CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2018-XXXX

WASTE DISCHARGE REQUIREMENTS

FOR

U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE

AND

PELORIA MARINAS, LLC
DBA
BRIDGE BAY MARINA AT SHASTA LAKE

SHASTA COUNTY

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

1. On 1 September 2017**,** Peloria Marinas, LLC submitted a Report of Waste Discharge (RWD) to apply for renewal of Waste Discharge Requirements (WDRs) for an existing privately owned wastewater treatment facility (WWTF), which serves Bridge Bay Marina (Facility) on Shasta Lake, with property owned by the U.S. Department of Agriculture, Forest Service. Additional information was submitted on 27 November 2017, 20 December 2017, and January 2018. The RWD was deemed complete on 9 January 2018.

2. Peloria Marinas LLC, dba Bridge Bay Marina at Shasta Lake, (facility operator), and the US Department of Agriculture, Forest Service (USFS) (land owner); hereafter "Discharger(s)" are jointly responsible for compliance with these Waste Discharge Requirements (WDRs).

3. The Facility is located at 10300 Bridge Bay Road, Shasta Lake, Section 4, T33N, R4W and Section 33, T34N, R4W, MDB&M. The approximate latitude and longitude of the site are 40°45' 21.63" N and 122°19' 25.81" W. The Facility occupies 24.1 acres of Assessor's Parcel Number (APN) 307-010-001, as shown on Attachment A, which is attached hereto and made part of this Order by reference.

4. WDRs Order 01-227, adopted by the Central Valley Water Board on 7 September 2001, prescribes requirements for the Facility. Order 5-01-227 did not specify an average dry weather flow for the permitted system, although an estimated 600,000 gallons of wastewater, were discharged to the largest of 3 onsite leachfields in the previous year. WDR Order 5-01-227 will be rescinded and replaced with this Order.

Existing Facility and Discharge

5. The Facility collects blackwater and graywater generated by 3 houseboat pumpouts, floating and on shore restroom facilities (Marina #3), two courtesy docks, an office, onsite employee housing, a mechanics shop, a general store, a restaurant, 40 room hotel, two mobile homes, and a maintenance building as shown on Attachment B, which is attached hereto and made part of this Order by reference.

6. Approximately 1.33 million gallons of wastewater is generated from the office, mechanics shop, store, and Marina #3 annually. Approximately 80% of that total annual flow is discharged from May through September. To reduce leachfield loading during the peak summer season, the Discharger removes approximately 33% or approximately 430,000 gallons of the wastewater discharged into the septic tanks and transports it offsite to the City of Anderson Wastewater Treatment Facility. The resulting volume of wastewater discharged to the southernmost onsite leachfield #3 annually is approximately 900,000 gallons or 3,934 gallons/day during peak season.

7. In addition, an estimated 1.1 million gallons of wastewater from the 40 motel units and restaurant discharges into two septic tanks and leachfields #1 and #2. Formerly, backwash water from the swimming pool discharged into one of these leachfields, however the pool was closed and backfilled with gravel in 2017. Wastewater from a full-time residence discharges to a separate septic tank leachfield system. Wastewater from a public restroom discharges to a septic tank where it combines with a second full-time residence. Effluent from the public restroom's septic tank is pumped to a distribution box that also receives effluent from the restaurant's grease trap and septic tank. Within the distribution box the effluent either: flows by gravity to an adjacent leachfield, or is pumped into the motel unit's distribution box and disposed in that leachfield. In 1991 effluent from Marina #1 would also be discharged to this leachfield system, however the restrooms and septic tanks associated with Marina #1 were closed in 2014. A portable vault toilet is maintained for use at the maintenance building with wastewater disposed offsite.

8. Non-sewage wastes have the potential to be discharged to Shasta Lake as a result of marina operations such as the refueling of vessels, storage of fuel, storage of chemicals, and maintenance of the facility itself (including cleaning, washing, and prepping of rental houseboats).

9. Petroleum products, are stored in a 15,000 gallon aboveground tank and transferred to one land-based dispenser and several dispensers located at Marina #3. Small quantities of other petroleum products are stored at various locations throughout the facility in aboveground tanks having secondary containment. The Discharger monitors the aboveground tanks in accordance with their Spill Prevention Control and Countermeasure Plan.

10. Boat repair, cleaning, and washing of rental boats can occur on the marina's floating service dock. However most major maintenance and repair at the Facility (including engine overhaul, the removal of aquatic growth, and loose paint from vessel hulls, and

re-painting) occurs at the facility's Maintenance yard. The Facility operates under the State Water Resources Control Board's Industrial Storm Water General permit Order 2014-0057-DWQ (NPDES General Permit CAS000001).

Wastewater Collection System

11. The wastewater collection system consists of solid and flexible sewer pipes, three (3) pumpouts, several floating collection tanks and/or other conveyance system elements that direct raw sewage to the treatment facility. A "sanitary sewer overflow" (SSO) is defined as a discharge to ground or surface water from the sanitary sewer system at any point upstream of the treatment facility. Temporary storage and conveyance facilities (such as wet wells, regulated impoundments, tanks, highlines, etc.) may be part of a sanitary sewer system and discharges to these facilities are not considered SSOs, provided that the waste is fully contained within these temporary storage/conveyance facilities.

12. SSOs consist of varying mixtures of domestic and commercial wastewater, depending on land uses in the sewage collection system. The most common causes of SSOs are grease blockages, root blockages, debris blockages, sewer line flood damage, manhole structure failures, vandalism, pump station mechanical failures, power outages, storm or groundwater inflow/infiltration, lack of capacity, and/or contractor-caused blockages.

13. SSOs often contain pathogenic organisms, toxic pollutants, nutrients, oxygen demanding organic compounds, oil and grease, suspended solids, and other pollutants. SSOs to surface waters can cause temporary exceedances of applicable water quality objectives, pose a threat to public health, adversely affect aquatic life, and impair recreational use and aesthetic enjoyment of surface waters in the area.

14. The Discharger is not required to obtain coverage under the State Water Resources Control Board's Order 2006-0003-DWQ for Sanitary Sewer Systems because neither the sewer system nor the wastewater treatment plant is publicly owned. Therefore, the Discharger is expected to take all necessary steps to adequately maintain, operate, and prevent overflows from its sanitary sewer system, and to comply with this Order with regard to responding to and reporting all SSOs.

Site-Specific Conditions

15. The Facility is located adjacent to Shasta Lake. The Facility's parcel is leased from the United States Department of Agriculture, Forest Service (USFS) under a special use permit. The parcel is mostly steep sloping, with man-made level areas for parking and onsite structures, and slopes to the north and west in the direction of Shasta Lake.

16. Elevations at the Facility range from approximately 1,000 feet above mean sea level (MSL) to about 1,100 feet MSL. The majority of the project area is located in Zone X which is outside to the 100-year floodplain. The dock and part of the launch ramp are

located in Zone A which has a 1 percent annual change in elevation with the rise and fall of lake levels.

17. Surface water on the project site flows toward Shasta Lake. There are no municipal storm drains at or adjacent to the Facility other than culverts crossing nearby under the Bridge Bay access road. The nearest surface water bodies are Lake Shasta, and Bontabile Creek a tributary to Shasta Lake. Bontabile Creek is a minor, intermittent tributary to Shasta Lake. Shasta Lake is located immediately adjacent to (north & south of) the Facility.

18. Shasta Dam Station No. 048135, located approximately 5.5 miles to the southwest, is the nearest climatology station to the site. Total precipitation at the Shasta Dam weather station averages 61.82 inches per year for the years of record between 1943 and 2016. Mean Class A pan evaporation at the Shasta Dam station is 68.3 inches per year, most of which occurs in the months of May through October (Department of Water Resources (DWR), 1979). A 100-year storm of 24-hour duration at Shasta Dam is 11.65 inches (DWR, 1976).

19. Average daily minimum temperatures in the project area range from 38.9 degrees Fahrenheit (°F) in January to 68.3 °F in July. Average daily maximum temperatures range from 52.5 °F in January to 95.2 °F in July (Western Regional Climate Center (WRCC), 2016).

20. The United States Department of Agriculture (USDA) has mapped the soils in the vicinity of the Bridge Bay Marina. Soils at the project site are comprised of Holland family and Holland family deep complex soils. The soil unit is comprised 60 percent of Holland family soils and 30 percent of Holland family deep soils. Holland family soils occur on 40 to 60 percent slopes. These soils are well drained, and have low available water storage in profile (about 3.9 inches). Holland Family deep soils are well drained and have high available water storage of 13.7 inches. Depth to restrictive feature (paralithic bedrock) is 39 to 59 inches.

21. Based on drilling logs the upper subsurface is comprised of decomposed metamorphic rock. Underlying the decomposed rock layer, a small gray shale layer was encountered. Underlying the shale layer was a very hard layer of rock. This hard rock layer is metamorphosed volcanic rock commonly known as greenstone or Copley Greenstone. This hard layer of Copley Greenstone extends down to 140 feet bgs and most likely extends for several hundred more feet. Fractures in the Copley Greenstone were encountered at varying depths. The water-bearing zones were located in these fractures within the soil borings.

22. The Shasta County General Plan designation identifies the project site vicinity as Public Land. The Shasta County zoning designation identifies the project site as National Recreation Area, Shasta Unit (NRA-S). The NRA-S zoning establishes development standards in the Shasta Lake National Recreation Area which will be compatible with public recreation and enjoyment, the conservation of natural resources and scientific, historic and other values. Commercial development in NRA-

S zoning is limited to that providing a public service, including food, lodging, automotive or marine maintenance facilities and services and other comparable business enterprises. Adjacent land uses include undeveloped National Forests.

Groundwater Conditions

23. The site lies in the Klamath Mountains geomorphic province of California. According to Aerial Geology of the Redding Quadrangle (Diller, 1906), the project is underlain by the late Jurassic to early Cretaceous Age batholith consisting of quartz hornblende-diorite stock and a stock of quartz-mica-diorite.

24. Geologic structures consist of faults, folds, bedding, foliation, joints, and other discontinuity orientations. No known active, potentially active, or inactive faults are known to exist within 1,000 feet of the site. The closest fault to the site is the Battle Creek Fault Zone, located approximately 20 miles south of the project area.

25. Three monitoring wells were installed at the facility in 1996 to investigate subsurface petroleum contamination from a former underground storage tank; none were adjacent to the leachfields. After the site was remediated, the wells were abandoned and the case received closure in 2003.

26. The depth to groundwater in the monitoring wells at the Facility between 1996 and 2002 ranged from 11 to 40 feet bgs. Based on data collected between the above dates, the groundwater level beneath the Facility is highly lake dependent and fluctuates sharply with the rise and fall of Shasta Lake levels. Groundwater generally flows to the north toward Shasta Lake. Reports noted that the wells were dry during drought conditions, in late fall, or early winter when the surface elevation of Shasta Lake decreases.

27. All water used for the resort and marina operations is received from Mountain Gate Community Services District (CSD). The Facility purchased 4.1 million gallons of water from the CSD in 2016. The CSD obtains its water from Shasta Lake and has a main intake located approximately ¼ mile north-northwest from the Facility. A standby or backup intake is located approximately 100 feet south of Marina #5.

Basin Plan, Beneficial Uses, and Regulatory Considerations

28. The *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins,* Fourth Edition, revised July 2016 (hereafter Basin Plan) designates beneficial uses, establishes water quality objectives, contains implementation plans and policies for protecting waters of the basin, and incorporates by reference plans and policies adopted by the State Water Board. Pursuant to California Water Code section 13263 (a), waste discharge requirements must implement the Basin Plan.

29. Local drainage is to Shasta Lake. The beneficial uses of Shasta Lake, as stated in the Basin Plan, are Municipal and Domestic Supply (MUN), Agricultural Supply (AGR), Hydropower Generation (POW), Water Contact Recreation (REC-1) and Non-

contact Water Recreation (REC-2), Freshwater Habitat (WARM & COLD), Warm & Cold (SPAWN), and Wildlife Habitat (WILD).

30. The beneficial uses of underlying groundwater as set forth in the Basin Plan are municipal and domestic supply, agricultural supply, industrial service supply and industrial process supply.

31. The Basin Plan establishes narrative water quality objectives for chemical constituents, tastes and odors, and toxicity in groundwater. It also sets forth a numeric objective for total coliform organisms.

32. The Basin Plan's numeric water quality objective for bacteria requires that the most probable number (MPN) of coliform organisms over any seven-day period shall be less than 2.2 per 100 mL in MUN groundwater.

33. The Basin Plan's narrative water quality objectives for chemical constituents, at a minimum, require waters designated as domestic or municipal supply to meet the MCLs specified in Title 22 of the California Code of Regulations (hereafter Title 22). The Basin Plan recognizes that the Central Valley Water Board may apply limits more stringent than MCLs to ensure that waters do not contain chemical constituents in concentrations that adversely affect beneficial uses.

34. The narrative toxicity objective requires that groundwater be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, animal, plant, or aquatic life associated with designated beneficial uses.

35. Quantifying a narrative water quality objective requires a site-specific evaluation of those constituents that have the potential to impact water quality and beneficial uses. The Basin Plan states that when compliance with a narrative objective is required to protect specific beneficial uses, the Central Valley Water Board will, on a case-by-case basis, adopt numerical limitations in order to implement the narrative objective.

36. In the absence of specific numerical water quality limits, the Basin Plan methodology is to consider any relevant published criteria. General salt tolerance guidelines, such as *Water Quality for Agriculture* by Ayers and Westcot and similar references indicate that yield reductions in nearly all crops are not evident when irrigation water has an EC less than 700 µmhos/cm. There is, however, an eight- to ten-fold range in salt tolerance for agricultural crops and the appropriate salinity values to protect agriculture in the Central Valley are considered on a case-by-case basis. It is possible to achieve full yield potential with waters having EC up to 3,000 µmhos/cm if the proper leaching fraction is provided to maintain soil salinity within the tolerance of the crop.

37. The Central Valley Water Board is developing amendments to the Basin Plan to incorporate new strategies for addressing ongoing salt and nitrate accumulation in the waters and soils of the Central Valley. Strategies currently under consideration may:

a. Alter the way the Board calculates available assimilative capacity for nitrate, which could result in new or modified requirements for nitrate management;

b. Require dischargers to implement actions identified under an interim salinity permitting approach; and/or

c. Establish alternate compliance approaches that would allow dischargers to participate in efforts to provide drinking water to local communities in consideration for longer compliance time schedules.

Should the Board adopt amendments to the Basin Plan to effectuate such strategies; these waste discharge requirements may be amended or modified to incorporate any newly-applicable requirements.

38. The stakeholder-led Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative has been coordinating efforts to implement new salt and nitrate management strategies. The Board expects dischargers that may be affected by new salt and nitrate management policies to coordinate with the CV-SALTS initiative.

Antidegradation Analysis

39. State Water Resources Control Board Resolution 68-16 ("Policy with Respect to Maintaining High Quality Waters of the State") (hereafter Resolution 68-16) prohibits degradation of groundwater unless it has been shown that:

a. The degradation is consistent with the maximum benefit to the people of the state.

b. The degradation will not unreasonably affect present and anticipated future beneficial uses.

c. The degradation does not result in water quality less than that prescribed in state and regional policies, including violation of one or more water quality objectives, and

d. The discharger employs best practicable treatment or control (BPTC) to minimize degradation.

40. Degradation of groundwater by some of the typical waste constituents associated with discharges from the domestic wastewater discharge of a marina facility, after effective source control, treatment, and control measures are implemented, is consistent with the maximum benefit to the people of the state. The economic prosperity of valley communities and associated industry is of maximum benefit to the people of the State, and provides sufficient justification for allowing the limited groundwater degradation that may occur pursuant to this Order.

41. The Discharger had monitored some aspects of groundwater quality at the site from 1996 to 2003 related to a UST clean up case at the Facility. Clean up was successful, the UST case was closed and the monitoring wells were abandoned in

2003. Based on the data available, it is not possible to determine pre-1968 groundwater quality. Therefore, determination of compliance with Resolution 68-16 for this facility must be based on existing background groundwater quality.

42. Constituents of concern that have the potential to degrade groundwater include salts (primarily TDS, sodium, and chloride), nutrients and coliform organisms, as discussed below.

Constituent	Concentrations (mg/L)		
	Effluent [1]	Water supply[2]	Potential Water Quality Objective
TDS	436	200	450[3] to 1,500[6]
FDS	320	--	--
Nitrate Nitrogen	0.50	0.41	10[4]
Total Nitrogen	90	--	--
Sulfate	13	22.8	250[5]
Sodium	69	6	69[3]
Chloride	68	4.3	106[3] to 600[6]

[1] Combined average of sample results collected from the 3 separate onsite systems 12/13/17.
[2] Water supply results 2016 provided by Mt. Gate CSD.
[3] Lowest agricultural water quality goal.
[4] Primary Maximum Contaminant Level.
[5] Secondary Maximum Contaminant Level.
[6] Secondary Maximum Contaminant Level range.

a. **Total Dissolved Solids**. Effluent TDS concentration is approximately 436 mg/L, which is normal for a typical domestic wastewater treatment facility and indicates that the Discharger's current control practices are effective. The TDS effluent quality of the existing WWTF is expected to remain the same. Therefore, the discharge is not likely to degrade groundwater quality due to increased salinity and a TDS effluent limit is not required to protect groundwater quality.

b. **Nitrate**. For nutrients such as nitrate, the potential for degradation depends not only on the quality of the treated effluent, but the ability of the vadose zone below the effluent disposal ponds to provide an environment conducive to nitrification and denitrification to convert the effluent nitrogen to nitrate and the nitrate to nitrogen gas before it reaches the water table. The effluent nitrate nitrogen concentration was 0.50 mg/L, the background groundwater concentration is unknown. The nitrate effluent quality of the existing WWTF is expected to remain the same. Therefore, the discharge is not likely to degrade groundwater quality due to increased nitrate and a nitrate effluent limit is not required to protect groundwater quality.

c. **Total Coliform Organisms**. For coliform organisms, the potential for exceedance of the Basin Plan's numeric water quality objective depends on the ability of vadose zone soils below the effluent disposal lines and saturated soils within the shallow water bearing zone to provide adequate filtration. The approximate 25 foot of unsaturated zone consisting of gravely loam, gravely clay loam (29 inches) and

weathered bedrock below the leachfield is expected to be sufficient to filter out coliform organisms and to prevent groundwater degradation.

43. This Order establishes effluent and groundwater limitations for the WWTF that will not unreasonably threaten present and anticipated beneficial uses or result in groundwater quality that exceeds water quality objectives set forth in the Basin Plan.

44. The Discharger provides treatment and control of the discharge that incorporates: Flexible collection lines, collection tanks, septic tanks, flow, and liquid depth monitoring, visual inspections of: collection lines, dock pumpouts, tanks; including scum levels & floating solids, system inspection including; dye testing and maintenance program.

Other Regulatory Considerations

45. In compliance with Water Code section 106.3, it is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This order promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.

46. Based on the threat and complexity of the discharge, the facility is determined to be classified as 2C as defined below:

    a. Category 2 threat to water quality: “Those discharges of waste that could impair the designated beneficial uses of the receiving water, cause short-term violations of water quality objectives, cause secondary drinking water standards to be violated, or cause a nuisance.”

    b. Category C - Any discharger for which waste discharge requirements have been prescribed pursuant to Section 13263 of the Water Code not included in Category A or Category B as described above. Included are dischargers having no waste treatment systems or that must comply with best management practices, dischargers having passive treatment and disposal systems, or dischargers having waste storage systems with land disposal**.**”

47. Title 27 of the California Code of Regulations (hereafter Title 27) contains regulatory requirements for the treatment, storage, processing, and disposal of solid waste. However, Title 27 exempts certain activities from its provisions. Discharges regulated by this Order are exempt from Title 27 pursuant to provisions that exempt domestic sewage, wastewater, and reuse. Title 27, section 20090 states in part:

> The following activities shall be exempt from the SWRCB-promulgated provisions of this subdivision, so long as the activity meets, and continues to meet, all preconditions listed:
>
> (a) Sewage - Discharges of domestic sewage or treated effluent which are regulated by WDRs issued pursuant to Chapter 9, Division 3, Title 23 of this code, or for which

> WDRs have been waived, and which are consistent with applicable water quality objectives, and treatment or storage facilities associated with municipal wastewater treatment plants, provided that residual sludge or solid waste from wastewater treatment facilities shall be discharged only in accordance with the applicable SWRCB-promulgated provisions of this division.
>
> (b) Wastewater - Discharges of wastewater to land, including but not limited to evaporation ponds, percolation ponds, or subsurface leachfields if the following conditions are met:
>
> (1) the applicable RWQCB has issued WDRs, reclamation requirements, or waived such issuance;
>
> (2) the discharge is in compliance with the applicable water quality control plan; and
>
> (3) the wastewater does not need to be managed according to Chapter 11, Division 4.5, Title 22 of this code as a hazardous waste.
>
> (c) Fully Enclosed Units - Waste treatment in fully enclosed facilities, such as tanks, or in concrete-lined facilities of limited areal extent, such as oil-water separators designed, constructed, and operated according to American Petroleum Institute specifications.

48. The discharge authorized herein (except for the discharge of residual sludge and solid waste), and the treatment and storage facilities associated with the discharge, are exempt from the requirements of Title 27 as follows:

    a. The holding and septic tanks are exempt pursuant to Title 27, section 20090(a) because they are treatment and storage facilities associated with a municipal domestic wastewater treatment plant.

    b. The Leachfield lines are exempt pursuant to Title 27, section 20090(b) because they are subsurface wastewater disposal lines and:

        i. The Central Valley Water Board is issuing WDRs.

        ii. The discharge is in compliance with the Basin Plan, and;

        iii. The treated effluent discharged to the leachfield does not need to be managed as hazardous waste.

49. The U.S. EPA published *Statistical Analysis of Groundwater Monitoring Data at RCRA Facilities, Unified Guidance* (hereafter "Unified Guidance") in 2009. As stated in the Unified Guidance, the document:

> …is tailored to the context of the RCRA groundwater monitoring regulations … [however, t]here are enough commonalities with other regulatory groundwater monitoring programs … to allow for more general use of the tests and methods in the Unified Guidance… Groundwater detection monitoring involves either a comparison between different monitoring stations … or a contrast between past and present data within a given station… The Unified Guidance also details

> methods to compare background data against measurements from regulatory compliance points … [as well as] techniques for comparing datasets against fixed numerical standards … [such as those] encountered in many regulatory programs.

The statistical data analysis methods in the Unified Guidance are appropriate for determining whether the discharge complies with Groundwater Limitations of this Order.

50. The State Water Board adopted Order 2014-0057-DWQ (NPDES General Permit CAS000001) specifying waste discharge requirements for discharges of storm water associated with industrial activities, and requiring submittal of a Notice of Intent by all affected industrial dischargers. The Facility is currently enrolled under this order for its maintenance operations.

51. Water Code section 13267(b)(1) states:

> In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or who proposes to discharge waste within its region … shall furnish, under penalty of perjury, technical or monitoring program reports which the board requires. The burden, including costs of these reports, shall bear a reasonable relationship to the need for the reports 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 technical reports required by this Order and the attached Monitoring and Reporting Program R5-2018-XXXX are necessary to ensure compliance with these waste discharge requirements. The Discharger owns and operates the facility that discharges the waste subject to this Order.

52. The California Department of Water Resources sets standards for the construction and destruction of groundwater wells (hereafter DWR Well Standards), as described in *California Well Standards Bulletin 74-90* (June 1991) and *Water Well Standards: State of California Bulletin 74-81* (December 1981). These standards, and any more stringent standards adopted by the state or county pursuant to Water Code section 13801, apply to all monitoring wells used to monitor the impacts of wastewater storage or disposal governed by this Order.

53. All wastewater management systems at the facility have already been installed and are currently in use. This Order places additional requirements on the continued operation of the facility in order to ensure the protection of waters of the state. The issuance of this Order is therefore exempt from the provisions of California Environmental Quality Act (CEQA) in accordance with California Code of Regulations, title 14, section 15301, which exempts the “operation, repair, maintenance, [and] permitting … of existing public or private structures, facilities, mechanical equipment, or topographical features” from environmental review.

54. Pursuant to Water Code section 13263(g), discharge is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.

Public Notice

55. All the above and the supplemental information and details in the attached Information Sheet, which is incorporated by reference herein, were considered in establishing the following conditions of discharge.

56. The Discharger(s) and interested agencies and persons have been notified of the Central Valley Water Board's intent to prescribe waste discharge requirements for this discharge, and they have been provided an opportunity to submit written comments and an opportunity for a public hearing.

57. All comments pertaining to the discharge were heard and considered in a public hearing.

IT IS HEREBY ORDERED that 01-227 is rescinded except for purposes of enforcement, and, pursuant to Water Code sections 13263 and 13267, the Bridge Bay Marina Facility, its agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the Water Code and regulations adopted hereunder, shall comply with the following:

A. Discharge Prohibitions

1. Discharge of wastes to surface waters or surface water drainage courses is prohibited.

2. Discharge of waste classified as 'hazardous', as defined in the California Code of Regulations, title 22, section 6626.1 et seq., is prohibited.

3. Discharge of waste classified as 'designated', as defined in CWC Section 13173, in a manner that causes violation of groundwater limitations, is prohibited.

4. Treatment system bypass of untreated or partially treated waste is prohibited, except as allowed by Standard Provision E.2 of the *Standard Provisions and Reporting Requirements for Waste Discharge Requirements*.

5. Discharge of waste at a location or in a manner different from that described in the Findings is prohibited.

6. The Discharger shall not allow toxic substances to be discharged into the wastewater treatment system such that biological treatment mechanisms are disrupted.

7. Discharge of restaurant and grease trap waste, and other commercial or industrial waste into the septic system is prohibited.

8. Surfacing of waste within or downgradient of the leach fields is prohibited.

9. Surfacing of wastewater from the septic system is prohibited.

10. Presence of leachate within one foot of ground surface elevation of the lowest leach field is prohibited.

11. Discharge of sewage, including gray water, to surface waters is prohibited.

12. Discharge of solid or liquid waste or pollutants, including solvents, oil, grease, or other petroleum products, to surface water, or surface water drainage courses is prohibited.

B. Flow Limitations

1. Effective immediately, influent flows to Leachfield #3 shall not exceed the following limits:

Flow Measurement	Flow Limit
Maximum Daily Flow	4,500 GPD

C. Discharge Specifications

1. No waste constituent shall be released, discharged, or placed where it will cause a violation of the Groundwater Limitations of this Order.

2. Wastewater treatment, storage, and disposal shall not cause pollution or a nuisance as defined by Water Code section 13050.

3. The discharge shall remain within the permitted waste treatment/containment structures and land application areas at all times.

4. The Discharger shall operate all systems and equipment to optimize the quality of the discharge.

5. All conveyance, treatment, storage, and disposal systems shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.

6. Public contact with wastewater at the WWTF shall be prevented through such means as fences, signs, or acceptable alternatives.

7. Objectionable odors shall not be perceivable beyond the limits of the WWTF property at an intensity that creates or threatens to create nuisance conditions.

8. Wastewater treatment and storage or structures shall have sufficient capacity to accommodate allowable wastewater flow, design seasonal precipitation, and ancillary inflow and infiltration during the winter while ensuring compliance with all requirements of this Order. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns.

9. Deodorizing chemicals and chemicals used for houseboat and facility maintenance shall be stored in containers designed to prevent discharges to groundwater, surface water, or surface water drainage courses.

D. Groundwater Limitations

Release of waste constituents from any portion of the WWTF shall not cause groundwater to:

1. Contain constituents in concentrations or that exceed either the Primary or Secondary MCLs established in Title 22 of the California Code of Regulations.

2. Exceed a total coliform organism level of 2.2 MPN/100mL.

3. Exhibit a pH of less than 6.5 or greater than 8.5 pH units.

4. Contain taste or odor-producing constituents, toxic substances, or any other constituents in concentrations that cause nuisance or adversely affect beneficial uses.

E. Subsurface Disposal System Specifications

1. The Discharger shall minimize discharges to the system from self-regenerating water softeners; acid and organic chemical solvent septic system additives; kitchen greases and oils; and toxic substances (including chemical pesticides and herbicides).

2. The Discharger shall prevent excessive use of in-sink garbage disposals; storm water inflow from roof drains, etc.; and draining of swimming pools into the system.

3. The Discharger shall implement pretreatment and/or best management practices as needed to prevent subsurface disposal system failure, including the installation and maintenance of interceptor/collector devices to control and capture fats, oil and grease.

4. Oil/water separators and other pretreatment systems shall be operated and maintained to prevent carryover into the septic system.

5. The Discharger shall remove settled solids and scum from the septic tank(s) whenever the solids clear space is less than three inches and/ or the scum clear space is less than eight inches.

6. The Discharger shall ensure that wastewater is evenly distributed to all of the disposal trenches and repair or modify the distribution system as necessary to optimize distribution.

7. Vegetation growing over subsurface disposal areas shall be cut and removed as needed to prevent root intrusion into drainage media.

F. Solids Disposal Specifications

Sludge, as used 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 screenings generated during preliminary treatment. Residual sludge means sludge that will not be subject to further treatment at the WWTF. Biosolids refers to sludge that has been treated and tested and shown to be capable of being beneficially used as a soil amendment for agriculture, silviculture, horticulture, and land reclamation activities pursuant to federal and state regulations .

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

2. Any handling and storage of residual sludge, solid waste, and biosolids at the WWTF shall be temporary (i.e., no longer than six months) 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 the groundwater limitations of this Order.

3. Residual sludge, biosolids, and solid waste shall be disposed of in a manner approved by the Executive Officer and consistent with Title 27, division 2. Removal for further treatment, disposal, or reuse at disposal sites (i.e., landfills, WWTFs, composting sites, soil amendment sites) operated in accordance with valid waste discharge requirements issued by a Regional Water Board will satisfy this specification.

4. Any proposed change in sludge use or disposal practice shall be reported in writing to the Executive Officer at least 90 days in advance of the change.

G. Provisions

1. By **1 December 2018** the Discharger shall develop and submit a maintenance and monitoring program for its wastewater collection system. The program shall include clear procedures for operation, maintenance of all collection lines; including but not limited to the movement of lines during facility relocation or dock reconfigurations during high and low water events. It shall include procedures for safely connecting and disconnecting lines to avoid releases of any residual wastewater. This program will also include procedures for the pumping and transportation of wastewater offsite to avoid potential releases, and ensure proper disposal of wastewater from the Facility.

2. By **1 July 2019** the Discharger shall submit a leachfield capacity study report. The report shall evaluate the capacity of existing leachfields, establish maximum daily flow volumes for the existing onsite leachfields, and determine how those flows will be measured as not to be exceeded. The Report shall also evaluate options and propose a plan for long term solutions to the facility's capacity issues. This report shall be prepared and signed by a registered professional.

3. By **1 November 2020** (after 8 quarters of effluent sampling from the Marina #3 Septic tank) the discharger shall submit a wastewater assessment report. The report shall evaluate concentration trends of all sampled constituents and provide analysis of potential impacts to ground or surface waters based on the analysis. The Board will use the report to make modifications to the MRP as appropriate.

4. A discharger whose waste flow has been increasing, or is projected to increase, shall estimate when flows will reach hydraulic and treatment capacities of its treatment, collection, and disposal facilities. The projections shall be made in January, based on the last three 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 four years, the discharger shall notify the Central Valley Water Board by **31 January**.

5. In accordance with California Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. All technical reports specified herein that contain workplans for investigations and studies, that describe the conduct of investigations and studies, or that contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), even if not explicitly stated. Each technical report submitted by the Discharger shall bear the professional's signature and stamp.

6. The Discharger shall submit the technical reports and work plans required by this Order for consideration by the Executive Officer, and incorporate comments the Executive Officer may have in a timely manner, as appropriate. Unless expressly stated otherwise in this Order, the Discharger shall proceed with all work required by the foregoing provisions by the due dates specified.

7. The Discharger shall comply with Monitoring and Reporting Program R5-2018-XXXX, which is part of this Order, and any revisions thereto as ordered by the Executive Officer. The submittal dates of Discharger self-monitoring reports shall be no later than the submittal date specified in the MRP.

8. The Discharger shall comply with the "Standard Provisions and Reporting Requirements for Waste Discharge Requirements", dated 1 March 1991, which are attached hereto and made part of this Order by reference. This attachment and its individual paragraphs are commonly referenced as "Standard Provision(s)."

9. The Discharger shall comply with all conditions of this Order, including timely submittal of technical and monitoring reports. On or before each report due date, the Discharger shall submit the specified document to the Central Valley Water Board or, if appropriate, a written report detailing compliance or noncompliance with the specific schedule date and task. If noncompliance is being reported, then the Discharger shall state the reasons for such noncompliance and provide an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Central Valley Water Board in writing when it returns to compliance with the time schedule. Violations may result in enforcement action, including Central Valley Water Board or court orders requiring corrective action or imposing civil monetary liability, or in revision or rescission of this Order.

10. The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the Discharger when the operation is necessary to achieve compliance with the conditions of this Order.

11. The Discharger shall use the best practicable cost-effective control technique(s) including proper operation and maintenance, to comply with this Order.

12. As described in the Standard Provisions, the Discharger shall report promptly to the Central Valley Water Board any material change or proposed change in the character, location, or volume of the discharge.

13. Upon the reduction, loss, or failure of the sanitary sewer system resulting in a sanitary sewer overflow, the Discharger shall take any necessary remedial action to (a) control or limit the volume of sewage discharged, (b) terminate the sewage discharge as rapidly as possible, and (c) recover as much as possible of the sewage discharged (including wash down water) for proper disposal. The Discharger shall implement all applicable remedial actions including, but not limited to, the following:
    a. Interception and rerouting of sewage flows around the sewage line failure.
    b. Vacuum truck recovery of sanitary sewer overflows and wash-down water.
    c. Use of portable aerators where complete recovery of the sanitary sewer overflows are not practicable and where severe oxygen depletion is expected in surface waters.
    d. Cleanup of sewage-related debris at the overflow site.

14. 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."

15. The Discharger shall not allow pollutant-free wastewater to be discharged into the wastewater collection, treatment, and disposal systems in amounts that significantly diminish the system's capability to comply with this Order. Pollutant-free wastewater means rainfall, groundwater, cooling waters, and condensates that are essentially free of pollutants.

16. At least **90 days** prior to termination or expiration of any lease, contract, or agreement involving disposal or recycling areas or off-site reuse of effluent, used to justify the capacity authorized herein and assure compliance with this Order, the Discharger shall notify the Central Valley Water Board in writing of the situation and of what measures have been taken or are being taken to assure full compliance with this Order.

17. In the event of any change in control or ownership of the WWTF, the Discharger must 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.

18. To assume operation as Discharger 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, the name and 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 paragraph of Standard Provision B.3 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. If approved by the Executive Officer, the transfer request will be submitted to the Central Valley Water Board for its consideration of transferring the ownership of this Order at one of its regularly scheduled meetings.

19. A copy of this Order including the MRP, Information Sheet, Attachments, and Standard Provisions, shall be kept at the discharge facility for reference by operating personnel. Key operating personnel shall be familiar with its contents.

20. The Central Valley Water Board will review this Order periodically and will revise requirements when necessary.

If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of Administrative Civil Liability of up to $10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350 and 13385. The

Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, 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. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board on __

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PAMELA C. CREEDON, Executive Officer