

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

11020 Sun Center Drive, #200 Rancho Cordova, California 95670-6114  
Phone (916) 464-3291 • Fax (916) 464-4645  
[Central Valley Home Page](http://www.waterboards.ca.gov/centralvalley) (<http://www.waterboards.ca.gov/centralvalley>)

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CA0083771  
ORDER R5-2021-XXXX**

**WASTE DISCHARGE REQUIREMENTS FOR THE  
CITY OF RIO VISTA  
NORTHWEST WASTEWATER TREATMENT FACILITY  
SOLANO COUNTY**

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

**Table 1. Discharger Information**

Discharger:	City of Rio Vista
Name of Facility:	Northwest Wastewater Treatment Facility
Facility Street Address:	3000 Airport Road
Facility City, State, Zip:	Rio Vista, CA 94571
Facility County:	Solano County

**Table 2. Discharge Location**

Discharge Point	Effluent Description	Discharge Point Latitude (North)	Discharge Point Longitude (West)	Receiving Water
001	Tertiary Treated Wastewater	38° 10' 06"	121° 40' 42"	Sacramento River

**Table 3. Administrative Information**

This Order was Adopted on:	<b>18/19 February 2021</b>
This Order shall become effective on:	<b>1 April 2021</b>
This Order shall expire on:	<b>31 March 2026</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>31 March 2025</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</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 **18/19 February 2021**.

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**PATRICK PULUPA**, Executive Officer

**WASTE DISCHARGE REQUIREMENTS  
 TABLE OF CONTENTS**

I.	Facility Information .....	3
II.	Findings.....	3
III.	Discharge Prohibitions.....	4
IV.	Effluent Limitations and Discharge Specifications .....	5
	A. Effluent Limitations – Discharge Point 001 .....	5
	1. Final Effluent Limitations – Discharge Point 001 .....	5
	2. Interim Effluent Limitations.....	6
	B. Land Discharge Specifications – Not Applicable.....	7
	C. Recycling Specifications – Not Applicable .....	7
V.	Receiving Water Limitations .....	7
	A. Surface Water Limitations.....	7
	B. Groundwater Limitations .....	9
VI.	Provisions.....	9
	A. Standard Provisions.....	9
	B. Monitoring and Reporting Program (MRP) Requirements .....	14
	C. Special Provisions.....	14
	1. Reopener Provisions.....	14
	2. Special Studies, Technical Reports and Additional Monitoring Requirements .....	16
	3. Best Management Practices and Pollution Prevention .....	17
	4. Construction, Operation and Maintenance Specifications.....	18
	5. Special Provisions for Publicly-Owned Treatment Works (POTWs) .....	19
	6. Other Special Provisions – Not Applicable.....	20
	7. Compliance Schedules .....	21
VII.	Compliance Determination .....	21

**TABLES**

Table 1.	Discharger Information .....	1
Table 2.	Discharge Location .....	1
Table 3.	Administrative Information .....	1
Table 4.	Effluent Limitations .....	5

**ATTACHMENTS**

Attachment A – Definitions .....	A-1
Attachment B – Map .....	B-1
Attachment C – Flow Schematic.....	C-1
Attachment D – Standard Provisions.....	D-1
Attachment E – Monitoring and Reporting Program .....	E-1
Attachment F – Fact Sheet.....	F-1
Attachment G – Summary Of Reasonable Potential Analysis .....	G-1
Attachment H – Calculation of WQBEL’S .....	H-1

## I. FACILITY INFORMATION

Information describing the City of Rio Vista, Northwest Wastewater Treatment Facility (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 (MRP) establishes monitoring and reporting requirements to implement federal and state requirements. The MRP 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 R5-2015-0141 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 bypass 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 (CCR), title 22, section 66261.1 et seq., is prohibited.
- E. **Average Dry Weather Flow.** Discharges exceeding an average dry weather flow of 1.0 million gallons per day (MGD) are prohibited.

**IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS**

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

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

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

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

**Table 4. Effluent Limitations**

<b>Parameters</b>	<b>Units</b>	<b>Average Monthly</b>	<b>Average Weekly</b>	<b>Maximum Daily</b>
Biochemical Oxygen Demand 5-day @ 20°Celsius	milligrams per liter (mg/L)	10	15	--
Total Suspended Solids	mg/L	10	15	--
Copper, Total Recoverable	micrograms per liter (µg/L)	19	--	25
Ammonia Nitrogen, Total (as N)	mg/L	1.3	2.3	--

- b. **pH:**
  - i. 6.5 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 (WET).** Survival of aquatic organisms in 96-hour bioassays of undiluted waste shall be no less than:
  - i. 70 percent, minimum for any one bioassay; and

- ii. 90 percent, median for any three consecutive bioassays.
- e. **Temperature.** The maximum temperature of the discharge shall not exceed the natural receiving water temperature by more than 20° Fahrenheit (°F).
- 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)  
$$S_{AMEL} = \frac{C_{DM-AVG}}{0.079} + \frac{C_{CM-AVG}}{0.012} \leq 1.0$$

$C_{DM-AVG}$  = average monthly diazinon effluent concentration in µg/L.

$C_{CM-AVG}$  = average monthly chlorpyrifos effluent concentration in µg/L
  - ii. Average Weekly Effluent Limitation (AWEL)  
$$S_{AWEL} = \frac{C_{DW-AVG}}{0.14} + \frac{C_{CW-AVG}}{0.021} \leq 1.0$$

$C_{DW-AVG}$  = average weekly diazinon effluent concentration in µg/L.

$C_{CW-AVG}$  = average weekly chlorpyrifos effluent concentration in µg/L.
- h. **Electrical Conductivity @ 25°C.** The effluent calendar year annual average electrical conductivity shall not exceed 1,900 µmhos/cm.
- i. **Methylmercury. Effective 31 December 2030.** The effluent calendar year annual methylmercury load shall not exceed 0.069 grams.

**2. Interim Effluent Limitations**

The Discharger shall maintain compliance with the following interim effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location EFF-001 as described in the MRP, Attachment E:

- a. **Mercury, Total. Effective immediately and until 30 December 2030**, the effluent calendar year annual total mercury load shall not exceed 0.52 grams. This interim effluent limitation shall apply in lieu of the final effluent limitation for methylmercury (section IV.A.1.i).

**B. Land Discharge Specifications – Not Applicable**

**C. Recycling Specifications – Not Applicable**

**V. RECEIVING WATER LIMITATIONS**

**A. Surface Water Limitations**

The discharge shall not cause the following in 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 that 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:** The dissolved oxygen concentration to be reduced below 5.0 mg/L at any time.
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 68-16 and 40 C.F.R. 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 CCR.
11. **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.
12. **Settleable Substances.** Substances to be present in concentrations that result in the deposition of material that causes nuisance or adversely affects beneficial uses.
13. **Suspended Material.** Suspended material to be present in concentrations that cause nuisance or adversely affect beneficial uses.
14. **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.
15. **Temperature:**



- a. The creation of a zone, defined by water temperatures of more than 1°F above natural receiving water temperature, which exceeds 25 percent of the cross-sectional area of the river channel at any point.
  - b. A surface water temperature increase greater than 4°F above the natural temperature of the receiving water at any time or place.
16. **Toxicity.** Toxic substances to be present, individually or in combination, in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.
17. **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 NTU;
  - c. Shall not increase more than 20 percent where natural turbidity is between 5 and 50 NTU;
  - d. Shall not increase more than 10 NTU where natural turbidity is between 50 and 100 NTU; nor
  - e. Shall not increase more than 10 percent where natural turbidity is greater than 100 NTU.

**B. Groundwater Limitations**

1. Release of waste constituents from any storage, treatment, or disposal component associated with the Facility, in combination with other sources, shall not cause the underlying groundwater to contain waste constituents in concentrations greater than background water quality or water quality objectives, whichever is greater. The discharge shall not cause the groundwater to exceed water quality objectives, unreasonably impact beneficial uses, or cause pollution or nuisance.

**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 C.F.R. 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.

- i. 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. To assume operation under this Order, the succeeding owner or operator must apply in writing to the Executive Officer 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. Failure to submit the request shall be considered a discharge without requirements, a violation of the Water Code. Transfer shall be approved or disapproved in writing by the Executive Officer.

- 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 (916) 464-3291 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 C.F.R. 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. This Order may be reopened for modification, or revocation and reissuance, as a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special



- conditions may be, but are not limited to, fish tissue sampling, whole effluent toxicity, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in this Order as a result of the special condition monitoring data.
- c. **Mercury.** The Basin Plan's Delta Mercury Control Program was designed to proceed in two phases. After Phase 1, the Central Valley Water Board will conduct a Phase 1 Delta Mercury Control Program Review that considers modification to the Delta Mercury Control Program. This Order may be reopened to address changes to the Delta Mercury Control Program.
  - d. **Pollution Prevention.** This Order requires the Discharger prepare a pollution prevention plan following Water Code section 13263.3(d)(3) for mercury. Based on a review of the pollution prevention plan, this Order may be reopened for addition and/or modification of effluent limitations and requirements for these constituents.
  - e. **Whole Effluent Toxicity (WET).** As a result of a Toxicity Reduction Evaluation (TRE), this Order may be reopened to include a new chronic toxicity effluent limitation, a revised acute toxicity effluent limitation, and/or an effluent limitation for a specific toxicant identified in a TRE. Additionally, if the State Water Resources Control Board (State Water Board) revises the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy of SIP) toxicity control provisions, this Order may be reopened to implement the new provisions.
  - f. **Water Effects Ratios (WER's) 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 recoverable. If the Discharger performs studies to determine site-specific WER's and/or site-specific dissolved-to-total metal translators, this Order may be reopened to modify the effluent limitations for the applicable inorganic constituents.
  - g. **Ultraviolet (UV) Disinfection Operating Specifications.** The UV operating specifications in this Order are based on kinetic modeling developed to determine the rate of bacterial kill with respect to time and the concentration of disinfectant used. If the Discharger conducts a site-specific UV engineering study that identifies site-specific UV operating specifications that will achieve the virus inactivation required pursuant to guidance from the State Water Board, Division of Drinking Water (DDW), this Order may be reopened to modify the UV specifications
  - h. **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/))

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

- a. **Toxicity Reduction Evaluation (TRE) 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 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. TRE's are designed to identify the causative agents and sources of WET, evaluate the effectiveness of the toxicity control options, and confirm the reduction in effluent toxicity.
  - i. **Numeric Toxicity Monitoring Trigger.** The numeric Toxicity Unit (TUc) monitoring trigger is 16 TUc (where TUc = 100/NOEC). The monitoring trigger is not an effluent limitation; it is the toxicity threshold above 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 WET result during routine monitoring exceeds the chronic toxicity monitoring trigger, the Discharger shall proceed as follows:
    - (a) **Initial Toxicity Check.** If the result is less than or equal to 16 TUc (as 100/EC<sub>25</sub>) OR the percent effect is less than 25 percent at 6.25 percent effluent, check for any operation or sample collection issues and return to routine chronic toxicity monitoring. Otherwise, if the result is greater than 16 TUc (as 100/EC<sub>25</sub>) AND the percent effect is greater than or equal to 25 percent at 6.25 percent effluent, 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 16 TUc (as 100/EC<sub>25</sub>) and the percent effect is greater than 25 percent at 6.25 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.M for procedures for calculating a 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 as described in the following subsections.
- (d) **Toxicity Reduction Evaluation.** The Discharger shall initiate a site-specific 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. **Pollution Prevention Plan for Mercury.** The Discharger shall continue to implement a pollution prevention plan for mercury in accordance with Water Code section 13263.3(d)(3). The minimum requirements for the pollution prevention plan are outlined in the Fact Sheet (Attachment F, section VI.B.3.a). The Discharger shall provide annual progress reports according to the schedule in the Technical Reports Table. The progress reports shall discuss the effectiveness of the pollution prevention plan in the reduction of mercury in the discharge, include a summary of monitoring results, and discuss updates to the pollution prevention plan.
- b. **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.

The Discharger shall evaluate the effectiveness of the salinity evaluation and minimization plan and provide a summary with the Report of Waste Discharge.

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

- a. **Filtration System Operating Specifications.** To ensure the filtration system is operating properly to provide adequate disinfection of the wastewater, the turbidity of the filter effluent measured at Monitoring Location FIL-001 shall not exceed the following:
  - i. 0.2 NTU more than 5 percent of the time within a 24-hour period;
  - ii. 0.5 NTU at any time.
- b. **Ultraviolet Light (UV) Disinfection System Operating Specifications.** The UV disinfection system must be operated in accordance with an operations and maintenance program that assures adequate disinfection, and shall meet the following minimum specifications to provide virus inactivation pursuant to DDW recommendations:
  - i. The Discharger shall provide continuous, reliable monitoring for flow, UV transmittance, and UV dose.
  - ii. **UV Dose.** The Discharger shall operate the UV disinfection system to provide a minimum hourly UV dose of 12 millijoules per square centimeter ( $\text{mJ}/\text{cm}^2$ ) and a minimum 7-day median UV dose of  $22 \text{ mJ}/\text{cm}^2$ .
  - iii. The UV transmittance (at 254 nanometers) in the wastewater exiting the UV disinfection system shall not fall below 55 percent of the maximum at any time.
  - iv. The quartz sleeve and cleaning system components must be visually inspected per the manufacturer's operations manual for physical wear (scoring, solarization, seal leaks, cleaning fluid levels, etc.) and to check the efficacy of the cleaning system.
  - v. The sleeves must be cleaned periodically as necessary to meet the requirements.
  - vi. Lamps must be replaced per the manufacturer's operations manual, or sooner, if there are indications the lamps are failing to provide adequate disinfection. Lamp age and lamp replacement records must be maintained.

vii. The Facility must operate in accordance with an operations and maintenance program that assures adequate disinfection.

**c. Emergency Storage Pond Requirements**

- i. The treatment facilities shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
- ii. Public contact with wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.
- iii. Ponds shall be managed to prevent breeding of mosquitoes. In particular:
  - (a) An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface.
  - (b) Weeds shall be minimized.
  - (c) Dead algae, vegetation, and debris shall not accumulate on the water surface.
- iv. Freeboard shall never be less than 2 feet (measured vertically to the lowest point of overflow).
- v. Objectionable odors originating at this Facility shall not be perceivable beyond the limits of the wastewater treatment and disposal areas (or property owned by the Discharger).

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

- a. **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 approved by the Executive Officer, and 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 MRP, Attachment E.
- iv. The on-site sludge/biosolids treatment, processing, and storage for the Facility is described in the Fact Sheet (Attachment F, section II.A). Any proposed change in the on-site treatment, processing, or storage of sludge/biosolids shall be reported to the Executive Officer at least **90 days** in advance of the change and shall not be implemented until written approval by the Executive Officer.

## 6. Other Special Provisions – Not Applicable

## 7. Compliance Schedules

- a. **Compliance Schedule for Final Effluent Limitations for Methylmercury.** This Order requires compliance with the final effluent limitations form methylmercury by 31 December 2030. The Discharger shall comply with the time schedule shown in the Technical Reports Table to ensure compliance with the final effluent limitations.

## VII. COMPLIANCE DETERMINATION

- A. **BOD<sub>5</sub> and TSS Effluent Limitations (Sections IV.A.1.a and IV.A.1.c).** 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. **Total Mercury Mass Loading Effluent Limitations (Sections IV.A.1.i and IV.A.2.a).** The procedures for calculating mass loadings are as follows:
  1. The total pollutant mass load for each individual calendar month shall be determined using an average of all concentration data collected that month and the corresponding total monthly flow. All effluent monitoring data collected under the MRP and any special studies shall be used for these calculations. The total annual mass loading shall be the sum of the individual calendar months.
  2. In calculating compliance, the Discharger shall count all non-detect measures at one-half of the detection level. If compliance with the effluent limitation is not attained due to the non-detect contribution, the Discharger shall improve and implement available analytical capabilities and compliance shall be evaluated with consideration of the detection limits.
- C. **Average Dry Weather Flow Discharge 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).
- D. **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 23 MPN/100 mL, the Discharger will be considered out of compliance.

**E. 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 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.



- F. Temperature Effluent Limitation (Section IV.A.1.e)** Compliance with the effluent limitation for temperature shall be ascertained using the daily average effluent temperature at Monitoring Location EFF-001 and the temperature of the “upstream” receiving water measured on the same day by grab sample at either Monitoring Location RSW-001 or Monitoring Location RSW-002, depending on the direction of Sacramento River flow at the time of sampling.
- G. Chlorpyrifos and Diazinon Effluent Limitations (Section IV.A.1.g)** Compliance shall be determined by calculating the sum (S), as provided in this Order, with analytical results that are reported as ND concentrations to be considered to be zero.
- H. Electrical Conductivity Calendar Year Annual Average Effluent Limitation (Section IV.A.1.h).** Compliance shall be determined by calculating the sum of all daily discharges measured during a calendar year divided by the number of daily discharges measured during that year.
- I. Temperature Receiving Water Limitations (Section V.A.15).** Compliance with the temperature receiving water limitations will be determined based on the difference in the temperature measured at Monitoring Location RSW-001 compared to the temperature measured at Monitoring Location RSW-002. Due to the tidal nature of the receiving water, the direction of the Sacramento River flow at the time of sampling will dictate which monitoring location is representative of the “upstream” receiving water and which monitoring location is representative of the “downstream” receiving water.
- J. Dissolved Oxygen Receiving Water Limitation (Section V.A.5).** Compliance shall be determined using data samples from Monitoring Location RSW-001 or Monitoring Location RSW-002, depending on the direction of Sacramento River flow at the time of sampling.
- K. Turbidity Receiving Water Limitations (Section V.A.17.a-e).** Compliance with the turbidity receiving water limitations will be determined based on the difference in turbidity measured at Monitoring Locations RSW-001 and RSW-002. Due to the tidal nature of the receiving water, the direction of the Sacramento River flow at the time of sampling will dictate which monitoring location is representative of the “upstream” receiving water and which monitoring location is representative of the “downstream” receiving water.
- L. Use of Delta Regional Monitoring Program and Other Receiving Water Data to Determine Compliance with Receiving Water Limitations.** Delta Regional Monitoring Program data and other receiving water monitoring data that is not specifically required to be conducted by the Discharger under this Order will not be used directly to determine that the discharge is in violation of this Order. The Discharger may, however, conduct any site-specific receiving water monitoring deemed appropriate by the Discharger that is not conducted by the Delta Regional Monitoring Program and submit that monitoring data. As described in section VIII of Attachment E, such data may be used, if scientifically defensible, in conjunction with

other receiving water data, effluent data, receiving water flow data, and other pertinent information to determine whether or not a discharge is in compliance with this Order.

- M. Chronic Whole Effluent Toxicity Effluent Trigger (Section VI.C.2.a.i).** To evaluate compliance with the chronic WET effluent trigger, the median chronic toxicity units (TUc) shall be the median of up to three consecutive chronic toxicity bioassays during a 6-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 16 TUc (as 100/NOEC) for any endpoint, the Discharger will be deemed out of compliance with the chronic toxicity effluent trigger if the median percent effect at 6.25 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 limitation.

## 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

### 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.

### 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.

#### **Effect Concentration (EC)**

A point estimate of the toxicant concentration that would cause an observable adverse effect (e.g. death, immobilization, or serious incapacitation) in a given percent of the test organisms, calculated from a continuous model (e.g. Probit Model). EC<sub>25</sub> is a point estimate of the toxicant concentration that would cause an observable adverse effect in 25 percent of the test organisms.

#### **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.

### **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.

### **Inhibition Concentration**

Inhibition Concentration (IC) is a point estimate of the toxicant concentration that would cause a given percent reduction in a non-lethal biological measurement (e.g., reproduction or growth), calculated from a continuous model (i.e., Interpolation Method). IC25 is a point estimate of the toxic concentration that would cause a 25-percent reduction in a non-lethal biological measurement.

### **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).

### **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.

**No-Observed-Effect-Concentration (NOEC)**

The highest concentration of toxicant to which organisms are exposed in a full life-cycle or partial life-cycle (short-term) test, that causes no observable adverse effects on the test organisms (i.e., the highest concentration of toxicant in which the values for the observed responses are not statistically significantly different from the controls).

**Not Detected (ND)**

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

**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 in-stream 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.

### **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.

### **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.

### **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.

### **Toxicity Reduction Evaluation (TRE)**

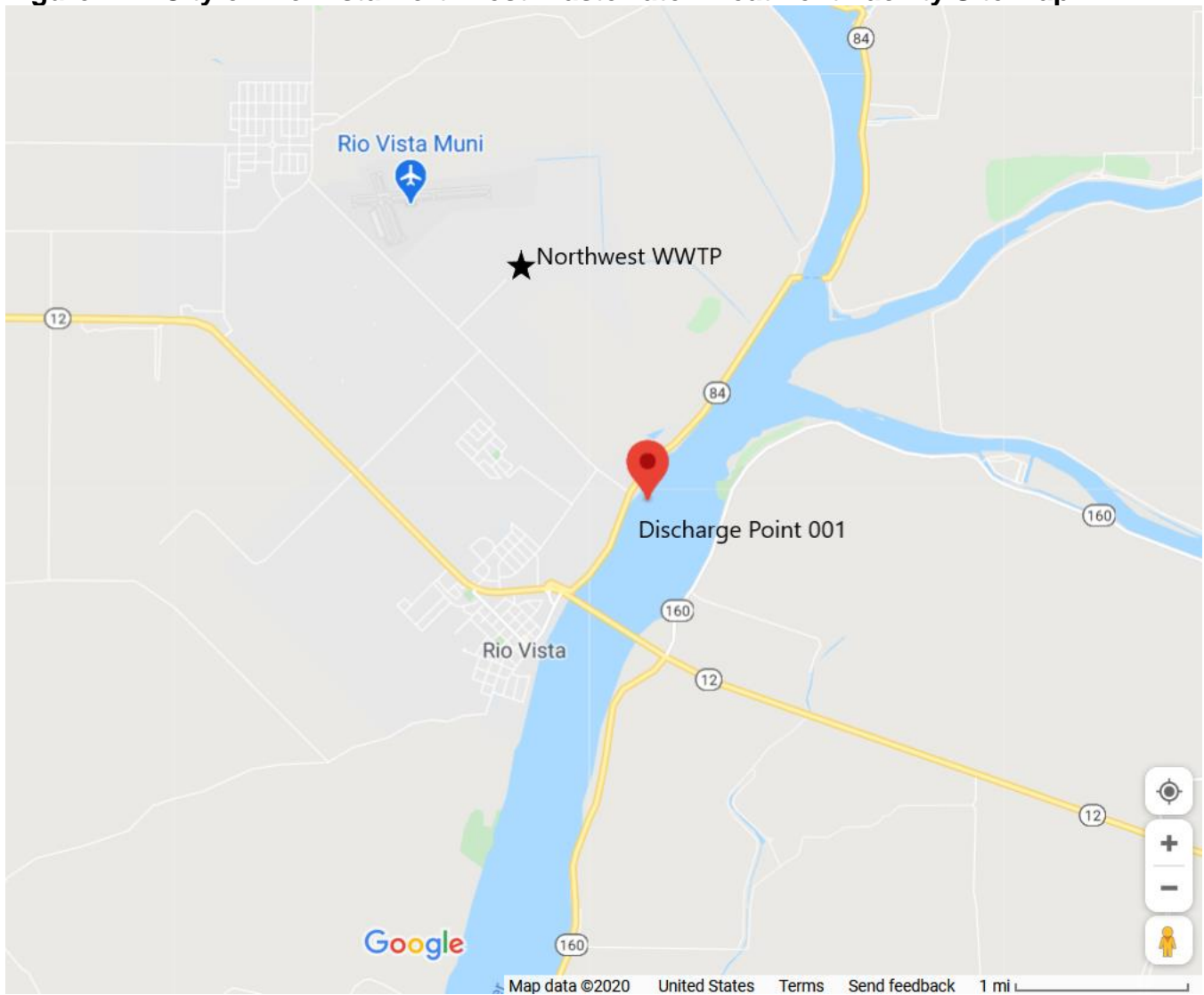
TRE is a study conducted in a stepwise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection 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.)

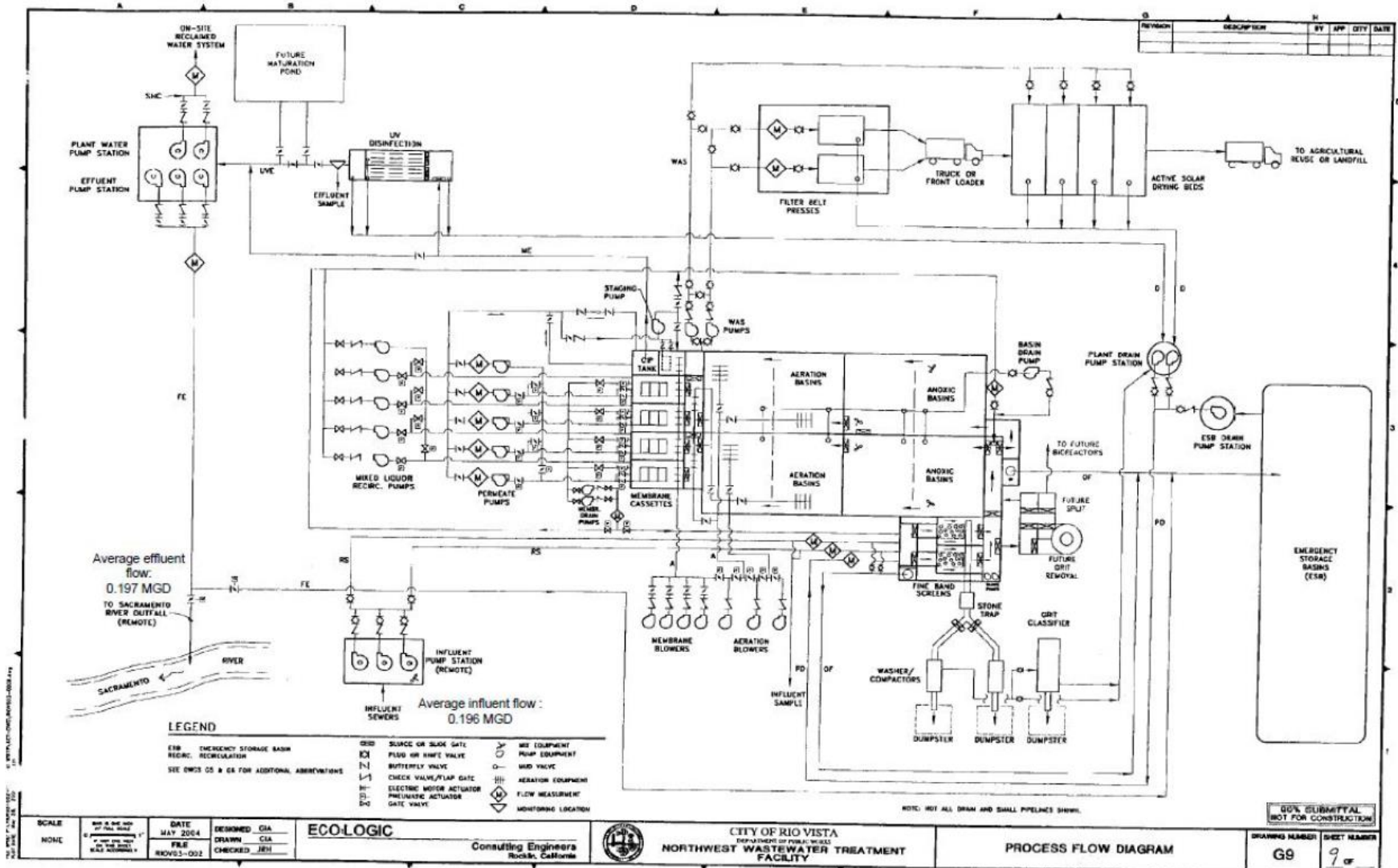
**ATTACHMENT B – MAP**

**Figure B-1. City of Rio Vista Northwest Wastewater Treatment Facility Site Map**



ATTACHMENT C – FLOW SCHEMATIC

Figure C-1. City of Rio Vista Northwest Wastewater Treatment Facility 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, thorough 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**

**Table of Contents**

I. General Monitoring Provisions..... E-2

II. Monitoring Locations ..... E-3

III. Influent Monitoring Requirements..... E-4

    A. Monitoring Location INF-001..... E-4

IV. Effluent Monitoring Requirements ..... E-5

    A. Monitoring Location EFF-001..... E-5

V. Whole Effluent Toxicity Testing Requirements ..... E-7

VI. Land Discharge Monitoring Requirements – Not Applicable ..... E-11

VII. Recycling Monitoring Requirements – Not applicable ..... E-11

VIII. Receiving Water Monitoring Requirements ..... E-11

IX. Other Monitoring Requirements..... E-11

    A. Biosolids – Not Applicable ..... E-11

    B. Municipal Water Supply – Not Applicable ..... E-11

    C. Filtration System and Ultraviolet Light (UV) Disinfection System ..... E-11

    D. Emergency Storage Basin ..... E-13

    E. Pyrethroid Pesticides Monitoring ..... E-13

    F. Effluent and Receiving Water Characterization ..... E-17

X. Reporting Requirements..... E-24

    A. General Monitoring and Reporting Requirements..... E-24

    B. Self-Monitoring Reports (SMR’s) ..... E-24

    C. Discharge Monitoring Reports (DMR’s) ..... E-28

    D. Other Reports ..... E-28

**Tables**

Table E-1. Monitoring Station Locations ..... E-4

Table E-2. Influent Monitoring..... E-4

Table E-3. Effluent Monitoring ..... E-5

Table E-4. Chronic Toxicity Testing Dilution Series ..... E-9

Table E-5. Filtration System and UV Disinfection System Monitoring Requirements ..... E-12

Table E-6. Pyrethroid Pesticides Monitoring..... E-14

Table E-7. Pyrethroid Pesticide Partition Coefficients ..... E-15

Table E-8. Effluent and Receiving Water Characterization Monitoring ..... E-18

Table E-9. Monitoring Periods and Reporting Schedule ..... E-25

Table E-10. Technical Reports ..... E-30

## **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), 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. Data generated from field measurements such as pH, dissolved oxygen, electrical conductivity, turbidity, temperature, and residual chlorine, are exempt pursuant to Water Code Section 13176. A manual containing the steps followed in this program for any field measurements such as pH, DO, EC, turbidity, temperature, and residual chlorine must be kept on-site 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 MRP.
- F.** Laboratory analytical methods shall be sufficiently sensitive in accordance with the Sufficiently Sensitive Methods Rule (SSM Rule) specified under 40 C.F.R. sections 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. part 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 Board at the following address:

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 MRP.
- 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**

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
--	INF-001	A location where a representative sample of the influent into the Facility can be collected prior to entering the treatment process.
001	EFF-001	A location where a representative sample of the effluent from the Facility can be collected after all treatment processes and prior to being discharged into the Sacramento River. Latitude: 38° 10' 06" N Longitude: 121° 40' 42" W
--	RSW-001	In the Sacramento River, upstream from Discharge Point 001. Latitude: 38° 10' 12" N Longitude: 121° 40' 37" W
--	RSW-002	In the Sacramento River, downstream from Discharge Point 001. Latitude: 38° 09' 35" N Longitude: 121° 41' 10" W
--	PND-001	A location where a representative sample for the emergency storage basin can be collected.
--	UVS-001	A location where a representative sample of wastewater can be collected immediately upstream of the ultraviolet light (UV) disinfection system.
--	FIL-001	Monitoring of the filter effluent to be measured immediately downstream of the filters prior to the UV disinfection system.

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 the Facility’s influent 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**

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow	MGD	Meter	Continuous
Biochemical Oxygen Demand (5-day @ 20°Celsius)	mg/L	24-hour Composite	1/Week
pH	standard units	Meter	1/Week
Total Suspended Solids	mg/L	24-hour Composite	1/Week

Parameter	Units	Sample Type	Minimum Sampling Frequency
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/Quarter

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 C.F.R. 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 C.F.R. part 136-allowed sample type.
  - b. All grab samples shall not be collected at the same time each day to get a complete representation of variations in the influent.
  - c. All composite samples shall be collected from a 24-hour flow proportional composite.
  - d. A hand-held field meter may be used for **electrical conductivity**, 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 MRP shall be maintained at the Facility.

**IV. EFFLUENT MONITORING REQUIREMENTS**

**A. Monitoring Location EFF-001**

1. The Discharger shall monitor tertiary 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**

Pollutant Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow	MGD	Meter	Continuous
Biochemical Oxygen Demand, 5-day @ 20°Celsius	mg/L	24-hour Composite	1/Week
Biochemical Oxygen Demand, 5-day @ 20°Celsius	percent removal	Calculate	1/Month
pH	standard units	Meter	Continuous

Pollutant Parameter	Units	Sample Type	Minimum Sampling Frequency
Total Suspended Solids	mg/L	24-hour Composite	1/Week
Total Suspended Solids	percent removal	Calculate	1/Month
Copper, Total Recoverable	µg/L	Grab	1/Quarter
Mercury, Total Recoverable	ng/L	Grab	1/Quarter
Ammonia Nitrogen, Total (as N)	mg/L	Grab	1/Month
Chlorpyrifos	µg/L	Grab	1/Year
Diazinon	µg/L	Grab	1/Year
Dissolved Oxygen	mg/L	Grab	1/Week
Electrical Conductivity @ 25°Celsius	µmhos/cm	24-hour Composite	1/Month
Hardness, Total (as CaCO <sub>3</sub> )	mg/L	24-hour Composite	1/Quarter
Methylmercury	ng/L	Grab	1/Quarter
Nitrate Nitrogen, Total (as N)	mg/L	Grab	1/Quarter
Nitrite Nitrogen, Total (as N)	mg/L	Grab	1/Quarter
Nitrate Plus Nitrite (as N)	mg/L	Calculate	1/Quarter
Temperature	C°(F°)	Grab	1/Week
Total Coliform Organisms	MPN/100 mL	Grab	1/Week
Total Dissolved Solids	mg/L	Grab	1/Quarter

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 C.F.R. 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 C.F.R. part 136 allowed sample type.
  - b. **24-hour composite samples** shall be collected from a 24-hour flow proportional composite.
  - c. A hand-held field meter may be used for **temperature, electrical conductivity, dissolved oxygen, 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 MRP shall be maintained at the Facility.

- d. **Temperature and pH** shall be recorded at the time of **ammonia** sample collection.
- e. **Priority Pollutants.** For all priority pollutant constituents listed in Table E-3 (copper and mercury), the reporting level (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).
- f. **Total Mercury and Methylmercury.** Unfiltered methylmercury and 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 methylmercury and total mercury shall be by U.S. EPA method 1630 and 1631 (Revision E), respectively, with a **reporting limit of 0.05 ng/L for methyl mercury and 0.5 ng/L for total mercury.**
- g. **Ammonia** samples shall be collected concurrently with whole effluent toxicity (WET) monitoring.
- h. **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.
- i. **Dissolved oxygen** samples shall be collected at the upstream location in the final effluent pump wet well.
- j. **Hardness** samples shall be collected concurrently with metals samples.
- k. **Total Coliform Organisms.** Samples for total coliform organisms shall be collected 6 feet downstream from the UV lights.

## V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

- A. **Acute Toxicity Testing.** The Discharger shall conduct acute toxicity testing to determine whether the effluent is contributing acute toxicity to the receiving water. The Discharger shall meet the acute toxicity testing requirement:
  - 1. **Monitoring Frequency** – The Discharger shall perform **annual** 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 fathead minnows (*Pimephales promelas*).
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 conduct chronic toxicity testing to determine whether the effluent is contributing chronic toxicity to the receiving water. The Discharger shall meet the following chronic toxicity testing requirements:

1. **Monitoring Frequency** – The Discharger shall perform routine **annual** chronic toxicity testing. If the result of the routine chronic toxicity testing event exhibits toxicity, demonstrated by a result greater than 16 TUc (as 100/NOEC) AND a percent effect greater than 25 percent at 6.25 percent effluent, the Discharger has the option of conducting two additional compliance monitoring events and performing 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.N for procedures for calculating a 6-week median.
2. **Sample Types** – Effluent samples shall be flow proportional 24-hour composites 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 MRP.
3. **Sample Volumes** – Adequate sample volumes shall be collected to provide renewal water to complete the test in the event that the discharge is intermittent.
4. **Test Species** – Chronic toxicity testing measures sublethal (e.g., reduced growth, reproduction) and/or lethal effects to test organisms exposed to an effluent compared to that of the control organisms. The Discharger shall conduct chronic toxicity tests with:
  - a. The cladoceran, water flea, *Ceriodaphnia dubia* (survival and reproduction test);

- b. The fathead minnow, *Pimephales promelas* (larval survival and growth test); and
  - c. The green alga, *Selenastrum capricornutum* (growth test).
5. **Methods** – The presence of chronic toxicity shall be estimated as specified in Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition, EPA/821-R-02-013, October 2002.
  6. **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.
  7. **Dilutions** – For routine and compliance chronic toxicity monitoring, the chronic toxicity testing shall be performed using the dilution series identified in Table E-4, below. For TRE monitoring, the chronic toxicity testing shall be performed using the dilution series identified in Table E-4, below, unless an alternative dilution series is detailed in the submitted TRE Action Plan. A receiving water control or laboratory water control may be used as the diluent.

**Table E-4. Chronic Toxicity Testing Dilution Series**

Samples	Dilution%	Dilution%	Dilution%	Dilution%	Dilution%	Controls
% Effluent	50	25	12.5	6.25	3.125	0
% Control Water	50	75	87.5	93.75	96.875	100

8. **Test Failure** – The Discharger must re-sample and re-test as soon as possible, but no later than 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 within 24-hours after the receipt of test results exceeding the chronic toxicity monitoring trigger, or an exceedance of the acute toxicity effluent limitation.
  - 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, WET monitoring shall be reported as follows:

1. **Chronic WET Reporting.** Routine and compliance chronic toxicity monitoring results shall be reported to the Central Valley Water Board with the monthly self-monitoring report (SMR), 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 statistical methods used to calculate endpoints;
  - c. The statistical output page, which includes the calculation of the PMSD;
  - d. The dates of sample collection and initiation of each toxicity test; and
  - e. The results compared to the numeric toxicity monitoring trigger.

Additionally, the monthly SMR's 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.

2. **Acute WET Reporting.** Acute toxicity test results shall be submitted with the monthly discharger SMR's and reported as percent survival.
3. **TRE Reporting.** Reports for TRE's 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.
4. **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.

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

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

**VIII. RECEIVING WATER MONITORING REQUIREMENTS**

The Discharger is required to participate in the Delta Regional Monitoring Program. Delta Regional Monitoring Program data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Order. Delta Regional Monitoring Program monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta Regional Monitoring Program monitoring stations would not normally be able to identify the source of any specific constituent but would be used to identify water quality issues needing further evaluation. Delta Regional Monitoring Program monitoring data, along with the individual Discharger data, may be used to help establish background receiving water quality for reasonable potential analyses (RPA’s) in an NPDES permit after evaluation of the applicability of the data for that purpose. Delta Regional Monitoring Program data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger’s discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in the exceedance of a water quality objective.

While participating in the Delta Regional Monitoring Program, the Discharger shall continue to submit receiving water data for temperature. At a minimum, one representative upstream receiving water temperature sample shall be submitted annually for the month of January. The temperature data shall be submitted in the January SMR and will be used to determine compliance with the temperature effluent limitation. Temperature data may be collected by the Discharger for this purpose or the Discharger may submit representative temperature data from the Delta RMP or other appropriate monitoring programs (e.g., Department of Water Resources, United States Geological Survey, etc.)

**IX. OTHER MONITORING REQUIREMENTS**

**A. Biosolids – Not Applicable**

**B. Municipal Water Supply – Not Applicable**

**C. Filtration System and Ultraviolet Light (UV) Disinfection System**

- 1. Monitoring Locations UVS-001 and FIL-001.** When discharging to surface waters, the Discharger shall monitor the filtration system at Monitoring Location FIL-001 and the UV disinfection system at Monitoring Location UVS-001 in accordance with Table E-5 and the testing requirements described in section IX.C.2 below.

**Table E-5. Filtration System and UV Disinfection System Monitoring Requirements**

Parameter	Units	Sample Type	Monitoring Location	Minimum Sampling Frequency
Flow	MGD	Meter	UVS-001	Continuous
Turbidity	NTU	Meter	FIL-001	Continuous
Number of UV banks in operation	Number	Observation	N/A	1/Day
UV Transmittance	Percent (%)	Meter	UVS-001	Continuous
UV Dose	mJ/cm <sup>2</sup>	Calculated	N/A	Continuous

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 C.F.R. 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 C.F.R. part 136 allowed sample type.
  - b. **Continuous analyzers.** The Discharger shall report documented routine meter maintenance activities including date, time of day, and duration, in which the analyzer(s) is not in operation. If analyzer(s) fail to provide continuous monitoring for more than two hours and influent and/or effluent from the disinfection process is not diverted for retreatment, the Discharger shall obtain and report hourly manual and/or grab sample results. The Discharger shall not decrease power settings or reduce the number of UV lamp banks in operation while the continuous analyzers are out of service and water is being disinfected.
  - c. **Turbidity.** Report daily average and maximum turbidity.
  - d. **UV Dose.** Report daily minimum hourly average UV dose and daily average UV dose. The minimum hourly average dose shall consist of lowest hourly average dose provided in any channel that had at least one bank of lamps operating during the hour interval. For channels that did not operate for the entire hour interval, the dose will be averaged based on the actual operation time.

## D. Emergency Storage Basin

### 1. Monitoring Location PND-001

- a. The Discharger shall keep a log related to the use of the basin. In particular the Discharger shall record the following when any type of wastewater is directed to the basin:
  - i. The date(s) when the wastewater is directed to the basin;
  - ii. The type(s) of wastewater (e.g., untreated due to plan upset, tertiary treated) directed to the basin;
  - iii. The total volume of wastewater directed to the basin;<sup>1</sup>
  - iv. The duration of time wastewater is collected in the basin; prior to redirection back to the wastewater treatment plant;
  - v. The date when all wastewater in the basin has been redirected to the wastewater treatment plant; and
  - vi. The freeboard available in the basin, on a weekly basis.
- b. The basin log shall be submitted with the monthly SMR's required in Section X.B of the MRP (Attachment E).

## E. 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 concurrently with the Effluent and Receiving Water Characterization Study**, as specified in section IX.E.1 below. 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 during the time of sampling 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

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<sup>1</sup> The total volume of wastewater directed to the basin may be estimated. For continuous analyzers, the Discharger shall report documented routine meter maintenance activities, including date, time of day, and duration, in which the analyzer(s) is not in operation.

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 website](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 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

Pyrethroid Pesticide	Receiving water KOC (L/kg)	Receiving water KDOC (L/kg)	Effluent KOC (L/kg)	Effluent KDOC (L/kg)
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	6,074,000	957,703	10,000,000	200,000

- 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 concurrently with the Effluent and Receiving Water Characterization Study**, as specified in section IX.E.1 below. This is also concurrent with the Pyrethroid Pesticides Water Column Chemistry Monitoring described above. Downstream receiving water monitoring during the time of sampling 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.

## F. Effluent and Receiving Water Characterization

1. Since the Discharger is participating in the Delta Regional Monitoring Program, as described in Attachment E, section VIII, this section only requires effluent characterization monitoring. However, the Report of Waste Discharge (ROWD) for the next permit renewal shall include, at minimum, one representative ambient background characterization monitoring event for priority pollutant constituents (Appendix A to 40 C.F.R. part 423) during the term of the permit. Data from the Delta Regional Monitoring Program may be utilized to characterize the receiving water in the permit renewal. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with the ROWD. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point.

### 2. Monitoring Frequency.

- a. **Effluent Sampling.** Samples shall be collected from the effluent (Monitoring Location EFF-001) quarterly between **1 April 2022 and 31 March 2023.**

Constituents shall be collected and analyzed consistent with the Discharger's Analytical Methods Report (MRP, section X.D.1) using sufficiently sensitive analytical methods and RL's per the SSM Rule specified in 40 C.F.R. section 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.

3. **Sample Type.** All receiving water samples shall be taken as grab samples. Effluent samples shall be taken as described in Table E-8, below.
4. **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.

5. The Discharger shall conduct effluent and receiving water characterization monitoring in accordance with Table E-8 and the testing requirements described in section IX.D.6 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
27	Dichlorobromomethane	75-27-4	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
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

CTR Number	Volatile Organic Parameters	CAS Number	Units	Effluent Sample Type
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
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

CTR Number	Semi-Organic Volatile Parameters	CAS Number	Units	Effluent Sample Type
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 Recoverable	7440-36-0	µg/L	24-hour Composite
2	Arsenic, Total Recoverable	7440-38-2	µg/L	24-hour Composite
15	Asbestos	1332-21-4	µg/L	24-hour Composite
3	Beryllium, Total Recoverable	7440-41-7	µg/L	24-hour Composite
4	Cadmium, Total Recoverable	7440-43-9	µg/L	24-hour Composite
5a (III)	Chromium, Total	7440-47-3	µg/L	24-hour Composite
6	Copper, Total Recoverable	7440-50-8	µg/L	24-hour Composite
14	Iron, Total Recoverable	7439-89-6	µg/L	24-hour Composite
7	Lead, Total Recoverable	7439-92-1	µg/L	24-hour Composite
8	Mercury, Total Recoverable	7439-97-6	µg/L	Grab
NL	Mercury, Methyl	22967-92-6	µg/L	Grab
NL	Manganese, Total Recoverable	7439-96-5	µg/L	24-hour Composite
9	Nickel, Total Recoverable	7440-02-0	µg/L	24-hour Composite
10	Selenium, Total Recoverable	7782-49-2	µg/L	24-hour Composite
11	Silver, Total Recoverable	7440-22-4	µg/L	24-hour Composite
12	Thallium, Total Recoverable	7440-28-0	µg/L	24-hour Composite
13	Zinc, Total Recoverable	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

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



**CONVENTIONAL PARAMETERS**

CTR Number	Conventional Parameters	CAS Number	Units	Effluent Sample Type
NL	pH	--	SU	Grab
NL	Temperature	--	°C	Grab

**NON-CONVENTIONAL PARAMETERS**

CTR Number	Nonconventional Parameters	CAS Number	Units	Effluent Sample Type
NL	Foaming Agents (MBAS)	MBAS	mg/L	24-hour Composite
NL	Hardness (as CaCO <sub>3</sub> )	471-34-1	mg/L	Grab
NL	Specific Conductance (Electrical Conductivity or EC)	EC	µmhos/cm	24-hour Composite
NL	Total Dissolved Solids (TDS)	TDS	mg/L	24-hour Composite
NL	Dissolved Organic Carbon (DOC)	DOC	mg/L	24-hour Composite

**NUTRIENTS**

CTR Number	Nutrient Parameters	CAS Number	Units	Effluent Sample Type
7	Ammonia (as N)	7664-41-7	mg/L	24-hour Composite
8	Nitrate (as N)	14797-55-8	mg/L	24-hour Composite
9	Nitrite (as N)	14797-65-0	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

CTR Number	Other Constituents of Concern	CAS Number	Units	Effluent Sample Type
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
NL	Chlorpyrifos	2921-88-2	µg/L	24-hour Composite
NL	Diazinon	333-41-5	µg/L	24-hour Composite

6. **Table E-8 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-8.
- a. 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-3, except for hardness, pH, and temperature, which shall be conducted concurrently with the effluent sampling.
  - b. **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.
  - c. All **24-hour composite** samples shall be collected from a 24-hour flow proportional composite.
  - d. **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.
  - e. A hand-held 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 MRP shall be maintained at the Facility.

- f. **Temperature and pH** shall be recorded at the time of **ammonia nitrogen** sample collection.
- g. **Hardness** samples shall be collected concurrently with **metals** samples.
- h. **Total Mercury and Methyl Mercury.** Unfiltered methyl mercury and 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 methyl mercury and total mercury shall be by U.S. EPA method 1630 and 1631 (Revision E), respectively, with a **reporting limit of 0.05 ng/L for methyl mercury and 0.5 ng/L for total mercury.**

## 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 (SMR's)

- 1. The Discharger shall electronically submit SMR's 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, quarterly, and annual SMR's including the results of all required monitoring using U.S. EPA-approved test methods or other test methods specified in this Order. SMR's 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 SMR's 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**

Sampling Frequency	Monitoring Period Begins On	Monitoring Period	SMR Due Date
Continuous	Permit effective date	All	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	First day of second calendar month following month of sampling
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
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 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 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 SMR's 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 (WDR's); 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 SMR's for which sample analyses were performed.
7. The Discharger shall submit in the SMR's 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 December 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 SMR's. The percent removal shall be calculated as specified in section VII.A of the Waste 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.D of the Waste Discharge Requirements.
  - d. **Total Calendar Annual Mass Loading Mercury Effluent Limitations.** The Discharger shall calculate and report the total calendar annual mercury mass loading for the effluent in the December SMR. The total calendar year annual mass loading shall be calculated as specified in section VII.B of the Waste Discharge Requirements.
  - 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.17.a-e of the Waste Discharge Requirements.

- f. **Temperature Effluent and Receiving Water Limitations.** To determine compliance with Effluent Limitation IV.A.1.e, the Discharger shall calculate and report the temperature difference between the effluent and “upstream” receiving water based on the difference in the daily average temperature at Monitoring Location EFF-001 and temperature of grab samples collected at Monitoring Locations RSW-001 or RSW-002, consistent with the Compliance Determination Language in section VII.J of the Waste Discharge Requirements. To determine compliance with Receiving Water Limitation V.A.15.b, 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.
- g. **Chlorpyrifos and Diazinon Effluent Limitations.** The Discharger shall calculate and report the value of  $S_{AMEL}$  and  $S_{MDEL}$  for the effluent, using the equation in Effluent Limitations IV.A.1.g and consistent with the Compliance Determination Language in section VII.H of the Waste Discharge Requirements.
- h. **Average Dry Weather Flow.** The Discharger shall calculate and report the average dry weather flow for the effluent. The average dry weather flow shall be calculated as specified in section VII.C of the Waste Discharge Requirements and reported in the December SMR.
- i. **Dissolved Oxygen Receiving Water Limitations.** The Discharger shall report monthly in the SMR the dissolved oxygen concentrations in the effluent (EFF-001) and the receiving water (RSW-001 and RSW-002).

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

1. DMR's 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) RL, 3) MDL, and 4) analytical method. The analytical methods shall be sufficiently sensitive with RL's consistent with the SSM Rule per 40 C.F.R. sections 122.21(e)(3) and 122.44(i)(1)(iv), and with the ML's 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. 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. **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 1;
  - c. NPDES Form 2A;
  - d. NPDES Form 2S; and



- e. Summary of the effectiveness of the Salinity Evaluation and Minimization Plan during the permit term;
  - f. **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.
4. **Technical Report Submittals.** This Order includes requirements to submit a 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	31 March 2025	MRP X.D.3
2	Analytical Methods Report	19 April 2021	MRP X.D.1
3	Analytical Methods Report Certification	1 January 2022	MRP IX.F.4
4	Annual Operations Report	1 February 2022	MRP X.D.3
5	Annual Operations Report	1 February 2023	MRP X.D.3
6	Annual Operations Report	1 February 2024	MRP X.D.3
7	Annual Operations Report	1 February 2025	MRP X.D.3
8	Annual Operations Report	1 February 2026	MRP X.D.3
Intentionally left blank	Compliance Schedule for Final Effluent Limitations for Methylmercury WDR section VI.C.7.a (see table note)	Intentionally left blank	Intentionally left blank
9	Mercury Pollution Prevention Plan Annual Progress Reports	1 February 2022	WDR VI.C.3.a
10	Mercury Pollution Prevention Plan Annual Progress Reports	1 February 2023	WDR VI.C.3.a
11	Mercury Pollution Prevention Plan Annual Progress Reports	1 February 2024	WDR VI.C.3.a
12	Mercury Pollution Prevention Plan Annual Progress Reports	1 February 2025	WDR VI.C.3.a
13	Mercury Pollution Prevention Plan Annual Progress Reports	1 February 2026	WDR VI.C.3.a

Report #	Technical Report	Due Date	CIWQS Report Name
14	Notification of Full Compliance Signed by Legally Responsible Official (LRO)	31 December 2030	WDR VI.C.7.a
Intentionally left blank	Other Reports	Intentionally left blank	Intentionally left blank
15	Summary of the effectiveness of the Salinity Evaluation and Minimization Plan	31 March 2025	Submit with ROWD

**Table E-10 Note:**

1. Beginning 1 February 2021 and annually thereafter until the Facility achieves compliance with the final effluent limitations for methylmercury, the Discharger shall submit annual progress reports on the previously submitted pollution prevention plan for mercury. **This annual report may be combined with the Annual Operations Report and submitted as one report.** The progress reports shall discuss the effectiveness of the pollution prevention plan in the reduction of mercury in the discharge, include a summary of mercury and methylmercury monitoring results, and discuss updates to the pollution prevention plan.

**ATTACHMENT F – FACT SHEET**

**Table of Contents**

I.	Permit Information .....	F-3
II.	Facility Description .....	F-4
	A. Description of Wastewater and Biosolids Treatment and Controls .....	F-5
	B. Discharge Points and Receiving Waters.....	F-5
	C. Summary of Existing Requirements and Self-Monitoring Report (SMR) Data .....	F-5
	D. Compliance Summary.....	F-8
	E. Planned Changes – Not Applicable .....	F-8
III.	Applicable Plans, Policies, and Regulations.....	F-8
	A. Legal Authorities .....	F-8
	B. California Environmental Quality Act (CEQA) .....	F-9
	C. State and Federal Laws, Regulations, Policies, and Plans .....	F-9
	D. Impaired Water Bodies on CWA 303(d) List .....	F-13
	E. Other Plans, Policies, and Regulations.....	F-15
IV.	Rationale For Effluent Limitations and Discharge Specifications.....	F-15
	A. Discharge Prohibitions.....	F-16
	B. Technology-Based Effluent Limitations.....	F-17
	1. Scope and Authority.....	F-17
	2. Applicable Technology-Based Effluent Limitations .....	F-18
	C. Water Quality-Based Effluent Limitations (WQBEL’s).....	F-19
	1. Scope and Authority.....	F-19
	2. Applicable Beneficial Uses and Water Quality Criteria and Objectives .....	F-19
	3. Determining the Need for WQBEL’s .....	F-42
	4. WQBEL Calculations .....	F-71
	5. Whole Effluent Toxicity (WET) .....	F-74
	D. Final Effluent Limitation Considerations.....	F-76
	1. Mass-based Effluent Limitations .....	F-76
	2. Averaging Periods for Effluent Limitations .....	F-76
	3. Satisfaction of Anti-Backsliding Requirements.....	F-76
	4. Antidegradation Policies .....	F-78
	5. Stringency of Requirements for Individual Pollutants.....	F-80
	E. Interim Effluent Limitations.....	F-82
	F. Land Discharge Specifications – Not Applicable.....	F-84
	G. Recycling Specifications – Not Applicable .....	F-84
V.	Rationale for Receiving Water Limitations.....	F-84
	A. Surface Water.....	F-84
	B. Groundwater.....	F-85
VI.	Rationale for Provisions.....	F-86
	A. Standard Provisions.....	F-86
	B. Special Provisions.....	F-86
	1. Reopener Provisions.....	F-86
	2. Special Studies and Additional Monitoring Requirements.....	F-88
	3. Best Management Practices and Pollution Prevention .....	F-89
	4. Construction, Operation, and Maintenance Specifications.....	F-90
	5. Special Provisions for Publicly-Owned Treatment Works (POTW’s).....	F-92

6. Other Special Provisions – Not Applicable..... F-92  
 7. Compliance Schedules ..... F-92  
 VII. Rationale for Monitoring and Reporting Requirements..... F-95  
     A. Influent Monitoring ..... F-95  
     B. Effluent Monitoring ..... F-95  
     C. Whole Effluent Toxicity (WET) Testing Requirements ..... F-97  
     D. Receiving Water Monitoring ..... F-97  
         1. Surface Water ..... F-97  
         2. Groundwater – Not Applicable ..... F-99  
     E. Other Monitoring Requirements ..... F-99  
 VIII. Public Participation ..... F-100  
     A. Notification of Interested Persons ..... F-100  
     B. Written Comments ..... F-100  
     C. Public Hearing ..... F-101  
     D. Reconsideration of Waste Discharge Requirements..... F-101  
     E. Information and Copying ..... F-101  
     F. Register of Interested Persons ..... F-102  
     G. Additional Information ..... F-102

**Tables**

Table F-1. Facility Information ..... F-3  
 Table F-2. Historic Effluent Limitations ..... F-5  
 Table F-3 Basin Plan Beneficial Uses ..... F-9  
 Table F-4. 303 (d) List for Delta Waterways (Western Portion) ..... F-14  
 Table F-5. Summary of Technology-based Effluent Limitations ..... F-18  
 Table F-6. Limitations Based on Full Dilution Credits Versus Facility Performance ..... F-29  
 Table F-7. Summary of CTR Criteria for Hardness-dependent Metals ..... F-35  
 Table F-8. Verification of CTR Compliance for Nickel ..... F-41  
 Table F-9. Verification of CTR Compliance for Lead ..... F-41  
 Table F-10. Verification of CTR Compliance for Copper ..... F-42  
 Table F-11. Salinity Water Quality Criteria/Objectives ..... F-49  
 Table F-12. Water Quality Objectives for Electrical Conductivity ..... F-50  
 Table F-13. Summary of Water Quality-Based Effluent Limitations ..... F-72  
 Table F-14. Whole Effluent Chronic Toxicity Testing Results ..... F-75  
 Table F-15. Summary of Final Effluent Limitations ..... F-80

**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>	5A480108001
<b>CIWQS Facility Place ID:</b>	266439
<b>Discharger:</b>	City of Rio Vista
<b>Name of Facility:</b>	Northwest Wastewater Treatment Facility
<b>Facility Address:</b>	3000 Airport Road
<b>Facility City, State Zip:</b>	Rio Vista, CA 94571
<b>Facility County:</b>	Solano County
<b>Facility Contact, Title and Phone Number:</b>	Robert Hickey, City Manager, (707) 374-6451
<b>Authorized Person to Sign and Submit Reports:</b>	Robert Hickey, City Manager, (707) 374-6451
<b>Mailing Address:</b>	Same as Facility Address
<b>Billing Address:</b>	Same as Facility Address
<b>Type of Facility:</b>	Publicly Owned Treatment Works (POTW)
<b>Major or Minor Facility:</b>	Major
<b>Threat to Water Quality:</b>	2
<b>Complexity:</b>	B
<b>Pretreatment Program:</b>	Not Applicable
<b>Recycling Requirements:</b>	Not Applicable
<b>Facility Permitted Flow:</b>	1.0 million gallons per day (MGD), average dry weather flow 3.0 MGD, peak wet weather flow
<b>Facility Design Flow:</b>	1.0 MGD, average dry weather flow 3.0 MGD, peak wet weather flow
<b>Watershed:</b>	Sacramento-San Joaquin Delta

<b>Receiving Water:</b>	Sacramento River
<b>Receiving Water Type:</b>	Estuary

- A.** The City of Rio Vista is the owner of the Northwest Wastewater Treatment Facility (hereinafter Facility), a POTW. The City of Rio Vista contracts Veolia Water North American – West, LLC to operate the Facility. Together, the City of Rio Vista and Veolia Water North American – West, LLC are hereinafter referred to as 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-San Joaquin Delta. The Discharger was previously regulated by Order R5-2015-0141 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0083771 adopted on 11 December 2015, with an expiration date of 31 January 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 Resources Control Board (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 4 August 2020. The application was deemed complete on 4 August 2020.
- E.** Regulations at 40 C.F.R. section 122.46 limit the duration of NPDES permits to a fixed term not to exceed 5 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 (CCR), 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 to a small development northwest of the City of Rio Vista and serves a population of approximately 6,000. The design average dry weather flow capacity of the Facility is 1.0 MGD.

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

The treatment system at the Facility consists of fine screening followed by activated sludge treatment with anoxic and aerobic basins, followed by membrane biological reactors (MBR’s), which separate the liquid from the solids. The liquid effluent from the MBR’s is disinfected using ultraviolet light (UV) disinfection. A 2.0-million-gallon emergency storage basin lined with high density polyethylene liner is also used to accommodate flows in excess of the peak hydraulic capacity of 3.0 MGD. However, due to the slowdown in population growth, the treatment plant receives approximately 25 percent of the design average dry weather flow (e.g., 0.25 MGD) and the emergency storage basin is used for storage of treated and untreated wastewater when there are operation failures at the headworks or if effluent fails to meet standards. When the treatment system is brought back up from an operational or treatment failure, the wastewater in the emergency storage basin is routed back through the treatment system. Treated effluent is pumped through approximately 2 miles of pipeline and discharged through a multi-port outfall diffuser approximately 200 feet offshore into the Sacramento River on a year-round basis.

Sludge is dewatered using belt filter press technology followed by drying in solar greenhouses. Once dried, the material meets “Exceptional Class A” biosolids criteria and is stockpiled in one of the solar greenhouses prior to disposal at a regulated Class III landfill or beneficial land application. The facility produces approximately 127 dry metric tons of dried biosolids annually, on average. Transportation and disposal/reuse of the biosolids is regulated by U.S. EPA under 40 C.F.R. part 503.

**B. Discharge Points and Receiving Waters**

1. The Facility is located in section 13, T4N, R3E, MDB&M, as shown in Attachment B, a part of this Order.
2. Treated municipal wastewater is discharged at Discharge Point 001 to the Sacramento River, a water of the United States within the legal boundary of the Sacramento-San Joaquin Delta, at a point latitude 38° 10’ 06” N and longitude 121° 40’ 42” W.

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

Effluent limitations contained in Order R5-2015-0141 for discharges from Discharge Point 001 (Monitoring Location EFF-001) and representative monitoring data from the term of Order R5-R5-2015-0141 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	MDEL 1.0 (see table note 1. below)	--	--	0.791

Parameter	Units	Historic Effluent Limitations	Highest Average Monthly Discharge	Highest Average Weekly Discharge	Highest Daily Discharge
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	AMEL 10 AWEL 15 MDEL 20	Non-Detect	7.91	7.91
Biochemical Oxygen Demand (5-day @ 20°C)	lbs/day (see table note 2. below)	AMEL 83 AWEL 125 MDEL 167	4.7	14.71	14.71
Biochemical Oxygen Demand (5-day @ 20°C)	% Removal	AMEL 85	98.9 (see table note 3. below)	--	--
pH	standard conditions	Instantaneous Max 6.5 Instantaneous Min 8.5	--	--	6.51 – 8.42
Total Suspended Solids	mg/L	AMEL 10 AWEL 15 MDEL 20	Non-Detect	22.6	22.6
Total Suspended Solids	lbs/day (see table note 2. below)	AMEL 83 AWEL 125 MDEL 167	0.94	43.92	43.92
Total Suspended Solids	% Removal	AMEL 85	99.5 (see table note 3. below)	--	--
Copper, Total Recoverable	µg/L	AMEL 19 MDEL 25	10.1	--	10.1
Mercury, Total Recoverable	grams/year	AMEL 0.52 (see table note 4. below)	0.263 (see table note 5. below)		
Ammonia Nitrogen, Total (as N)	mg/L	AMEL 1.1 AWEL 1.8	ND	ND	--
Ammonia Nitrogen, Total (as N)	lbs/day (see table note 2. below)	AMEL 9.2 AWEL 15	0.48	0.48	--
Chlorpyrifos	µg/L	(see table notes 6. and 7. below)	ND	--	ND
Diazinon	µg/L	(see table notes 6. and 7. below)	ND	--	ND
Electrical Conductivity @ 25°C	µmhos/cm	AMEL 1,500 (see table note 8. below)	1,573	--	--
Methylmercury	grams/year	AMEL 0.069 (see table note 9. below)	--	--	--



Parameter	Units	Historic Effluent Limitations	Highest Average Monthly Discharge	Highest Average Weekly Discharge	Highest Daily Discharge
Temperature	°F	(see table note 10. below)	--	--	23.1 (see table note 11. below)
Total Coliform Organisms	MPN/100 mL	AWEL 23 (see table note 12. below) MDEL 240 (see table note 13. below)	--	--	2.0
Acute Toxicity	% Survival	MDEL 70/90 (see table notes 14. and 15. below)	--	--	100 (see table note 16. below)
Chronic Toxicity	TUc	(see table note 17. below)	--	--	2

**Table F-2 Notes:**

1. The historic effluent limitation of 1.0 MGD is applied as an average dry weather flow effluent limitation.
2. Based on an average dry weather flow of 1.0 MGD.
3. Represents the minimum reported percent removal.
4. Interim annual mass loading effluent limitation, effective until 31 December 2030.
5. Represents the maximum total calendar annual mass load.
6. Average Monthly Effluent Limitation (AMEL):

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

Where:

Cd(M-avg) = average monthly diazinon effluent concentration in µg/L

Cc (M-avg) = average monthly chlorpyrifos effluent concentration in µg/L

7. Maximum Daily Effluent Limitation (MDEL):

$$S(\text{MDEL}) = C_d(\text{M-avg})/0.16 + C_c(\text{M-avg})/0.025 \leq 1.0$$

Where:

$C_d(\text{D-max})$  = maximum daily diazinon effluent concentration in  $\mu\text{g/L}$

$C_c(\text{D-max})$  = maximum daily chlorpyrifos effluent concentration in  $\mu\text{g/L}$

8. Applied as an annual average effluent limitation.
9. Final annual mass loading effluent limitation effective 31 December 2030.
10. The maximum temperature of the discharge shall not exceed the natural receiving water temperature by more than 20°F.
11. Reflects the maximum difference between the effluent and natural receiving water temperature.
12. Applied as a 7-day median effluent limitation.
13. Not to be exceeded more than once in any 30-day period.
14. Minimum percent survival for any one bioassay.
15. Median percent survival of three consecutive acute bioassays.
16. Represents the minimum observed percent survival.
17. There shall be no chronic toxicity in the effluent.

**D. Compliance Summary**

The Discharger was not subject to any enforcement actions during the term of Order R5-2015-0141.

**E. Planned Changes – Not Applicable**

**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 (MUN). Beneficial uses applicable to the Sacramento River within the Sacramento-San Joaquin Delta are as follows:

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

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

b. **Bay-Delta Plan.** The Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta Plan) was adopted in May 1995 by the State Water Board, superseding the 1991 Bay-Delta Plan. The Bay-Delta Plan identifies the beneficial uses of the estuary and includes objectives for flow, salinity, and endangered

species protection.

The State Water Board adopted Decision 1641 (D-1641) on 29 December 1999 and revised on 15 March 2000. D-1641 implements flow objectives for the Bay-Delta Estuary, approves a petition to change points of diversion of the Central Valley Project and the State Water Project in the Southern Delta, and approves a petition to change places of use and purposes of use of the Central Valley Project. The water quality objectives of the Bay-Delta Plan are implemented as part of this Order.

- c. **Thermal Plan.** The State Water Board adopted the Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California (Thermal Plan) on 7 January 1971 and amended this plan on 18 September 1975. The Thermal Plan contains temperature objectives for surface waters.

The Thermal Plan is applicable to the discharge from the Facility. For the purposes of the Thermal Plan, the Discharger is considered to be an Existing Discharger of Elevated Temperature Waste to an Estuary. The Thermal Plan in section 5.A contains the following temperature objectives for surface waters that are applicable to this discharge:

*"5. Estuaries*

A. Existing dischargers

*(1) Elevated temperature waste discharges shall comply with the following:*

- a. The maximum temperature shall not exceed the natural receiving water temperature by more than 20°F.*
- b. Elevated temperature waste discharges either individually or combined with other discharges shall not create a zone, defined by water temperatures of more than 1°F above natural receiving water temperature, which exceeds 25 percent of the cross-sectional area of a main river channel at any point.*
- c. No discharge shall cause a surface water temperature rise greater than 4°F above the natural temperature of the receiving waters at any time or place.*
- d. Additional limitations shall be imposed when necessary to assure protection of beneficial uses."*

- d. **Sediment Quality.** The State Water Board adopted the *Water Quality Control Plan for Enclosed Bays and Estuaries – Part 1, Sediment Quality* on

16 September 2008, and it became effective on 25 August 2009. This plan supersedes other narrative sediment quality objectives and establishes new sediment quality objectives and related implementation provisions for specifically defined sediments in most bays and estuaries. Requirements of this Order implement sediment quality objectives of this plan.

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, which 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 Antidegradation Policy). The State Antidegradation Policy is deemed to incorporate the federal antidegradation policy where the federal policy applies under federal law. The State Antidegradation Policy requires that existing water quality be maintained unless degradation is justified based on specific findings. The 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 Antidegradation 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 (MCL's) 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 WDR's 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 (RPA) 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 State Water Board Water Quality Order 2014-0057-DWQ, General Permit for Storm Water Discharges Associated with Industrial Activities (NPDES General Permit No. CAS000001), does not require facilities to obtain coverage if discharges of storm water are regulated under another individual or general NPDES permit adopted by the State Water Board or Regional Water Board (Finding I.B.20). All storm water at the Facility is captured and directed to the Facility headworks for treatment and disposal under this Order. Therefore, coverage under the General Storm Water Permit is not required.
  
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 Monitoring and Reporting Program (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 the General Order, 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 (WQLS's), 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 western portion of the Sacramento-San Joaquin Delta, which includes the Sacramento River, includes arsenic, chlordane, chlorpyrifos, DDT, diazinon, dieldrin, electrical conductivity, group A pesticides, invasive species, mercury, polycyclic aromatic hydrocarbons (PAH’s), polychlorinated biphenyls (PCB’s), total DDT (sum of 4,4’- and 2,4’- isomers of DDT, DDE, and DDD), and toxicity.

2. **Total Maximum Daily Loads (TMDL’s).** Table F-4, below, identifies the 303(d) listings and TMDL’s for the western portion of the Sacramento-San Joaquin Delta. This permit includes water quality-based effluent limitations (WQBEL’s) that are consistent with the assumptions and considerations of the applicable waste load allocations (WLA’s) in the 2007 TMDL for diazinon and chlorpyrifos and the 2011 TMDL for methylmercury.

**Table F-4. 303 (d) List for Delta Waterways (Western Portion)**

<b>Pollutant</b>	<b>Potential Sources</b>	<b>TMDL Status</b>
Arsenic	Source Unknown	Not Completed
Chlordane	Source Unknown	Not Completed
Chlorpyrifos	Agriculture; Urban Runoff/Storm Sewers	Adopted and Effective (10 October 2007)
DDT	Source Unknown	Not Completed
Diazinon	Source Unknown	Adopted and Effective (10 October 2007)
Dieldrin	Source Unknown	Not Completed
Electrical Conductivity	Source Unknown	Not Completed
Group A Pesticides	Source Unknown	Not Completed
Invasive Species	Source Unknown	Not Completed
Mercury	Agricultural Return Flows; Atmospheric Deposition; Highway/Road/Bridge Runoff; Industrial Point Sources; Municipal Point Sources; Natural Sources; Resource Extraction; Urban Runoff/Storm Sewers	Adopted and Effective (20 October 2011)
PAH’s	Source Unknown	Not Completed
PCB’s	Source Unknown	Not Completed
Total DDT	Source Unknown	Not Completed



Pollutant	Potential Sources	TMDL Status
Toxicity	Source Unknown	Not Completed

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 IV.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, 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 WDR's 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 (MCL's)*" in Title 22 of the CCR. The Basin Plan further states that, to protect all beneficial uses, the Central Valley Water Board may apply limits more stringent than MCL's. 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 40 C.F.R. 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 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 CCR, Title 22, section 66261.1 *et seq*, which 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. Order R5-2015-0141 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. This Order requires WQBEL's that are equal to or more stringent than the secondary technology-based treatment described in 40 C.F.R. part 133 (see section IV.C.3.d of the Fact Sheet for a discussion on pathogens, which includes WQBEL's for BOD<sub>5</sub> and TSS).
- b. **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 001**

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

Parameter	Units	Effluent Limitations
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	AMEL 30 AWEL 45
Biochemical Oxygen Demand (5-day @ 20°C)	% Removal	AMEL 85
pH	standard units	Instantaneous Max 6.0 Instantaneous Min 9.0
Total Suspended Solids	mg/L	AMEL 30 AWEL 45
Total Suspended Solids	% Removal	AMEL 85

**Table F-5 Note:**

1. Note that more stringent WQBEL's for BOD<sub>5</sub>, pH, and TSS are applicable and are established as final effluent limitations in this Order (see section IV.C.3.d 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. This Order contains requirements, expressed as technology equivalence requirements, more stringent than secondary treatment requirements that are necessary to meet applicable water quality standards. The rationale for these requirements, which consist of tertiary treatment or equivalent requirements, is discussed in section IV.C.3 of this Fact Sheet.

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 WLA's 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 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for MUN.

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 C.F.R. 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.** The Discharger discharges to the Sacramento River within the legal boundary of the Sacramento-San Joaquin Delta. The Sacramento River in the vicinity of the discharge is tidally influenced.

The Sacramento-San Joaquin Delta is vital to California as it comprises over 700 miles of interconnected waterways and encompasses 1,153 square miles. The Sacramento-San Joaquin Delta is home to over 280 species of birds and more than 50 species of fish, making it one of the most ecologically important aquatic habitats in the state. Drinking water for over 25 million Californians is pumped from the Sacramento-San Joaquin Delta via the State Water Project, Central Valley Water Project, and local water intakes. The Sacramento-San Joaquin Delta supports California’s trillion-dollar economy with \$27 billion annually for agriculture. Additionally, the Delta has 12 million user-days for recreation each year.

Refer to III.C.1. above for a complete description of the receiving water and beneficial uses.

- b. **Effluent and Ambient Background Data.** The RPA, as described in section IV.C.3 of this Fact Sheet, was based on data collected from February 2017 through January 2020, which includes effluent and ambient background data submitted in SMR’s. Additional data outside of this range was also analyzed where there was inadequate data to perform an analysis.

As described in Attachment E to this Order, the Discharger participates in the Delta Regional Monitoring Program. As a result, Order R5-2015-0141 did not require monitoring for hardness in the receiving water. Therefore, where receiving water data was necessary to calculate hardness-dependent CTR metals criteria, monitoring conducted between October 2011 and January 2015 at Monitoring Locations RSW-001 and RSW-002 were also considered.

c. Assimilative Capacity/Mixing Zone

- i. **Regulatory Guidance for Dilution Credits and Mixing Zones.** The CWA directs states to adopt water quality standards to protect the quality of their 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 C.F.R. 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: 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. **Sacramento River Characteristics.** The Facility discharges to the Sacramento River within the tidal estuary of the Sacramento-San Joaquin Delta. The Sacramento River in the vicinity of the discharge is tidally influenced, resulting in flow reversals. With flow reversals, some volume of river water is multiple dosed with the effluent as the river flows downstream past the discharge, reverses moving upstream past the discharge, a second time, then again reverses direction and passes the discharge point a third time as it moves down the river. A particular volume of river water may move back and forth, past the discharge point many times due to tidal action, each time receiving an additional load of wastewater.

The Sacramento River at the point of discharge is approximately 2,300 feet wide. The outfall extends perpendicularly from the westerly bank of the Sacramento River for 250 feet and consists of an 18-inch diameter pipe. The last 100 feet of the outfall is the diffuser, which discharges 150 feet from shore at an average depth of 24 feet. The diffuser consists of 143-inch ports evenly placed on 7.7-foot centers over the 100-foot length of the diffuser. Each port consists of a three-inch duckbill valve positioned 4 inches above the river bottom and angled at 30 degrees up from a horizontal position. The height and angle of each duckbill valve are designed to reduce potential effects of the effluent discharge on bottom dwelling aquatic life. Half of the duckbill valves point upstream and half point downstream in an alternating pattern.

- iii. **Dilution/Mixing Zone Study Results.** A mixing zone study associated with the design of the diffuser was submitted prior to the adoption of previous Order R5-2004-0092, three permit terms prior to this one. ECOLOGIC Engineering conducted a mixing zone study titled *Best Practicable Treatment and Control Development of a Mixing Zone*, dated 1 January 2004, using CORMIX computer modeling to assess whether the diffuser would provide greater than

20:1 dilution. The modeling effort consisted of finding a steady state solution with effluent and river flow conditions being those that occur within 1 hour of a flow reversal (i.e., 2 hours total = 1 hour before and 1 hour after flow reversal). In addition, a safety factor was applied. Several scenarios were analyzed to determine the most critical set of parameters for the mixing zone. Critical parameters that impact the analysis included river flow, river stage, effluent temperature, flow rate, and wind speed. Mixing was assessed at both low and high river velocities with a maximum temperature differential of 11°C, which corresponds with a 15°C effluent mixing into 4°C Sacramento River water. In addition to the critical conditions outlined, a sensitivity analysis was conducted to determine the impacts of lowering the temperature differential or increasing the wind speed.

The study demonstrated that within a mixing zone 150 feet (upstream and downstream) x 100 feet wide, the maximum effluent concentration was 2.5 percent (i.e., 40:1 dilution). This area was conservatively established as the acute and chronic mixing zone.

CORMIX was not developed to account for multiple dosing that may occur in tidal zones. Therefore, a very conservative approach was employed by ECOLOGIC Engineering to account for the multiple dosing affects. The study states the following:

“CORMIX is intended primarily for the modeling of steady-state operational conditions and one-time flow reversals. However, in the case of the NWWTF discharge into the Sacramento River, it is estimated that under critical low river flow conditions a parcel of water could pass over the diffuser up to about 13 times (over the course of about three days). This is because of the large magnitude of the tidally-influenced flows compared to the net downstream river flows under critical low river flow conditions. Therefore, some accounting for these additional doses of effluent beyond the ‘one-time’ flow reversal capabilities of the CORMIX model was necessary to allow for proper diffuser selection and modeling.

Because of the timing, turbulence, and traverse of these multiple tidal flows, the earlier doses of effluent become dispersed over much of the river width while the last two doses at the flow reversal will have dispersed very little beyond the river cross-sectional area over the diffuser. It is assumed that the 11 earlier effluent doses preceding the final two effluent doses will have dispersed to a net/average effect of those earlier doses being uniformly dispersed in roughly the one-third of the river cross section that includes the diffuser. In other words, 11 doses of effluent (at effluent flows commensurate with low river flows) are diluted into one-third of the river flow, and this constitutes a ‘background percentage’ of effluent already in the river water at the time of the most critical two effluent doses occurring at the final tidally

induced flow reversal. This 'background percentage' of effluent in the river flow from the first 11 doses of effluent is estimated to be 1.3 percent. An effluent concentration of 1.3 percent was, therefore, added to the results obtained from the CORMIX model for assessment of diffuser effectiveness."

Based on the results of the study, a dilution credit of 20:1 was allowed in the previous Order for compliance with acute and chronic aquatic life and human health criteria. This Order continues the allowance of the acute and chronic aquatic life and human health criteria mixing zone. The mixing zone extends 150 feet (upstream and downstream) and is 100 feet wide.

- iv. **Evaluation of Available Dilution for Acute and Chronic Aquatic Life Criteria.** U.S. EPA Region VIII, in its "*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 requested acute and chronic aquatic life mixing zones for compliance with acute and chronic water quality criteria for chronic toxicity and copper. Based on the mixing zone study, the requested acute and chronic aquatic life mixing zone is 100 feet wide and extends 150 feet upstream and downstream of the diffuser.

The acute and chronic mixing zones 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."<sup>1</sup> The Sacramento River is approximately 2,300 feet wide at the diffuser. The mixing zones are small relative to the large size of the receiving water (100 feet wide by 150 feet upstream and downstream in length); therefore, the mixing zones do not compromise the integrity of the entire waterbody.

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<sup>1</sup> TSD, pg. 33

- (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. 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 acute 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 and constitute less than 5 percent of the river width; 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; or cause nuisance* – The current discharge has not been shown to result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits; or cause nuisance. This Order requires end-of-pipe limitations for individual constituents and discharge prohibitions to prevent these conditions from occurring, which will ensure continued compliance with these mixing zone requirements. Therefore, 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.
- (f) *Shall not dominate the receiving water body or overlap a mixing zone from different outfalls* – The acute and chronic mixing zones are small relative to the water body, so they will not dominate the water body. Furthermore, the mixing zones do not overlap mixing zones from other outfalls. There are no 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 mixing zones are not near a drinking water intake. The nearest drinking water intake is approximately 10 miles from the discharge.

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.**

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. The human health carcinogen criteria 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."<sup>1</sup> The human health mixing zone is not applicable to aquatic life criteria. The proposed human health mixing zone is approximately 150 feet long (upstream and downstream), constituting a small fraction of the total river reach. The human health mixing zone does not compromise the integrity of the entire waterbody.
- (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.

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<sup>1</sup> TSD, pg. 33

- (c) *Shall not restrict the passage of aquatic life* – The human health mixing zone is not applicable to aquatic life criteria. Therefore, the mixing zone will not restrict the passage of aquatic life.
- (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. The mixing zone will not impact 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; or cause nuisance* – The current discharge has not been shown to result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits; or cause nuisance. This Order requires end-of-pipe limitations for individual constituents and discharge prohibitions to prevent these conditions from occurring, which will ensure continued compliance with these mixing zone requirements. Therefore, 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.
- (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 it will not dominate the water body. Furthermore, the mixing zone does not overlap mixing zones from other outfalls. There are no 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 mixing zones are not near a drinking water intake. The nearest drinking water intake is approximately 10 miles from the discharge.

The human health mixing zone, therefore, complies with the SIP. The mixing zone also complies with the Basin Plan, which requires that the 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 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.

vi. **Evaluation of Available Dilution for Specific Constituents (Pollutant-by-Pollutant Evaluation).** The allowance of a mixing zone and dilution credits is a discretionary act by the Central Valley Water Board. When determining the appropriate dilution credits for a specific pollutant, several factors must be considered, such as available assimilative capacity, Facility performance, and best practicable treatment or control (BPTC). This Order allows for a dilution credit of 20:1 for compliance with acute and chronic aquatic life and human health criteria based on a mixing zone that extends 150 feet (upstream and downstream) and is 100 feet wide. The Central Valley Water Board has determined the allowable dilution credits on a constituent-by-constituent basis:

- (a) **Copper.** The receiving water contains assimilative capacity for copper and aquatic life mixing zones for copper meet the mixing zone requirements of the SIP. 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.”

The Central Valley Board considered Facility performance and the receiving water’s assimilative capacity for copper in determining the dilution needed. The consideration of these factors is necessary to avoid allocating an unnecessarily large portion of the receiving water’s assimilative capacity and possibly violating the Antidegradation Policy. Based on Facility performance, the full dilution credits are not needed for copper and have been reduced to ensure compliance with the mixing zone provisions of the SIP. There is no new information providing reason to modify effluent limits for copper. Therefore, this Order retains the performance-based effluent limits for copper from Order R5-2015-0141. As shown in the table below, based on Facility performance, the Facility can meet more stringent WQBEL’s for copper than with the full allowance of dilution. The mixing zone is as small as practicable for this Facility and fully complies with the SIP.

**Table F-6. Limitations Based on Full Dilution Credits Versus Facility Performance**

Parameter	Effluent Limitations (Full Dilution Credits)	Effluent Limitations (Facility Performance)
Copper, Total Recoverable	AMEL 30 MDEL 44	AMEL 19 MDEL 25

- (b) **Chronic Whole Effluent Toxicity (WET).** As discussed in section IV.C.2.iv, above, a mixing zone for chronic toxicity meets the requirements of the SIP. 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.”* Based on the Discharger’s mixing zone study, the chronic aquatic life mixing zone extends 150 feet upstream and downstream of Discharge Point 001. Order R5-2015-0141 included a chronic WET monitoring trigger of >16 TUc, which allows for a dilution credit of 20:1. This Order retains the chronic WET numeric trigger of >16 TUc.
- vii. **Regulatory Compliance for Dilution Credits and Mixing Zones.** To full comply with all applicable laws, regulations and policies of the state, the Central Valley Water Board-approved mixing zones and the associated dilution credits are based on the following:
- (a) Mixing zones are allowed under the SIP provided all elements contained in section 1.4.2.2 are met. Based on the Discharger’s mixing zone study, the Central Valley Water Board has determined that these factors are met.
- (b) 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 zones are as small as practicable.
- (c) In accordance with section 1.4.2.2 of the SIP, the Central Valley Water Board has determined the mixing zones are as small as practicable and 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 and do not overlap a mixing zone from a different outfall. Additionally, there are no known downstream drinking water intakes.
- (d) The Central Valley Water Board is allowing 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.
- (e) 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 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) As required by the SIP, in determining the extent of or whether to allow mixing zones and dilution credits, 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.
- (g) The Central Valley Water Board has determined the mixing zones comply with the SIP for priority pollutants.
- (h) Section 1.4.2.2.B 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 effluent limitations for all constituents in this Order.
- (i) The Central Valley Water Board has determined the mixing zones comply 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 zones, the Central Valley Water Board has considered the procedures and guidelines in section 5.1 of U.S. EPA’s *Water Quality Standards Handbook, 2nd Edition* (updated July 2007) and section 2.2.2 of the TSD. The SIP incorporates the same guidelines.
- (j) The Central Valley Water Board has determined that allowing dilution factors that exceed those proposed by this Order would not comply with the State Antidegradation Policy for receiving waters outside the allowable mixing zones. The State Antidegradation 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 Antidegradation Policy states:

*“Any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes 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 for copper have been adjusted for dilution credits based on Facility performance. The Central Valley Water Board determined the effluent limitations required by this Order will result in the Discharger implementing BPTC 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.

Therefore, the Central Valley Water Board has determined the effluent limitations established in the Order for copper, which have been adjusted for dilution credits, are appropriate and necessary to comply with the Basin Plan, SIP, federal antidegradation regulations and the State Antidegradation 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 recoverable 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<sup>1</sup> and the CTR.<sup>2</sup> The SIP and the CTR require the use of “receiving water” or “actual ambient” hardness, respectively, to determine effluent limitations for these metals. 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)). 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).<sup>3</sup> 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.<sup>4</sup> 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.<sup>5</sup> 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.

i. **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 46 mg/L to 110 mg/L based on collected ambient data from October 2011 through January 2020. 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, Central Valley Water Board 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 46 mg/L (minimum) up to 110 mg/L (maximum). Staff recommends that the Board use the

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<sup>1</sup> 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.

<sup>2</sup> 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)).

<sup>3</sup> 40 C.F.R. section 131.38(c)(2)(iii) Table 4

<sup>4</sup> 40 C.F.R. section 131.38(c)(2)(iii) Table 4, notes 1 and 2

<sup>5</sup> 40 C.F.R. section 131.38(c)(2)(i)

ambient hardness values shown in Table F-7 for the following reasons.

- (a) Using the ambient receiving water hardness values shown in Table F-7 will result in criteria and effluent limitations that ensure protection of beneficial uses under all ambient receiving water conditions.
- (b) The Water Code mandates that the Central Valley Water Board establish permit terms 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, Central Valley Water Board staff has used the ambient hardness values shown in Table F-7 to calculate the proposed effluent limitations for hardness-dependent metals. The proposed effluent limitations are protective of beneficial uses under all flow conditions.
- (c) Using an ambient hardness that is higher than the minimum of 46 mg/L will result in limits that may allow increased metals to be discharged to the Sacramento 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 WDR's, which will result in the BPTC 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.
- (d) Using the ambient hardness values shown in Table F-7 is consistent with the CTR and SIP's requirements for developing metals criteria.

**Table F-7. Summary of CTR Criteria for Hardness-dependent Metals**

<b>CTR Metals</b>	<b>Ambient Hardness (mg/L)</b>	<b>CTR Criteria (µg/L, total recoverable) (Acute)</b>	<b>CTR Criteria (µg/L, total recoverable) (Chronic)</b>
Copper	82.2	12	7.9
Chromium III	82.2	1,500	180
Cadmium	82.2 (acute) 82.2 (chronic)	3.6	2.1
Lead	82.2	64	2.5
Nickel	82.2	400	44
Silver	78	2.6	--
Zinc	82.2	100	100

**Table F-7 Notes:**

1. **CTR Criteria (ug/L, total recoverable).** 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-7 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.

ii. **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 recoverable 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.<sup>1</sup> Design flows for aquatic life criteria include the 1Q10 and the 7Q10. The 1Q10 and 7Q10 Sacramento River flows are 5,060 cfs and 5,846 cfs, respectively.<sup>2</sup>

iii. **Ambient Conditions**

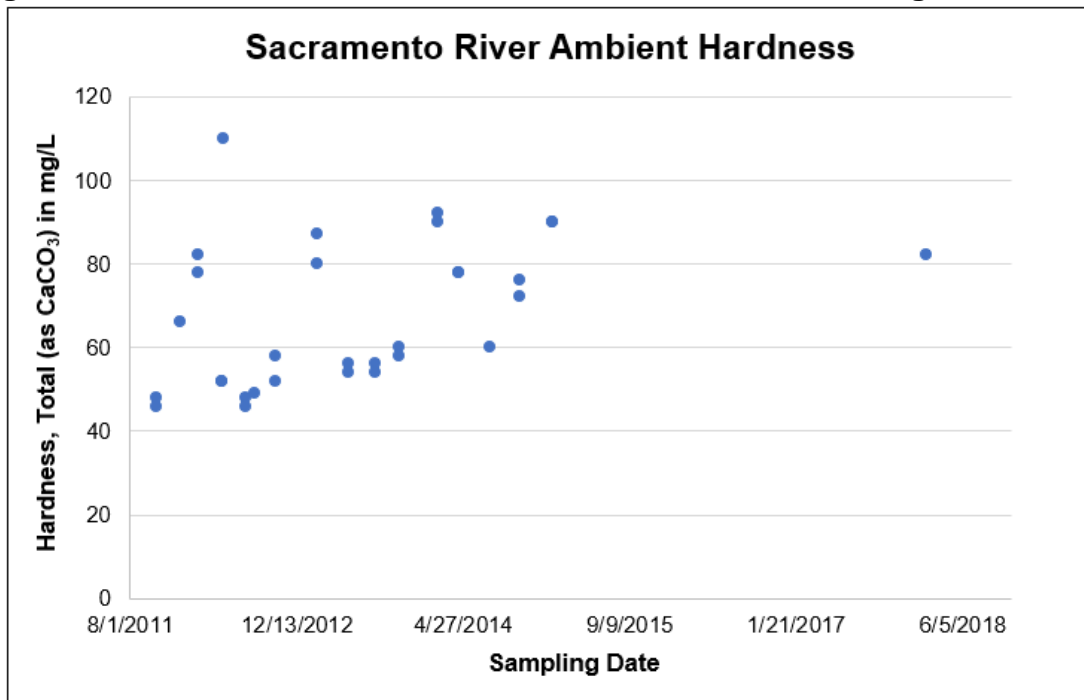
The ambient receiving water hardness varied from 46 mg/L to 110 mg/L, based on 31 samples from October 2011 through January 2020 (see Figure F-1).

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<sup>1</sup> 40 C.F.R. section 131.38(c)(2)(iii) Table 4, notes 1 and 2

<sup>2</sup> Sacramento River at Freeport.

**Figure F-1. Observed Ambient Hardness Concentrations 46 mg/L – 110 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.

iv. **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 the 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:

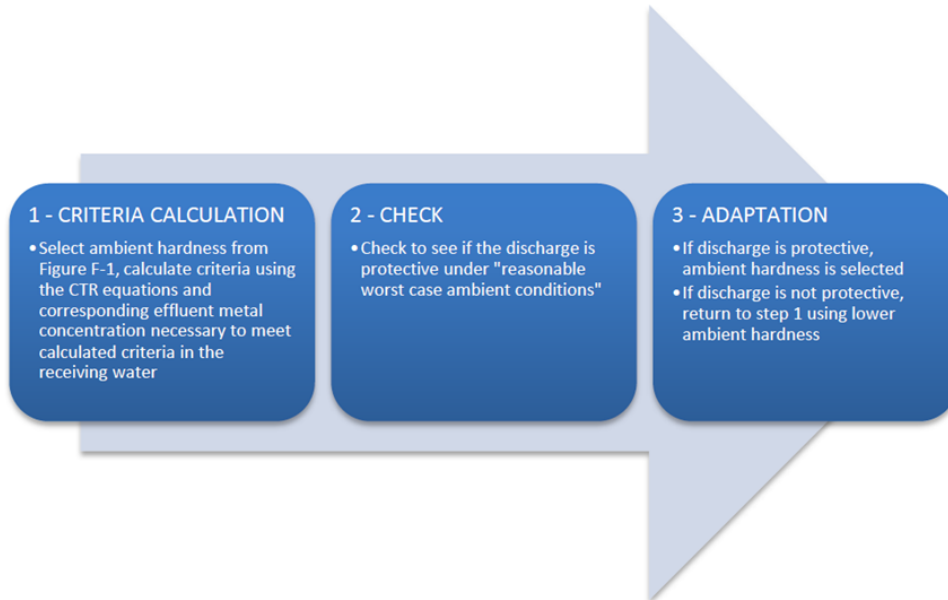
- “Low receiving water flow.” CTR design discharge conditions (1Q10 and 7Q10) have been selected to represent reasonable worst-case receiving water flow conditions.
- “High receiving water flow (maximum receiving water flow).” This additional flow condition has been selected consistent with the Davis 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 46 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 110 mg/L. Effluent metal concentrations necessary to meet the above calculated CTR criteria in the receiving water are calculated in accordance with the SIP.<sup>1</sup> This should not be confused with an effluent limit. Rather, it is the effluent concentration allowance (ECA), which is synonymous with the WLA defined by U.S. EPA as “*a definition of effluent water quality that is necessary to meet the water quality standards in the receiving water.*”<sup>2</sup> 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<sup>3</sup> 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.

<sup>1</sup> SIP section 1.4.B, Step 2, provides direction for calculating the Effluent Concentration Allowance.

<sup>2</sup> U.S. EPA Technical Support Document for Water Quality-based Toxics Control (TSD), pg. 96.

<sup>3</sup> U.S. EPA NPDES Permit Writers’ Handbook (EPA 833-K-10-001 September 2010, pg. 6-24)

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 step 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.

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

The iterative analysis for each CTR hardness-dependent metal results in the selected ambient hardness values shown in Table F-7, 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, Tables F-8 and F-9 below summarize the numeric results for nickel and lead based on an ambient hardness of 82.2 mg/L and calculated ECA's of 44 µg/L and 2.5 µg/L, respectively. The analysis evaluated all flow conditions and the numeric values for the critical flow conditions are summarized in Tables F-8 and F-9, below. Ambient concentrations for nickel and lead 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 result in protective effluent limitations that achieve CTR criteria under all flow conditions. Tables F-8 and F-9 below summarize the critical flow conditions. There are no effluent limitations for nickel or lead as they demonstrate no reasonable potential.

**Table F-8. Verification of CTR Compliance for Nickel**  
 Downstream Worst-Case Ambient Receiving Water Conditions

Critical Flow Conditions	Hardness (mg/L)	CTR Criteria (µg/L)	Ambient Nickel Concentration (µg/L)	Complies with CTR?
1Q10	46.0	27.0	27.0	Yes
7Q10	46.0	27.0	27.0	Yes
Max receiving water flow	46.0	27.0	27.0	Yes

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

Critical Flow Conditions	Hardness (mg/L)	CTR Criteria (µg/L)	Ambient Lead Concentration (µg/L)	Complies with CTR?
1Q10	46.0	1.2	1.2	Yes
7Q10	46.0	1.2	1.2	Yes
Max receiving water flow	46.0	1.2	1.2	Yes

vi. **Approach to Derivation of Criteria Where Dilution Allowed**

As discussed in section IV.C.2 c, above, dilution credits for copper have been allowed in the calculation of WQBEL's for this hardness-dependent parameter. The allowable acute and chronic aquatic life dilution credits for copper are 20:1, which represents an effluent fraction of 4.8 percent. This value defines the point in the receiving water (i.e., edge of mixing zone) that must be in compliance with the aquatic life criteria. When the effluent and receiving water are at their respective minimum observed hardness values (i.e., 86.9 mg/L and 46 mg/L as CaCO<sub>3</sub>, respectively), and the effluent fraction is 4.8 percent, the mixed hardness is 48 mg/L (as CaCO<sub>3</sub>). Therefore, an actual observed ambient hardness of 46 mg/L (as CaCO<sub>3</sub>) has been used in this Order for calculating hardness-dependent copper criteria. Using the ambient hardness to calculate the hardness-dependent metals criteria is consistent with the CTR and the SIP.

Table F-10, below, demonstrates that protective effluent limitations result when using this approach for determining the appropriate hardness. In this example, the mixed receiving water copper concentrations do not exceed the mixed CTR criteria for copper at the edge of the allowable mixing zone.

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

Effluent Fraction	Hardness (mg/L)	CTR Criteria (µg/L)	Ambient Lead Concentration (µg/L)	Complies with CTR?
1.0%	46.4	4.8	3.6	Yes
2.0%	46.8	4.9	3.7	Yes
3.0%	47.2	4.9	3.9	Yes
4.0%	47.6	5.0	4.1	Yes
4.8%	48.0	5.0	4.2	Yes

**Table F-10 Notes:**

1. **Effluent Fraction.** The table shows effluent fractions ranging from 1.0 percent to 4.8 percent to show conditions outside the allowable mixing zone for copper.

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

CWA 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 WLA’s 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 U.S. EPA guidance considering multiple lines of evidence and the site-specific conditions of the discharge.

a. **Constituents with Total Maximum Daily Loads (TMDL’s).**

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 waste load 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 WLA’s 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 within the Sacramento-San Joaquin Delta is subject to TMDL’s for diazinon and chlorpyrifos and methylmercury, and WLA’s under those TMDL’s 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 an RPA.

**i. Diazinon and Chlorpyrifos**

- (a) **WQO.** The Central Valley Water Board completed a TMDL for diazinon and chlorpyrifos in the Sacramento-San Joaquin Delta and amended the Basin Plan to include diazinon and chlorpyrifos WLA’s and water quality objectives. The Basin Plan Amendment for the Control of Diazinon and Chlorpyrifos Runoff into the Sacramento-San Joaquin Delta was adopted by the Central Valley Water Board on 23 June 2006 and became effective on 10 October 2007.

The amendment modified Basin Plan Chapter III (Water Quality Objectives) to establish site-specific numeric objectives for diazinon and chlorpyrifos in the Delta waterways and identified the requirements to meet the additive formula already in Basin Plan Chapter IV (Implementation) for the additive toxicity of diazinon and chlorpyrifos.

The Basin Plan states at section 4.5.5.3(6) that “*The waste load allocations (WLA) 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<sub>d</sub> = diazinon concentration in µg/L of point source discharge for WLA...*

*C<sub>c</sub> = chlorpyrifos concentration in µg/L of point source discharge for the WLA...*

$WQO_d$  = 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.** Diazinon was not detected in the effluent based on four samples collected between February 2017 and January 2020. Diazinon was not detected in the upstream receiving water based on one sample collected between February 2017 and January 2020.

Chlorpyrifos was not detected in the effluent based on four samples collected between February 2017 and January 2020. Chlorpyrifos was not detected in the upstream receiving water based on one sample collected between February 2017 and January 2020.

Although diazinon and chlorpyrifos were not detected in the effluent or receiving water, due to the TMDL for diazinon and chlorpyrifos in the Sacramento-San Joaquin Delta, WQBEL's for these constituents are required. The TMDL WLA applies to all NPDES dischargers to Delta waterways and will serve as the basis for WQBEL's for this Facility.

- (c) **WQBEL's.** WQBEL's for diazinon and chlorpyrifos are required based on the TMDL for diazinon and chlorpyrifos for Sacramento-San Joaquin Delta waterways. Therefore, this Order includes effluent limits calculated based on the WLA's contained in the TMDL, as follows:

Average Monthly Effluent Limitation (AMEL)

$$\text{SAMEL} = C_d \text{ M-avg}/0.079 + C_c \text{ M-avg}/0.012 \leq 1.0$$

Where:

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

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

Average Weekly Effluent Limitation (AWEL)

$$SAWEL = C_d W\text{-avg}/0.14 + C_c W\text{-avg}/0.021 \leq 1.0$$

Where:

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

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

- (d) **Plant Performance and Attainability.** Diazinon and chlorpyrifos were not detected in the effluent. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible.

ii. **Mercury**

- (a) **WQO.** The Basin Plan contains fish tissue objectives for all Sacramento-San Joaquin Delta waterways listed in Appendix 43 of the Basin Plan, which states, "...*the average methylmercury concentrations shall not exceed 0.08 and 0.24 mg methylmercury/kg, wet weight, in muscle tissue of trophic level 3 and 4 fish, respectively (150-500 mm total length). The average methylmercury concentrations shall not exceed 0.03 mg methylmercury/kg, wet weight, in whole fish less than 50 mm in length.*" The Delta Mercury Control Program contains aqueous methylmercury WLA's that are calculated to achieve these fish tissue objectives. Methylmercury reductions are assigned to dischargers with concentrations of methylmercury greater than 0.06 ng/L (the concentration of methylmercury in water to meet the fish tissue objective). The Facility is allocated 0.069 grams/year of methylmercury by 31 December 2030, as listed in Table IV-7B of the Basin Plan.

The CTR contains a human health criterion of 50 ng/L for total mercury for waters from which both water and aquatic organisms are consumed. However, 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 the 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 within the Sacramento-San Joaquin Delta include COMM and WILD; therefore, the Sport Fish Water Quality Objective is applicable. However, the mercury water quality objectives established in the Statewide Mercury Provisions do not supersede the site-specific numeric mercury water quality objectives established in the Basin Plan, and section IV.D.1 of the Statewide Mercury Provisions specifies that the implementation provisions do not apply to dischargers that discharge to receiving waters for which a mercury or methylmercury TMDL is established pertaining to the same beneficial use or uses. Consequently, this Order continues to implement the Basin Plan’s Delta Mercury Control Program for the control of methylmercury in the receiving water.

- (b) **RPA Results.** Section 1.3 of the SIP states, *“The RWQCB shall conduct the analysis in this section of each priority pollutant with an applicable criterion or objective, excluding priority pollutants for which a TMDL has been developed, to determine if a water quality-based effluent limitation is required in the Discharger’s permit.”* (emphasis added)

The maximum effluent concentration (MEC) for mercury was 35.2 ng/L based on 35 samples collected between February 2017 and January 2020. The maximum observed upstream receiving water mercury concentration was 3.35 ng/L based on one sample collected between February 2017 and January 2020.



The MEC for methylmercury was 0.957 ng/L based on 34 samples collected between February 2017 and January 2020. The maximum observed upstream receiving water methylmercury concentration was 0.0797 ng/L based on one sample collected between February 2017 and January 2020.

- (c) **WQBEL's.** The Basin Plan's Delta Mercury Control Program includes WLA's for POTW's in the Delta, including for the Discharger. This Order contains a final WQBEL for methylmercury based on the WLA. Effective 31 December 2030, the total calendar annual methylmercury load shall not exceed 0.069 grams.
  - (d) **Plant Performance and Attainability.** A compliance schedule in accordance with the State Water Board's Compliance Schedule Policy and the Delta Mercury Control Program has been established in section VI.C.7.a of this Order. The final WQBEL's for methylmercury are effective 31 December 2030.
- b. **Constituents with No Reasonable Potential.** WQBEL's are not included in this Order for constituents that do not demonstrate reasonable potential to cause or contribute to an in-stream 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 RPA's for the following constituents of concern that were found to have no reasonable potential after assessment of the data:

i. **Nitrate and Nitrite**

- (a) **WQO.** The State Water Board, Division of Drinking Water (DDW) has adopted Primary MCL's for the protection of human health for nitrite and nitrate that are equal to 1.0 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 1.0 mg/L for nitrite (measured 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.** Federal regulations at 40 C.F.R. section 122.44(d)(1)(i) require 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 these non-priority pollutant constituents.

Nitrate plus nitrite in the effluent ranged from 1.619 mg/L to 8.7 mg/L based on 15 samples collected between February 2017 and January 2020, which is below the Primary MCL of 10 mg/L.

While most POTW’s would require an effluent limitation for nitrate plus nitrite, limitations are not contained in this permit for the following reasons. This Facility is small with a design dry weather flow of 1.0 MGD. The Facility currently receives approximately 25 percent of this design flow (0.025 MGD), on average. The Facility has low levels of nitrate and nitrite and dilution is available. The Central Valley Water Board finds that this Facility presents a low threat to water quality. Since the discharge does not demonstrate reasonable potential, effluent limitations for nitrate plus nitrite have not been included in this Order.

ii. **Salinity**

- (a) **WQO.** The Basin Plan contains a chemical constituent objective that incorporates state MCL’s, contains a narrative objective, and contains numeric water quality objectives for certain specified water bodies for electrical conductivity, total dissolved solids, sulfate, and chloride. In addition, the Basin Plan contains numeric site-specific water quality objectives for electrical conductivity for the Sacramento River at Emmaton in the vicinity of the discharge. The site-specific objectives for electrical conductivity are for the protection of the agricultural supply beneficial use.

There are no water quality criteria for the protection of aquatic life for electrical conductivity, total dissolved solids, or sulfate.

However, water quality criteria for chloride are available for interpretation of the Basin Plan’s narrative toxicity objective. The U.S. EPA National Ambient Water Quality Criteria (NAWQC) for Chloride recommends acute and chronic criteria for the protection of aquatic life.

**Table F-11. Salinity Water Quality Criteria/Objectives**

Parameters	Bay-Delta Plan WQO	Secondary MCL	U.S. EPA NAWQC	Maximum Calendar Annual Average Effluent Concentration	Maximum Daily Effluent Concentration
EC (µmhos/cm) or TDS (mg/L)	EC 700 April – August EC 1,000 September – March or TDS N/A	EC 900, 1,600, 2,200 or TDS 500, 1,000, 1,500	N/A	EC 1,573 or TDS 885	EC 2,010 or TDS 967
Sulfate (mg/L)	N/A	250, 500, 600	N/A	72	79.9
Chloride (mg/L)	N/A	250, 500, 600	860 1-hour / 230 4-day	237	270

**Table F-11 Notes:**

1. **Bay-Delta Plan Water Quality Objectives.** The Bay-Delta Plan includes water quality objectives for electrical conductivity in the Sacramento River at Emmaton (see Table F-12, below).
2. **Secondary MCL’s.** Secondary MCLs are for protection of public welfare and are stated as a recommended level, upper level, and a short-term maximum level.

(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 NAWQC acute criterion for the protection of freshwater aquatic life for chloride is 860 mg/L and the chronic criterion is 230 mg/L.

(2) **Electrical Conductivity or Total Dissolved Solids.** The Secondary MCL for electrical conductivity is 900 µmhos/cm as a recommended level, 1,600 µmhos/cm as an upper level, and 2,200 µmhos/cm as a short-term maximum, or when expressed as total dissolved solids is 500 mg/L as a recommended level, 1,000 mg/L as an upper level, and 1,500 mg/L as a short-term maximum.

The Basin Plan contains site-specific water quality objectives for electrical conductivity for the Sacramento River at Emmaton based on the 2006 Bay-Delta Plan. The electrical conductivity objectives vary depending on the water year type and are applied as 14-day running averages

of the mean daily electrical conductivity, as detailed in Table F-12, below.

The Bay-Delta Plan, Chapter IV – Program of Implementation, requires that the electrical conductivity objectives for protection of the agricultural supply beneficial use be implemented through water rights actions. Consequently, compliance with the Bay-Delta Plan’s electrical conductivity objectives is met through reservoir operations by DWR and USBR.

**Table F-12. Water Quality Objectives for Electrical Conductivity**

Date	Wet Water Year	Above Normal Water Year	Below Normal Water Year	Dry Water Year	Critical Water Year
1 April – 14 June	450	450	450	450	2,780
15 June – 19 June	450	450	450	1,670	2,780
20 June – 30 June	450	450	1,140	1,670	2,780
1 July – 15 August	450	630	1,140	1,670	2,780

- (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.
- (a) **RPA Results.** For priority pollutants, the SIP dictates the procedures for conducting the RPA. EC, TDS, sulfate, and chloride 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 its judgment in determining the appropriate method for conducting the RPA for these nonpriority pollutant constituents. 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.<sup>1</sup> 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 salinity. The critical downstream receiving water concentration is calculated using Equation 2 below:

$$C_r = (Q_s C_s + Q_c C_d) / (Q_s + Q_d) \text{ (Equation 2)}$$

Where:

$Q_s$  = Critical stream flow

<sup>1</sup> U.S. EPA NPDES Permit Writers’ Handbook (EPA 833-K-10-001 September 2010)

$Q_d$  = Critical effluent flow from discharge flow data (maximum permitted discharge)

$C_s$  = Critical upstream pollutant concentration

$C_d$  = Critical effluent pollutant concentration

$C_r$  = Critical downstream receiving water pollutant concentration

The salinity water quality objectives are long-term objectives. Order R5-2019-0016, which was issued to the Discharger's Beach Wastewater Treatment Facility located approximately 2 miles downstream, used a critical stream flow ( $Q_s$ ) of 1,000 cfs to conduct the RPA for salinity parameters. Consistent with Order R5-2019-0016, this Order uses a critical stream flow ( $Q_s$ ) of 1,000 cfs (646 MGD) to conduct the RPA for salinity parameters. The critical effluent flow ( $Q_d$ ) is 1.0 MGD, which is the maximum permitted effluent flow permitted in this Order. The critical effluent pollutant concentration ( $C_d$ ) was determined using statistics recommended in the TSD for statistically calculating the projected maximum concentration in the effluent (i.e., Table 3-1 of the TSD using the 99 percent probability basis and 99 percent confidence level).

- (1) **Chloride.** Chloride concentrations in the effluent ranged from 190 mg/L to 270 mg/L based on 11 samples collected from February 2017 through January 2020. The Discharger collected one background sample in the Sacramento River from February 2017 through January 2020 with a result of 11.6 mg/L. The receiving water has been consistently in compliance with the NAWQC chronic criterion resulting in available assimilative capacity for consideration in the RPA. Considering the large dilution and assimilative capacity in the receiving water, the small increase in chloride caused by the discharge does not result in a reasonable potential to cause or contribute to an exceedance of the objectives for chloride in the receiving water.

The projected maximum effluent chloride concentration ( $C_d$ ) is 329 mg/L based on 11 samples collected between February 2017 and January 2020. The critical upstream pollutant concentration ( $C_s$ ) is 11.6 mg/L based on one receiving water chloride sample collected between February 2017 and January 2020.

Using Equation 2, above, the calculated critical downstream receiving water chloride concentration ( $C_r$ ) is 12 mg/L, which does not exceed the NAWQC chronic criterion or the

Secondary MCL. Therefore, the discharge does not have reasonable potential to cause or contribute to an in-stream excursion above the applicable water quality objectives for chloride.

- (2) **Electrical Conductivity or Total Dissolved Solids.** A review of the Discharger's monitoring reports shows a maximum observed annual average electrical conductivity of 1,573  $\mu\text{mhos/cm}$ , with a range from 1,350  $\mu\text{mhos/cm}$  to 2,010  $\mu\text{mhos/cm}$ . As discussed above, the receiving water has been consistently in compliance with the Bay-Delta objectives, resulting in available assimilative capacity for consideration in the RPA. Considering the large dilution and assimilative capacity in the receiving water, the 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 objectives for electrical conductivity in the receiving water.

The projected maximum effluent electrical conductivity concentration (Cd) is 2,208  $\mu\text{mhos/cm}$  based on 37 samples collected from February 2017 through January 2020. Receiving water electrical conductivity measured at Emmaton was evaluated from 2016 through 2018 (i.e., the term of the existing permit when water year data is available). The day with the minimum assimilative capacity occurred on 19 June 2016 when the applicable objective was 450  $\mu\text{mhos/cm}$  and the 14-day running average of the mean daily electrical conductivity in the Sacramento River was 388  $\mu\text{mhos/cm}$ . This represents a reasonable worst-case scenario for evaluating the impact of the discharge on the receiving water.

Using Equation 2, above, the calculated critical downstream receiving water electrical conductivity concentration (Cr) is 391  $\mu\text{mhos/cm}$ , which does not exceed the Bay-Delta Plan objective of 450  $\mu\text{mhos/cm}$ . Therefore, the discharge does not have reasonable potential to cause or contribute to an in-stream excursion above the applicable water quality objectives for electrical conductivity.

Total dissolved solids concentrations in the effluent ranged from 770 mg/L to 967 mg/L, with a maximum annual average of 885 mg/L, based on 18 samples collected from February 2017 through January 2020. The Discharger collected one background sample in the Sacramento River from February 2017 through January 2020 with a result of 132 mg/L. The receiving water has been consistently in

compliance with the Secondary MCL resulting in available assimilative capacity for consideration in the RPA. Considering the large dilution and assimilative capacity in the receiving water, the small increase in total dissolved solids caused by the discharge does not result in a reasonable potential to cause or contribute to an exceedance of the objectives for total dissolved solids in the receiving water.

The projected maximum effluent total dissolved solids concentration (Cd) is 1,076 mg/L based on 18 samples collected between February 2017 and January 2020. The critical upstream pollutant concentration (Cs) is 132 mg/L based on one receiving water total dissolved solids sample collected between February 2017 and January 2020.

Using Equation 2, above, the calculated critical downstream receiving water total dissolved solids concentration (Cr) is 133 mg/L, which does not exceed the Secondary MCL. Therefore, the discharge does not have reasonable potential to cause or contribute to an in-stream excursion above the applicable water quality objectives for total dissolved solids.

- (3) **Sulfate.** Sulfate concentrations in the effluent ranged from 61.7 mg/L to 79.9 mg/L, with a maximum annual average of 72 mg/L, based on four samples collected from February 2017 through January 2020. The Discharger collected one background sample in the Sacramento River from February 2017 through January 2020 with a result of 13.1 mg/L. The receiving water has been consistently in compliance with the Secondary MCL resulting in available assimilative capacity for consideration in the RPA. Considering the large dilution and assimilative capacity in the receiving water, the small increase in sulfate caused by the discharge does not result in a reasonable potential to cause or contribute to an exceedance of the objectives for sulfate in the receiving water.

The projected maximum effluent sulfate concentration (Cd) is 378 mg/L based on four samples collected between February 2017 and January 2020. The critical upstream pollutant concentration (Cs) is 13.1 mg/L based on one receiving water sulfate sample collected between February 2017 and January 2020.

Using Equation 2, above, the calculated critical downstream receiving water sulfate concentration (Cr) is 14 mg/L, which

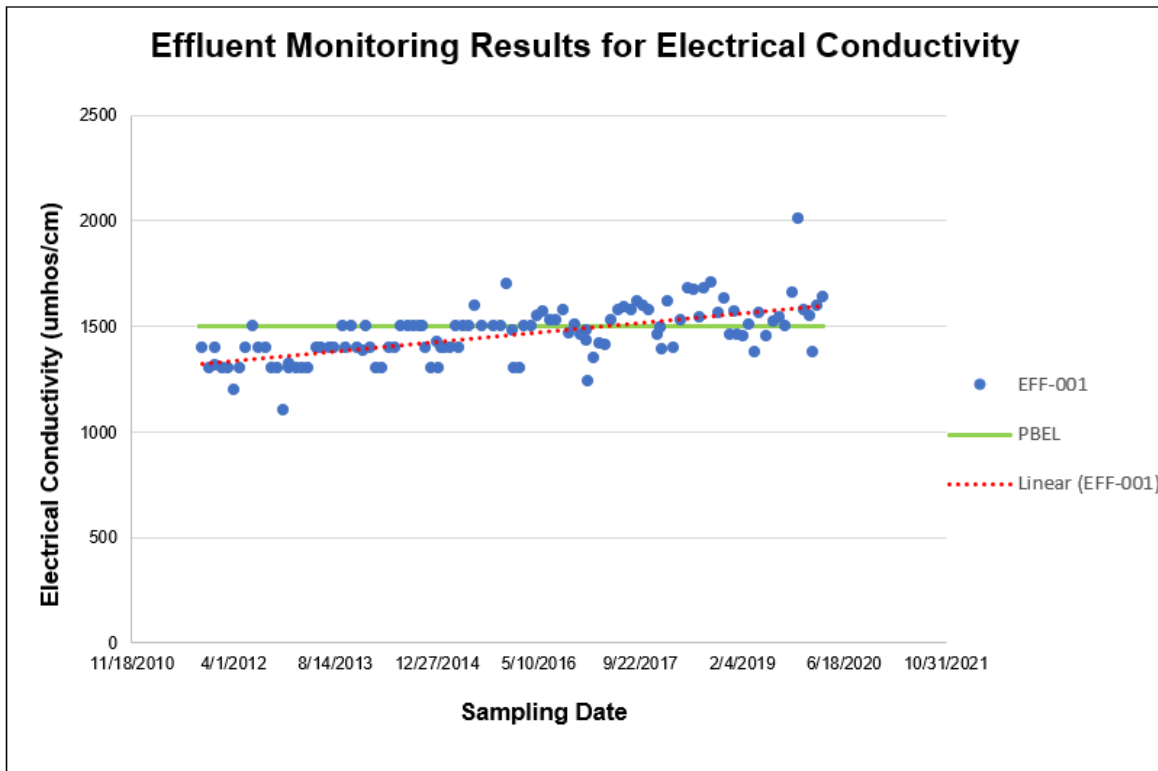
does not exceed the Secondary MCL. Therefore, the discharge does not have reasonable potential to cause or contribute to an in-stream excursion above the applicable water quality objectives for sulfate.

- (c) **WQBELs.** As discussed above, the discharge does not have reasonable potential to cause or contribute to an in-stream excursion above water quality objectives for salinity. However, allowing the Discharger to increase its current salt loading may be contrary to the Region-wide effort to address salinity in the Central Valley. Therefore, this Order includes a performance-based effluent limitation of 1,900  $\mu\text{mhos/cm}$  for EC to be applied as a calendar annual average effluent limitation (AAEL) to limit the discharge to current levels. Furthermore, in order to ensure that the Discharger will continue to control the discharge of salinity, this Order requires continued implementation of its Salinity Evaluation and Minimization Plan.

Order R5-2015-0141 included a performance-based annual average electrical conductivity effluent limitation of 1,500  $\mu\text{mhos/cm}$ . Analysis of the effluent data shows that the maximum observed effluent annual average electrical conductivity is 1,570  $\mu\text{mhos/cm}$ , which exceeds the performance-based effluent limitation. Figure F-3, below, shows effluent electrical conductivity data from October 2011 through January 2020.



**Figure F-3. Historical Effluent Electrical Conductivity Monitoring Results**



As shown in Figure F-3, despite prevention efforts outlined in the Discharger’s salinity evaluation and minimization plan, effluent electrical conductivity concentrations have exhibited an increasing trend since October 2011 and the Discharger can no longer consistently comply with the performance-based annual average effluent limitation of 1,500  $\mu\text{mhos/cm}$ . Therefore, this Order revises the performance-based annual average effluent limitation for electrical conductivity from 1,500  $\mu\text{mhos/cm}$  to 1,900  $\mu\text{mhos/cm}$  based on electrical conductivity data observed over the past 3 years, adjusted to account for possible drought, water conservation, and water recycling efforts. As described in section IV.D.4 of this Fact Sheet, relaxing the performance-based annual average electrical conductivity effluent limitation in this Order will result in BPTC necessary to assure that a pollution or nuisance will not occur and the highest water quality consistent with the maximum benefit to the people of the state will be maintained, and is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Antidegradation Policy.

On 17 January 2020, certain amendments to the Basin Plan incorporating a Program to Control and Permit Salt Discharges to Surface and Groundwater (Salt Control Program) became effective. Other amendments became effective on 2 November

2020 when approved by the U.S. EPA. The Salt Control Program is a three-phased program, with each phase lasting 10 to 15 years. The Basin Plan requires all salt dischargers to comply with the provisions of the program. Two compliance pathways are available for salt dischargers during Phase 1.

The Phase 1 Compliance pathways are: 1) Conservative Salinity Permitting Approach, which utilizes the existing regulatory structure and focuses on source control, conservative salinity limits on the discharge, and limits the use of assimilative capacity and compliance time schedules; and, 2) Alternative Salinity Permitting Approach, which is an alternative approach to compliance through implementation of specific requirements such as participating in the Salinity Prioritization and Optimization Study (P&O) rather than the application of conservative discharge limits.

The performance-based AAEL for EC in this Order is consistent with the Alternative Salinity Permitting Approach and compliance with the effluent limit does not ensure the Facility can participate in the Conservative Salinity Permitting Approach. If the Discharger is authorized to participate in the Conservative Salinity Permitting Approach the conservative salinity limits required by the Salinity Control Program will be applied, which may result in more stringent effluent limits.

iii. **Silver**

- (a) **WQO.** The CTR includes hardness-dependent criteria for the protection of freshwater aquatic life for silver. These criteria for silver 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 effluent and receiving water. As described in section IV.C.2.e of this Fact Sheet, the applicable acute criterion for silver in the effluent is 2.6 µg/L, as total recoverable.

The Basin Plan includes a site-specific objective for the Sacramento-San Joaquin Delta of 10 µg/L (dissolved) as a maximum concentration. Using the default U.S. EPA translator, the Basin Plan objective for silver is 12 µg/L (total recoverable).

Footnote 4, page 3 of the Introduction of the SIP states, "*If a water quality objective and a CTR criterion are in effect for the same priority pollutant, the more stringent of the two applies.*" The Basin Plan objective cannot be directly compared to the CTR criteria to determine the most stringent objective because

they have different averaging periods and the CTR criteria vary with hardness. In this situation, the RPA has been conducted considering both the CTR criteria and the Basin Plan site-specific objective.

- (b) **RPA Results.** The MEC for silver was 0.05 µg/L, based on three samples collected from February 2017 through January 2020. The maximum observed upstream receiving water silver concentration was 0.396 µg/L based on one sample collected from February 2017 through January 2020.

The sample yielding an analytical result of 2.72 for silver was collected on 16 May 2018, but not included in the dataset as discussed below. Excluding the 16 May 2018 sampling event, the MEC for silver was 0.05 µg/L based on the remaining three samples collected between February 2017 and January 2020. Additionally, based on four samples collected prior to the adoption of Order R5-2015-0141, between December 2011 and August 2012, the MEC for silver was 0.02 µg/L.

According to the laboratory reports corresponding to the 16 May 2018 effluent silver sample, there were no quality assurance (QA) issues impacting the result. For comparison, the Central Valley Water Board evaluated sampling results from the Discharger's Beach Wastewater Treatment Facility effluent monitoring location, which is located approximately 2 miles downstream of the Facility. An effluent sample from the Beach Wastewater Treatment Facility was also collected on 16 May 2018, which returned a result of 2.82 µg/L. The 16 May 2018 sample was also high relative to other effluent silver samples collected at the Beach Wastewater Treatment Facility (other samples collected from April 2015 through May 2018 ranged from 0.024 µg/L to 1.5 µg/L).

Section 1.2 of the SIP states, "*The RWQCB shall have discretion to consider if any data are inappropriate or insufficient for use in implementing this Policy.*" The 16 May 2018 effluent samples collected at the Facility and at the Beach Wastewater Treatment Facility appear to be outliers compared to the remainder of the facility-specific effluent data, which indicates possible lab contamination. Therefore, the Central Valley Water Board concludes that the 16 May 2018 result is not representative of the discharge and is insufficient for use in the RPA.

Section 1.3, step 8 of the SIP allows the Central Valley Water Board to require additional monitoring for a pollutant in place of an effluent limitation if data are unavailable or insufficient. Instead of effluent limitations, monitoring for silver in the effluent

will be required quarterly for 1 year, beginning with the **second quarter of 2022**, as part of the effluent and receiving water characterization described in section IX.F of the MRP, Attachment E. 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.

iv. **Zinc**

- (a) **WQO.** The CTR includes hardness-dependent criteria for the protection of freshwater aquatic life for zinc. These criteria for zinc 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 effluent and receiving water. As described in section IV.C.2.e of this Fact Sheet, the applicable acute and chronic criteria for zinc in the effluent are 100 µg/L, as total recoverable.

The Basin Plan includes a site-specific objective for the Sacramento-San Joaquin Delta of 100 µg/L (dissolved) as a maximum concentration. Using the default U.S. EPA translator, the Basin Plan objective for zinc is 102 µg/L (total recoverable).

Footnote 4, page 3 of the Introduction of the SIP states, “*If a water quality objective and a CTR criterion are in effect for the same priority pollutant, the more stringent of the two applies.*” The Basin Plan objective cannot be directly compared to the CTR criteria to determine the most stringent objective because they have different averaging periods and the CTR criteria vary with hardness. In this situation, the RPA has been conducted considering both the CTR criteria and the Basin Plan site-specific objective.

- (b) **RPA Results.** The MEC for zinc was 51.3 µg/L, based on three samples collected from February 2017 through January 2020. The maximum observed upstream receiving water zinc concentration was 93.9 µg/L based on one sample collected from February 2017 through January 2020.

The sample yielding an analytical result of 102 for zinc was collected on 12 November 2018, but not included in the dataset as discussed below. Excluding the 12 November 2018 sampling event, the MEC for zinc was 51.3 µg/L based on the remaining three samples collected between February 2017 and January 2020. Additionally, based on four samples collected

prior to the adoption of Order R5-2015-0141, between December 2011 and August 2012, the MEC for zinc was 33 µg/L.

Central Valley Water Board staff examined laboratory reports corresponding to the 12 November 2018 effluent zinc sample in order to investigate possible QA issues. According to the laboratory reports, the sample collected on 12 November 2018 was flagged for a QA issue based on matrix interferences affecting the analyte for zinc.

Section 1.2 of the SIP states, “*The RWQCB shall have discretion to consider if any data are inappropriate or insufficient for use in implementing this Policy.*” Based on the laboratory reports corresponding to the 12 November 2018 effluent zinc sample, laboratory QA issues may have impacted the documented result. Therefore, the Central Valley Water Board concludes that the effluent lead sample collected on 12 November 2018 is insufficient for use in the RPA. The MEC for zinc without considering the unrepresentative data point is 51.3 µg/L.

Section 1.3, step 8 of the SIP allows the Central Valley Water Board to require additional monitoring for a pollutant in place of an effluent limitation if data are unavailable or insufficient. Instead of effluent limitations, monitoring for zinc in the effluent will be required quarterly for 1 year, beginning with the **second quarter of 2022**, as part of the effluent and receiving water characterization described in section IX.F of the MRP, Attachment E. 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.

- 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, BOD<sub>5</sub>, copper, pH, temperature, total coliform organisms, and TSS. 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 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 POTW's 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 February 2017 through January 2020. The most stringent CMC of 2.64 mg/L (ammonia as N) calculated using the paired effluent pH and temperature data has been implemented in this Order.

The chronic (30-day average) criterion or CCC was calculated using paired effluent pH and temperature data, collected during the period from February 2017 and January 2020. The most



stringent 30-day rolling average CCC of 1.32 mg/L (ammonia as N) has been implemented in this Order.

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 1.32 mg/L (ammonia as N), the 4-day average concentration that should not be exceeded is 3.30 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. The Discharger currently uses nitrification to remove ammonia from the waste stream. 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. Although the Discharger nitrifies the discharge, 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 NAWQC. 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 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 LTA’s 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 AMEL and AWEL. The remainder of the WQBEL calculation for ammonia was performed according to the SIP procedures. This Order contains a final AMEL and AWEL for ammonia of 1.3 mg/L and 2.3 mg/L, respectively, based on the NAWQC.
- (d) **Plant Performance and Attainability.** Analysis of effluent ammonia data shows that immediate compliance with the WQBEL’s is feasible.

ii. **Copper**

- (a) **WQO.** The CTR includes hardness-dependent criteria for the protection of freshwater aquatic life for copper. These criteria for copper 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 effluent and receiving water. As described in section IV.C.2.e of this Fact Sheet, the applicable acute and chronic criteria for copper in the effluent are 12 µg/L and 7.9 µg/L, respectively, as total recoverable.

The Basin Plan includes a site-specific objective for the Sacramento-San Joaquin Delta of 10 µg/L (dissolved) as a maximum concentration. Using the default U.S. EPA translator, the Basin Plan objective for copper is 10.4 µg/L (total recoverable).

Footnote 4, page 3 of the Introduction of the SIP states, “*If a water quality objective and a CTR criterion are in effect for the same priority pollutant, the more stringent of the two applies.*” The Basin Plan objective cannot be directly compared to the CTR criteria to determine the most stringent objective because they have different averaging periods and the CTR criteria vary with hardness. In this situation, the RPA has been conducted considering both the CTR criteria and the Basin Plan site-specific objective.

- (b) **RPA Results.** The MEC for copper was 10.1 µg/L (as total recoverable) based on 11 samples collected from February 2017 through January 2020.

The maximum observed upstream receiving water copper concentration was 9.14 µg/L (as total recoverable) based on one sample collected on 15 February 2018. However, the Central Valley Water Board finds that this sample result is not representative of typical receiving water copper concentrations based on previous monitoring conducted at Monitoring Location RSW-001 and available Sacramento River copper data collected upstream of the Facility.

Based on four samples collected at Monitoring Location RSW-001 prior to the adoption of Order R5-2015-0141, between 28 December 2011 and 7 August 2012, the maximum observed receiving water copper concentration was 3.0 µg/L. Sacramento River copper data is also available at Freeport, which is approximately 33 miles upstream of the Facility. Based on sampling conducted at Freeport from January 2012 through December 2014, Sacramento River copper generally ranged

between 1 µg/L and 4 µg/L. These monitoring results are consistent with the majority of the Sacramento River samples collected at Monitoring Location RSW-001. Because the single high receiving water copper result collected on 15 February 2018 does not appear to be representative of the receiving water, the Discharger took another receiving water sample on 10 September 2018. This result was 3.4 µg/L, which is consistent with Sacramento River copper data at Freeport and with receiving water copper data from previous permit terms.

Section 1.2 of the SIP states, “*The RWQCB shall have discretion to consider if any data are inappropriate or insufficient for use in implementing this Policy.*” Since the receiving water copper result for the sampling event conducted on 15 February 2018 is unusually high compared to historical effluent and Sacramento River copper results, the Central Valley Water Board concludes that the 15 February 2018 result is not representative of the discharge or typical receiving water conditions and are therefore insufficient for use in the RPA. Therefore, the Central Valley Water Board assumed a background copper concentration of 3.4 µg/L for purposes of the RPA and WQBEL calculations.

Because the MEC exceeds the chronic aquatic life criterion, copper 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 receiving water contains assimilative capacity for copper; therefore, as discussed further in section IV.C.2.c of this Fact Sheet, acute and chronic aquatic life dilution credits of 20:1 may be allowed in the development of WQBEL’s for copper. However, the Central Valley Water Board finds that granting of this dilution credit would allocate an unnecessarily large portion of the receiving water’s assimilative capacity for copper and could violate the Antidegradation Policy. Therefore, this Order retains the performance-based AMEL and MDEL of 19 µg/L and 25 µg/L, respectively, from Order R5-2015-0141.
- (d) **Plant Performance and Attainability.** Analysis of the effluent copper data shows that the MEC of 10.1 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.

iii. **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.** The beneficial uses of the Sacramento River within the Sacramento-San Joaquin Delta include MUN, agricultural irrigation supply, and water contact recreation and there is at all times at least 20:1 dilution in the receiving water. 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.

The tertiary treatment process utilized at the Facility (microfiltration) is capable of reliably treating wastewater to a turbidity level of 0.2 nephelometric turbidity units (NTU) as a daily average and a maximum of 0.5 NTU. Failure of the filtration system such that virus removal is impaired would normally result in increased particles in the effluent, which result in higher effluent turbidity. Turbidity has a major advantage for monitoring filter performance. Coliform testing, by comparison, is not conducted continuously and requires several hours, to days, to identify high coliform concentrations. Therefore, to ensure compliance with the DDW-recommended disinfection criteria, weekly average specifications are impracticable for turbidity. This Order includes operational specifications for turbidity of 0.2 NTU as a daily average; and 0.5 NTU as an instantaneous maximum.

This Order includes effluent limitations for BOD<sub>5</sub>, TSS and 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.

Final WQBEL's for BOD<sub>5</sub> and TSS are based on the technical capability of the tertiary process, which is necessary to protect the beneficial uses of the receiving water. BOD<sub>5</sub> is a measure of the amount of oxygen used in the biochemical oxidation of organic matter. The tertiary treatment standards for BOD<sub>5</sub> and TSS are indicators of the effectiveness of the tertiary treatment process. The principal design parameter for wastewater treatment plants is the daily BOD<sub>5</sub> and TSS loading rates and the corresponding removal rate of the system. The application of tertiary treatment processes results in the ability to achieve lower levels for BOD<sub>5</sub> and TSS than the secondary standards currently prescribed. Therefore, this Order requires AMEL's and AWEL's for BOD<sub>5</sub> and TSS of 10 mg/L and 15 mg/L, respectively, which is technically based on the capability of a tertiary system.

- (d) **Plant Performance and Attainability.** The Facility is designed to provide tertiary treatment with ultraviolet light (UV) disinfection to remove pathogens. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible.

iv. **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) require 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 2,190 samples taken from February 2017 through January 2020, the maximum pH reported was 8.42 and the minimum was 6.51. Although the Discharger has proper pH controls in place, the pH for the Facility's influent varies due to the nature of municipal sewage, which provides the basis for the discharge to have a reasonable potential to cause or contribute to an in-stream excursion above the Basin Plan's numeric objective for pH in the receiving water. Therefore, WQBEL's for pH are required in this Order.

- (c) **WQBEL's.** Effluent limitations for pH of 6.5 as an instantaneous minimum and 8.5 as an instantaneous maximum are included in this Order based on protection of the Basin Plan objectives for pH.
- (d) **Plant Performance and Attainability.** Effluent pH ranged from 6.51 to 8.42. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible.

v. **Temperature**

- (a) **WQO.** The Thermal Plan requires that, "The maximum temperature shall not exceed the natural receiving water temperature by more than 20°F."

- (b) **RPA Results.** Treated domestic wastewater is an elevated temperature waste, which could cause or threaten to cause the receiving water temperature to exceed temperature objectives established in the Thermal Plan. Therefore, reasonable potential exists for temperature and WQBEL's are required.

Federal regulations at 40 C.F.R. section 122.44(d)(1)(i) require that, "*Limitations must control all pollutants or pollutant parameters (either conventional, non-conventional, 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. Temperature 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, which is an elevated temperature waste. This provides the basis for the discharge to have a reasonable potential to cause or contribute to an excursion above the requirements of the Thermal Plan.

- (c) **WQBEL's.** To ensure compliance with the Thermal Plan, an effluent limitation for temperature is included in this Order.



- (d) **Plant Performance and Attainability.** Monitoring data indicates that consistent compliance with the requirements of the Thermal Plan is feasible.

#### 4. **WQBEL Calculations**

- a. This Order includes WQBEL's for ammonia, BOD<sub>5</sub>, chlorpyrifos, copper, diazinon, electrical conductivity, methylmercury, pH, temperature, total coliform organisms, and TSS. 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:

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

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 MCL's.** 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 ECA's 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.

$$AMEL = mult_{AMEL} \left[ \min \left( \overbrace{M_A ECA_{acute}}^{LTA_{acute}}, M_C ECA_{chronic} \right) \right]$$

$$MDEL = mult_{MDEL} \left[ \min \left( M_A ECA_{acute}, \underbrace{M_C ECA_{chronic}}_{LTA_{chronic}} \right) \right]$$

$$MDEL_{HH} = \left( \frac{mult_{MDEL}}{mult_{AMEL}} \right) AMEL_{HH}$$

Where:

$mult_{AMEL}$  = statistical multiplier converting minimum LTA to AMEL

$mult_{MDEL}$  = statistical multiplier converting minimum LTA to MDEL

$M_A$  = statistical multiplier converting acute ECA to  $LTA_{acute}$

$M_C$  = statistical multiplier converting chronic ECA to  $LTA_{chronic}$

**Summary of Water Quality-Based Effluent Limitations  
 Discharge Point 001**

**Table F-13. Summary of Water Quality-Based Effluent Limitations**

Parameter	Units	Average Monthly Effluent Limitations	Average Weekly Effluent Limitations	Maximum Daily Effluent Limitations
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	10	15	--
Total Suspended Solids	mg/L	10	15	--

Parameter	Units	Average Monthly Effluent Limitations	Average Weekly Effluent Limitations	Maximum Daily Effluent Limitations
Copper, Total Recoverable	µg/L	19	--	25
Ammonia Nitrogen, Total (as N)	mg/L	1.3	2.3	--
Chlorpyrifos	µg/L	(see table note 1. below)	(see table note 2. below)	--
Diazinon	µg/L	(see table note 1. below)	(see table note 2. below)	--
Electrical Conductivity @ 25°C	µmhos/cm	1,900 (see table note 3. below)	--	--
Methylmercury	grams/year	0.069 (see table note 4. below)	--	--
Temperature	°F	--	--	(see table note 5. below)

**Table F-13 Notes:**

1. Average Monthly Effluent Limitation  
 $S(\text{AMEL}) = C_d (\text{M-avg})/0.079 + C_c (\text{M-avg})/0.012 \leq 1.0$   
 Where:  
 $C_d(\text{M-avg})$  = average monthly diazinon effluent concentration in µg/L  
 $C_c (\text{M-avg})$  = average monthly chlorpyrifos effluent concentration in µg/L
2. Average Weekly Effluent Limitation  
 $S(\text{AWEL}) = C_d (\text{W-avg})/0.14 + C_c (\text{W-avg})/0.021 \leq 1.0$   
 Where:  
 $C_d(\text{W-avg})$  = average weekly diazinon effluent concentration in µg/L  
 $C_c (\text{W-avg})$  = average weekly chlorpyrifos effluent concentration in µg/L
3. Applied as an annual average effluent limitation.
4. The effluent calendar year annual methylmercury load shall not exceed 0.069 grams, in accordance with the Delta Mercury Control Program, effective 31 December 2030.
5. The maximum temperature of the discharge shall not exceed the natural receiving water temperature by more than 20°F.
  - a. pH:
    - i. 6.5 Standard Units (SU) as an instantaneous minimum.
    - ii. 8.5 SU as an instantaneous maximum.

- b. **Percent Removal.** The average monthly percent removal of BOD<sub>5</sub> and TSS shall not be less than 85 percent.
- c. **Total Coliform Organisms.** Effluent total coliform organisms shall not exceed the following with compliance measured immediately after disinfection:
  - i. 23 MPN/100 mL, as a 7-day median.
  - ii. 240 MPN/100 mL, more than once in any 30-day period.

## 5. Whole Effluent Toxicity (WET)

For compliance with the Basin Plan's narrative toxicity objective, this Order requires the Discharger to conduct WET testing for acute and chronic toxicity, as specified in the Monitoring and Reporting Program (MRP) (Attachment E, section V). This Order also contains effluent limitations for acute 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 WET 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 percent, minimum for any one bioassay; and

90 percent, 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) Table F-14, below, includes chronic WET date for testing performed by the Discharger from February 2017 through January 2020. 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-14. Whole Effluent Chronic Toxicity Testing Results**

Date	Fathead Minnow Pimephales promelas Survival (TUc)	Fathead Minnow Pimephales Growth (TUc)	Water Flea Ceriodaphnia dubia Survival (TUc)	Water Flea Ceriodaphnia dubia Growth (TUc)	Green Algae Selenastrum capricornutum Growth (TUc)
3/14/2017	2	2	2	2	2
3/13/2018	2	2	2	2	2
6/11/2019	2	2	2	2	2

- i. **RPA.** A dilution ratio of 20:1 is available for chronic WET. Chronic toxicity testing results exceeding 16 chronic toxicity units (TUc) (as 100/NOEC) and a percent effect at 6.25 percent effluent exceeding 25 percent demonstrates the discharge has a reasonable potential to cause or contribute to an exceedance of the Basin Plan's narrative toxicity objective. Based on chronic toxicity testing conducted between February 2017 and January 2020, the maximum chronic toxicity result

was 2 TUC on 13 March 2018 with a percent effect of 13.48 percent at 6.25 percent effluent. Therefore, the discharge does not have reasonable potential to cause or contribute to an in-stream exceedance of the Basin Plan's narrative toxicity objective.

## **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 mass and concentration. 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.

Mass-based limits for methylmercury have been established in this Order in accordance with the Delta Methylmercury Control Program. Except for the pollutant listed above, mass-based effluent limitations are not included in this Order for pollutant parameters for which effluent limitations are based on water quality objectives and criteria that are concentration-based.

Mass-based effluent limitations were calculated based upon the design flow (Average Dry Weather Flow) in Prohibition III.E of this Order.

### **2. Averaging Periods for Effluent Limitations**

40 C.F.R. section 122.45 (d) requires AMEL's and AWEL's for POTW's unless impracticable. For copper, AWEL's have been replaced with MDEL's in accordance with section 1.4 of the SIP. Furthermore, for pH and total coliform organisms, AWEL's 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 Order R5-2015-0141, with the exception of effluent limitations for

ammonia, electrical conductivity, and the MDELs and mass limits for BOD<sub>5</sub> and TSS. The effluent limitations for these pollutants are less stringent than those in Order R5-2015-0141. 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 WQBEL's "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 WLA's 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, within the Sacramento-San Joaquin Delta, is considered an attainment water for ammonia, BOD<sub>5</sub>, and TSS because the receiving water is not listed as impaired on the 303(d) list for these constituents.<sup>1</sup> 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 ammonia and removal of the MDELs and mass limits for BOD<sub>5</sub> and TSS and mass limits for ammonia from Order R5-2015-0141 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.b of this Fact Sheet, updated information that was not available at the time Order R5-2015-0141 was issued indicates that a less stringent effluent limitation for electrical conductivity based on recent facility performance satisfies requirements in

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<sup>1</sup> "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." State Water Board Order WQ 2008-0006, Berry Petroleum Company, Poso Creek/McVan Facility.

CWA section 402(o)(2). The updated information that supports the relaxation of effluent limitations for electrical conductivity includes the following:

- i. **Electrical Conductivity.** Effluent monitoring data collected between February 2017 and January 2020 indicates that the Discharger can no longer consistently comply with performance-based effluent limitations included in previous Orders R5-2015-0141 and R5-2010-0081-02. Therefore, this Order includes less stringent performance-based effluent limitations for electrical conductivity based on the performance of the Facility.
- c. **Flow.** Order R5 2015-0141 included flow as an effluent limit based on the Facility design flow. Compliance with the effluent limits for flow in Order R5 2015-0141 was calculated annually based on the average daily flow collected over three consecutive dry weather months. 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. Flow as a discharge prohibition adequately regulates the Facility, does not allow for an increase in the discharge of pollutants, and does not constitute backsliding.

#### 4. Antidegradation Policies

The permitted surface water discharge is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Antidegradation Policy. This Order provides for an increase in the volume and mass of pollutants discharged for ammonia and electrical conductivity. The increase will not have a significant impact on beneficial uses and will not cause a violation of water quality objectives. Compliance with these requirements will result in the use of BPTC of the discharge. The impact on existing water quality will be insignificant.

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. The Central Valley Water Board had previously implemented 1999 U.S. EPA NAWQC for the protection of freshwater aquatic life for total ammonia prior to CVCWA submitting the January 2020 Criteria Recalculation Report. 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. Therefore, the measures required by this Order result in the implementation of BPTC and any change to water quality will not unreasonably affect present and anticipated beneficial uses and will not result in water quality less than prescribed in State Water Board policies or the Basin Plan. Thus, the allowance of the relaxation of effluent limitations for ammonia based on updated criteria is consistent with the



antidegradation provisions of  
40 C.F.R. section 131.12 and the State Antidegradation Policy.

This Order allows for the relaxation of performance-based effluent limitations for electrical conductivity based on recent Facility performance. Based on a review of effluent data collected over the past three years, the Central Valley Water Board has concluded that the Discharger can no longer comply with the performance-based annual average effluent limitation for electrical conductivity included in previous Orders R5-2015-0141 and R5-2010-0081-02. According to the Discharger's Annual Operations Reports, annual average influent electrical conductivity concentrations have exceeded the previously established performance-based annual average effluent limitation by at least 400  $\mu$ mhos/cm each of the last three years. The Facility is not designed for electrical conductivity removal. Although the Facility reduces the electrical conductivity in the treatment process, the main solution is prevention. The Discharger submitted a 28 December 2016 Salinity Reduction Evaluation: Key Performance Factors and Measurements Report, which identified various strategies for reducing salinity; however, the Discharger does not have any key performance factors or measurements for reducing salinity at the Facility. Although electrical conductivity concentrations have been increasing in the Facility's influent and effluent, as described in section IV.C.3 of this Fact Sheet, the receiving water has consistently been in compliance with the applicable water quality standards for salinity. Modifications to the Facility's treatment system to further reduce salinity in the discharge impart substantial costs to the Discharger and ratepayers without providing any additional protection of beneficial uses. Furthermore, the relaxation of the performance-based annual average effluent limits for electrical conductivity 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 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. Therefore, the Central Valley Water Board has determined that relaxing the performance-based annual average electrical conductivity effluent limitation in this Order will result in BPTC necessary to assure that a pollution or nuisance will not occur and the highest water quality consistent with the maximum benefit to the people of the state will be maintained. Thus, the allowance of the relaxation of the performance-based electrical conductivity limit is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Antidegradation Policy.

This Order also removes maximum daily and mass-based effluent limitations for BOD<sub>5</sub> and TSS and mass-based effluent limitations for ammonia based on 40 C.F.R. part 122.45 (d) and (f). The removal of maximum daily and mass-based effluent limits for BOD<sub>5</sub> and TSS and mass-based effluent limitations for ammonia 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>, TSS, and ammonia, 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 and mass-based effluent limitations for ammonia 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 and mass-based effluent limitations for ammonia 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<sub>5</sub>, pH, and TSS. Restrictions on these constituents are discussed in section IV.B.2 of this Fact Sheet. This Order’s technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. For BOD<sub>5</sub>, pH, and TSS, both technology-based effluent limitations and WQBEL’s are applicable. The more stringent of these effluent limitations are implemented by this Order. These limitations are not more stringent than required by the CWA.

WQBEL’s have been derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant WQBEL’s were derived from the CTR, the CTR is the applicable standard pursuant to 40 C.F.R. section 131.38. The procedures for calculating the individual WQBEL’s for priority pollutants are based on the CTR implemented by the SIP, which was approved by U.S. EPA on 18 May 2000. Collectively, this Order’s restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

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

**Table F-15. Summary of Final Effluent Limitations**

<b>Parameter</b>	<b>Units</b>	<b>Effluent Limitations</b>	<b>Basis<sup>1</sup></b>
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	AMEL 10 AWEL 15	TTC

Parameter	Units	Effluent Limitations	Basis <sup>1</sup>
Biochemical Oxygen Demand (5-day @ 20°C)	Percent Removal	AMEL 85	CFR
pH	Standard Units	Instantaneous Max 8.5 Instantaneous Min 6.5	BP
Total Suspended Solids	mg/L	AMEL 10 AWEL 15	TTC
Total Suspended Solids	Percent Removal	AMEL 85	CFR
Copper, Total Recoverable	µg/L	AMEL 19 MDEL 25	CTR
Ammonia Nitrogen, Total (as N)	mg/L	AMEL 1.3 AWEL 2.3	NAWQC
Chlorpyrifos	µg/L	(see table notes 2. and 3. below)	TMDL
Diazinon	µg/L	(see table notes 2. and 3. below)	TMDL
Electrical Conductivity @ 25°C	µmhos/cm	AMEL 1,900 (see table note 4.)	PB
Methylmercury	grams/year	AMEL 0.069 (see table note 5. below)	TMDL
Temperature	°F	(see table note 6. below)	TP
Total Coliform Organisms	MPN/100 mL	AWEL 23 (see table note 7. below) MDEL 240 (see table note 8. below)	DDW
Acute Toxicity	Percent Survival	MDEL 70/90 (see table notes 9. and 10. below)	BP

**Table F-15 Notes:**

1. TTC – Based on tertiary treatment capability. These effluent limitations reflect the capability of a properly operated tertiary treatment plant.  
 CFR – Based on secondary treatment standards contained in 40 C.F.R 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 WLA’s in the applicable TMDL.  
 PB – Based on Facility performance.  
 TP – Based on the Thermal Plan.  
 DDW – Pursuant to guidance from DDW.

2. Average Monthly Effluent Limitation  
 $S(\text{AMEL}) = C_d (\text{M-avg})/0.079 + C_c (\text{M-avg})/0.012 \leq 1.0$   
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  $\mu\text{g/L}$
3. Average Weekly Effluent Limitation  
 $S(\text{AWEL}) = C_d (\text{W-avg})/0.14 + C_c (\text{W-avg})/0.021 \leq 1.0$   
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  $\mu\text{g/L}$
4. Applied as an annual average effluent limitation.
5. The effluent calendar year annual methylmercury load shall not exceed 0.069 grams, in accordance with the Delta Mercury Control Program, effective 31 December 2030.
6. The maximum temperature of the discharge shall not exceed the natural receiving water temperature by more than 20°F.
7. Applied as a 7-day median effluent limitation.
8. Not to be exceeded more than once in any 30-day period.
9. 70 percent minimum of any one bioassay.
10. 90 percent median for any three consecutive bioassays.

#### **E. Interim Effluent Limitations**

The State Water Board's Resolution 2008-0025 "*Policy for Compliance Schedules in National Pollutant Discharge Elimination System Permits*" (Compliance Schedule Policy) requires the Central Valley Water Board to establish interim numeric effluent limitations in this Order for compliance schedules longer than 1 year. As discussed in section VI.B.7 of this Fact Sheet, the Central Valley Water Board is approving a compliance schedule longer than 1 year for methylmercury. The Compliance Schedule Policy requires that interim effluent limitations be based on current Facility performance or existing permit limitations, whichever is more stringent. Consistent with the Delta Mercury Control Program, this Order includes interim effluent limitations for total mercury based on Facility performance.

1. **Compliance Schedule for Methylmercury.** This Order contains a final effluent limitation for methylmercury based on the Basin Plan's Delta Mercury Control Program that became effective on 20 October 2011. The Discharger has complied with the application requirements in paragraph 4 of the State Water Board's Compliance Schedule Policy, and the Discharger's application demonstrates the need for additional time to implement actions to comply with the final effluent limitations, as described below. Therefore, a compliance

schedule for compliance with the effluent limitations for methylmercury is established in the Order.

A compliance schedule is necessary because the Discharger must implement actions, including a Phase 1 Methylmercury Control Study and possible upgrades to the Facility, to comply with the final effluent limitations.

The Discharger has made diligent efforts to quantify pollutant levels in the discharge and the sources of the pollutant in the waste stream. The Discharger conducted quarterly monitoring for mercury and methylmercury during the term of Order R5-2015-0141. The Discharger has developed and continues to implement a pollution prevention plan for mercury and provided annual progress reports during the term of Order R5-2014-0012-01.

The compliance schedule is as short as possible. The Central Valley Water Board will use the Phase 1 Control Studies' results and other information to consider amendments to the Delta Mercury Control Program during the Phase 1 Delta Mercury Control Program Review. Therefore, at this time, it is uncertain what measures must be taken to consistently comply with the WLA for methylmercury. The interim effluent limits and final compliance date may be modified at the completion of Phase 1.

Interim performance-based limitations have been included in this Order. The interim limitations were determined as described in section IV.E.2, below, and are in effect until the final limitations take effect. The interim numeric effluent limitations and source control measures will result in the highest discharge quality that can reasonably be achieved until final compliance is attained.

- Interim Limits for Total Mercury.** The Compliance Schedule Policy requires the Central Valley Water Board to establish interim requirements and dates for their achievement in the NPDES permit. Interim numeric effluent limitations are required for compliance schedules longer than 1 year. Interim effluent limitations must be based on current treatment plant performance or previous final permit limitations, whichever is more stringent. When feasible, interim limitations must correspond with final permit effluent limitations with respect to averaging bases (e.g., AMEL, MDEL, AWEL, etc.) for effluent limitations for which compliance protection is intended.

The interim effluent limitations for total mercury are based on Facility performance. The Delta Mercury Control Program requires POTW's to limit their discharges of inorganic (total) mercury to Facility performance-based levels during Phase 1. The interim inorganic (total) mercury effluent mass limit is to be derived using current, representative data and shall not exceed the 99.9<sup>th</sup> percentile of the 12-month running effluent inorganic (total) mercury mass loads. At the end of Phase 1, the interim inorganic (total) mercury mass limit will be re-evaluated and modified as appropriate. The Delta Mercury Control Program also requires interim limits established during Phase 1 and allocations will not be

reduced as a result of early actions that result in reduced inorganic (total) mercury and/or methylmercury in discharges.

This Order retains the interim performance-based effluent limitation for total mercury from Order R5-2015-0141, which is consistent with the intent of the TMDL to not penalize dischargers for early actions to reduce mercury. The interim effluent limitation for total mercury shall apply in lieu of the final effluent limitation for methylmercury.

The Central Valley Water Board finds that the Discharger can undertake source control and treatment plant measures to maintain compliance with the interim limitations included in this Order. Interim limitations are established when compliance with final effluent limitations cannot be achieved by the existing discharge. Discharge of constituents in concentrations in excess of the final effluent limitations, but in compliance with the interim effluent limitations, can significantly degrade water quality and adversely affect the beneficial uses of the receiving stream on a long-term basis. The interim limitations, however, establish an enforceable ceiling concentration until compliance with the effluent limitation can be achieved.

**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 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, and turbidity.
  - a. **Temperature.** The Thermal Plan is applicable to the discharge from the Facility. For the purposes of the Thermal Plan, the discharge is considered to be an Existing Discharge of Elevated Temperature Waste to an Estuary, as defined in the Thermal Plan. Therefore, the Discharger must meet the water quality objective at section 5.A.(1) of the Thermal Plan, which requires compliance with the following:

- i. The maximum temperature shall not exceed the natural receiving water temperature by more than 20°F.
- ii. Elevated temperature waste discharges either individually or combined with other discharges shall not create a zone, defined by water temperatures of more than 1°F above natural receiving water temperature, which exceeds 25 percent of the cross-sectional area of a main river channel at any point.
- iii. No discharge shall cause a surface water temperature rise greater than 4°F above the natural temperature of the receiving waters at any time or place.
- iv. Additional limitations shall be imposed when necessary to assure protection of beneficial uses.

This Order contains receiving water limitations for temperature based on the Thermal Plan.

- b. Bacteria.** On 7 August 2018, the State Water Board adopted Resolution 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 *Escherichia coli* (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 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. This standard has not been met in this Order; therefore, the Bacteria Water Quality Objective has been implemented as a receiving water limitation.

## **B. Groundwater**

1. The beneficial uses of the underlying groundwater are MUN, industrial service supply, industrial process supply, and agricultural supply.

2. Basin Plan water quality objectives include narrative objectives for chemical constituents, tastes and odors, and toxicity of groundwater. The toxicity objective requires that groundwater be maintained free of toxic substances in concentrations that produce detrimental physiological responses in humans, plants, animals, or aquatic life. The chemical constituents objective states groundwater shall not contain chemical constituents in concentrations that adversely affect any beneficial use. The tastes and odors objective prohibits taste- or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses. The Basin Plan also establishes numerical water quality objectives for chemical constituents and radioactivity in groundwaters designated as municipal supply. These include, at a minimum, compliance with MCL's in Title 22 of the CCR. The bacteria objective prohibits total coliform organisms at or above 2.2 MPN/100 mL. The Basin Plan requires the application of the most stringent objective necessary to ensure that waters do not contain chemical constituents, toxic substances, radionuclides, taste- or odor-producing substances, or bacteria in concentrations that adversely affect MUN, agricultural supply, industrial supply or some other beneficial use.
3. Groundwater limitations are required to protect the beneficial uses of the underlying groundwater.

## 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.** The Delta Mercury Control Program was designed to proceed in two phases. Phase 1 is currently underway. Phase 2 begins after the Phase 1 Delta Mercury Control Program Review and Board approval. As a result of



the Phase 1 Delta Mercury Control Program Review, changes may be needed to final allocations, implementation and monitoring requirements, and compliance schedules. Therefore, this Order may be reopened to address changes to the Delta Mercury Control Program.

- b. **Pollution Prevention.** This Order requires the Discharger prepare and implement a pollution prevention plan following Water Code section 13263.3(d)(3) for mercury. This reopener provision allows the Central Valley Water Board to reopen this Order for addition and/or modification of effluent limitations and requirements for mercury based on a review of the pollution prevention plan.
- c. **Whole Effluent Toxicity (WET).** This Order requires the Discharger to investigate the causes of and identify corrective actions to reduce or eliminate effluent toxicity through a site-specific Toxicity Reduction Evaluation (TRE). This Order may be reopened to include a new chronic toxicity limitation, a new acute toxicity limitation, and/or a limitation for a specific toxicant identified in the TRE.
- 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 recoverable. If the Discharger performs studies to determine site-specific WER's 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. **Ultraviolet Light (UV) Disinfection Operating Specifications.** UV system operating specifications are required to ensure that the UV system is operated to achieve the required pathogen removal. UV disinfection system specifications and monitoring and reporting requirements are required to ensure that adequate UV dosage is applied to the wastewater to inactivate pathogens (e.g., viruses) in the wastewater. UV dosage is dependent on several factors such as UV transmittance, UV power setting, wastewater turbidity, and wastewater flow through the UV disinfection system. The UV specifications in this Order are based on kinetic modeling developed to determine the rate of bacterial kill with respect to time and the concentration of disinfectant used. If the Discharger conducts a site-specific UV engineering study that identifies site-specific UV operating specifications that will achieve the virus inactivation required pursuant to guidance from DDW, this Order may be reopened to modify the UV specifications, in accordance with Reopener Provision VI.C.1.j.
- f. **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/))

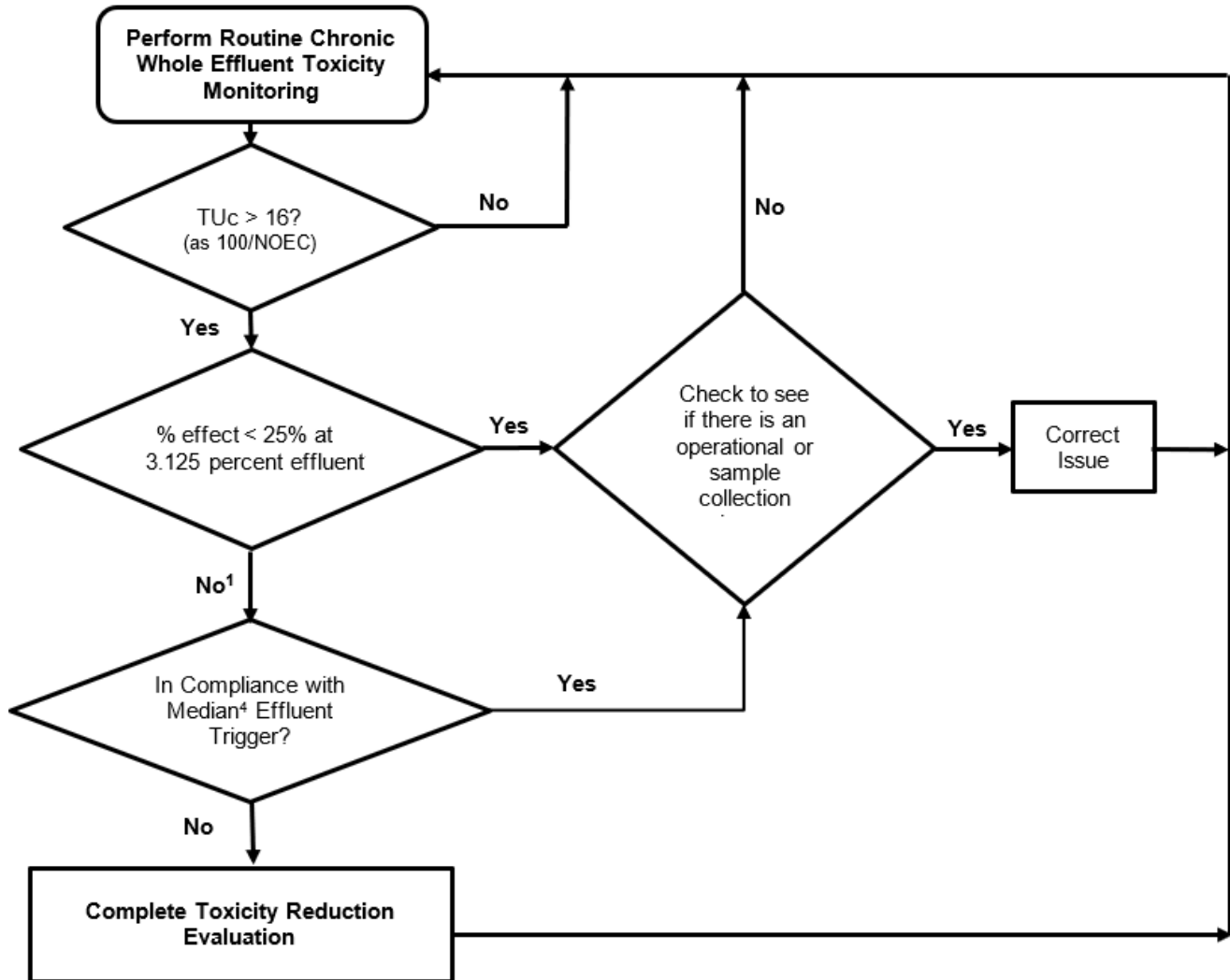
## 2. Special Studies and Additional Monitoring Requirements

- a. **Chronic Whole Effluent Toxicity (WET) 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 February 2017 through January 2020, 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 MRP 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 to conduct a site-specific TRE.

See the WET Monitoring Flow Chart (Figure F-4), below, for further clarification of the decision points for determining the need for TRE initiation.

**Figure F-4: WET Accelerated Monitoring Flow Chart**



**Figure F-4 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.
2. See Compliance Determination section VII.M for procedures for calculating 6-week median.

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

- a. **Water Code Section 13263.3(d)(3) Pollution Prevention Plan.** A pollution prevention plan for mercury is required in this Order per Water Code section 13263.3(d)(1)(C). The pollution prevention plan required in section VI.C.3.a and in section VI.C.7.a of this Order shall, at a minimum, meet the requirements outlined in Water Code section 13263.3(d)(3). The minimum requirements for the pollution prevention plan include the following:

- i. An estimate of all of the sources of a pollutant contributing, or potentially contributing, to the loadings of a pollutant in the treatment plant influent.
  - ii. An analysis of the methods that could be used to prevent the discharge of the pollutant into the Facility, including application of local limits to industrial or commercial dischargers regarding pollution prevention techniques, public education and outreach, or other innovative and alternative approaches to reduce discharges of the pollutant to the Facility. The analysis shall also identify sources, or potential sources, not within the ability or authority of the Discharger to control, such as pollutants in the potable water supply, airborne pollutants, pharmaceuticals, or pesticides, and estimate the magnitude of those sources, to the extent feasible.
  - iii. An estimate of load reductions that may be attained through the methods identified in subparagraph ii.
  - iv. A plan for monitoring the results of the pollution prevention program.
  - v. A description of the tasks, cost, and time required to investigate and implement various elements in the pollution prevention plan.
  - vi. A statement of the Discharger's pollution prevention goals and strategies, including priorities for short-term and long-term action, and a description of the Discharger's intended pollution prevention activities for the immediate future.
  - vii. A description of the Discharger's existing pollution prevention programs.
  - viii. An analysis, to the extent feasible, of any adverse environmental impacts, including cross-media impacts or substitute chemicals that may result from the implementation of the pollution prevention program.
  - ix. An analysis, to the extent feasible, of the costs and benefits that may be incurred to implement the pollution prevention program.
- b. **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 the Sacramento River.

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

- a. **Filtration System Operating Specifications.** Turbidity is included as an operational specification as an indicator of the effectiveness of the filtration system for providing adequate disinfection. The tertiary treatment process utilized at this Facility is capable of reliably meeting a turbidity limitation of 0.2 NTU as a daily average and a maximum of 0.5 NTU. Failure of the

treatment system such that virus removal is impaired would normally result in increased particles in the effluent, which result in higher effluent turbidity. Turbidity has a major advantage for monitoring filter performance, allowing immediate detection of filter failure and rapid corrective action. The operational specification requires that turbidity prior to disinfection shall not exceed 0.2 NTU as a daily average and 0.5 NTU as an instantaneous maximum.

b. **Ultraviolet Light (UV) Disinfection System Operating Specifications.**

UV System specifications and monitoring and reporting are required to ensure that the UV disinfection system is operated in a manner to adequately disinfect the wastewater to inactivate pathogens (e.g., viruses in the wastewater) and to verify that the UV system is operated in accordance with the design criteria recommended by the UV system design engineer.

UV dosage is dependent on several factors such as UV transmittance, UV power setting, wastewater turbidity, and wastewater flow through the UV system. Monitoring and reporting of these parameters is necessary to ensure adequate disinfection and compliance with the WQBEL's for total coliform effluent limitations.

The MBR's (tertiary filtration) utilized at this Facility are capable of reliably meeting the 23 MPN/100 mL total coliform effluent limit without the UV disinfection system because the membranes can filter coliform organisms from the wastewater. However, coliform organisms are used as an indicator parameter for all bacteria, viruses, and protozoa, some of which are not removed by the membranes, but instead removed or deactivated via the UV disinfection system. The total coliform organisms effluent limits, alone, are not sufficient to ensure adequate disinfection of the wastewater. Additional operational specifications for the membranes and UV disinfection system are necessary to ensure adequate disinfection.

The recommended design parameters governing the UV disinfection system were based on empirical equation that is commonly referred to as Chick's Law. Chick's Law is based on a kinetic model developed to determine the rate of bacterial kill with respect to time and the concentration of disinfectant used. Based on the model, a UV dose of 21.6 mJ/cm<sup>2</sup> is required to ensure the disinfected wastewater does not exceed a total coliform organism concentration of 23 MPN/100 mL and a UV dose of 11.6 mJ/cm<sup>2</sup> is required to meet a total coliform organism concentration of 240 MPN/100 mL. Based on these design specifications, the UV Disinfection System Operating Specifications have been modified to include the appropriate UV dosage to meet the total coliform organism effluent limitations consistent with the averaging periods of the effluent limitations. The required UV dosages are a 7-day median UV dose of 22 mJ/cm<sup>2</sup>, and a minimum UV dose of 12 mJ/cm<sup>2</sup>.

- c. **Emergency Storage Pond Operating Specifications.** The emergency storage pond is utilized during times when the effluent does not meet discharge requirements through diversion from the UV disinfection system. The emergency storage pond is drained once operational issues are resolved, which is typically within 24 hours during wet weather and within a week during dry weather. The emergency storage pond is lined with a high-density polyethylene liner. The operation and maintenance specification for the pond in this Order is necessary to protect the public and the beneficial uses of the groundwater and to prevent nuisance conditions

**5. Special Provisions for Publicly-Owned Treatment Works (POTW's)**

- a. **Sludge/Biosolids Treatment or Discharge Specifications.** Sludge in this Order means the solid, semi-solid, 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 off-site 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 on-site to prevent nuisance, protect public health, and protect groundwater quality.

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

**7. Compliance Schedules**

In general, an NPDES permit must include final effluent limitations that are consistent with CWA section 301 and with 40 C.F.R. section 122.44(d). There are exceptions to this general rule. The Compliance Schedule Policy allows compliance schedules for new, revised, or newly interpreted water quality objectives or criteria, or in accordance with a TMDL. All compliance schedules must be as short as possible and may not exceed 10 years from the effective date of the adoption, revision, or new interpretation of the applicable water quality objective or criterion, unless a TMDL allows a longer schedule. Where a compliance schedule for a final effluent limitation exceeds 1 year, the Order must include interim numeric effluent limitations for that constituent or parameter, interim requirements and dates toward achieving compliance, and compliance reporting within 14 days after each interim date. The Order may also include interim requirements to control the pollutant, such as pollutant minimization and source control measures.

In accordance with the Compliance Schedule Policy and 40 C.F.R. section 122.47, a discharger who seeks a compliance schedule must demonstrate additional time is necessary to implement actions to comply with a more stringent permit limitation. The Discharger must provide the following documentation as part of the application requirements:

- a. Diligent efforts have been made to quantify pollutant levels in the discharge and the sources of the pollutant in the waste stream, and the results of those efforts;
- b. Source control efforts are currently underway or completed, including compliance with any pollution prevention programs that have been established;
- c. A proposed schedule for additional source control measures or waste treatment;
- d. Data demonstrating current Facility performance to compare against existing permit effluent limits, as necessary to determine which is the more stringent interim, permit effluent limit to apply if a schedule of compliance is granted;
- e. The highest discharge quality that can reasonably be achieved until final compliance is attained;
- f. The proposed compliance schedule is as short as possible, given the type of facilities being constructed or programs being implemented, and industry experience with the time typically required to construct similar facilities or implement similar programs; and
- g. Additional information and analyses to be determined by the Regional Water Board on a case-by-case basis.

Based on information submitted with the ROWD, SMR's, and other miscellaneous submittals, it has been demonstrated to the satisfaction of the Central Valley Water Board that the Discharger needs time to implement actions to comply with the final effluent limitations for methylmercury.

The Delta Mercury Control Program is composed of two phases. Phase 1 is currently underway and continues through the Phase 1 Delta Mercury Control Program Review. Phase 1 emphasizes studies and pilot projects to develop and evaluate management practices to control methylmercury. Phase 1 includes provisions for implementing pollution minimization programs and interim mass limits for inorganic (total) mercury point sources in the Delta and Yolo Bypass; controlling sediment-bound mercury in the Delta and Yolo Bypass that may become methylated in agricultural lands, wetlands, and open-water habitats; and reducing total mercury loading to the San Francisco Bay, as required by the Water Quality Control Plan for the San Francisco Bay. As part of Phase 1, the CVCWA Coordinated Methylmercury Control Study Work Plan was approved by

the Executive Officer on 7 November 2013. The final CVCWA Methylmercury Control Study was submitted to the Central Valley Water Board on 19 October 2018 and revised on 26 October 2018.

As part of Phase 1, the Delta Mercury Control Program also required dischargers to participate in a Mercury Exposure Reduction Program (MERP). The objective of the MERP is to reduce mercury exposure of Delta fish consumers most likely affected by mercury. The Discharger elected to provide financial support in a collective MERP with other Delta dischargers, rather than be individually responsible for any MERP activities. An exposure reduction work plan for Executive Officer approval was submitted on 20 October 2013, which addressed the MERP objective, elements, and the Discharger's coordination with other stakeholders.

At the end of Phase 1, the Central Valley Water Board will conduct a Phase 1 Delta Mercury Control Program Review that considers modification of methylmercury goals, objectives, allocations and/or the Final Compliance Date; implementation of management practices and schedules for methylmercury controls; and adoption of a mercury offset program for dischargers who cannot meet their load and WLA's after implementing all reasonable load reduction strategies. The review will also consider other potential public and environmental benefits and negative impacts (e.g., habitat restoration, flood protection, water supply, and fish consumption) of attaining the allocations. The fish tissue objectives, linkage analysis between objectives and sources, and the attainability of the allocations will be re-evaluated based on the findings of Phase 1 control studies and other information. The linkage analysis, fish tissue objectives, allocations, and time schedules shall be adjusted at the end of Phase 1, or subsequent program reviews, if appropriate.

Phase 2 begins after the Phase 1 Delta Mercury Control Program Review. During Phase 2, dischargers shall implement methylmercury control programs and continue inorganic (total) mercury reduction programs. Compliance monitoring and implementation of upstream control programs also shall occur in Phase 2. Any compliance schedule contained in an NPDES permit must be "*...an enforceable sequence of actions or operations leading to compliance with an effluent limitation...*" per the definition of a compliance schedule in CWA section 502(17). See also 40 C.F.R. section 122.2 (definition of schedule of compliance). The compliance schedule for methylmercury meets these requirements.

Federal regulations at 40 C.F.R. section 122.47(a)(1) require that, "*Any schedules of compliance under this section shall require compliance as soon as possible...*" The Compliance Schedule Policy also requires that compliance schedules are as short as possible and may not exceed 10 years, except when "*...a permit limitation that implements or is consistent with the waste load allocations specified in a TMDL that is established through a Basin Plan amendment, provided that the TMDL implementation plan contains a compliance schedule or implementation schedule.*" As discussed above, the



Basin Plan's Delta Mercury Control Program includes compliance schedule provisions and allows compliance with the WLA's for methylmercury by 2030. Until the Phase 1 Control Studies are complete and the Central Valley Water Board conducts the Phase 1 Delta Mercury Control Program Review, it is not possible to determine the appropriate compliance date for the Discharger that is as soon as possible. Therefore, this Order establishes a compliance schedule for the final WQBEL's for methylmercury with full compliance required by 31 December 2030, which is consistent with the Final Compliance Date of the TMDL. At completion of the Phase 1 Delta Mercury Control Program Review, the final compliance date for this compliance schedule will be re-evaluated to ensure compliance is required as soon as possible. Considering the available information, the compliance schedule is as short as possible in accordance with federal regulations and the Compliance Schedule Policy.

## **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.

Water Code section 13176, subdivision (a)(1) requires that laboratory analyses shall be performed by laboratories accredited by DDW, which accredits laboratories through its Environmental Laboratory Accreditation Program (ELAP). Data generated using field tests are exempt from this requirement pursuant to Water Code section 13176, subdivision (a)(2).

The 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 the 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<sub>5</sub> (weekly), pH (weekly), TSS (weekly), electrical conductivity (quarterly), and temperature (weekly) have been retained from Order R5-2015-0141.
2. As described in section IV.D.3 and IV.D.4 of this Fact Sheet, this Order removes mass-based effluent limitations for BOD<sub>5</sub> and TSS based on 40 C.F.R. part 122.45 (d) and (f). Thus, requirements for calculating the mass of BOD<sub>5</sub> and TSS in the influent on a weekly basis have not been retained from Order R5-2015-0141.

### **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 (continuous), BOD<sub>5</sub> (weekly), pH (continuous), TSS (weekly), mercury (quarterly), chloride (quarterly), dissolved oxygen (weekly), electrical conductivity (monthly), hardness (quarterly), methyl mercury (quarterly), nitrate plus nitrite (quarterly), temperature (weekly), total coliform organisms (weekly), copper (quarterly) and total dissolved solids (quarterly) have been retained from Order R5-2015-0141 to determine compliance with effluent limitations and discharge prohibitions for these parameters.
3. Order R5-2015-0141 required the Discharger to conduct quarterly effluent monitoring for ammonia. This Order establishes monthly effluent monitoring requirements for ammonia to determine compliance with the AMEL and AWEL for this parameter.
4. As described in section IV.D.3 and IV.D.4 of this Fact Sheet, this Order removes mass-based effluent limitations for BOD<sub>5</sub>, TSS, and ammonia based on 40 C.F.R. part 122.45 (d) and (f). Thus, requirements for calculating the mass of BOD<sub>5</sub>, TSS, and ammonia in the effluent on a weekly basis have not been retained from Order R5-2015-0141.
5. This Order establishes annual effluent monitoring requirements for chlorpyrifos and diazinon in order to determine compliance with the WQBEL's for these parameters based on the TMDL for chlorpyrifos and diazinon for Sacramento-San Joaquin Delta waterways.
6. In accordance with section 1.3 of the SIP, periodic monitoring is required for priority pollutants for which criteria or objectives apply and for which no effluent limitations have been established. This Order requires effluent monitoring for priority pollutants and other constituents of concern quarterly for 1 year, beginning with the second quarter of 2022. This monitoring frequency has been retained from Order R5-2015-0141. See section IX.F of the MRP (Attachment E) for more detailed requirements related to performing priority pollutant monitoring.
7. 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.*" DDW accredits laboratories through its Environmental Laboratory Accreditation Program (ELAP).

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 §§ 13370, subd. (c), 13372, 13377). Section 13176 is inapplicable to

NPDES permits to the extent it is inconsistent with CWA requirements (Wat. Code § 13372, subd. (a)). The holding time requirements are 15 minutes for chlorine residual, dissolved oxygen, and pH, and immediate analysis is required for temperature (40 C.F.R. § 136.3(e), Table II). The Discharger maintains an ELAP certified laboratory on-site and conducts analysis for chlorine residual, dissolved oxygen, and pH within the required 15-minute hold times.

**C. Whole Effluent Toxicity (WET) Testing Requirements**

1. **Acute Toxicity.** Consistent with Order R5-2015-0141, annual 96-hour bioassay testing is required to demonstrate compliance with the effluent limitations for acute toxicity.
2. **Chronic Toxicity.** Consistent with Order R5-2015-0141, annual chronic WET testing is required in order to demonstrate compliance with the Basin Plan’s narrative toxicity objective.

**D. Receiving Water Monitoring**

**1. Surface Water**

- a. **Delta Regional Monitoring Program.** The Central Valley Water Board requires individual dischargers and discharger groups to conduct monitoring of Delta waters and Delta tributary waters in the vicinity of their discharge, known as ambient (or receiving) water quality monitoring. This monitoring provides information on the impacts of waste discharges on Delta waters, and on the extant condition of the Delta waters. However, the equivalent funds spent on current monitoring efforts could be used more efficiently and productively and provide a better understanding of geographic and temporal distributions of contaminants and physical conditions in the Delta, and of other Delta water quality issues, if those funds were used for a coordinated ambient monitoring effort, rather than continue to be used in individual, uncoordinated ambient water quality monitoring programs. The Delta Regional Monitoring Program will provide data to better inform management and policy decisions regarding the Delta.

The Discharger is required to participate in the Delta Regional Monitoring Program. Delta Regional Monitoring Program data is not intended to be used directly to represent either upstream or downstream water quality for purposes of determining compliance with this Order. Delta Regional Monitoring Program monitoring stations are established generally as “integrator sites” to evaluate the combined impacts on water quality of multiple discharges into the Delta; Delta Regional Monitoring Program monitoring stations would not normally be able to identify the source of any specific constituent but would be used to identify water quality issues needing further evaluation. Delta Regional Monitoring Program monitoring data may be used to help establish background receiving water quality for an RPA in an NPDES permit after evaluation of the applicability of the data

for that purpose. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Delta Regional Monitoring Program data, as with all environmental monitoring data, can provide an assessment of water quality at a specific place and time that can be used in conjunction with other information, such as other receiving water monitoring data, spatial and temporal distribution and trends of receiving water data, effluent data from the Discharger's discharge and other point and non-point source discharges, receiving water flow volume, speed and direction, and other information to determine the likely source or sources of a constituent that resulted in exceedance of a receiving water quality objective.

Participation in the Delta Regional Monitoring Program by a Discharger shall consist of providing funds and/or in-kind services to the Delta Regional Monitoring Program.

Since the Discharger is participating in the Delta Regional Monitoring Program, this Order does not require receiving water characterization monitoring for purposes of conducting the RPA. However, the ROWD for the next permit renewal shall include, at minimum, one representative ambient background characterization monitoring event for priority pollutant constituents during the term of the permit. Data from the Delta Regional Monitoring Program may be utilized to characterize the receiving water in the permit renewal. Alternatively, the Discharger may conduct any site-specific receiving water monitoring deemed appropriate by the Discharger and submit that monitoring data with the ROWD. In general, monitoring data from samples collected in the immediate vicinity of the discharge will be given greater weight in permitting decisions than receiving water monitoring data collected at greater distances from the discharge point. Historic receiving water monitoring data taken by the Discharger and from other sources may also be evaluated to determine whether or not that data is representative of current receiving water conditions. If found to be representative of current conditions, then that historic data may be used in characterizing receiving water quality for the purposes of the RPA.

- b. Receiving water monitoring requirements and sample types for flow (quarterly), pH (quarterly), dissolved oxygen (quarterly), electrical conductivity (quarterly), hardness (quarterly), temperature (quarterly), and turbidity (quarterly) at Monitoring Locations RSW-001 and RSW-002 have not been retained from Order R5-2015-0141, which is consistent with the 6 February 2015 approval by the Central Valley Water Board's Executive Officer to join the Delta Regional Monitoring Plan and reduce individual receiving water monitoring requirements.
- c. In accordance with section 1.3 of the SIP, periodic monitoring is required for priority pollutants for which criteria or objectives apply and for which no effluent limitations have been established. This Order requires upstream

receiving water monitoring for priority pollutants once during the term of the permit in order to collect data to conduct an RPA for the next permit renewal.

**2. Groundwater – Not Applicable**

**E. Other Monitoring Requirements**

**1. Biosolids Monitoring**

Biosolids monitoring for compliance with 40 C.F.R. part 503 regulations is not included in this Order since it is a program administered by [U.S. EPA's part 503 Biosolids Program](https://www.epa.gov/biosolids/compliance-and-annual-reporting-guidance-about-clean-water-act-laws) (https://www.epa.gov/biosolids/compliance-and-annual-reporting-guidance-about-clean-water-act-laws)

**2. Water Supply Monitoring**

Water supply monitoring has not been retained from Order R5-2015-0141. Sampling for electrical conductivity, standard minerals and total dissolved solids has not been retained since none of these constituents exhibits reasonable potential in the discharge necessitating tracking of supply water to determine its influence on the discharge.

**3. UV Disinfection System Monitoring**

UV system monitoring and reporting are required to ensure that the UV system is operated to adequately inactivate pathogens in the wastewater. UV disinfection system monitoring is imposed to achieve equivalency to requirements established by the DDW.

**4. Emergency Storage Basin Monitoring**

Emergency storage basin monitoring is required to ensure compliance with the pond operating requirements contained in section VI.C.4.c of this Order.

**5. 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.

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

Under the authority of section 308 of the CWA (33 U.S.C. § 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 Rio Vista, Northwest Wastewater Treatment Facility. 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 [posting of the Notice of Public Hearing concerning the WDRs at the Rio Vista City Hall \(Government Center\) on 17 December 2020, Rio Vista Post Office on 4 December 2020, and the Northwest Wastewater Treatment Facility on 4 December 2020. The Notice of Public Hearing was also published on the Central Valley Water Board's Website.](#)

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/))

### 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 **4 January 2021**.

### **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: **18/19 February 2021**

Time: **8:30 a.m.**

Location: Regional Water Quality Control Board, Central Valley Region  
11020 Sun Center Dr., Suite #200  
Rancho Cordova, CA 95670

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 CCR, 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_inst.r.shtml)

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

### **E. Information and Copying**

The ROWD, 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 (916) 464-3291.

**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 Saranya Elankovan at (916) 464-4742.



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

**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

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

Constituent	Units	MEC	B	C	CMC	CCC	Water & Org	Org. Only	Basin Plan	MCL	Reasonable Potential
Ammonia (as N)	mg/L	ND	0.111	1.32	2.64 (see table note 1. below)	1.32 (see table note 2. below)	--	--	--	--	Yes
Chloride	mg/L	270	11.6	230	860 (see table note 1. below)	230 (see table note 3. below)	--	--	--	250	No (see table note 4. below)
Copper, Total Recoverable	µg/L	10.1	9.14	7.9	12	7.9	1,300	--	10.4	1,000	Yes

CITY OF RIO VISTA  
NORTHWEST WASTEWATER TREATMENT FACILITY

ORDER R5-2021-XXXX  
NPDES NO. CA0083771

Constituent	Units	MEC	B	C	CMC	CCC	Water & Org	Org. Only	Basin Plan	MCL	Reasonable Potential
Electrical Conductivity @ 25°C	umhos /cm	2,010	388 (see table note 5. below)	450 (see table note 6. below)	--	--	--	--	450 (see table note 7. below)	900	No (see table note 4. below)
Mercury, Total Recoverable	µg/L	0.0036 (see table note 8. below)	0.00335	0.012	--	--	--	--	--	0.012 (see table note 9. below)	No (see table note 10. below)
Methylmercury	µg/L	0.000957	0.0000797	--	--	--	--	--	--	--	No (see table note 10. below)
Nitrate (as N)	mg/L	8.7	0.20	10	--	--	--	--	--	10	No (see table note 4. below)
Nitrite (as N)	mg/L	0.0010	0.020	1.0	--	--	--	--	--	1	No
Silver, Total Recoverable	µg/L	0.05	0.396	2.6	2.6	--	--	--	12	100	No (see table note 4. below)
Sulfate	mg/L	72 (see table note 8. below)	13.1	250	--	--	--	--	--	250	No (see table note 4. below)
Total Dissolved Solids	mg/L	885 (see table note 8. below)	132	500	--	--	--	--	--	500	No (see table note 4. below)
Zinc, Total Recoverable	µg/L	51.3	93.9	100	100	100	--	--	102	5,000	No (see table note 4. below)

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) See section IV.C.3 of the Fact Sheet for a discussion of the RPA results.
- (5) Represents the 14-day running average of the mean daily electrical conductivity in the Sacramento River on the day with the minimum assimilative capacity.
- (6) Criteria to be compared to the maximum upstream receiving water concentration.
- (7) The Basin Plan contains site-specific water quality objectives for electrical conductivity in the Sacramento River at Emmaton based on the Bay-Delta Plan, which are dependent on water year type.
- (8) Represents the maximum observed annual average concentration for comparison with the Secondary MCL or Sport Fish Water Quality Objective for mercury, where applicable.
- (9) State Water Board Sport Fish Water Quality Objective for mercury.
- (10) Constituents with a Total Maximum Daily Load (TMDL).

**ATTACHMENT H – CALCULATION OF WQBEL’S**

**Abbreviations used in the following table:**

- B = Maximum Receiving Water Concentration or lowest detection level, if non-detect
- CMC = Criterion Maximum Concentration (CTR or NTR) Criteria
- CCC = Criterion Continuous Concentration (CTR or NTR) Criteria
- CV = Coefficient of Variation (established in accordance with section 1.4 of the SIP)
- DF = Dilution Factor
- ECA = Effluent Concentration Allowance
- Eff = Effluent
- LTA = Aquatic Life Calculations – Long-Term Average
- Mult = Multiplier
- MDEL = Maximum Daily Effluent Limitation
- AMEL = Average Monthly Effluent Limitation
- AWEL = Average Weekly Effluent Limitation

**AQUATIC LIFE WQBEL CALCULATIONS**

Parameter	Units	CMC	CCC	B	Eff CV	CMC DF	CCC DF	ECA Multacute	LTAacute	ECA Multchronic	LTAchronic	AMEL Mult95	AWEL Mult	MDEL Mult99	AMEL	AWEL	MDEL
Ammonia Nitrogen, Total (as N)	mg/L	2.64	1.32	0.111	0.60	--	--	0.32	0.85	0.78	1.03	1.55	2.68	--	1.3	2.3	--
Copper, Total Recoverable	µg/L	6.7	4.8	3.4	0.27	20	20	0.56	41	0.74	24	1.24	--	1.80	19	--	25

Table Notes:

- (1) Coefficient of Variation (CV) was established in accordance with section 1.4 of the SIP.
- (2) Average Monthly Effluent Limitations are calculated according to section 1.4 of the SIP using a 95th percentile occurrence probability.
- (3) Average Weekly Effluent Limitations are calculated according to section 1.4 of the SIP using a 98th percentile occurrence probability.
- (4) Maximum Daily Effluent Limitations are calculated according to section 1.4 of the SIP using a 99th percentile occurrence probability.
- (5) Hardness-dependent CTR criteria for copper were calculated based on a design ambient hardness of 48 mg/L corresponding to the conditions at the edge of the permitted aquatic life mixing zone.
- (6) Final effluent limitations in the Order have been retained from Order R5-2015-0141 based on Facility performance.