

Central Coast Regional Water Quality Control Board
Prosecution Team Evidence
in the matter of
Cease and Desist Order R3-2016-0015
Exhibit 1

STATE WATER RESOURCES CONTROL BOARD
WATER QUALITY ORDER NO. 97-10-DWQ
GENERAL WASTE DISCHARGE REQUIREMENTS
FOR DISCHARGES TO LAND BY
SMALL DOMESTIC WASTEWATER TREATMENT SYSTEMS

Findings:

1. Section 13260(a) of the California Water Code (CWC) requires that any person discharging waste or proposing to discharge waste within any region, other than to a community sewer system, that could affect the quality of the waters of the State, file a report of waste discharge (ROWD).
2. Discharges to land from small domestic wastewater treatment and disposal systems have certain common characteristics, such as similar constituents, concentrations of constituents, disposal techniques, flow ranges and they require the same or similar treatment standards. These types of discharges are more appropriately regulated under general Waste Discharge Requirements (general WDRs).
3. Only domestic wastewater treatment and disposal systems with a maximum average daily flow of 20,000 gallons or less that discharge to land (small domestic systems) are eligible for coverage under these general WDRs. Small domestic systems are typically located at campgrounds, mobile home parks, roadside rest stops, condominiums/subdivisions using community waste treatment systems, restaurants, schools, resort hotels and lodges, small correctional facilities, and Recreation Vehicles (RV) dump locations, including RV parks. Single family residences with small domestic systems, for purposes of these general WDRs, are specifically excluded.
4. All WDRs must implement the applicable water quality control plan (Basin Plan) for the Region affected by the discharge. Therefore, these general WDRs require dischargers to comply with all applicable Basin Plan provisions, including any prohibitions and water quality objectives, governing the discharge.

- 5. This Order establishes minimum standards only for small domestic systems. The discharger must comply with any more stringent standards in the applicable Basin Plan. In the event of a conflict between the provisions of this Order and the Basin Plan, the more stringent provision prevails.
- 6. The beneficial uses for the ground waters of the State are: municipal supply (MUN), industrial service supply (IND), industrial process supply (PROC), fresh water replenishment (FRESH), aquaculture (AQUA), wildlife habitat (WILD), and agricultural supply (AGR). The following list shows the beneficial uses that apply to each region. Some beneficial uses only apply to certain geographical areas.

<u>Region</u>	<u>Listed Beneficial Uses</u>
1	MUN, AGR, IND, PROC
2	MUN, AGR, IND, PROC, FRESH
3	MUN, AGR, IND, PROC
4	MUN, AGR, IND, PROC, AQUA
5	MUN, AGR, IND, PROC
6	MUN, AGR, IND, FRESH, WILD
7	MUN, AGR, IND
8	MUN, AGR, IND, PROC
9	MUN, AGR, IND, PROC, FRESH

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

- 7. Dischargers seeking coverage under these general WDRs shall file: (1) a standard application for WDRs (Report of Waste Discharge), a Form 200, or an equivalent document; and (2) a first annual fee of \$400 which corresponds to a Threat to Water Quality and Complexity of 3b in the fee schedule listed in Section 2200 of Title 23, California Code of Regulations (CCR). Upon review by Regional Water Quality Control Board (RWQCB) staff, a determination will be made as to whether or not coverage under these general WDRs is appropriate. The discharger shall be notified by a letter from the RWQCB's Executive Officer when coverage under these general WDRs has begun.
- 8. Each RWQCB has its own waiver policies and conditions. Any discharger currently under a waiver from the RWQCB does not need to apply for coverage under these general WDRs.
- 9. Although a discharge may be eligible for coverage under this general WDR, the appropriate RWQCB may determine that the discharge would

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

10. This Order does not preempt or supersede the authority of municipalities, flood control agencies, or other local agencies to prohibit, restrict, or control discharges of waste subject to their jurisdiction.
11. These WDRs are exempt from Chapter 15 requirements pursuant to CCR, Title 23, Chapter 15, Section 2511(a).
12. This general WDR is intended to cover both new and existing small domestic systems. The adoption of WDRs for existing small domestic systems is exempt from the California Environmental Quality Act (CEQA) under CCR, Title 14, Section 15261 or Section 15301 as ongoing or existing projects.
13. The State Water Resources Control Board (SWRCB) has adopted a Mitigated Negative Declaration in compliance with CEQA for new small domestic systems. The potential significant environmental impacts from discharges from new small domestic systems can be mitigated to a level of insignificance by compliance with this Order.
14. Pursuant to Section 13263 of the CWC, the SWRCB, in establishing the requirements contained herein, considered factors including but not limited to the following:
 - a. Past, present, and probable future beneficial uses of water.
 - b. Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.
 - c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area.
 - d. Economic considerations.
 - e. The need for developing housing within the Region(s).
 - f. The need to develop and use recycled water.
15. The SWRCB has notified potential dischargers and all other known interested parties of the intent to prescribe WDRs as described in this Order.

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

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

A. Prohibitions:

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

B. Requirements:

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

- c. The discharger shall not discharge waste in excess of the maximum design and disposal capacity of the small domestic system.
- d. The discharge of waste from small domestic systems shall comply with all applicable provisions of the RWQCB's Basin Plan, including but not limited to any prohibitions and water quality objectives.

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

- a. Septic tank cleanings shall be performed only by a duly authorized service.
- b. The discharger shall maintain a log of all septic cleanings. At a minimum the log shall include the date of the cleaning, and the name, address, phone number, and license number (if applicable) of the cleaner.
- c. Dischargers who accept wastes from RVs or other mobile waste systems must ensure that such wastes (with constituents including formaldehyde, zinc, and phenol) do not deleteriously affect the septic system or impact the ground water.

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

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

- b. If sewage sludge is land applied, disposed of at a monofill, or incinerated, this activity shall comply with existing Federal, State, and local laws and regulations, including requirements of 40 CFR 503, the RWQCB, and the county ordinances, and shall be approved by the appropriate RWQCB's Executive Officer.
- c. The discharger shall submit a sludge disposal plan and obtain the appropriate RWQCB Executive Officer's written permission prior to any disposal of sludge. The Executive Officer shall be informed of any changes in this plan at least 60 days in advance of the change.

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

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

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

- a. The subsurface wastewater disposal system(s) shall be maintained so that at no time will sewage surface at any location.
- b. No part of the disposal system(s) shall extend to a depth where waste may pollute ground water.

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

- a. A minimum freeboard of two (2) feet shall be maintained at all times in the basins or ponds.
- b. Public contact with wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.
- c. Basins or ponds shall have sufficient capacity to accommodate allowable wastewater flow and design seasonal precipitation and ancillary inflow and infiltration during the winter season. Design seasonal precipitation shall be based on criteria, if any, set in the appropriate RWQCB's Basin Plan. If no criteria is set in the appropriate RWQCB's Basin Plan, then seasonal precipitation shall be based on historical 24 hour rain fall, using a 10 year return frequency.
- d. Disposal in ponds shall be conducted in a manner such that there shall be no stranded or exposed sewage solids.

C. Ground Water and Surface Water Limitations:

- 1. The discharge shall not:
 - a. Pollute ground or surface waters.
 - b. Adversely affect beneficial uses or cause an exceedance of any applicable Basin Plan water quality objectives for ground or surface waters.

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

D. Provisions:

1. For All Small Domestic Systems:

- a. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise damage the discharge facilities.
- b. The discharger shall ensure that all site operating personnel are familiar with the contents of this general WDR and shall maintain a copy of this general WDR at the site.
- c. Prior to any modifications in the discharger's facility which would result in a material change in the quality or quantity of wastewater treated or discharged, or any material change in the location of discharge, the discharger shall report all pertinent information in writing to the appropriate RWQCB and obtain confirmation from the appropriate RWQCB that such modifications do not disqualify the discharger from coverage under these general WDRs. Either confirmation or new WDRs must be obtained before any modifications are implemented.
- d. The discharger shall comply with "General Monitoring and Reporting Program No. 97-10-DWQ (Attachment A), and any future revisions, as specified by the appropriate RWQCB's Executive Officer.
- e. The appropriate RWQCB's Executive Officer and the Director of the County Environmental Health Department or equivalent agency shall be notified immediately of any failure of the wastewater containment facilities. Such failure shall be promptly corrected in accordance with the requirements of this Order.
- f. The discharger at all times shall properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with conditions of this Order. The discharger shall keep in a state of readiness all systems necessary to achieve compliance with the conditions of this Order. All systems, both those in service and reserve, shall be inspected and maintained on

a regular basis. Records shall be kept of the tests and made available to the RWQCB.

- g. This Order does not convey any property rights or exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the discharger from liability under Federal, State, or local laws, and do not create a vested right to continue to discharge wastewater.
- h. This Order does not relieve the discharger from responsibility to obtain other necessary local, State, and Federal permits to construct facilities necessary for compliance with this Order, nor does this Order prevent imposition of additional standards, requirements, or conditions by any other regulatory agency.
- i. The discharger shall allow the RWQCB or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
 - (1) Enter upon the premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this Order;
 - (2) Have access to and copy at reasonable times any records that shall be kept under the conditions of this Order;
 - (3) Inspect, at reasonable times, any facilities, equipment, practices, or operations regulated or required under this Order; and
 - (4) Sample, photograph, video record, and/or monitor at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the CWC, any substances or parameters at this location.
- j. All regulated disposal systems shall be readily accessible for sampling and inspection.
- k. The SWRCB will review this Order periodically and will revise requirements when necessary.
- l. Paragraphs of this Order are severable. If any paragraph is found invalid, the remaining paragraphs shall not be affected.
- m. After notice and opportunity for a hearing, coverage of an individual discharge under this Order may be terminated or modified for cause, including but not limited to the following:

- (1) Violation of any term or condition contained in this Order;
- (2) Obtaining this Order by misrepresentation or failure to disclose all relevant facts;
- (3) A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

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

- n. The discharger shall furnish, within a reasonable time, any information the RWQCB or the SWRCB may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the discharger's coverage under this Order. The Discharger shall also furnish to the RWQCB or the SWRCB, upon request, copies of records required to be kept by this Order.
- o. Unless otherwise approved by the appropriate RWQCB's Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the U. S. Environmental Protection Agency (U.S. EPA).
- p. The discharger shall retain records of all monitoring information including all calibration and maintenance records, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be — maintained for a minimum of three years from the date of the sample, measurement, or report. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the appropriate RWQCB's Executive Officer.
- q. The discharger shall immediately remove any wastes which are discharged at the site regulated by this Order in violation of these requirements.
- r. All performed maintenance and noncompliance issues shall be reported with the monitoring reports as required.

- s. Adequate measures shall be taken to assure that unauthorized persons are effectively excluded from contact with the wastewater disposal facility(s).
- t. The discharger shall comply with all of the conditions of this Order. Any noncompliance with this Order constitutes a violation of the Porter-Cologne Water Quality Control Act and/or appropriate Basin Plan and is grounds for an enforcement action.
- u. Waste treatment facilities subject to this Order shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Division 4, Chapter 14, Title 23 CCR.
- v. The discharger shall comply with all of the conditions contained in the Standard Provisions included with this Order as Attachment B.

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

- a. All employees of the regulated facility shall receive training on how to minimize pollutant discharges to the septic system. This instruction should include the following topics:
 - (1) Proper disposal of materials handled at the regulated facility.
 - (2) Methods to wash tools and other objects so that no contaminants are introduced into the septic system.
 - (3) Methods to wash hands so that no contaminants are introduced into the septic system.
- b. Any off-site disposal of septage shall be only to a legal point of disposal, with the approval of the legal disposal site operator. For purposes of these requirements, a legal disposal site is one for which requirements have been established by the appropriate RWQCB and which is in full compliance therewith. Any septage handling shall be in such a manner as to prevent its reaching surface waters or watercourses.

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

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

Executive Officer. In addition, the discharger shall provide the results of any sludge analyses as specified by the RWQCB's Executive Officer.

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

- (1) The discharger, within ninety (90) days of the effective date of this Order, shall submit to the appropriate RWQCB for approval a description of the existing safeguards provided to assure that, should there be reduction, loss, or failure of electric power, the discharger shall comply with the terms and conditions of its Order. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means. A description of the safeguards provided shall include an analysis of the frequency, duration, and impact of power failures experienced over the past five years or from time of start-up, whichever is shorter, on effluent quality and on the capability of the discharger to comply with the terms and conditions of the Order. The appropriate RWQCB shall determine whether the safeguards are adequate.
- (2) Should the RWQCB not approve the existing safeguards, the discharger, within ninety (90) days of having been advised by the appropriate RWQCB that the existing safeguards are inadequate, shall provide to the RWQCB a schedule of compliance for providing safeguards such that in the event of reduction, loss, or failure of electric power, the permittee will comply with the terms and conditions of this Order. The schedule of compliance, upon approval of the appropriate RWQCB's Executive Officer, shall become a condition of this Order as it applies to the specific discharger.
- (3) If the discharger already has an approved plan(s), the plan shall be revised and updated as specified in the plan or whenever there has been a material change in design or operation. A revised plan shall be submitted to the appropriate RWQCB within ninety (90) days of the material change.

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

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

Certification

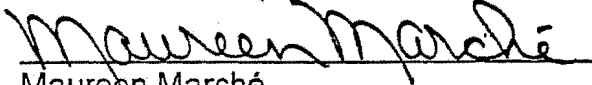
The undersigned, Administrative Assistant to the SWRCB, does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the State Water Resources Control Board held on November 18, 1997.

AYE: John Caffrey
 James M. Stubchaer
 Marc Del Piero
 Mary Jane Forster
 John W. Brown

NO: None

ABSENT: None

ABSTAIN: None


Maureen Marché
Administrative Assistant to the Board

STATE WATER RESOURCES CONTROL BOARD
MONITORING AND REPORTING PROGRAM NO. 97-10-DWQ
FOR
GENERAL WASTE DISCHARGE REQUIREMENTS (WDRs)
FOR SMALL DOMESTIC WASTE SYSTEMS

Septic Tank Monitoring

Effluent Monitoring

Monitoring of septic tank effluent shall include the following:

<u>Parameter</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
Flow	Gals/day	Estimate	Monthly

Flow estimates may be obtained from water meter readings.

Maintenance and Inspection

Septic tanks shall be inspected and pumped as described below. An inspection is not required during the year a septic tank is pumped.

<u>Parameter</u>	<u>Units</u>	<u>Type of Measurement</u>	<u>Minimum Inspection Frequency</u>
Sludge depth and scum thickness in each compartment of each septic tank	Feet	Staff Gauge	Annually (by April of each year)
Distance between bottom of scum layer and bottom of outlet device	Inches	Staff Gauge	Annually (by April of each year)
Distance between top of sludge layer and bottom of outlet device	Inches	Staff Gauge	Annually (by April of each year)

Septic tanks shall be pumped when any one of the following conditions exist or may occur before the next inspection:

- a. The combined thickness of sludge and scum exceeds one-third of the tank depth of the first compartment; or,
- b. The scum layer is within three inches of the outlet device; or,
- c. The sludge layer is within eight inches of the outlet device.

In lieu of septic tank measuring, the septic tank may be pumped annually.

Activated Sludge Systems Monitoring

Influent Monitoring

Monitoring of Activated Sludge System influent shall consist of the following:

<u>Parameter</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
Daily Flow	Gals/day	--	Daily
20°C BOD5	mg/l	24-hr composite	Monthly
Total Suspended Solids	mg/l	24-hr composite	Monthly

Effluent Monitoring

Monitoring of Activated Sludge systems' effluent shall consist of the following:

<u>Parameter</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
20°C BOD5	mg/l	24-hr composite	Weekly ¹
Total Suspended Solids	mg/l	24-hr composite	Weekly ¹
Nitrate as NO ₃ -N	mg/l	Grab	Weekly ¹
Total Nitrogen	mg/l	Grab	Weekly ¹
Total Coliform	MPN/ 100 ml	Grab	Weekly ¹

Effluent sampling shall be conducted concurrently with influent monitoring. The total average daily flow shall be calculated on a monthly basis. Time of collection of grab samples shall be recorded.

If the discharge is intermittent rather than continuous, then on the first day of each such intermittent discharge, the discharger shall monitor and record data for all of the parameters listed above, after which the frequencies of analysis given in the schedules shall apply for the duration of each such intermittent discharge. In no event shall the discharger be required to monitor and record data more often than twice the frequencies listed in the schedules.

Aerated Pond Systems Monitoring

Influent Monitoring

Monitoring of Aerated Pond Systems' influent shall consist of the following:

<u>Parameter</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
Daily Flow	Gals/day	--	Daily
20°C BOD5	mg/l	Grab	Monthly
Total Suspended Solids	mg/l	Grab	Monthly

Effluent Monitoring

Monitoring of Aerated Pond System effluent shall consist of the following:

<u>Parameter</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
20°C BOD5	mg/l	Grab	Weekly ¹
Total Suspended Solids	mg/l	Grab	Weekly ¹
Nitrate as NO ₃ -N	mg/l	Grab	Weekly ¹
Total Nitrogen	mg/l	Grab	Weekly ¹
Total Coliform	MPN/100ml	Grab	Weekly ¹

Effluent sampling shall be conducted concurrently with influent monitoring. The total average daily flow shall be calculated on a monthly basis. Time of collection of grab samples shall be recorded.

If the discharge is intermittent rather than continuous, then on the first day of each such intermittent discharge, the discharger shall monitor and record data for all of the parameters listed above, after which the frequencies of analysis given in the schedules shall apply for the duration of each such intermittent discharge. In no event shall the discharger be required to monitor and record data more often than twice the frequencies listed in the schedules.

- 1 For the purpose of this Order, a Weekly monitoring frequency will mean that a sample shall be taken once every eight days. For example, your first sample is taken on Monday, the next sample shall be taken on the following Tuesday (eight days later). Alternate schedules may be discussed with the appropriate RWQCB.

Disposal Monitoring

Pond/Basin Monitoring

Samples should be representative of the volume and nature of the discharge. Time of collection of grab samples shall be recorded. Samples shall be collected at a depth of one foot from each pond/basin opposite the inlet. Samples shall be collected between 0800 and 0900 hours. The following shall constitute **UNLINED** pond/basin monitoring:

<u>Parameter</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
pH	pH Units	Grab	Monthly
Dissolved Oxygen	mg/l	Grab	Monthly
Nitrate as NO ₃ -N	mg/l	Grab	Monthly
Total Nitrogen	mg/l	Grab	Monthly
Pond Freeboard	feet	Measurement	Monthly

pH monitoring shall be conducted using field measurement devices, or by grab sample delivered to an analytical laboratory.

The following shall constitute **LINED** pond/basin monitoring:

<u>Parameter</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
Dissolved Oxygen	mg/l	Grab	Monthly
Pond Freeboard	feet	Measurement	Monthly

Recreation Vehicle (RV) Waste Monitoring

A facility that accepts waste from RVs or other mobile waste systems shall monitor their small domestic system effluent for the following additional constituents:

<u>Parameter</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
Formaldehyde	mg/l	Grab	Quarterly
Zinc	mg/l	Grab	Quarterly
Phenol	mg/l	Grab	Quarterly
N as Ammonium	mg/l	Grab	Quarterly

Samples shall be collected from locations within the waste stream where the effluent is representative of the treatment process. For septic tanks, this monitoring is not required, unless a convenient sampling location, as determined by RWQCB staff, is available. For activated sludge systems, this will be at the effluent outlet. For ponds/basins, this will be at the opposite end of the pond/basin from the inlet at a depth of one foot from the surface of the pond/basin.

Reporting

With the exception of non-RV waste septic tank monitoring (pg. 1), monitoring reports shall be submitted to the appropriate Regional Water Quality Control Board (RWQCB) by the 15th day of the following month. Quarterly reports shall be submitted by January 15, April 15, July 15, and October 15 of each year. Annual reports shall be submitted by January 15 of the following year. For non-RV waste septic tank systems, only an Annual report is due by January 15 of the following year.

In reporting the monitoring data, the discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly whether the discharge complies with WDRs. The highest daily maximum for the month, monthly and weekly averages, and removal efficiencies (%) for Biochemical Oxygen Demand (BOD) and Total Suspended Solids should be determined and recorded. For non-RV septic systems, an average daily flow shall be calculated using the arithmetic mean of the monthly values obtained throughout the reporting period.

Records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measurement(s);
- b. The individual(s) who performed the sampling or measurement(s);
- c. The date(s) analysis were performed;
- d. The individual(s) who performed the analysis;
- e. The analytical techniques or method used; and
- f. The results of such analysis.

If the discharger monitors any pollutant at the locations designated herein more frequently than is required by this Order, the results of such monitoring shall be included in the calculation and reporting of the values required in the discharge monitoring report form. Such increased frequency shall be indicated on the discharge monitoring report form.

The discharger shall submit an annual report to the appropriate RWQCB by January 15 of each year. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. In addition, the Discharger shall discuss the compliance record and the corrective actions taken or planned which may be needed to bring the discharge into full compliance with the general WDRs.

Some RWQCBs are implementing electronic submittal of monitoring reports. If this is of interest to you, please contact the appropriate RWQCB for more information.

All reports submitted in response to these general WDRs shall comply with the signatory requirements of Standard Provision B.2.

The discharger shall implement the above monitoring program on the first day of the month following the effective date of coverage under these general WDRs.

STATE WATER RESOURCES CONTROL BOARD (SWRCB)

STANDARD PROVISIONS AND REPORTING FOR
WASTE DISCHARGE REQUIREMENTS

A. General Provisions

1. Duty to Mitigate

The discharger shall take all reasonable steps to minimize or prevent any discharge in violation of this Order which has a reasonable likelihood of adversely affecting human health or the environment, including such accelerated or additional monitoring as requested by the appropriate Regional Water Quality Control Board (RWQCB) or Executive Officer to determine the nature and impact of the violation.

2. Duty to Comply

The discharger must comply with all conditions of these waste discharge requirements. Violations may result in enforcement actions, including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board. [California Water Code (CWC) Sections 13261, 13263, 13265, 13268, 13300, 13301, 13304, and 13350]

3. Change in Ownership

The discharger must notify the Executive Officer, in writing at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger. The notice must include a written agreement between the existing and new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgment that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date on. [CWC 13267 and 13263]

4. Termination

Where the discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report submitted the Regional Board, it shall promptly submit such facts or information. [CWC 13260 and 13267]

5. Hazardous Releases

Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the Water Code unless the discharger is in violation of a prohibition in the applicable Water Quality Control Plan (Basin Plan). [CWC 13271(a)]

6. Treatment Failure

In an enforcement action, it shall not be a defense for the discharger that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment facility, the discharger shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided. This provision applies, for example, when the primary source of power of the treatment facility fails, is reduced, or is lost. [CWC 13263 (f)]

7. Endangerment of Health and Environment

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 days of the time the discharger becomes aware of the circumstances. The written submission shall contain (1) a description of the noncompliance and its cause, (2) the period of noncompliance, including exact dates and times; (3) if the noncompliance has not been corrected, the anticipated time it is expected to continue; and (4) the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The appropriate RWQCB Executive Officer or an authorized representative may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following shall be included as information that must be reported within 24 hours:

- (1) Any bypass from any portion of the treatment facility.
- (2) Any discharge of treated or untreated wastewater resulting from sewer line breaks, obstruction, surcharge or any other circumstances.
- (3) Any treatment plant upset which causes the effluent limitation of this Order to be exceeded.

[CWC 13263 and 13267]

8. Operator Certification

Supervisors and operators of municipal wastewater treatment plants and privately owned facilities regulated by the PUC, used in the treatment or reclamation of sewage and industrial waste shall possess a certificate of appropriate grade in accordance with Title 23, California Code of Regulations Section 3680. State Boards may accept experience in lieu of qualification training. In lieu of a properly certified wastewater treatment plant operator, the State Board may approve use of a waste treatment plant operator of appropriate grade certified by the State Department of Health Services where reclamation is involved.

Each plant shall be operated and maintained in accordance with the operation and maintenance manual prepared by the municipality through the Clean Water Grant Program. [CWC Title 23, Section 2233(d)]

B. Monitoring and Reporting Requirements

1. Monitoring and Records [Title 23, (California Code of Regulations (CCR), Div. 3, Chapter 14.)
 - a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
 - b. Records of monitoring information shall include:
 - (1) The date, exact place, and time of sampling or measurements;
 - (2) The individual(s) who performed the sampling or measurements;
 - (3) The date(s) analyses were performed;
 - (4) The individual(s) who performed the analysis;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analyses.
 - c. 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 or unless other test procedures have been specified in this permit.
2. Signatory Requirements [40 CFR 122.41(k)][40 CFR 122.22]
 - a. All application reports or information to be submitted to the RWQCB Executive Officer shall be signed and certified as follows:
 - (1) For a corporation: by a principal executive officer or at least the level of vice president;
 - (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

- (3) 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: the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of U.S EPA).
- b. All reports required by this Order and other information requested by the RWQCB, or SWRCB shall be signed by a person described in paragraph (a) of this provision or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- (1) The authorization is made in writing by a person described in paragraph (a) of this provision;
 - (2) 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) and,
 - (3) The written authorization is submitted to the RWQCB Executive Officer.
- c. If an authorization under paragraph (b) 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 (b) of this provision must be submitted to the RWQCB Executive Officer prior to or together with any reports, information, or applications, to be signed by an authorized representative.

- d. Any person signing a document under paragraph (a) or (b) 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."

[CWC 13263, 13267, and 13268]

3. Monitoring Reports

- a. Monitoring results shall be reported at the intervals specified in the permit.
- b. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms approved by the RWQCB or SWRCB for reporting results of monitoring of pollutants and sludge use or disposal practices.
- c. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

4. Planned Changes

The discharger shall file with the appropriate RWQCB a report of waste discharge at least 120 days before making any material change or proposed change in the character, location or volume of the discharge.

5. Compliance Schedules

Reports of compliance or noncompliance with interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date. If reporting noncompliance, the report shall include a description of the reason for failure to comply, a description and schedule of tasks necessary to achieve compliance and an estimated date for achieving full compliance. A final report shall be submitted within ten working days of achieving full compliance, documenting full compliance.

6. Other Noncompliance

The discharger shall report all instances of noncompliance not reported under Provisions (B.3), (B.4), and (B.5) at the time monitoring reports are submitted. The reports shall contain the information listed in Provision (B.5).

7. 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 RWQCB, the discharger shall promptly submit such facts or information.

8. False Reporting

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 be subject to enforcement procedures as identified in the Order and/or in these Standard Provisions.

9. Anticipated Noncompliance

The discharger shall give advance notice to the RWQCB of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

C. Enforcement Provisions

1. The provisions in this enforcement section shall not act as a limitation on the statutory or regulatory authority of the appropriate RWQCB or SWRCB.
2. Any violation of this Order constitutes violation of the California Water Code and regulations adopted thereunder and is basis for enforcement action, permit termination, permit revocation and reissuance, denial of an application for permit reissuance or a combination thereof.
3. The appropriate RWQCB may impose administrative civil liability, may refer a discharger to the State Attorney General to seek civil monetary penalties, may seek injunctive relief, or take other appropriate enforcement action as provided in the California Water Code or federal law for violation of SWRCB or RWQCB orders.
4. 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.