

Central Valley Regional Water Quality Control Board

2 June 2017

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NOTICE OF APPLICABILITY (NOA), STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2014-0153-DWQ-R5230, GENERAL WASTE DISCHARGE REQUIREMENTS FOR SMALL DOMESTIC WASTEWATER TREATMENT SYSTEMS, AERA ENERGY LLC, KERN COUNTY

On 11 July 2016, Aera Energy LLC (Discharger) submitted a Report of Waste Discharge (RWD) seeking coverage under State Water Resources Control Board (State Water Board) Water Quality Order 2014-0153-DWQ *General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems* (General Order). Based on the information provided, the system treats and disposes of less than 100,000 gallons per day (gpd), and is therefore eligible for coverage under the general and specific conditions of the General Order. This letter serves as formal notice that the General Order is applicable to your system and the wastewater discharge described below upon the rescission of Order 74-225. You are hereby assigned General Order **2014-0153-DWQ-R5230** for your system.

You should familiarize yourself with the entire General Order and its attachments enclosed with this letter, which describe mandatory discharge and monitoring requirements. Sampling, monitoring, and reporting requirements applicable to your treatment and disposal methods must be completed in accordance with the appropriate treatment system sections of the General Order and the attached *Monitoring and Reporting Program* (MRP) No. 2014-0153-DWQ-R5230. This MRP was developed after consideration of your waste characterization and site conditions described in the attached memorandum.

DISCHARGE DESCRIPTION

The Aera Energy LLC Wastewater Treatment Facility (Facility) is in Kern County, the cross streets are Wagonwheel Street and Main Camp Road. The Facility is in Section 36, Township 28 South, Range 20 East MDB&M, approximately 12.5 miles northwest of McKittrick, CA. The Facility treats domestic wastewater from Belridge School District that provides service to approximately 38 students and nine staff members. Typical daily throughput in the treatment system is 1,500 gpd and less during school holiday periods. The Facility is designed for maximum throughput of 25,000 gpd.

FACILITY SPECIFIC REQUIREMENTS

The Discharger will maintain exclusive control over the discharge and shall comply with the terms and conditions of this NOA, General Order 2014-0153-DWQ, with all attachments, and MRP No. 2014-0153-DWQ-R5230.

In accordance with the requirements of the General Order, discharges with flow rates less than 20,000 gpd are not required to meet a nitrogen effluent limitation.

The General Order states in Section B.1.I that the Discharger shall comply with the setbacks as described in Table 3. This table summarizes different setback requirements for wastewater system equipment, activities, land application areas, and storage and/or treatment ponds from sensitive receptors and property lines where applicable. The Discharger shall comply with the applicable setback requirements, as summarized in the following table:

Site Specific Applicable Setback Requirements		
Equipment or Activity	Domestic Well	Property Line
Impoundment (undisinfected secondary recycled water) ¹	150 ft. ²	50 ft.

1. Undisinfected secondary recycled water is defined in California Code of Regulations, title 22, section 60301.900.
2. Setback established by California Code of Regulations, title 22, section 60310(d).

The General Order states in Section D.1.a that the discharge shall not exceed the effluent limitations as described in Table 4. This table summarizes effluent limitations for wastewater ponds or trickling filter (not including residential recirculating sand filters). The Discharger shall comply with the applicable effluent limitations, as summarized in the following table:

Effluent Limitations Based on Technology Performance		
Wastewater Pond or Trickling Filter (not including residential recirculating sand filters)		
Constituent	Units	Limit
BOD	mg/L	90

BOD = biochemical oxygen demand
mg/L = milligrams per liter

Failure to comply with the requirements in this NOA, General Order 2014-0153-DWQ, with all attachments, and MRP No. 2014-0153-DWQ-R5230 could result in an enforcement action as authorized by provisions of the California Water Code. Discharge of wastes other than those described in this NOA is prohibited. If the method of waste disposal changes from that described in this NOA, you must submit a new Report of Waste Discharge describing the new operation. If flow to the Facility substantially increases and approaches 20,000 gpd, you must contact Central Valley Water Board Staff to determine if further analysis (e.g., Nitrogen Effluent Limit Evaluation) is required.

Provision E.1 of the General Order requires dischargers enrolled under the General Order to prepare and implement the following reports within **90 days** of the issuance of the NOA (26 May 2017):

- Spill Prevention and Emergency Response Plan (Provision E.1.a)
- Sampling Analysis Plan (Provision E.1.b)
- Sludge Management Plan (Provision E.1.c)

The General Order requires the Sludge Management Plan to be submitted to the Central Valley Water Board.

The required annual fee specified in the annual billing from the State Water Board shall be paid until this NOA is officially terminated. You must notify this office in writing if the discharge regulated by the General Order ceases, so that we may terminate coverage and avoid unnecessary billing.

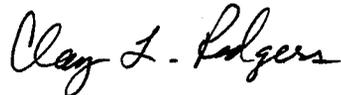
The Central Valley Water Board has gone to a Paperless Office System. All regulatory documents, submissions, materials, data, monitoring reports, and correspondence should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to: centralvalleyfresno@waterboards.ca.gov. Documents that are 50 MB or larger should be transferred to a disk and mailed to the Central Valley Water Board office at 1685 E Street, Fresno, CA 93706. To ensure that your submittals are routed to the appropriate staff, the following information block should be included in any email used to transmit documents to this office: Program: Non-15, WDID: 5D152053001, Facility Name: Aera Energy LLC, Order: 2014-0153-DWQ-R5230.

In order to conserve paper and reduce mailing costs, a paper copy of the General Order has been sent only to the Discharger. Others are advised that the General Order is available on the State Water Board's web site at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2014/wqo2014_0153_dwq.pdf

Please note that WDRs Order 74-225 is proposed to be rescinded at the **10/11 August-2017** meeting of the Central Valley Water Board. Upon rescission of your individual WDRs, coverage for your facility under the General Order shall become applicable subject to this Notice of Applicability.

If you have any questions regarding this matter, please contact Alex Mushegan by phone at (559) 488-4397, by email at Alexander.Mushegan@waterboards.ca.gov.



 Pamela C. Creedon
Executive Officer

Attachments: State Water Resources Control Board Order WQ 2014-0153-DWQ
(Discharger Only)
Monitoring and Reporting Program No. 2014-0153-DWQ-R5230
Review Memorandum of Aera Energy LLC Report of Waste Discharge

cc: Kern County Environmental Health Services, Bakersfield
Kern County Planning and Community Development Department, Bakersfield

Central Valley Regional Water Quality Control Board

TO: Clay Rodgers
Assistant Executive Officer

FROM: Scott J. Hatton 
Senior Water Resource Control Engineer
RCE 67889

Alex Mushegan 
Water Resource Control Engineer
RCE 84208

Lovdeep Singh 
Scientific Aid

DATE: 2 June 2017

SUBJECT: APPLICABILITY OF COVERAGE UNDER STATE WATER RESOURCES CONTROL BOARD ORDER WQ 2014-0153-DWQ, GENERAL WASTE DISCHARGE REQUIREMENTS FOR SMALL DOMESTIC WASTEWATER TREATMENT SYSTEMS, AERA ENERGY LLC, KERN COUNTY

On 11 July 2016, Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff received a Report of Waste Discharge (RWD) for the Aera Energy LLC (Discharger) Wastewater Treatment Facility (Facility) in Kern County. The cross streets are Wagonwheel Street and Main Camp Road. The Facility is in Section 36, Township 28 South, Range 20 East, MDB&M, approximately 12.5 miles northwest of McKittrick, California. The RWD includes a Form 200 and a facility description. This memorandum provides a summary of Central Valley Water Board's review of the RWD and the applicability of this discharge to be covered under State Water Resources Control Board Order WQ 2014-0153-DWQ, General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems (General Order).

BACKGROUND INFORMATION

The Facility was constructed to serve 41 employee homes, a 75-person office building, and a 10-room hotel-style facility for visitors (referred to as Director's Cottage). The Facility is designed for up to 25,000 gallons per day (gpd) throughput. Beginning in 2001, the employee housing, Director Cottage, and former office were demolished, leaving only Belridge School connected to the sewage system.

The Facility treats domestic wastewater from Belridge School District that provides service to approximately 38 students and nine staff members. Typical daily throughput in the treatment system is 1,500 gpd and less during school holiday periods.

POTENTIAL THREAT TO WATER QUALITY

The Facility consists of an aerated lagoon and an evaporation-percolation pond. The aerated lagoon is located on the southwest side of the Facility approximately 200 feet away from the nearest domestic well. This setback meets the setback requirements for impoundment (undisinfected secondary recycled water) from *Table 3: Summary of Wastewater System Setbacks* of the General Order. Depth to groundwater in the vicinity of the treatment system is approximately 160 feet below ground surface (bgs). The average daily flow of wastewater is about 1,500 gpd during regular school hours and less during school holidays. In accordance with the requirements of the General Order, discharges with flow rates less than 20,000 gpd are not required to meet a nitrogen effluent limitation.

From March 2015 to February 2017, thirteen biochemical oxygen demand (BOD) tests were conducted. BOD rates ranged from 4.1 mg/L to 32 mg/L, with an average of 17.3 mg/L. According to *Table 4: Effluent Limitations Based on Technology Performance* of the General Order, a 90 mg/L BOD effluent limit is applicable to the Facility's discharge to its evaporation percolation pond.

MONITORING REQUIREMENTS

Monitoring requirements included in the following sections from Attachment C of the General Order are appropriate for this discharge:

- Pond Systems and
- Solids Disposal Monitoring.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM NO. 2014-0153-DWQ-R5230

FOR

AERA ENERGY LLC
KERN COUNTY

This Monitoring and Reporting Program (MRP) describes requirements for monitoring a wastewater treatment system. This MRP is issued pursuant to Water Code section 13267. Aera Energy LLC (Discharger) shall not implement any changes to this MRP unless and until a revised MRP is issued by the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) or Executive Officer.

Water Code section 13267 states, in part:

“In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.”

Water Code section 13268 states, in part:

“(a) Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of section 13267, or failing or refusing to furnish a statement of compliance as required by subdivision (b) of section 13399.2, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in accordance with subdivision (b).

(b)(1) Civil liability may be administratively imposed by a regional board in accordance with article 2.5 (commencing with section 13323) of chapter 5 for a violation of subdivision (a) in an amount which shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.”

The Discharger owns and operates the wastewater system (Facility) that is subject to the Notice of Applicability (NOA) of Water Quality Order 2014-0153-DWQ-R5230. The reports are necessary to ensure that the Discharger complies with the NOA and General Order. Pursuant to Water Code section 13267, the Discharger shall implement this MRP and shall submit the monitoring reports described herein.

All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. The name of the sampler, sample type (grab or composite), time, date, location, bottle type, and any preservative used for each sample shall be recorded on the sample chain of custody form. The chain of custody form must also contain all custody information including date, time, and to whom samples were relinquished. If composite samples are collected, the basis for sampling (time or flow weighted) shall be approved by Central Valley Water Board staff.

Field test instruments (such as those used to test pH, dissolved oxygen, and electrical conductivity) may be used provided that they are used by a State Water Resources Control Board, Environmental Laboratory Accreditation Program certified laboratory, or:

1. The user is trained in proper use and maintenance of the instruments;
2. The instruments are field calibrated prior to monitoring events at the frequency recommended by the manufacturer;
3. Instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
4. Field calibration reports are maintained and available for at least three years.

POND SYSTEM MONITORING

Influent Monitoring

Influent samples shall be taken from a location that provides representative samples of the wastewater and flow rate. At a minimum, influent monitoring shall consist of the following:

Constituent	Units	Sample Type	Sample Frequency	Reporting Frequency
Flow Rate ^a	gpd	Meter	Continuous	Quarterly

gpd denotes gallons per day.

- a. At a minimum, the total flow shall be measured monthly to calculate the average daily flow for the month.

Wastewater Pond Monitoring

All wastewater and treated wastewater storage ponds (lined and unlined) shall be monitored as specified below.

Constituent	Units	Sample Type	Sample Frequency	Reporting Frequency
Dissolved Oxygen	mg/L	Grab	Monthly	Quarterly
Freeboard	0.1 feet	Measurement	Monthly	Quarterly
Odors	--	Observation	Monthly	Quarterly
Berm Condition	--	Observation	Monthly	Quarterly

mg/L denotes milligrams per liter.

Effluent Monitoring

Effluent samples shall be taken from a location that provides representative samples of the treated wastewater. At minimum, effluent monitoring shall consist of the following:

Constituent	Units	Sample Type	Sample Frequency	Reporting Frequency
Biochemical Oxygen Demand	mg/L	Grab	Monthly	Quarterly

mg/L denotes milligrams per liter.

SOLIDS DISPOSAL MONITORING

The Discharger shall report the handling and disposal of all solids (e.g., screenings, grit, sludge, biosolids, etc.) generated at the wastewater system. Records shall include the name/contact information for the hauling company, the type and amount of waste transported, the date removed from the wastewater system, the disposal facility name and address, and copies of analytical data required by the entity accepting the waste. These records shall be submitted as part of the annual monitoring report.

REPORTING

In reporting monitoring data, the Discharger shall arrange the data in tabular form so that the date, sample type (e.g., effluent, solids, etc.), and reported analytical or visual inspection results are readily discernible. The data shall be summarized to clearly illustrate compliance with the General Order and NOA as applicable. The results of any monitoring done more frequently than required at the locations specified in the MRP shall be reported in the next regularly scheduled monitoring report and shall be included in calculations as appropriate.

The Central Valley Water Board has gone to a Paperless Office System. All regulatory documents, submissions, materials, data, monitoring reports, and correspondence should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to: centralvalleyfresno@waterboards.ca.gov. Documents that are 50 MB or larger should be transferred to a disk and mailed to the appropriate Regional Water Board office, in this case 1685 E Street, Fresno, CA 93706. To ensure that your submittals are routed to the appropriate staff, the following information block should be included in any email used to transmit documents to this office: Program: Non-15, WDID: 5D152053001, Facility Name: Aera Energy LLC, Order: 2014-0153-DWQ-R5230.

A. Quarterly Monitoring Reports

Quarterly reports shall be submitted to the Central Valley Water Board on the **first day of the second month after the quarter ends** (e.g., the January-March Quarterly Report is due by May 1st). The reports shall bear the certification and signature of the Discharger's authorized representative. At a minimum, the quarterly reports shall include:

1. Results of all required monitoring.
2. A comparison of monitoring data to the discharge specifications, biochemical oxygen demand effluent limit, disclosure of any violations of the NOA and/or General Order, and an explanation of any violation of those requirements. (Data shall be presented in tabular format.)
3. If requested by staff, copies of laboratory analytical report(s) and chain of custody form(s).

B. Annual Report

Annual Reports shall be submitted to the Central Valley Water Board by **March 1st following the monitoring year**. The Annual Report shall include the following:

1. Tabular and graphical summaries of all monitoring data collected during the year.
2. An evaluation of the performance of the wastewater treatment system, including discussion of capacity issues, nuisance conditions, system problems, and a forecast of the flows anticipated in the next year. A flow rate evaluation, as described in the General Order (Provision E.2.c), shall also be submitted.

3. A discussion of compliance and the corrective action taken, as well as any planned or proposed actions needed to bring the discharge into compliance with the NOA and/or General Order.
4. A discussion of any data gaps and potential deficiencies/redundancies in the monitoring system or reporting program.
5. The name and contact information for the wastewater operator responsible for operation, maintenance, and system monitoring.

A letter transmitting the monitoring reports shall accompany each report. The letter shall report violations found during the reporting period, and actions taken or planned to correct the violations and prevent future violations. The transmittal letter shall contain the following penalty of perjury statement and shall be signed by the Discharger or the Discharger's authorized agent:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of the those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

The Discharger shall implement the above monitoring program as of the date of this MRP.

Ordered by:

Clay L. Rodgers
for _____
PAMELA C. CREEDON, Executive Officer
2 June 2017

DATE