

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION**

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**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CA0004995  
ORDER R5-2022-0022**

**WASTE DISCHARGE REQUIREMENTS FOR THE CITY OF CORNING,  
CORNING WASTEWATER TREATMENT PLANT  
DISCHARGE TO THE SACRAMENTO RIVER**

The following Discharger is subject to waste discharge requirements (WDR's) set forth in this Order:

**Table 1. Discharger Information**

Discharger:	City of Corning
Name of Facility:	City of Corning Wastewater Treatment Plant
Facility Street Address:	25010 Gardiner Ferry Road
Facility City, State, Zip:	Corning, CA, 96021
Facility County:	Tehama County

**Table 2. Discharge Location**

Discharge Point	Effluent Description	Discharge Point Latitude (North)	Discharge Point Longitude (West)	Receiving Water
001	Treated Municipal Wastewater	39°54'24"	122°05'21"	Sacramento River

**Table 3. Administrative Information**

This Order was Adopted on:	<b>21 April 2022</b>
This Order shall become effective on:	<b>1 June 2022</b>
This Order shall expire on:	<b>31 May 2027</b>
The Discharger shall file a Report of Waste Discharge (ROWD) as an application for reissuance of WDRs in accordance with title 23, California Code of Regulations, and an application for reissuance of a NPDES permit no later than: <b>1-year prior to Order expiration date</b>	
The United States Environmental Protection Agency (U.S. EPA) and the California Regional Water Quality Control Board, Central Valley Region have classified this discharge as follows: <b>Major discharge</b>	

I, Patrick Pulupa, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on **21 April 2022**.

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**PATRICK PULUPA**, Executive Officer

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## I. FACILITY INFORMATION

Information describing the Corning Wastewater Treatment Plant (Facility) is summarized in Table 1 and in sections I and II of the Fact Sheet (Attachment F). Section I of the Fact Sheet also includes information regarding the Facility's permit application.

## II. FINDINGS

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

- A. Legal Authorities.** This Order serves as waste discharge requirements (WDR's) pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as a National Pollutant Discharge Elimination System (NPDES) permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 2 subject to the WDR's in this Order.
- B. California Environmental Quality Act (CEQA).** Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of Chapter 3 of CEQA, (commencing with section 21100) of Division 13 of Public Resources Code.
- C. Background and Rationale for Requirements.** The Central Valley Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for the requirements in this Order, is hereby incorporated into and constitutes Findings for this Order. Attachments A through E and G through H are also incorporated into this Order.
- D. Provisions and Requirements Implementing State Law.** The provisions/requirements in subsections **IV.B, IV.C, and V.B** are included to implement state law only. These provisions/requirements are not required or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.
- E. Monitoring and Reporting.** 40 C.F.R. section 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. Water Code sections 13267 and 13383 authorize the Central Valley Water Board to require technical and monitoring reports. The Monitoring and Reporting Program establishes monitoring and reporting requirements to implement federal and State requirements. The Monitoring and Reporting Program is provided in Attachment E.

The technical and monitoring reports in this Order are required in accordance with Water Code section 13267, which states the following in subsection (b)(1), "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 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 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.”

The Discharger owns and operates the Facility subject to this Order. The monitoring reports required by this Order are necessary to determine compliance with this Order. The need for the monitoring reports is discussed in the Fact Sheet.

- F. Notification of Interested Persons.** The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDR’s for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of the notification are provided in the Fact Sheet.
- G. Consideration of Public Comment.** The Central Valley 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.

THEREFORE, IT IS HEREBY ORDERED that Order R5-2016-0047 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 Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the CWA and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order. This action in no way prevents the Central Valley Water Board from taking enforcement action for violations of the previous Order.

### III. DISCHARGE PROHIBITIONS

- A.** Discharge of wastewater from the Facility, as the Facility is specifically described in the Fact Sheet in section II.B, in a manner different from that described in this Order is prohibited.
- B.** The by-pass or overflow of wastes to surface waters is prohibited, except as allowed by Federal Standard Provisions I.G. and I.H. (Attachment D).
- C.** Neither the discharge nor its treatment shall create a nuisance as defined in section 13050 of the Water Code.

- D. Discharge of waste classified as ‘hazardous’, as defined in the California Code of Regulations, title 22, section 66261.1 et seq., is prohibited.
- E. **Average Dry Weather Flow.** Discharges exceeding an average dry weather flow of 1.4 million gallons per day (MGD) are prohibited.

**IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS**

**A. Effluent Limitations – Discharge Point D-001**

**1. Final Effluent Limitations – Discharge Point D-001**

The Discharger shall maintain compliance with the following effluent limitations at Discharge Point D-001. Unless otherwise specified compliance shall be measured at Monitoring Location EFF-001, as described in the Monitoring and Reporting Program, Attachment E:

- a. The Discharger shall maintain compliance with the effluent limitations specified in Table 4:

**Table 4. Effluent Limitations**

Parameters	Units	Average Monthly	Average Weekly	Maximum Daily
Biochemical Oxygen Demand (BOD), 5-day @ 20°Celsius	milligrams per liter (mg/L)	30	45	--
Total Suspended Solids (TSS)	mg/L	30	45	--
Ammonia, Total (as N)	mg/L	11	23	--
Dichlorobromomethane	micrograms per liter (µg/L)	14	--	25
Nitrate plus Nitrite (as N)	mg/L	40	81	--
Zinc, Total Recoverable	µg/L	160	--	320

- b. **pH:**
  - i. 6.0 Standard Units (SU) as an instantaneous minimum.
  - ii. 8.5 SU as an instantaneous maximum.
- c. **Percent Removal:** The average monthly percent removal of 5-day biochemical oxygen demand (BOD<sub>5</sub>) and total suspended solids (TSS) shall not be less than 85 percent.
- d. **Acute Whole Effluent Toxicity.** Survival of aquatic organisms in 96-hour bioassays of undiluted waste shall be no less than:
  - i. 70% minimum for any one bioassay; and

- ii. 90% median for any three consecutive bioassays.
- e. **Total Residual Chlorine.** Effluent total residual chlorine shall not exceed:
  - i. 0.011 mg/L, as a 4-day average; and
  - ii. 0.019 mg/L, as a 1-hour average.
- f. **Total Coliform Organisms.** Effluent total coliform organisms shall not exceed the following with compliance measured immediately after disinfection:
  - i. 23 most probable number per 100 milliliter (MPN/100 mL, as a 7-day median, and
  - ii. 240 MPN/100mL, more than once in any 30-day period.
- g. **Diazinon and Chlorpyrifos.** Effluent diazinon and chlorpyrifos concentrations shall not exceed the sum of one (1.0) as identified below:
  - i. Average Monthly Effluent Limitation (AMEL)  
$$\text{SAMEL} = \text{CD M-avg}/0.079 + \text{CC M-avg}/0.012 \leq 1.0$$

CD M-AVG = average monthly diazinon effluent concentration in  $\mu\text{g/L}$ .  
CC M-AVG = average monthly chlorpyrifos effluent concentration in  $\mu\text{g/L}$
  - ii. Average Weekly Effluent Limitation (AWEL)  
$$\text{SAWEL} = \text{CD W-avg}/0.14 + \text{CC W-avg}/0.021 \leq 1.0$$

CD W-AVG = average weekly diazinon effluent concentration in  $\mu\text{g/L}$ .  
CC W-AVG = average weekly chlorpyrifos effluent concentration in  $\mu\text{g/L}$ .

## V. RECEIVING WATER LIMITATIONS

### A. Surface Water Limitations

The discharge shall not cause the following in the Sacramento River:

1. **Bacteria.** The six-week rolling geometric mean of Escherichia coli (E. coli) shall not exceed 100 colony forming units (cfu) per 100 milliliters (mL), calculated weekly, and a statistical threshold value (STV) of 320 cfu/100 mL not to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner.

2. **Biostimulatory Substances.** Water to contain biostimulatory substances which promote aquatic growths in concentrations that cause nuisance or adversely affect beneficial uses.
3. **Chemical Constituents.** Chemical constituents to be present in concentrations that adversely affect beneficial uses.
4. **Color.** Discoloration that causes nuisance or adversely affects beneficial uses.
5. **Dissolved Oxygen:**
  - a. The monthly median of the mean daily dissolved oxygen concentration to fall below 85 percent of saturation in the main water mass;
  - b. The 95-percentile dissolved oxygen concentration to fall below 75 percent of saturation; nor
  - c. The dissolved oxygen concentration to be reduced below 7.0 mg/L at any time.
  - d. From 1 June to 31 August, concentrations of dissolved oxygen to fall below 9.0 mg/L. When natural conditions lower dissolved oxygen below this level, the concentration shall be maintained at or above 95 percent saturation.
6. **Floating Material.** Floating material to be present in amounts that cause nuisance or adversely affect beneficial uses.
7. **Oil and Grease.** Oils, greases, waxes, or other materials to be present in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.
8. **pH.** The pH to be depressed below 6.5 nor raised above 8.5.
9. **Pesticides:**
  - a. Pesticides to be present, individually or in combination, in concentrations that adversely affect beneficial uses;
  - b. Pesticides to be present in bottom sediments or aquatic life in concentrations that adversely affect beneficial uses;
  - c. Total identifiable persistent chlorinated hydrocarbon pesticides to be present in the water column at concentrations detectable within the accuracy of analytical methods approved by U.S. EPA or the Executive Officer;

- d. Pesticide concentrations to exceed those allowable by applicable antidegradation policies (see State Water Board Resolution No. 68-16 and 40 CFR section 131.12.);
- e. Pesticide concentrations to exceed the lowest levels technically and economically achievable;
- f. Pesticides to be present in concentration in excess of the maximum contaminant levels (MCL's) set forth in CCR, Title 22, division 4, chapter 15; nor
- g. Thiobencarb to be present in excess of 1.0 µg/L.

**10. Radioactivity:**

- a. Radionuclides to be present in concentrations that are harmful to human, plant, animal, or aquatic life nor that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life.
- b. Radionuclides to be present in excess of the MCL's specified in Table 64442 of section 64442 and Table 64443 of section 64443 of Title 22 of the California Code of Regulations.

**11. Salinity.** Electrical conductivity to exceed 230 µmhos/cm (50 percentile) or 235 µmhos/cm (90 percentile) at Knights Landing above Colusa Basin Drain, based upon previous 10 years of record.

**12. Suspended Sediments.** The suspended sediment load and suspended sediment discharge rate of surface waters to be altered in such a manner as to cause nuisance or adversely affect beneficial uses.

**13. Settleable Substances.** Substances to be present in concentrations that result in the deposition of material that causes nuisance or adversely affects beneficial uses.

**14. Suspended Material.** Suspended material to be present in concentrations that cause nuisance or adversely affect beneficial uses.

**15. Taste and Odors.** Taste- or odor-producing substances to be present in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, or that cause nuisance, or otherwise adversely affect beneficial uses.

**16. Temperature.** The natural temperature to be increased by more than 5° Fahrenheit. Compliance to be determined based on the difference in temperature at Monitoring Locations RSW-001 and RSW-002.

17. **Toxicity.** Toxic substances to be present, individually or in combination, in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.

18. **Turbidity.**

- a. Shall not exceed 2 Nephelometric Turbidity Units (NTU) where natural turbidity is less than 1 NTU;
- b. Shall not increase more than 1 NTU where natural turbidity is between 1 and 5 NTUs;
- c. Shall not increase more than 20 percent where natural turbidity is between 5 and 50 NTUs;
- d. Shall not increase more than 10 NTU where natural turbidity is between 50 and 100 NTUs; nor
- e. Shall not increase more than 10 percent where natural turbidity is greater than 100 NTUs.

**VI. PROVISIONS**

**A. Standard Provisions**

1. The Discharger shall comply with all Standard Provisions included in Attachment D.
2. The Discharger shall comply with the following provisions. In the event that there is any conflict, duplication, or overlap between provisions specified by this Order, the more stringent provision shall apply:
  - a. If the Discharger's wastewater treatment plant is publicly owned or subject to regulation by California Public Utilities Commission, it shall be supervised and operated by persons possessing certificates of appropriate grade according to Title 23, CCR, division 3, chapter 26.
  - b. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:
    - i. violation of any term or condition contained in this Order;
    - ii. obtaining this Order by misrepresentation or by failing to disclose fully all relevant facts;
    - iii. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; and
    - iv. a material change in the character, location, or volume of discharge.

The causes for modification include:

- i. New regulations. New regulations have been promulgated under section 405(d) of the CWA, or the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued.
- ii. Land application plans. When required by a permit condition to incorporate a land application plan for beneficial reuse of sewage sludge, to revise an existing land application plan, or to add a land application plan.
- iii. Change in sludge use or disposal practice. Under 40 CFR section 122.62(a)(1), a change in the Discharger's sludge use or disposal practice is a cause for modification of the permit. It is cause for revocation and reissuance if the Discharger requests or agrees.

The Central Valley Water Board may review and revise this Order at any time upon application of any affected person or the Central Valley Water Board's own motion.

- c. If a toxic effluent standard or prohibition (including any scheduled compliance specified in such effluent standard or prohibition) is established under section 307(a) of the CWA, or amendments thereto, for a toxic pollutant that is present in the discharge authorized herein, and such standard or prohibition is more stringent than any limitation upon such pollutant in this Order, the Central Valley Water Board will revise or modify this Order in accordance with such toxic effluent standard or prohibition.

The Discharger shall comply with effluent standards and prohibitions within the time provided in the regulations that establish those standards or prohibitions, even if this Order has not yet been modified.

- d. This Order shall be modified, or alternately revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the CWA, if the effluent standard or limitation so issued or approved:
  - i. Contains different conditions or is otherwise more stringent than any effluent limitation in the Order; or
  - ii. Controls any pollutant limited in the Order.

The Order, as modified or reissued under this paragraph, shall also contain any other requirements of the CWA then applicable.

- e. The provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.
- f. The Discharger shall take all reasonable steps to minimize any adverse effects to waters of the State or users of those waters resulting from any discharge or sludge use or disposal in violation of this Order. Reasonable steps shall include such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge or sludge use or disposal.
- g. The Discharger shall ensure compliance with any existing or future pretreatment standard promulgated by U.S. EPA under section 307 of the CWA, or amendment thereto, for any discharge to the municipal system.
- h. A copy of this Order shall be maintained at the discharge facility and be available at all times to operating personnel. Key operating personnel shall be familiar with its content.
- i. Safeguard to electric power failure:
  - i. The Discharger shall provide safeguards to assure that, should there be reduction, loss, or failure of electric power, the discharge shall comply with the terms and conditions of this Order.
  - ii. Upon written request by the Central Valley Water Board, the Discharger shall submit a written description of safeguards. 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 5 years on effluent quality and on the capability of the Discharger to comply with the terms and conditions of the Order. The adequacy of the safeguards is subject to the approval of the Central Valley Water Board.
  - iii. Should the treatment works not include safeguards against reduction, loss, or failure of electric power, or should the Central Valley Water Board not approve the existing safeguards, the Discharger shall, within 90 days of having been advised in writing by the Central Valley Water Board that the existing safeguards are inadequate, provide to the Central Valley Water Board and U.S. EPA a schedule of compliance for providing safeguards such that in the event of reduction, loss, or failure of electric power, the Discharger shall comply with the terms and conditions of this Order. The schedule of compliance shall, upon approval of the Central Valley Water Board, become a condition of this Order.

- j. The Discharger, upon written request of the Central Valley Water Board, shall file with the Board a technical report on its preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. This report may be combined with that required under the Central Valley Water Board Standard Provision contained in section VI.A.2.i of this Order.

The technical report shall:

- i. Identify the possible sources of spills, leaks, untreated waste by-pass, and contaminated drainage. Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks and pipes should be considered.
- ii. Evaluate the effectiveness of present facilities and procedures and state when they became operational.
- iii. Predict the effectiveness of the proposed facilities and procedures and provide an implementation schedule containing interim and final dates when they will be constructed, implemented, or operational.

The Central Valley Water Board, after review of the technical report, may establish conditions which it deems necessary to control accidental discharges and to minimize the effects of such events. Such conditions shall be incorporated as part of this Order, upon notice to the Discharger.

- k. A publicly owned treatment works whose waste flow has been increasing, or is projected to increase, shall estimate when flows will reach hydraulic and treatment capacities of its treatment and disposal facilities. The projections shall be made in January, based on the last 3 years' average dry weather flows, peak wet weather flows and total annual flows, as appropriate. When any projection shows that capacity of any part of the facilities may be exceeded in 4 years, the Discharger shall notify the Central Valley Water Board by 31 January. A copy of the notification shall be sent to appropriate local elected officials, local permitting agencies and the press. Within 120 days of the notification, the Discharger shall submit a technical report showing how it will prevent flow volumes from exceeding capacity or how it will increase capacity to handle the larger flows. The Central Valley Water Board may extend the time for submitting the report.
- l. The Discharger shall submit technical reports as directed by the Executive Officer. All technical reports required herein that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, sections 6735, 7835, and 7835.1. To demonstrate compliance with Title 16, CCR, sections 415 and 3065, all technical reports must contain a statement of

- the qualifications of the responsible registered professional(s). As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.
- m. The Central Valley Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13385, 13386, and 13387.
  - n. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Central Valley Water Board.
  - o. This Order may be reopened to transfer ownership of control of this Order. The succeeding owner or operator must apply in writing requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, address and telephone number of the persons responsible for contact with the Central Valley Water Board and a statement. The statement shall comply with the signatory and certification requirements in the federal Standard Provisions (Attachment D, section V.B) and state that the new owner or operator assumes full responsibility for compliance with this Order.
  - p. If the Discharger submits a timely and complete Report of Waste Discharge for permit reissuance, this permit shall continue in force and effect until the permit is reissued or the Regional Water Board rescinds the permit.
  - q. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this facility, may subject the Discharger to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.
  - r. In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition, effluent limitation, or receiving water limitation of this Order, the Discharger shall notify the Central Valley Water Board by telephone (530) 224-4845 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Central Valley Water Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe the measures being taken to remedy the current noncompliance and prevent recurrence including, where

applicable, a schedule of implementation. Other noncompliance requires written notification as above at the time of the normal monitoring report.

## **B. Monitoring and Reporting Program (MRP) Requirements**

The Discharger shall comply with the MRP, and future revisions thereto, in Attachment E.

## **C. Special Provisions**

### **1. Reopener Provisions**

- a. Conditions that necessitate a major modification of a permit are described in 40 CFR section 122.62, including, but not limited to:
  - i. If new or amended applicable water quality standards are promulgated or approved pursuant to section 303 of the CWA, or amendments thereto, this permit may be reopened and modified in accordance with the new or amended standards.
  - ii. When new information, that was not available at the time of permit issuance, would have justified different permit conditions at the time of issuance.
- b. **Mercury.** If mercury is found to be causing toxicity based on acute or chronic toxicity test results, or if a TMDL program is adopted, this Order shall be reopened, and the mass effluent limitation modified (higher or lower) or an effluent concentration limitation imposed. If the Central Valley Water Board determines that a mercury offset program is feasible for Dischargers subject to a NPDES permit, then this Order may be reopened to reevaluate the mercury mass loading limitation(s) and the need for a mercury offset program for the Discharger.
- c. **Whole Effluent Toxicity.** If after review of new data and information, it is determined that the discharge has reasonable potential to cause or contribute to an instream exceedance of the Statewide Toxicity Provisions numeric chronic aquatic toxicity objective and Basin Plan's narrative toxicity objective this Order may be reopened and effluent limitations added for acute and/or chronic toxicity.
- d. **Water Effects Ratios (WER) and Metal Translators.** A default WER of 1.0 has been used in this Order for calculating criteria for applicable inorganic constituents. In addition, default dissolved-to-total metal translators have been used to convert water quality objectives from dissolved to total when developing effluent limitations for zinc. If the Discharger performs studies to determine site-specific WERs and/or site-specific dissolved-to-total metal translators, this Order may be reopened to modify the effluent limitations for the applicable inorganic constituents.

- e. **Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS).** On 17 January 2020, certain Basin Plan Amendments to incorporate new strategies for addressing ongoing salt and nitrate accumulation in the Central Valley became effective. Other provisions subject to U.S. EPA approval became effective on 2 November 2020, when approved by U.S. EPA. As the Central Valley Water Board moves forward to implement those provisions that are now in effect, this Order may be amended or modified to incorporate new or modified requirements necessary for implementation of the Basin Plan Amendments. More information regarding these Amendments can be found on the [Central Valley Salinity Alternatives for Long-Term Sustainability](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/) (CV-SALTS) web page:  
([https://www.waterboards.ca.gov/centralvalley/water\\_issues/salinity/](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/))

## 2. Special Studies, Technical Reports and Additional Monitoring Requirements

- a. **Toxicity Reduction Evaluation Requirements.** This Provision requires the Discharger to investigate the causes of, and identify corrective actions to reduce or eliminate, effluent toxicity. If the discharge exceeds the chronic toxicity thresholds defined in this Provision, the Discharger is required to initiate a Toxicity Reduction Evaluation (TRE) in accordance with an approved TRE Work Plan and take actions to mitigate the impact of the discharge and prevent recurrence of toxicity. A TRE is a site-specific study conducted in a stepwise process to identify the source(s) of toxicity and the effective control measures for effluent toxicity. TREs are designed to identify the causative agents and sources of whole effluent toxicity, evaluate the effectiveness of the toxicity control options, and confirm the reduction in effluent toxicity.
  - i. **Numeric Toxicity Monitoring Trigger.** The numeric Toxicity Unit (TU<sub>c</sub>) monitoring trigger is **20 TU<sub>c</sub>** (where  $TU_c = 100/EC_{25}$ ). The monitoring trigger is not an effluent limitation; it is the toxicity threshold at which the Discharger is required to initiate additional actions to evaluate effluent toxicity as specified in subsection ii, below.
  - ii. **Chronic Toxicity Monitoring Trigger Exceeded.** When a chronic whole effluent toxicity result during routine monitoring exceeds the chronic toxicity monitoring trigger, the Discharger shall proceed as follows:
    - (a) **Initial Toxicity Check.** If the percent effect is less than 25 percent at 5 percent effluent, check for any operation or sample collection issues and return to routine chronic toxicity monitoring. Otherwise, proceed to step (b).

- (b) **Evaluate 6-week Median.** The Discharger may take two additional samples within 6 weeks of the initial routine sampling event exceeding the chronic toxicity monitoring trigger to evaluate compliance using a 6-week median. If the 6-week median is greater than 20 TUc (as 100/EC<sub>25</sub>) and the percent effect is greater than 25 percent at 5 percent effluent, proceed with subsection (c). Otherwise, the Discharger shall check for any operation or sample collection issues and return to routine chronic toxicity monitoring. See Compliance Determination Section VII.H for procedures for calculating 6-week median.
- (c) **Toxicity Source Easily Identified.** If the source(s) of the toxicity is easily identified (e.g., temporary plant upset), the Discharger shall make necessary corrections to the facility and shall resume routine chronic toxicity monitoring; If the source of toxicity is not easily identified the Discharger shall conduct a site-specific TRE described in the following subsections.
- (d) **Toxicity Reduction Evaluation.** The Discharger shall initiate a TRE as follows:
  - (i) **Within thirty (30) days** of exceeding the chronic toxicity monitoring trigger, the Discharger shall submit a TRE Action Plan to the Central Valley Water Board including, at minimum:
    - Specific actions the Discharger will take to investigate and identify the cause(s) of toxicity, including a TRE WET monitoring schedule;
    - Specific actions the Discharger will take to mitigate the impact of the discharge and prevent the recurrence of toxicity; and
    - A schedule for these actions.

### 3. Best Management Practices and Pollution Prevention

- a. **Salinity Evaluation and Minimization Plan.** The Discharger shall continue to implement a salinity evaluation and minimization plan to identify and address sources of salinity discharged from the Facility.
- b. **Salinity.** The Discharger submitted a Notice of Intent for the CV-SALTS Salt Control Program indicating the Facility will comply with the alternative permitting approach. The Discharger's salinity evaluation and minimization plan shall include salinity reduction measures to minimize the discharge of salinity to the receiving water. With submittal of the Report of Waste Discharge for the next permit renewal, the Discharger shall evaluate

effluent calendar annual average electrical conductivity results in comparison to a **performance-based calendar annual average electrical conductivity trigger of 860  $\mu\text{mhos/cm}$** . If exceedances of the trigger occur during the permit term, the Discharger shall provide a plan on how to address salinity in the discharge and update the Salinity Evaluation and Minimization Plan, as needed, to address the increasing salinity. Furthermore, the Discharger shall continue to adequately participate in the CV-SALTS prioritization and optimization study.

#### **4. Construction, Operation and Maintenance Specifications**

##### **a. Flow Equalization Storage Basin Operating Requirements.**

- i. The flow equalization basin shall be used to prevent inundation or washout of the treatment process due to floods with a 100-year return frequency, to partially store excessive influent flow and/or process water.
- ii. Basin shall have sufficient capacity to accommodate allowable wastewater flow, design seasonal precipitation, and ancillary flow and infiltration during the non-irrigation season.
- iii. Freeboard in the flow equalization basin shall not be less than 2 feet (measured vertically to the lowest point of overflow), except if lesser freeboard does not threaten the integrity of the basin, no overflow occurs, and lesser freeboard is due to direct precipitation or stormwater runoff occurring as a result of annual precipitation with a greater than 100 year return frequency, or a storm even with an intensity greater than the 25 year, 24 hour storm event.

#### **5. Special Provisions for Publicly-Owned Treatment Works (POTWs)**

##### **a. Pretreatment Requirements**

- i. The Discharger shall be responsible and liable for the performance of all Control Authority pretreatment requirements contained in 40 C.F.R. Part 403, including any subsequent regulatory revisions to 40 C.F.R. Part 403. Where 40 C.F.R. Part 403 or subsequent revision places mandatory actions upon the Discharger as Control Authority but does not specify a timetable for completion of the actions, the Discharger shall complete the required actions within 6 months from the issuance date of this permit or the effective date of the 40 CFR Part 403 revisions, whichever comes later. For violations of pretreatment requirements, the Discharger shall be subject to enforcement actions, penalties, fines, and other remedies by U.S. EPA or other appropriate parties, as provided in the CWA. U.S. EPA may initiate enforcement action against a nondomestic user for noncompliance with applicable standards and requirements as provided in the CWA.

- ii. The Discharger shall enforce the requirements promulgated under sections 307(b), 307(c), 307(d), and 402(b) of the CWA with timely, appropriate and effective enforcement actions. The Discharger shall cause all nondomestic 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 nondomestic user, upon commencement of the discharge.
- iii. The Discharger shall perform the pretreatment functions as required in 40 C.F.R. Part 403 including, but not limited to:
  - (a) Implement the necessary legal authorities as provided in 40 CFR Part 403.8(f)(1);
  - (b) Enforce the pretreatment requirements under 40 C.F.R. sections 403.5 and 403.6;
  - (c) Implement the programmatic functions as provided in 40 C.F.R. section 403.8(f)(2); and
  - (d) Provide the requisite funding and personnel to implement the pretreatment program as provided in 40 C.F.R. section 403.8(f)(3).
- b. **Sludge/Biosolids Treatment or Discharge Specifications.** Sludge in this document means the solid, semisolid, and liquid residues removed during primary, secondary, or advanced wastewater treatment processes. Solid waste refers to grit and screening material generated during preliminary treatment. Residual sludge means sludge that will not be subject to further treatment at the wastewater treatment plant. Biosolids refer to sludge that has been treated and tested and shown to be capable of being beneficially and legally used pursuant to federal and state regulations as a soil amendment for agricultural, silvicultural, horticultural, and land reclamation activities as specified under 40 C.F.R. Part 503.
  - i. Collected screenings, residual sludge, biosolids, and other solids removed from liquid wastes shall be disposed of in a manner consistent with Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste, as set forth in Title 27, CCR, division 2, subdivision 1, section 20005, et seq. Removal for further treatment, storage, disposal, or reuse at sites (e.g., landfill, composting sites, soil amendment sites) that are operated in accordance with valid waste discharge requirements issued by a Regional Water Board will satisfy these specifications.

Sludge and solid waste shall be removed from screens, sumps, ponds, clarifiers, etc. as needed to ensure optimal plant performance.

The treatment of sludge generated at the Facility shall be confined to the Facility property and conducted in a manner that precludes infiltration of waste constituents into soils in a mass or concentration that will violate groundwater limitations in section V.B. of this Order. In addition, the storage of residual sludge, solid waste, and biosolids on Facility property shall be temporary and controlled, and contained in a manner that minimizes leachate formation and precludes infiltration of waste constituents into soils in a mass or concentration that will violate groundwater limitations included in section V.B. of this Order.

- ii. The use, disposal, storage, and transportation of biosolids shall comply with existing federal and state laws and regulations, including permitting requirements and technical standards included in 40 C.F.R. Part 503. If the State Water Board and the Central Valley Water Board are given the authority to implement regulations contained in 40 C.F.R. Part 503, this Order may be reopened to incorporate appropriate time schedules and technical standards. The Discharger must comply with the standards and time schedules contained in 40 C.F.R. Part 503 whether or not they have been incorporated into this Order.
- iii. The Discharger shall comply with section IX.A. Biosolids of the Monitoring and Reporting Program, Attachment E.
- iv. The Discharger shall implement onsite sludge/biosolids treatment, processing, and storage for the Facility as described in the Fact Sheet (Attachment F, section II.A). This Order may be reopened to address any proposed change in the onsite treatment, processing, or storage of sludge/.

**6. Other Special Provisions – Not Applicable**

**7. Compliance Schedules – Not Applicable**

**VII. COMPLIANCE DETERMINATION**

- A. BOD<sub>5</sub> and TSS Effluent Limitations (Section IV.A.1).** Compliance with the final effluent limitations for BOD<sub>5</sub> and TSS required in Waste Discharge Requirements section IV.A.1.a shall be ascertained by 24-hour composite samples. Compliance with effluent limitations required in Waste Discharge Requirements section IV.A.1.c for percent removal shall be calculated using the arithmetic mean of BOD<sub>5</sub> and TSS in effluent samples collected over a monthly period as a percentage of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.
- B. Average Dry Weather Flow Prohibition (Section III.E).** The average dry weather discharge flow represents the daily average flow when groundwater is at or near normal and runoff is not occurring. Compliance with the average dry weather flow

discharge prohibition will be determined annually based on the average daily flow over three consecutive dry weather months (e.g., July, August, and September).

- C. Total Coliform Organisms Effluent Limitations (Section IV.A.1.f).** For each day that an effluent sample is collected and analyzed for total coliform organisms, the 7-day median shall be determined by calculating the median concentration of total coliform bacteria in the effluent utilizing the bacteriological results of the last 7 days. For example, if a sample is collected on a Wednesday, the result from that sampling event and all results from the previous 6 days (i.e., Tuesday, Monday, Sunday, Saturday, Friday, and Thursday) are used to calculate the 7-day median. If the 7-day median of total coliform organisms exceeds a most probable number (MPN) of 23 per 100 milliliters, the Discharger will be considered out of compliance.
  
- D. Total Residual Chlorine Effluent Limitations (Section IV.A.1.e).** Continuous monitoring analyzers for chlorine residual or for dechlorination agent residual in the effluent are appropriate methods for compliance determination. A positive residual dechlorination agent in the effluent indicates that chlorine is not present in the discharge, which demonstrates compliance with the effluent limitations. This type of monitoring can also be used to prove that some chlorine residual exceedances are false positives. Continuous monitoring data showing either a positive dechlorination agent residual or a chlorine residual at or below the prescribed limit are sufficient to show compliance with the total residual chlorine effluent limitations, as long as the instruments are maintained and calibrated in accordance with the manufacturer's recommendations.

Any excursion above the 1-hour average or 4-day average total residual chlorine effluent limitations is a violation. If the Discharger conducts continuous monitoring and the Discharger can demonstrate, through data collected from a back-up monitoring system, that a chlorine spike recorded by the continuous monitor was not actually due to chlorine, then any excursion resulting from the recorded spike will not be considered an exceedance, but rather reported as a false positive. Records supporting validation of false positives shall be maintained in accordance with Section IV Standard Provisions (Attachment D).

- E. Mass Effluent Limitations.** The mass effluent limitations contained in the Final Effluent Limitations IV.A.1.a are based on the permitted average dry weather flow and calculated as follows:

$$\text{Mass (lbs/day)} = \text{Flow (MGD)} \times \text{Concentration (mg/L)} \times 8.34 \text{ (conversion factor)}$$

If the effluent flow exceeds the permitted average dry weather flow during wet-weather seasons, the effluent mass limitations contained in Final Effluent Limitations IV.A.1.a shall not apply.

- F. Priority Pollutant Effluent Limitations.** Compliance with effluent limitations for priority pollutants shall be determined in accordance with section 2.4.5 of the SIP, as follows:

1. Dischargers shall be deemed out of compliance with an effluent limitation, if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).
  2. Dischargers shall be required to conduct a Pollutant Minimization Program (PMP) in accordance with section 2.4.5.1 of the SIP when there is evidence that the priority pollutant is present in the effluent above an effluent limitation and either:
    - a. sample result is reported as detected, but not quantified (DNQ) and the effluent limitation is less than the RL; or
    - b. sample result is reported as non-detect (ND) and the effluent limitation is less than the method detection limit (MDL).
  3. When determining compliance with an average monthly effluent limitation (AMEL) and more than one sample result is available in a month, the discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of DNQ or ND. In those cases, the discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:
    - a. The data set shall be ranked from low to high, reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
    - b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.
  4. If a sample result, or the arithmetic mean or median of multiple sample results, is below the RL, and there is evidence that the priority pollutant is present in the effluent above an effluent limitation and the discharger conducts a PMP (as described in section 2.4.5.1), the discharger shall **not** be deemed out of compliance.
- G. Dissolved Oxygen Receiving Water Limitation (Section V.A.5.a-c).** 1/Month receiving water monitoring is required in the Monitoring and Reporting Program (Attachment E) and is sufficient to evaluate the impacts of the discharge and compliance with this Order. 1/Month receiving water monitoring data, measured at monitoring locations RSW-001 and RSW-002, will be used to determine compliance with part "c" of the dissolved oxygen receiving water limitation to ensure the discharge does not cause the dissolved oxygen concentrations in the Sacramento River to be reduced below 7.0 mg/L at any time. However, should more frequent

dissolved oxygen and temperature receiving water monitoring be conducted, Central Valley Water Board staff may evaluate compliance with parts “a” and “b”.

- H. Chronic Whole Effluent Toxicity Effluent Trigger (Section VI.C.2).** To evaluate compliance with the chronic whole effluent toxicity effluent trigger, the median chronic toxicity units (TUc) shall be the median of up to three consecutive chronic toxicity bioassays during a six- week period. This includes a routine chronic toxicity monitoring event and two subsequent optional compliance monitoring events. If additional compliance monitoring events are not conducted, the median is equal to the result for routine chronic toxicity monitoring event. If only one additional compliance monitoring event is conducted, the median will be established as the arithmetic mean of the routine monitoring event and compliance monitoring event.

Where the median chronic toxicity units exceed 20 TUc (as 100/EC<sub>25</sub>), the Discharger will be deemed out of compliance with the chronic toxicity effluent trigger if the median percent effect at 5 percent effluent for the same endpoint also exceeds 25 percent. The percent effect used to evaluate compliance with the chronic toxicity effluent trigger shall be based on the chronic toxicity bioassay result(s) from the sample(s) used to establish the median TUc result. If the median TUc is based on two equal chronic toxicity bioassay results, the percent effect of the sample with the greatest percent effect shall be used to evaluate compliance with the chronic toxicity effluent trigger.

## ATTACHMENT A – DEFINITIONS

### **1Q10**

The lowest one-day flow with an average reoccurrence frequency of once in ten years.

### **7Q10**

The lowest average seven consecutive day flow with an average reoccurrence frequency of once in ten years

### **Acute Aquatic Toxicity Test**

A test to determine an adverse effect (usually lethality) on a group of aquatic test organisms during a short-term exposure (e.g., 24, 48, or 96 hours).

### **Alternative Hypothesis**

A statement used to propose a statistically significant relationship in a set of given observations. Under the TST approach, when the Null Hypothesis is rejected, the Alternative Hypothesis is accepted in its place, indicating a relationship between variables and an acceptable level of toxicity.

### **Arithmetic Mean ( $\mu$ )**

Also called the average, is the sum of measured values divided by the number of samples. For ambient water concentrations, the arithmetic mean is calculated as follows:

$$\text{Arithmetic mean} = \mu = \Sigma x / n$$

where:  $\Sigma x$  is the sum of the measured ambient water concentrations, and  $n$  is the number of samples.

### **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.

### **Bioaccumulative**

Those substances taken up by an organism from its surrounding medium through gill membranes, epithelial tissue, or from food and subsequently concentrated and retained in the body of the organism.

**Calendar Month(s).**

A period of time from a day of one month to the day before the corresponding day of the next month if the corresponding day exists, or if not to the last day of the next month (e.g., from January 1 to January 31, from June 15 to July 14, or from January 31 to February 28).

**Calendar Quarter**

A period of time defined as three consecutive calendar months.

**Calendar Year**

A period of time defined as twelve consecutive calendar months.

**Chronic Aquatic Toxicity Test**

A test to determine an adverse effect (sub-lethal or lethal) on a group of aquatic test organisms during an exposure of duration long enough to assess sub-lethal effects.

**Carcinogenic**

Pollutants are substances that are known to cause cancer in living organisms.

**Coefficient of Variation (CV)**

CV is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

**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.

**Detected, but Not Quantified (DNQ)**

DNQ are those sample results less than the RL, but greater than or equal to the laboratory's MDL. Sample results reported as DNQ are estimated concentrations.

**Dilution Credit**

Dilution Credit is the amount of dilution granted to a discharge in the calculation of a water quality-based effluent limitation, based on the allowance of a specified mixing zone. It is calculated from the dilution ratio or determined through conducting a mixing zone study or modeling of the discharge and receiving water.

**Effluent Concentration Allowance (ECA)**

ECA is a value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the coefficient of variation for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The ECA has the same meaning as waste load allocation (WLA) as used in U.S. EPA guidance (Technical Support Document For Water Quality-based Toxics Control, March 1991, second printing, EPA/505/2-90-001).

**Enclosed Bays**

Enclosed Bays means indentations along the coast that enclose an area of oceanic water within distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between the headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. Enclosed bays include, but are not limited to, Humboldt Bay, Bodega Harbor, Tomales Bay, Drake’s Estero, San Francisco Bay, Morro Bay, Los Angeles-Long Beach Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay. Enclosed bays do not include inland surface waters or ocean waters.

**Endpoint**

An effect that is measured in a toxicity study. Endpoints in toxicity tests may include, but are not limited to survival, reproduction, and growth. A measured response of a receptor to a stressor. An endpoint can be measured in a toxicity test or field survey.

**Estimated Chemical Concentration**

The estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

**Estuaries**

Estuaries means waters, including coastal lagoons, located at the mouths of streams that serve as areas of mixing for fresh and ocean waters. Coastal lagoons and mouths of streams that are temporarily separated from the ocean by sandbars shall be considered estuaries. Estuarine waters shall be considered to extend from a bay or the open ocean to a point upstream where there is no significant mixing of fresh water and seawater. Estuarine waters included, but are not limited to, the Sacramento-San Joaquin Delta, as defined in Water Code section 12220, Suisun Bay, Carquinez Strait downstream to the Carquinez Bridge, and appropriate areas of the Smith, Mad, Eel, Noyo, Russian, Klamath, San Diego, and Otay rivers. Estuaries do not include inland surface waters or ocean waters.

**Inland Surface Waters**

All surface waters of the state that do not include the ocean, enclosed bays, or estuaries.

**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).

**Instream Waste Concentration (IWC)**

The concentration of effluent in the receiving water after mixing.

**Maximum Daily Effluent Limitation (MDEL)**

The highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day.

**Median**

The middle measurement in a set of data. The median of a set of data is found by first arranging the measurements in order of magnitude (either increasing or decreasing order). If the number of measurements (n) is odd, then the median =  $X_{(n+1)/2}$ . If n is even, then the median =  $(X_{n/2} + X_{(n/2)+1})/2$  (i.e., the midpoint between the n/2 and n/2+1).

**Method Detection Limit (MDL)**

MDL is the minimum measured concentration of a substance that can be reported with 99 percent confidence that the measured concentration is distinguishable from method blank results, as defined in in 40 C.F.R. Part 136, Attachment B.

**Minimum Level (ML)**

ML is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

**Mixing Zone**

Mixing Zone is a limited volume of receiving water that is allocated for mixing with a wastewater discharge where water quality criteria can be exceeded without causing adverse effects to the overall water body.

**Not Detected (ND)**

Sample results which are less than the laboratory's MDL.

**Null Hypothesis**

A statement used in statistical testing that has been put forward either because it is believed to be true or because it is to be used as a basis for argument, but has not been proved.

**Ocean Waters**

The territorial marine waters of the State as defined by California law to the extent these waters are outside of enclosed bays, estuaries, and coastal lagoons. Discharges to ocean waters are regulated in accordance with the State Water Board's California Ocean Plan.

**Percent Effect**

The percent effect at the instream waste concentration (IWC) shall be calculated using untransformed data and the following equation:

$$\text{Percent Effect of the Sample} = \frac{\text{Mean Control Response} - \text{Mean Sample Response}}{\text{Mean Control Response}} \cdot 100$$

**Persistent Pollutants**

Persistent pollutants are substances for which degradation or decomposition in the environment is nonexistent or very slow.

**Pollutant Minimization Program (PMP)**

PMP means waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Central Valley Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to Water Code section 13263.3(d), shall be considered to fulfill the PMP requirements.

**Pollution Prevention**

Pollution Prevention means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is not limited to, input change, operational improvement, production process change, and product reformulation (as defined in Water Code section 13263.3). Pollution prevention does not include actions that merely shift a pollutant in wastewater from one environmental medium to another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State Water Resources Control Board (State Water Board) or Central Valley Water Board.

**Regulatory Management Decision (RMD)**

The decision that represents the maximum allowable error rates and thresholds for toxicity and non-toxicity that would result in an acceptable risk to aquatic life.

**Response**

A measured biological effect (e.g., survival, reproduction, growth) as a result of exposure to a stimulus.

**Satellite Collection System**

The portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility that a sanitary sewer system is tributary to.

**Source of Drinking Water**

Any water designated as municipal or domestic supply (MUN) in a Central Valley Water Board Basin Plan.

**Species Sensitivity Screening**

An analysis to determine the single most sensitive species from an array of test species to be used in a single species laboratory test series.

**Standard Deviation ( $\sigma$ )**

Standard Deviation is a measure of variability that is calculated as follows:

$$\sigma = (\sum [(x - \mu)^2] / (n - 1))^{0.5}$$

where:

- x is the observed value;
- $\mu$  is the arithmetic mean of the observed values; and
- n is the number of samples.

**Statewide Toxicity Provisions**

Refers to Section III.B and Section IV.B of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California.

**Statistical Threshold Value (STV):**

The STV for the bacteria receiving water limitation is a set value that approximates the 90th percentile of the water quality distribution of a bacterial population.

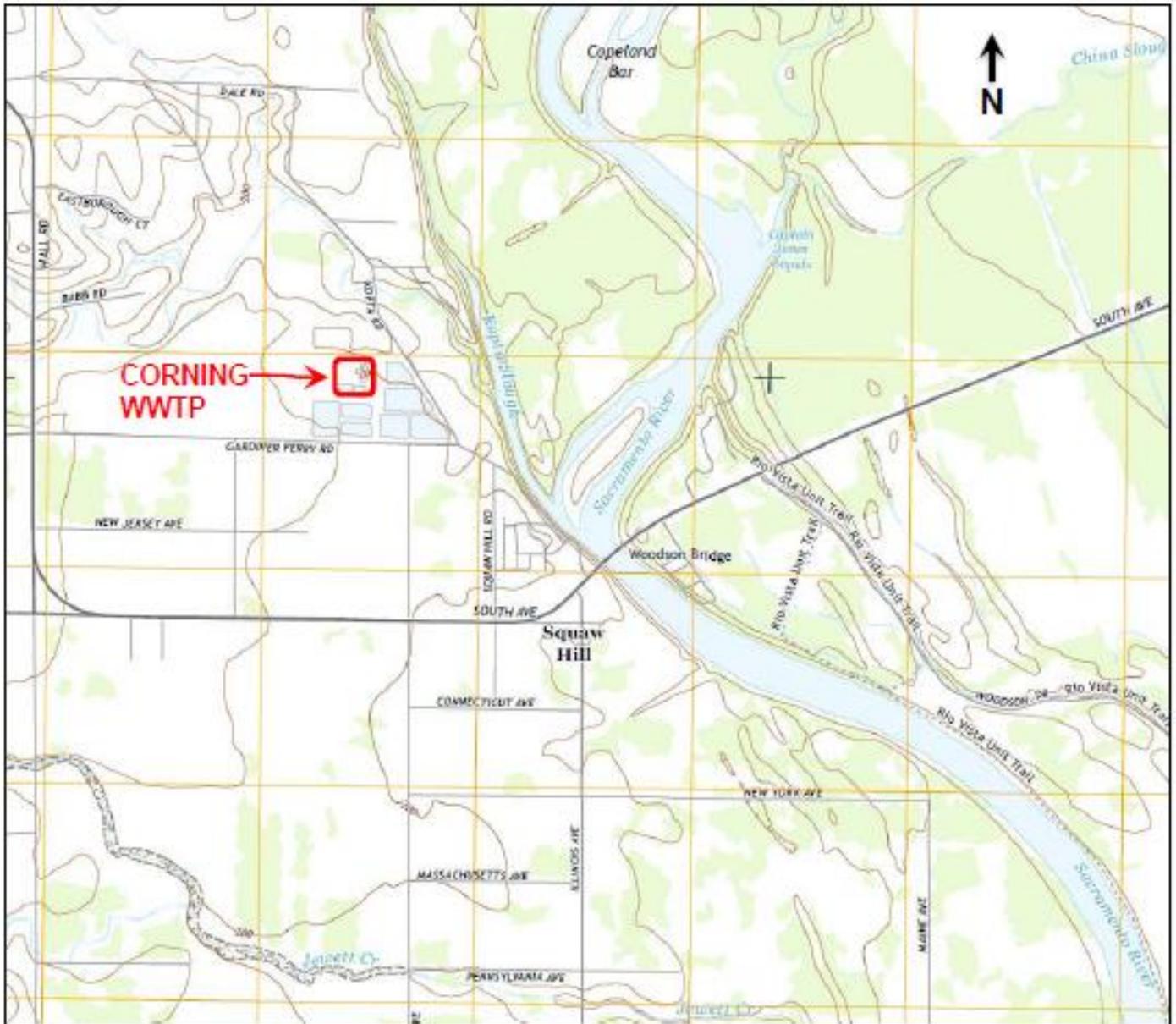
**Test of Significant Toxicity (TST)**

A statistical approach used to analyze aquatic toxicity test data, as described in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, 2010), Appendix A, Figure A-1 and Table A-1 (Chronic Freshwater and East Coast Methods) and Appendix B, Table B-1.

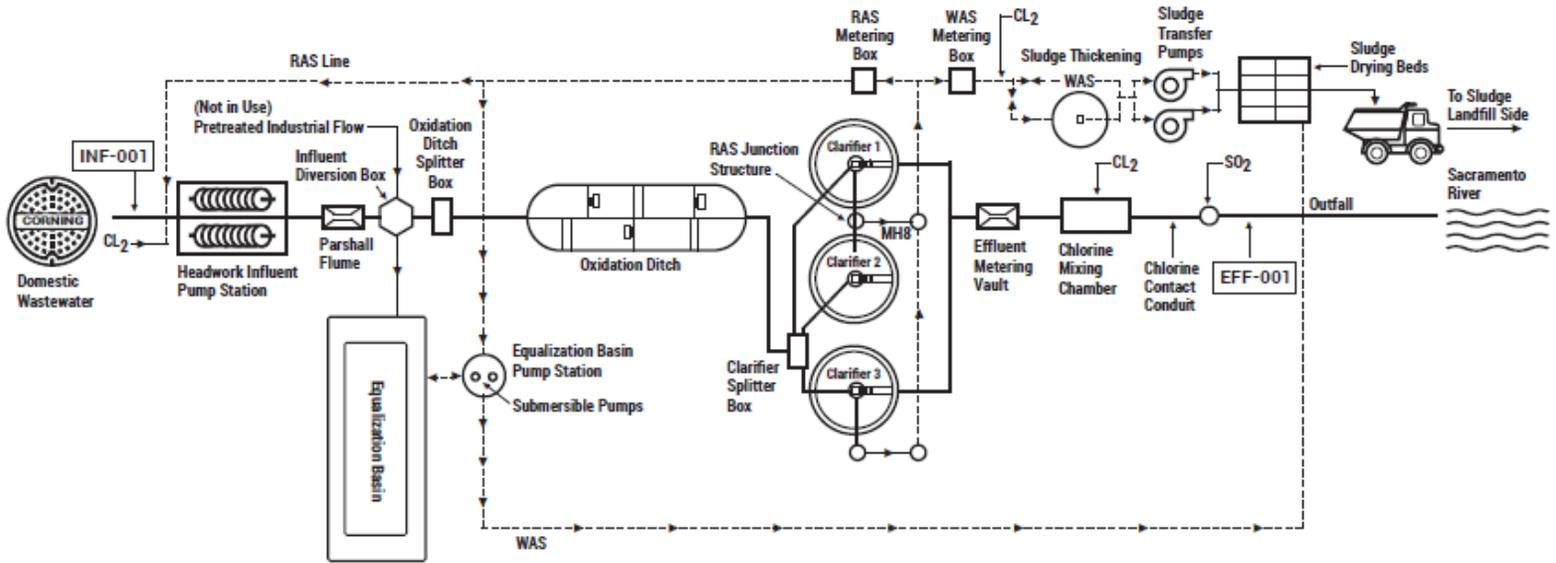
**Toxicity Reduction Evaluation (TRE)**

TRE is a study conducted in a stepwise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)

**ATTACHMENT B – MAP**



ATTACHMENT C – FLOW SCHEMATIC



## ATTACHMENT D – STANDARD PROVISIONS

### I. STANDARD PROVISIONS – PERMIT COMPLIANCE

#### A. Duty to Comply:

1. The Discharger must comply with all of the terms, requirements, and conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; denial of a permit renewal application; or a combination thereof. (40 C.F.R. section 122.41(a); Wat. Code, sections 13261, 13263, 13265, 13268, 13000, 13001, 13304, 13350, 13385.)
2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. (40 C.F.R. section 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 C.F.R. section 122.41(c).)

#### C. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 C.F.R. section 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 having 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 C.F.R. section 122.41(e).)

#### E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 C.F.R. section 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 C.F.R. section 122.5(c).)

#### **F. Inspection and Entry**

The Discharger shall allow the Central Valley Water Board, State Water Board, U.S. EPA, 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 (33 U.S.C. section 1318(a)(4)(B); 40 C.F.R. section 122.41(i); Wat. Code, section 13267, 13383):

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 (33 U.S.C section 1318(a)(4)(B)(ii); 40 C.F.R. section 122.41(i)(1); Wat. Code, sections 13267, 13383);
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order (33 U.S.C. section 1318(a)(4)(B)(ii); 40 C.F.R. section 122.41(i)(2); Wat. Code, sections 13267, 13383);
3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order (33 U.S.C section 1318(a)(4)(B)(ii); 40 C.F.R. section 122.41(i)(3); Wat. Code, section 13267, 13383); and
4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location. (33 U.S.C section 1318(a)(4)(B); 40 C.F.R. section 122.41(i)(4); Wat. Code, sections 13267, 13383.)

#### **G. Bypass**

1. Definitions
  - a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. (40 C.F.R. section 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 C.F.R. section 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, I.G.4, and I.G.5 below. (40 C.F.R. section 122.41(m)(2).)

3. Prohibition of bypass. Bypass is prohibited, and the Central Valley Water Board may take enforcement action against a Discharger for bypass, unless (40 C.F.R. section 122.41(m)(4)(i)):
  - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 C.F.R. section 122.41(m)(4)(i)(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 C.F.R. section 122.41(m)(4)(i)(B)); and
  - c. The Discharger submitted notice to the Central Valley Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. (40 C.F.R. section 122.41(m)(4)(i)(C).)
4. The Central Valley Water Board may approve an anticipated bypass, after considering its adverse effects, if the Central Valley Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above. (40 C.F.R. section 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 prior notice if possible, at least 10 days before the date of the bypass. The notice shall be sent to the Central Valley Water Board. As of 21 December 2023, all notices shall be submitted electronically to the initial recipient (State Water Board's [California Integrated Water Quality System \(CIWQS\) Program website](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/) ([http://www.waterboards.ca.gov/water\\_issues/programs/ciwqs/](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/)), defined in Standard Provisions – Reporting V.J below. Notices shall comply with 40 C.F.R. Part 3, section 122.22, and 40 C.F.R. Part 127. (40 C.F.R. section 122.41(m)(3)(i).)
- b. **Unanticipated bypass.** The Discharger shall submit a notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below (24-hour notice). The notice shall be sent to the Central Valley Water Board. As of 21 December 2023, all notices shall be submitted electronically to the initial recipient (State Water Board's [California Integrated Water Quality System \(CIWQS\) Program website](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/) ([http://www.waterboards.ca.gov/water\\_issues/programs/ciwqs/](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/)), defined in

Standard Provisions – Reporting V.J below. Notices shall comply with 40 C.F.R. Part 3, section 122.22, and 40 C.F.R. Part 127. (40 C.F.R. section 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 Discharger. 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 C.F.R. section 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 Standard Provisions – Permit Compliance I.H.2 below 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 C.F.R. section 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 C.F.R. section 122.41(n)(3)):
  - a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 C.F.R. section 122.41(n)(3)(i));
  - b. The permitted facility was, at the time, being properly operated (40 C.F.R. section 122.41(n)(3)(ii));
  - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) (40 C.F.R. section 122.41(n)(3)(iii)); and
  - d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above. (40 C.F.R. section 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 C.F.R. section 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 C.F.R. section 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 C.F.R. section 122.41(b).)

### C. Transfers

This Order is not transferable to any person except after notice to the Central Valley Water Board. The Central Valley 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 Water Code. (40 C.F.R. section 122.41(l)(3); 122.61.)

## III. STANDARD PROVISIONS – MONITORING

- A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 C.F.R. section 122.41(j)(1).)
- B. Monitoring must be conducted according to test procedures approved under 40 C.F.R. Part 136 for the analyses of pollutants unless another method is required under 40 C.F.R. subchapters N or O. Monitoring must be conducted according to sufficiently sensitive test methods approved under 40 C.F.R. Part 136 for the analysis of pollutants or pollutant parameters or as required under 40 C.F.R. chapter 1, subchapter N or O. For the purposes of this paragraph, a method is sufficiently sensitive when the method has the lowest ML of the analytical methods approved under 40 C.F.R. Part 136 or required under 40 C.F.R. chapter 1, subchapter N or O for the measured pollutant or pollutant parameter, or when:
  - 1. The method minimum level (ML) is at or below the level of the most stringent effluent limitation established in the permit for the measured pollutant or pollutant parameter, and:
    - a. The method ML is at or below the level of the most stringent applicable water quality criterion for the measured pollutant or pollutant parameter, or;
    - b. The method ML is above the applicable water quality criterion but the amount of the pollutant or pollutant parameter in the facility's discharge is

high enough that the method detects and quantifies the level of the pollutant or pollutant parameter in the discharge;

In the case of pollutants or pollutant parameters for which there are no approved methods under 40 C.F.R. Part 136 or otherwise required under 40 C.F.R. chapter 1, subchapters N or O, monitoring must be conducted according to a test procedure specified in this Order for such pollutants or pollutant parameters. (40 C.F.R. sections 122.21(e)(3), 122.41(j)(4); 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 C.F.R. 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 Valley Water Board Executive Officer at any time. (40 C.F.R. section 122.41(j)(2).)
- B.** Records of monitoring information shall include:
1. The date, exact place, and time of sampling or measurements (40 C.F.R. section 122.41(j)(3)(i));
  2. The individual(s) who performed the sampling or measurements (40 C.F.R. section 122.41(j)(3)(ii));
  3. The date(s) analyses were performed (40 C.F.R. section 122.41(j)(3)(iii));
  4. The individual(s) who performed the analyses (40 C.F.R. section 122.41(j)(3)(iv));
  5. The analytical techniques or methods used (40 C.F.R. section 122.41(j)(3)(v)); and
  6. The results of such analyses. (40 C.F.R. section 122.41(j)(3)(vi).)
- C.** Claims of confidentiality for the following information will be denied (40 C.F.R. section 122.7(b)):
1. The name and address of any permit applicant or Discharger (40 C.F.R. section 122.7(b)(1)); and
  2. Permit applications and attachments, permits and effluent data. (40 C.F.R. section 122.7(b)(2).)

## **V. STANDARD PROVISIONS – REPORTING**

### **A. Duty to Provide Information**

The Discharger shall furnish to the Central Valley Water Board, State Water Board, or U.S. EPA within a reasonable time, any information which the Central Valley Water Board, State Water Board, or U.S. EPA 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 Valley Water Board, State Water Board, or U.S. EPA copies of records required to be kept by this Order. (40 C.F.R. section 122.41(h); Wat. Code, sections 13267, 13383.)

### **B. Signatory and Certification Requirements**

1. All applications, reports, or information submitted to the Central Valley Water Board, State Water Board, and/or U.S. EPA shall be signed and certified in accordance with Standard Provisions – Reporting V.B.2, V.B.3, V.B.4, V.B.5, and V.B.6 below. (40 C.F.R. section 122.41(k).)
2. All permit applications shall be signed 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 U.S. EPA). (40 C.F.R. section 122.22(a)(3).)
3. All reports required by this Order and other information requested by the Central Valley Water Board, State Water Board, or U.S. EPA shall be signed by a person described in Standard Provisions – Reporting V.B.2 above, 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 Standard Provisions – Reporting V.B.2 above (40 C.F.R. section 122.22(b)(1));
  - b. The authorization specifies 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 C.F.R. section 122.22(b)(2)); and
  - c. The written authorization is submitted to the Central Valley Water Board and State Water Board. (40 C.F.R. section 122.22(b)(3).)

4. If an authorization under Standard Provisions – Reporting V.B.3 above 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 Standard Provisions – Reporting V.B.3 above must be submitted to the Central Valley Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 C.F.R. section 122.22(c).)
5. Any person signing a document under Standard Provisions – Reporting V.B.2 or V.B.3 above 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 C.F.R. section 122.22(d).)
6. Any person providing the electronic signature for such documents described in Standard Provision – V.B.1, V.B.2, or V.B.3 that are submitted electronically shall meet all relevant requirements of Standard Provisions – Reporting V.B, and shall ensure that all of the relevant requirements of 40 C.F.R. part 3 (Cross-Media Electronic Reporting) and 40 C.F.R. part 127 (NPDES Electronic Reporting Requirements) are met for that submission. (40 C.F.R section 122.22(e).)

### **C. Monitoring Reports**

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. (40 C.F.R. section 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 Valley Water Board or State Water Board for reporting the results of monitoring, sludge use, or disposal practices. As of 21 December 2016, all reports and forms must be submitted electronically to the initial recipient, defined in Standard Provisions – Reporting V.J, and comply with 40 C.F.R. part 3, section 122.22, and 40 C.F.R. part 127. (40 C.F.R. section 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 C.F.R. part 136, or another method required for an industry-specific waste stream under 40 C.F.R. subchapters N or O, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting

form specified by the Central Valley Water Board. (40 C.F.R. section 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 C.F.R. section 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 C.F.R. section 122.41(l)(5).)

#### **E. Twenty-Four Hour Reporting**

1. The Discharger shall report any noncompliance which 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 report shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The report 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.

For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (combined sewer overflows, sanitary sewer overflows, or bypass events), type of sewer overflow structure (e.g., manhole, combined sewer overflow outfall), discharge volumes untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the sewer overflow event, and whether the noncompliance was related to wet weather.

As of 21 December 2020 all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events must be submitted electronically to the initial recipient (State Water Board) defined in Standard Provisions – Reporting V.J. The reports shall comply with 40 C.F.R. part 3. They may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 C.F.R. section 122.41(l)(6)(i).)

#### **F. Planned Changes**

The Discharger shall give notice to the Central Valley 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 C.F.R. section 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 section 122.29(b) (40 C.F.R. section 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 that are not subject to effluent limitations in this Order. (40 C.F.R. section 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 C.F.R. section 122.41(l)(1)(iii).)

**G. Anticipated Noncompliance**

The Discharger shall give advance notice to the Central Valley Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with this Order's requirements. (40 C.F.R. section 122.41(l)(2).)

**H. Other Noncompliance**

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting V.C, V.D, and V.E above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E above. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall contain the information described in Standard Provision – Reporting V.E and the applicable required data in appendix A to 40 C.F.R. part 127. The Central Valley Water Board may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 C.F.R. section 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 Valley Water Board, State Water Board, or U.S. EPA, the Discharger shall promptly submit such facts or information. (40 C.F.R. section 122.41(l)(8).)

**J. Initial Recipient for Electronic Reporting Data**

The owner, operator, or the duly authorized representative is required to electronically submit NPDES information specified in appendix A to 40 C.F.R. part 127 to the appropriate initial recipient, as determined by U.S. EPA, and as defined in 40 C.F.R. section 127.2(b). U.S. EPA will identify and publish the list of initial

recipients on its website and in the Federal Register, by state and by NPDES data group [see 40 C.F.R. section 127.2(c)]. U.S. EPA will update and maintain this listing. (40 C.F.R. section 122.41(l)(9).)

## **VI. STANDARD PROVISIONS – ENFORCEMENT**

- A.** The Central Valley Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13385, 13386, and 13387.

## **VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS**

### **A. Publicly-Owned Treatment Works (POTW's)**

All POTW's shall provide adequate notice to the Central Valley Water Board of the following (40 C.F.R. section 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 C.F.R. section 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 C.F.R. section 122.42(b)(2).)
3. 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 C.F.R. section 122.42(b)(3).)

**ATTACHMENT E – MONITORING AND REPORTING PROGRAM**

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## **ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)**

The Code of Federal Regulations (40 C.F.R. section 122.48) requires that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Central Valley Water Board to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements that implement federal and California regulations.

### **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 the approval of the Central Valley Water Board.
- B.** Final effluent samples shall be taken downstream of the last addition of wastes to the treatment or discharge works where a representative sample may be obtained prior to mixing with the receiving waters. Samples shall be collected at such a point and in such a manner to ensure a representative sample of the discharge.
- C.** Chemical, bacteriological, and bioassay analyses of any material required by this Order shall be conducted by a laboratory accredited for such analyses by the State Water Resources Control Board (State Water Board), Division of Drinking Water (DDW; formerly the Department of Public Health), in accordance with the provision of Water Code section 13176. Laboratories that perform sample analyses must be identified in all monitoring reports submitted to the Central Valley Water Board. In the event an accredited laboratory is not available to the Discharger for any onsite field measurements such as pH, dissolved oxygen (DO), turbidity, temperature, and residual chlorine, such analyses performed by a non-accredited laboratory will be accepted provided a Quality Assurance-Quality Control Program is instituted by the laboratory. A manual containing the steps followed in this program for any onsite field measurements such as pH, DO, turbidity, temperature, and residual chlorine must be kept onsite in the treatment facility laboratory and shall be available for inspection by Central Valley Water Board staff. The Discharger must demonstrate sufficient capability (qualified and trained employees, properly calibrated and maintained field instruments, etc.) to adequately perform these field measurements. The Quality Assurance-Quality Control Program must conform to U.S. EPA guidelines or to procedures approved by the Central Valley Water Board.
- D.** 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. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary, at least yearly, 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 Monitoring and Reporting Program.
- F.** Laboratory analytical methods shall be sufficiently sensitive in accordance with the Sufficiently Sensitive Methods Rule (SSM Rule) specified under 40 C.F.R. 122.21(e)(3) and 122.44(i)(1)(iv). A U.S. EPA-approved analytical method is sufficiently sensitive for a pollutant/parameter where:
  - 1. The method minimum level (ML) is at or below the applicable water quality objective for the receiving water, or;
  - 2. The method ML is above the applicable water quality objective for the receiving water but the amount of the pollutant/parameter in the discharge is high enough that the method detects and quantifies the level of the pollutant/parameter, or;
  - 3. the method ML is above the applicable water quality objective for the receiving water, but the ML is the lowest of the 40 C.F.R. 136 U.S. EPA-approved analytical methods for the pollutant/parameter.
- G.** The Discharger shall ensure that the results of the Discharge Monitoring Report-Quality Assurance (DMR-QA) Study or the most recent Water Pollution Performance Evaluation Study are submitted annually to the State Water Resources Control Board at the following address or electronically via email to the DMR-QA Coordinator:  
  
State Water Resources Control Board  
Quality Assurance Program Officer  
Office of Information Management and Analysis  
1001 I Street, Sacramento, CA 95814
- H.** The Discharger shall file with the Central Valley Water Board technical reports on self-monitoring performed according to the detailed specifications contained in this Monitoring and Reporting Program.
- I.** The results of all monitoring required by this Order shall be reported to the Central Valley Water Board, and shall be submitted in such a format as to allow direct comparison with the limitations and requirements of this Order. Unless otherwise specified, discharge flows shall be reported in terms of the monthly average and the daily maximum discharge flows.

**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 E-1. Monitoring Station Locations**

<b>Discharge Point Name</b>	<b>Monitoring Location Name</b>	<b>Monitoring Location Description</b>
--	INF-001	Point at which raw sewage enters the Facility Latitude: 39.91587° - Longitude: -122.10481°
D-001	EFF-001	Effluent outfall pipe upstream of the confluence with Bell-Carter's discharge Latitude: 39.91508° - Longitude: -122.10450°
--	RSW-001	In the Sacramento River immediately upstream of Discharge Point 001. Monitoring location to be consistent with RSW-001 monitoring location for the Bell-Carter Industrial WWTP and may be changed with approval of the Executive Officer Latitude: 39.90695° - Longitude: -122.08964°
--	RSW-002	In the Sacramento River 75 feet downstream of Discharge Point 001. Monitoring location to be consistent with RSW-002 monitoring location for the Bell-Carter Industrial WWTP and may be changed with approval of the Executive Officer Latitude: 39.90612° - Longitude: -122.08858°

The North latitude and West longitude information in Table E-1 are approximate for administrative purposes.

**III. INFLUENT MONITORING REQUIREMENTS**

**A. Monitoring Location INF-001**

1. The Discharger shall monitor influent to the at Monitoring Location INF-001 in accordance with Table E-2 and the testing requirements described in section III.A.2 below:

**Table E-2. Influent Monitoring**

<b>Parameter</b>	<b>Units</b>	<b>Sample Type</b>	<b>Minimum Sampling Frequency</b>
Flow	MGD	Meter	Continuous
pH	standard units	Grab	1/Month
Biochemical Oxygen Demand (5-day @ 20°Celcius)	mg/L	24-hour Composite	1/Week
Total Suspended Solids	mg/L	24-hour Composite	1/Week
Electrical Conductivity	µmhos/cm	Grab	1/Month

2. **Table E-2 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-2:
  - a. **Applicable to all parameters.** Parameters shall be analyzed using the analytical methods described in 40 CFR part 136; or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.
  - b. **Grab Samples.** All grab samples shall not be collected at the same time each day to get a complete representation of variations in the influent.
  - c. **24-Hour Composite Samples.** All composite samples shall be collected from a 24-hour time proportional composite.

#### IV. EFFLUENT MONITORING REQUIREMENTS

##### A. Monitoring Location EFF-001

1. The Discharger shall monitor treated effluent at Monitoring Location EFF-001 in accordance with Table E-3 and the testing requirements described in section IV.A.2 below:

**Table E-3. Effluent Monitoring**

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow	MGD	Meter	Continuous
Biochemical Oxygen Demand (BOD) 5-day @ 20°Celcius	mg/L	24-hour Composite	1/Week
BOD	% removal	Calculate	1/Week
Total Suspended Solids (TSS)	mg/L	24-hour Composite	1/Week
TSS	% removal	Calculate	1/Week
pH	standard units	Grab	1/Day
Priority Pollutants and Other Constituents of Concern	(see Section IX.B)	(see Section IX.B)	(see Section IX.B)
Ammonia Nitrogen, Total (as N)	mg/L	Grab	1/Week
Chlorine, Total Residual	mg/L	Meter	Continuous
Dichlorobromomethane (DCBM)	µg/L	Grab	1/Month
Chlorpyrifos	µg/L	Grab	1/Year
Diazinon	µg/L	Grab	1/Year
Dissolved Organic Carbon	mg/L	Grab	1/Quarter
Electrical Conductivity @ 25°Celcius	µmhos/cm	Grab	1/Month
Hardness, Total (as CaCO3)	mg/L	Grab	1/Month
Mercury, Total	ng/L	Grab	1/Year
Mercury (methyl)	ng/L	Grab	1/Year
Nitrate Nitrogen, Total (as N)	mg/L	Grab	1/Month
Nitrite Nitrogen, Total (as N)	mg/L	Grab	1/Month
Nitrate plus Nitrite, Total (as N)	mg/L	Calculate	1/Month
Temperature	°C	Grab	2/Month
Total Coliform Organisms	MPN/100 mL	Grab	1/Week
Zinc, Total Recoverable	µg/L	Grab	1/Month

2. **Table E-3 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-3:
  - a. **Applicable to all parameters.** Parameters shall be analyzed using the analytical methods described in 40 CFR part 136 or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.

- b. **24-hour composite samples** shall be collected from a 24-hour time proportional composite.
- c. **Handheld Field Meter.** A handheld field meter may be used for **temperature** and **pH**, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.
- d. **Temperature** and **pH** shall be recorded at the time of **ammonia** sample collection.
- e. **Whole Effluent Toxicity.** Ammonia samples shall be collected concurrently with whole effluent toxicity monitoring.
- f. **Total Residual Chlorine** must be monitored using an analytical method that is sufficiently sensitive to measure at the permitted level of 0.01 mg/L.
- g. **Hardness** samples shall be collected concurrently with metals samples.
- h. **Total Mercury.** Total mercury samples shall be taken using **clean hands/dirty hands procedures**, as described in U.S. EPA method 1669: Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels, for collection of equipment blanks (section 9.4.4.2). The analysis of total mercury shall be by U.S. EPA method 1630 and 1631 (Revision E), respectively, with a **reporting limit of 0.5 ng/L for total mercury**.
- i. **Total Coliform Organisms.** Samples for total coliform organisms may be collected at any point following disinfection.
- j. **Priority Pollutants.** For all priority pollutant constituents listed in Table E-3 the RL shall be consistent with sections 2.4.2 and 2.4.3 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy or SIP) and the SSM Rule specified under 40 C.F.R. sections 122.21(e)(3) and 122.44(i)(1)(iv).
- k. **Chlorpyrifos and Diazinon** shall be sampled using U.S. EPA Method 625M, Method 8141, or equivalent GC/MS method with a lower Reporting Limit than the Basin Plan Water Quality Objectives of 0.015 µg/L and 0.1 µg/L for chlorpyrifos and diazinon, respectively.
- l. **Dissolved Organic Carbon monitoring** shall be conducted concurrently with pH and hardness sampling.

- m. **Whole Effluent Toxicity monitoring** shall be conducted according to section V.

## V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

**A. Acute Toxicity Testing.** The Discharger shall meet the following acute toxicity testing requirements:

1. **Monitoring Frequency** – The Discharger shall perform **quarterly** acute toxicity testing, concurrent with effluent ammonia sampling.
2. **Sample Types** – The Discharger may use flow-through or static renewal testing. For static renewal testing, the samples shall be grab samples and shall be representative of the volume and quality of the discharge. The effluent samples shall be taken at Monitoring Location EFF-001.
3. **Test Species** – Test species shall be Rainbow Trout (*Oncorhynchus mykiss*).
4. **Methods** – The acute toxicity testing samples shall be analyzed using EPA-821-R-02-012, Fifth Edition. Temperature, total residual chlorine, and pH shall be recorded at the time of sample collection. No pH adjustment may be made unless approved by the Executive Officer.
5. **Test Failure** – If an acute toxicity test does not meet all test acceptability criteria, as specified in the test method, the Discharger must re-sample and re-test as soon as possible, not to exceed 7 days following notification of test failure.

**B. Chronic Toxicity Testing.** The Discharger shall meet the following chronic toxicity testing requirements:

1. **In-stream Waste Concentration (IWC) for Chronic Toxicity** - The chronic toxicity IWC is 5 percent effluent.
2. **Routine Monitoring Frequency** – The Discharger shall perform **twice per year chronic toxicity testing**. If the result of the routine chronic toxicity testing event exhibits toxicity, demonstrated by a result greater than 20 TUc (as 100/EC25) AND a percent effect greater than 25 percent at 5 percent effluent, the Discharger has the option of conducting two additional compliance monitoring events and perform chronic toxicity testing using the species that exhibited toxicity in order to calculate a median. The optional compliance monitoring events shall occur at least one week apart, and the final monitoring event shall be initiated no later than 6 weeks from the routine monitoring event that exhibited toxicity. See Compliance Determination section VII.H for procedures for calculating 6-week median.
3. **Sample Types** – Effluent samples shall be grab and shall be representative of the volume and quality of the discharge. The effluent samples shall be taken at Monitoring Location EFF-001. The receiving water control shall be a grab sample

obtained from Monitoring Location RSW-001, as identified in this Monitoring and Reporting Program. As appropriate, dilution water and control water shall be laboratory water prepared and used as specified in the test methods manual. If dilution water and control water is different from test organism culture water, then a second control using culture water shall also be used.

4. **Sample Volumes** - Adequate sample volumes shall be collected to provide renewal water to complete the test in the event that the discharge is intermittent.
  5. **Test Species** – The testing shall be conducted using the most sensitive species. The Discharger shall conduct chronic toxicity tests with the cladoceran, water flea, **Ceriodaphnia dubia** (survival and reproduction test), unless otherwise specified in writing by the Executive Officer.
  6. **Test Methods** - Discharger shall conduct the chronic toxicity tests on effluent samples at the in-stream waste concentration for the discharge in accordance with species and test methods in Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms (EPA/821/R02/013, 2002; Table IA, 40 C.F.R. part 136).
  7. **Reference Toxicant** – As required by the SIP, all chronic toxicity tests shall be conducted with concurrent testing with a reference toxicant and shall be reported with the chronic toxicity test results.
  8. **Test Failure** – The Discharger must re-sample and re-test as soon as possible, but no later than fourteen (14) days after receiving notification of a test failure. A test failure is defined as follows:
    - a. The reference toxicant test or the effluent test does not meet all test acceptability criteria as specified in the Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition, EPA/821-R-02-013, October 2002 (Method Manual), and its subsequent amendments or revisions; or
    - b. The percent minimum significant difference (PMSD) measured for the test exceeds the upper PMSD bound variability criterion in the Method Manual.
- C. WET Testing Notification Requirements.** The Discharger shall notify the Central Valley Water Board of test results exceeding the chronic toxicity monitoring trigger, or an exceedance of the acute toxicity effluent limitations as soon as the Discharger learns of the exceedance, but no later than 24-hours after receipt of the monitoring results.
- D. WET Testing Reporting Requirements.** All toxicity test reports shall include the contracting laboratory's complete report provided to the Discharger and shall be in accordance with the appropriate "Report Preparation and Test Review" sections of the method manuals. At a minimum, whole effluent toxicity monitoring shall be reported as follows:

1. **Test of Significance Toxicity (TST).** For both acute and chronic toxicity testing, the toxicity monitoring results shall be reported to the Central Valley Water Board with the **quarterly self-monitoring report**, and shall contain, at minimum:
  - a. The valid toxicity test results for the Test of Significance Toxicity (TST) statistical approach, reported as “Pass” or “Fail” and “Percent Effect” at the Instream Waste Concentration (IWC) for the discharge at 100% effluent for acute WET and 5% for chronic WET.
  - b. The statistical analysis used in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, 2010) Appendix A, Figure A-1 and Table A-1, and Appendix B, Table B-1.
  - c. Statistical program (e.g., TST calculator, CETIS, etc.) output results, including graphical plots, for each toxicity test.
2. **Chronic WET Reporting.** Routine and compliance chronic toxicity monitoring results shall be reported to the Central Valley Water Board with the quarterly self-monitoring report, and shall contain, at minimum:
  - a. The results expressed in TUC, measured as 100/NOEC, and also measured as 100/LC50, 100/EC25, 100/IC25, and 100/IC50, as appropriate.
  - b. The percent effect at the IWC.
  - c. The statistical methods used to calculate endpoints;
  - d. The statistical output page, which includes the calculation of the percent minimum significant difference (PMSD);
  - e. The dates of sample collection and initiation of each toxicity test; and
  - f. The results compared to the numeric toxicity monitoring trigger.
  - g. The progress on any ongoing TRE investigation, if applicable.

Additionally, the quarterly self-monitoring reports shall contain an updated chronology of chronic toxicity test results expressed in TUC, and organized by test species, type of test (survival, growth or reproduction), and monitoring type, i.e., routine, compliance, or TRE monitoring.

3. **Acute WET Reporting.** Acute toxicity test results shall be submitted with the quarterly discharger self-monitoring reports and reported as percent survival and at minimum:
  - a. The percent effect for each endpoint at the IWC.

- b. The dates of sample collection and initiation of each toxicity test; and
  - c. The results compared to the numeric percent survival effluent limitation.
4. **TRE Reporting.** Reports for TREs shall be submitted in accordance with the schedule contained in the Discharger's approved TRE Workplan, or as amended by the Discharger's TRE Action Plan.
5. **Quality Assurance (QA).** The Discharger must provide the following information for QA purposes:
- a. Results of the applicable reference toxicant data with the statistical output page giving the species, NOEC, LOEC, type of toxicant, dilution water used, concentrations used, PMSD, and dates tested.
  - b. The reference toxicant control charts for each endpoint, which include summaries of reference toxicant tests performed by the contracting laboratory.
  - c. Any information on deviations or problems encountered and how they were dealt with.
- E. Most Sensitive Species Screening.** The Discharger shall perform rescreening to re-evaluate the most sensitive species. The species sensitivity screening shall be conducted as follows and the results submitted with the Report of Waste Discharge.
- 1. **Frequency of Testing for Species Sensitivity Screening.** Species sensitivity screening for chronic toxicity shall include, at a minimum, chronic WET testing **four consecutive calendar quarters** using the water flea (*Ceriodaphnia dubia*), fathead minnow (*Pimephales promelas*), and green alga (*Pseudokirchneriella subcapitata*). The tests shall be performed at an IWC of no less than **5 percent effluent**. An effluent concentration greater than the IWC may be used for the species sensitivity screening.
  - 2. **Determination of Most Sensitive Species.** If a single test in the species sensitivity screening testing results in a "Fail" using the TST statistical approach, then the species used in that test shall be established as the most sensitive species. If there is more than a single test that results in a "Fail", then of the species with results of a "Fail", the species that exhibits the highest percent effect shall be established as the most sensitive species. If none of the tests in the species sensitivity screening results in a "Fail", but at least one of the species exhibits a percent effect greater than 25 percent, then the single species that exhibits the highest percent effect shall be established as the most sensitive species. In all other circumstances, the Executive Officer shall have discretion to determine which single species is the most sensitive considering the test results from the species sensitivity screening.

**VI. LAND DISCHARGE MONITORING REQUIREMENTS – NOT APPLICABLE**

**VII. RECYCLING MONITORING REQUIREMENTS – NOT APPLICABLE**

**VIII. RECEIVING WATER MONITORING REQUIREMENTS**

**A. Monitoring Location RSW-001**

1. The Discharger shall monitor the Sacramento River at Monitoring Location RSW-001 in accordance with Table E-4 and the testing requirements described in section A.2 below:

**Table E-4. Receiving Water Monitoring Requirements**

Parameter	Units	Sample Type	Minimum Sampling Frequency
Ammonia Nitrogen, Total (as N)	mg/L	Grab	1/Quarter
Dichlorobromomethane	µg/L	Grab	1/Quarter
Dissolved Oxygen	mg/L	Grab	1/Month
Dissolved Organic Carbon	mg/L	Grab	1/Quarter
E. Coli Organisms	CFU/100 mL or MPN/100 mL	Grab	1/Quarter
Electrical Conductivity @ 25°Celcius	µmhos/cm	Grab	1/Month
Hardness, Total (as CaCO3)	mg/L	Grab	1/Month
Nitrate Nitrogen, Total (as N)	mg/L	Grab	1/Quarter
pH	SU	Grab	2/Month
Priority Pollutants and Other Constituents of Concern	(see Section IX.B)	(see Section IX.B)	(see Section IX.B)
Temperature	°C	Grab	2/Month
Turbidity	NTU	Grab	1/Month
Zinc, Total Recoverable	µg/L	Grab	1/Month

2. **Table E-4 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-4:
  - a. **Applicable to all parameters.** Parameters shall be analyzed using the analytical methods described in 40 CFR part 136 or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.
  - b. **Handheld Field Meter.** A handheld field meter may be used for **temperature** and **pH**, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each

meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.

- c. **Temperature** and **pH** shall be recorded at the time of **ammonia** sample collection.
  - d. **Hardness** samples shall be collected concurrently with metals samples.
  - e. **Dissolved Organic Carbon monitoring** shall be conducted concurrently with pH and hardness sampling.
3. In conducting the receiving water sampling, a log shall be kept of the receiving water conditions throughout the reach bounded by RSW-001 and RSW-002 when discharging to the Sacramento River. Attention shall be given to the presence of:
- a. Floating or suspended matter;
  - b. Discoloration;
  - c. Bottom deposits;
  - d. Aquatic life;
  - e. Visible films, sheens, or coatings;
  - f. Fungi, slimes, or objectionable growths; and
  - g. Potential nuisance conditions.

Notes on receiving water conditions shall be summarized in the monitoring report.

**B. Monitoring Location RSW-002**

1. The Discharger shall monitor the Sacramento River at Monitoring Location RSW-002 in accordance with Table E-5 and the testing requirements described in section B.2 below as follows:

**Table E-5. Receiving Water Monitoring Requirements**

Parameter	Units	Sample Type	Minimum Sampling Frequency
Dissolved Oxygen	mg/L	Grab	1/Month
Electrical Conductivity @ 25°Celcius	µmhos/cm	Grab	1/Month
Hardness, Total (as CaCO3)	mg/L	Grab	1/Month
pH	SU	Grab	2/Month
Temperature	°C	Grab	2/Month

Parameter	Units	Sample Type	Minimum Sampling Frequency
Turbidity	NTU	Grab	1/Month

2. **Table E-5 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-5:
  - a. **Applicable to all parameters.** Parameters shall be analyzed using the analytical methods described in 40 CFR part 136 or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.
  - b. **Handheld Field Meter.** A handheld field meter may be used for **temperature** and **pH**, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.

**IX. OTHER MONITORING REQUIREMENTS**

**A. Pyrethroid Pesticides Monitoring**

1. **Water Column Chemistry Monitoring Requirements.** The Discharger shall conduct effluent and receiving water (Sacramento River) baseline monitoring in accordance with Table E-6. Quarterly monitoring shall be conducted for **one year beginning with the second quarter of 2023** concurrent with the Effluent and Receiving Water Characterization Monitoring. The discharger shall also submit a minimum of one quality assurance/quality control (QA/QC) sample during the year to be analyzed for the constituents listed in Table E-6.

The monitoring shall be conducted in the effluent at monitoring location EFF-001 and downstream receiving water at monitoring location RSW-002 and the results of such monitoring be submitted to the Central Valley Water Board with the quarterly self-monitoring reports. The Discharger shall use Environmental Laboratory Accreditation Program (ELAP)-accredited laboratories and methods for pyrethroid pesticides water column chemistry monitoring. ELAP-accredited methods are acceptable for pyrethroid chemical analysis provided that the method meets the analytical capability described in Table E-6. A current list of ELAP approved laboratories and points of contact can be found on the [Central Valley Water Board's Pyrethroid Pesticides TMDL and Basin Plan Amendment Webpage](https://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/central_valley_pesticides/pyrethroid_tmdl_bpa/index.html), ([https://www.waterboards.ca.gov/centralvalley/water\\_issues/tmdl/central\\_valley\\_projects/central\\_valley\\_pesticides/pyrethroid\\_tmdl\\_bpa/index.html](https://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/central_valley_pesticides/pyrethroid_tmdl_bpa/index.html)).

Monitoring can either be conducted by the Discharger or can be done as part of a group monitoring effort. If the Discharger chooses to participate in a group monitoring effort, the timing and the other study requirements of the monitoring can be modified by the Executive Officer.

**Table E-6. Pyrethroid Pesticides Monitoring**

Parameter	CAS Number	Sample Units	Sample Type	Analytical Method	Reporting Level
Total Bifenthrin	82657-04-3	ng/L	Grab	To be determined	1.3
Total Cyfluthrin	68359-37-5	ng/L	Grab	To be determined	1.3
Total Cypermethrin	52315-07-8	ng/L	Grab	To be determined	1.7
Total Esfenvalerate	51630-58-1	ng/L	Grab	To be determined	3.3
Total Lambda-cyhalothrin	91465-08-6	ng/L	Grab	To be determined	1.2
Total Permethrin	52645-53-1	ng/L	Grab	To be determined	10
Freely Dissolved Bifenthrin	82657-04-3	ng/L	Calculated	Calculated from total concentration	
Freely Dissolved Cyfluthrin	68359-37-5	ng/L	Calculated	Calculated from total concentration	
Freely Dissolved Cypermethrin	52315-07-8	ng/L	Calculated	Calculated from total concentration	
Freely Dissolved Esfenvalerate	51630-58-1	ng/L	Calculated	Calculated from total concentration	
Freely Dissolved Lambda-cyhalothrin	91465-08-6	ng/L	Calculated	Calculated from total concentration	
Freely Dissolved Permethrin	52645-53-1	ng/L	Calculated	Calculated from total concentration	
Dissolved Organic Carbon (DOC)		mg/L	Grab		
Total Organic Carbon (TOC)		mg/L	Grab		

The freely dissolved concentration of each quantified pyrethroid pesticide in a sample may be directly measured or estimated using partition coefficients. Methods for direct measurement must be approved by the Executive Officer before they are used to determine the freely dissolved pyrethroid concentrations

that are used for determining exceedances of the pyrethroid pesticides numeric triggers.

To estimate the freely dissolved concentration of a pyrethroid pesticide with partition coefficients, the following equation shall be used:

$$C_{dissolved} = \frac{C_{total}}{1 + (K_{OC} \times [POC]) + (K_{DOC} \times [DOC])}$$

Where:

C dissolved = concentration of a an individual pyrethroid pesticide that is in the freely dissolved phase (ng/L),

C total = total concentration of an individual pyrethroid pesticide in water (ng/L),

KOC = organic carbon-water partition coefficient for the individual pyrethroid pesticide (L/kg),

[POC] = concentration of particulate organic carbon in the water sample (kg/L), which can be calculated as [POC]=[TOC]-[DOC],

[TOC] = total organic carbon in the sample (kg/L)

KDOC = dissolved organic carbon-water partition coefficient (L/kg),

[DOC] = concentration of dissolved organic carbon in the sample (kg/L).

Site-specific or alternative study-based partition coefficients approved by the Executive Officer may be used for KOC and KDOC in the above equation. If site-specific or alternative study-based partition coefficients are not available or have not been approved, the following partition coefficients shall be used for KOC and KDOC in the above equation:

**Table E-7. Pyrethroid Pesticide Partition Coefficients**

Pyrethroid Pesticide	Receiving water KOC (L/kg)	Receiving water KDOC (L/kg)	Effluent KOC (L/kg)	Effluent KDOC (L/kg)
Bifenthrin	4,228,000	1,737,127	15,848,932	800,000
Cyfluthrin	3,870,000	2,432,071	3,870,000	2,432,071
Cypermethrin	3,105,000	762,765	6,309,573	200,000
Esfenvalerate	7,220,000	1,733,158	7,220,000	1,733,158
Lambda-cyhalothrin	2,056,000	952,809	7,126,428	200,000
Permethrin	6,075,000	957,703	10,000,000	200,000

2. **Water Column Toxicity Monitoring Requirements.** When discharging to the Sacramento River, the Discharger shall monitor the toxicity of the downstream receiving water using EPA method EPA-821-R-02-012 (Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition, USEPA, October 2002, or most recent edition). Except as specified in this order, water column toxicity testing shall follow the measurement quality objectives provided in the Surface Water Ambient Monitoring Program (SWAMP) Quality Assurance Program Plan (SWRCB, 2018). When feasible, the Discharger shall use the Southern California Coastal Water Research Project (SCCWRP) guidance (Schiff and Greenstein, 2016) on test organism age and size for *Hyalella azteca*.

For consistency with EPA Method EPA-821-R-02-012 and ELAP accreditation, *Hyalella Azteca* water column toxicity testing for baseline monitoring must be performed at 20 degrees Celsius.

**Quarterly monitoring shall be conducted for one year** concurrent with the Pyrethroid Pesticides Water Column Chemistry Monitoring during Effluent and Receiving Water Characterization Monitoring (see section IX.A of this MRP for specific dates). Downstream receiving water monitoring shall be conducted at monitoring location RSW-002 when discharging to the Sacramento River and the results of such monitoring be submitted to the Central Valley Water Board with the quarterly self-monitoring reports. Monitoring can either be conducted by the Discharger or can be done as part of a group monitoring effort. If the Discharger chooses to participate in a group monitoring effort, the timing of the monitoring can be modified by the Executive Officer.

## **B. Effluent and Receiving Water Characterization**

### **1. Monitoring Frequency**

- a. **Effluent Sampling.** Samples shall be collected from the effluent (Monitoring Location EFF-001) quarterly between **1 April 2023 and 31 March 2024.**
- b. **Receiving Water Sampling.** Samples shall be collected from the upstream receiving water (Monitoring Location RSW-001) quarterly between **1 April 2023 and 31 March 2024.**

Constituents shall be collected and analyzed consistent with the Discharger's Analytical Methods Report (MRP, X.B.2) using sufficiently sensitive analytical methods and Reporting Levels (RLs) per the SSM Rule specified in 40 C.F.R. 122.21(e)(3) and 122.44(i)(1)(iv). The "Reporting Level" is synonymous with the "Method Minimum Level" described in the SSM Rule. The results of the monitoring shall be submitted to the Central Valley Water Board with the quarterly self-monitoring reports. Each individual monitoring event shall provide representative sample results for the effluent and upstream receiving water.

2. **Analytical Methods Report Certification.** Prior to beginning the Effluent and Receiving Water Characterization monitoring, the Discharger shall provide a certification acknowledging the scheduled start date of the Effluent and Receiving Water Characterization monitoring and confirming that samples will be collected and analyzed as described in the previously submitted Analytical Methods Report. If there are changes to the previously submitted Analytical Methods Report, the Discharger shall outline those changes. A one-page certification form will be provided by Central Valley Water Board staff with the permit's Notice of Adoption that the Discharger can use to satisfy this requirement. The certification form shall be submitted electronically via CIWQS submittal by the due date in the Technical Reports Table.
  
3. The Discharger shall conduct effluent and receiving water characterization monitoring in accordance with Table E-8 and the testing requirements described in section IX.B.4 below.

**Table E-8. Effluent and Receiving Water Characterization Monitoring  
VOLATILE ORGANICS**

CTR Number	Volatile Organic Parameters	CAS Number	Units	Effluent Sample Type
25	2-Chloroethyl vinyl Ether	110-75-8	µg/L	Grab
17	Acrolein	107-02-8	µg/L	Grab
18	Acrylonitrile	107-13-1	µg/L	Grab
19	Benzene	71-43-2	µg/L	Grab
20	Bromoform	75-25-2	µg/L	Grab
21	Carbon Tetrachloride	56-23-5	µg/L	Grab
22	Chlorobenzene	108-90-7	µg/L	Grab
24	Chloroethane	75-00-3	µg/L	Grab
26	Chloroform	67-66-3	µg/L	Grab
35	Methyl Chloride	74-87-3	µg/L	Grab
23	Dibromochloromethane	124-48-1	µg/L	Grab
36	Methylene Chloride	75-09-2	µg/L	Grab
33	Ethylbenzene	100-41-4	µg/L	Grab
89	Hexachlorobutadiene	87-68-3	µg/L	Grab
34	Methyl Bromide (Bromomethane)	74-83-9	µg/L	Grab
94	Naphthalene	91-20-3	µg/L	Grab
38	Tetrachloroethylene (PCE)	127-18-4	µg/L	Grab
39	Toluene	108-88-3	µg/L	Grab
40	trans-1,2-Dichloroethylene	156-60-5	µg/L	Grab
43	Trichloroethylene (TCE)	79-01-6	µg/L	Grab
44	Vinyl Chloride	75-01-4	µg/L	Grab
21	Methyl-tert-butyl ether (MTBE)	1634-04-4	µg/L	Grab
41	1,1,1-Trichloroethane	71-55-6	µg/L	Grab
42	1,1,2-Trichloroethane	79-00-5	µg/L	Grab
28	1,1-Dichloroethane	75-34-3	µg/L	Grab

CTR Number	Volatile Organic Parameters	CAS Number	Units	Effluent Sample Type
30	1,1-Dichloroethylene (DCE)	75-35-4	µg/L	Grab
31	1,2-Dichloropropane	78-87-5	µg/L	Grab
32	1,3-Dichloropropylene	542-75-6	µg/L	Grab
37	1,1,2,2-Tetrachloroethane	79-34-5	µg/L	Grab
101	1,2,4-Trichlorobenzene	120-82-1	µg/L	Grab
29	1,2-Dichloroethane	107-06-2	µg/L	Grab
75	1,2-Dichlorobenzene	95-50-1	µg/L	Grab
76	1,3-Dichlorobenzene	541-73-1	µg/L	Grab
77	1,4-Dichlorobenzene	106-46-7	µg/L	Grab

**SEMI-VOLATILE ORGANICS**

CTR Number	Semi-Organic Volatile Parameters	CAS Number	Units	Effluent Sample Type
60	Benzo(a)Anthracene	56-55-3	µg/L	Grab
85	1,2-Diphenylhydrazine	122-66-7	µg/L	Grab
45	2-Chlorophenol	95-57-8	µg/L	Grab
46	2,4-Dichlorophenol	120-83-2	µg/L	Grab
47	2,4-Dimethylphenol	105-67-9	µg/L	Grab
49	2,4-Dinitrophenol	51-28-5	µg/L	Grab
82	2,4-Dinitrotoluene	121-14-2	µg/L	Grab
55	2,4,6-Trichlorophenol	88-06-2	µg/L	Grab
83	2,6-Dinitrotoluene	606-20-2	µg/L	Grab
50	2-Nitrophenol	88-75-5	µg/L	Grab
71	2-Chloronaphthalene	91-58-7	µg/L	Grab
78	3,3-Dichlorobenzidine	91-94-1	µg/L	Grab
62	Benzo(b)Fluoranthene	205-99-2	µg/L	Grab
52	4-Chloro-3-methylphenol	59-50-7	µg/L	Grab
48	2-Methyl-4,6-Dinitrophenol	534-52-1	µg/L	Grab
51	4-Nitrophenol	100-02-7	µg/L	Grab
69	4-Bromophenyl Phenyl Ether	101-55-3	µg/L	Grab
72	4-Chlorophenyl Phenyl Ether	7005-72-3	µg/L	Grab
56	Acenaphthene	83-32-9	µg/L	Grab
57	Acenaphthylene	208-96-8	µg/L	Grab
58	Anthracene	120-12-7	µg/L	Grab
59	Benzidine	92-87-5	µg/L	Grab
61	Benzo(a)Pyrene	50-32-8	µg/L	Grab
63	Benzo(ghi)Perylene	191-24-2	µg/L	Grab
64	Benzo(k)Fluoranthene	207-08-9	µg/L	Grab
65	Bis (2-Chloroethoxy) Methane	111-91-1	µg/L	Grab
66	Bis (2-Chloroethyl) Ether	111-44-4	µg/L	Grab
67	Bis (2-Chloroisopropyl) Ether	108-60-1	µg/L	Grab
68	Bis(2-Ethylhexyl) Phthalate	117-81-7	µg/L	Grab

CTR Number	Semi-Organic Volatile Parameters	CAS Number	Units	Effluent Sample Type
70	Butylbenzyl Phthalate	85-68-7	µg/L	Grab
73	Chrysene	218-01-9	µg/L	Grab
81	Di-n-butyl Phthalate	84-74-2	µg/L	Grab
84	Di-n-Octyl Phthalate	117-84-0	µg/L	Grab
74	Dibenzo(a,h)anthracene	53-70-3	µg/L	Grab
79	Diethyl Phthalate	84-66-2	µg/L	Grab
80	Dimethyl Phthalate	131-11-3	µg/L	Grab
86	Fluoranthene	206-44-0	µg/L	Grab
87	Fluorene	86-73-7	µg/L	Grab
88	Hexachlorobenzene	118-74-1	µg/L	Grab
90	Hexachlorocyclopentadiene	77-47-4	µg/L	Grab
91	Hexachloroethane	67-72-1	µg/L	Grab
92	Indeno(1,2,3-cd) Pyrene	193-39-5	µg/L	Grab
93	Isophorone	78-59-1	µg/L	Grab
98	N-Nitrosodiphenylamine	86-30-6	µg/L	Grab
96	N-Nitrosodimethylamine	62-75-9	µg/L	Grab
97	N-Nitrosodi-n-Propylamine	621-64-7	µg/L	Grab
95	Nitrobenzene	98-95-3	µg/L	Grab
53	Pentachlorophenol (PCP)	87-86-5	µg/L	Grab
99	Phenanthrene	85-01-8	µg/L	Grab
54	Phenol	108-95-2	µg/L	Grab
100	Pyrene	129-00-0	µg/L	Grab

**INORGANICS**

CTR Number	Inorganic Parameters	CAS Number	Units	Effluent Sample Type
NL	Aluminum	7429-90-5	µg/L	24-hour Composite
1	Antimony, Total	7440-36-0	µg/L	24-hour Composite
2	Arsenic, Total	7440-38-2	µg/L	24-hour Composite
15	Asbestos	1332-21-4	µg/L	24-hour Composite
3	Beryllium, Total	7440-41-7	µg/L	24-hour Composite
4	Cadmium, Total	7440-43-9	µg/L	24-hour Composite
5a (III)	Chromium, Total	7440-47-3	µg/L	24-hour Composite
6	Copper, Total	7440-50-8	µg/L	24-hour Composite
NL	Copper, Dissolved	7440-50-8	µg/L	24-hour Composite
14	Iron, Total	7439-89-6	µg/L	24-hour Composite
7	Lead, Total	7439-92-1	µg/L	24-hour Composite
NL	Mercury, Methyl	22967-92-6	µg/L	Grab
NL	Manganese, Total	7439-96-5	µg/L	24-hour Composite
9	Nickel, Total	7440-02-0	µg/L	24-hour Composite
10	Selenium, Total	7782-49-2	µg/L	24-hour Composite
11	Silver, Total	7440-22-4	µg/L	24-hour Composite

CTR Number	Inorganic Parameters	CAS Number	Units	Effluent Sample Type
12	Thallium, Total	7440-28-0	µg/L	24-hour Composite
NL	Zinc, Dissolved	7440-66-6	µg/L	24-hour Composite

**NON-METALS/MINERALS**

CTR Number	Non-Metal/Mineral Parameters	CAS Number	Units	Effluent Sample Type
NL	Boron	7440-42-8	µg/L	24-hour Composite
NL	Chloride	16887-00-6	mg/L	24-hour Composite
14	Cyanide, Total (as CN)	57-12-5	µg/L	Grab
NL	Phosphorus, Total (as P)	7723-14-0	mg/L	24-hour Composite
NL	Sulfate	14808-79-8	mg/L	24-hour Composite
NL	Sulfide (as S)	5651-88-7	mg/L	24-hour Composite

**PESTICIDES/PCBs/DIOXINS**

CTR Number	Pesticide/PCB/Dioxin Parameters	CAS Number	Units	Effluent Sample Type
110	4,4-DDD	72-54-8	µg/L	24-hour Composite
109	4,4-DDE	72-55-9	µg/L	24-hour Composite
108	4,4-DDT	50-29-3	µg/L	24-hour Composite
112	alpha-Endosulfan	959-98-8	µg/L	24-hour Composite
103	alpha-BHC (Benzene hexachloride)	319-84-6	µg/L	24-hour Composite
102	Aldrin	309-00-2	µg/L	24-hour Composite
113	beta-Endosulfan	33213-65-9	µg/L	24-hour Composite
104	beta-BHC (Benzene hexachloride)	319-85-7	µg/L	24-hour Composite
107	Chlordane	57-74-9	µg/L	24-hour Composite
106	delta-BHC (Benzene hexachloride)	319-86-8	µg/L	24-hour Composite
111	Dieldrin	60-57-1	µg/L	24-hour Composite
114	Endosulfan Sulfate	1031-07-8	µg/L	24-hour Composite
115	Endrin	72-20-8	µg/L	24-hour Composite
116	Endrin Aldehyde	7421-93-4	µg/L	24-hour Composite
117	Heptachlor	76-44-8	µg/L	24-hour Composite
118	Heptachlor Epoxide	1024-57-3	µg/L	24-hour Composite
105	gamma-BHC (Benzene hexachloride or Lindane)	58-89-9	µg/L	24-hour Composite
119	Polychlorinated Biphenyl (PCB) 1016	12674-11-2	µg/L	24-hour Composite
120	PCB 1221	11104-28-2	µg/L	24-hour Composite
121	PCB 1232	11141-16-5	µg/L	24-hour Composite
122	PCB 1242	53469-21-9	µg/L	24-hour Composite
123	PCB 1248	12672-29-6	µg/L	24-hour Composite
124	PCB 1254	11097-69-1	µg/L	24-hour Composite
125	PCB 1260	11096-82-5	µg/L	24-hour Composite
126	Toxaphene	8001-35-2	µg/L	24-hour Composite

CTR Number	Pesticide/PCB/Dioxin Parameters	CAS Number	Units	Effluent Sample Type
16	2,3,7,8-TCDD (Dioxin)	1746-01-6	mg/L	24-hour Composite

**NON-CONVENTIONAL PARAMETERS**

CTR Number	Nonconventional Parameters	CAS Number	Units	Effluent Sample Type
NL	Foaming Agents (MBAS)	MBAS	mg/L	24-hour Composite
NL	Total Dissolved Solids (TDS)	TDS	mg/L	24-hour Composite

**OTHER CONSTITUENTS OF CONCERN**

CTR Number	Other Constituents of Concern	CAS Number	Units	Effluent Sample Type
NL	1,2,3-Trichloropropane (TCP)	96-18-4	ug/L	Grab
NL	Trichlorofluoromethane	75-69-4	µg/L	Grab
NL	1,1,2-Trichloro-1,2,2-Trifluoroethane	76-13-1	µg/L	Grab
NL	Styrene	100-42-5	µg/L	Grab
NL	Xylenes	1330-20-7	µg/L	Grab
NL	Barium	7440-39-3	µg/L	24-hour Composite
NL	Fluoride	16984-48-8	mg/L	24-hour Composite
NL	Molybdenum	7439-98-7	µg/L	24-hour Composite
NL	Tributyltin	688-73-3	µg/L	24-hour Composite
NL	Alachlor	15972-60-8	µg/L	24-hour Composite
NL	Atrazine	1912-24-9	µg/L	24-hour Composite
NL	Bentazon	25057-89-0	µg/L	24-hour Composite
NL	Carbofuran	1563-66-2	µg/L	24-hour Composite
NL	2,4-D	94-75-7	µg/L	24-hour Composite
NL	Dalapon	75-99-0	µg/L	24-hour Composite
NL	1,2-Dibromo-3-chloropropane (DBCP)	96-12-8	µg/L	24-hour Composite
NL	Di(2-ethylhexyl)adipate	103-23-1	µg/L	24-hour Composite
NL	Dinoseb	88-85-7	µg/L	24-hour Composite
NL	Diquat	85-00-7	µg/L	24-hour Composite
NL	Endothal	145-73-3	µg/L	24-hour Composite
NL	Ethylene Dibromide (EDB)	106-93-4	µg/L	24-hour Composite
NL	Methoxychlor	72-43-5	µg/L	24-hour Composite
NL	Molinate (Ordram)	2212-67-1	µg/L	24-hour Composite
NL	Oxamyl	23135-22-0	µg/L	24-hour Composite
NL	Picloram	1918-02-1	µg/L	24-hour Composite
NL	Simazine (Princep)	122-34-9	µg/L	24-hour Composite
NL	Thiobencarb	28249-77-6	µg/L	24-hour Composite
NL	2,4,5-TP (Silvex)	93-72-1	µg/L	24-hour Composite

4. **Table E-8 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-17:

- a. **Applicable to All Parameters.** Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. Part 136 or by methods approved by the Central Valley Water Board or the State Water Board.
- b. **Grab Samples.** A grab sample is defined as an individual discrete sample collected over a period of time not exceeding 15 minutes. It can be taken manually, using a pump, scoop, vacuum, or other suitable device.
- c. **24-hour Composite Samples.** All 24-hour composite samples shall be collected from a 24-hour time proportional composite.
- d. **Redundant Sampling.** The Discharger is not required to conduct effluent monitoring for constituents that have already been sampled in a given month, as required in Table E-4.
- e. **Concurrent Sampling.** Effluent and receiving water sampling shall be performed at approximately the same time, on the same date.
- f. **Sample Type.** All receiving water samples shall be taken as grab samples. Effluent samples shall be taken as described in Table E-8.
- g. **Bis (2-ethylhexyl) phthalate.** In order to verify if bis (2-ethylhexyl) phthalate is truly present, the Discharger shall take steps to assure that sample containers, sampling apparatus, and analytical equipment are not sources of the detected contaminant.

## X. REPORTING REQUIREMENTS

### A. General Monitoring and Reporting Requirements

1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.
2. Upon written request of the Central Valley Water Board, the Discharger shall submit a summary monitoring report. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year(s).
3. **Compliance Time Schedules.** For compliance time schedules included in the Order, the Discharger shall submit to the Central Valley Water Board, on or before each compliance due date, the specified document or a written report detailing compliance or noncompliance with the specific date and task. If noncompliance is reported, the Discharger shall state the reasons for noncompliance and include an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Central Valley Water Board by letter when it returns to compliance with the compliance time schedule.
4. The Discharger shall report to the Central Valley Water Board any toxic chemical release data it reports to the State Emergency Response Commission within

15 days of reporting the data to the Commission pursuant to section 313 of the "Emergency Planning and Community Right to Know Act" of 1986.

**B. Self-Monitoring Reports (SMRs)**

1. The Discharger shall electronically submit SMRs using the State Water Board's [California Integrated Water Quality System \(CIWQS\) Program website](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/) ([http://www.waterboards.ca.gov/water\\_issues/programs/ciwqs/](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/)). The CIWQS website will provide additional information for SMR submittal in the event there will be a planned service interruption for electronic submittal.
2. The Discharger shall report in the SMR the results for all monitoring specified in this MRP under sections III through IX. The Discharger shall submit monthly SMRs including the results of all required monitoring using U.S. EPA-approved test methods or other test methods specified in this Order. SMRs are to include all new monitoring results obtained since the last SMR was submitted. If the Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR. Monthly SMRs are required even if there is no discharge. If no discharge occurs during the month, the monitoring report must be submitted stating that there has been no discharge.
3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

**Table E-9. Monitoring Periods and Reporting Schedule**

<b>Sampling Frequency</b>	<b>Monitoring Period Begins On</b>	<b>Monitoring Period</b>	<b>SMR Due Date</b>
Continuous	Permit effective date	All	Submit with monthly SMR
1/Hour	Permit effective date	Hourly	Submit with monthly SMR
1/Day	Permit effective date	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	Submit with monthly SMR
1/Week	Permit effective date	Sunday through Saturday	Submit with monthly SMR
1/Month	Permit effective date	1st day of calendar month through last day of calendar month	Submit with monthly SMR
1/Quarter	Permit effective date	1 January through 31 March 1 April through 30 June 1 July through 30 September 1 October through 31 December	1 May 1 August 1 November 1 February of following year

Sampling Frequency	Monitoring Period Begins On	Monitoring Period	SMR Due Date
1/Year	Permit effective date	1 January through 31 December	1 February of following year

4. **Reporting Protocols.** The Discharger shall report with each sample result the applicable Reporting Level (RL) and the current laboratory’s Method Detection Limit (MDL), as determined by the procedure in 40 C.F.R. part 136.

The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

- a. Sample results greater than or equal to the RL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).
- b. Sample results less than the RL, but greater than or equal to the laboratory’s MDL, shall be reported as “Detected, but Not Quantified,” or DNQ. The estimated chemical concentration of the sample shall also be reported.

For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ. The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy ( $\pm$  a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

- c. Sample results less than the laboratory’s MDL shall be reported as “Not Detected,” or ND.
- d. Dischargers are to instruct laboratories to establish calibration standards so that the Minimum Level (ML) value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from extrapolation beyond the lowest point of the calibration curve.

5. **Multiple Sample Data.** When determining compliance with an AMEL, AWEL, or MDEL for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of “Detected, but Not Quantified” (DNQ) or “Not Detected” (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

- a. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
  - b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.
6. **The Discharger shall submit SMRs** in accordance with the following requirements:
- a. 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. The Discharger is not required to duplicate the submittal of data that is entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.
  - b. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the waste discharge requirements; 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.
  - c. The Discharger shall attach all final laboratory reports from all contracted commercial laboratories, including quality assurance/quality control information, with all its SMRs for which sample analyses were performed.
7. The Discharger shall submit in the SMRs calculations and reports in accordance with the following requirements:
- a. **Calendar Annual Average Limitations.** For constituents with effluent limitations specified as “calendar annual average” (electrical conductivity) the Discharger shall report the calendar annual average in the annual SMR. The annual average shall be calculated as the average of the samples gathered for the calendar year.
  - b. **Removal Efficiency (BOD<sub>5</sub> and TSS).** The Discharger shall calculate and report the percent removal of BOD<sub>5</sub> and TSS in the SMRs. The percent

removal shall be calculated as specified in section VII.A. of the Limitations and Discharge Requirements.

- c. **Total Coliform Organisms Effluent Limitations.** The Discharger shall calculate and report the 7-day median of total coliform organisms for the effluent. The 7-day median of total coliform organisms shall be calculated as specified in Section VII.C. of the Waste Discharge Requirements.
- d. **Dissolved Oxygen Receiving Water Limitations.** The Discharger shall report monthly in the self-monitoring report the dissolved oxygen concentrations in the effluent (EFF-001) and the receiving water (RSW-001 and RSW-002).
- e. **Turbidity Receiving Water Limitations.** The Discharger shall calculate and report the turbidity increase in the receiving water applicable to the natural turbidity condition specified in section V.A.18.a-e. of the Waste Discharge Requirements.
- f. **Temperature Receiving Water Limitations.** The Discharger shall calculate and report the temperature increase in the receiving water based on the difference in temperature at Monitoring Locations RSW-001 and RSW-002.

### C. Discharge Monitoring Reports (DMR's)

1. DMRs are U.S. EPA reporting requirements. The Discharger shall electronically certify and submit DMR's together with SMR's using Electronic Self-Monitoring Reports module eSMR 2.5 or any upgraded version. Electronic DMR submittal will be in addition to electronic SMR submittal.  
[Information about electronic DMR submittal](http://www.waterboards.ca.gov/water_issues/programs/discharge_monitoring/)  
([http://www.waterboards.ca.gov/water\\_issues/programs/discharge\\_monitoring/](http://www.waterboards.ca.gov/water_issues/programs/discharge_monitoring/)) is available on the Internet.

### D. Other Reports

1. **Analytical Methods Report.** The Discharger shall complete and submit an Analytical Methods Report, electronically via CIWQS submittal, by the due date shown in the Technical Reports Table. The Analytical Methods Report shall include the following for each constituent to be monitored in accordance with this Order: 1) applicable water quality objective, 2) reporting level (RL), 3) method detection limit (MDL), and 4) analytical method. The analytical methods shall be sufficiently sensitive with RLs consistent with the SSM Rule per 40 C.F.R. 122.21(e)(3) and 122.44(i)(1)(iv), and with the Minimum Levels (MLs) in the SIP, Appendix 4. The "Reporting Level or RL" is synonymous with the "Method Minimum Level" described in the SSM Rule. If an RL is not less than or equal to the applicable water quality objective for a constituent, the Discharger shall explain how the proposed analytical method complies with the SSM Rule as outlined above in Attachment E, Section IX.B. Central Valley Water Board staff

will provide a tool with the permit's Notice of Adoption to assist the Discharger in completing this requirement. The tool will include the constituents and associated applicable water quality objectives to be included in the Analytical Methods Report.

2. **Annual Operations Report.** The Discharger shall submit a written report to the Central Valley Water Board, electronically via CIWQS submittal, containing the following by the due date in the Technical Reports Table:
  - a. The names, certificate grades, and general responsibilities of all persons employed at the Facility.
  - b. The names and telephone numbers of persons to contact regarding the plant for emergency and routine situations.
  - c. A statement certifying when the flow meter(s) and other monitoring instruments and devices were last calibrated, including identification of who performed the calibration.
  - d. A statement certifying whether the current operation and maintenance manual, and contingency plan, reflect the wastewater treatment plant as currently constructed and operated, and the dates when these documents were last revised and last reviewed for adequacy.
  - e. The Discharger may also be requested to submit an annual report to the Central Valley Water Board with both tabular and graphical summaries of the monitoring data obtained during the previous year. Any such request shall be made in writing. The report shall discuss the compliance record. If violations have occurred, the report shall also discuss the corrective actions taken and planned to bring the discharge into full compliance with the waste discharge requirements.
3. **Recycled Water Policy Annual Reports.** In accordance with Section 3 of the Water Quality Control Policy for Recycled Water (Recycled Water Policy), the Discharger shall electronically submit an annual report of monthly data to the State Water Board by 30 April annually covering the previous calendar year using the State Water Board's [GeoTracker website](https://geotracker.waterboards.ca.gov/) (<https://geotracker.waterboards.ca.gov/>). Information for setting up and using the GeoTracker system can be found in the *ESI Guide for Responsible Parties* document on the State Water Board's website for [Electronic Submittal of Information](https://www.waterboards.ca.gov/ust/electronic_submittal/index.html) ([https://www.waterboards.ca.gov/ust/electronic\\_submittal/index.html](https://www.waterboards.ca.gov/ust/electronic_submittal/index.html)).

The annual report to GeoTracker must include volumetric reporting of the items listed in Section 3.2 of the [Recycled Water Policy](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2018/121118_7_final_amendment_oal.pdf) ([https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2018/121118\\_7\\_final\\_amendment\\_oal.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2018/121118_7_final_amendment_oal.pdf)). A pdf of the upload confirmation from GeoTracker for the Recycled Water Policy Annual Report shall be uploaded into

CIWQS annually as a technical report per Table E-10, to demonstrate compliance with this reporting requirement.

4. **Report of Waste Discharge (ROWD).** For the 5-year permit renewal, the Discharger shall submit a written report to the Central Valley Water Board, electronically via CIWQS submittal, containing, at minimum, the following by the due date in the Technical Reports Table:
  - a. Report of Waste Discharge (Form 200);
  - b. NPDES Form 2A;
  - c. NPDES Form 2S;
  - d. **Salinity Evaluation and Minimization Plan.** The Discharger shall evaluate the effectiveness of the salinity evaluation and minimization plan and provide a summary with the Report of Waste Discharge; and
  - e. **Mixing Zone Requests.** A mixing zone analysis for constituents the Discharger is requesting the continuation of dilution credits and mixing zones in the calculation of water quality-based effluent limits (e.g., ammonia, nitrate plus nitrite, zinc, and dichlorobromomethane). The request shall include updated critical river flow information, specifically, 1Q10, 7Q10, harmonic mean (see section IV.C.2.c.iii of the Fact Sheet), and identify any new impacts the mixing zones may have on biological resources in the receiving water.
  
7. **Technical Report Submittals.** This Order includes requirements to submit a Report of Waste Discharge (ROWD), special study technical reports, progress reports, and other reports identified in the MRP (hereafter referred to collectively as “technical reports”). The Technical Reports Table and subsequent table notes below summarize all technical reports required by this Order and the due dates for submittal. All technical reports shall be submitted electronically via CIWQS submittal. Technical reports should be uploaded as a PDF, Microsoft Word, or Microsoft Excel file attachment.

**Table E-10. Technical Reports**

Report #	Technical Report	Due Date	CIWQS Report Name
Intentionally left blank	Standard Reporting Requirements	Intentionally left blank	Intentionally left blank
1	Report of Waste Discharge	1 YEAR PRIOR TO PERMIT EXPIRATION DATE	ROWD

<b>Report #</b>	<b>Technical Report</b>	<b>Due Date</b>	<b>CIWQS Report Name</b>
2	Analytical Methods Report	WITHIN 60 DAYS OF PERMIT EFFECTIVE DATE	MRP X.D.1
3	Analytical Methods Report Certification	3 MONTHS PRIOR TO START OF CHARACTERIZATION MONITORING	MRP IX.B.2
4	Annual Operations Report	1 February 2023	MRP X.D.2
5	Annual Operations Report	1 February 2024	MRP X.D.2
6	Annual Operations Report	1 February 2025	MRP X.D.2
7	Annual Operations Report	1 February 2026	MRP X.D.2
8	Annual Operations Report	1 February 2027	MRP X.D.2
9	Recycled Water Policy Annual Report Submittal Confirmation	30 April 2023	MRP X.D.3
10	Recycled Water Policy Annual Report Submittal Confirmation	30 April 2024	MRP X.D.3
11	Recycled Water Policy Annual Report Submittal Confirmation	30 April 2025	MRP X.D.3
12	Recycled Water Policy Annual Report Submittal Confirmation	30 April 2026	MRP X.D.3
13	Recycled Water Policy Annual Report Submittal Confirmation	30 April 2027	MRP X.D.3

**ATTACHMENT F – FACT SHEET**

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**ATTACHMENT F – FACT SHEET**

As described in section II.B of this Order, the Central Valley Water Board incorporates this Fact Sheet as findings of the Central Valley Water Board supporting the issuance of this Order. This Fact Sheet discusses the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

This Order has been prepared under a standardized format to accommodate a broad range of discharge requirements for Dischargers in California. Only those sections or subsections of this Order that are specifically identified as “not applicable” have been determined not to apply to this Discharger. Sections or subsections of this Order not specifically identified as “not applicable” are fully applicable to this Discharger.

**I. PERMIT INFORMATION**

The following table summarizes administrative information related to the Facility.

**Table F-1. Facility Information**

<b>Waste Discharge ID:</b>	5A520100001
<b>CIWQS Facility Place ID:</b>	215750
<b>Discharger:</b>	City of Corning
<b>Name of Facility:</b>	City of Corning Wastewater Treatment Plant
<b>Facility Address:</b>	25010 Gardiner Ferry Road
<b>Facility City, State Zip:</b>	Corning, CA 96021
<b>Facility County:</b>	Tehama
<b>Facility Contact, Title and Phone Number:</b>	Kristina Miller, City Manager, 530-824-7029
<b>Authorized Person to Sign and Submit Reports:</b>	Kristina Miller, City Manager, 530-824-7029
<b>Mailing Address:</b>	794 Third Street, Corning, CA 96021
<b>Billing Address:</b>	P.O. Box 230, Corning, CA 96021
<b>Type of Facility:</b>	POTW
<b>Major or Minor Facility:</b>	Major
<b>Threat to Water Quality:</b>	1
<b>Complexity:</b>	A
<b>Pretreatment Program:</b>	No
<b>Recycling Requirements:</b>	Not Applicable
<b>Facility Permitted Flow:</b>	1.4 MGD
<b>Facility Design Flow:</b>	1.4 MGD
<b>Watershed:</b>	Sacramento Valley
<b>Receiving Water:</b>	Sacramento River
<b>Receiving Water Type:</b>	Inland surface water

- A.** The City of Corning (hereinafter Discharger) is the owner of the City of Corning Wastewater Treatment Plant (hereinafter Facility), a Publicly-Owned Treatment Works (POTW). The Facility is operated by Inframark, a contract operator retained by the Discharger.

For the purposes of this Order, references to the “discharger” or “permittee” in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

- B.** The Facility discharges wastewater to the Sacramento River, a water of the United States, within the Sacramento Basin. The Discharger was previously regulated by Order R5-2016-0047 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0004995 adopted on 24 June 2016 and expired on 31 July 2021 . Attachment B provides a map of the area around the Facility. Attachment C provides a flow schematic of the Facility.
- C.** When applicable, state law requires dischargers to file a petition with the State Water Board, Division of Water Rights and receive approval for any change in the point of discharge, place of use, or purpose of use of treated wastewater that decreases the flow in any portion of a watercourse. The State Water Board retains separate jurisdictional authority to enforce any applicable requirements under Water Code section 1211. This is not an NPDES permit requirement.
- D.** The Discharger filed a report of waste discharge (ROWD) and submitted an application for reissuance of its waste discharge requirements (WDR’s) and NPDES permit on 20 January 2021. Supplemental information was requested on 8 March 2021 and received on 9 March and 15 March 2021. The application was deemed complete on 18 March 2021. A site visit was conducted on 7 October 2021 to observe operations and collect additional data to develop permit limitations and requirements for waste discharge.
- E.** Regulations at 40 C.F.R. section 122.46 limit the duration of NPDES permits to a fixed term not to exceed five years. Accordingly, Table 3 of this Order limits the duration of the discharge authorization. Under 40 C.F.R. section 122.6(d), States authorized to administer the NPDES program may administratively continue State-issued permits beyond their expiration dates until the effective date of the new permits, if State law allows it. Pursuant to California Code of Regulations, title 23, section 2235.4, the terms and conditions of an expired permit are automatically continued pending reissuance of the permit if the Discharger complies with all federal NPDES requirements for continuation of expired permits.

## **II. FACILITY DESCRIPTION**

The Discharger provides sewerage service for the City of Corning and serves a population of approximately 7,663. The design daily average flow capacity of the Facility is 1.4 million gallons per day (MGD). Treated effluent discharges year-round to the Sacramento River through a multiport diffuser that is shared with treated effluent from Bell-Carter Olive Company’s Industrial Wastewater Treatment Plant, which is regulated

under a separate NPDES permit (Order R5-2021-0021). The outfall and diffuser system is owned by the Discharger.

**A. Description of Wastewater and Biosolids Treatment and Controls**

The treatment system at the Facility consists of influent screening; activated sludge treatment with a single oxidation ditch and three secondary clarifiers; disinfection with gaseous chlorine; and dechlorination. Solids wasted from the secondary treatment system are thickened using a gravity thickener and equalization basin, dewatered via sludge drying beds, and hauled to Ostrom Road Landfill for final disposal. The facility produces approximately 130 dry metric tons of dried biosolids annually.

**B. Discharge Points and Receiving Waters**

1. The Facility is located in section 20, T24N, R2W, MDB&M, as shown in Attachment B, a part of this Order.
2. Treated municipal wastewater is discharged at Discharge Point No. 001 to the Sacramento River, a water of the United States at a point latitude 39° 54' 50" N and longitude 122° 5' 30" W.

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

Effluent Limitations contained in Order R5-2016-0047 for discharges from Discharge Point 001 (Monitoring Location EFF-001) and representative monitoring data from the term of Order R5-2016-0047 are as follows:

**Table F-2. Historic Effluent Limitations**

Parameter	Units	Historic Effluent Limitations	Highest Average Monthly Discharge	Highest Average Weekly Discharge	Highest Daily Discharge
Flow	MGD	1.4	1.1	1.3	2.5
Biochemical Oxygen Demand (5-day @ 20°C)	Milligrams per liter (mg/L)	AMEL 30 AWEL 45 MDEL 90	7.2	10	10
Biochemical Oxygen Demand (5-day @ 20°C)	Pounds per day (lbs/day)	AMEL 350 AWEL 525 MDEL 1,050	44	65	65
Total Suspended Solids	mg/L	AMEL 30 AWEL 45 MDEL 90	5	7	7

Parameter	Units	Historic Effluent Limitations	Highest Average Monthly Discharge	Highest Average Weekly Discharge	Highest Daily Discharge
Total Suspended Solids	lbs/day	AMEL 350 AWEL 525 MDEL 1,050	36	80	80
pH	Standard Units	Inst. Max 8.5 Inst. Min 6.0	--	--	Max = 7.48 Min = 6.12
Dichlorobromo methane	Micrograms per liter (µg/L)	AMEL 11 MDEL 22	8.39	--	13.1
Ammonia, Total (as N)	mg/L	AMEL 11.4 AWEL 24.8	17.35	19.6	--
Ammonia, Total (as N)	lbs/day	AMEL 133 AWEL 290	94	112	--
Nitrate plus Nitrite, Total (as N)	mg/L	AMEL 40 AWEL 69	22.8	22.8	--
Acute Whole Effluent Toxicity	% survival	Any one test: 70 Three consecutive tests: 90	95 95	--	--
Total Chlorine Residual	mg/L	1-hour average: 0.019 4-day average: 0.011	ND	ND	--
Total Coliform Organisms	Most probable number per 100 milliliters (MPN/100 mL)	7-day median: 23 30-day period: 240	--	7-day: 36	30-day: 70

**D. Compliance Summary**

The Discharger committed 1 violation of effluent limitations for ammonia and 1 violation of effluent limitations for total coliform organisms during the permit term. The Central Valley Water Board issued a Notice of Violation on 20 August 2019 notifying the Discharger of these effluent limitation violations. The Central Valley Water Board issued Expedited Payment Letter R5-2020-0509 on 9 June 2020 that resolved these violations and assessed \$3,000 in mandatory minimum penalties.

**E. Planned Changes**

There are no planned changes at the Facility or sewage service area during this permit term.

**III. APPLICABLE PLANS, POLICIES, AND REGULATIONS**

The requirements contained in this Order are based on the requirements and authorities described in this section.

**A. Legal Authorities**

This Order serves as WDR's pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as an NPDES permit for point source discharges from this Facility to surface waters.

**B. California Environmental Quality Act (CEQA)**

Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of Chapter 3 of CEQA, (commencing with section 21100) of Division 13 of the Public Resources Code.

**C. State and Federal Laws, Regulations, Policies, and Plans**

1. **Water Quality Control Plan.** Requirements of this Order specifically implement the applicable Water Quality Control Plans.

- a. **Basin Plan.** The Central Valley Water Board adopted a Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fifth Edition, May 2018 (hereinafter Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Requirements in this Order implement the Basin Plan. In addition, the Basin Plan implements State Water Board Resolution 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Beneficial uses applicable to the Sacramento River are as follows:

**Table F-3 Basin Plan Beneficial Uses**

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	Sacramento River (Shasta Dam to Colusa Basin Drain)	Existing: Municipal and domestic water supply (MUN); agricultural supply, including irrigation and stock watering (AGR); industrial service supply (IND); industrial power supply (POW); contact (REC-1) and non-contact (REC-2) water recreation; warm freshwater habitat (WARM); cold freshwater habitat (COLD); migration of aquatic organisms (MIGR); spawning, reproduction, and/or early development, warm and cold (SPWN); wildlife habitat (WILD), and navigation (NAV).

b. **Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California.** The Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (ISWEBE Plan) was adopted by the State Water Resources Control Board (State Water Board) on 1 December 2020, under authority provided by Water Code sections 13140 and 13170. Except as otherwise indicated, this ISWEBE Plan establishes provisions for water quality and sediment quality that apply to all inland surface waters, enclosed bays, and estuaries and coastal lagoons of the state, including both waters of the United States and surface waters of the state.

2. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** U.S. EPA adopted the NTR on 22 December 1992, and later amended it on 4 May 1995 and 9 November 1999. About forty criteria in the NTR applied in California. On 18 May 2000, U.S. EPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on 13 February 2001. These rules contain federal water quality criteria for priority pollutants.
3. **State Implementation Policy.** On 2 March 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 became effective on 28 April 2000, with respect to the priority pollutant criteria promulgated for California by the U.S. EPA through the NTR and to the priority pollutant objectives established by the Central Valley Water Board in the Basin Plan. The SIP became effective on 18 May 2000, with respect to the priority pollutant criteria promulgated by the U.S. EPA through the CTR. The State Water Board adopted amendments to the SIP on 24 February 2005, that became effective on 13 July 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.

4. **Antidegradation Policy.** Federal regulation 40 C.F.R. section 131.12 requires that the 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 68-16 ("Statement of Policy with Respect to Maintaining High Quality of Waters in California") (State Anti-Degradation Policy). The State Anti-Degradation Policy is deemed to incorporate the federal antidegradation policy where the federal policy applies under federal law. The State Anti-Degradation Policy requires that existing water quality be maintained unless degradation is justified based on specific findings. The Central Valley Water Board's Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. The permitted discharge must be consistent with the antidegradation provision of 40 C.F.R. section 131.12 and the State Anti-Degradation Policy. The Board finds this order is consistent with the Federal and State Water Board antidegradation regulations and policy.
5. **Anti-Backsliding Requirements.** Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 40 C.F.R. section 122.44(l) restrict backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed.
6. **Domestic Water Quality.** In compliance with Water Code section 106.3, 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 sanitary purposes. This Order promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.
7. **Endangered Species Act Requirements.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code, sections 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the state. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.
8. **Emergency Planning and Community Right to Know Act.** Section 13263.6(a) of the Water Code, requires that "the Regional Water Board shall prescribe effluent limitations as part of the waste discharge requirements of a POTW for all substances that the most recent toxic chemical release data reported to the state emergency response commission pursuant to section 313 of the Emergency Planning and Community Right to Know Act of 1986 (42 U.S.C. Sec. 11023) (EPCRA) indicate as discharged into the POTW, for which the State Water Board or the Regional Water Board has established numeric water quality objectives,

and has determined that the discharge is or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to, an excursion above any numeric water quality objective”.

The most recent toxic chemical data report does not indicate any reportable off-site releases or discharges to the collection system for this Facility. Therefore, a reasonable potential analysis based on information from EPCRA cannot be conducted. Based on information from EPCRA, there is no reasonable potential to cause or contribute to an excursion above any numeric water quality objectives included within the Basin Plan or in any State Water Board plan, so no effluent limitations are included in this permit pursuant to Water Code section 13263.6(a).

However, as detailed elsewhere in this Order, available effluent data indicate that there are constituents present in the effluent that have a reasonable potential to cause or contribute to exceedances of water quality standards and require inclusion of effluent limitations based on federal and state laws and regulations.

9. **Storm Water Requirements.** U.S. EPA promulgated federal regulations for storm water on 16 November 1990 in 40 C.F.R. parts 122, 123, and 124. The NPDES Industrial Storm Water Program regulates storm water discharges from wastewater treatment facilities. Wastewater treatment plants are applicable industries under the storm water program and are obligated to comply with the federal regulations. The Discharger has submitted a Notice of Intent (NOI) and been approved for coverage under the State Water Board’s Industrial Storm Water General Order. Therefore, this Order does not regulate storm water.
10. **Statewide General Waste Discharge Requirements for Sanitary Sewer Systems.** The State Water Board issued General Waste Discharge Requirements for Sanitary Sewer Systems, Water Quality Order 2006-0003-DWQ (General Order) on 2 May 2006. The State Water Board amended the MRP for the General Order through Order WQ 2013-0058-EXEC on 6 August 2013. The General Order requires public agencies that own or operate sanitary sewer systems with greater than 1 mile of pipes or sewer lines to enroll for coverage under the General Order. The General Order requires agencies to develop sanitary sewer management plans (SSMP’s) and report all sanitary sewer overflows (SSO’s), among other requirements and prohibitions.

The Discharger is subject to the requirements of, and must comply with, State Water Board Order 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, as amended by State Water Board Order WQ 2013-0058-EXEC and any subsequent order.

11. **Sewage Sludge and Biosolids.** This Order does not authorize any act that results in violation of requirements administered by U.S. EPA to implement 40 C.F.R. Part 503, Standards for the Use or Disposal of Sewage Sludge. These

standards regulate the final use or disposal of sewage sludge that is generated during the treatment of domestic sewage in a municipal wastewater treatment facility. The Discharger is responsible for meeting all applicable requirements of 40 C.F.R. Part 503 that are under U.S. EPA’s enforcement authority.

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

1. Under section 303(d) of the 1972 CWA, states, territories and authorized tribes are required to develop lists of water quality limited segments. The waters on these lists do not meet water quality standards, even after point sources of pollution have installed the minimum required levels of pollution control technology. On 6 April 2018 U.S. EPA gave final approval to California's 2014 – 2016 section 303(d) List of Water Quality Limited Segments. The Basin Plan references this list of Water Quality Limited Segments (WQLSs), which are defined as “...those sections of lakes, streams, rivers or other fresh water bodies where water quality does not meet (or is not expected to meet) water quality standards even after the application of appropriate limitations for point sources (40 C.F.R. part 130, et seq.)” The Basin Plan also states, “Additional treatment beyond minimum federal standards will be imposed on dischargers to [WQLSs]. Dischargers will be assigned or allocated a maximum allowable load of critical pollutants so that water quality objectives can be met in the segment.” The listing for the Sacramento River from Red Bluff to Knights Landing includes DDT, dieldrin, mercury, polychlorinated biphenyls (PCBs), and unknown toxicity.
2. **Total Maximum Daily Loads (TMDL’s).** Table F-4, below, identifies the 303(d) listings and any applicable TMDLs.

**Table F-4. 303 (d) List for Sacramento River from Red Bluff to Knights Landing**

<b>Pollutant</b>	<b>Potential Sources</b>	<b>TMDL Planned for Completion</b>
DDT	Unknown	2027
Dieldrin	Unknown	2027
Mercury	Unknown	2027
PCBs	Unknown	2027
Toxicity	Unknown	2027

In 2007, the Central Valley Water Board adopted an amendment to the Basin Plan that addressed impairments within the Sacramento River and Feather River Basins by promulgating a water quality objective for diazinon and chlorpyrifos as well as an implementation program designed to ensure compliance with the new water quality objective. Per this implementation program, all NPDES permits for discharges (both direct and indirect) to the Sacramento or Feather Rivers must contain an effluent limit equivalent to the diazinon and chlorpyrifos water quality objective. This Order requires the Discharger to monitor the effluent for diazinon and chlorpyrifos, and includes effluent limitations for diazinon and chlorpyrifos.

3. The 303(d) listings and TMDL's have been considered in the development of the Order. A pollutant-by-pollutant evaluation of each pollutant of concern is described in section VI.C.3 of this Fact Sheet.

#### **E. Other Plans, Policies and Regulations**

1. **Title 27.** The discharge authorized herein and the treatment and storage facilities associated with the discharge of treated municipal wastewater, except for discharges of residual sludge and solid waste, are exempt from the requirements of Title 27, California Code of Regulations (CCR), section 20005 et seq (hereafter Title 27). The exemption, pursuant to Title 27 CCR section 20090(a), is based on the following:
  - a. The waste consists primarily of domestic sewage and treated effluent;
  - b. The waste discharge requirements are consistent with water quality objectives; and
  - c. The treatment and storage facilities described herein are associated with a municipal wastewater treatment plant.

#### **IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS**

Effluent limitations and toxic and pretreatment effluent standards established pursuant to sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 304 (Information and Guidelines), and 307 (Toxic and Pretreatment Effluent Standards) of the CWA and amendments thereto are applicable to the discharge.

The CWA mandates the implementation of effluent limitations that are as stringent as necessary to meet water quality standards established pursuant to state or federal law [33 U.S.C., section 1311(b)(1)(C); 40 C.F.R. section 122.44(d)(1)]. NPDES permits must incorporate discharge limits necessary to ensure that water quality standards are met. This requirement applies to narrative criteria as well as to criteria specifying maximum amounts of particular pollutants. Pursuant to federal regulations, 40 C.F.R. section 122.44(d)(1)(i), NPDES permits must contain limits that control all pollutants that "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, including state narrative criteria for water quality." Federal regulations, 40 C.F.R. section 122.44(d)(1)(vi), further provide that "[w]here a state has not established a water quality criterion for a specific chemical pollutant that is present in an effluent at a concentration that causes, has the reasonable potential to cause, or contributes to an excursion above a narrative criterion within an applicable State water quality standard, the permitting authority must establish effluent limits."

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. There are two principal bases for effluent

limitations in the Code of Federal Regulations: 40 C.F.R. section 122.44(a) requires that permits include applicable technology-based limitations and standards; and 40 C.F.R. section 122.44(d) requires that permits include WQBEL's to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water where numeric water quality objectives have not been established. The Basin Plan at page 4-27, contains an implementation policy, "Policy for Application of Water Quality Objectives", that specifies that the Central Valley Water Board "will, on a case-by-case basis, adopt numerical limitations in orders which will implement the narrative objectives." This Policy complies with 40 C.F.R. section 122.44(d)(1). With respect to narrative objectives, the Central Valley Water Board must establish effluent limitations using one or more of three specified sources, including: (1) U.S. EPA's published water quality criteria, (2) a proposed state criterion (i.e., water quality objective) or an explicit state policy interpreting its narrative water quality criteria (i.e., the Central Valley Water Board's "Policy for Application of Water Quality Objectives")(40 C.F.R. section 122.44(d)(1)(vi)(A), (B) or (C)), or (3) an indicator parameter.

The Basin Plan includes numeric site-specific water quality objectives and narrative objectives for toxicity, chemical constituents, discoloration, radionuclides, and tastes and odors. The narrative toxicity objective states: "All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life." (Basin Plan at section 3.1.20) The Basin Plan states that material and relevant information, including numeric criteria, and recommendations from other agencies and scientific literature will be utilized in evaluating compliance with the narrative toxicity objective. The narrative chemical constituents' objective states that waters shall not contain chemical constituents in concentrations that adversely affect beneficial uses. At minimum, "...water designated for use as domestic or municipal supply (MUN) shall not contain concentrations of chemical constituents in excess of the maximum contaminant levels (MCLs)" in Title 22 of CCR. The Basin Plan further states that, to protect all beneficial uses, the Central Valley Water Board may apply limits more stringent than MCLs. The narrative tastes and odors objective states: "Water shall not contain taste- or odor-producing substances in concentrations that impart undesirable tastes or odors to domestic or municipal water supplies or to fish flesh or other edible products of aquatic origin, or that cause nuisance, or otherwise adversely affect beneficial uses."

## **A. Discharge Prohibitions**

- 1. Prohibition III.A (No discharge or application of waste other than that described in this Order).** This prohibition is based on Water Code section 13260 that requires filing of a ROWD before discharges can occur. The Discharger submitted a ROWD for the discharges described in this Order; therefore, discharges not described in this Order are prohibited.
- 2. Prohibition III.B (No bypasses or overflow of untreated wastewater, except under the conditions at CFR section 122.41(m)(4)).** As stated in section I.G of Attachment D, Standard Provisions, this Order prohibits bypass from any portion of the treatment facility. Federal regulations, 40 C.F.R. section 122.41(m), define

“bypass” as the intentional diversion of waste streams from any portion of a treatment facility. This section of the federal regulations, 40 C.F.R. section 122.41(m)(4), prohibits bypass unless it is unavoidable to prevent loss of life, personal injury, or severe property damage. In considering the Regional Water Board’s prohibition of bypasses, the State Water Board adopted a precedential decision, Order No. WQO 2002-0015, which cites the federal regulations, 40 C.F.R. section 122.41(m), as allowing bypass only for essential maintenance to assure efficient operation.

3. **Prohibition III.C (No controllable condition shall create a nuisance).** This prohibition is based on Water Code section 13050 that requires water quality objectives established for the prevention of nuisance within a specific area. The Basin Plan prohibits conditions that create a nuisance
4. **Prohibition III.D (No discharge of hazardous waste).** This prohibition is based on California Code of Regulations, title 22, section 66261.1 et seq, that prohibits discharge of hazardous waste.
5. **Prohibition III.E (Average Dry Weather Flow).** This prohibition is based on the design average dry weather flow treatment capacity rating for the Facility and ensures the Facility is operated within its treatment capacity. Previous Order R5-2016-0047 included flow as an effluent limit based on the Facility design flow. Flow is not a pollutant and therefore has been changed from an effluent limit to a discharge prohibition in this Order, which is an equivalent level of regulation. This Order is not less stringent because compliance with flow as a discharge prohibition will be calculated the same way as the previous Order.

## **B. Technology-Based Effluent Limitations**

### **1. Scope and Authority**

Section 301(b) of the CWA and implementing U.S. EPA permit regulations at 40 C.F.R. section 122.44 require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards at 40 C.F.R. part 133.

Regulations promulgated in 40 C.F.R. section 125.3(a)(1) require technology-based effluent limitations for municipal Dischargers to be placed in NPDES permits based on Secondary Treatment Standards or Equivalent to Secondary Treatment Standards.

The Federal Water Pollution Control Act Amendments of 1972 (PL 92-500) established the minimum performance requirements for POTW’s [defined in section 304(d)(1)]. Section 301(b)(1)(B) of that Act requires that such treatment

works must, as a minimum, meet effluent limitations based on secondary treatment as defined by the U.S. EPA Administrator.

Based on this statutory requirement, U.S. EPA developed secondary treatment regulations, which are specified in 40 C.F.R. part 133. These technology-based regulations apply to all municipal wastewater treatment plants and identify the minimum level of effluent quality attainable by secondary treatment in terms of biochemical oxygen demand (BOD<sub>5</sub>), total suspended solids (TSS), and pH.

**2. Applicable Technology-Based Effluent Limitations**

- a. **BOD<sub>5</sub> and TSS.** Federal regulations at 40 C.F.R. part 133, establish the minimum weekly and monthly average level of effluent quality attainable by secondary treatment for BOD<sub>5</sub> and TSS. In addition, 40 C.F.R. section 133.102, in describing the minimum level of effluent quality attainable by secondary treatment, states that the 30-day average percent removal shall not be less than 85 percent. This Order contains a limitation requiring an average of 85 percent removal of BOD<sub>5</sub> and TSS over each calendar month.
- b. **Flow.** The Facility was designed to provide a secondary level of treatment for up to a design flow of 1.4 mgd. Therefore, this Order contains an average dry weather discharge flow effluent limit of 1.4 mgd.
- c. **pH.** The secondary treatment regulations at 40 C.F.R. part 133 also require that pH be maintained between 6.0 and 9.0 standard units. This Order, however, requires more stringent WQBEL's for pH to comply with the Basin Plan's water quality objectives for pH.

**Summary of Technology-based Effluent Limitations  
 Discharge Point D-001**

**Table F-5. Summary of Technology-based Effluent Limitations**

Parameter	Units	Effluent Limitations
BOD <sub>5</sub>	mg/L	AMEL 30 AWEL 45
TSS	mg/L	AMEL 30 AWEL 45
pH	Standard Units	Instantaneous Max 9.0 Instantaneous Min 6.0

**Table F-5 Notes:**

- 1. Note that more stringent WQBEL's for pH are applicable and are established as final effluent limitations in this Order (see section IV.C.3.c of this Fact Sheet).

## **C. Water Quality-Based Effluent Limitations (WQBEL's)**

### **1. Scope and Authority**

CWA section 301(b) and 40 C.F.R. section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

Section 122.44(d)(1)(i) of 40 C.F.R. requires that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, WQBEL's must be established using: (1) U.S. EPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided in section 122.44(d)(1)(vi).

The process for determining reasonable potential and calculating WQBEL's when necessary is intended to protect the designated uses of the receiving water as specified in the Basin Plan, and achieve applicable water quality objectives and criteria that are contained in other state plans and policies, or any applicable water quality criteria contained in the CTR and NTR.

Finally, 40 C.F.R. section 122(d)(1)(vii) requires effluent limits to be developed consistent with any available waste load allocations developed and approved for the discharge.

### **2. Applicable Beneficial Uses and Water Quality Criteria and Objectives**

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, the Basin Plan implements State Water Board Resolution No. 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply.

The Basin Plan on page 2-1 states: "Protection and enhancement of existing and potential beneficial uses are primary goals of water quality planning..." and with respect to disposal of wastewaters states that "...disposal of wastewaters is [not] a prohibited use of waters of the State; it is merely a use which cannot be satisfied to the detriment of beneficial uses."

The federal CWA section 101(a)(2), states: “it is the national goal that wherever attainable, an interim goal of water quality which provides for the protection and propagation of fish, shellfish, and wildlife, and for recreation in and on the water be achieved by July 1, 1983.” Federal Regulations, developed to implement the requirements of the CWA, create a rebuttable presumption that all waters be designated as fishable and swimmable. Federal Regulations, 40 CFR sections 131.2 and 131.10, require that all waters of the State regulated to protect the beneficial uses of public water supply, protection and propagation of fish, shellfish and wildlife, recreation in and on the water, agricultural, industrial and other purposes including navigation. 40 C.F.R. section 131.3(e) defines existing beneficial uses as those uses actually attained after 28 November 1975, whether or not they are included in the water quality standards. Federal Regulation, 40 C.F.R. section 131.10 requires that uses be obtained by implementing effluent limitations, requires that all downstream uses be protected and states that in no case shall a state adopt waste transport or waste assimilation as a beneficial use for any waters of the United States.

- a. **Receiving Water and Beneficial Uses.** Refer to III.C.1. above for a complete description of the receiving water and beneficial uses.
- b. **Effluent and Ambient Background Data.** The reasonable potential analysis (RPA), as described in section IV.C.3 of this Fact Sheet, was based on data from 1 August 2018 through 31 July 2021, which includes effluent and ambient background data submitted in SMRs and the Report of Waste Discharge (ROWD). Chronic Whole Effluent Toxicity data from 3 October 2016 to 18 January 2021 was also used. Electrical conductivity data from 1 January 2011 was considered to account for drought conditions in the Sacramento River. Additionally, ambient background hardness data collected by the Bell-Carter Olive Company (regulated by NPDES permit number CA0083721) was included in the ambient background data in order to determine criteria for hardness-dependent metals in the Sacramento River. See section IV.C.2.e of the Fact Sheet.
- c. **Assimilative Capacity/Mixing Zone.**
  - i. **Regulatory Guidance for Dilution Credits and Mixing Zones.** The CWA directs the states to adopt water quality standards to protect the quality of its waters. U.S. EPA’s current water quality standards regulation authorizes states to adopt general policies, such as mixing zones, to implement state water quality standards (40 CFR parts 122.44 and 122.45). The U.S. EPA allows states to have broad flexibility in designing its mixing zone policies. Primary policy and guidance on determining mixing zone and dilution credits is provided by the SIP and the Basin Plan. If no procedure applies in the SIP or the Basin Plan, then the Central Valley Water Board may use the U.S.

EPA Technical Support Document for Water Quality-Based Toxics Control (EPA/505/2-90-001) (TSD).

For non-Priority Pollutant constituents the allowance of mixing zones by the Central Valley Water Board is discussed in the Basin Plan, *Policy for Application of Water Quality Objectives, which states in part, "In conjunction with the issuance of NPDES and storm water permits, the Regional Board may designate mixing zones within which water quality objectives will not apply provided the discharger has demonstrated to the satisfaction of the Regional Board that the mixing zone will not adversely impact beneficial uses. If allowed, different mixing zones may be designated for different types of objectives, including, but not limited to, acute aquatic life objectives, chronic aquatic life objectives, human health objectives, and acute and chronic whole effluent toxicity objectives, depending in part on the averaging period over which the objectives apply. In determining the size of such mixing zones, the Regional Board will consider the applicable procedures and guidelines in the EPA's Water Quality Standards Handbook and the [TSD]. Pursuant to EPA guidelines, mixing zones designated for acute aquatic life objectives will generally be limited to a small zone of initial dilution in the immediate vicinity of the discharge."*

For Priority Pollutants, the SIP supersedes the Basin Plan mixing zone provisions. Section 1.4.2 of the SIP states, in part, "...with the exception of effluent limitations derived from TMDL's, in establishing and determining compliance with effluent limitations for applicable human health, acute aquatic life, or chronic aquatic life priority pollutant criteria/objectives or the toxicity objective for aquatic life protection in a basin plan, the Regional Board may grant mixing zones and dilution credits to dischargers...The applicable priority pollutant criteria and objectives are to be met through a water body except within any mixing zone granted by the Regional Board. ***The allowance of mixing zones is discretionary and shall be determined on a discharge-by-discharge basis.*** The Regional Board may consider allowing mixing zones and dilution credits only for discharges with a physically identifiable point of discharge that is regulated through an NPDES permit issued by the Regional Board." [emphasis added]

For incompletely mixed discharges, the Discharger must complete an independent mixing zone study to demonstrate to the Central Valley Water Board that a dilution credit is appropriate. In granting a mixing zone, section 1.4.2.2 of the SIP requires the following to be met:

***"A mixing zone shall be as small as practicable. The following conditions must be met in allowing a mixing zone:***

A mixing zone shall not:

1. *compromise the integrity of the entire water body;*
2. *cause acutely toxic conditions to aquatic life passing thorough the mixing zone;*
3. *restrict the passage of aquatic life;*
4. *adversely impact biologically sensitive or critical habitats, including, but not limited to, habitat of species listed under federal or State endangered species laws;*
5. *produce undesirable or nuisance aquatic life;*
6. *result in floating debris, oil, or scum;*
7. *produce objectionable color, odor, taste, or turbidity;*
8. *cause objectionable bottom deposits;*
9. *cause nuisance;*
10. *dominate the receiving water body or overlap a mixing zone from different outfalls; or*
11. *be allowed at or near any drinking water intake. A mixing zone is not a source of drinking water. To the extent of any conflict between this determination and the Sources of Drinking Water Policy (Resolution No. 88-63), this SIP supersedes the provisions of that policy."*

Section 1.4.2.1 of the SIP establishes the authority for the Central Valley Water Board to consider dilution credits based on the mixing zone conditions in a receiving water. Section 1.4.2.1 in part states:

*"The dilution credit, D, is a numerical value associated with the mixing zone that accounts for the receiving water entrained into the discharge. The dilution credit is a value used in the calculation of effluent limitations (described in section 1.4). **Dilution credits may be limited or denied on a pollutant-by-pollutant basis, which may result in a dilution credit for all, some, or no priority pollutants in the discharge.**"*

- ii. **Diffuser Configuration and River Characteristics.** The Facility discharges to the Sacramento River via a multiport diffuser. The Discharger owns the diffuser from which both the Discharger and the Bell-Carter Olive Company discharge. The outfall capacity is inversely

related to the river stage, or water surface elevation, within the Sacramento River. During dry weather conditions when the river level is low, the outfall capacity is at its maximum of 3.8 MGD. However, during high river flows, the outfall capacity is at its minimum of 2.0 MGD. The Discharger can restrict the amount of flow that the Bell-Carter Industrial Wastewater Treatment Plant is allowed to discharge. The diffuser is 30 feet in length and consists of four 8-inch diffuser ports with approximately 10 feet between each port. The outfall pipe is buried below the river bottom and perpendicular to the river bank. The ports extend upward and are approximately 2.5 to 3.5 feet above the channel bed. The river channel at the diffuser has a width of approximately 500 feet.

Upstream of the discharge, flows in the Sacramento River are largely dependent on releases from upstream reservoirs. The reservoirs are operated such that minimum receiving water flows may occur during peak wet weather effluent flows at the Facility.

- iii. **Dilution/Mixing Zone Study Results.** The Discharger, in conjunction with the Bell-Carter Olive Company, completed a 2010 Mixing Zone and Dilution Study Report that evaluated mixing and dilution within the plume downstream of the combined discharge of the two facilities within the Sacramento River. The study included computer modeling only and focused primarily on mixing near the point of discharge. Both Dischargers updated the 2010 study with addenda in 2013 and 2014 to expand the mixing zone analysis farther downstream and update the critical flows in the Sacramento River to account for drought conditions. These studies served as the basis for the mixing zone and dilution credits in Order No. R5-2016-0047.

Results of the 2014 addenda were used to evaluate mixing zone sizes and dilution credits in accordance with the SIP. Results of the addenda show the centerline dilution for different criteria at selected mixing zone lengths measured downstream of the outfall (See Table F-6 for reference).

**Table F-6. Dilution for Different Criteria at Specified Mixing Zone Lengths**

Mixing Zone Length (ft.) (downstream of outfall)	Acute Criteria	Chronic Criteria	Human Health Criteria
20	9.1	13.2	47.2
40	18.1	26.0	91.5
60	25.9	37.1	125.9
80	32.0	45.7	151.0
100	36.9	52.5	171.0
120	40.9	58.1	188.4
140	44.4	63.0	204.2

Mixing Zone Length (ft.) (downstream of outfall)	Acute Criteria	Chronic Criteria	Human Health Criteria
160	47.6	67.6	218.2
180	50.5	71.8	233.6
200	53.3	75.9	247.4

Additionally, Bell-Carter Olive Company completed a field confirmation dye study in October 2019 to confirm the results of the mixing zone model used in the 2014 addenda. Results of the measured dye study were used to select an appropriate model to establish mixing zone sizes and dilution credits in Bell-Carter Olive Company WDR (Order R5-2021-0021) in accordance with the SIP. The Bell-Carter Olive Company also completed a Mixing Zone Biological Assessment in December 2019 to evaluate any impacts to aquatic life. The mixing zone study and biological assessment were completed independent of the Discharger, but still accounted for effluent flow from both discharges similar to the previous studies. The Central Valley Water Board determined that there were no findings of concern or significant difference between the joint 2014 addenda and Bell-Carter Olive Company’s 2019 studies to justify having the Discharger separately update the model results in the 2014 addenda; therefore, the results from the 2014 addenda are retained when evaluating associated dilution credits in this Order.

- iv. **Evaluation of Available Dilution for Acute and Chronic Aquatic Life Criteria.** U.S. EPA Region VIII, in it’s “EPA Region VIII Mixing Zones and Dilution Policy”, recommends no dilution for acute aquatic life criteria, stating the following, “In incomplete mix situations, discharge limitations to implement acute chemical-specific aquatic life criteria and narrative (no acute toxicity) criteria shall be based on achieving such acute criteria at the end-of-pipe (i.e., without an allowance for dilution). This approach is intended to implement the narrative requirement prohibiting acutely toxic conditions in the mixing zone.”

The Discharger has evaluated acute and chronic aquatic life mixing zones to comply with acute and chronic water quality criteria. Based on the mixing zone studies and applicable dilution credits, the acute and chronic aquatic life mixing zones extend up to 200 feet downstream of the outfall.

The acute and chronic aquatic life mixing zones extending up to 200 feet downstream of the outfall meet the requirements of the SIP as follows:

- (a) Shall not compromise the integrity of the entire water body – The TSD states that, “If the total area affected by elevated concentrations within all mixing zones combined is small compared to the total area of a water body (such as a river segment), then mixing zones are likely to have little effect on the integrity of the water body as a whole, provided that the mixing zone does not impinge on unique or critical habitats.” The width of the Sacramento River at the outfall is approximately 500 feet. During the field dye study conducted in 2019, the dye was not measured more than 90 feet from the west bank of the Sacramento River. The Sacramento River is a large river spanning over 100 miles in length downstream of the outfall. The mixing zones are small relative to the large size of the receiving water; therefore, the aquatic life mixing zones do not compromise the integrity of the entire water body.
- (b) Shall not cause acutely toxic conditions to aquatic life passing through the mixing zone – The SIP requires that the acute mixing zone be appropriately sized to prevent lethality to organisms passing through the mixing zone. U.S. EPA recommends that float times through a mixing zone less than 15 minutes ensures that there will not be lethality to passing organisms. The acute mixing zone studied by the Discharger extends 200 feet downstream from the outfall. Based on a minimum river velocity of 1.15 feet per second, the minimum float time is 3 minutes. Furthermore, this Order includes acute toxicity effluent limitations that require compliance to be determined based on acute bioassays using 100 percent effluent. Compliance with these requirements ensures that acutely toxic conditions to aquatic life passing through the acute and chronic mixing zones do not occur.
- (c) Shall not restrict the passage of aquatic life – The acute and chronic mixing zones are small relative to the large size of the receiving water; therefore, there is an adequate zone of passage for aquatic life in the Sacramento River.
- (d) Shall not adversely impact biologically sensitive or critical habitats, including, but not limited to, habitat of species listed under federal or state endangered species laws – The acute and chronic mixing zones will not cause acutely toxic conditions, will allow adequate zones of passage, and are sized appropriately to ensure that there will be no adverse impacts to biologically sensitive or critical habitats.
- (e) Shall not produce undesirable or nuisance aquatic life; result in floating debris, oil, or scum; produce objectionable color, odor,

taste, or turbidity; cause objectionable bottom deposits; cause nuisance – The allowance of acute and chronic aquatic life mixing zones will not produce undesirable or nuisance aquatic life, result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits, or cause nuisance, because the proposed Order establishes end-of-pipe effluent limitations (e.g., for BOD<sub>5</sub> and TSS) and discharge prohibitions to prevent these conditions from occurring..

- (f) Shall not dominate the receiving water body or overlap a mixing zone from different outfalls – The acute and chronic aquatic life mixing zones are small relative to the water body, so they will not dominate the water body. The Discharger shares an outfall with the Bell-Carter Industrial WWTP, and the mixing zone studies completed by the Discharger accounted for both discharges. There are no other outfalls or mixing zones in the vicinity of the discharge.
- (g) Shall not be allowed at or near any drinking water intake – The acute and chronic aquatic life mixing zones are not near a drinking water intake.

The acute and chronic aquatic life mixing zones, therefore, comply with the SIP. The mixing zones also comply with the Basin Plan, which requires that the mixing zones not adversely impact beneficial uses. Beneficial uses will not be adversely affected for the same reasons discussed above. In determining the size of the mixing zones, the Central Valley Water Board considered the procedures and guidelines in U.S. EPA's Water Quality Standards Handbook, 2nd Edition (updated July 2007), section 5.1, and section 2.2.2 of the TSD. The SIP incorporates the same guidelines.

- v. **Evaluation of Available Dilution for Human Health Criteria.** U.S. Section 1.4.2.2 of the SIP provides that mixing zones should not be allowed at or near drinking water intakes. Furthermore, regarding the application of a mixing zone for the protection of human health, the TSD states that, "...the presence of mixing zones should not result in significant health risks, when evaluated using reasonable assumptions about exposure pathways. Thus, where drinking water contaminants are a concern, mixing zones should not encroach on drinking water intakes." There are no drinking water intakes in the human health mixing zone.

Based on the mixing zone studies and applicable dilution credits, the human health mixing zone extends up to 200 feet downstream of the

outfall. The human health mixing zone meets the requirements of the SIP as follows:

- (a) Shall not compromise the integrity of the entire water body – The TSD states that, “If the total area affected by elevated concentrations within all mixing zones combined is small compared to the total area of a water body (such as a river segment), then mixing zones are likely to have little effect on the integrity of the water body as a whole, provided that the mixing zone does not impinge on unique or critical habitats.” The width of the Sacramento River at the outfall is approximately 500 feet. During the field dye study conducted in 2019, the dye was not measured more than 90 feet from the west bank of the Sacramento River. The Sacramento River is a large river spanning over 100 miles in length downstream of the outfall. The mixing zones are small relative to the large size of the receiving water; therefore, the human health mixing zone does not compromise the integrity of the entire water body.
- (b) Shall not cause acutely toxic conditions to aquatic life passing through the mixing zone – The human health mixing zone is not applicable to aquatic life criteria. Therefore, acutely toxic conditions will not occur in the mixing zone.
- (c) Shall not restrict the passage of aquatic life – The human health mixing zone is not applicable to aquatic life criteria. Therefore, acutely toxic conditions will not occur in the mixing zone.
- (d) Shall not adversely impact biologically sensitive or critical habitats, including, but not limited to, habitat of species listed under federal or state endangered species laws – The human health mixing zone is not applicable to aquatic life criteria. Therefore, acutely toxic conditions will not occur in the mixing zone.
- (e) Shall not produce undesirable or nuisance aquatic life; result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits; cause nuisance – The allowance of a human health mixing zone will not produce undesirable or nuisance aquatic life, result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits, or cause nuisance, because the proposed Order establishes end-of-pipe effluent limitations (e.g., for BOD<sub>5</sub> and TSS) and discharge prohibitions to prevent these conditions from occurring.

- (f) Shall not dominate the receiving water body or overlap a mixing zone from different outfalls – The human health mixing zone is small relative to the water body, so will not dominate the water body. The Discharger shares an outfall with the Bell-Carter Industrial WWTP, and the mixing zone studies completed by the Discharger accounted for both discharges. There are no other outfalls or mixing zones in the vicinity of the discharge.
- (g) Shall not be allowed at or near any drinking water intake – The human health mixing zone is not near a drinking water intake.

A pollutant-by-pollutant evaluation is provided in the subsection below to evaluate whether the mixing zones for each pollutant are as small as practicable and comply with the State and federal antidegradation requirements.

vi. **Evaluation of Available Dilution for Specific Constituents (Pollutant-by-Pollutant Evaluation).**

When determining to allow dilution credits for a specific pollutant several factors must be considered, such as, available assimilative capacity, facility performance, and best practicable treatment or control. The receiving water contains assimilative capacity for ammonia, dichlorobromomethane (DCBM), nitrate plus nitrite, zinc, and chronic WET, and the human health criteria, acute aquatic life criteria, and chronic aquatic life criteria mixing zones meet the mixing zone prohibitions of the SIP section 1.4.2.2.A. Section 1.4.2.2 of the SIP requires that, “A mixing zone shall be as small as practicable.”, and Section 1.4.2.2.B requires, “The RWQCB shall deny or significantly limit a mixing zone and dilution credits as necessary to protect beneficial uses, meet the conditions of this Policy, or comply with other regulatory requirements.” A pollutant-by-pollutant evaluation is provided below:

- (a) **Ammonia.** Based on the estimated effluent quality, the Facility may not be able to meet end-of-pipe effluent limitations for ammonia. Assimilative capacity is available in the receiving water, and, as discussed above, the acute and chronic aquatic life mixing zones meet the requirements of the SIP and Basin Plan. Therefore, the WQBELs for ammonia have been developed considering the allowance of dilution credits. Based on the estimated effluent quality, the Central Valley Water Board has determined a 14:1 dilution credit for acute aquatic life criteria and a 13:1 for chronic aquatic life criteria is needed for ammonia and result in continuation of the effluent limits from previous Order R5-2016-0047. Since this Order is carrying forward the effluent limitations from previous Order

R5-2016-0047 based on the allowance of the mixing zones, no additional use of assimilative capacity is being authorized by this Order. The effluent limits continue to result in the implementation of best practicable treatment or control of the discharge necessary to assure that a pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained. This represents mixing zones that are as small as practicable for this Facility and that fully comply with the SIP.

- (b) **Dichlorobromomethane.** Considering existing Facility performance and the factors in section 1.4.2.2.A of the SIP, a dilution credit of 29:1 results in a mixing zone length under 10 feet. This represents a mixing zone that is as small as practicable for this Facility and that fully complies with the SIP.

The allowance of a mixing zone and dilution credits are a discretionary act by the Central Valley Water Board. The mixing zone and dilution credit for DCBM permitted in this Order will result in a minor increase in the discharge (i.e., use 0.1 percent of the available assimilative capacity in the receiving water). According to U.S. EPA's memorandum on Tier 2 Antidegradation Reviews and Significance Thresholds, any individual decision to lower water quality for nonbioaccumulative chemicals that is limited to 10 percent of the available assimilative capacity represents minimal risk to the receiving water and is fully consistent with the objectives and goals of the Clean Water Act. The effluent limits continue to result in the implementation of best practicable treatment or control of the discharge necessary to assure that a pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained. The mixing zone is as small as practicable for this Facility and the increased loading complies with the state and federal antidegradation requirements.

- (c) **Nitrate plus Nitrite.** Based on historical effluent quality during the previous permit term, the Facility will not be able to meet end-of-pipe effluent limitations for nitrate plus nitrite. Assimilative capacity is available in the receiving water, and, as discussed above, the human health mixing zone meets the requirements of the SIP and Basin Plan. Therefore, the WQBELs for nitrate plus nitrite have been developed considering the allowance of dilution credits. Based on the estimated effluent quality, the Central Valley Water Board has determined a 3:1 dilution credit for human health criteria is needed for nitrate plus nitrite and result in continuation of the

effluent limits from previous Order R5-2016-0047. Since this Order is carrying forward the effluent limitations from previous Order R5-2016-0047 based on the allowance of the mixing zones, no additional use of assimilative capacity is being authorized by this Order. The effluent limits continue to result in the implementation of best practicable treatment or control of the discharge necessary to assure that a pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained. This represents mixing zones that are as small as practicable for this Facility and that fully comply with the SIP.

- (d) **Zinc.** Based on the estimated effluent quality, the Facility will not be able to meet end-of-pipe effluent limitations for zinc. The CTR criteria and site-specific Basin Plan objective for zinc vary based on hardness, as discussed in Section IV.C.2.e, below, for Hardness-Dependent CTR Metals Criteria. When developing WQBELs for zinc considering dilution and use of assimilative capacity, the hardness representing the reasonable worst-case ambient conditions in the upstream receiving water was used to establish the hardness-dependent criteria. Based on the applicable hardness value of 39 mg/L, the acute and chronic criteria are 16 µg/L and 54 µg/L, respectively. The maximum background zinc concentration was 9.0 µg/L, therefore, assimilative capacity is available in the receiving water. As discussed above, the acute and chronic aquatic life mixing zones meet the requirements of the SIP and Basin Plan, and the WQBELs for zinc have been developed considering the allowance of dilution credits. Based on the estimated effluent quality, the Central Valley Water Board has determined a 43:1 dilution credit for acute aquatic life criteria and a 4:1 dilution credit for chronic aquatic life criteria is needed for zinc. The mixing zone and dilution credit for zinc permitted in this Order will result in a use of 0.4 percent of the available assimilative capacity in the receiving water. According to U.S. EPA's memorandum on Tier 2 Antidegradation Reviews and Significance Thresholds, any individual decision to lower water quality for nonbioaccumulative chemicals that is limited to 10 percent of the available assimilative capacity represents minimal risk to the receiving water and is fully consistent with the objectives and goals of the Clean Water Act. The effluent limits result in the implementation of best practicable treatment or control of the discharge necessary to assure that a pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained. This represents mixing zones that are as small as practicable for this Facility and that fully comply with the SIP.

- (e) **Chronic WET.** As discussed in section iv above, the receiving water contains assimilative capacity for chronic aquatic life criteria. Therefore, a dilution credit of 19:1 was granted for the chronic aquatic life criteria in determination of reasonable potential for chronic WET. Additionally, the Bell-Carter Olive Company, who shares a diffuser with the Discharger, also has a dilution credit of 19:1 for chronic WET for their discharge. As discussed in section iii above, both discharges share a mixing zone. Therefore, the dilution credit of 19:1 for chronic WET for both dischargers represents a mixing zone length of approximately 30 feet. This represents a mixing zone that is as small as practicable for this Facility and that fully complies with the SIP.

Based on the findings above, this Order grants mixing zones and dilution credits that have been used for the calculation of WQBEL's for ammonia, DCBM, nitrate plus nitrite, and zinc. Additionally, a mixing zone and dilution credit has been granted for chronic WET. The approximate dimensions of the mixing zones and allowable dilution credits are shown in Table F-7, below.

**Table F-7. Mixing Zones and Dilution Credits**

<b>Parameter</b>	<b>Allowed Dilution Credits</b>	<b>Mixing Zone Length (feet) (downstream of outfall)</b>
Ammonia	Acute: 14 Chronic 13	Acute: 35 Chronic: 20
DCBM	Human Health: 29	Human Health: <20
Nitrate plus Nitrite	Human Health: 3	Human Health: <20
Zinc	Acute: 43 Chronic: 4	Acute: 140 Chronic: <20
Chronic WET	Chronic: 19	Chronic: 30

- vii. **Regulatory Compliance for Dilution Credits and Mixing Zones.** To fully comply with all applicable laws, regulations and policies of the State, Central Valley Water Board approved a mixing zone and the associated dilution credits shown in Table F-7 based on the following:
  - i. Mixing zones are allowed under the SIP provided all elements contained in section 1.4.2.2 are met. Based on the mixing zone study conducted by the Discharger the Central Valley Water Board has determined that these factors are met.

- ii. Section 1.4.2.2. of the SIP requires mixing zones to be as small as practicable. Based on the mixing zone study conducted by the Discharger the Central Valley Water Board has determined the mixing zone is as small as practicable.
- iii. In accordance with section 1.4.2.2 of the SIP, the Board has determined the mixing zone is as small as practicable, will not compromise the integrity of the entire water body, restrict the passage of aquatic life, dominate the water body or overlap existing mixing zones from different outfalls. The mixing zones are small relative to the large size of the receiving water, are not at or near a drinking water intake, and do not overlap a mixing zone from a different outfall.
- iv. The Central Valley Water Board is allowing a mixing zones for acute aquatic life, chronic aquatic life, and human health constituents, and has determined allowing such mixing zones will not cause acutely toxic conditions to aquatic life passing through the mixing zone.
- v. The Central Valley Water Board has determined the discharge will not adversely impact biologically sensitive or critical habitats, including, but not limited to, habitat of species listed under the federal or State endangered species laws, because the mixing zones are relatively small and acutely toxic conditions will not occur in the mixing zones. The discharge will not produce undesirable or nuisance aquatic life, result in floating debris, oil, or scum, produce objectionable odor, taste, or turbidity, cause objectionable bottom deposits, or cause nuisance, because the proposed Order establishes end-of-pipe effluent limitations (e.g., for BOD<sub>5</sub> and TSS) and discharge prohibitions to prevent these conditions from occurring.
- vi. As required by the SIP, in determining the extent of or whether to allow a mixing zone and dilution credit, the Central Valley Water Board has considered the presence of pollutants in the discharge that are carcinogenic, mutagenic, teratogenic, persistent, bioaccumulative, or attractive to aquatic organisms, and concluded that the allowance of the mixing zones and dilution credits are adequately protective of the beneficial uses of the receiving water.
- vii. The Central Valley Water Board has determined the mixing zones comply with the SIP for priority pollutants.
- viii. Section 1.4.2.2B of the SIP, in part states, "The RWQCB shall deny or significantly limit a mixing zone and dilution credits as

necessary to protect beneficial uses, meet the conditions of this Policy, or comply with other regulatory requirements.” The Central Valley Water Board has determined full allowance of dilution is not needed or necessary for the Discharger to achieve compliance with this Order.

- ix. The Central Valley Water Board has determined the mixing zone complies with the Basin Plan for non-priority pollutants. The Basin Plan requires a mixing zone not adversely impact beneficial uses. Beneficial uses will not be adversely affected for the same reasons discussed above. In determining the size of the mixing zone, the Central Valley Water Board has considered the procedures and guidelines in section 5.1 of U.S. EPA’s Water Quality Standards Handbook, 2<sup>nd</sup> Edition (updated July 2007) and section 2.2.2 of the TSD. The SIP incorporates the same guidelines.
- x. The Central Valley Water Board has determined that allowing dilution factors that exceed those proposed by this Order would not comply with the State Anti-degradation Policy for receiving waters outside the allowable mixing zones. The State Water Board established California’s antidegradation policy in State Water Board Resolution No. 68-16 (State Anti-Degradation Policy). The State Anti-Degradation Policy incorporates the federal antidegradation policy and requires that existing quality of waters be maintained unless degradation is justified based on specific findings. Item 2 of the State Anti-Degradation Policy states:

“Any activity which produces or may produce a waste or increased volume or concentration of waste and which dischargers or proposed to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in the best practicable treatment or control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.”

The effluent limitations established in the Order that have been adjusted for dilution credits were developed based on performance of the Discharger’s current wastewater treatment capabilities. Therefore, the Central Valley Water Board determined the effluent limitations required by this Order will result in the Discharger implementing best practicable treatment or control of the discharge necessary to assure that pollution or

nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained. The Central Valley Water Board also determined the Discharger will be in immediate compliance with the effluent limitations.

The Central Valley Water Board also determined establishing effluent limitations for constituents that have been adjusted for dilution credits is consistent with section 1.4.2.2B of the SIP that requires the Central Valley Water Board to shall deny or significantly limit a mixing zone and dilution credits as necessary to comply with other regulatory requirements.

Therefore, the Central Valley Water Board has determined the effluent limitations established in the Order for constituents that have been adjusted for dilution credits are appropriate and necessary to comply with the Basin Plan, SIP, Federal anti-degradation regulations and the State Anti-Degradation Policy.

- d. **Conversion Factors.** The CTR contains aquatic life criteria for arsenic, cadmium, chromium III, chromium VI, copper, lead, nickel, silver, and zinc which are presented in dissolved concentrations. U.S. EPA recommends conversion factors to translate dissolved concentrations to total concentrations. The default U.S. EPA conversion factors contained in Appendix 3 of the SIP were used to convert the applicable dissolved criteria to total criteria.
- e. **Hardness-Dependent CTR Metals Criteria.** The CTR and the NTR contain water quality criteria for seven metals that vary as a function of hardness. The lower the hardness the lower the water quality criteria. The metals with hardness-dependent criteria include cadmium, copper, chromium III, lead, nickel, silver, and zinc.

This Order has established the criteria for hardness-dependent metals based on the hardness of the receiving water (actual ambient hardness) as required by the SIP and the CTR. The SIP does not address how to determine the hardness for application to the equations for the protection of aquatic life when using hardness-dependent metals criteria. It simply states, in section 1.2, that the criteria shall be properly adjusted for hardness using the hardness of the receiving water. The CTR requires that, for waters with a hardness of 400 mg/L (as CaCO<sub>3</sub>), or less, the actual ambient hardness of the surface water must be used (40 C.F.R. section 131.38(c)(4)). The CTR requires that the hardness values used shall be consistent with the design discharge conditions for design flows and mixing zones (40 C.F.R. section 131.3(c)(4)(ii)). Where design flows for aquatic life criteria include the lowest one-day flow with an average reoccurrence frequency of once in ten years (1Q10) and the lowest

average seven consecutive day flow with an average reoccurrence frequency of once in ten years (7Q10) (40 C.F.R. section 131.38(c)(2)(iii) Table 4). This section of the CTR also indicates that the design conditions should be established such that the appropriate criteria are not exceeded more than once in a three year period on average (40 C.F.R. section 131.38(c)(2)(iii) Table 4, notes 1 and 2). The CTR requires that when mixing zones are allowed the CTR criteria apply at the edge of the mixing zone, otherwise the criteria apply throughout the water body including at the point of discharge (40 C.F.R. section 131.38(c)(2)(i)). The CTR does not define the term “ambient,” as applied in the regulations. Therefore, the Central Valley Water Board has considerable discretion to consider upstream and downstream ambient conditions when establishing the appropriate water quality criteria that fully complies with the CTR and SIP.

### **Summary findings**

The ambient hardness for the Sacramento River is represented by the data in Figure F-1, below, which shows ambient hardness ranging from 38 mg/L to 62 mg/L based on collected ambient data from May 2017 through July 2021. This data includes samples collected in the Sacramento River by both the Discharger and the Bell-Carter Olive Company. Given the high variability in ambient hardness values, there is no single hardness value that describes the ambient receiving water for all possible scenarios (e.g., minimum, maximum). Because of this variability, staff has determined that based on the ambient hardness concentrations measured in the receiving water, the Central Valley Water Board has discretion to select ambient hardness values within the range of 38 mg/L (minimum) up to 62 mg/L (maximum). Staff recommends that the Board use the ambient hardness values shown in Table F-8 for the following reasons.

- i. Using the ambient receiving water hardness values shown in Table F-8 will result in criteria and effluent limitations that ensure protection of beneficial uses under all ambient receiving water conditions.
- ii. The Water Code mandates that the Central Valley Water Board establish permit effluent limits that will ensure the reasonable protection of beneficial uses. In this case, using the lowest measured ambient hardness to calculate effluent limitations is not required to protect beneficial uses. Calculating effluent limitations based on the lowest measured ambient hardness is not required by the CTR or SIP and is not reasonable as it would result in overly conservative limits that will impart substantial costs to the Discharger and ratepayers without providing any additional protection of beneficial uses. In compliance with applicable state and federal regulatory requirements, after considering the entire range of ambient hardness values, Board staff has used the ambient hardness values shown in Table F-8 to calculate the proposed effluent limitations for hardness-dependent

metals. The proposed effluent limitations are protective of beneficial uses under all flow conditions.

- iii. Using an ambient hardness that is higher than the minimum of 38 mg/L will result in limits that may allow increased metals to be discharged to the river, but such discharge is allowed under the State Antidegradation Policy (State Water Board Resolution 68-16). The Central Valley Water Board finds that this degradation is consistent with the antidegradation policy (see antidegradation findings in section IV.D.4 of the Fact Sheet). The Antidegradation policy requires the Discharger to meet waste discharge requirements which will result in the best practicable treatment or control of the discharge necessary to assure that: a) a pollution or nuisance will not occur, and b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.
- iv. Using the ambient hardness values shown in Table F-8 is consistent with the CTR and SIP’s requirements for developing metals criteria.

**Table F-8. Summary of CTR Criteria for Hardness-dependent Metals**

CTR Metals	Ambient Hardness (mg/L)	CTR Criteria (µg/L, total) (Acute)	CTR Criteria (µg/L, total) (Chronic)	Basin Plan Objective (µg/L, total)
Copper	62	N/A	6.2	8.7
Chromium III	62	1200	140	--
Cadmium	62 (acute) 62 (chronic)	N/A	1.7	0.39
Lead	62	44	1.7	--
Nickel	62	310	35	--
Silver	62	1.8	--	--
Zinc	39	N/A	54	16

**Table F-8 Notes:**

1. **CTR Criteria (ug/L total).** Acute and chronic numbers were rounded to two significant figures in accordance with the CTR (40 C.F.R. section 131.38(b)(2)).
2. **Ambient hardness (mg/L).** Values in Table F-8 represent actual observed receiving water hardness measurements from the dataset shown in Figure F-1.
3. **The CTR’s hardness dependent metals criteria** equations vary differently depending on the metal, which results in differences in the range of ambient hardness values that may be used to develop effluent limitations that are protective of beneficial uses and comply with CTR criteria for all ambient flow conditions.
4. **Acute criteria for copper, cadmium, and zinc** do not apply due to site specific criteria adopted in the Basin Plan.

### **Background**

The State Water Board provided direction regarding the selection of hardness in two precedential water quality orders; WQO 2008-0008 for the City of Davis Wastewater Treatment Plant (Davis Order) and WQO 2004-0013 for the Yuba City Wastewater Treatment Plant (Yuba City Order). The State Water Board recognized that the SIP and the CTR do not discuss the manner in which hardness is to be ascertained, thus regional water boards have considerable discretion in determining ambient hardness so long as the selected value is protective of water quality criteria under the given flow conditions. (Davis Order, p.10). The State Water Board explained that it is necessary that, “The [hardness] value selected should provide protection for all times of discharge under varying hardness conditions.” (Yuba City Order, p. 8). The Davis Order also provides that, “Regardless of the hardness used, the resulting limits must always be protective of water quality criteria under all flow conditions.” (Davis Order, p. 11)

For this discussion, all hardness values are expressed in mg/L as CaCO<sub>3</sub>. The equation describing the total regulatory criterion, as established in the CTR, is as follows:

$$\text{CTR Criterion} = \text{WER} \times (e^{m[\ln(H)]+b}) \text{ (Equation 1)}$$

Where:

H = ambient hardness (as CaCO<sub>3</sub>)

WER = water-effect ratio

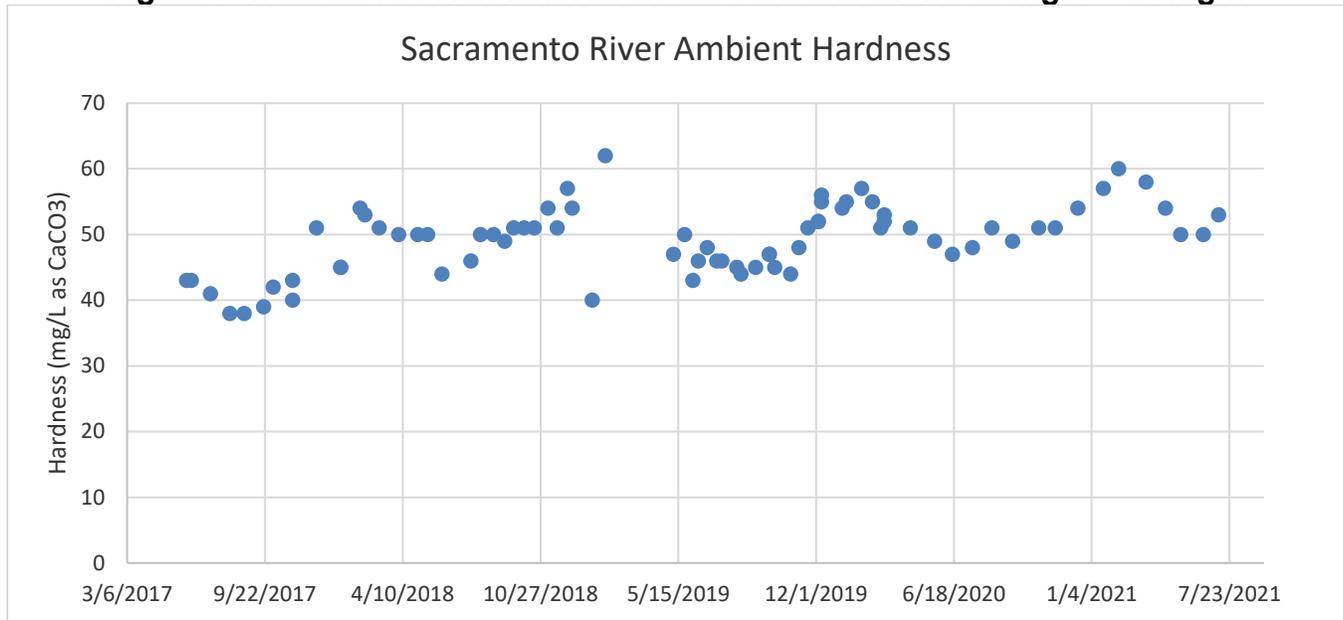
m, b = metal- and criterion-specific constants

The direction in the CTR regarding hardness selection is that it must be based on ambient hardness and consistent with design discharge conditions for design flows and mixing zones. Consistent with design discharge conditions and design flows means that the selected “design” hardness must result in effluent limitations under design discharge conditions that do not result in more than one exceedance of the applicable criteria in a three year period (40 C.F.R. section 131.38(c)(2)(iii) Table 4, notes 1 and 2). Where design flows for aquatic life criteria include the lowest one-day flow with an average reoccurrence frequency of once in ten years (1Q10) and the lowest average seven consecutive day flow with an average reoccurrence frequency of once in ten years (7Q10). The 1Q10 and 7Q10 Sacramento River flows are 3,880 cfs and 3,930 cfs, respectively.

### **Ambient conditions**

The ambient receiving water hardness varied from 38 mg/L to 62 mg/L, based on 75 samples from May 2017 through July 2021 (see Figure F-1).

**Figure F-1. Observed Ambient Hardness Concentrations 38 mg/L – 62 mg/L**



In this analysis, the entire range of ambient hardness concentrations shown in Figure F-1 were considered to determine the appropriate ambient hardness to calculate the CTR criteria and effluent limitations that are protective under all discharge conditions.

**Approach to derivation of criteria**

As shown above, ambient hardness varies substantially. Because of the variation, there is no single hardness value that describes the ambient receiving water for all possible scenarios (e.g., minimum, maximum, mid-point). While the hardness selected must be hardness of the ambient receiving water, selection of an ambient receiving water hardness that is too high would result in effluent limitations that do not protect beneficial uses. Also, the use of minimum ambient hardness would result in criteria that are protective of beneficial uses, but such criteria may not be representative considering the wide range of ambient conditions.

**Reasonable worst-case ambient conditions.** To determine whether a selected ambient hardness value results in effluent limitations that are fully protective while complying with federal regulations and state policy, staff have conducted an analysis considering varying ambient hardness and flow conditions. To do this, the Central Valley Water Board has ensured that the receiving water hardness and criteria selected for effluent limitations are protective under “reasonable-worst case ambient conditions.” These conditions represent the receiving water conditions under which derived effluent limitations would ensure protection of beneficial uses under all ambient flow and hardness conditions.

Reasonable worst-case ambient conditions:

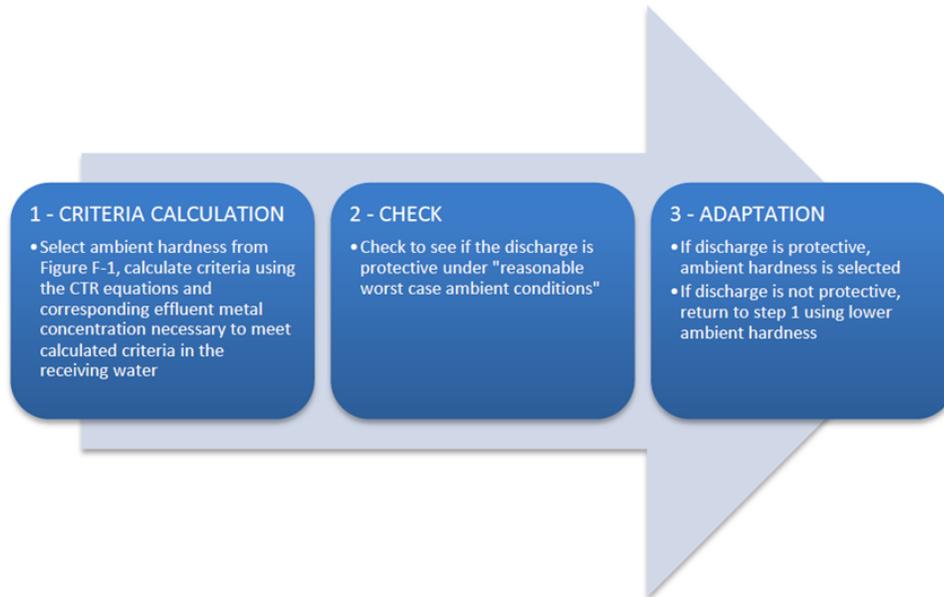
- “Low receiving water flow.” CTR design discharge conditions (1Q10 and 7Q10) have been selected to represent reasonable worst-case receiving water flow conditions.
- “High receiving water flow (maximum receiving water flow).” This additional flow condition has been selected consistent with the Davis Order, which required that the hardness selected be protective of water quality criteria under all flow conditions.
- “Low receiving water hardness.” The minimum receiving water hardness condition of 38 mg/L was selected to represent the reasonable worst-case receiving water hardness.
- “Background ambient metal concentration at criteria.” This condition assumes that the metal concentration in the background receiving water is equal to CTR criteria (upstream of the facility’s discharge). Based on data in the record, this is a design condition that does not regularly occur in the receiving water and is used in this analysis to ensure that limits are protective of beneficial uses even in the situation where there is no assimilative capacity.

**Iterative approach.**

An iterative analysis has been used to select the ambient hardness to calculate the criteria that will result in effluent limitations that protect beneficial uses under all flow conditions.

The iterative approach is summarized in the following algorithm and described below in more detail.

**Figure F-2. Criteria Calculation CTR**



1. **CRITERIA CALCULATION.** CTR criteria are calculated using the CTR equations based on actual measured ambient hardness sample results, starting with the maximum observed ambient hardness of 62 mg/L. Effluent metal concentrations necessary to meet the above calculated CTR criteria in the receiving water are calculated in accordance with section 1.4.B, Step 2, of the SIP, which provides direction for calculating the Effluent Concentration Allowance. This should not be confused with an effluent limit. Rather, it is the Effluent Concentration Allowance (ECA), which is synonymous with the wasteload allocation defined by U.S. EPA on page 96 of the TSD as "a definition of effluent water quality that is necessary to meet the water quality standards in the receiving water." If effluent limits are found to be needed, the limits are calculated to enforce the ECA considering effluent variability and the probability basis of the limit.
2. **CHECK.** U.S. EPA's simple mass balance equation, as found in the "U.S. EPA NPDES Permit Writers' Handbook" (EPA 833-K-10-001 September 2010, pg. 6-24), is used to evaluate if discharge at the computed ECA is protective. Resultant downstream metal concentrations are compared with downstream calculated CTR criteria under reasonable worst-case ambient conditions.
3. **ADAPT.** If step 2 results in:
  - (A) receiving water metal concentration that complies with CTR criteria under reasonable worst-case ambient conditions, then the hardness value is selected.

- (B) receiving water metal concentration greater than CTR criteria, then return to bullet 1, selecting a lower ambient hardness value.

The CTR’s hardness dependent metals criteria equations contain metal-specific constants, so the criteria vary depending on the metal. Therefore, steps 1 through 3 above must be repeated separately for each metal until ambient hardness values are determined that will result in criteria and effluent limitations that comply with the CTR and protect beneficial uses for all metals.

**Results of Iterative Analysis Where No Dilution Allowed**

The iterative analysis for each CTR hardness-dependent metal results in the selected ambient hardness values are shown in Table F-8, above. Using these actual receiving water sample hardness values to calculate criteria will result in effluent limitations that are protective under all ambient flow conditions. Ambient hardness values are used in the CTR equations to derive criteria and effluent limitations. As an example of the three-step iterative process, Table F-9 below summarizes the numeric results for copper based on an ambient hardness of 62 mg/L and a calculated ECA of 6.2 µg/L. Table F-10 below summarizes the numeric results for silver based on an ambient hardness of 62 mg/L and a calculated ECA of 1.78 µg/L. The analysis evaluated all flow conditions, and the numeric values for the critical flow conditions are summarized in Tables F-9 and F-10, below. Ambient concentrations for copper and silver are calculated using the worst-case downstream ambient conditions, which allows for a conservative assumption that will ensure the receiving water complies with CTR criteria. Under the “check” step, worst-case ambient receiving water conditions are used to test whether the effluent discharge results in compliance with CTR criteria and protection of beneficial uses.

The results of the iterative analyses show that the ambient hardness values selected using the three-step iterative process results in protective effluent limitations that achieve CTR criteria under all flow conditions. Tables F-9 and F-10 below, summarize the critical flow conditions. There are no effluent limitations for copper or silver as they demonstrate no reasonable potential.

**Table F-9. Verification of CTR Compliance for Copper**  
 Downstream Worst-Case Ambient Receiving Water Conditions

Critical Flow Conditions	Hardness (mg/L)	CTR Criteria (µg/L)	Ambient Copper Concentration (µg/L)	Complies with CTR?
1Q10	38.0374	4.08433	4.08208	Yes
7Q10	38.0369	4.08429	4.08207	Yes
Max receiving water flow	38.0012	4.08101	4.08084	Yes

**Table F-10. Verification of CTR Compliance for Silver**  
 Downstream Worst-Case Ambient Receiving Water Conditions

<b>Critical Flow Conditions</b>	<b>Hardness</b>	<b>CTR Criteria (µg/L)</b>	<b>Ambient Silver Concentration (µg/L)</b>	<b>Complies with CTR?</b>
1Q10	38.0374	0.76977	0.769038	Yes
7Q10	38.0369	0.76976	0.769031	Yes
Max receiving water flow	38.0012	0.76951	0.768489	Yes

**Results of Iterative Analysis Where Dilution Allowed**

As discussed in Section IV.C.2 c, above, dilution credits for zinc have been allowed in the calculation of WQBELs for these hardness-dependent criteria parameters. The allowed zinc dilution credit for acute aquatic life criteria is 43:1, which represents an effluent fraction of 2.27%, and the allowed chronic aquatic life dilution credit is 4:1, which represents an effluent fraction of 20%. These values define the points in the receiving water (i.e., edge of mixing zone) that must be in compliance with aquatic life criteria. When the effluent and receiving water are at their respective minimum observed hardness values (i.e., 105 mg/L and 38 mg/L as CaCO<sub>3</sub>, respectively), and the effluent fraction is 2.27% and 20%, the mixed hardness is 39.5 mg/L and 51.4 mg/L (as CaCO<sub>3</sub>), respectively. Therefore, an actual observed ambient hardness of 39 mg/L (as CaCO<sub>3</sub>) has been used in this Order for calculating hardness-dependent zinc criteria. Using the ambient hardness to calculate the hardness-dependent metals criteria is consistent with the CTR and the SIP.

Tables F-11, below, demonstrate that protective effluent limitations result when using this approach for determining the appropriate hardness. In this example the mixed receiving water zinc concentrations do not exceed the mixed CTR criteria for zinc at the edge of the mixing zone.

**Table F-11. Verification of CTR and Basin Plan objective Compliance for Zinc**

<b>Receiving Water Hardness Used to Compute Effluent Limitations</b>				<b>39 mg/L</b>
<b>Acute Aquatic Life Dilution Credit</b>				<b>43:1</b>
<b>Maximum Ambient Background Zinc Concentration</b>				<b>9.0 µg/L</b>
<b>Effluent Concentration Allowance, acute (ECAa) for Zinc</b>				<b>318 µg/L</b>
<b>Effluent Fraction</b>	<b>Downstream Ambient Concentrations Under Worst-Case Ambient Receiving Water Conditions</b>			<b>Complies with CTR Criteria?</b>
	<b>Hardness (mg/L)</b>	<b>CTR Criteria (µg/L)</b>	<b>Ambient Zinc Concentration (µg/L)</b>	
1%	38.67	15.91	12.1	<b>Yes</b>
2%	39.34	16.14	15.2	<b>Yes</b>
2.27%	39.5	16.20	16.0	<b>Yes</b>

**Table F-11 Notes:**

- 1. Effluent Concentration Allowance, acute (ECAa) for Zinc.** ECA calculated per section 1.4 of the SIP.
- 2. Effluent Fraction.** Table shows effluent fractions ranging from 1.0% to 2.27% to show conditions outside the allowable mixing zone for zinc.
- 3. Ambient Zinc Concentration (µg/L).** Derived using worst-case ambient conditions. These conservative assumptions will ensure that the receiving water always complies with CTR criteria.

**3. Determining the Need for WQBEL's**

Clean Water Act section 301(b)(1)(C) requires effluent limitations necessary to meet water quality standards, and 40 C.F.R. section 122.44(d) requires NPDES permits to include conditions that are necessary to achieve water quality standards established under section 303 of the CWA, including State narrative criteria for water quality. Federal regulations at 40 C.F.R. 122.44(d)(1)(i) state, "Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines are or may be discharged at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality." Additionally, 40 C.F.R. section 122(d)(1)(vii) requires effluent limits to be developed consistent with any available wasteload allocations developed and approved for the discharge. The process to determine whether a WQBEL is required as described in 40 C.F.R. section 122.44(d)(1)(i) is referred to as a reasonable potential analysis or RPA. Central Valley Water Board staff conducted RPA's for nearly 200 constituents, including the 126 U.S. EPA priority toxic pollutants. This section includes details of the RPA's for constituents of concern for the Facility. The entire RPA is included in the

administrative record and a summary of the constituents of concern is provided in Attachment G. For priority pollutants, the SIP dictates the procedures for conducting the RPA. For non-priority pollutants the Central Valley Water Board is not restricted to one particular RPA method, therefore, the RPA's have been conducted based on EPA guidance considering multiple lines of evidence and the site-specific conditions of the discharge.

a. **Constituents with Total Maximum Daily Load (TMDL).**

40 C.F.R. section 122.44(d)(1)(vii) provides: "When developing water quality-based effluent limits under [section 122.44(d)(1)], the permitting authority shall ensure that: (A) The level of water quality to be achieved by limits on point sources established under this paragraph is derived from, and complies with all applicable water quality standards; and (B) Effluent limits developed to protect a narrative water quality criterion, a numeric water quality criterion, or both, are consistent with the assumptions and requirements of any available wasteload allocation for the discharge prepared by the State and approved by EPA pursuant to [Total Maximum Daily Loads regulations]." U.S. EPA construes 40 C.F.R. section 122.44(d)(1)(vii)(B) to mean that "when WLAs are available, they must be used to translate water quality standards into NPDES permit limits." 54 Fed. Reg. 23868, 23879 (June 2, 1989).

The Sacramento River is subject to TMDLs for diazinon and chlorpyrifos and wasteload allocations under those TMDLs are available. The Central Valley Water Board developed WQBEL's for these pollutants pursuant to 40 C.F.R. section 122.44(d)(1)(vii), which does not require or contemplate a reasonable potential analysis.

i. **Diazinon and Chlorpyrifos.**

- (a) **WQO.** The Central Valley Water Board completed a TMDL for diazinon and chlorpyrifos in the Sacramento and Feather Rivers and amended the Basin Plan to include diazinon and chlorpyrifos waste load allocations and water quality objectives. The Basin Plan Amendment for the Control of Diazinon and Chlorpyrifos Runoff into the Sacramento and Feather Rivers was adopted by the Central Valley Water Board on 3 May 2007 and became effective on 11 August 2008.

The amendment modified Basin Plan Chapter 3 (Water Quality Objectives) to establish site-specific numeric objectives for diazinon and chlorpyrifos in the Sacramento River from the Colusa Basin Drain to I Street Bridge and the Feather River from Fish Barrier Dam to the Sacramento River, and identified the requirements to meet the additive formula already in Basin Plan Chapter 4 (Implementation) for the additive toxicity of diazinon and chlorpyrifos.

The amendment states that “The waste load allocations for all NPDES-permitted dischargers...shall not exceed the sum (S) of one (1) as defined below.

$$S = C_d/WQO_d + C_c/WQO_c \leq 1.0$$

Where:

$C_d$  = diazinon concentration in  $\mu\text{g/L}$  of point source discharge

$C_c$  = chlorpyrifos concentration in  $\mu\text{g/L}$  of point source discharge

$WQO_d$  = acute or chronic diazinon water quality objective in  $\mu\text{g/L}$

$WQO_c$  = acute or chronic chlorpyrifos water quality objective in  $\mu\text{g/L}$

Available samples collected within the applicable averaging period for the water quality objective will be used to determine compliance with the allocations and loading capacity. For purposes of calculating the sum (S) above, analytical results that are reported as ‘non-detectable’ concentrations are considered to be zero.”

Appendix A of the Diazinon and Chlorpyrifos TMDL lists waterways subject to the TMDL and includes the Sacramento River.

- (b) **RPA Results.** Chlorpyrifos and diazinon were not detected in the effluent during 4 sampling events conducted between June 2019 and March 2020. However, since these pesticides have been banned for public use, they are not expected to be present in the effluent. The discharge does not have reasonable potential, but due to the TMDL for diazinon and chlorpyrifos in the Sacramento River, WQBELs for these constituents are required. The TMDL waste load allocation applies to all NPDES dischargers to the Sacramento River from Shasta Dam to Colusa Basin Drain and will serve as the basis for WQBELs at Discharge Point D-001.
- (c) **WQBELs.** WQBELs for diazinon and chlorpyrifos are required based on the TMDL for diazinon and chlorpyrifos in the Sacramento River. Therefore, this Order includes effluent limits calculated based on the waste load allocations contained in the TMDL, as follows:

Average Monthly Effluent Limitation (AMEL)

$$S(\text{AMEL}) = C_d (\text{M-avg})/0.079 + C_c (\text{M-avg})/0.012 \leq 1.0$$

Where:

$C_d(\text{M-avg})$  = average monthly diazinon effluent concentration in  $\mu\text{g/L}$

$C_c (\text{M-avg})$  = average monthly chlorpyrifos effluent concentration in  $\mu\text{g/L}$

Average Weekly Effluent Limitation (AWEL)

$$S(\text{AWEL}) = C_d (\text{W-avg})/0.14 + C_c (\text{W-avg})/0.021 \leq 1.0$$

Where:

$C_d(\text{W-avg})$  = average weekly diazinon effluent concentration in  $\mu\text{g/L}$

$C_c (\text{W-avg})$  = average weekly chlorpyrifos effluent concentration in  $\mu\text{g/L}$

- (d) **Plant Performance and Attainability.** Chlorpyrifos and diazinon were not detected in the effluent in 4 sampling events conducted between June 2019 and March 2020. Furthermore, since these pesticides have been banned for public use, they are not expected to be present in the influent to the Facility. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible.
- b. **Constituents with No Reasonable Potential.** Central Valley Water Board staff conducted reasonable potential analyses for nearly 200 constituents, including the 126 U.S. EPA priority toxic pollutants. All reasonable potential analyses are included in the administrative record and a summary of the constituents of concern is provided in Attachment G. WQBEL's are not included in this Order for constituents that do not demonstrate reasonable potential to cause or contribute to an instream excursion of an applicable water quality objective; however, monitoring for those pollutants is established in this Order as required by the SIP. If the results of effluent monitoring demonstrate reasonable potential, this Order may be reopened and modified by adding an appropriate effluent limitation.

Most constituents with no reasonable potential are not discussed in this Order. This section only provides the rationale for the reasonable potential

analyses for the following constituents of concern that were found to have no reasonable potential after assessment of the data:

i. **Aluminum**

- (a) **WQO.** The State Water Board Division of Drinking Water (DDW) has established Secondary Maximum Contaminant Levels (MCLs) to assist public drinking water systems in managing their drinking water for public welfare considerations, such as taste, color, and odor. The Secondary MCL for aluminum is 200 µg/L for protection of the MUN beneficial use. Title 22 requires compliance with Secondary MCLs on an annual average basis.

Aluminum is the third most abundant element in the earth's crust and is ubiquitous in both soils and aquatic sediments. When mobilized in surface waters, aluminum has been shown to be toxic to various fish species. However, the potential for aluminum toxicity in surface waters is directly related to the chemical form of aluminum present, and the chemical form is highly dependent on water quality characteristics that ultimately determine the mechanism of aluminum toxicity. Surface water characteristics, including pH, temperature, colloidal material, fluoride and sulfate concentrations, and dissolved organic carbon, all influence aluminum speciation and its subsequent bioavailability to aquatic life.

The 2018 U.S. EPA NAWQC for protection of freshwater aquatic life for aluminum recommends acute (1-hour average; criteria maximum concentration or CMC) and chronic (4-day average; criteria continuous concentration or CCC) standards based upon Multiple Linear Regression (MLR) models for vertebrate and invertebrate species that use pH, dissolved organic carbon (DOC), and total hardness to quantify the effects of these water chemistry parameters on the bioavailability and resultant toxicity of aluminum to aquatic organisms. The 2018 Aluminum NAWQC document provides look up tables or a Microsoft Excel spreadsheet to calculate the criteria based on pH, DOC, and total hardness. The U.S. EPA aluminum criteria have been used to implement the Basin Plan's narrative toxicity objective.

A site-specific CMC of 1000 µg/L and CCC of 480 µg/L were calculated considering pH, hardness, and DOC representative of the receiving water and effluent conditions. Effluent and receiving water sampling results for pH and hardness from August 2018 through July 2021 were used in the evaluation. In the absence of DOC data, the criteria were calculated

considering a conservative assumption of DOC for the receiving water and effluent of 1 mg/L and 5 mg/L, respectively.

- (b) **RPA Results.** For priority pollutants, the SIP dictates the procedures for conducting the RPA. Aluminum is not a priority pollutant. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Due to the site-specific conditions of the discharge, the Central Valley Water Board used professional judgment in determining the appropriate method for conducting the RPA for this non-priority pollutant constituent. The Secondary MCL is derived from human welfare considerations (e.g., taste, odor, laundry staining), not for toxicity. Secondary MCL's are drinking water standards contained in Title 22 of the California Code of Regulations and requires compliance with these standards on an annual average basis, when sampling at least quarterly. To be consistent with how compliance with the standards is determined, for the Secondary MCL the RPA was conducted based on the calendar annual average effluent aluminum concentrations. Calculating a maximum annual average concentration considers variability in the data, per 40 C.F.R. § 122.44(d)(1)(ii).

The maximum annual average effluent concentration for aluminum was 33.5 µg/L based on 4 samples collected between August 2018 through July 2021. Effluent aluminum is consistently less than the concentrations in the receiving water and below the Secondary MCL. Therefore, the Central Valley Water Board finds the discharge does not have reasonable potential to cause or contribute to an exceedance in the receiving water and the Facility is adequately controlling the discharge of aluminum.

For the 2018 U.S. EPA NAWQC the RPA was conducted considering the maximum effluent concentration (MEC) for aluminum, which was 33.5 µg/L based on 4 samples collected from August 2018 through July 2021. Effluent aluminum is consistently less than the concentrations in the receiving water and below the NAWQC. Therefore, the Central Valley Water Board finds the discharge does not have reasonable potential to cause or contribute to an exceedance of the narrative toxicity objective in the receiving water and the Facility is adequately controlling the discharge of aluminum.

ii. **Benzo(b)fluoranthene**

- (a) **WQO.** The CTR includes a criterion of 0.044 µg/L for benzo(b)fluoranthene for the protection of human health for waters from which both water and organisms are consumed.
- (b) **RPA Results.** The benzo(b)fluoranthene data collected by the Discharger in the 4 priority pollutant samples is shown in the table below.

**Table F-12. Summary of benzo(b)fluoranthene data**

<b>Date of Sample</b>	<b>Monitoring Location EFF-001 (µg/L)</b>	<b>Monitoring Location RSW-001 (µg/L)</b>
6/29/2019	0.013	0.017
9/24/2019	Non-Detect	Non-Detect
12/9/2019	Non-Detect	Non-Detect
3/9/2020	0.0061 Result was below reporting limit of 0.025 µg/L	Non-Detect

Of the 4 samples, 2 had a result of non-detect in both the effluent and receiving water. Benzo(b)fluoranthene was detected in both the effluent and receiving water on the same day and analyzed in the laboratory at the same time. Although there were no laboratory errors noted, it is unlikely that the receiving water and effluent would both have detections or the receiving water would have a higher concentration when there are no known sources in the service area or immediate vicinity of the receiving water.

Additionally, one effluent sample resulted in a detected, but not quantified result and was estimated below the reporting level (RL). SIP section 2.4.2 states that the RL is the lowest quantifiable concentration in a sample based on the proper application of all method-based analytical procedures and the absence of any matrix interferences. Data estimated below the RL is not considered valid data for use in determining Reasonable Potential.

Therefore, in accordance with section 1.2 of the SIP, the Central Valley Water Board finds that the data collected for benzo(b)fluoranthene on 29 June 2019 in the effluent and ambient receiving water, and on 9 March 2020 in the effluent are inappropriate and insufficient to be used to determine

reasonable potential. The remaining effluent and receiving water data is non-detect and results in no reasonable potential.

iii. **Dibenzo(a,h)anthracene**

- (a) **WQO.** The CTR includes a criterion of 0.044 µg/L for dibenzo(a,h)anthracene for the protection of human health for waters from which both water and organisms are consumed.
- (b) **RPA Results.** The dibenzo(a,h)anthracene data collected by the Discharger in the 4 priority pollutant samples is shown in the table below.

**Table F-13. Summary of dibenzo(a,h)anthracene data**

<b>Date of Sample</b>	<b>Monitoring Location EFF-001 (µg/L)</b>	<b>Monitoring Location RSW-001 (µg/L)</b>
6/29/2019	0.027	0.053
9/24/2019	Non-Detect	Non-Detect
12/9/2019	Non-Detect	Non-Detect
3/9/2020	Non-Detect	Non-Detect

Of the 4 samples, 3 had a result of non-detect in both the effluent and receiving water. However, the detections for both the effluent and receiving water were sampled the same day and analyzed in the laboratory at the same time. Although there were no laboratory errors noted, it is unlikely that the receiving water and effluent would both have detections or the receiving water would have a higher concentration when there are no known sources in the service area or immediate vicinity of the receiving water.

Therefore, in accordance with section 1.2 of the SIP, the Central Valley Water Board finds that the data collected for dibenzo(a,h)anthracene on 29 June 2019 is not representative of effluent or ambient receiving water quality and are inappropriate and insufficient to be used to determine reasonable potential. The remaining data are all non-detect and results in no reasonable potential.

iv. **Diquat**

- (a) **WQO.** DDW has adopted a Primary MCL of 20 µg/L for the protection of human health for diquat, which is protective of the Basin Plan’s chemical constituent objective.

- (b) **RPA Results.** The diquat data collected by the Discharger in the 4 priority pollutant samples is shown in the table below.

**Table F-14. Summary of diquat data**

<b>Date of Sample</b>	<b>Monitoring Location EFF-001 (µg/L)</b>	<b>Monitoring Location RSW-001 (µg/L)</b>
6/29/2019	Non-Detect	Non-Detect
9/24/2019	28	61
12/9/2019	Non-Detect	Non-Detect
3/9/2020	Non-Detect	Non-Detect

Of the 4 samples, 3 had a result of non-detect in both the effluent and receiving water. However, the detections for both the effluent and receiving water were sampled the same day and analyzed in the laboratory at the same time. Although there were no laboratory errors noted, it is unlikely that the receiving water and effluent would both have detections or the receiving water would have a higher concentration than the effluent.

Therefore, Central Valley Water Board finds that the data collected for diquat on 24 September 2019 is not representative of effluent or ambient receiving water quality and results in no reasonable potential. Should monitoring results indicate that the discharge has the reasonable potential to cause or contribute to an exceedance of a water quality standard, this Order may be reopened and modified by adding an appropriate effluent limitation.

**v. Mercury**

- (a) **WQO.** The current NAWQC for protection of freshwater aquatic life, continuous concentration, for mercury is 0.77 µg/L (30-day average, chronic criteria). The CTR contains a human health criterion (based on a threshold dose level causing neurological effects in infants) of 0.050 µg/L for waters from which both water and aquatic organisms are consumed. Both values are controversial and subject to change. In 40 C.F.R. part 131, U.S. EPA acknowledges that the human health criteria may not be protective of some aquatic or endangered species and that "...more stringent mercury limits may be determined and implemented through use of the State's narrative criterion." In the CTR, U.S. EPA reserved the mercury criteria for freshwater and aquatic life and may adopt new criteria at a later date.

The State Water Board adopted Resolution 2017-0027 on 2 May 2017, which approved Part 2 of the Water Quality Control

Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California, Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions (Statewide Mercury Provisions). The Statewide Mercury Provisions establish a Sport Fish Water Quality Objective of an average 0.2 mg/kg methylmercury fish tissue concentration within a calendar year for waters with the beneficial uses of commercial and sport fishing (COMM), tribal tradition and culture (CUL), wildlife habitat (WILD), and marine habitat (MAR). This fish tissue objective corresponds to a water column concentration of 12 ng/L of total mercury for flowing water bodies (e.g., rivers, creeks, streams, and waters with tidal mixing). As shown in Table F-3, the beneficial uses of the Sacramento River include WILD; therefore, the Sport Fish Water Quality Objective is applicable and is the most stringent objective.

- (b) **RPA Results.** The Statewide Mercury Provisions specify that the RPA shall be conducted using the maximum annual average effluent and background mercury concentrations for comparison with the Sport Fish Water Quality Objective. The maximum observed effluent mercury concentration was 1.54 ng/L, with a maximum annual average of 1.33 ng/L, based on 4 samples collected from August 2018 through July 2021. The maximum annual average background concentration for mercury was 3.37 ng/L based on 4 samples collected from August 2018 through July 2021.

Therefore, the discharge does not exhibit reasonable potential to cause or contribute to an exceedance of the Sport Fish Water Quality Objective in the receiving water.

vi. **Salinity**

- (a) **WQO.** The Basin Plan contains a chemical constituent objective that incorporates state MCLs, contains a narrative objective, and contains numeric water quality objectives for certain specified water bodies for electrical conductivity, total dissolved solids, sulfate, and chloride. The USEPA Ambient Water Quality Criteria for Chloride recommends acute and chronic criteria for the protection of aquatic life. There are no USEPA water quality criteria for the protection of aquatic life for electrical conductivity, total dissolved solids, and sulfate. Additionally, there are no USEPA numeric water quality criteria for the protection of agricultural, livestock, and industrial uses. Numeric values for the protection of these uses are typically based on site specific conditions and evaluations to determine the appropriate constituent threshold necessary to interpret the narrative

chemical constituent Basin Plan objective. See description under Attachment F Section VI.B.

- (1) **Chloride.** The Secondary MCL for chloride is 250 mg/L, as a recommended level, 500 mg/L as an upper level, and 600 mg/L as a short-term maximum. The Basin Plan contains a narrative objective for chemical constituents that state, in part, "Waters shall not contain chemical constituents in concentrations that adversely affect beneficial uses." Agricultural irrigation, municipal and domestic supply are beneficial uses of the receiving water. The Agricultural Water Quality Goal for chloride is 106 mg/L.
- (2) **Electrical Conductivity.** The Secondary MCL for EC is 900 µmhos/cm as a recommended level, 1600 µmhos/cm as an upper level, and 2200 µmhos/cm as a short-term maximum. The Basin Plan contains a site-specific EC limit of 230 µmhos/cm (50 percentile) or 235 µmhos/cm (90 percentile) at Knights Landing above Colusa Basin Drain.
- (3) **Sulfate.** The Secondary MCL for sulfate is 250 mg/L as a recommended level, 500 mg/L as an upper level, and 600 mg/L as a short-term maximum.
- (4) **Total Dissolved Solids.** The Secondary MCL for TDS is 500 mg/L as a recommended level, 1000 mg/L as an upper level, and 1500 mg/L as a short-term maximum.

(b) **RPA Results.**

- (1) **Chloride.** Chloride concentrations in the effluent ranged from 41 mg/L to 86 mg/L, with an average of 69.1 (77.6 max. annual) mg/L for 7 samples collected by the Discharger from August 2018 through July 2021. These levels do not exceed the agricultural Water Quality Goal for chloride of 106 mg/L.

(2) **Electrical Conductivity.**

For priority pollutants, the SIP dictates the procedures for conducting the RPA. Salinity is not priority a pollutant. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Due to the site-specific conditions of the discharge, the Central Valley Water Board has used its judgement in determining the appropriate method for conducting the RPA for this non-priority pollutant constituent.

For conducting the RPA, the U.S. EPA recommends using a mass-balance approach to determine the expected critical downstream receiving water concentration using a steady-state approach. This downstream receiving water concentration is then compared to the applicable water quality objectives to determine if the discharge has reasonable potential to cause or contribute to an in-stream excursion. This approach allows assimilative capacity and dilution to be factored into the RPA. This U.S. EPA recommended approach has been used for electrical conductivity.

Electrical conductivity concentrations in the effluent ranged from 478  $\mu\text{mhos/cm}$  to 897  $\mu\text{mhos/cm}$ , with a maximum annual average of 689 based on 134 samples collected from January 2011 through July 2021. Background concentrations in the Sacramento River ranged from 97  $\mu\text{mhos/cm}$  to 163  $\mu\text{mhos/cm}$  with a maximum annual average of 145  $\mu\text{mhos/cm}$ , based on 116 samples collected from January 2011 through July 2021. Thus, the receiving water has been consistently in compliance with the Basin Plan objective resulting in available assimilative capacity for consideration in the RPA.

Based on a mass balance using critical effluent and receiving water flows, the critical downstream receiving water electrical conductivity concentration does not exceed the Basin Plan objective of 230  $\mu\text{mhos/cm}$ . Considering the large dilution and assimilative capacity in the receiving water, a small increase in electrical conductivity caused by the discharge does not result in a reasonable potential to cause or contribute to an exceedance of the Basin Plan objective for electrical conductivity in the receiving water.

- (3) **Sulfate.** Sulfate concentrations in the effluent ranged from 4.3 mg/L to 10.5 mg/L, with an average of 7.8 (10.5 max. annual) mg/L for 4 samples collected by the Discharger from August 2018 through July 2021. These levels do not exceed the Secondary MCL.
- (4) **Total Dissolved Solids.** Sulfate concentrations in the effluent ranged from 306 mg/L to 438 mg/L, with an average of 373 (381 max. annual) mg/L for 15 samples collected by the Discharger from August 2018 through July 2021. These levels do not exceed the Secondary MCL.

- c. **Constituents with No Data or Insufficient Data.** No parameters.
- d. **Constituents with Reasonable Potential.** The Central Valley Water Board finds that the discharge has a reasonable potential to cause or contribute to an in-stream excursion above a water quality standard for ammonia, chlorine residual, dichlorobromomethane, nitrate plus nitrite, pathogens, pH, and zinc. WQBEL's for these constituents are included in this Order. A summary of the RPA is provided in Attachment G, and a detailed discussion of the RPA for each constituent is provided below.

i. **Ammonia**

- (a) **WQO.** The 2013 U.S. EPA National Ambient Water Quality Criteria (NAWQC) for the protection of freshwater aquatic life for total ammonia (2013 Criteria), recommends acute (1-hour average; criteria maximum concentration or CMC) and chronic (30-day average; criteria continuous concentration or CCC) standards based on pH and temperature. U.S. EPA also recommends that no 4-day average concentration should exceed 2.5 times the 30-day CCC.

The 2013 Criteria reflects the latest scientific knowledge on the toxicity of ammonia to certain freshwater aquatic life, including toxicity data on sensitive freshwater unionid mussels, non-pulmonary snails, and other freshwater organisms. The inclusion of new toxicity data for unionid mussels resulted in substantially more stringent criteria. In many cases, current wastewater treatment technologies are not capable of complying with effluent limitations based on the more stringent criteria.

The Central Valley Clean Water Association (CVCWA) organized a coordinated effort for POTWs within the Central Valley Region, the Freshwater Mussel Collaborative Study for Wastewater Treatment Plants, to determine how the latest scientific knowledge on the toxicity of ammonia reflected in the 2013 Criteria could be implemented in the Central Valley Region. Phase I, completed in June 2015, included a State of Knowledge Report developed by a consultant team consisting of Robertson-Bryan, Inc., Larry Walker Associates, and Pacific EcoRisk. The collaborative study involved policy and permitting discussions among representatives from the Central Valley Water Board, U.S. EPA, United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and regional mussel experts regarding the implementation of the 2013 Criteria in POTW NPDES permits. The discussions evaluated permitting approaches that provide reasonable

protection of aquatic life beneficial uses, including protection of freshwater mussels.

The State of Knowledge Report explained that the species of freshwater mussels in waters within the Central Valley Region are different than what U.S. EPA used in the toxicity dataset for development of the 2013 Criteria. The State of Knowledge Report indicated that one resident freshwater mussel species was shown to not be as sensitive as the eastern mussel species used to derive the 2013 Criteria. However, the sensitivity of the other Central Valley Region mussel species was unknown.

Initial work under this project indicated the need to understand whether freshwater mussels are present or absent in POTW receiving waters in order to properly permit the discharge of ammonia in NPDES permits. Hence, a Phase II of the CVCWA study was conducted that developed and validated an effective environmental DNA (eDNA) method for determining the presence/absence of the three freshwater mussel genera in water bodies of the Central Valley. A Phase IIb of the study involved further study and application of the eDNA methodology.

CVCWA submitted the Phase IIc Freshwater Mussel Collaborative Study for Wastewater Treatment Plants: Ammonia Criteria Recalculation Final Report, dated January 2020 (Criteria Recalculation Report) developed by the same consultant team. The Criteria Recalculation Report provides toxicity studies demonstrating all freshwater mussel species present in Central Valley Region waters are less sensitive than the eastern species used to develop the 2013 Criteria.

U.S. EPA developed the Guidelines for Deriving Numerical Aquatic Site-Specific Water Quality Criteria by Modifying National Criteria (EPA-600/S3-84-099 December 1984) that provides a Recalculation Procedure. U.S. EPA also developed the Revised Deletion Process for the Site-Specific Recalculation Procedure for Aquatic Life Criteria (EPA-823-R-13-001, April 2013) to guide the development of a site-specific toxicity dataset that is appropriate for deriving a site-specific aquatic life criterion, by modifying the national toxicity dataset for the pollutant of concern through correcting, adding, and/or deleting test results.

The Criteria Recalculation Report implemented U.S. EPA's Recalculation Procedure utilizing toxicity bioassays conducted on resident mussel species to replace the toxicity data for the

eastern mussel species in the national dataset to develop site-specific ammonia criteria for waters within the Central Valley Region, including all surface waters in the Sacramento River, San Joaquin River, and Tulare Lake Basin Plans.

A draft Criteria Recalculation Report was provided to the Central Valley Water Board, U.S. EPA Region 9, U.S. EPA Office of Science and Technology, USFWS, and the Nature Conservancy. Comments were provided by Central Valley Water Board staff and U.S. EPA Office of Science and Technology. U.S. EPA agreed with the recalculation procedure for developing site-specific acute criterion. However, U.S. EPA recommended a more conservative approach for utilizing the acute-to-chronic ratio procedure for developing the site-specific chronic criterion. The final Criteria Recalculation Report addressed the comments and provided revised equations for the chronic criterion in Appendix D.

The Basin Plans' Policy for Application of Water Quality Objectives requires the Central Valley Water Board to consider, "...on a case-by-case basis, direct evidence of beneficial use impacts, all material and relevant information submitted by the discharger and other interested parties, and relevant numerical criteria and guidelines developed and/or published by other agencies and organizations...In considering such criteria, the Board evaluates whether the specific numerical criteria which are available through these sources and through other information supplied to the Board, are relevant and appropriate to the situation at hand and, therefore, should be used in determining compliance with the narrative objective."

The Central Valley Water Board finds that the site-specific ammonia criteria provided in the January 2020 Criteria Recalculation Report implement the Basin Plan's narrative toxicity objective to protect aquatic life beneficial uses of the receiving water. This Order implements the site-specific acute and chronic criteria for ammonia provided by the January 2020 Criteria Recalculation Report, with the adjustments to the chronic criteria recommended by U.S. EPA.

**Site-specific Criteria for the Sacramento River.** Similar to the U.S. EPA 2013 Criteria, the recalculated site-specific criteria developed in the Criteria Recalculation Report for the acute and chronic criteria are presented based on equations that vary according to pH and temperature. The pH and temperature speciation relationships developed by U.S. EPA were utilized without modification. Equations were developed for situations

where freshwater mussels are present and where they are absent. In this case, for the Sacramento River, freshwater mussels have been assumed to be present. In addition, the recalculated criteria include equations that provide enhanced protection for important salmonid species in the genus *Oncorhynchus*, that can be implemented for receiving waters where salmonid species are present. Because the Sacramento River has a beneficial use of cold freshwater habitat and the presence of salmonids in the Sacramento River is well-documented, the criteria equations for waters where salmonids are present were used.

The acute (1-hour average) criterion or CMC was calculated using paired effluent pH and temperature data, collected during the period from August 2018 through July 2021. The most stringent CMC of 23.8 mg/L (ammonia as N) calculated using the paired effluent pH and temperature data (pH = 6.6, temperature = 26.7°C) has been implemented in this Order for use in the RPA process.

The chronic (30-day average) criterion or CCC was calculated for the Reasonable Potential Analysis using paired downstream receiving water pH and temperature data, collected during the period from August 2018 through July 2021. The most stringent CCC of 0.80 mg/L (ammonia as N) calculated using paired 30-day rolling average downstream receiving water pH and temperature data (pH = 8.7, temperature = 9.4°C) has been implemented in this Order for use in the RPA process.

The chronic (4-day average) concentration is derived in accordance with the U.S. EPA criterion as 2.5 times the 30-day CCC. Based on the 30-day CCC of 0.80 mg/L (ammonia as N), the 4-day average concentration that should not be exceeded is 2.0 mg/L (ammonia as N).

- (b) **RPA Results.** The Facility is a POTW that treats domestic wastewater. Untreated domestic wastewater contains ammonia in concentrations that is harmful to aquatic life and exceed the Basin Plan narrative toxicity objective. Federal regulations at 40 C.F.R. section 122.44(d)(1)(i) requires that, "Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines 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, including State narrative criteria for water quality." For priority pollutants, the SIP dictates the procedures for conducting the

RPA. Ammonia is not a priority pollutant. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Due to the site-specific conditions of the discharge, the Central Valley Water Board has used professional judgment in determining the appropriate method for conducting the RPA for this non-priority pollutant constituent.

U.S. EPA's September 2010 NPDES Permit Writer's Manual, page 6-30, states, "State implementation procedures might allow, or even require, a permit writer to determine reasonable potential through a qualitative assessment process without using available facility-specific effluent monitoring data or when such data are not available...A permitting authority might also determine that WQBEL's are required for specific pollutants for all facilities that exhibit certain operational or discharge characteristics (e.g., WQBEL's for pathogens in all permits for POTW's discharging to contact recreational waters)." U.S. EPA's TSD also recommends that factors other than effluent data should be considered in the RPA, "When determining whether or not a discharge causes, has the reasonable potential to cause, or contributes to an excursion of a numeric or narrative water quality criterion for individual toxicants or for toxicity, the regulatory authority can use a variety of factors and information where facility-specific effluent monitoring data are unavailable. These factors also should be considered with available effluent monitoring data." With regard to POTW's, U.S. EPA recommends that, "POTW's should also be characterized for the possibility of chlorine and ammonia problems." (TSD, p. 50)

Nitrification is a biological process that converts ammonia to nitrite and nitrite to nitrate. Denitrification is a process that converts nitrate to nitrite or nitric oxide and then to nitrous oxide or nitrogen gas, which is then released to the atmosphere. Inadequate or incomplete nitrification may result in the discharge of ammonia to the receiving stream. Ammonia is known to cause toxicity to aquatic organisms in surface waters. Discharges of ammonia in concentrations that produce detrimental physiological responses to human, plant, animal, or aquatic life would violate the Basin Plan's narrative toxicity objective. Inadequate or incomplete nitrification creates the potential for ammonia to be discharged and provides the basis for the discharge to have a reasonable potential to cause or contribute to an in-stream excursion above the site-specific acute and chronic criteria for ammonia provided by the January 2020 Criteria Recalculation Report. Therefore, the

Central Valley Water Board finds the discharge has reasonable potential for ammonia and WQBEL's are required.

- (c) **WQBEL's.** The Central Valley Water Board calculates WQBEL's in accordance with SIP procedures for non-CTR constituents, and ammonia is a non-CTR constituent.

The ammonia criteria used in the development of WQBELs was calculated based on ambient receiving water conditions, absent any influence from the Bell-Carter Olive Company's discharge into the Sacramento River. Therefore, applicable upstream receiving water pH and temperature collected by the Discharger was used to determine criteria to calculate the effluent concentration allowance according to the SIP.

The CMC of 2.10 mg/L was calculated using paired upstream receiving water pH and temperature data (pH = 8.51, temperature = 11.2°C).

The CCC of 1.04 mg/L was calculated using paired 30-day rolling average upstream receiving water pH and temperature data (pH = 8.51, temperature = 11.2°C).

The SIP procedure assumes a 4-day averaging period for calculating the long-term average discharge condition (LTA). However, U.S. EPA recommends modifying the procedure for calculating permit limits for ammonia using a 30-day averaging period for the calculation of the LTA corresponding to the 30-day CCC. Therefore, while the LTAs corresponding to the acute and 4-day chronic criteria were calculated according to SIP procedures, the LTA corresponding to the 30-day CCC was calculated assuming a 30-day averaging period. The lowest LTA representing the acute, 4-day CCC, and 30-day CCC is then selected for deriving the average monthly effluent limitation (AMEL) and the average weekly effluent limitation (AWEL).

The remainder of the WQBEL calculation for ammonia was performed according to the SIP procedures.

The receiving water contains assimilative capacity for ammonia, therefore, an acute aquatic life dilution credit of 14 and a chronic aquatic life dilution credit of 5 were allowed in the development of WQBEL's for ammonia. This Order contains a final average monthly effluent limitation (AMEL) and average weekly effluent limitation (AWEL) for ammonia of 11 mg/L and 23 mg/L, respectively, based on the acute aquatic life criteria.

- (d) **Plant Performance and Attainability.** The Discharger committed 1 effluent limitation violation of the AMEL for ammonia during the permit term, with a result of 17.4 mg/L in May 2017. However, based on the period from August 2018 through July 2021, analysis of the effluent data shows that the MEC of 0.6 mg/L is less than the applicable WQBEL's. Therefore, the Central Valley Water Board concludes that immediate compliance with these effluent limitations is feasible.

ii. **Chlorine Residual**

- (a) **WQO.** U.S. EPA developed NAWQC for protection of freshwater aquatic life for chlorine residual. The recommended 4-day average (chronic) and 1-hour average (acute) criteria for chlorine residual are 0.011 mg/L and 0.019 mg/L, respectively. These criteria are protective of the Basin Plan's narrative toxicity objective.
- (b) **RPA Results.** The concentrations of chlorine used to disinfect wastewater are high enough to harm aquatic life and violate the Basin Plan narrative toxicity objective if discharged to the receiving water. Reasonable potential therefore does exist and effluent limits are required.

Federal regulations at 40 C.F.R. section 122.44(d)(1)(i) requires that, "Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines 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, including State narrative criteria for water quality." For priority pollutants, the SIP dictates the procedures for conducting the RPA. Chlorine is not a priority pollutant. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Due to the site-specific conditions of the discharge, the Central Valley Water Board has used its judgment in determining the appropriate method for conducting the RPA for this non-priority pollutant constituent.

U.S. EPA's September 2010 NPDES Permit Writer's Manual, page 6-30, states, "State implementation procedures might allow, or even require, a permit writer to determine reasonable potential through a qualitative assessment process without using available facility-specific effluent monitoring data or when such data are not available...A permitting authority might also determine that WQBEL's are required for specific pollutants for all facilities that exhibit certain operational or discharge

characteristics (e.g., WQBEL's for pathogens in all permits for POTW's discharging to contact recreational waters)." U.S. EPA's TSD also recommends that factors other than effluent data should be considered in the RPA, "When determining whether or not a discharge causes, has the reasonable potential to cause, or contributes to an excursion of a numeric or narrative water quality criterion for individual toxicants or for toxicity, the regulatory authority can use a variety of factors and information where facility-specific effluent monitoring data are unavailable. These factors also should be considered with available effluent monitoring data." With regard to POTW's, U.S. EPA recommends that, "POTW's should also be characterized for the possibility of chlorine and ammonia problems." (TSD, p. 50)

The Discharger uses chlorine for disinfection, which is extremely toxic to aquatic organisms. Although the Discharger uses a sulfur dioxide process to dechlorinate the effluent prior to discharge to the Sacramento River, the existing chlorine use and the potential for chlorine to be discharged provides the basis for the discharge to have a reasonable potential to cause or contribute to an in-stream excursion above the NAWQC.

- (c) **WQBEL's.** The U.S. EPA's TSD for Water Quality-Based Toxics Control [EPA/505/2-90-001] contains statistical methods for converting chronic (4-day) and acute (1-hour) aquatic life criteria to average monthly and maximum daily effluent limitations based on the variability of the existing data and the expected frequency of monitoring. However, because chlorine is an acutely toxic constituent that can and will be monitored continuously, an average 1-hour limitation is considered more appropriate than an average daily limitation. This Order contains a 4-day average effluent limitation and 1-hour average effluent limitation for chlorine residual of 0.011 mg/L and 0.019 mg/L, respectively, based on U.S. EPA's NAWQC, which implements the Basin Plan's narrative toxicity objective for protection of aquatic life.
- (d) **Plant Performance and Attainability.** Chlorine residual was not detected in the effluent during the previous permit term. Therefore, the Central Valley Water Board concludes that immediate compliance with these effluent limitations is feasible.

### iii. Dichlorobromomethane

- (a) **WQO.** The CTR includes a criterion of 0.56 µg/L for dichlorobromomethane (DCBM) for the protection of human

health for waters from which both water and organisms are consumed.

- (b) **RPA Results.** The maximum effluent concentration (MEC) for DCBM was 13.1 µg/L while all 37 upstream receiving water concentrations were non-detect. Therefore, DCBM in the discharge has a reasonable potential to cause or contribute to an in-stream excursion above the CTR criterion for the protection of human health.
- (c) **WQBEL's.** The receiving water contains assimilative capacity for DCBM, therefore, a human health dilution credit of 29:1 was allowed in the development of the WQBEL's for DCBM. This Order contains a final average monthly effluent limitation (AMEL) and maximum daily effluent limitation (MDEL) for DCBM of 14 µg/L and 25 µg/L, respectively, based on the CTR criterion for the protection of human health.
- (d) **Plant Performance and Attainability.** Analysis of the effluent data shows that the MEC of 13.9 is less than the applicable WQBEL's. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible.

#### iv. Nitrate and Nitrite

- (a) **WQO.** DDW has adopted Primary MCLs for the protection of human health for nitrite and nitrate that are equal to 1 mg/L and 10 mg/L (measured as nitrogen), respectively. DDW has also adopted a Primary MCL of 10 mg/L for the sum of nitrate and nitrite, measured as nitrogen.

U.S. EPA has developed a primary MCL and an MCL goal of 1 mg/L for nitrite (as nitrogen). For nitrate, U.S. EPA has developed Drinking Water Standards (10 mg/L as Primary MCL) and NAWQC for protection of human health (10 mg/L for non-cancer health effects).

- (b) **RPA Results.** The Facility is a POTW that treats domestic wastewater. Untreated domestic wastewater contains ammonia in concentrations that is harmful to aquatic life and exceed the Basin Plan's narrative toxicity objective. This Order, therefore, requires removal of ammonia (i.e., nitrification). Nitrification is a biological process that converts ammonia to nitrate and nitrite, and will result in effluent nitrate concentrations above the Primary MCL for nitrate plus nitrite. Nitrate concentrations in a drinking water supply above the Primary MCL threatens the

health of human fetuses and newborn babies by reducing the oxygen-carrying capacity of the blood (methemoglobinemia).

Federal regulations at 40 C.F.R. section 122.44(d)(1)(i) requires that, "Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines 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, including State narrative criteria for water quality." For priority pollutants, the SIP dictates the procedures for conducting the RPA. Nitrate and nitrite are not priority pollutants. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Due to the site-specific conditions of the discharge, the Central Valley Water Board has used professional judgment in determining the appropriate method for conducting the RPA for this non-priority pollutant constituent.

U.S. EPA's September 2010 NPDES Permit Writer's Manual, page 6-30, states, "State implementation procedures might allow, or even require, a permit writer to determine reasonable potential through a qualitative assessment process without using available facility-specific effluent monitoring data or when such data are not available...A permitting authority might also determine that WQBEL's are required for specific pollutants for all facilities that exhibit certain operational or discharge characteristics (e.g., WQBEL's for pathogens in all permits for POTW's discharging to contact recreational waters)." U.S. EPA's TSD also recommends that factors other than effluent data should be considered in the RPA, "When determining whether or not a discharge causes, has the reasonable potential to cause, or contributes to an excursion of a numeric or narrative water quality criterion for individual toxicants or for toxicity, the regulatory authority can use a variety of factors and information where facility-specific effluent monitoring data are unavailable. These factors also should be considered with available effluent monitoring data." With regard to POTW'S, U.S. EPA recommends that, "POTW's should also be characterized for the possibility of chlorine and ammonia problems." (TSD, p. 50)

The concentration of nitrogen in raw domestic wastewater is sufficiently high that the resultant treated wastewater has a reasonable potential to exceed or threat to exceed the Primary MCL for nitrate plus nitrite unless the wastewater is treated for nitrogen removal, and therefore an effluent limit for nitrate plus

nitrite is required. Denitrification is a process that converts nitrate to nitrite or nitric oxide and then to nitrous oxide or nitrogen gas, which is then released to the atmosphere. Inadequate or incomplete denitrification may result in the discharge of nitrate and/or nitrite to the receiving stream. Discharges of nitrate plus nitrite in concentrations that exceed the Primary MCL would violate the Basin Plan's narrative chemical constituents' objective. Inadequate or incomplete denitrification creates the potential for nitrate and nitrite to be discharged and provides the basis for the discharge to have a reasonable potential to cause or contribute to an in-stream excursion above the Primary MCL.

Additionally, the maximum effluent concentration (MEC) for nitrate was 20.2 mg/L while the maximum observed upstream receiving water concentration was 0.11 mg/L.

Therefore, the Central Valley Water Board finds the discharge has reasonable potential for nitrate plus nitrite and WQBEL's are required.

- (c) **WQBEL's.** The receiving water contains assimilative capacity for nitrate plus nitrite, therefore, a human health dilution credit of 3:1 was allowed in the development of the WQBEL's for nitrate plus nitrite. This Order contains an average monthly effluent limitation (AMEL) and average weekly effluent limitation (AWEL) for nitrate plus nitrite of 40 µg/L and 81 µg/L, respectively, based on the Basin Plan's narrative chemical constituents objective for protection of the MUN beneficial use. These effluent limitations are included in this Order to assure the treatment process adequately nitrifies and denitrifies the waste stream to protect the beneficial use of municipal and domestic supply.
- (d) **Plant Performance and Attainability.** Analysis of the effluent data shows that the MEC of 20.2 mg/L is less than the applicable WQBEL's. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible.

#### v. Pathogens

- (a) **WQO.** In a letter to the Central Valley Water Board dated 8 April 1999, DDW indicated it would consider wastewater discharged to water bodies with identified beneficial uses of irrigation or contact recreation and where the wastewater receives dilution of more than 20:1 to be adequately disinfected

if the effluent coliform concentration does not exceed 23 MPN/100 mL as a 7-day median and if the effluent coliform concentration does not exceed 240 MPN/100 mL more than once in any 30 day period.

- (b) **RPA Results.** Municipal and domestic supply, agricultural irrigation, and body contact water recreation are beneficial uses of the Sacramento River. Based on a review of data submitted by the Discharger and the period of record for the United States Geological Survey monitoring stations on the Sacramento River, there has never been less than 20:1 (river flow to design effluent flow) dilution available. Therefore, the DDW requirements are applicable to the discharge.
- (c) **WQBEL's.** Pursuant to guidance from DDW, this Order includes effluent limitations for total coliform organisms of 23 MPN/100 mL as a 7-day median and 240 MPN/100 mL, not to be exceeded more than once in a 30-day period. These coliform limits are imposed to protect the beneficial uses of the receiving water, including public health through contact recreation and drinking water pathways.
- (d) **Plant Performance and Attainability.** The Discharger committed 1 effluent limitation violation of the 7-day median for total coliform during the permit term, with a result of 36 MPN/100mL in July 2018. However, based on the period from August 2018 through July 2021, analysis of the effluent data shows that all other sample results were less than the applicable WQBEL's. Therefore, the Central Valley Water Board concludes that immediate compliance with these effluent limitations is feasible.

vi. **pH**

- (a) **WQO.** The Basin Plan includes a water quality objective for surface waters (except for Goose Lake) that the "pH shall not be depressed below 6.5 nor raised above 8.5."
- (b) **RPA Results.** Raw domestic wastewater inherently has variable pH. Additionally, some wastewater treatment processes can increase or decrease wastewater pH which if not properly controlled, would violate the Basin Plan's numeric objective for pH in the receiving water. Therefore, reasonable potential exists for pH and WQBEL's are required.

Federal regulations at 40 C.F.R. section 122.44(d)(1)(i) requires that, "Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic

pollutants) which the Director determines 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, including State narrative criteria for water quality.” For priority pollutants, the SIP dictates the procedures for conducting the RPA. pH is not a priority pollutant. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Due to the site-specific conditions of the discharge, the Central Valley Water Board has used professional judgment in determining the appropriate method for conducting the RPA for this non-priority pollutant constituent.

U.S. EPA’s September 2010 NPDES Permit Writer’s Manual, page 6-30, states, “State implementation procedures might allow, or even require, a permit writer to determine reasonable potential through a qualitative assessment process without using available facility-specific effluent monitoring data or when such data are not available...A permitting authority might also determine that WQBEL’s are required for specific pollutants for all facilities that exhibit certain operational or discharge characteristics (e.g., WQBEL’s for pathogens in all permits for POTW’s discharging to contact recreational waters).” U.S. EPA’s TSD also recommends that factors other than effluent data should be considered in the RPA, “When determining whether or not a discharge causes, has the reasonable potential to cause, or contributes to an excursion of a numeric or narrative water quality criterion for individual toxicants or for toxicity, the regulatory authority can use a variety of factors and information where facility-specific effluent monitoring data are unavailable. These factors also should be considered with available effluent monitoring data.” (TSD, p. 50)

The Facility is a POTW that treats domestic wastewater. Based on 1,101 effluent samples taken 1 August 2018 to 31 July 2021, the maximum pH reported was 7.23 and the minimum was 6.17. The upstream receiving water pH collected by the Discharger ranged between 7.44 and 9.34 based on 37 samples during the same timeframe and the downstream receiving water pH ranged between 7.5 and 8.67 based on 33 samples. Based on data collected by the Discharger, the Central Valley Water Board has used professional judgement to determine that the discharge does not decrease receiving water pH below the Basin Plan’s numeric objective (6.5 SU) but there is reasonable potential to cause or contribute to an in-stream excursion above the Basin Plan’s numeric objective for pH (8.5 SU) in the receiving water. Therefore, WQBEL’s for pH are required in this Order.

- (c) **WQBEL's.** A technology-based effluent limitation for pH of 6.0 as an instantaneous minimum and a water quality-based effluent limitation of 8.5 as an instantaneous maximum are included in this Order. Based on analysis of the effluent and receiving water pH data, these effluent limitations result in compliance with Basin Plan objectives for pH while maintaining beneficial uses of the receiving water.
- (d) **Plant Performance and Attainability.** Analysis of the effluent data demonstrates that the Facility can immediately comply with the effluent limitations for pH.

vii. **Zinc**

- (a) **WQO.** The CTR includes hardness-dependent criteria for the protection of freshwater aquatic life for zinc. These criteria are presented in dissolved concentrations, as 1-hour acute criteria and 4-day chronic criteria. U.S. EPA recommends conversion factors to translate dissolved concentrations to total concentrations. Default U.S. EPA translators were used for the receiving water and effluent.

As described in section IV.C.2.e of this Fact Sheet, the applicable chronic criterion for zinc in the effluent is 54 µg/L, as total recoverable.

The Basin Plan includes a hardness-dependent, site-specific objective for zinc for the Sacramento River and its tributaries above the State Highway 32 Bridge at Hamilton City. As described in section IV.C.2.e of this Fact Sheet, the applicable Basin Plan objective for zinc in the effluent is 16 µg/L, as total recoverable, applied as the acute criterion.

- (b) **RPA Results.** Section IV.C.2 of this Fact Sheet includes procedures for conducting the RPA for hardness-dependent CTR metals, such as zinc. The CTR includes hardness-dependent criteria for zinc for the receiving water. The maximum observed upstream receiving water zinc concentration used in the RPA process was 8.4 µg/L, based on 4 samples collected between June 2019 and March 2020. The RPA was conducted using the upstream receiving water hardness dataset to calculate the criteria for comparison to the maximum background zinc concentration, and likewise using the reasonable worst-case downstream hardness to compare the maximum effluent concentration. The table below shows the specific criteria used for the RPA:

**Table F-15. Summary of Zinc RPA data**

<b>Water Type</b>	<b>Basin Plan Objective Acute (Total)</b>	<b>CTR Chronic Criterion (Total)</b>	<b>Maximum Concentration (Total)</b>	<b>Reasonable Potential? (Y/N)</b>
Receiving Water	16	53 µg/L	8.4 µg/L	No
Effluent	16	54 µg/L	86.9 µg/L	Yes

**Table F-15 Notes:**

- 1. Receiving Water.** The Basin Plan Objective and CTR Chronic Criterion (Total) for the receiving water are based on lowest observed upstream hardness of 38 mg/L (as CaCO<sub>3</sub>). Reasonable potential for the receiving water is per section 1.3, step 4 of the SIP.
- 2. Effluent.** The Basin Plan Objective and CTR Chronic Criterion (Total) for the effluent are based on reasonable worst-case downstream hardness of 39 mg/L (as CaCO<sub>3</sub>). Reasonable potential for the Effluent is per section 1.3, step 6 of the SIP.

Based on the available data, zinc in the discharge has a reasonable potential to cause or contribute to an in-stream excursion above the CTR criteria for the protection of freshwater aquatic life.

- (c) **WQBEL's.** The zinc criteria used in the development of WQBELs was calculated based on ambient receiving water conditions, absent any influence from the Bell-Carter Olive Company's discharge into the Sacramento River. Additionally, due to only having a small receiving water dataset (4 samples) collected by the Discharger, the Central Valley Water Board considered data collected by the Bell-Carter Olive Company in the calculation of available assimilative capacity in the Sacramento River. The Bell-Carter Olive Company collected 37 samples for zinc between April 2017 and March 2020 and the maximum observed upstream zinc concentration was 9.0 µg/L. The Central Valley Water Board determines this data valid to add to the upstream receiving water dataset (which had a maximum background concentration of 8.4 µg/L) and use in calculating WQBELs according to section 1.2 of the SIP.

Considering the full upstream receiving water dataset discussed above, the receiving water contains assimilative capacity for zinc, therefore, as discussed in Section IV.C.2.c, an acute aquatic life dilution credit of 43 and a chronic aquatic life dilution

credit of 4 were allowed in the development of the WQBEL's for zinc. This Order contains a final average monthly effluent limitation (AMEL) and maximum daily effluent limitation (MDEL) for zinc of 160 µg/L and 320 µg/L, respectively, based on the CTR chronic criterion and Basin Plan site-specific objective implemented in lieu of the CTR acute criterion for the protection of freshwater aquatic life.

- (d) **Plant Performance and Attainability.** Analysis of the effluent data shows that the MEC of 86.9 µg/L is less than the applicable WQBEL's. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible.

#### 4. WQBEL Calculations

- a. This Order includes WQBEL's for ammonia, chlorine residual, dichlorobromomethane, nitrate plus nitrite, pathogens, pH, and zinc. The general methodology for calculating WQBEL's based on the different criteria/objectives is described in subsections IV.C.5.b through e, below. See Attachment H for the WQBEL calculations.
- b. **Effluent Concentration Allowance.** For each water quality criterion/objective, the ECA is calculated using the following steady-state mass balance equation from section 1.4 of the SIP:

$$\begin{aligned} \text{ECA} &= C + D(C - B) \text{ where } C > B, \text{ and} \\ \text{ECA} &= C \text{ where } C \leq B \end{aligned}$$

where:

ECA = effluent concentration allowance  
D = dilution credit  
C = the priority pollutant criterion/objective  
B = the ambient background concentration.

According to the SIP, the ambient background concentration (B) in the equation above shall be the observed maximum with the exception that an ECA calculated from a priority pollutant criterion/objective that is intended to protect human health from carcinogenic effects shall use the arithmetic mean concentration of the ambient background samples.

- (c) **Primary and Secondary MCLs.** For non-priority pollutants with primary MCL's to protect human health (e.g., nitrate plus nitrite), the AMEL is set equal to the primary MCL and the AWEL is calculated using the AWEL/AMEL multiplier, where the AWEL multiplier is based on a 98<sup>th</sup> percentile occurrence probability and the AMEL multiplier is from Table 2 of the SIP.

For non-priority pollutants with secondary MCL's that protect public welfare (e.g., taste, odor, and staining), WQBEL's were calculated by setting the LTA equal to the secondary MCL and using the AMEL multiplier to set the AMEL. The AWEL was calculated using the MDEL/AMEL multiplier from Table 2 of the SIP.

- (d) **Aquatic Toxicity Criteria.** For priority pollutants with acute and chronic aquatic toxicity criteria, the WQBEL's are calculated in accordance with section 1.4 of the SIP. The ECAs are converted to equivalent long-term averages (i.e.  $LTA_{acute}$  and  $LTA_{chronic}$ ) using statistical multipliers and the lowest LTA is used to calculate the AMEL and MDEL using additional statistical multipliers. For non-priority pollutants, WQBEL's are calculated using similar procedures, except that an AWEL is determined utilizing multipliers based on a 98<sup>th</sup> percentile occurrence probability.
- (e) **Human Health Criteria.** For priority pollutants with human health criteria, the WQBEL's are calculated in accordance with section 1.4 of the SIP. The AMEL is set equal to the ECA and the MDEL is calculated using the MDEL/AMEL multiplier from Table 2 of the SIP. For non-priority pollutants with human health criteria, WQBEL's are calculated using similar procedures, except that an AWEL is established using the MDEL/AMEL multiplier from Table 2 of the SIP.

$$\begin{aligned}
 AMEL &= mult_{AMEL} \left[ \min \left( \overbrace{M_A ECA_{acute}}^{LTA_{acute}}, M_C ECA_{chronic} \right) \right] \\
 MDEL &= mult_{MDEL} \left[ \min \left( M_A ECA_{acute}, \underbrace{M_C ECA_{chronic}}_{LTA_{chronic}} \right) \right] \\
 MDEL_{HH} &= \left( \frac{mult_{MDEL}}{mult_{AMEL}} \right) AMEL_{HH}
 \end{aligned}$$

where:

- mult<sub>AMEL</sub> = statistical multiplier converting minimum LTA to AMEL
- mult<sub>MDEL</sub> = statistical multiplier converting minimum LTA to MDEL
- M<sub>A</sub> = statistical multiplier converting acute ECA to  $LTA_{acute}$
- M<sub>C</sub> = statistical multiplier converting chronic ECA to  $LTA_{chronic}$

**Summary of Water Quality-Based Effluent Limitations  
 Discharge Point No. D-001**

**Table F-16. Summary of Water Quality-Based Effluent Limitations**

Parameter	Units	Average Monthly Effluent Limitations	Average Weekly Effluent Limitations	Maximum Daily Effluent Limitations
Ammonia Nitrogen, Total (as N)	mg/L	11	23	--
Chlorine, Total Residual	mg/L	0.011	0.019	--
Diazinon and Chlorpyrifos	µg/L	See table notes	--	See table notes
Dichlorobromomethane	µg/L	14	--	25
Nitrate plus Nitrite	mg/L	40	81	--
pH	Standard Units	--	--	6.0 – 8.5
Total Coliform Organisms	MPN/100mL	240	23	--
Zinc, Total Recoverable	µg/L	160	--	320

**Table F-16 Notes:**

- Chlorine, Total Residual – Average Monthly Effluent Limitation.** Applied as a 4-day average effluent limitation
- Chlorine, Total Residual – Average Weekly Effluent Limitation.** Applied as a 1-hour average effluent limitation
- Diazinon and Chlorpyrifos – Average Monthly Effluent Limitation.**

$$S_{avg} = \frac{C_{D\ avg}}{0.079} + \frac{C_{C\ avg}}{0.012} \leq 1.0$$

- Diazinon and Chlorpyrifos – Maximum Daily Effluent Limitation.**

$$S_{avg} = \frac{C_{D\ max}}{0.16} + \frac{C_{C\ max}}{0.025} \leq 1.0$$

- pH – Effluent Limitations.** Applied as a range from instantaneous minimum to instantaneous maximum
- Total Coliform Organisms – Average Monthly Effluent Limitation.** Applied as: Not to exceed 240 MPN/100mL more than once in any 30-day period
- Total Coliform Organisms – Average Weekly Effluent Limitation.** Applied as a 7-day median

## 5. Whole Effluent Toxicity (WET)

For compliance with the Basin Plan's narrative toxicity objective, this Order requires the Discharger to conduct whole effluent toxicity testing for acute and chronic toxicity, as specified in the Monitoring and Reporting Program (Attachment E section V.). This Order also contains effluent limitations for acute toxicity, a monitoring trigger for chronic toxicity, and requires the Discharger to implement best management practices to investigate the causes of, and identify corrective actions to reduce or eliminate effluent toxicity.

- a. **Acute Aquatic Toxicity.** The Basin Plan contains a narrative toxicity objective that states, "All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life." (Basin Plan at section 3.1.20). The Basin Plan also states that, "...effluent limits based upon acute biotoxicity tests of effluents will be prescribed where appropriate...".

For priority pollutants, the SIP dictates the procedures for conducting the RPA. Acute toxicity is not a priority pollutant. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Acute whole effluent toxicity is not a priority pollutant. Therefore, due to the site-specific conditions of the discharge, the Central Valley Water Board has used professional judgment in determining the appropriate method for conducting the RPA. U.S. EPA's September 2010 NPDES Permit Writer's Manual, page 6-30, states, "State implementation procedures might allow, or even require, a permit writer to determine reasonable potential through a qualitative assessment process without using available facility-specific effluent monitoring data or when such data are not available...A permitting authority might also determine that WQBEL's are required for specific pollutants for all facilities that exhibit certain operational or discharge characteristics (e.g., WQBEL's for pathogens in all permits for POTW's discharging to contact recreational waters)." Although the discharge has been consistently in compliance with the acute effluent limitations, the Facility is a POTW that treats domestic wastewater containing ammonia and other acutely toxic pollutants. Acute toxicity effluent limits are required to ensure compliance with the Basin Plan's narrative toxicity objective.

U.S. EPA Region 9 provided guidance for the development of acute toxicity effluent limitations in the absence of numeric water quality objectives for toxicity in its document titled "Guidance for NPDES Permit Issuance", dated February 1994. In section B.2. "Toxicity Requirements" (pgs. 14-15) it states that, "In the absence of specific numeric water quality objectives for acute and chronic toxicity, the narrative criterion 'no toxics in toxic amounts' applies. Achievement of the narrative criterion, as applied herein, means that ambient waters shall not demonstrate for acute toxicity: 1) less than 90% survival, 50% of the time, based on the monthly median, or 2) less than 70% survival, 10% of the time, based on any monthly

median. For chronic toxicity, ambient waters shall not demonstrate a test result of greater than 1 TUc." Accordingly, effluent limitations for acute toxicity have been included in this Order as follows:

**Acute Toxicity.** Survival of aquatic organisms in 96-hour bioassays of undiluted waste shall be no less than:

70%, minimum for any one bioassay; and

90%, median for any three consecutive bioassays.

- b. **Chronic Aquatic Toxicity.** The Basin Plan contains a narrative toxicity objective that states, "All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life." (Basin Plan at page section 3.1.20.) The table below is chronic WET testing performed by the Discharger from 3 October 2016 to 18 January 2021. This data was used to determine if the discharge has reasonable potential to cause or contribute to an in-stream excursion above the Basin Plan's narrative toxicity objective.

**Table F-17. Whole Effluent Chronic Toxicity Testing Results**

Date	Fathead Minnow Pimephales promelas Survival (TUc)	Fathead Minnow Pimephales promelas Growth (TUc)	Water Flea Ceriodaphnia dubia Survival (TUc)	Water Flea Ceriodaphnia dubia Growth (TUc)	Green Algae Selenastrum capricornutum Growth (TUc)
10/3/2016	1	1	1	1	1
10/23/2017	1	1	1	1	8
12/4/2017	--	--	--	--	1
10/15/2018	1	1	1	1	1
10/21/2019	1	1	1	1	1
10/19/2020	1	1	8	>16	1
11/18/2020	--	--	1	2	--
12/17/2020	--	--	1	2	--
1/4/2021	--	--	1	1	--
1/18/2021	--	--	1	1	--

**Table F-17 Notes:**

- Green Algae Selenastrum capricornutum Growth.** The result of 8 TUc on 10/23/2017 did not meet test acceptability criteria. Proceeding retest on 12/4/2017 did not show any signs of sustained toxicity in this test species.
- Water Flea Ceriodaphnia dubia Survival and Growth.** The 10/19/2020 sample showed results for survival and growth both above the monitoring trigger of 4 TUc. The lab results noted a DO crash in the C. Dubia test, likely attributed to residual bisulfite in the effluent.

Since the test still met test acceptability criteria, accelerated monitoring was conducted according to the Order R5-2016-0047. The results of the accelerated monitoring were all below the monitoring trigger, showing that there was no pattern of recurring toxicity. Therefore, accelerated monitoring was ceased and the Discharger resumed routine monitoring.

- i. **RPA.** Previous Order R5-2016-0047 granted a monitoring trigger of 4 TUc based on the available dilution in the receiving water. Although there were multiple samples that exhibited chronic toxicity results above the monitoring trigger, additional tests demonstrated there were no patterns of recurring toxicity. The remaining chronic toxicity testing conducted from 3 October 2016 to 18 January 2021 show the monitoring trigger was never exceeded for any species.

The Central Valley Water Board finds that there is dilution available in the receiving water, as discussed in section IV.C.2.c of this Fact Sheet. Therefore, this Order grants a chronic dilution of 19:1, which corresponds to a mixing zone of approximately 30 feet when considering flows from both the Discharger and the Bell-Carter Olive Company's WWTP. Central Valley Water Board finds this dilution is protective of downstream receiving water toxicity objectives. No chronic WET data is available from the Discharger at this dilution. Therefore, there is insufficient data to determine if there is reasonable potential to cause or contribute to an instream exceedance of the Basin Plan's narrative toxicity objective.

However, this Order sets the monitoring at an in-stream waste concentration of 5% effluent (corresponding to a 19:1 dilution) and contains a numeric toxicity monitoring trigger of >20 TUc, triggering a Toxicity Reduction Evaluation (TRE) when the effluent exhibits toxicity at 5% effluent.

## **D. Final Effluent Limitation Considerations**

### **1. Mass-based Effluent Limitations**

40 C.F.R section 122.45(f)(1) requires effluent limitations be expressed in terms of mass, with some exceptions, and 40 C.F.R. section 122.45(f)(2) allows pollutants that are limited in terms of mass to additionally be limited in terms of other units of measurement. This Order includes effluent limitations expressed in terms of concentration only. In addition, pursuant to the exceptions to mass limitations provided in 40 C.F.R. section 122.45(f)(1), some effluent limitations are not expressed in terms of mass, such as pH and temperature, and when the applicable standards are expressed in terms of concentration (e.g., CTR criteria and MCL's) and mass limitations are not necessary to protect the beneficial uses of the receiving water.

## 2. Averaging Periods for Effluent Limitations

40 C.F.R. section 122.45 (d) requires average weekly and average monthly discharge limitations for POTW's unless impracticable. For DCBM and zinc, average weekly effluent limitations have been replaced with maximum daily effluent limitations in accordance with section 1.4 of the SIP. Furthermore for pH and total residual chlorine, weekly average effluent limitations have been replaced or supplemented with effluent limitations utilizing shorter averaging periods. The rationale for using shorter averaging periods for these constituents is discussed in section IV.C.3 of this Fact Sheet.

## 3. Satisfaction of Anti-Backsliding Requirements

The CWA specifies that a revised permit may not include effluent limitations that are less stringent than the previous permit unless a less stringent limitation is justified based on exceptions to the anti-backsliding provisions contained in CWA sections 402(o) or 303(d)(4), or, where applicable, 40 C.F.R. section 122.44(l).

The effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order, with the exception of effluent limitations for DCBM. The effluent limitations for this pollutant are less stringent than those in Order R5-2016-0047. This relaxation of effluent limitations is consistent with the anti-backsliding requirements of the CWA and federal regulations.

- a. **CWA section 402(o)(1) and 303(d)(4).** CWA section 402(o)(1) prohibits the establishment of less stringent water quality-based effluent limits "except in compliance with Section 303(d)(4)." CWA section 303(d)(4) has two parts: paragraph (A) which applies to nonattainment waters and paragraph (B) which applies to attainment waters.
  - i. For waters where standards are not attained, CWA section 303(d)(4)(A) specifies that any effluent limit based on a TMDL or other WLA may be revised only if the cumulative effect of all such revised effluent limits based on such TMDL's or WLAs will assure the attainment of such water quality standards.
  - ii. For attainment waters, CWA section 303(d)(4)(B) specifies that a limitation based on a water quality standard may be relaxed where the action is consistent with the antidegradation policy.

The Sacramento River is considered an attainment water for DCBM because the receiving water is not listed as impaired on the 303(d) list for this constituent. The exceptions in section 303(d)(4) address both waters in attainment with water quality standards and those not in attainment, i.e. waters on the section 303(d) impaired waters list. As discussed in section IV.D.4, below, relaxation of the effluent limits complies with federal and state antidegradation requirements. Thus,

relaxation of the effluent limitations for DCBM from Order R5-2016-0047 meets the exception in CWA section 303(d)(4)(B).

- b. **CWA section 402(o)(2).** CWA section 402(o)(2) provides several exceptions to the anti-backsliding regulations. CWA 402(o)(2)(B)(i) allows a renewed, reissued, or modified permit to contain a less stringent effluent limitation for a pollutant if information is available which was not available at the time of permit issuance (other than revised regulations, guidance, or test methods) and which would have justified the application of a less stringent effluent limitation at the time of permit issuance.

As described further in section IV.C.3.d of this Fact Sheet, updated information that was not available at the time Order R5-2016-0047 was issued indicates that less stringent effluent limitations for DCBM based on available dilution credits satisfy requirements in CWA section 402(o)(2). The updated information that supports the relaxation of effluent limitations for these constituents includes the following:

- i. **Dichlorobromomethane.** Based on applicable dilution/mixing zone studies and updated receiving water and effluent monitoring data collected between August 2018 and July 2021, an increase of dilution credits from 20 to 29 is warranted for use in calculating effluent limits since the receiving water contains assimilative capacity for DCBM, as discussed in section IV.C.2.c of this Fact Sheet. Therefore, this Order includes less stringent effluent limitations for DCBM based on the monitoring information available, performance of the Facility, and the available dilution.

Thus, relaxation of the effluent limitations for DCBM from Order R5-2016-0047 is in accordance with CWA section 402(o)(2)(B)(i), which allows for the relaxation of effluent limitations based on information that was not available at the time of permit issuance.

- c. **Nitrate plus Nitrite.** For nitrate plus nitrite, the AWEL has changed from the previous Order. However, the effluent limit is not less stringent. In this case, the WLA in this Order and the previous Order are identical. The WLA provides a definition of effluent quality that is necessary to meet the water quality standards of the receiving water and is used to derive WQBEL's that are used to enforce the WLA.

The TSD warns that, "*Direct use of a WLA as a permit limit creates a significant risk that the WLA will be enforced incorrectly, since effluent variability and the probability basis for the limit are not considered specifically.*" (TSD, p. 96) The SIP and TSD include identical procedures for calculating WQBEL's that use the statistical variability of the effluent to convert the WLA to AMEL's and MDEL's.

The new effluent data used to calculate WQBEL's for this Order has different statistical variability (i.e., coefficient of variation is different) than used in the previous Order. Changes in the coefficient of variation can result in small changes to the effluent limits. However, the slight changes in effluent limits do not allow for an increase in the pollutants discharged. The TSD states, "*Since effluents are variable and permit limits are developed based on a low probability of exceedance, the permit limits should consider effluent variability and ensure that the requisite loading from the WLA is not exceeded under normal conditions. In effect then, the limits must "force" treatment plant performance, which, after considering acceptable effluent variability, will only have a low statistical probability of exceeding the WLA and will achieve the desired loadings.*" (TSD, p. 97) Therefore, although there are slight differences in the effluent limit, the WLA is identical, so the level of treatment needed to maintain compliance with the effluent limit remains the same. Consequently, the effluent limit is not less stringent than the previous Order, and there is no backsliding.

WQBEL's for nitrate plus nitrite were calculated based on monitoring data collected between 1 August 2018 and 31 July 2021, which is representative of current treatment plant performance. Therefore, Central Valley Water Board staff considers this effluent data to be the most representative and reliable dataset to use to determine current Facility performance and development of WQBEL's.

The AWEL for nitrate plus nitrite in this Order was calculated as a higher value than in previous Order R5-2016-0047. However, the AMEL remains the same. The WQBEL's in both Orders are based on the same WLA (i.e., the WLA is based on the human health criterion for nitrate plus nitrite). The reason for the change in the AWEL is due to a change in the variability of the effluent data for nitrate plus nitrite. The WQBEL's, however, are equally protective of the beneficial uses. The level of treatment needed to maintain compliance with the effluent limits remains the same. Consequently, the effluent limits are not less stringent than the previous permit, and there is no backsliding.

#### **4. Antidegradation Policies**

The permitted discharge is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Anti-Degradation Policy. This Order provides for an increase in the volume and mass of pollutants discharged. The increase will not have significant impacts on human health, which is the beneficial use most likely affected by the pollutants discharged (DCBM). The increase will not cause a violation of water quality objectives. Any change in water quality that is expected to occur as a result of the issuance of this Order will be consistent with the maximum benefit to the people of the state and will not unreasonably affect present and anticipated beneficial uses. Furthermore,

compliance with these requirements in this Order will result in the use of best practicable treatment or control of the discharge.

This Order relaxes the effluent limitations for DCBM based on the allowance of mixing zones in accordance with the Basin Plan, the SIP, U.S. EPA's Water Quality Standards Handbook, 2<sup>nd</sup> Edition (updated July 2007), and the TSD. As discussed in section IV.C.2.c of this Fact Sheet, the mixing zones comply with applicable provisions of both the state and federal antidegradation policies.

Furthermore, the allowance of a mixing zone for these pollutants will result in a minor increase in the discharge, resulting in less than 10 percent of the available assimilative capacity in the receiving water. According to U.S. EPA's memorandum on Tier 2 Antidegradation Reviews and Significance Thresholds, any individual decision to lower water quality for non-bioaccumulative chemicals that is limited to 10 percent of the available assimilative capacity represents minimal risk to the receiving water and is fully consistent with the objectives and goals of the Clean Water Act.

This Order also removes maximum daily and mass-based effluent limitations for BOD<sub>5</sub> and TSS based on 40 CFR parts 122.45 (d) and (f). The removal of maximum daily and mass-based effluent limits for BOD<sub>5</sub> and TSS will not result in a decrease in the level of treatment or control or a reduction in water quality.

Furthermore, both concentration-based AMEL's and AWEL's remain for BOD<sub>5</sub> and TSS, as well as an average dry weather flow prohibition that limits the amount of flow that can be discharged to the receiving water during dry weather months. The combination of concentration-based effluent limits and a flow prohibition in this Order are equivalent to mass-based effluent limitations, which were redundant limits contained in previous Orders by multiplying the concentration-based effluent limits and permitted average dry weather flow by a conversion factor to determine the mass-based effluent limitations. The Central Valley Water Board finds that the removal of maximum daily and mass-based effluent limits for BOD<sub>5</sub> and TSS does not result in an allowed increase in pollutants or any additional degradation of the receiving water. Thus, the removal of maximum daily and mass-based effluent limits for BOD<sub>5</sub> and TSS is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Antidegradation Policy.

## **5. Stringency of Requirements for Individual Pollutants**

This Order contains both technology-based effluent limitations and WQBEL's for individual pollutants. The technology-based effluent limitations consist of restrictions on BOD, TSS, and pH. Restrictions on these pollutants are discussed in section IV.B.2 in the Fact Sheet. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. In addition, this Order contains effluent limitations more stringent than the minimum, federal technology-based requirements that are

necessary to meet water quality standards. For pH, both technology-based effluent limitations and water quality-based effluent limitations are applicable. The more stringent of these effluent limitations are implemented by this Order. These requirements include some limitations that are more stringent than required by the CWA.

This Order contains pollutant restrictions that are more stringent than applicable federal requirements and standards. Specifically, this Order includes effluent limitations for pH that are more stringent than applicable federal standards, but that are nonetheless necessary to meet numeric objectives or protect beneficial uses. The rationale for including these limitations is explained in section IV.C.3 of the Fact Sheet.

**Summary of Final Effluent Limitations  
Discharge Point D-001**

**Table F-18. Summary of Final Effluent Limitations**

<b>Parameter</b>	<b>Units</b>	<b>Effluent Limitations</b>	<b>Basis<sup>1</sup></b>
Biochemical Oxygen Demand	mg/L	AMEL 30 AWEL 45	CFR
Biochemical Oxygen Demand	% Removal	AMEL 85	CFR
Total Suspended Solids	mg/L	AMEL 30 AWEL 45	CFR
Total Suspended Solids	% Removal	AMEL 85	CFR
Ammonia Nitrogen, Total (as N)	mg/L	AMEL 11 AWEL 23	NAWQC
Chlorine, Total Residual	mg/L	4-day average 0.011 1-hour average 0.019	NAWQC
Diazinon and Chlorpyrifos	µg/L	See table notes	TMDL
Dichlorobromomethane	µg/L	AMEL 14 MDEL 25	CTR
Nitrate plus Nitrite (as N)	mg/L	AMEL 40 AWEL 81	MCL
pH	Standard Units	Instantaneous Max 8.5 Instantaneous Min 6.0	BP, CFR
Total Coliform Organisms	MPN/100mL	7-day median: 23 More than once in a 30 day period: 240	Title 22
Zinc, Total Recoverable	µg/L	AMEL 160 MDEL320	CTR, BP

**Table F-18 Notes:**

1. CFR – Based on secondary treatment standards contained in 40 CFR part 133.  
BP – Based on water quality objectives contained in the Basin Plan.  
CTR – Based on water quality criteria contained in the California Toxics Rule and applied as specified in the SIP.  
NAWQC – Based on U.S. EPA’s National Ambient Water Quality Criteria for the protection of freshwater aquatic life.  
TMDL – Based on the TMDL for salinity and boron in the Sacramento River.  
MCL – Based on the Primary Maximum Contaminant Level.  
Title 22 – Based on State Water Board Division of Drinking Water Reclamation Criteria, CCR, Division 4, Chapter 3 (Title 22).

2. **Diazinon and Chlorpyrifos Effluent Limitations:**

$$S_{avg} = \frac{C_{D\ avg}}{0.079} + \frac{C_{C\ avg}}{0.012} \leq 1.0$$

$$S_{avg} = \frac{C_{D\ max}}{0.16} + \frac{C_{C\ max}}{0.025} \leq 1.0$$

- E. **Interim Effluent Limitations – Not Applicable**
- F. **Land Discharge Specifications – Not Applicable**
- G. **Recycling Specifications – Not Applicable**

V. **RATIONALE FOR RECEIVING WATER LIMITATIONS**

A. **Surface Water**

1. CWA section 303(a-c), requires states to adopt water quality standards, including criteria where they are necessary to protect beneficial uses. The Central Valley Water Board adopted water quality criteria as water quality objectives in the Basin Plan. The Basin Plan states that “[t]he numerical and narrative water quality objectives define the least stringent standards that the Regional Water Board will apply to regional waters in order to protect the beneficial uses.” The Basin Plan includes numeric and narrative water quality objectives for various beneficial uses and water bodies. This Order contains receiving surface water limitations based on the Basin Plan numerical and narrative water quality objectives for ammonia, bacteria, biostimulatory substances, color, chemical constituents, dissolved oxygen, floating material, oil and grease, pH, pesticides, radioactivity, suspended sediment, settleable substances, suspended material, tastes and odors, temperature, toxicity, salinity, and turbidity.
  - a. **Bacteria.** On 7 August 2018 the State Water Board adopted Resolution No. 2018-0038 establishing Bacteria Provisions, which are specifically titled “Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Bacteria Provisions and a Water Quality Standards

Variance Policy” and “Amendment to the Water Quality Control Plan for Ocean Waters of California—Bacteria Provisions and a Water Quality Standards Variance Policy.” The Bacteria Water Quality Objectives established in the Bacteria Provisions supersede any numeric water quality objective for bacteria for the REC-1 beneficial use contained in a water quality control plan before the effective date of the Bacteria Provisions.

The Bacteria Water Quality Objectives correspond with the risk protection level of 32 illnesses per 1,000 recreators and use *E. coli* as the indicator of pathogens in freshwaters and enterococci as the indicator of pathogens in estuarine waters and ocean waters.

The Bacteria Provisions provide that where a permit, waste discharge requirement (WDR), or waiver of WDR includes an effluent limitation or discharge requirement that is derived from a water quality objective or other guidance to control bacteria (for any beneficial use) that is more stringent than the Bacteria Water Quality Objective, the Bacteria Water Quality Objective would not be implemented in the permit, WDR, or waiver of WDR. This standard has not been met in this Order, therefore, the Bacteria Water Quality Objective has been implemented as a receiving water limitation.

The bacteria receiving water limitation in this Order has been established based on the Bacterial Water Quality Objective for inland surface waters, which requires the six-week rolling geometric mean of *Escherichia coli* (*E. coli*) shall not exceed 100 colony forming units (cfu) per 100 milliliters (mL), calculated weekly, and a statistical threshold value (STV) of 320 cfu/100 mL not to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner.

**B. Groundwater – Not Applicable**

**VI. RATIONALE FOR PROVISIONS**

**A. Standard Provisions**

Standard Provisions, which apply to all NPDES permits in accordance with 40 C.F.R. section 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 C.F.R. section 122.42, are provided in Attachment D. The discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42.

Sections 122.41(a)(1) and (b) through (n) of 40 C.F.R. establish conditions that apply to all state issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. Section 123.25(a)(12) of 40 C.F.R. allows the state to omit or modify conditions to impose more stringent requirements. In accordance with 40 C.F.R. section 123.25, this Order omits federal conditions that address enforcement authority specified in 40 C.F.R. sections

122.41(j)(5) and (k)(2) because the enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387(e).

## B. Special Provisions

### 1. Reopener Provisions

- a. **Mercury.** This provision allows the Central Valley Water Board to reopen this Order in the event mercury is found to be causing toxicity based on acute or chronic toxicity test results, or if a TMDL program is adopted. In addition, this Order may be reopened if the Central Valley Water Board determines that a mercury offset program is feasible for dischargers subject to NPDES permits.
- b. **Whole Effluent Toxicity.** If after review of new data of information, it is determined that the discharge has reasonable potential to cause or contribute to an instream exceedance of the State Toxicity Provisions numeric chronic aquatic toxicity objective and Basin Plan's narrative toxicity objective, the Order may be reopened and effluent limitations added for acute and/or chronic toxicity.
- c. **Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS).** On 17 January 2020, certain Basin Plan Amendments to incorporate new strategies for addressing ongoing salt and nitrate accumulation in the Central Valley became effective. Other provisions subject to U.S. EPA approval became effective on 2 November 2020, when approved by U.S. EPA. As the Central Valley Water Board moves forward to implement those provisions that are now in effect, this Order may be amended or modified to incorporate new or modified requirements necessary for implementation of the Basin Plan Amendments. More information regarding these Amendments can be found on the [Central Valley Salinity Alternatives for Long-Term Sustainability \(CV-SALTS\)](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/) web page: ([https://www.waterboards.ca.gov/centralvalley/water\\_issues/salinity/](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/))
- d. **Water Effects Ratio (WER) and Metal Translators.** A default WER of 1.0 has been used in this Order for calculating criteria for applicable inorganic constituents. In addition, default dissolved-to-total metal translators have been used to convert water quality objectives from dissolved to total when developing effluent limitations for zinc. If the Discharger performs studies to determine site-specific WERs and/or site-specific dissolved-to-total metal translators, this Order may be reopened to modify the effluent limitations for the applicable inorganic constituents.

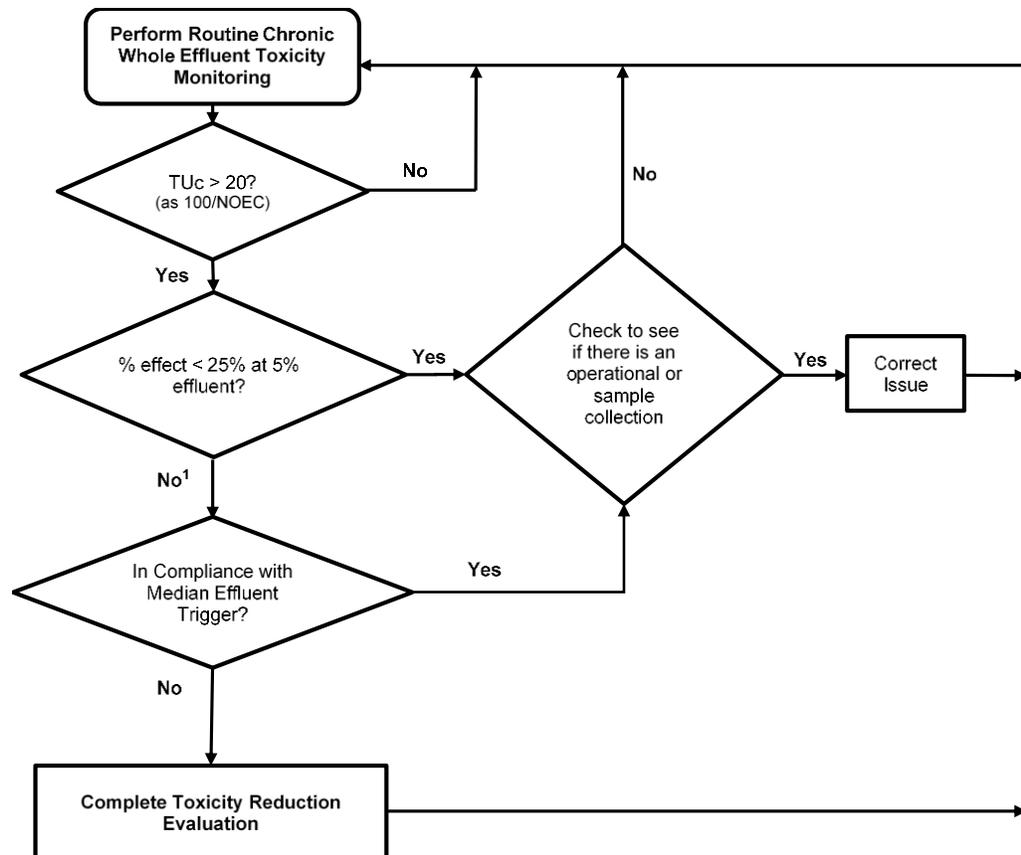
**2. Special Studies and Additional Monitoring Requirements**

- a. **Chronic Whole Effluent Toxicity Requirements.** The Basin Plan contains a narrative toxicity objective that states, “All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.” (Basin Plan at section 3.1.20.) Based on whole effluent chronic toxicity testing performed by the Discharger from 3 October 2016 to 18 January 2021, the discharge does not have reasonable potential to cause or contribute to an in-stream excursion above of the Basin Plan’s narrative toxicity objective.

The Monitoring and Reporting Program of this Order requires chronic WET monitoring to demonstrate compliance with the Basin Plan’s narrative toxicity objective. If the discharge exceeds the chronic toxicity monitoring trigger this provision requires the Discharger conduct a site-specific Toxicity Reduction Evaluation (TRE).

See the WET Monitoring Flow Chart (Figure F-3), below, for further clarification of the decision points for determining the need for TRE initiation.

**Figure F-3. WET Monitoring Flow Chart**



**Figure F-3 Notes:**

1. The Discharger may elect to take additional samples to determine the 3-sample median. The samples shall be collected at least one week apart and the final sample shall be within 6 weeks of the initial sample exhibiting toxicity. See Compliance Determination section VII.H for procedures for calculating 6-week median.

**3. Best Management Practices and Pollution Prevention**

- a. **Salinity Evaluation and Minimization Plan.** An Evaluation and Minimization Plan for salinity is required to be maintained in this Order to ensure adequate measures are developed and implemented by the Discharger to reduce the discharge of salinity to Sacramento River.
- b. **Salinity.** The Discharger submitted a Notice of Intent for the CV-SALTS Salt Control Program indicating the Facility will comply with the alternative permitting approach. The Discharger's salinity evaluation and minimization plan shall include salinity reduction measures to minimize the discharge of salinity to the receiving water. With submittal of the Report of Waste Discharge for the next permit renewal, the Discharger shall evaluate effluent calendar annual average electrical conductivity results in comparison to **a performance-based calendar annual average electrical conductivity trigger of 860  $\mu$ mhos/cm**. If exceedances of the trigger occur during the permit term, the Discharger shall provide a plan on how to address salinity in the discharge. Furthermore, the Discharger shall continue to adequately participate in the CV-SALTS prioritization and optimization study.

**4. Construction, Operation, and Maintenance Specifications**

- a. **Flow Equalization Storage Basin Operating Requirements.** The operation and maintenance specifications for the emergency storage ponds are necessary for protection of uncontrolled discharges and to prevent the introduction of pollutants that will interfere with treatment plant operations and performance.

**5. Special Provisions for Publicly-Owned Treatment Works (POTWs)**

- a. **Pretreatment Requirements.**
  - i. The federal CWA section 307(b), and federal regulations, 40 C.F.R. part 403, require publicly owned treatment works to develop an acceptable industrial pretreatment program. A pretreatment program is required to prevent the introduction of pollutants, which will interfere with treatment plant operations or sludge disposal and prevent pass through of pollutants that exceed water quality objectives,

standards or permit limitations. Pretreatment requirements are imposed pursuant to 40 C.F.R. part 403.

- ii. The Discharger shall implement and enforce its approved pretreatment program and is an enforceable condition of this Order. If the Discharger fails to perform the pretreatment functions, the Central Valley Water Board, the State Water Board or U.S. EPA may take enforcement actions against the Discharger as authorized by the CWA.
- b. **Sludge/Biosolids Treatment or Discharge Specifications.** Sludge in this Order means the solid, semisolid, and liquid residues removed during primary, secondary, or advanced wastewater treatment processes. Solid waste refers to grit and screening material generated during preliminary treatment. Residual sludge means sludge that will not be subject to further treatment at the wastewater treatment plant. Biosolids refer to sludge that has been treated and tested and shown to be capable of being beneficially and legally used pursuant to federal and state regulations as a soil amendment for agricultural, silvicultural, horticultural, and land reclamation activities as specified under 40 C.F.R. part 503. This Order does not regulate offsite use or disposal of biosolids, which are regulated instead under 40 C.F.R. part 503; administered by U.S. EPA. The Sludge/Biosolids Treatment or Discharge Specifications in this Order implement the California Water Code to ensure sludge/biosolids are properly handled onsite to prevent nuisance, protect public health, and protect groundwater quality.
- c. **Other Special Provisions**

## 6. Compliance Schedules – Not Applicable

## VII. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

CWA section 308 and 40 C.F.R. sections 122.41(h), (j)-(l), 122.44(i), and 122.48 require that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Central Valley Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. The Monitoring and Reporting Program (MRP), Attachment E of this Order establishes monitoring, reporting, and recordkeeping requirements that implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this facility.

### A. Influent Monitoring

1. Influent monitoring is required to collect data on the characteristics of the wastewater and to assess compliance with effluent limitations (e.g., BOD<sub>5</sub> and TSS reduction requirements). The monitoring frequencies for flow (continuous), BOD and TSS (weekly), and pH and electrical conductivity (monthly) have been retained from Order No. R5-2016-0047.

2. Influent monitoring for total dissolved solids has been removed from the previous Order, as it is no longer needed.

**B. Effluent Monitoring**

1. Pursuant to the requirements of 40 C.F.R. section 122.44(i)(2) effluent monitoring is required for all constituents with effluent limitations. Effluent monitoring is necessary to assess compliance with effluent limitations, assess the effectiveness of the treatment process, and to assess the impacts of the discharge on the receiving stream and groundwater.
2. Effluent monitoring frequencies and sample types for flow, BOD, pH, TSS, DCBM, nitrate plus nitrite, and total coliform organisms have been retained from Order No. R5-2016-0047 to determine compliance with effluent limitations for these parameters.
3. Monitoring data collected over the previous permit term for copper and total dissolved solids did not demonstrate reasonable potential to exceed water quality objectives/criteria. Thus, specific monitoring requirements for these parameters have not been retained from Order No. R5-2016-0047.
4. Effluent monitoring has been added for zinc (monthly) and diazinon and chlorpyrifos (yearly) in order to determine compliance with effluent limitations.
5. Effluent monitoring frequency for ammonia has been increased from monthly to weekly in order to determine compliance with effluent limitations. Effluent monitoring frequency for temperature has been increased from monthly to twice a month in order to determine appropriate criteria in the receiving water.
6. Effluent monitoring for dissolved organic carbon (quarterly), mercury (yearly), and methyl mercury (yearly) have been added.
7. Effluent monitoring frequencies and sample types for electrical conductivity (monthly), and hardness (monthly), have been retained.
8. Effluent monitoring for total dissolved solids and standard minerals has been removed as they are no longer needed.
9. Water Code section 13176, subdivision (a), states: "The analysis of any material required by [Water Code sections 13000-16104] shall be performed by a laboratory that has accreditation or certification pursuant to Article 3 (commencing with section 100825) of Chapter 4 of Part 1 of Division 101 of the Health and Safety Code." The DDW accredits laboratories through its Environmental Laboratory Accreditation Program (ELAP).
10. Section 13176 cannot be interpreted in a manner that would violate federal holding time requirements that apply to NPDES permits pursuant to the CWA. (Wat. Code sections 13370, subd. (c), 13372, 13377.). Section 13176 is

inapplicable to NPDES permits to the extent it is inconsistent with CWA requirements. (Wat. Code section 13372, subd. (a).) Lab accreditation is not required for field tests such as tests for color, odor, turbidity, pH, temperature, dissolved oxygen, electrical conductivity, and disinfectant residual. The holding time requirements are 15 minutes for (40 C.F.R. section 136.3(e), Table II) Due to the location of the Facility, it is both legally and factually impossible for the Discharger to comply with section 13176 for constituents with short holding times.

### C. Whole Effluent Toxicity Testing Requirements

To implement the future statewide toxicity provisions, the Discharger shall report the TST results of the instream waste concentration at 100% effluent for acute toxicity tests and 5% effluent for chronic toxicity tests.

**Acute Toxicity.** Quarterly 96-hour bioassay testing is required to demonstrate compliance with the effluent limitation for acute toxicity.

**Chronic Toxicity.** Twice per year chronic whole effluent toxicity testing is required to demonstrate compliance with the toxicity receiving water limitation and the chronic toxicity effluent monitoring trigger.

**Sensitive Species Screening.** The most sensitive species to be used for chronic toxicity testing was determined based on historical chronic WET data submitted by the Discharger. Based on the Discharger's last 5 years of chronic toxicity data, the species that exhibited the highest percent effect was the water flea (*Ceriodaphnia dubia*). Consequently, *Ceriodaphnia dubia* has been established as the most sensitive species for chronic WET testing.

1. **Toxicity Reduction Evaluation (TRE).** The Monitoring and Reporting Program of this Order requires chronic WET testing to demonstrate compliance with the or Basin Plan's narrative toxicity objective. The Discharger is required to initiate a TRE according to Special Provision VI.C.2.a. In addition, if other information indicates toxicity (e.g., results of additional monitoring, results of monitoring at a higher concentration than the IWC, fish kills, intermittent recurring toxicity), the Central Valley Water Board may require a TRE.

### D. Receiving Water Monitoring

#### 1. Surface Water

- a. Receiving water monitoring frequencies and sample types at RSW-001 for ammonia (quarterly), nitrate (quarterly), dissolved oxygen (monthly), hardness (monthly), electrical conductivity (monthly), and turbidity (monthly) have been retained from Order R5-2016-0047.
- b. Receiving water monitoring for zinc at RSW-001 has been added to help determine compliance with applicable water quality objectives.

- c. Receiving water monitoring for E. Coli (quarterly) at RSW-001 has been added to help determine compliance with applicable water quality objectives.
- d. Receiving water monitoring for dissolved organic carbon (quarterly) at RSW-001 has been added to help determine applicable water quality objectives.
- e. Receiving water monitoring for pH and temperature at RSW-001 and RSW-002 have been increased from monthly to twice a month to help determine applicable water quality objectives.
- f. Receiving water monitoring frequency for dichlorobromomethane at RSW-001 has been reduced from monthly to quarterly, as the data shows there is a low likelihood of the parameter in the receiving water.
- g. Receiving water monitoring at RSW-001 for total dissolved solids has been removed as it is no longer needed. Receiving water monitoring at RSW-001 for river flow has been removed since data is readily available through the California Data Exchange Center's online database.
- h. Receiving water monitoring frequencies and sample types at RSW-002 for dissolved oxygen (monthly), hardness (monthly), electrical conductivity (monthly), and turbidity (monthly) have been retained from Order R5-2016-0047.
- i. Receiving water monitoring for ammonia and total dissolved solids at RSW-002 has been removed as they are no longer required.

## **E. Other Monitoring Requirements**

### **1. Pyrethroid Pesticides Monitoring.**

A Basin Plan Amendment and TMDL for the Control of Pyrethroid Pesticide Discharges in the Sacramento and San Joaquin River basins (Resolution R5-2017-0057) was approved by the Central Valley Water Board on 8 June 2017 and is now effective. The Pyrethroids Control Program established by Resolution R5-2017-0057 requires monitoring by domestic and municipal wastewater dischargers discharging at least 1 MGD for the concentrations of pyrethroid pesticides, total and dissolved organic carbon in the water column, and water column toxicity testing. Monitoring is required to evaluate the potential impacts of discharges of pyrethroid pesticides to receiving waters.

### **2. Effluent and Receiving Water Characterization**

Effluent and Receiving Water Characterization is required to gather data to complete a reasonable potential analysis for the subsequent NPDES permit renewal.

### 3. Discharge Monitoring Report-Quality Assurance (DMR-QA) Study Program

Under the authority of section 308 of the CWA (33 U.S.C. section 1318), U.S. EPA requires all dischargers under the NPDES Program to participate in the annual DMR-QA Study Program. The DMR-QA Study evaluates the analytical ability of laboratories that routinely perform or support self-monitoring analyses required by NPDES permits. There are two options to satisfy the requirements of the DMR-QA Study Program: (1) The Discharger can obtain and analyze a DMR-QA sample as part of the DMR-QA Study; or (2) Per the waiver issued by U.S.EPA to the State Water Board, the Discharger can submit the results of the most recent Water Pollution Performance Evaluation Study from their own laboratories or their contract laboratories. A Water Pollution Performance Evaluation Study is similar to the DMR-QA Study. Thus, it also evaluates a laboratory's ability to analyze wastewater samples to produce quality data that ensure the integrity of the NPDES Program. The Discharger shall submit annually the results of the DMR-QA Study or the results of the most recent Water Pollution Performance Evaluation Study to the State Water Board. The State Water Board's Quality Assurance Program Officer will send the DMR-QA Study results or the results of the most recent Water Pollution Performance Evaluation Study to U.S. EPA's DMR-QA Coordinator and Quality Assurance Manager.

## VIII. PUBLIC PARTICIPATION

The Central Valley Water Board has considered the issuance of WDR's that will serve as an NPDES permit for the City of Corning Wastewater Treatment Plant. As a step in the WDR adoption process, the Central Valley Water Board staff has developed tentative WDR's and has encouraged public participation in the WDR adoption process.

### A. Notification of Interested Persons

The Central Valley Water Board notified the Discharger and interested agencies and persons of its intent to prescribe WDR's for the discharge and provided an opportunity to submit written comments and recommendations. Notification was provided through internet posting to the Central Valley Water Board's website, direct email to identified interested parties, and posting at the City of Corning Post Office and City of Corning City Hall.

The public had access to the agenda and any changes in dates and locations through the [Central Valley Water Board's website](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/) ([http://www.waterboards.ca.gov/centralvalley/board\\_info/meetings/](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/))

### B. Written Comments

Interested persons were invited to submit written comments concerning tentative WDR's as provided through the notification process. Comments were due either in person or by mail to the Executive Office at the Central Valley Water Board at the address on the cover page of this Order.

To be fully responded to by staff and considered by the Central Valley Water Board, the written comments were due at the Central Valley Water Board office by 5:00 p.m. on 25 March 2022.

**C. Public Hearing**

The Central Valley Water Board held a public hearing on the tentative WDR's during its regular Board meeting on the following date and time and at the following location:

Date: 21 April 2022  
Time: 8:30 a.m.  
Location: Regional Water Quality Control Board, Central Valley Region  
1685 "E" Street  
Fresno, CA 93706

Interested persons were invited to attend. At the public hearing, the Central Valley Water Board heard testimony pertinent to the discharge, WDR's, and permit. For accuracy of the record, important testimony was requested in writing.

**D. Reconsideration of Waste Discharge Requirements**

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., within 30 calendar days of the date of adoption of this Order at the following address, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day:

State Water Resources Control Board  
Office of Chief Counsel  
P.O. Box 100, 1001 I Street  
Sacramento, CA 95812-0100

Or by email at [waterqualitypetitions@waterboards.ca.gov](mailto:waterqualitypetitions@waterboards.ca.gov)

[Instructions on how to file a petition for review](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instructions.shtml)

([http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/wqpetition\\_instructions.shtml](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instructions.shtml)) are available on the Internet.

**E. Information and Copying**

The Report of Waste Discharge, other supporting documents, and comments received are on file and may be inspected at the address above at any time between

8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Central Valley Water Board by calling (530) 224-4845.

**F. Register of Interested Persons**

Any person interested in being placed on the mailing list for information regarding the WDR's and NPDES permit should contact the Central Valley 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 Mike Nilsen at 530-224-4853, or [Michael.Nilsen@waterboards.ca.gov](mailto:Michael.Nilsen@waterboards.ca.gov).

**ATTACHMENT G – SUMMARY OF REASONABLE POTENTIAL ANALYSIS**

Constituent	Units	MEC	B	C	CMC	CCC	Water & Org	Org. Only	Basin Plan	MCL	Reasonable Potential
Aluminum	µg/L	33.5	705 (table note 5)	200	1000 (table note 1)	480 (table note 3)	--	--	--	200	No
Ammonia, Total (as N)	mg/L	0.60	0.15	0.80	23.8	0.80	--	--	--	--	Yes – See section IV.C.3.d
Benzo(b)fluoranthene	µg/L	0.013	0.017	0.004 4	--	--	0.0044	0.049	--	--	No – See section IV.C.3.b
Chloride	mg/L	77.6 (table note 5)	6.6	106	8601	2302	--	--	106 (table note 6)	250	No
Dibenzo(a,h)anthracene	µg/L	0.027	0.053	0.004 4	--	--	0.0044	0.049	--	--	No – See section IV.C.3.b
Dichlorobromomethane	µg/L	13.1	0.1	0.56	--	--	0.56	46	--	80 (primary)	Yes
Diquat	µg/L	28	61	20	--	--	--	--	--	20 (primary)	No – See section IV.C.3.b
Electrical Conductivity	µmhos/cm	689 (table note 5)	151 (table note 5)	230	--	--	--	--	230	900	No
Mercury	ng/L	1.54	3.37 (table note 5)	12	--	--	50	51	--	12 (table note 4)	No
Nitrate plus Nitrite, Total (as N)	mg/L	20.2	0.11	10	--	--	--	--	--	10	Yes

Constituent	Units	MEC	B	C	CMC	CCC	Water & Org	Org. Only	Basin Plan	MCL	Reasonable Potential
pH	Standard Units	6.17 7.23	9.34	6.0 – 8.5	--	--	--	--	6.0 – 9.0	--	Yes - See section IV.C.3.d
Sulfate	mg/L	10.5 (table note 5)	Non-detect	250	--	--	--	--	--	250	No
Total Dissolved Solids	mg/L	381 (table note 5)	113	500	--	--	--	--	--	500	No
Zinc	µg/L	86.9	8.4	16	--	53	--	--	16	5,000	Yes

General Note: All inorganic concentrations are given as a total concentration.

**Abbreviations used in this table:**

- MEC = Maximum Effluent Concentration
- B = Maximum Receiving Water Concentration or lowest detection level, if non-detect
- C = Criterion used for Reasonable Potential Analysis
- CMC = Criterion Maximum Concentration (CTR or NTR)
- CCC = Criterion Continuous Concentration (CTR or NTR)
- Water & Org = Human Health Criterion for Consumption of Water & Organisms (CTR or NTR)
- Org Only = Human Health Criterion for Consumption of Organisms Only (CTR or NTR)
- Basin Plan = Numeric Site-Specific Basin Plan Water Quality Objective
- MCL = Drinking Water Standards Maximum Contaminant Level
- NA = Not Available
- ND = Non-detect

**Table Notes:**

- (1) U.S. EPA National Recommended Ambient Water Quality Criteria, Freshwater Aquatic Life Protection, 1-hour average
- (2) U.S. EPA National Recommended Ambient Water Quality Criteria, Freshwater Aquatic Life Protection, 30-day average
- (3) U.S. EPA National Recommended Ambient Water Quality Criteria, Freshwater Aquatic Life Protection, 4-day average
- (4) State Water Board Sport Fish Water Quality Objective for mercury
- (5) Represents maximum observed annual average concentration

(6) Agricultural water quality goal

**ATTACHMENT H – CALCULATION OF WQBEL’S  
 HUMAN HEALTH WQBEL’S CALCULATIONS**

Parameter	Units	Criteria	Mean Background Concentration	Effluent CV	Dilution Factor	MDEL/AMEL Multiplier	AMEL Multiplier	AMEL	MDEL	AWEL
Dichlorobromomethane	µg/L	0.56	0.1	0.47	29	1.79	1.42	14	25	-
Nitrate plus Nitrite, Total (as N)	mg/L	10	0.12	1.06	3	2.04	2.01	40	--	81

**Abbreviations used in this table:**

- CV = Coefficient of Variation
- MDEL = Maximum Daily Effluent Limitation
- AMEL = Average Monthly Effluent Limitation
- MDEL = Maximum Daily Effluent Limitation
- AWEL = Average Weekly Effluent Limitation

**Table Notes:**

(1) AWEL/AMEL multiplier used to calculate the AWEL for nitrate plus nitrite

**ATTACHMENT H – CALCULATION OF WQBEL’S  
 AQUATIC LIFE WQBEL’S CALCULATIONS**

Parameter	Units	CMC Criteria	CCC Criteria	B	Effluent CV <sup>1</sup>	CMC Dilution Factor	CCC Dilution Factor	ECA Multiplier <sup>acute</sup>	LTA <sup>acute</sup>	ECA Multiplier <sup>chronic</sup>	LTA <sup>chronic</sup>	AMEL Multiplier <sup>95</sup>	AWEL Multiplier	MDEL Multiplier <sup>99</sup>	AMEL <sup>2</sup>	AWEL <sup>3</sup>	MDEL <sup>4</sup>
Ammonia Nitrogen, Total (as N)	mg/L	2.10	1.04	0.15	1.09	14	13	0.19	5.56	0.64	8.18	2.03	4.16	--	11	23	--
Zinc, Total Recoverable	µg/L	16	54	9.0	0.6	43	4	0.32	102	0.53	123	1.55	--	3.11	160	--	320

<sup>1</sup> Coefficient of Variation (CV) was established in accordance with section 1.4 of the SIP.

<sup>2</sup> Average Monthly Effluent Limitations are calculated according to section 1.4 of the SIP using a 95th percentile occurrence probability.

<sup>3</sup> Average Weekly Effluent Limitations are calculated according to section 1.4 of the SIP using a 98th percentile occurrence probability.

<sup>4</sup> Maximum Daily Effluent Limitations are calculated according to section 1.4 of the SIP using a 99th percentile occurrence probability.

**Abbreviations used in this table:**

- B = Maximum Receiving Water Concentration or lowest detection level, if non-detect
- CMC = Criterion Maximum Concentration (CTR or NTR)
- CCC = Criterion Continuous Concentration (CTR or NTR)
- CV = Coefficient of Variation (established in accordance with section 1.4 of the SIP)
- ECA = Effluent Concentration Allowance

LTA                    Aquatic Life Calculations – Long-Term Average  
MDEL =                Maximum Daily Effluent Limitation  
AMEL =                Average Monthly Effluent Limitation  
MDEL =                Maximum Daily Effluent Limitation  
AWEL =                Average Weekly Effluent Limitation