of the 138 toxic pollutants (cadmium, copper, mercury, antimony, beryllium, lead, selenium, silver, thallium, and molybdenum), which were likely (had a reasonable potential) to be present in effluent in concentrations exceeding their corresponding effluent limitations. For these pollutants, Order No. 01-87 established interim limitations and schedules for compliance with final effluent limitations. The final effluent limitations became effective on May 18, 2006.

In reissuing Waste Discharge and NPDES requirements for the LRWRP, Central Coast Water Board staff has performed a reasonable potential analysis for all toxic pollutants with applicable water quality criteria established by the CTR and the Basin Plan. The Central Coast Water Board staff has used all available effluent and receiving water data generated during the term of Order No. 01-87. Based on this analysis, the Central Coast Water Board finds that discharges from the LRWRP have the reasonable potential to cause or contribute to excursions above applicable water quality objectives for copper, mercury, molybdenum, chlorodibromomethane, and dichlorobromomethane.

Because Order No. 01-87 included final effluent limitations for copper, mercury, and molybdenum, which became effective on May 18, 2006, Order No. R3-2006-0037 retains final effluent limitations for mercury and molybdenum (i.e., interim limitations and compliance schedules cannot be justified). Final effluent limitations for mercury remain unchanged from Order No. 01-87; however, final effluent limitations for copper and molybdenum have been recalculated based on the

methodology of the SIP and, in the case of copper, actual hardness data for effluent and the receiving stream.

Table IV-F6– Final Effluent Limitations for Copper and Molybdenum

Order No. 01-87	MDEL (µg/L)	AMEL (µg/L)
Copper	8.9	13.4
Molybdenum	10	-

Order No. R3-2006-0037	MDEL (µg/L)	AMEL (µg/L)
Copper	37	18
Molybdenum	20	10

For purposes of reissuing waste discharge and NPDES requirements for the toxic pollutants, only effluent and receiving water data generated during the term of Order No. 01-87 has been used. The Central Coast Water Board has determined that there are no circumstances that warrant consideration of water quality data generated outside of this period or consideration of other factors in its determination of reasonable potential for the toxic pollutants. The new information available to the Central Coast Water Board (water quality data for effluent and receiving stream generated during the term of Order No. 01-87) therefore indicates that there is, currently, reasonable potential to cause or contribute to excursions above applicable water quality standards for copper, mercury, molybdenum, chlorodibromomethane, and dichlorobromomethane.

Water quality criteria for nitrite and nitrate applicable to San Miguelito Creek and the Santa Ynez River are summarized below.

Table IV-F7–Water Quality Criteria

Parameter	Title 22 MCL ^a	Water Quality Objective for Agricultural Use ^b
Nitrite	1 mg/L N (3.3 mg/L NO ₂)	10 mg/L
Nitrate	10 mg/L N (45 mg/L NO ₃)	-
Nitrite + Nitrate	10 mg/L N	100 mg/L N

^a Applied as a receiving water limitation for waters with the beneficial use designation of Municipal and Domestic Supply

^b From Table 3-4 of the Basin Plan, which references *Water Quality Criteria 1972*, EPA/R3/73/033.

Order No. 01-87 established the water quality objectives for nitrite and nitrate for agricultural use (above) as end-of-pipe effluent limitations. Because the Santa Ynez River is impaired by nitrate, and nitrite will be readily oxidized to nitrate during

wastewater treatment steps, Order No. R3-2006-0037 is establishing the Title 22 MCL for nitrate as an end-of-pipe effluent limitation and eliminating the limitations for nitrite and nitrate, which were established by the expiring Order. This limitation is, effectively, a more stringent limitation than those of Order No. 01-87 for nitrite and nitrate and takes into consideration all applicable water quality criteria for the receiving streams.

Order No. R3-2006-0037 retains effluent limitations for TDS, chloride, and sodium from Order No. 01-87. As the summary of monitoring data in Section II.C. of this Fact Sheet shows, however, concentrations of TDS, chloride, and sodium in effluent are commonly at or exceeding the effluent limitations. Because these effluent limitations are higher than water quality objectives for the common salts established by the Basin Plan (Table 3-7) for the Lompoc Sub-Area of the Santa Ynez River Basin, Order No. R3-2006-0037 is requiring the Discharger to conduct a Salt Management Study and prepare a Salt Management Plan. If the Central Coast Water Board determines that discharges from the LRWRP have a reasonable potential to cause or contribute to exceedances of the water quality objectives for salts in San Miguelito Creek or the Santa Ynez River, Waste Discharge Requirements issued subsequent to Order No. R3-2006-0037 will likely require implementation of the Salt Management Plan and include the applicable water quality objectives as end-of-pipe effluent limitations.

Water quality based effluent limitations for chlorine, coliform bacteria, and pH are retained and remain unchanged from Order No. 01-87.

5. Whole Effluent Toxicity (WET)

Whole effluent toxicity (WET) limitations protect 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 allows for protection of the narrative "no toxics in toxic amounts" criterion while implementing numeric criteria for toxicity. There are two types of WET tests - acute and chronic. An acute toxicity test is conducted over a short 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 (acute) toxicity, requiring that all waters be maintained free of toxic substances in concentrations that are toxic to, or which produce detrimental physiological responses in human, plant, animal, or aquatic life. Survival of aquatic organisms in surface waters subjected to a waste discharge or other controllable water quality conditions shall not be less than that for the same water body in areas unaffected by the waste discharge or for another control water. Section 4.0 of the Basin Plan also requires a chronic toxicity limitation for all discharges that will cause, have the reasonable potential to cause, or contribute to chronic toxicity in receiving waters.

Based on monitoring results (see summary in Section II. C of this Fact Sheet) during the term of Order No. 01-87, which show numerous episodes of acute and chronic toxicity in effluent, the Central Coast Water Board is retaining effluent limitations for both acute and chronic toxicity from Order No. 01-87.

The Discharger must maintain a Toxicity Reduction Evaluation (TRE) Workplan, which describes steps that the Discharger intends to follow in the event that acute and/or chronic toxicity limitations are exceeded in discharges from the LRWRP. When monitoring measures WET in the effluent above the limitations established by the Order, the Discharger must resample, if the discharge is continuing, and retest. The Executive Officer will then determine whether to initiate enforcement action, whether to require the Discharger to implement a Toxicity Reduction Evaluation, or to implement other measures.

D. Final Effluent Limitations

Final effluent limitations for Discharge Point 001 are summarized below in the table and the bulleted text.

Table IV-F8—Final Effluent Limitations

Parameter	Units	Effluent Limitation		
		Average Monthly	Average Weekly	Maximum Daily
Flow	MGD	5.0 ^a	-	-
BOD ₅ ^b	mg/L	30	45	90
	lbs/day	1250	1880	3750
TSS ^c	mg/L	30	45	90
	lbs/day	1250	1880	3750
Settleable Solids	ml/L	0.1	-	0.3
Turbidity	NTU	10	-	20
Oil and Grease	mg/L	5.0	-	10
Unionized Ammonia (as N)	mg/L	-	0.025	-
pH	std units		6.5 – 8.3 ^d	
TDS ^e	mg/L	1100	-	-
Chloride ^e	mg/L	250	-	-
Sodium ^e	mg/L	270	-	-
Nitrate (as N)	mg/L	-	-	10
Total Chlorine Residual	mg/L	-	-	See below ^c
Acute Toxicity	% survival	-	-	Pass/Fail ^f
Chronic Toxicity	TUc	-	-	1.0
Copper	µg/L	18	-	37
Mercury	µg/L	0.05	-	0.10
Molybdenum	µg/L	10	-	20
Chlorodibromomethane	µg/L	0.4	-	0.8
Dichlorobromomethane	µg/L	0.6	-	1.1

^a Average dry weather flow

- ^b BOD₅ = 5-day biochemical oxygen demand at 20° C
 - ^c TSS = total suspended solids
 - ^d When the Discharger continuously monitors effluent pH, levels shall be maintained within specified ranges 99% of the time. To determine 99% compliance, the following conditions shall be met.

 - The total time during which pH is outside the range of 6.5 – 8.3 shall not exceed 7 hours and 26 minutes in any calendar month;
 - No single excursion from the range of 6.5 – 8.3 shall exceed 30 minutes;
 - No single excursion shall fall outside the range of 6.0 – 9.0;
 - When continuous monitoring is not being performed, standard compliance guidelines shall be followed (i.e., between 6.5 and 8.3 at all times, measured daily).
 - ^e Compliance determination for total chlorine residual shall be based on 99% compliance. To determine 99% compliance with effluent limitations for total chlorine residual, the following conditions shall be satisfied.

 - The total time during which the total chlorine residual values are above 0.02 mg/L (instantaneous maximum value) shall not exceed 7 hours and 26 minutes in any calendar month;
 - No individual excursion from 0.02 mg/L shall exceed 30 minutes;
 - No individual excursion shall exceed 0.1 mg/L; and
 - When continuous monitoring is not being used, standard compliance guidelines shall be followed (i.e. below 0.02 ppm at all times, measure once a day according to standard provisions).

If grab sampling is used instead of continuous analysis:

 - The total number of excursion above 0.02 mg/L shall be no more than one (1) individual excursion in any calendar month.
 - No individual excursion from 0.1 mg/L shall exceed 30 minutes, and must include results of no more than 2 grab samples.
 - No individual excursion shall exceed 2.0 mg/L.
 - ^f Survival of test organisms exposed to 100 percent effluent shall not be significantly reduced when compared, using a t-test (or another test consistent with the procedures described by *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, Fifth Edition, U.S. EPA Office of Water, EPA-821-R-02-012 (2002) or the latest edition), to the survival of control organisms.
 - ^g Compliance is based on 12-month running means.
1. The average monthly percent removal of BOD₅ and TSS through the wastewater treatment facility shall not be less than 85 percent.
 2. The concentration of total coliform bacteria measured in treated effluent at Discharger Point 001 shall not exceed a most probable number (MPN) of 23 organisms per 100 milliliters (mls) as determined from the last seven days for which analyses have been completed. The number of total coliform bacteria shall not exceed a log mean of 200 per 100 mls and no more than 10% of the total samples during any 30-day period (calendar days) exceed 400 MPN per 100 mls.
 3. Discharges of treated wastewater through Discharge Point 001 shall not contain floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.

E. Reclamation Specifications

The Discharger intermittently reclaims treated wastewater for on site dust control and landscape irrigation. The volume of wastewater applied to the 10-acre wastewater treatment plant site is not quantified and is dependent on irrigation needs. In accordance with Title 22 of the California Code of Regulation, Chapter 3 (Water Recycling Criteria), the application of reclaimed wastewater on site at a wastewater treatment plant is exempt from the Title 22 requirements, so long as access by the public to the area of wastewater reclamation is restricted.

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

Receiving water quality is a result of many factors, some unrelated to the discharge. This Order considers these factors and is designed to minimize the influence of the discharge on the receiving water. Receiving water limitations within the proposed Order generally include the receiving water limitations of the previous Order; however these limitations have been supplemented and modified to reflect all applicable, general water quality objectives of the Basin Plan for inland surface waters; all applicable water quality objectives of the Basin Plan established specifically for the protection of municipal and domestic water supplies, agricultural water supplies, water contact and non-contact water recreation activities, and cold and warm freshwater and fish spawning habitats; and specific water quality objectives for San Miguelito Creek and the Santa Ynez River from the Basin Plan.

Order No. R3-2006-0037 includes the following receiving water limitations for the common salts established by Table 3-7 of the Basin Plan specifically for the Lompoc Sub-Area of the Santa Ynez River Basin.

Table V-F1–Surface Water Objectives¹

Parameter	Unit	Objective
TDS	mg/L	1000
Chloride (Cl)	mg/L	100
Sulfate (SO ₄)	mg/L	350
Boron (B)	mg/L	0.4
Sodium (Na)	mg/L	100

¹ – annual mean values

B. Groundwater

Groundwater limitations established by the Order include general objectives for groundwater established in Table 3-8 of the Basin Plan for the Central Coast Region. Furthermore, Section B.2. of this Order states that effluent mineral constituent concentrations shall not cause a “significantly significant” increase in underlying

groundwater. This narrative limitation was retained from Section D.1. of Order No. 01-87 and developed through staff's interpretation of Section III.E.3. of the Basin Plan. This section states, "Wastewater percolated into the groundwaters shall be of such quality at the point where they enter the ground so as to assure the continued usability of all groundwaters of the basin."

VI. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

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

A. Influent Monitoring

Influent monitoring requirements of Order No. 01-87 for total suspended solids and BOD₅ are retained in Order No. R3-2006-0037 to determine compliance with the Order's 85 percent removal requirement. Influent monitoring requirements for the common salts (TDS, sodium, chloride, and hardness) have not been retained, because the Salt Management Study required by Section VI.C.7 of the Order will provide characterization of source water supplies and wastewater influent in terms of the salts.

B. Effluent Monitoring

Most effluent monitoring requirements of Order No. 01-87 have been retained in Order No. R3-2006-0037, with the following exceptions/changes.

- Order No. R3-2006-0037 requires quarterly monitoring for TDS, chloride, sulfate, sodium, and boron. This data will be evaluated to determine the reasonable potential for discharges from the LRWRP to contribute to exceedances of surface water quality objectives for these pollutants established for the Lompoc Sub-Area of the Santa Ynez River Basin (Table 3-7 of the Basin Plan).
- Because Order No. R3-2006-0037 establishes an effluent limitation for nitrate, the monitoring frequency for this pollutant is increased to monthly (from quarterly).
- Order No. R3-2006-0037 requires semi-annual monitoring for copper and mercury. Increased monitoring from the 01-87 permit in order to collect sufficient data to conduct a Reasonable Potential Analysis for the following permit.
- Order R3-2006-0037 requires quarterly monitoring for oil and grease. Monitoring frequency will be increased to monthly if oil and grease effluent limitations are exceeded.

- Order No. R3-2006-0037 does not require supplemental monitoring for the dioxin congeners, as this is a one time requirement Section 3 (2,3,7,8-TCDD Equivalents) of the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*.

C. Whole Effluent Toxicity Testing Requirements

Whole effluent toxicity (WET) limitations protect receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. Acute toxicity testing measures mortality in 100 percent effluent over a short test period, and chronic toxicity testing is conducted over a longer period of time and may measure mortality, reproduction, and/or growth. This Order retains limitations and monitoring requirements for acute and chronic toxicity from Order No. 01-87 to determine compliance with limitations for whole effluent, acute and chronic toxicity.

D. Receiving Water Monitoring

1. Surface Water

All receiving water monitoring requirements have been retained from Order No. 01-87 with the following changes/additions.

- Order No. R3-2006-0037 requires monitoring in receiving water for the CTR and the Title 22 pollutants annually, at times corresponding to effluent monitoring for these pollutants. Receiving water data is required to determine what toxic pollutants, if any, require effluent limitations. Hardness monitoring is required because the toxicity of several metals is hardness dependent.
- Order R3-2006-0037 requires monitoring in receiving waters for Ammonia quarterly.
- Order R3-2006-0037 requires monitoring in receiving waters for Chloride, Sulfate, Sodium, Boron, and Nitrate on a quarterly basis.
- Order R3-2006-0037 requires monitoring in receiving waters for Methylene Blue Activated Substances on an annual basis. Monitoring frequency shall be decreased to twice during the permit term if initial sample results do not exceed Basin Plan Objectives set forth in Section II.A.2.a.
- Order R3-2006-0037 requires monitoring in receiving waters for hardness on a quarterly basis.
- Order R3-2006-0037 requires monitoring in receiving waters for Fecal Coliform on a quarterly basis. Compliance is based on a minimum of five samples for any 30-day period.

2. Groundwater

All groundwater monitoring requirements are retained from Order No. 01-87 with the following changes/additions:

- Order R3-2006-0037 requires monitoring in groundwater for Title 22 Pollutants on a semiannual basis. Groundwater shall not contain concentrations of chemical constituents in excess of the primary maximum contaminant levels (MCLs) specified for drinking water in Table 64431-A (Primary MCLs for Inorganic Chemicals) and Table 64444-A (Primary MCLs for Organic Chemicals) of Title 22 California Code of Regulations, Division 4, and Chapter 15.

E. Other Monitoring Requirements

Sewage spill reporting specifications have been added to the MRP. These specifications are intended to provide clear instructions that will lead to more consistent and accurate spill reporting. This sewage spill reporting section is consistent with the Statewide Wastewater Collection Systems General Permit provisions and Central Coast Water Board policies.

VII. RATIONALE FOR PROVISIONS

A. Standard Provisions

Standard Provisions, which, in accordance with 40 CFR §§122.41 and 122.42, apply to all NPDES discharges and must be included in every NPDES permit, are provided in Attachment D and D-1 of the Order.

B. Special Provisions

1. Reopener Provisions

The Order may be modified in accordance with the requirements set forth at 40 CFR 122 and 124, to include appropriate conditions or limits based on newly available information, or to implement any, new State water quality objectives that are approved by the U.S. EPA. As effluent is further characterized through additional monitoring, and if a need for additional effluent limitations becomes apparent after additional effluent characterization, the Order will be reopened to incorporate such limitations.

2. Toxicity Reduction Evaluation Workplan

The requirement to maintain a Toxicity Reduction Work Plan is retained from Order No. 01-87. When toxicity monitoring measures acute and chronic toxicity in the effluent above the limitation established by the Order, the Discharger is required to resample and retest, if the discharge is continuing. When all monitoring results are available, the Executive Officer can determine whether to initiate enforcement action, whether to require the Discharger to implement toxicity reduction evaluation (TRE) requirements, or whether other measures are warranted.

3. Discharges of Storm Water

Order No. R3-2006-0037 does not cover discharges of storm water from the treatment and disposal sites. Such discharges can be discharged only in accordance with applicable requirements of General Permit No. CAS000001 - Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities.

4. Biosolids Handling and Disposal

Provisions regarding sludge handling and disposal ensure that such activity will comply with all applicable regulations.

5. Pretreatment

All requirements of Order No. 01-87 regarding pretreatment are retained by Order No. R3-2006-0037.

6. Salt Management Study

Applicable water quality criteria from Table 3-7 of the Basin Plan for the Lompoc Sub-Area of the Santa Ynez River Basin include the following criteria for the common salts.

Table VII-F1-Surface Water Objectives¹

Parameter	Unit	Objective
TDS	mg/L	1000
Chloride (Cl)	mg/L	100
Sulfate (SO ₄)	mg/L	350
Boron (B)	mg/L	0.4
Sodium (Na)	mg/L	100

¹ - annual mean value

Because the Discharger reports that TDS levels in effluent are frequently at or exceeding 1000 mg/L, Order No. R3-2006-0037 is establishing a requirement to perform a Salt Management Study with the ultimate goal of controlling levels of salts in discharges from the wastewater treatment facility and attainment of the applicable water quality objectives for salts from the Basin Plan.

The Salt Management Study must include characterization of source water supplies and wastewater quality; an evaluation of alternative control strategies; and development of a Salt Management Plan. The Plan shall include a schedule of not more than 5 years for full implementation.

7. Infiltration and Inflow

All requirements of Order No. 01-87 regarding infiltration and inflow have been removed with the understanding that Lompoc Regional Wastewater Reclamation Plan and indirect dischargers will obtain coverage under the Statewide Wastewater

Collection Systems General Permit. This General Permit contains language that is consistent with infiltration and inflow requirement identified in Order No. 01-87.

VIII. PUBLIC PARTICIPATION

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

A. Notification of Interested Parties

The Central Coast 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 posting and publishing in the Lompoc Record on April 9, 2006, and through direct mailing of the draft NPDES permit to the following known interested parties. Written comments were due no later than May 12, 2006.

- Ms. Susan Halpin and Mr. Gary Keefe, City of Lompoc
- Santa Barbara County Environmental Health Services
- Mr. Steve Jordon, Farm Bureau
- Ms. Kira Schmidt, Channel Keepers
- Mr. Bruce Wales, Santa Ynez Valley Water Conservation District
- Mr. Garry Sanchez, Vandenberg Air Force Base
- Mr. Joe Barget, Vandenberg Village Community Services District
- Mr. Robert Almy, Santa Barbara County Water Agency

B. Written Comments and Responses

Comment 1: Mr. Paul Jenzen of Santa Barbara County Environmental Health Services sent the following e-mail April 25, 2006:

“I have been asked by my director to inquire if the WDR number R3-2006-0037 and updated NPDES permit number CA0048127 includes language that would require the notification of Environmental Health Services in the event of a sewage spill. If the draft language does not have this requirement than it should be included”

Staff Response 1: Appropriate agency notification language can be found in Section VII.D.10. of this Order. Language in Section VII.D.10.states, “The discharger shall report SSOs to the Santa Barbara County Environmental Health Services department in accordance with California Health and Safety Code Section 5410 et seq.”

Ms. Susan Halpin, Wastewater Treatment Plan Superintendent, City of Lompoc submitted extensive written comments regarding this Order. The comment letter was submitted May 12, 2006, and had included 10 attachments. Attachments include the following:

- Attachment 1 - Editorial Comments.
- Attachment 2 – Report of Waste Discharge Submittal, November 18, 2005.
- Attachment 3 – Correspondence Letter, February 2, 2006.
- Attachment 4 – Infeasibility Analysis for THMs.
- Attachment 5 – Correspondence Letter, June 14, 2001.
- Attachment 6 – Flowchart for Analysis for Single-Effluent Concentration Test Data.
- Attachment 7 – Information Document for Public Scoping Meeting for SIP, December 2005.
- Attachment 8 – Correspondence Letter, October 15, 2004
- Attachment 9 – Report of CTR Compliance, Section L, Paragraph 1.g. of Order No. 01-87, December 27, 2005.
- Attachment 10 – Mercury Results
- Attachment 11 – Revised Facility Flow Diagram

Comment 2: Facility Information

“Throughout the TO, beginning in ‘Section 1 – Facility Information,’ the Facility Design Flow is characterized as ‘5.0 MGD (monthly average)’. This is an incorrect characterization of the LRWRP design flow. The LRWRP’s design is 5.0 MGD (average dry weather flow – ADWF), which was reported on Form 2A (page 3) of the Report of Waste Discharge submitted to the Regional Board on November 18, 2005. This is consistent with City’s existing permit for the LRWRP, which clearly states that ‘[t]he treatment plant has a design capacity (Average Dry Weather Flow, hereafter ADWF) of 5.0 million gallons per day (mgd) and currently operates at 4.0 mgd.’ (WDR Order No.01-87, NPDES No. CA0048127, Finding 6, page 2.) According to the Fact Sheet (page F-13), the flow limitation is retained from Order No. 01-87. However, the change from an ADWF limitation of 5.0 MGD to a monthly average flow limitation of 5.0 MGD is not the same. Changing the LRWRP design capacity from 5 mgd (ADWF) to 5 mgd as an annual average

greatly decreases the facility design and permitted capacity. Thus, the City requests that all 'monthly average' references be deleted from the TO and be replaced with 'average dry weather flow' or 'ADWF.' Average dry weather flow should be determined over three consecutive dry weather months each year. Please refer to the List of Recommended Editorial Changes at the end of this document for additional occurrences of the improper use of the term 'monthly average' with reference to Facility Design Flow."

Staff Response 2: Staff agrees. Staff changed references in the proposed order that address facility design flow to "Average Dry Weather Flow."

Comment 3: Findings J and L

"The City appreciates the statements in Finding L of the TO that recognize the submittal of new information as one justification for less stringent effluent limitations under the federal anti-backsliding requirements. However, this finding and finding J, which precedes finding L, does not accurately capture the historical application of the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (SIP) to the LRWRP discharge. Language contained in the Fact Sheet better clarifies the improper application of the SIP to the City's previous permit, Order No. 01-87. Because of the unique circumstances surrounding the City's previous permit, the City requests that the Findings be amended to include some of the historical information that is currently contained in the Fact Sheet.

"Most importantly, information must be added that recognizes that Order No. 01-87 did not reflect the methodology of the SIP and that therefore Order No. 01-87 improperly established effluent limitations for 138 toxic pollutants. (page F-17.) Based on this fact alone, the upcoming permit must be regarded as the first permit developed based on the SIP. The Fact Sheet indicates that only 10 of the 138 constituents were properly identified as having reasonable potential under Order No. 01-87. Thus, at most, only the final effluent limits for the CTR constituents in this group would be considered final effluent limits pursuant to the SIP. Other CTR constituents that received an effluent limit due to the improper application of the SIP should be disregarded and therefore be eligible for interim limits in this Order.

For example, Order No. 01-87 included effluent limits for chlorodibromomethane and dichlorobromomethane, which were not part of the group of 10 considered to have reasonable potential and therefore did not receive an interim limit. Both of these constituents are now considered to have reasonable potential. The City intends to add Ultraviolet Disinfection, which will address these two constituents but is unable to do so prior to the anticipated effective date of the TO. Apparently, because these two constituents were improperly included in Order No. 01-87, the City is being denied a compliance schedule for these constituents. As a result, the City will likely be in violation of the proposed effluent limits for chlorodibromomethane and dichlorobromomethane until the addition of UV can be completed, which is estimated to be in early 2009. The City submitted the necessary justification for a compliance schedule to the Regional Water Board on February 28, 2006 as requested (Attachment 4).

“In summary, the Findings should be amended to clearly articulate the improper application of the SIP in Order No. 01-87 and identify the CTR constituents for which final effluent limits were improperly adopted in Order No. 01-87. Because these constituents improperly received final effluent limits in Order No. 01-87, they should be eligible for compliance schedules and interim limits in this Order pursuant to a proper application of the SIP.”

Staff Response 3: Although Central Coast Water Board staff believes that an accurate account of historical actions and applications of the SIP are necessary, we do not believe that it is necessary that historical information should be included in findings J and L of this Order. Finding II.D already incorporates the discussion in the Fact Sheet as findings: “Attachments A through H, which contain background information and rationale for Order requirements, are hereby incorporated into this Order and, thus, constitute part of the Findings for this Order.” Additionally, we believe that historical information does not facilitate compliance with this Order. The purpose of the fact sheet is to provide historical justification and staff rationalization for provisions and requirements set forth in this Order. Findings J and L remain unchanged and any historical reference in regards to the use of the SIP will remain in the fact sheet (Section III.C.4. and Section III.C.6.).

Staff disagrees that the reasonable potential analysis (RPA) makes this the “first permit” issued after the SIP effective date. While staff is sympathetic to the Discharger’s situation, the SIP is clear that permits reissued after its effective date (May 18, 2000) can allow no more than five years to comply with SIP requirements. The only exceptions are where it is necessary to develop a TMDL, or where the permit allows the discharger a time schedule ending no later than May 18, 2003, to collect additional data needed for the RPA and requires a permit reopener to add the appropriate effluent limits. Neither exception applies, and Order No. 01-87 required full compliance with all SIP requirements by May 18, 2006. The SIP took effect a full year before the Water Board issued Order No. 01-87. The effluent limits for chlorodibromomethane and dichlorobromomethane took effect over five years ago.

Comment 4: Finding T

“Finding T states, in essence, that none of the terms of the TO are more stringent than required to implement the Clean Water Act (CWA). The City disagrees with this finding as written. As an obvious example, none of the TO terms pertaining to groundwater are required by the CWA. As a further example, the various averaging periods proposed by the TO (including changes from the prior permit) are not required by the CWA. More generally, throughout these comments, the City explains that specific terms of the TO are not mandatory.

“Water Code section 13263 requires that the Regional Water Board consider the provisions of Water Code section 13241 in adopting WDRs. The TO does not include findings on the section 13241 factors with respect to any of its proposed requirements, and is therefore legally deficient. Rather than the generic finding proposal, the TO must identify specific requirements which are required by the CWA. Compliance with Water Code section 13263 and 13241 is required for the remaining terms.”

Staff Response 4: The Fact Sheet specifies the basis for each limitation in the Permit. Section II of the Permit need not reiterate this information. Staff agrees that groundwater limits are not required by the CWA and modified finding T and added finding U as shown in the proposed order.

Comment 5: Discharge Prohibitions

“Discharge Prohibition III.E. is vague and improper. The purpose of the Basin Plan is to establish the appropriate level of the protection of beneficial uses. Prohibition III.E. appears to make the basin planning process meaningless. The provision also does not comply with Water Code section 13263 or 13241.”

Staff Response 5: This prohibition requires compliance with the final effluent limitations, surface water objectives, and groundwater objectives set forth in this Order. A violation of this Order’s effluent limits and objectives is prohibited. Surface water objectives and groundwater objectives in this Order are consistent with the protection of beneficial uses designated for San Miguelito Creek and Santa Ynez River and, therefore, violations of these objectives are prohibited. Additionally, Santa Ynez River retains the Rare, Threatened, or Endangered Species beneficial use. The Central Coast Water Board is obligated through the CWA and the adoption of the Basin Plan to protect these beneficial used through water quality objectives. This prohibition will remain unchanged in this Order. The appropriate section 13241 analysis is included in the findings added under Comment 4, above.

Comment 6: Effluent Limitations (TDS/Sodium/Chloride)

“The City’s current permit (Order No. 01-87, NPDES No. CA0048127) allows TDS/Sodium/Chloride effluent limit compliance to be based on a 12-month running mean with quarterly sampling. The City supports this as the proper averaging period for these constituents. Thus, the City requests that Table IV-1 – Final Effluent Limitations of the Tentative Order be revised to designate that the TDS, Sodium and Chloride effluent limits are based on a 12-month running mean instead of a monthly average effluent limitation.”

Staff Response 6: Staff agrees. Table IV-1 of this Order was modified by adding a footnote addressing TDS, sodium, and chloride compliance based on a 12-month running mean.

Comment 7: Effluent Limitation (TDS/Sodium/Chloride)

“In addition, the TO should include a compliance schedule for TDS during the interim while the City prepares a Salt Management Plan. The City is concerned that it may not be able to consistently comply with the proposed effluent limit for TDS. At the very least, the TO should be accompanied by a time schedule order for compliance with the proposed TDS limit.

“The TO already includes a provision for a ‘Salt Management Study.’ The City intends to develop a Salt Management Study that reduces salt in the LRWRP effluent to the extent possible. Until that time, the City requests a time schedule order with a proposed interim

limit of 1313 for TDS, which is the maximum effluent concentration recorded by the City over the last five years for TDS.”

Staff Response 7: Staff has reviewed the City’s request for the Time Schedule Order (TSO) subsequent to the development of the Salt Management Study. We also recognize that the City will evaluate alternative control strategies as part of the Salt Management Study. Although a TSO would be practical in this circumstance, a TSO will not shield the Discharger from mandatory minimum penalties (MMPs) in accordance with Section 13385 (j)(3)(i) of the California Water Code. This section only allows a TSO to avoid MMPs if “the effluent limitation is a new, more stringent, or modified regulatory requirement that has become applicable to the waste discharge after the effective date of the waste discharge requirement and after July 1, 2000, new or modified control measures are necessary in order to comply with the effluent limitation, and the new or modified control measures cannot be designed, installed, and put into operation within 30 calendar days.” Because effluent limitations became effective for TDS/Sodium/Chloride on May 18, 2001, a TSO is not an applicable mechanism for avoiding MMPs, although a TSO or cease and desist order can be used to specify interim limits with the ultimate goal of achieving effluent limitation compliance.

Comment 8: Effluent Limitation (Nitrate and N)

“The LRWRP’s current treatment process cannot achieve Nitrate levels below the new 10 mg/L effluent limit contained in the TO. Because Nitrate is not a CTR constituent, the Regional Board is not constrained by the five-year compliance schedule contained in the SIP. Furthermore, there does not currently exist a Nitrate effluent limit in the City’s current permit and therefore this is a new permit limit. The Regional Board may adopt a compliance schedule in accordance with the Water Code and the Basin Plan. Thus, the City requests that the Regional Board adopt a five year compliance schedule for Nitrate in the TO to allow the City sufficient time to implement denitrification as part of the treatment plant’s many scheduled upgrades. This schedule should allow the City sufficient time to complete all of its scheduled treatment plant upgrades, including the addition of denitrification and adjustment of the treatment system as necessary before final effluent limits go into effect.

“At the very least, the Regional Water Board should adopt a time schedule order that allows the City sufficient time to complete its plant upgrade (which includes the addition of denitrification) and avoid unnecessary penalties.

“In the meantime, the Regional Water Board should adopt an interim limit of 60 mg/L in the permit or in a time schedule order. The 60 mg/L is equal to the maximum effluent concentration for Nitrate as N over the last five years.”

Staff Response 8: Staff has review the City’s request for the issuance of a Time Schedule Order for nitrate. The City is in the process of conducting various wastewater treatment plant upgrades, which include the construction of two oxidation ditches. These oxidation ditches provide denitrification to reduce nitrate concentration in the plant effluent. Plant upgrades are estimated to be complete in August 2008.

Because Order No. 01-87 did not include a nitrate effluent limit, issuing a TSO would allow the Discharger to avoid the MMPs set forth in Section 13385 of the California Water Code. Staff will recommend the issuance of a TSO for the Board's or Executive Officer's adoption, for nitrate for a period of three years after the adoption of this Order. The TSO will include various requires reporting milestone corresponding to the milestone for the proposed plant upgrades. An interim limit for nitrate will be determined upon the development of the TSO.

Comment 9: Effluent Limitation (Total Chlorine Residual)

"Footnote e, which applies to the proposed final effluent limit for Total Residual Chlorine, appears to contain an error. As currently drafted, the footnote appears to reflect the City's effluent limit for total residual chlorine in Order No. 01-87 (Permit provision B-9), except that it changes the instantaneous maximum value in sub-paragraphs (a) and (b) from 0.02 mg/L to 0.01 mg/L. It also adds provisions for grab samples and sets the instantaneous maximum value to 0.01 mg/L. The City does not believe that the 0.01 mg/L limitation is correct. The City is concerned that the total residual chlorine limits in the current permit may have been taken from an incorrect copy of the City's Order No. 01-87. After the Regional Board adopted the City's permit in 2001, a typographical error was discovered in the City's permit, which had the time-based chlorine limit set at 0.01 mg/L instead of the 0.02 mg/L. The Regional Board quickly corrected this error and issued a correction to the City on June 14, 2001 (Attachment 5).

"In addition, the Fact Sheet provides no information as to the Regional Board's basis for the 0.01 mg/L. Thus, based on the history of the total residual chlorine limitation and the lack of any information indicating why the Regional Board would adopt a more stringent limitation in this permit, the City requests that the time-based limits for both continuous monitoring and grab samples be changed to reflect the 0.02 mg/L limit, which is in Order No. 01-87."

Staff Response 9: Staff agrees with the City and made appropriate modifications to the total chlorine residual effluent limitation referenced throughout the proposed order.

Footnote e, as referenced in comment 9 above, includes additional provisions regarding grab samples. In the November 18, 2005 report of waste discharge cover letter, the City requested that language consistent with City of San Luis Obispo's NPDES permit be incorporated. Staff agreed with this request and has incorporated a grab sample provisions consistent with that of the City of San Luis Obispo's NPDES Permit. However, these provisions have been modified to reflect the revised time limitations of 0.02 mg/L.

Comment 10: Acute Toxicity

"Footnote f of Table IV-1 states that '[s]urvival of test organisms exposed to 100 percent effluent shall not be significantly reduced when compared, using a t-test, to the survival of organisms.' The specific referral to the use of the t-test in this manner is not consistent with the U.S. EPA *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to the Freshwater and Marine Organisms*, Fifth Edition, U.S. EPA Office of Water, EPA-821-R-02-012 (2002). Figure 12 (Attachment 6) from this U.S. EPA *Methods* publication

shows that the t-test is only used in some circumstances but not in all. There are other tests that are recommended for use to determine pass or fail depending on the laboratory sample results. Thus, the City recommends that footnote f be amended to delete the reference to 't-test' and instead refer to the methods specified in the publication referenced above."

Staff Response 10: Staff concurs and added language to sections referencing the use of t-tests to determine acute toxicity. These sections now state, "[t]he presence of acute toxicity is identified by significantly reduced survival, as determined by a t-test (or another test consistent with the procedures described by *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, Fifth Edition, U.S. EPA Office of Water, EPA-821-R-02-012 (2002) or the latest edition), of test organisms in 100 percent effluent compared to a control sample."

Comment 11: Chronic Toxicity

"The TO proposes a chronic toxicity effluent limit of 1.0 TUc. Instead of adopting a numeric limit of 1.0 TUc, the City recommends that the chronic toxicity limit be changed to a narrative limit with a numeric monitoring trigger, which is consistent with U.S. EPA's approved options and Option 3 of the State Water Resource Control Board's *Informational Document for Proposed Revisions to the Toxicity Control Provisions of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (December 2005)* (Attachment 7). The SIP currently requires the inclusion of chronic toxicity effluent limits in NPDES permits for all discharges that will cause or have reasonable potential toxicity in receiving waters. However, the SIP does not state if the effluent limit must be a numeric limit or a narrative limit with a numeric monitoring trigger. (*Information Document*, December 2005, page 3, Attachment 7.)"

Staff Response 11: Staff has reviewed the historical establishment of the current numeric limit for chronic toxicity and does not concur with the City's recommendation to change the current numeric limit. The chronic toxicity effluent limitation of 1.0 TUc will remain. According to the May 18, 2001 staff report, staff developed an appropriate limit to control toxicity identified through frequent toxicity monitoring and toxicity identification evaluations. Frequent toxicity monitoring and toxicity identification evaluations were triggered by exceedances encountered during the 1995 – 2001 permit cycle. Furthermore, staff has identified four exceedances of chronic toxicity (Refer to Table II-F2 – Summary of Effluent Toxicity Non-Compliance) during the 2001 – 2006 permit cycle. Because the City has not demonstrated a reduction in toxicity exceedances, the numeric limits will remain.

Comment 12: Molybdenum

"The TO contains an effluent limit for Molybdenum based on the water quality objective in Table 3-4 of the Basin Plan. Table 3-4 is applicable only to water used for irrigation and livestock. The TO does not contain findings, and we are not aware of evidence that the receiving water is used for irrigation and livestock. Accordingly, there is no basis for the proposed effluent limit. The additional comments following assume in the alternative that Table 3-4 water quality objectives do apply.

“As stated previously in the City’s report of waste discharge submitted to the Regional Board on November 18, 2005 (Attachment 2), molybdenum is not a priority pollutant and is therefore not subject to the provisions of the CTR or the SIP. However, molybdenum continues to be an issue of concern because the level of molybdenum in the groundwater, which is the source of the City’s water supply, is above the water quality objective for agricultural water use (Section III, Table 3-4 of the Basin Plan), and the final effluent limit contained in the TO. As expressed in our October 11, 2004, communication to Mr. Gerhardt Huber (Attachment 8), the existing treatment facilities do not affect the influent molybdenum concentration, and in fact the influent and effluent concentrations of molybdenum are equivalent. To this end, the City has identified the need for a site specific objective or other appropriate Basin Plan amendment for molybdenum.

“The City is concerned that the Regional Water Board staff has concluded that the City may not develop a site specific objective in conjunction with the Regional Water Board for molybdenum because a specific site specific objective was not included in the City’s Report to the Regional Water Board, which was submitted by January 1, 2006 (Attachment 9). The City disagrees with the Regional Water Board’s current interpretation of the City’s submittal. In that correspondence, the City clearly indicated that it would not have a problem with complying with the CTR heavy metal objectives for which final effluent limits would become effective on May 18, 2006, with the exception of Mercury.¹ That Report also clearly indicated that molybdenum was not a CTR constituent, compliance was a major issue of concern, and that there is a need to develop a site specific objective, or other appropriate Basin Plan amendment.

“Furthermore, the City disagrees with the Regional Water Board’s interpretation of the applicable permit provisions contained in Order No. 01-87. First, Provision K of Order No. 01-87 states that “Section 5.2 of the Policy for Implementation of Toxics Standards for Inland Surface Waters specifies the procedure for establishing site-specific objectives when the best available technology can not meet the specified water quality criteria.” As mentioned previously, molybdenum is not a CTR constituent and therefore the provisions of the SIP, including Section 5.2, do not apply.

“Second, provision L.1.g states that ‘[a] final report and specific proposal (including timeline, not to exceed May 18, 2006) on the recommended method for achieving compliance with the CTR heavy metals objectives will be submitted by January 1, 2006. If at this time, the discharger determines that compliance cannot be achieved by any practicable means, the City will provide site-specific objectives for those constituents, as required by and specified in section 5.2 of the Inland Surface Waters Implementation Policy.’ The application of this permit provision to molybdenum is clearly in doubt since

¹ With regard to mercury, the City identified the need to conduct additional sampling at lower detection levels using ultra-clean sampling and analysis techniques to determine if the LRWRP effluent would comply with the mercury final effluent limit. Based on recent results obtained from Frontier GeoSciences, the City concludes that compliance with mercury final effluent limits using lower detection limits and ultra-clean techniques will not be a problem. (See Attachment 10 for recent results.)”

molybdenum is not a CTR heavy metal. In addition, the development of a site specific objective takes considerable time and resources and an agreement from the Regional Water Board to consider its development. Provisions L of Order No. 01-87 is confusing in some respects. Overall, however, it plainly contemplated a process for evaluating the feasibility of compliance with certain limitations, and the opportunity to seek relief if compliance is infeasible. It reflects an awareness of the five year compliance period under the SIP, but this is not applicable to molybdenum. In other words, the development of the site specific objective can occur after January 1, 2006, not before.

“The City did indicate in its report in response to this provision that the City could not comply with the final effluent limit for molybdenum and that it intends to seek a site specific objective. However, because molybdenum is not subject to Section 5.2 of the SIP, the City needs direction from the Regional Water Board on how it would like the City to proceed with developing a site specific objective for molybdenum. We look forward to exploring this option with Regional Water Board in the very near future.

“In the meantime, the City seeks an extension of its current interim limit of 30 ug/L in order to allow the City sufficient time to work with the Regional Board for the development and adoption of a site specific objective and Basin Plan Amendment for molybdenum. In other words, the City seeks extension of a compliance schedule in the permit; based on the historic application of the Board’s regulatory requirements, such a schedule is allowed. The City firmly believes that a site specific objective is appropriate in this situation because the crops grown that utilize the groundwater recharge from the Santa Ynez River does not include forage plants that are used by livestock, which is the issue of concern. Therefore, the level of molybdenum in the irrigation water would not be a local concern. Further, the relationship between irrigation water quality and concentration of molybdenum in forage plants has not been established. In addition, the City will undertake more extensive monitoring of influent, effluent, and local drinking water supplies for molybdenum to further verify that the source of molybdenum is from the drinking water supply and is not being contributed by industrial dischargers to the LRWRP.

“In the alternative, if the Regional Water Board concludes that the current interim limit cannot be extended in the permit, the City requests that the time schedule order with interim limits be issued. Such an order should be developed in order to protect the City from mandatory penalties.”

Staff Response 12: Staff believes that Agricultural Supply (AGR) beneficial use designation for Santa Ynez River and San Miguelito Creek is appropriate. Chapter 2 of the Basin Plan specifically states, “This chapter will examine and identify historical, present, and potential beneficial uses in the basin. The remainder of this chapter summarizes current beneficial uses, describes anticipated future water demands characterizing future or potential water users, and lists the present and potential beneficial uses in tabular form.” Although staff has not conducted land use studies to verify water use for agricultural supply, staff believes that agricultural supply (i.e., livestock watering or irrigation supply) is an appropriate designation for land uses surrounding the Santa Ynez River.

Neither the designation nor the water quality objective is subject to challenge in this permit action.

The AGR objective's reference to waters "used for" irrigation or stockwatering does not make this objective inapplicable. The discharge is located in an agricultural area. It is appropriate to protect beneficial uses even where the use is not currently being made. (Order WQO 2003-0014, p. 5.)

Molybdenum is not a CTR constituent and Order No 01-87 requirements to develop "a final report and specific proposal (including timeline, not to exceed May 18, 2006) on the recommended method for achieving compliance with the CTR heavy metals objectives site specific objectives" explicitly applies only to CTR criteria (Section L.1.g.). Staff recognizes that molybdenum is not a priority pollutant listed in the CTR and that CTR heavy metal objectives do not apply. However, some provisions of Order No. 01-87 (incorrectly) assumed molybdenum was a CTR constituent (Finding 25, Discharge Specification B.1 (non-CTR constituents are not eligible for compliance schedules under the Basin Plan), Provision L.1.a.) Also, Section L.1. of Order No 01-87 states, "The City of Lompoc will comply with the following schedule in order to investigate all possible treatment system modification to either achieve the California Toxics Rule Inland Surface Water limits, or to reconfigure the treatment system so as to discontinue inland surface water discharge in its current form." Staff believes the intent of this paragraph was to require the City to investigate all possible treatment modifications to comply with the molybdenum limits or modifications to discontinue current discharges.

As such, the City had submitted the required reports in accordance with Section L.1. of Order No. 01-87. Although the City recognized molybdenum as a non-CTR constituent, it did conduct a "Determination of Metal Removal Report," dated May 23, 2004 (Section L.1.d.). The summary of results indicated that "two of the ten metals for which the City received interim limits as being constituents of concern for meeting the ultimate discharge limits. These two metals are molybdenum and copper. Jar testing of LRWRP effluent was performed using the coagulants ferric chloride, sodium hydroxide, calcium hydroxide and sodium sulfide separately and in combination for removal of molybdenum and copper. The results of the jar testing indicate that the use of coagulants will remove both molybdenum and copper to levels below the ultimate discharge limits." Subsequently, the City is in the process of conducting wastewater treatment plant upgrades. The City's Preliminary Design Report (PDR), dated February 2005, indicates the proposed design of a Tertiary Flocculent/Clarifier (Section 1.4.3.) to specifically remove metals in the plant's effluent. The City indicated that the design, construction, and installation of the Tertiary Flocculent/Clarifier was an alternative measure and would only be implemented if requested by the Central Coast Water Board.

Staff has reviewed the City's request for a Time Schedule Order (TSO) to allow the City sufficient time to work with Central Coast Water Board staff in developing and adopting a site-specific objective. A TSO would be practical in this circumstance. The final effluent limit took effect on May 18, 2006 and would have first taken effect with the reissuance of this Permit, but the reissuance was delayed because of the Water Board's scheduling needs. New information indicates that high molybdenum concentrations in the receiving water

(Santa Ynez River) may be naturally occurring. However, since the discharge has reasonable potential to cause or contribute to an excursion above the water quality objective (40 CFR § 122.44(d)), an effluent limit based on the current objective is required. Staff recommends retaining the existing molybdenum limit, but will recommend the Executive Officer or the Water Board issue a time schedule order that prescribes an interim limit equal to the current facility performance level and requires the Discharger to take all necessary actions so that it can obtain a site-specific objective by May 18, 2011. Staff agrees that the SIP does not apply to developing the site-specific objective, but the Discharger must comply with all applicable requirements of the Clean Water Act.

Comment 13: Trihalomethanes (Chlorodibromomethane and Dichlorobromomethane):

“The City requests that interim performance-based limits with which the City can comply for Chlorodibromomethane and Dibromochloromethane be in effect until the end of May 2009. This schedule should allow the City sufficient time to complete all of its scheduled treatment plant upgrades, including the addition of a UV disinfection system and adjustment of the treatment system as necessary before final effluent limits go into effect. During this interim period the City will conduct quarterly influent monitoring for Chlorodibromomethane and Dibromochloromethane to determine if influent sources contribute to the trihalomethanes measured in the effluent. Should significant levels of Chlorodibromomethane and Dibromochloromethane be observed in the influent (i.e., if more than half of the samples have detected levels above the respective AMELs), the City will initiate source identification efforts.”

Staff Response 13: Staff has reviewed the City’s request for a Time Schedule Order (TSO) subsequent to the City’s proposed wastewater treatment plant upgrades. As part of the upgrades, the City proposes to design, construct, and install an ultraviolet (UV) disinfection system. The installation of the UV disinfection system will eliminate the use of chlorination for disinfection and subsequent trihalomethane formation. Plant upgrades are estimated to be complete by August 2008. Although a TSO would be practical in this circumstance, a TSO will not shield the Discharger from mandatory minimum penalties (MMPs) in accordance with Section 13385 (j)(3)(i) of the California Water Code, which only allows a TSO to avoid MMPs if “the effluent limitation is a new, more stringent, or modified regulatory requirement that has become applicable to the waste discharge after the effective date of the waste discharge requirement and after July 1, 2000, new or modified control measures are necessary in order to comply with the effluent limitation, and the new or modified control measures cannot be designed, installed, and put into operation within 30 calendar days.” Because effluent limitation for dichlorobromomethane and chlorodibromomethane became effective on May 18, 2001, a TSO is not an applicable mechanism for avoiding MMPs, although a TSO or cease and desist order can be used to specify interim limits with the ultimate goal of achieving effluent limitation compliance.

Comment 14: Total Coliform Bacteria:

“The City’s current permit (Order No. 01-87, NPDES No. CA0048127) contains effluent total coliform bacteria limitation provisions stating that a 7-day total coliform median ‘shall not exceed a log mean of 200/100 mL, or shall more than 10% of the total samples during any 30-day period exceed 400/100 mL.’ To this end, the statement made on page F-19 of the Fact Sheet in the TO that states, ‘Water quality effluent limitations for chlorine, coliform bacteria, and pH are retained and remain unchanged from Order No. 01-87’, is factually incorrect as it relates to coliform bacteria. The City requests that the language used to describe the Total Coliform Bacteria effluent limitation in the TO be revised to be consistent with the language contained in Order No. 01-87.”

Staff Response 14: Staff concurs and changed language in the proposed permit to state, “The concentration of total coliform bacteria measured in treated effluent at Discharger Point 001 shall not exceed a most probable number (MPN) of 23 organisms per 100 milliliters (mL) as determined from the last seven days for which analyses have been completed. The number of total coliform bacteria shall not exceed a log mean of 200 per 100 mL and no more than 10% of the total samples during any calendar month shall exceed 400 MPN per 100 mL.” This language is consistent with Section B.8. of Order No. 01-87 and comment 14 above.

Comment 15: Receiving Water Introductory Language (SIP):

“The current introductory language to the Surface Water Limitations incorrectly identifies the SIP as a source of water quality objectives for which receiving water limitations are based. The SIP is an implementation policy for toxic standards for priority pollutants that are adopted in the California Toxics Rule and Basin Plans. The primary goal of the SIP is to establish a ‘standardized approach for permitting discharges of toxic pollutants to non-ocean surface waters,’ (SIP, page 3). The SIP does not contain water quality objectives that apply to receiving waters. Thus, the reference to the SIP must be deleted from the introductory portion of this permit provision.”

Staff Response 15: Staff concurs. Language addressing the SIP application to receiving waters was removed from the proposed permit.

Comment 16: Receiving Water Introductory Language (Violations):

“Furthermore, as currently drafted, the introductory language does not clearly recognize the fact that there are factors other than the LRWRP discharge that could cause an exceedance of applicable water quality standards. The City is concerned that it may be held responsible for the actions of others and that any violation of the receiving water limitations will automatically constitute a violation of the City’s permit. To provide clarity and certainty with regard to this issue, the City recommends that the introductory language to the Receiving Water Limitations be amended to state the following:

“A receiving water condition not in conformance with a specific receiving water limitation is not necessarily a violation of this Order. The Board may require an investigation to determine cause prior to asserting a violation has occurred. The discharge shall not cause the following in the receiving water:”

Staff Response 16: Staff reviewed the comment and language change proposed by the City. The receiving water limits as drafted already limit violations to exceedances the Discharger *causes*. The Central Coast Water Board already has authority to require additional investigation prior to taking enforcement actions. Furthermore, the proposed Order requires the discharger to monitor receiving water upstream and downstream. This monitoring data will be used as an investigatory tool in determining the discharge affects on the receiving water and whether violations will be attributed to the City. Staff has modified the City's proposed language and has modified the introductory paragraph. Receiving water introductory language now states, "Receiving water limitations are based on water quality objectives contained in the Basin Plan and are a required part of this Order. The discharge shall not cause a violation of the following receiving water limitations in San Miguelito Creek, which is tributary to the Santa Ynez River, or in the Santa Ynez River. The Central Coast Water Board may, but is not required to, require the Discharger to investigate the cause of exceedances in the receiving water before determining whether the Discharger caused any water condition that exceeds the following receiving water limitations."

Comment 17: Receiving Water Introductory Language (Santa Ynez River Limitations):

"Finally, the introductory paragraph applies the receiving water limits to the Santa Ynez River as well as San Miguelito Creek. The City does not discharge directly into the Santa Ynez River. The Regional Board applies the Santa Ynez water quality objectives to San Miguelito Creek. Thus, it is not necessary to include receiving water limits for both waterbodies in the TO. The application of the receiving water limits to the Santa Ynez River should be deleted from this paragraph."

Staff Response 17: Staff has determined that receiving water limitations for Santa Ynez River apply. During high flows, the Santa Ynez River periodically flows over its banks combining with San Miguelito Creek so that the discharge is directly to the Santa Ynez River (refer to Section B of the Fact Sheet).

Comment 18: Receiving Water (Dissolved Oxygen):

"The proposed receiving limit for dissolved oxygen appears to be the combination of two different dissolved oxygen water quality objectives from the Basin Plan. The first portion of the limit is associated with the Cold Freshwater Habitat beneficial use while the second sentence is a general objective that applies to all beneficial uses. In the application of the Basin Plan, the more specific water quality objective supersedes the more general objective. Therefore, in this case, the limit pertaining to reducing dissolved oxygen concentrations below 7 mg/L is the more specific objective and is associated with a specific beneficial use designation. As such, the second portion of this receiving water limit must be eliminated for it does not apply."

Staff Response 18: Receiving Water Limitation Section A.12. of this Order now states, "Dissolved oxygen concentrations in receiving waters shall not be reduced below 7 mg/L at any time." This language is consistent with the protection of the Cold Fresh Water Habitat beneficial use designated for Santa Ynez River and San Miguelito Creek. Specifically,

language that prohibits saturation to fall below 85 percent was taken from the General Objectives for Inland Surface Waters (Section II.A.2.a. of the Basin Plan). This section states that this objective is “for waters not mentioned by a specific beneficial use.” Because Santa Ynez River and San Miguelito Creek are designated to have Cold Fresh Water Habitat beneficial use, staff removed the 85 percent language from the proposed permit.

Where two objectives apply to the same constituent, the Discharger must comply with the more stringent of the two in order to protect all beneficial uses.

Comment 19: Receiving Water (pH):

“The pH range of 7.0 – 8.3 standard units appears to be a hybrid of the Basin Plan’s General Objectives (Basin Plan page III-3, II.A.2.a.) with a lower limit of 7.0 and the MUN Objectives with an upper limit of 8.3. The City disagrees with the practice of using portions of the general objective with a more specific objective. Under the rules of construction of statutes or regulations, a more specific requirement supersedes a more general requirement. Therefore, in this case, the more specific pH requirement for MUN designations supersedes the more general pH requirement. Thus, the appropriate receiving water limit for pH should be 6.5 – 8.3 standard units.”

Staff Response 19: The pH range established in this Order is appropriate in order to protect designated beneficial uses established for Santa Ynez River and San Miguelito Creek. Both water bodies retain the Municipal and Domestic Supply (MUN) beneficial use as well as the Cold Fresh Water Habitat (COLD) beneficial use. The MUN beneficial use establishes an objective for pH range 6.5 – 8.3 standard units. The COLD beneficial use establishes an objective for pH range 7.0 – 8.5 standard units. Staff believes that protection of both beneficial uses is important; therefore, the hybrid of pH ranges is appropriate. The receiving water limitation pH range will remain unchanged in this Order.

Comment 20: Receiving Water (Temperature):

“The TO includes a receiving water limitation for temperature that states, ‘[n]atural temperature of receiving waters shall not be altered unless it can be demonstrated to the satisfaction of the Central Coast Water Board that such alteration in temperature does not adversely affect beneficial uses. At no time or place shall the temperature be increased by more than 5° F above natural receiving water temperature.’ The application of this Basin Plan objective to San Miguelito Creek and subsequently the Santa Ynez River is problematic. The flow in San Miguelito Creek at any given time of the year is minimal as compared to the flow of the City’s discharge from LRWRP. In addition, there is at times no flow in San Miguelito Creek at the City’s discharge point and therefore no natural receiving water temperature at the point that effluent is discharged to San Miguelito Creek. (See State Board Order WQO-2002-0003). Thus, the volume of the City’s discharge greatly influences the temperature of the minimal natural flows in San Miguelito Creek.

“Because of the unique characteristics of San Miguelito Creek, the narrative temperature standard from the Basin Plan does not easily apply to this waterbody. In the alternative,

the City recommends that the Regional Board adopt language that is similar to that which was adopted into the San Luis Obispo permit. San Luis Obispo's discharge into San Luis Obispo Creek is similar to that of the LRWRP discharge into San Miguelito Creek and therefore the language is applicable in this case as well. The City recommends the following language:

"Temperature to increase more than 5 deg F above receiving water temperature. If, due to the Creek's low temperature as determined by early-morning monitoring, the discharge causes the Creek's temperature increase to exceed the limit, the Discharger must ensure the discharge shall not cause the receiving water to exceed 72.5 deg F (22.5 deg C). The Discharger shall monitor the Creek again four hours after discovering the exceedance and shall report both results to the Executive Officer in the monthly self-monitoring report."

Staff Response 20: Staff disagrees with the City's proposed language change. The current language is consistent with the Cold Water Habitat Beneficial Use of the Basin Plan, which states "At no time or place shall the temperature be increased by more than 5 deg F above natural receiving water temperature."

Comment 21: Primary MCLs for Inorganic Chemicals:

"The TO includes a receiving water limitation for inorganic chemicals based on primary MCLs contained in Table 64431-A of Title 22, California Code of Regulations. However, this section of Title 22 has not been incorporated by reference into the Basin Plan. Therefore, this receiving water limit must be removed from the TO.

"The City had also made this comment for the Groundwater Limitation (Section B) and the Effluent Monitoring (Table IV-A, footnote d), and Receiving Water monitoring (Table VI-A, footnote c) of this Order."

Staff Response 21: Staff does not agree with the City's determination for removal for the Title 22 receiving water limitation. Title 22, Division 4, Chapter 15, Article 4, Section 64431, Table 64431-A references inorganic chemicals and their primary MCLs for drinking water standards. The Basin Plan specifically references Section 64435, which was subsequently renumbered as Section 64431. This limitation will remain in the receiving water limitation and groundwater limitation sections of this Order.

Comment 22: Chemical Constituents

"Receiving water limitation No. 21 is intended to protect the agricultural beneficial use of the receiving water, which is consistent with the intent of the Basin Plan. However, as currently drafted, much of this receiving water limitation is not consistent with the Basin Plan. This first portion of this limitation, including the reference to Table 3-3 of the Basin Plan, is consistent with the Basin Plan and therefore is an appropriate receiving water limitation. In addition, the reference to Table 3-4 is also an appropriate receiving water reference. However, the additional language is not necessary and needs to be deleted.

“Also, receiving water limitation No. 22 repeats the same receiving water objective expressed in No. 21. Therefore, it is duplicative and should be removed from the TO.”

Staff Response 22: Comment noted. Language for Receiving Water Limitation No. 21 has been modified to address Table 3-3 of the Basin Plan. The second portion of Limitation No. 21 discussing “waters used for irrigation and livestock watering” has been moved to Receiving Water Limitation No. 22. Language for Limitation No 21 now appropriately addresses agricultural beneficial use. Limitation No. 22 appropriately addresses irrigation and livestock watering.

Comment 23: Surface Water Objectives Table V-2

“Table V-2 as incorporated into the TO eliminates an important footnote that is part of Table 3-7 of the Basin Plan, which is the impetus for Table V-2 in the TO. Table 3-7 of the Basin Plan contains footnote (a) that states the objectives are “annual mean values.” Therefore, Table V-2 must be amended to add a similar footnote (a). Otherwise, the objectives may be applied as an instantaneous maximum, which is not a true characterization of the objectives as they appear in the Basin Plan.”

Staff Response 23: Staff agrees and made appropriate changes to Table V-2. The table now includes footnote 1 stating the objectives are “annual mean values.”

Comment 24: Groundwater Limitations Introductory Language:

“As discussed above in relationship to surface water limitations, the City is concerned that the introductory language currently proposed may expose the City to liability for the actions of others. Therefore, the City requests that the language be amended to be consistent with the suggested language for surface water limitations. The suggested language is as follows:

“Groundwater Limitations are based on water quality objectives contained in the Basin Plan. However, a groundwater condition not in conformance with the limitation is not necessarily a violation of this Order. The Board may require an investigation to determine cause prior to asserting a violation has occurred. The discharge shall not cause the following in the groundwater:”

Staff Response 24: Staff reviewed the comment and language change proposed by the City. Staff believes that the proposed language change reflects the inherent capability of the Central Coast Water Board. More specifically, the CWA, Basin Plan, and the CWC delegate authority to the Central Coast Water Board to require additional investigation prior to taking enforcement actions. The Order requires the discharger to monitor groundwater from one up gradient well and two down gradient wells. The monitoring data obtained will be used as an investigatory tool in determining the discharger’s affects on the groundwater and whether violations will be incurred. Staff has modified the City’s proposed language and modified the introductory paragraph. Groundwater introductory language now states “Activities at the facility shall not cause exceedance/deviation from the following water

quality objectives for groundwater established by the Basin Plan. The Central Coast Water Board may, but is not required to, require the discharger to investigate the cause of exceedances in the groundwater before determining whether the Discharger caused any water condition that exceeds the following groundwater limitations.”

Comment 25: Mineral Constituent Concentrations “Statistically Significant”

“The proposed Groundwater Limitation expressed in B.2 is does not reflect an adopted Basin Plan Objective. Therefore, it must be deleted from the T.O.”

Staff Response 25: Section B.2. of this Order states that mineral constituent concentrations shall not cause a “significantly significant” increase in underlying groundwater. This narrative limitation was retained from Section D.1. of Order No. 01-87 and implements Section III.E.3. of the Basin Plan. This Basin Plan section states, “Wastewater percolated into the groundwaters shall be of such quality at the point where they enter the ground so as to assure the continued usability of all groundwaters of the basin.” Staff recommends no change to the proposed order.

Comment 26: Groundwater Objectives Table V-3

“Table V-3 as incorporated into the TO fails to correctly characterize the objectives contained in Table 3-8 of the Basin Plan. Table 3-8 is clearly labeled ‘Median Ground Water Objectives’ and Table 3-8 contains footnote (a), which states that the objectives shown are median values based on data averages. Therefore, Table V-3 of the TO must be revised to clearly indicate that the objectives are median values and not instantaneous maximums. Without this clarification, the Groundwater Limitations are far more restrictive than the underlying Basin Plan objectives.”

Staff Response 26: Staff concurs and made appropriate changes to Table V-3. The table now includes footnote 1 stating that the objectives are “based on median values.”

Comment 27: Special Provision: TRE Workplan

“The second to the last sentence in the paragraph following sub-section (c) implies that the City would be required to conduct a TRE each time that the acute toxicity in the effluent exceeds the limit. The Fact Sheet clarifies that the Regional Board’s intent is to require the City to maintain a TRE Workplan, which describes the steps that the City would follow in the event that there were exceedances; however, the Regional Board’s executive officer makes the determination if a TRE is actually implemented according to the Workplan after the effluent has been resampled and re-tested.

“In order to ensure that the TRE provisions in the permit are correctly interpreted, the City recommends that the following language be amended as identified:

“When the EO requires the Discharger to conduct a TRE, the TRE shall be conducted giving due consideration to guidance provided by the U.S. EPA’s Toxicity Reduction Evaluation Procedures, Phases 1, 2, and 3 (EPA document nos. EPA 600/3-88/034, 600/3-88/035, and 600/3-88/036).”

Staff Response 27: Comment noted. Language was added to Section C.2. of the proposed Order to state, "When monitoring measures acute and chronic toxicity in the effluent above the limitation established by this Order, the Discharger shall resample immediately, if the discharge is continuing, and retest for acute toxicity. Results of an initial failed test and results of subsequent monitoring shall be reported to the Executive Officer (EO) as soon as possible following receipt of monitoring results. The EO will determine whether to initiate enforcement action, whether to require the Discharger to implement a Toxicity Reduction Evaluation, or to implement other measures. When the EO requires the Discharger to conduct a TRE, the TRE shall be conducted giving due consideration to guidance provided by the U.S. EPA's Toxicity Reduction Evaluation Procedures, Phases 1, 2, and 3 (EPA document nos. EPA 600/3-88/034, 600/3-88/035, and 600/3-88/036). A TRE, if necessary, shall be conducted in accordance with the following schedule."

Comment 28: Biosolids Handling and Disposal:

"The City is concerned that the language contained in 4.b.iii. would require the City to control entities to which the City has no contractual relationship or obligation. Thus, the City recommends that the language be amended as identified:

"The Discharger is responsible for informing subsequent preparers, applicators and disposers with whom the Discharger contracts of the requirements that they must meet under 40 CFR 257, 258, and 503."

Staff Response 28: Central Coast Water Board staff has consulted USEPA regarding its interpretation of the 40 CFR 503 rule. Ms. Lauren Fondell, USEPA Biosolids Representative, states, "The 503 rule is very clear that the preparer of the biosolids is responsible for the use or disposal. After several court cases where POTWs contracted with composters and then continued to send their biosolids to the compost sites even after it became blatantly evident that the 'composters' were not composting and/or distributing the finished compost, USEPA decided it was desirable to put a clause in permits clarifying that the POTW still retains responsibility for the biosolids through final use or disposal. This is a necessary incentive for POTWs to terminate a contract with composters who are not performing, and to clean up if a composter leaves the country leaving behind the biosolids." [E-mail correspondence to staff dated 9/22/2004]. Biosolids language will remain in this Order. Staff recommends no change to the proposed order.

Comment 29: Salt Management Study

"As currently drafted, sub-section (d) of the Salt Management Study would require the City to develop a "Salt Management Plan" that ensures that discharges from the LRWRP do not interfere with the attainment of water quality objectives for salts. The City is not opposed to developing a Salt Management Plan that strives towards meeting salinity based water quality objectives applicable to the Santa Ynez River Basin. However, the City does not believe that it can ensure the attainment of water quality objectives. Thus, the City requests that the study language in questions be amended as follows:

“The Discharger shall develop a Salt Management Plan that reduces salt concentrations in discharges from the wastewater treatment facility to the extent reasonable and feasible to ensure that discharges from the wastewater treatment facility do not interfere with attainment of applicable, concentration-based water quality objectives for salts in the Lompoc Plain Sub-Area of the Santa Ynez River Basin. The Plan shall include a schedule of not more than five years of full implementation of the Plan.”

Staff Response 29: Staff believes that the City’s proposed language modifications will alter the intention and effectiveness of the Salt Management Study. Furthermore, the proposed language alleviates the City of all responsibility for effluent discharge of TDS, sodium, chloride, and other salts. Thus, staff recommends no change to the Salt Management Study language.

Comment 30: Wastewater Collection Systems Requirements

“On May 2, 2006, the State Water Resources Control Board (State Water Board) adopted *Statewide General Waste Discharge Requirements for Sanitary Sewer Overflows* (Order No. 2006-0003). The City of Lompoc is required to comply with the terms of the Order. As such, the special provisions contained here regarding wastewater collection systems, including Attachment G of the TO, are no longer applicable and must be removed from the permit.”

Staff Response 30: Comment noted. Language addressing Wastewater Collection System Requirements has been removed. The Discharger is required to apply for coverage under the Statewide Wastewater Collection System General Permit (2006-0003-DWQ) six months from the adoption of the General Permit (November 2, 2006).

Comment 31: Oil and Grease Monitoring

“As stated previously in the City’s Report of Waste Discharge submitted to the Regional Board on November 18, 2005, the effluent monitoring requirement for Oil and Grease should be associated with a minimum sampling frequency of annual instead of monthly. The City’s current, effluent Oil and Grease detected results are all below the 5 mg/L Average Monthly Effluent Limit (AMEL), and therefore monthly monitoring of the constituent is not necessary. The City requests that the Monitoring and Reporting Program be revised to allow an increase in the minimum sampling frequency for Oil and Grease from monthly to annual, with a provision that the minimum sampling frequency could be increased if the annual Oil and Grease datum exceeded the AMEL.”

Staff Response 31: Comment noted. Staff believes that annual sampling is not frequent enough and instead recommends sampling for Oil and Grease on a quarterly basis, with the understanding that “sampling frequency will increase to monthly if effluent limitations are exceeded.”

Comment 32: Acute Toxicity Units

“The units for acute toxicity in Table IV-A are inconsistent with the units as expressed in the effluent limits table in the TO. We recommend that the units in the MRP be changed to be consistent with the effluent limits in the permit, which is ‘% survival’ in this case.”

Staff Response 32: Comment noted. Acute toxicity units were modified to reflect “% survival.” This language is consistent with Table IV-1 Final Effluent Limitations.

Comment 33: Table IV-A Footnotes

Footnote d: “This footnote does not apply to CTR constituents. More likely, it applies to Title 22 pollutants. As it applies to Title 22 pollutants, it is inconsistent with the Basin Plan. Through this footnote, the MRP requires that the City monitor for Title 22 Inorganic Chemicals from Table 64431-A. These Title 22 chemicals have not been incorporated into the Basin Plan by reference. Therefore, it is not appropriate to include them as a required constituent for monitoring in the City’s MRP. In addition, many of these constituents may already be covered by the monitoring requirement for CTR pollutants.

Footnote e: “This reference does not appear to apply to the constituent to which it is associated.”

Staff Response 33: Comments noted. The footnotes were changed to reference the appropriate constituents.

Comment 34: Phthalate Esters

“The CTR includes a number of phthalate esters as identified toxic pollutants. Thus, the CTR monitoring requirement for pollutants in surface waters will result in the monitoring of the following phthalate esters: Bis(2-ethylhexyl)phthalate, Butyl benzyl phthalate, Diethyl phthalate, Dimethyl phthalate, Di-n-butylphthalate, and Di-n-octylphthalate. Because the CTR receiving water monitoring requirement will cover the monitoring of phthalate esters, we recommend that this monitoring requirement be removed from MRP.”

Staff Response 34: Comment noted. The receiving water monitoring requirement for phthalate esters was removed, due to the redundant monitoring. staff agrees that phthalate esters will be monitored with the other CTR constituents.

Comment 35: Spill Reporting

“The State Water Board’s WDR for Sanitary Sewer Overflows encompasses requirements regarding sewage spill reporting. The provisions contained in the MRP are no longer applicable and have been replaced by the WDR. Thus, these requirements must be deleted from the MRP.”

Staff Response 35: Although the Statewide Collection Systems General Permit includes spill reporting and appropriate notification, the Central Coast Water Board still retains the authority to require more specific reporting requirements. Section A.11. of the Statewide Collection Systems General Permit (2006-0003-DWQ) states, “These reporting requirements do not preclude an enrollee from reporting SSOs to other regulatory agencies

pursuant to the California State Law. These reporting requirements do not replace other regional water board telephone reporting requirements for SSOs." Statewide Wastewater Collection Systems General Permit reporting language is incorporated into the Section VIII.D. of the proposed Order, with the exception of 24-hour telephone reporting and the requirement of notifying the County of Santa Barbara Environmental Health Services.

Comment 36: Compliance Summary

"As currently drafted, the compliance summary contained in the Fact Sheet is misleading. The language implies that the City had a significant number of exceedances that in fact are not the case.

"First, the bullet regarding ammonia is incorrect. There was only one (1) exceedance of Unionized Ammonia in April 2005, not four. There were four samples collected for one exceedance of the 7-day average of 0.025 mg/L (the reported 7-day average was 0.0418 mg/L). There is no Daily Max effluent limitation for Unionized Ammonia in the current permit (Order No. 01-87, NPDES No. CA0048127). Thus, the bullet must be modified to correctly state that the City had only one exceedance for unionized ammonia.

"Second, the bullet regarding TDS implies that the City had 62 exceedances of the TDS effluent limit. This is not the case. The City's effluent limit for TDS in its current permit is a 12-month running mean. When the data are evaluated based on this running mean, there are only 2 instances in 2004 (June and July) during which the 1100 mg/L – 12-month running mean was exceeded. The 62 samples identified in the Fact Sheet are individual results, which do not equate to a violation of the City's TDS effluent limit. Thus, the bullet must be modified to correctly identify that the City violated the TDS effluent limit in its current permit only two times."

Staff Response 36: Staff has verified historical compliance regarding the above constituents. Staff made appropriate modifications to the proposed order regarding these violations according to the CIWQS database as well as past mandatory minimum penalties issued to the City. Staff modified the proposed order to reflect violation data.

Comment 37: Additional Editorial Comments (Attachment 1 to the City's Comment Letter)

Along with the Comment letter submitted May 12, 2006, the City had attached 47 editorial comments (Attachment 1) that addressed only editorial comments and recommendations for modification. Out of the 47 comments, staff agreed with 46 comments and made appropriate modifications. The remaining editorial comment is addressed below.

- "Page 26: Item q.: Use of the term "sufficient content" is unreasonably vague. The City requests more detailed guidance on the specific content of a semi-annual report in order to ensure compliance with requirements."

Comment noted. Staff has removed the infiltration and inflow special provision, since the City is required to obtain coverage under the Statewide Wastewater Collection System General Permit, which addresses infiltration and inflow.

Mr. Steve Jordan of the Farm Bureau submitted written comments on May 12, 2006, regarding this Order. Responses to the comments are addressed below.

Comment 38: Flood Control Carrying Capacity

“For that past 20 years, I and other Lompoc farmers have pointed out that the discharge of wastewater from the Lompoc sewer plant causes the growth of dense groves of trees within the channel that is designed to conduct flood flows through the Lompoc valley. We have pointed out to the Regional Board that routine flood operations of Bradbury Dam and the occasional uncontrolled flows entering the river below the Dam cannot be conveyed through this vegetative jungle which extends approximately 1 mile below the sewer outfall without a routine program of removal of the vegetation.

“The Regional Board in fact not required to comply with CEQA on the condition that its process is the functional equivalent of CEQA. Here, there is no identification of the blockage of the flood control capacity of the channel and no mitigation measures or conditions placed that the discharge not generate vegetative growth that blocks otherwise existing natural flood carrying capacity of the channel. For that reason, your order and conditions do not satisfy the requirements of California law.

“Your permit and conditions fail to address the fact that without the sewer discharge the vegetation would not be propagated and your report fails to explain how you cannot mitigate for this impact by requiring that the City remove periodically at its expense growth which obstructs the flood control channel which would not exist but for the sewer water discharge.”

Staff Response 38: Comment noted. This Order specifically addresses LRWRP effluent discharges and the permitting mechanisms to control possible pollutants found in wastewater streams, including excessive nutrient loading. Therefore, this Order will not include mitigation measures for vegetative control downstream of the discharge point. As described in the April 18, 2001 Staff Report for Order No. 01-87, this issue has been raised by the Lompoc valley farming community in the 1990 and 1995 public hearings for this permit renewal. Staff recommends that this issue to be referred to the Army Corps of Engineers or the Santa Barbara County Flood Control District. If the Water Board receives evidence that the discharge is causing excess vegetative growth in the Santa Ynez River Channel, the Water Board may impose additional requirements pursuant to our nuisance authority.

Comment 39: Salinity (TDS) Impacts on Lompoc Valley

“The Lompoc Valley groundwater is salinity impacted. The Basin Plan objectives are a TDS of 1000 for surface waters. Yet for the past 4 successive renewals of this NPDES

Permit you have permitted no progress to be shown in regard to salinity reduction. This plant exceeded its own 1100 TDS discharge requirement (30 day average) 62 out of 163 periods during the last permit. Page F-6.

“Is the TDS requirement an average or a threshold? A casual analysis might conclude that if the average discharge met the requirement that would be satisfactory. The fault in that logic is that the TDS would be higher during the summer when greater recharge is occurring?”

“Is the TDS of the discharges higher in the summer than the winter?”

“The fact is that is that Lompoc goes on adding homes and dischargers, has not found one way to reduce discharge of wastewater other than dust control around the wastewater plant in the last 4 permits (20 years). Most communities in California have found a way to apply salt laden water to parks, grassy areas, natural vegetation or some other means of providing for reduction in the salts generated by human activities entering the groundwater by placing, as Lompoc does, the water in a river bed that recharges the lower valley.”

Staff Response 39: Staff has reviewed the above comment and agrees that salinity is a region-wide issue. Staff has verified violations identified in Section D of the Fact Sheet (Compliance Summary) for TDS and has made appropriate modifications. This section now states, “Total dissolved solids (TDS) were not in compliance three times during the permit term (June 30, 2004 [1101 mg/L], July 31, 2004 [1103 mg/L], and August 31, 2004 [1101 mg/L]) exceeding the effluent limitation of 1,100 mg/L (12-month running mean).” Furthermore, compliance with TDS, sodium, and chloride effluent limitations is based on 12-month means (averages). Because TDS compliance is based on a 12-month running mean, seasonal fluctuations are taken into account.

Central Coast Water Board staff cannot require wastewater reclamation as part of this Order. Although staff has discussed reclamation alternatives and considerations with the City in the past, the City has determined that reclamation is infeasible at this time. Furthermore, the City explored various reclamation alternatives in the City of Lompoc’s *Wastewater Reclamation Plan*, dated May 10, 1996, which concluded that the current recharge to Santa Ynez River is the preferred method.

Finally, staff believes that a salt management study will benefit the region-wide effort to reduce salt loading in groundwater sources. By requiring the City to conduct and develop a Salt Management Study/Plan, the Central Coast Water Board will use this information to determine the sources and salt accumulation, seasonal fluctuations, alternative salt controls, and appropriate regulatory mechanisms for such controls.

C. Public Hearing

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

Date: July 7, 2006
Time: 8:30 a.m.
Location: Central Coast Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Interested persons are invited to attend. At the public hearing, the Central Coast 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/centralcoast/> 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 Central Coast Water Board regarding the final WDRs. The petition must be submitted within 30 days of the Central Coast 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 (ROWD), related documents, tentative effluent limitations and special provisions, comments received, and other information are on file and may be inspected at the Central Coast Water Board office at any time between 8:00 a.m. and 5:00 p.m., Monday through Friday. Copying of documents may be arranged through the Central Coast Water Board by calling 805-549-3147.

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 Central Coast 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 **David LaCaro at 805-549-3892** or dlacaro@waterboards.ca.gov.

Date _____

California Regional Water Quality Control Board
Central Coast Region
Attn: Monitoring and Reporting Review Section
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Dear Mr. Briggs:

Facility Name:

Address:

Contact Person:

Job Title:

Phone Number:

WDR/NPDES Order Number:

Types of Report (circle all):

Monthly Quarterly Semi-Annual Annual

Month(s) (circle applicable months*):

JAN FEB MAR APR MAY JUN

JUL AUG SEP OCT NOV DEC

*Annual Reports (circle the first month of the reporting period)

Year:

Violation(s) (Place an X by the appropriate choice):

_____ No (there are no violations to report) _____ Yes

If Yes is marked (complete a-g):

a) Parameter(s) in Violation:

b) Section(s) of WDR/NPDES Violated:

c) Reported Value(s)

d) WDR/NPDES

Limit/Condition:

e) Dates of Violation(s)

(reference page of report/data sheet):

f) Explanation of Cause(s):

(attach additional information as needed)

g) Corrective Action(s):

(attach additional information as needed)

In accordance with the Standard Provisions and Reporting Requirements, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision following a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my knowledge of the person(s) who manage the system, or those directly responsible for data gathering, 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.

If you have any questions or require additional information, please contact me at the number provided above.

Sincerely,

Signature

Printed Name

Title