

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

STAFF REPORT FOR REGULAR MEETING OF OCTOBER 17-18, 2024

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ITEM NUMBER: 14

SUBJECT: Waste Discharge Requirements Program Update

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KEY INFORMATION: This item provides an overview and updates on the Waste Discharge Requirements program

ACTION: Information/Discussion

SUMMARY

This staff report provides an update on the Central Coast Regional Water Quality Control Board's (Central Coast Water Board) Waste Discharge Requirements program.

DISCUSSION

Background

The Waste Discharge Requirements (WDR) program protects the region's groundwater quality and public health by providing regulatory oversight of some of the region's waste discharges to land. Other waste discharges to land are covered by other programs such as the irrigated lands regulatory program, land disposal program, and cannabis program.

California's Porter-Cologne Water Quality Control Act forms the basis of the WDR program. California Water Code (Water Code) section 13260 requires that any person discharging waste that could affect the quality of waters of the state must file a report of waste discharge. These reports of waste discharge serve as application for waste discharge requirements (permits) issued by the Central Coast Water Board pursuant to Water Code section 13263. Section 13263 states that the nine regional water quality control boards have the authority to

“prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge, except discharges into a

community sewer system, with relation to the conditions existing in the disposal area or receiving waters upon, or into which, the discharge is made or proposed. The requirements shall implement any relevant water quality control plans that have been adopted, and shall take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Section 13241.”

Water Code section 13267 provides authority to require that dischargers submit monitoring and technical reports.

The WDR program regulates wastewater generated by various sources, including domestic wastewater, vegetable processing, and wineries. The WDR program also regulates recycled water, aquifer storage and recovery, and wastewater collection systems. Facilities are regulated through the issuance of individual permits or enrollment in general permits. WDR staff enforce permits through periodic inspections and compliance evaluations that include monitoring report reviews.

The program currently consists of a program manager (Senior Water Resource Control Engineer), six technical staff (five Water Resource Control Engineers and one Engineering Geologist), and two student assistants, with one technical staff vacancy (Engineering Geologist). The program currently manages oversight of approximately 760 facilities.

Over the last several years, WDR program management and staff have implemented strategies to grow programmatic efficiency, while at the same time increasing consistency of regulation for the 760 discharging facilities in the region. One of these strategies was to use a general permit to more efficiently regulate domestic wastewater treatment plants with flows greater than 100,000 gallons per day (gpd). Staff also has developed strategies to prioritize tasks that focus on helping dischargers achieve compliance with permit requirements and have implemented several other efficiencies.

Increasing programmatic efficiency is in response to the increasing number and complexity of regulated facilities in the program over the last 25 years, while the staff resources allocated has not increased during this same period. Facilities are developing innovative and complex ways to treat and recycle wastewater (e.g., Pure Water Monterey and Pure Water Soquel). In addition, changes to State Water Resources Control Board (State Water Board) policies (e.g., the Recycled Water Policy and the Onsite Wastewater Treatment System Policy) have increased the complexity of permits and the number of regulated facilities. Adoption of the new statewide general winery permit has increased the complexity and workload for winery related work.

WDR Facilities and Permits

The program currently manages oversight of approximately 150 individual facility WDR orders (permits) and 610 enrollments under various statewide and regional general WDRs.

Individual Permits

The 150 facilities regulated through individual permits have permits that are written specifically for the facility. Over the last several years, the WDR program has prioritized moving facilities from individual permits to general permits. Some of the individual permits were very old and outdated (some of them were last issued in the 1980s). Moving a facility from an individual permit to a general permit increases consistency for similar types of discharges, provides updated permit requirements and monitoring programs, and reduces staff time needed for permit development and oversight. At least half of the remaining facilities covered by an individual permit will be moved into an appropriate general permit. For the other facilities, there is no applicable general permit that covers the waste discharge activities.

In 2025, WDR staff plan to propose an individual permit to the Central Coast Water Board for the discharge of brewery process water from Firestone Walker Brewing Company in Paso Robles and update the Monterey One Water permit.

General Permits

The following narratives describe the general permits staff use to regulate wastewater discharges.

Order R3-2004-0066, General Waste Discharge Requirements for Discharges of Fruit and Vegetable Processing Waste (Fruit and Vegetable General Permit). This is a regional general permit that regulates the discharge of fruit and vegetable processing waste, which includes any byproducts from the cutting, cleaning, cooling, drying, sorting, juicing, or packaging of fruits and vegetables, with the exclusion of waste from wineries and mushroom farms. This permit includes a waiver component for discharges less than 10,000 gpd.

Order R3-2005-0001, General Waste Discharge Requirements for Fertilizer and Pesticide Handling Facilities in the Central Coast Region (Pesticide and Fertilizer General Permit). This is a regional general permit that provides consistency in methods of containment, transfer, and disposal of dry and liquid fertilizer and pesticide wastes. The permit is applicable to facilities that store, formulate, or handle bulk pesticides and/or fertilizers.

Order WQ 2014-0153-DWQ, General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems (Small Domestic General Permit). This is a statewide general permit that regulates small domestic wastewater treatment systems with a monthly average flow of 100,000 gallons or less. Wastewater in this permit is most commonly from residences, campgrounds, restaurants, and small shopping centers with septic systems.

Order WQ 2016-0068-DDW, Water Reclamation Requirements for Recycled Water Use (Recycled Water General Permit). This is a statewide general permit that is applicable to recycled water projects where recycled water is used or transported for non-potable

uses such as irrigation of crops and pastureland. The general permit does not regulate the treatment of wastewater.

Order R3-2017-0020, General Waste Discharge Requirements Order for Discharges of Winery Waste (Regional Winery General Permit). This is a regional general permit that regulates the discharge of winery waste, which includes pomace, lees, process wash water, and water softener waste brine. This permit includes a categorical waiver of waste discharge requirements for wineries that produce less than 10,000 cases of pressed wine annually and do not pose a significant threat to water quality. On January 20, 2021, the State Water Board approved new statewide winery general waste discharge requirements. Most facilities regulated by the Regional Winery General Permit will eventually be transitioned into the new statewide winery permit. The Regional Winery General Permit does not cover wastewater from breweries or distilleries.

Order R3-2020-0020, General Waste Discharge Requirements for Discharges from Domestic Wastewater Systems with Flows Greater than 100,000 gallons per day (Large Domestic General Permit). This is a regional general permit that regulates large domestic wastewater treatment systems with flows greater than 100,000 gallons per day. This general permit allows the production and onsite use of non-potable recycled water requiring compliance with Title 22 regulations.

When the Central Coast Water Board adopted the Large Domestic General Permit in 2020, the objective was to provide consistent updated requirements for the larger domestic facilities in the region that would result in improved water quality and enable dischargers to more easily share operational practices between facilities with similar permits. In addition, having a general permit would enable staff to update permits in a timelier manner. Over the last four years since adoption, staff have enrolled 19 facilities in this permit with nine facilities remaining to be enrolled. These updated permits have already resulted in improvements to water quality at many of the facilities and several facilities are working towards facility upgrades to meet permit requirements.

California Polytechnic State University plans to build a new wastewater treatment facility on campus over the next couple of years and would be regulated by this permit.

Order WQ 2021-0002-DWQ, General Waste Discharge Requirements for Winery Process Waste (Statewide Winery General Permit). This is a statewide general permit that regulates the discharge of winery waste from wineries and other similar facilities producing wine or grape juice. Facilities that discharge winery waste to land for disposal or reuse purposes are eligible for coverage under this general permit. This permit does not cover wastewater from breweries or distilleries. The WDR program has begun the process of enrolling wineries in the statewide general permit.

Order WQ 2012-0010, General Waste Discharge Requirements for Aquifer Storage and Recovery Projects that Inject Drinking Water into Groundwater (ASR General Permit). This is a statewide general permit that regulates the discharge of drinking water into an

aquifer in times when water is available so that it can be extracted when water is needed.

Order WQ 2022-0103-DWQ, General Waste Discharge Requirements for Sanitary Sewer Systems (Sanitary Sewer Systems General Permit). This is a statewide general permit that regulates sanitary sewer systems designed to convey sewage. This includes pipes, valves, pump stations, manholes, siphons, wet wells, diversion structures and/or other pertinent infrastructure, upstream of a wastewater treatment plant headworks.

Order WQ 2004-0012-DWQ, General Waste Discharge Requirements for the Discharge of Biosolids to Land for Use as a Soil Amendment in Agricultural, Silvicultural, Horticultural, and Land Reclamation Activities (Biosolids General Permit). This is a statewide general permit that regulates the application of biosolids used as a soil amendment. Wastewater treatment facilities generate significant amounts of sewage sludge. Sludge that has been stabilized and dewatered is referred to as biosolids.

Program Activities

Transition to GeoTracker Reporting

One significant strategy of the program intended to increase program efficiency and increase internal and external access to data and documents is to transition management of facility data to GeoTracker. GeoTracker is the State Water Board's public, internet-accessible database system that maintains compliance data from discharges of waste to land. The system consists of a relational database, on-line compliance reporting features, a geographic information system (GIS) interface, and other features that are used by the State Water Board, regional boards, local agencies, regulated industry, and the public to input, manage, or access compliance and regulatory data.

WDR program staff has provided a significant leadership role in a statewide workgroup tasked with improving WDR data management. With assistance from this group, the State Water Board prioritized and made many improvements to GeoTracker such that it can be used by the WDR program.

GeoTracker is successfully used to manage facilities and water quality data in many other Central Coast Water Board programs since the early 2000s, including underground storage tanks, site cleanup, land disposal, cannabis, and irrigated lands. The goal is to consolidate data and databases and make uniform electronic reporting across the WDR program. In September and October of 2023, the WDR program directed all domestic, fruit and vegetable processing, and pesticide and fertilizer facilities to submit all monitoring reports, correspondence, and laboratory water quality data to GeoTracker. Over the next several months, we will transition to GeoTracker our remaining facilities, which are mostly wineries.

Staff is providing support to facilities to assist them with the transition to GeoTracker. Facilities have provided feedback indicating that while there is a learning curve and some increased cost to report to GeoTracker, having project information and reports

available to everyone directly benefits the facility. GeoTracker allows owners and operators to better manage facility information by allowing quick viewing of older reports, permits, correspondence, and data for operator's evaluation of treatment performance and permit compliance. This is especially helpful when staff or operators change. GeoTracker also shows when future reports are due, and if a report has been received by the Central Coast Water Board. GeoTracker provides increased state government transparency and allows public access to water quality information in a database that is readily available.

Having facilities report to GeoTracker has decreased the staff time needed to process reports and has provided real-time access of facility information to WDR program staff. For the facilities that upload laboratory data directly, water quality data are now available in an electronic format. Having electronic data, instead of PDF format, available to staff provides many benefits because data can be viewed graphically and analyzed electronically.

Transition to Electronic Applications

WDR program staff developed electronic applications for both the Small Domestic General Permit and the Large Domestic General Permit. Additionally, staff participated in the statewide WDR data management workgroup that assisted with developing the first statewide WDR electronic application, an application for wineries to enroll in the Statewide Winery General Permit. These electronic applications have resulted in significant improvements to the quality of applications received and created efficiencies with permit drafting, as much of the facility information can be electronically imported in draft permit templates.

Focus Areas for Fiscal Year 24-25

The WDR program bases work priorities on threat to groundwater quality and beneficial uses, environmental justice, and legal requirements. To evaluate threats to groundwater quality and beneficial uses, the WDR program considers the quality of the water discharged at the facility, the age of existing permit requirements, climate change risk, and the facility's compliance history.

In 2024-2025, the WDR program will continue to prioritize enrolling facilities into new or updated permits, performing compliance oversight and enforcement, staff development, and program efficiencies and improvements.

Permitting activities

Staff will issue permits for new discharges (e.g., Firestone Walker Brewery), enroll remaining large domestic facilities into the Large Domestic General Permit (e.g., Cambria Community Services District, Nipomo Southland, and Templeton), enroll additional wineries in the Statewide Winery General Permit, and permit groundwater recharge projects.

Compliance oversight and enforcement

Staff will provide compliance oversight for facilities, issue key enforcement actions, review reports, provide funding support, coordinate with the recycled water unit, and work on wastewater consolidation efforts.

Program efficiencies and improvements

Staff will continue to work on the statewide WDR data management workgroup, get remaining facilities reporting into GeoTracker, develop a strategy and tools for enrolling facilities into the Statewide Winery General Permit, and develop methods that improve program efficiency.

Human Right to Water

California Water Code section 106.3, subdivision (a) states that it is the policy of the State of California “that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitation purposes.” On January 26, 2017, the Central Coast Water Board adopted Resolution R3-2017-0004, which affirms the realization of the human right to water and the protection of human health as the Central Coast Water Board's top priorities.

WDR permits advance the human right to water by implementing requirements that will protect the drinking water beneficial use by protecting the region's groundwater quality and protect public health.

Environmental Justice

Environmental justice principles call for the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income in the development, adoption, implementation, and enforcement of all environmental laws, regulations, and policies that affect every community's natural resources and the places people live, work, play, and learn. The Central Coast Water Board implements regulatory activities and water quality projects in a manner that ensures the fair treatment of all people, including Underrepresented Communities. Underrepresented Communities include but are not limited to Disadvantaged Communities (DACs), Severely Disadvantaged Communities (SDACs), Economically Distressed Areas (EDAs), Tribes, Environmentally Disadvantaged Communities (EnvDACs), and members of Fringe Communities.¹

¹ Disadvantaged Community: a community with an annual median household income that is less than 80% of the statewide annual median household income (Public Resources Code section 80002(e)); Severely Disadvantaged Community: a community with a median household income of less than 60% of the statewide average. (Public Resources Code section 80002(n)); Economically Distressed Area: a municipality with a population of 20,000 persons or less, a rural county, or a reasonably isolated and divisible segment of a larger municipality where the segment of the population is 20,000 persons or less with an annual median household income that is less than 85% of the statewide median household income and with one or more of the following conditions as determined by the department: (1) financial hardship, (2) unemployment rate at least 2% higher than the statewide average, or (3) low population density. (Water Code section 79702(k)); Tribes: federally recognized Indian Tribes and California State

Furthermore, the Central Coast Water Board is committed to providing all stakeholders the opportunity to participate in the public process and provide meaningful input to decisions that affect their communities.

As part of the compliance oversight process, WDR program staff reviews census data to determine whether any block groups in the service area of the facility are identified as DACs or SDACs. Staff assists DACs and SDACs connect with resources available through the State Water Board's Division of Financial Assistance and technical assistance providers. The operation of WDR permitted facilities in compliance with their permits is not expected to pose a significant threat to water quality and is therefore unlikely to impact DACs. However, if impacts to groundwater result from the discharge regulated by DACs permits, Central Coast Water Board staff will help facilitate outreach and education to inform affected parties and connect them with available resources and will update the permit as necessary to protect water quality.

Climate Change

The Central Coast faces the threat and the effects of climate change for the foreseeable and distant future. To proactively prepare and respond, the Central Coast Water Board has launched the Central Coast Water Board's Climate Action Initiative, which identifies how the Central Coast Water Board's work relates to climate change and prioritizes actions that improve water supply resiliency through water conservation and wastewater reuse and recycling; mitigate for and adapt to sea level rise and increased flooding; improve energy efficiency; and reduce greenhouse gas production. The Climate Action Initiative is consistent with the Governor's Executive Order B-30-15 and the State Water Board's Climate Change Resolution 2017-0012.

All WDR facilities enrolled in the Large Domestic General Permit and some high-risk facilities enrolled in the Small Domestic General Permit are required to develop a climate change adaptation plan. Some dischargers have developed significant climate change adaptation programs. Other facilities have not yet begun significant climate change adaptation planning or assessment and may lack the resources or expertise to develop effective plans and programs. WDR staff's focus will be the higher-risk facilities including facilities that were impacted during storm events over the last several years.

CONCLUSION

The WDR program regulates various wastewater types and a significant number of facilities. WDR program management and staff have implemented new strategies to grow programmatic efficiency, while increasing consistency of regulation for various

Indian Tribes listed on the Native American Heritage Commission's California Tribal Consultation List; EnvDACs: CalEPA designates the top 25 percent scoring census tracts as DACs. Census tracts that score the highest five percent of pollution burden scores but do not have an overall CalEnviroScreen score because of unreliable socioeconomic or health data are also designated as DACs (refer to the CalEnviroScreen 3.0 Mapping Tool or Results Excel Sheet); Fringe Community: communities that do not meet the established DAC, SDAC, and EDA definitions but can show that they score in the top 25 percent of either the Pollution Burden or Population Characteristics score using the CalEnviroScreen 3.0.

facilities. The WDR program prioritizes work based on threat to groundwater quality and beneficial uses, environmental justice, and legal requirements. All of these efforts are resulting in measurable water quality improvements.

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