CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

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WASTE DISCHARGE REQUIREMENTS ORDER R7-2023-0015

ORDER INFORMATION

Order Type(s):	Waste Discharge Requirements (WDRs) with Monitoring and Reporting Program (MRP)
Status:	ADOPTED
Program:	Non-15 Discharges to Land
Discharger(s):	County of Imperial
Facility:	Poe Colonia (Cady Subdivision) Community Subsurface Wastewater Disposal System
Address:	4545 Poe Colonia Lane, Brawley, California 92227
County:	Imperial County
APN(s):	040-050-080
GeoTracker ID:	WDR100031484
WDID:	7A131006001
Prior Order(s):	WDRs Order R7-2005-0005

CERTIFICATION

I, Paula Rasmussen, Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on June 27, 2023.

Original signed by
PAULA RASMUSSEN
Executive Officer

GeoTracker ID: WDR100031484
WDID: 7A131006001

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GLOSSARY

Antidegradation Policy .....Statement of Policy with Respect to Maintaining High Quality Waters in California, State Water Resources Control Board Resolution 68-16

Basin Plan.....Water Quality Control Plan for Colorado River Basin Region (inclusive of all amendments)

bgs.....Below Ground Surface

BOD5 .....Five-Day Biochemical Oxygen Demand at 20°C

BPTC .....Best Practicable Treatment and Control

CEQA.....California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.)

CEQA Guidelines.....Regulations for Implementation of CEQA (Cal. Code Regs., tit. 14, § 15000 et seq.)

DTSC .....California Department of Toxic Substances Control

DWR.....California Department of Water Resources

GPD .....Gallons per Day

MCL[s] .....Maximum Contaminant Level[s] for Drinking Water under Title 22

µg/L.....Microgram per Liter

mg/L.....Milligrams per Liter

MGD.....Millions of Gallons per Day

MRP .....Monitoring and Reporting Program

NPDES.....National Pollutant Discharge Elimination System

ROWD.....Report of Waste Discharge

GLOSSARY

SMRs .....Self-Monitoring Reports

TDS.....Total Dissolved Solids

Title 22.....California Code of Regulations, Title 22

Title 23.....California Code of Regulations, Title 23

Title 27.....California Code of Regulations, Title 27

USEPA.....United States Environmental Protection Agency

WDRs.....Waste Discharge Requirements

WQO[s].....Water Quality Objective[s]

VOCs .....Volatile Organic Compounds

(findings begin on next page)

FINDINGS

The Colorado River Basin Regional Water Quality Control Board (Colorado River Basin Water Board) hereby finds as follows:

Introduction

1. The County of Imperial (Discharger) owns the Poe Colonia (Cady Subdivision) Community Subsurface Wastewater Disposal System (Facility) which is operated under contract by PERC Water Corporation.[1] The Facility is assigned California Integrated Water Quality System (CIWQS) number CW-248787, Waste Discharger Identification (WDID) number 7A131006001, and GeoTracker Global Identification number WDR100031484.

2. The Facility is located approximately 3 miles west of Brawley north of Cady Road at 4545 Poe Colonia LN #A, Brawley in Imperial County, located in a portion of the north half of Section 36, Township 13 South, Range 13 East, San Bernardino Baseline & Meridian. The Assessor's Parcel Number (APN) is 040-050-080. The Facility's location is shown in **Attachment B**.

3. The Facility currently services an existing housing development of 39 residential homes that discharge into a domestic wastewater collection, treatment, and disposal system. The treatment system consists of four septic tanks that flow through a recirculation tank, then into four textile filters before distribution into a large subsurface drip leach field located in the northwest corner of the development.

4. The Facility was constructed in 2004 and rehabilitated in 2019. The 2019 rehabilitation included the replacement of various components of the wastewater treatment plant. Filter bags were included, pumps, textile filter pods, valves, and drip lines were replaced and an updated control system was installed.

[1] PERC Water Corporation is not named as a "discharger" under this Order. Additionally, the County of Imperial may substitute its contractor without filing a Report of Waste Discharge for Revised WDRs.

5. The Facility was most recently regulated by Waste Discharge Requirements (WDRs) Order R7-2005-0005, which was adopted by the Regional Water Board on January 19, 2005.

6. On September 28, 2022, the Regional Water Board requested that the Discharger submit an application and Report of Waste Discharge (ROWD) for updated WDRs to reflect the operations at the Facility as it was constructed, as well as to reflect any change in operations at the Facility.

7. This Order updates the WDRs to comply with current laws and regulations applicable to the discharge.

Facility and Discharge

8. The Facility's treatment and disposal system consists of four septic tanks, a recirculation tank, filters units (AdvanTex-AX100) and a subsurface drip leach field located in the northwest corner of the development.

9. Raw wastewater from the sewer collection system enters the Facility from a single gravity pipeline. The raw wastewater flows through four underground septic tanks[2] arranged in series that provide solids removal and primary biological treatment to reduce nitrogen concentrations. There are two submersible pumps in the last septic tank that are located within a screen filter. The wastewater then gets discharged into the recirculation tank.

10. Screened wastewater from the last septic tank enters the recirculation tank[3] via a force main pipeline. There are two sets of two submersible pumps located within a screened filter. Each set of submersible pumps then pump the wastewater to a set of four textile filter pods for treatment.

11. Screened and blended wastewater from the recirculation tank enters the textile filter pods via a force main pipeline. The screened wastewater is pumped into six textile filter pods that are operated in parallel that provide equivalent to secondary treatment. Wastewater is recirculated through the textile filters for further removal of suspended solids and total nitrogen. The effluent discharging

[2] Each septic tank has a 13,000-gallon capacity.

[3] The recirculation tank has a 25,000-gallon capacity.

out of each textile filter pod flows to the recirculation tank and/or the dosing tank via a gravity pipeline. The recirculation tank has a specialized float valve that diverts the flow to the dosing tank when the recirculation tank is full. Of the six textile filter pods, only four are currently operational. Each set of two filter pods receive flow from one set of recirculation pumps. There are two ventilation fans that aerate the textile filter pods; one ventilation fan provides adequate air flow for three textile filters. Each textile filter pod has an isolation valve that blocks air flow when not in operation.

12. Effluent from the textile filter pods enter the dosing tank[4] via a gravity pipeline. There are two sets of two submersible pumps that are located within a screened filter, which then pump wastewater through a final filter assembly.

13. Effluent from the dosing tank flows through a final filter assembly via a force main pipeline. There are two final filter assemblies which receive flow from each set of dosing tank pumps. Each of the final filter assemblies contains a BioDisc filter, a bag filter, splitter valves, backwash assembly, and effluent flow meter. Each splitter valve directs flow to any of its three underground drip zones.

14. There are a total of six underground drip zones that are separated into two different segments as they are fed from two different dosing tank pumps that discharge through the final filter assembly. Each drip zone has an area of 230 feet by 40 feet. Each drip zone has 20 pressurized drip lines that are spaced longitudinally at 2 feet apart. The splitter valves allow for distribution of effluent to each zone at different time intervals. Each drip zone has a flush pipeline that allows for flushing of the pressurized drip pipelines.

15. An electrical control panel integrates the various treatment processes of the wastewater treatment plant. It controls the operation of the septic tank pumps, recirculation tank pumps, and dosing tank pumps, as triggered from water level control floats. The process flow is shown in **Attachment B**.

16. Sludge is removed from the septic tanks annually and it is hauled to the Seeley County Water District (SCWD) dump site. SCWD will not accept the sludge unless it has a pH below 9 standards units.

[4] The dosing tank has a 12,500-gallon capacity.

17. Quarterly Self-Monitoring Reports (SMRs) from First Quarter 2018 through First Quarter 2023 characterize the effluent as summarized in **Table 1**.

Table 1. Effluent Characterization.

Constituent	Units	Average	Maximum	Minimum
Flow	GPD	8,406	11,947	5,524
pH	Std. Units	7.4	7.7	6.92
Total Dissolved Solids (TDS)	mg/L	1051	1,800	760
Nitrate as Nitrogen	mg/L	0.04	0.2	ND
Total Nitrogen	mg/L	46	53.96	37

Hydrogeologic Conditions

18. Annual precipitation in the region averages about 3 inches. Annual evapotranspiration rate in the vicinity is approximately 71 inches.

19. Shallow groundwater was encountered at a depth of about 8 feet in the discharge area.[5]

20. According to WDRs Order R7-2005-0005 (2005 WDRs Order):

    a. Underlying groundwater is saline with a TDS content of over 3,000 mg/L and was not being used for municipal drinking water use; and

[5] Groundwater depth was determined during a Percolation Test with results reported in August 2011.

b. Deep groundwater in the area was considered very saline and was being investigated for geothermal development.[6]

21. The Discharger has not previously been required to perform any groundwater monitoring for the Facility. Notwithstanding the findings of the 2005 WDRs Order, additional onsite investigation is needed to obtain:

a. Verification of groundwater elevation;

b. Current salinity (TDS) of underlying groundwater; and

c. Concentrations of Nitrate and Nitrite upgradient and downgradient of subsurface disposal system.

22. Water supply to the community is from the City of Brawley. The 2005 WDRs Order indicates that the water supply has a TDS concentration of about 730 mg/L.

Legal Authority

23. This Order prescribes requirements (WDRs) for the discharge of waste (i.e., wastewater) pursuant to Water Code section 13263, subdivision (a), which provides that "[t]he regional board, after any necessary hearing, shall prescribe requirements [WDRs] as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge…, with relation to the conditions existing in the disposal area or receiving waters upon, or into which, the discharge is made or proposed." Subdivision (a) further requires that the WDRs "implement any relevant water quality control plans that have been adopted, and shall take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Section 13241."

24. As discussed below, this Order implements the *Colorado River Basin Water Board's Water Quality Control Plan for the Colorado River Basin Region* (Basin Plan), which designates beneficial uses for surface water and

[6] After reviewing the Facility's file, Regional Water Board staff have been unable to determine the basis for this information.

groundwater and establishes water quality objectives (WQOs) necessary to preserve such uses.[7]

25. This Order is also issued pursuant to Water Code section 13267, subdivision (b)(1), which provides that "the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, … shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires," provided that "[t]he 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."

26. The technical reports required under this Order, as well as those required under the Monitoring and Reporting Program in Attachment A (including subsequent revisions thereto), are necessary to ensure compliance with prescribed WDRs; additional reasons for the submittal of reports are provided in the findings above. Additionally, the burdens associated with such reports are reasonable relative to the need for their submission.

27. **Attachment A**, incorporated herein, contains a Monitoring and Reporting Program (MRP) with monitoring and reporting requirements that are necessary to ensure compliance with the WDRs. The Executive Officer may issue a Revised MRP as a standalone order, pursuant to her delegated authority under Water Code section 13223. Upon issuance, the Revised MRP shall supersede the provisions of Attachment A.

28. Permitting coverage under this Order is not transferable to any person without written approval by the Executive Officer.

Basin Plan Implementation

29. The Basin Plan designates beneficial uses, establishes water quality objectives (WQOs), and contains implementation programs and policies to achieve those WQOs for all waters addressed through the plan. Pursuant to Water Code section 13263, subdivision (a), WDRs must implement the Basin Plan and take into consideration the beneficial uses to be protected, the WQOs reasonably

[7] The provisions of Water Code section 13241 are not applicable to this Order.

required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of Water Code section 13241 (inapplicable here).

30. The discharge is located within the Imperial Hydrologic Unit. The Basin Plan designates the following beneficial uses for groundwater:

    a. Municipal Supply (MUN), and

    b. Industrial Supply (IND).

31. Adopted pursuant to Water Code section 13263, this Order prescribes WDRs for waste discharges that are not subject to regulation under Clean Water Act section 402 (33 U.S.C. § 1342).

32. These WDRs implement the Basin Plan's numeric and narrative WQOs for groundwater and surface waters established by the Basin Plan and other applicable state and federal laws and policies.

33. The Basin Plan establishes the following WQOs for MUN-designated groundwater:

    a. Tastes and Odors (Narrative): Groundwater shall not contain taste or odor-producing substances that adversely affect beneficial uses as a result of human activity (Ch. 3, § IV.A);

    b. Coliform Bacteria (Numeric): Groundwater shall not contain coliform organisms in exceedance of the limits specified in California Code of Regulations, title 22 (Title 22), section 64426.1 (Ch. 3, § IV.B); and,

    c. Chemical Constituents (Numeric): Groundwater shall not contain organic and inorganic chemical constituents in concentrations exceeding the Primary Maximum Contaminant Levels (MCLs) established for drinking water per Title 22, sections 64431, 64444 and 64678 (Ch. 3, § IV.C). Notably, the Primary MCL for the sum of Nitrate and Nitrate is 10 mg/L (Cal. Code Regs., tit. 22, § 64431.)

34. Although they are not universally incorporated into the Basin Plan as numeric WQOs for MUN-designated groundwater, the Secondary MCLs established for drinking water per Title 22, section 64449 are appropriate in most cases for use as site-specific numeric limits supporting the narrative WQO for groundwater tastes and odors.

35. With respect to the narrative WQO for chemical constituents, specifically the objective for Total Dissolved Solids (TDS), the Title 22 Secondary MCL specifies a recommended limit of 500 mg/L, and an upper limit of 1,000 mg/L.[8] For the purposes of the site-specific numeric limit supporting the narrative WQO for tastes and odors in MUN-designated groundwater, this Order provisionally incorporates an effluent limit of 1,100 mg/L for TDS,[9] which is about 36 percent higher than the local water supply (730 mg/L), and comparable to the recommended upper limit (1,000 mg/L) in the Secondary MCL. Regardless of what threshold is selected, the TDS in local groundwater is likely higher than any of these thresholds, meaning that the groundwater likely does not meet the narrative objective for tastes and odors, and is not suitable for MUN beneficial uses. This will be confirmed via the Discharger's groundwater investigation required by the Special Provisions of this Order.

36. Additionally, the State Water Resources Control Board's *Sources of Drinking Water Policy*, Resolution 88-63, provides that groundwater with TDS in excess of 3,000 mg/L cannot reasonably be expected to supply a public water system. (Resolution 88-63, pp. 1-2.)

Antidegradation Policy Analysis

37. The Basin Plan incorporates the State Water Resources Control Board's *Statement of Policy with Respect to Maintaining High Quality Waters in California*, Resolution 68-16 (Antidegradation Policy). The Antidegradation Policy generally prohibits the Regional Water Board from authorizing discharges that will result in the degradation of "high quality" waters, unless it is demonstrated that such degradation: (a) will be consistent with maximum benefit to the people of the state; (b) will not unreasonably affect beneficial uses or otherwise result in the violation of WQOs; and (c) is minimized through the implementation of best practicable treatment or control (BPTC).

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[8] Salinity may alternatively be expressed in terms of microsiemens per centimeter (µS/cm) of Electrical Conductivity (EC). As a Secondary MCL, Title 22 specifies a recommended limit of 900 µS/cm, and an upper limit of 1,600 µS/cm.

[9] This numeric limit may be revised based on new information (e.g., presence of higher-quality groundwater with respect to TDS).

38. The baseline for determining whether waters are “high quality” under the Antidegradation Policy is the highest quality achieved since the policy was established in 1968. If the subject waters have not achieved the minimum quality necessary to meet WQOs since 1968, the waters are considered “poor quality,” which means the Antidegradation Policy does not apply. This determination is made on a constituent-by-constituent basis, meaning that waters may be considered “high quality” with respect to some constituents but not others.

39. Based on the Discharger’s effluent characterization, TDS and Nitrate (Nitrogen) are the primary constituents with potential to degrade underlying groundwater. The Colorado River Basin Water Board’s analysis under the Antidegradation Policy is therefore limited to discussion of TDS and Nitrate/Nitrate (Nitrogen).

40. **TDS:** According to Department of Water Resources (DWR) historical records, almost all of the groundwater in the general area of the Facility (Imperial Valley) is extremely high in TDS, vastly exceeding the “upper limit” of 1,000 mg/L used as a site-specific numeric limit supporting the narrative WQO for chemical constituents in MUN-designated groundwater. However, the concentration of TDS in underlying groundwater upgradient and downgradient of the Facility’s subsurface disposal system is unknown.

41. **Nitrate and Nitrite:** The Primary MCL for Nitrate and Nitrite (combined) in drinking water is 10 mg/L. (Cal. Code Regs., tit. 22, § 64431.) Although there is no groundwater monitoring data for Nitrate, Nitrite or Total Nitrogen, effluent monitoring data indicates that the Facility’s effluent contains an average 46 mg/L of Total Nitrogen, a portion of which may eventually be reduced to Nitrate or Nitrite in groundwater.

42. **Pathogens.** While equivalent to secondary treatment may reduce fecal coliform densities, the remaining organisms in effluent are still significantly high. Coliforms do not generally transport through soils any appreciable distance and given the soil types at the disposal leach fields, although pathogens are expected to reach groundwater, it is not likely that pathogen-indicator organisms will travel any appreciable distance from the disposal area. Because degradation by pathogens is not anticipated to extend appreciably beyond the disposal area, degradation by pathogens meets the conditions of Resolution 68-16.

43. In the absence of groundwater quality information for TDS and Nitrate/Nitrite, it cannot be determined whether underlying groundwater is “high quality” for purposes of the Antidegradation Policy, or whether the Facility’s discharges will result in water quality less than applicable WQOs. Accordingly, this Order

requires the Discharger to perform a groundwater investigation to determine the concentrations of TDS, Nitrate and Nitrite both upgradient and downgradient from the disposal system.

44. Interim effluent limits are prescribed for TDS (1,100 mg/L) and for Total Nitrogen (50 mg/L) based on treatment technology and plant performance.

Other Regulatory Considerations

45. The WDRs in this Order are currently exempt from the prescriptive requirements of California Code of Regulations, title 27 (Title 27), 20005 et seq., as the wastewater discharges authorized hereunder comply with the Basin Plan, and do not need to be managed as "hazardous waste." (Title 27, § 20090.)

46. Pursuant to 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. Although section 106.3 does not directly apply to WDRs, the Basin Plan nevertheless broadly promotes that policy by requiring that MUN-designated groundwater comply with Primary MCLs. (See Finding 33.c.) Although groundwater underneath the Facility is not believed to be suitable for MUN beneficial uses (i.e., due to high salinity), this Order requires the Discharger to conduct a groundwater investigation to determine whether that is the case.

47. The discharge of waste is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge. (Wat. Code, § 13263, subd. (g).).

48. Water Code section 13149.2, subdivision (d) requires that the Regional Water Board, "[w]hen issuing…individual waste discharge requirements…that regulate activity or a facility that may impact a disadvantaged or tribal community, and that includes a time schedule in accordance with subdivision (c) of Section 13263 for achieving an applicable water quality objective, an alternative compliance path that allows time to come into compliance with water quality objectives, or a water quality variance…," must include finding(s) regarding "potential environmental justice, tribal impact, and racial equity considerations" that are relevant to the permitting action. (Assem. Bill No. 2018 (2021-2022 Reg. Sess.) § 3). This Order does not incorporate a time schedule for compliance with applicable WQOs, or any of the other provisions described in Water Code section 13149.2, subdivision (d). Accordingly, no additional findings are necessary.

Stormwater

49. Federal regulations for stormwater discharges were promulgated by the U.S. Environmental Protection Agency on November 16, 1990 (40 C.F.R. parts 122, 123, and 124) to implement the Clean Water Act's stormwater program set forth in Clean Water Act section 402, subdivision (p) (33 U.S.C. § 1342(p)). In relevant part, the regulations require specific categories of facilities that discharge stormwater associated with industrial activity to "waters of the United States" to obtain National Pollutant Discharge Elimination System (NPDES) permits and to require control of such pollutant discharges using Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to prevent and reduce pollutants and any more stringent controls necessary to meet water quality standards.

50. The State Water Board adopted Order 2014-0057-DWQ (NPDES No. CAS000001), *General Permit for Storm Water Discharges Associated with Industrial Activities* (Industrial General Permit) on July 1, 2015. Facilities used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage with a design flow of one million gallons per day or more, or that are required to have an approved pretreatment program under 40 Code of Federal Regulations part 403, are required to enroll under the Industrial General Permit, unless there is no discharge of industrial stormwater to waters of the United States.

51. Because the Facility is designed for less than one million gallons per day, the Facility is not subject to the federal regulations for discharges of storm water. Nonetheless, this Order recommends that the Discharger implement, where practicable, industrial stormwater best management practices to ensure nuisance conditions are prevented.

CEQA and Public Participation

52. Pursuant to California Code of Regulations, title 14, section 15301, the issuance of these WDRs, which govern the operation of an existing facility involving negligible or no expansion of use beyond that previously existing, is exempt from the provisions of the California Environmental Quality Act (CEQA), Public Resources Code section 21000 et seq.

53. The Regional Water Board has notified the Discharger and all known interested agencies and persons of its intent to issue WDRs for this discharge and has provided them with an opportunity for a public meeting and to submit comments.

54. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to this discharge.

REQUIREMENTS

IT IS HEREBY ORDERED, pursuant to Water Code sections 13263 and 13267, that WDRs Order R7-2005-0005 is rescinded (except for enforcement purposes), and that the Discharger shall comply with the following requirements.

A. Prohibitions

1. Discharge of waste classified as “hazardous,” as defined in California Code of Regulations, title 27, section 20164, or “designated,” as defined in Water Code section 13173 and California Code of Regulations, title 27, section 20164, is prohibited.

2. The discharge of treated wastewater at a location other than the designated disposal area is prohibited.

3. The discharge of any wastewater to any surface waters or surface drainage courses is prohibited.

4. The Discharger shall not accept waste in excess of the design treatment capacity of the disposal system.

5. Surfacing or ponding of wastewater outside of the designated disposal locations is prohibited.

6. Bypass, overflow, discharge or spill of untreated or partially-treated waste is prohibited.

7. The discharge of wastewater to land not owned or controlled by the Discharger, or not authorized for such use, is prohibited.

8. There shall be no surface flow of wastewater away from the designated disposal areas.

B. Discharge Specifications

1. The storage, treatment, or disposal of wastes shall not cause contamination, pollution, or nuisance as defined in Water Code section 13050, subdivisions (k), (l), and (m).

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

3. Public contact with non-disinfected wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.

4. Adequate measures shall be taken to ensure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.

5. Objectionable odors originating at the Facility shall not be perceivable beyond the limits of the wastewater treatment and disposal area.

6. The septic tank system shall be maintained to remain effective in treating wastewater.

7. The subsurface wastewater disposal system shall be maintained so that at no time will sewage be permitted to surface or overflow at any location.

8. All septic tanks shall be accessible for cleaning and inspection.

9. Septic tank cleanings shall be discharged only by a duly authorized service.

10. No wastewater other than domestic wastewater shall be discharged into the sewage disposal system.

C. Receiving Water and Effluent Limitations

1. The discharge of wastewater from the Facility shall not cause groundwater to: exceed applicable WQOs; acquire taste, odor, toxicity, or color that create nuisance conditions; impair beneficial uses; or contain constituents in excess of California Maximum Contaminant Levels (MCLs), as set forth in Title 22. (See, e.g., § 64426.1 [bacteriological constituents], § 64431 [inorganics]; § 64444 [organics], § 64678 [lead and copper].)

2. Wastewater flow to the subsurface disposal leach field infiltration system shall not exceed the limitations set forth in **Table 2** below.

Table 2. Effluent Limitations.

Constituent	Units	Limitation
Flow	GPD	26,500
TDS[10]	mg/L	1,100
Total Nitrogen[10]	mg/L	50

D. Special Provisions

1. **Groundwater Investigation.** Within 90 days of the adoption of this Order, the Discharger shall submit, for Regional Water Board staff concurrence, a **Groundwater Investigation Workplan.**

   a. The work plan shall propose activities to obtain the following information:

      i. Groundwater depth and gradient;

[10] TDS and TN are interim effluent limits that may be revised based on new information (e.g., presence of higher-quality groundwater with respect to TDS and TN).

ii. Concentrations of TDS upgradient and downgradient of the disposal system;

iii. Concentrations of Nitrate, Nitrite and Total Nitrogen upgradient and downgradient of the disposal system;

iv. Concentrations of general minerals[11] upgradient and downgradient of the disposal system; and

v. Concentrations of pathogen-indicator organisms upgradient and downgradient of the disposal system.

b. The Groundwater Investigation Workplan shall be accompanied by a Time Schedule for completing the subject investigation. The Executive Officer may approve the Discharger's Time Schedule with any revisions she determines are necessary and appropriate under the circumstances.

c. Upon notification of staff written concurrence in the Groundwater Investigation Workplan and Executive Officer written approval of the Time Schedule, the Discharger shall commence implementation. All investigation activities shall be completed within six months of the concurrence and approval.

d. Within one year of the concurrence and approval, the Discharger shall submit a **Groundwater Investigation Summary Report** containing the results of all investigation activities implemented by the Discharger.

2. **Request for Extension.** If the Discharger is unable to timely comply with any of the deadlines in the Special Provisions, the Discharger may request an extension from the Regional Water Board's Executive Officer. The extension request must be submitted in writing as soon as a delay is recognized and prior to the compliance date. The extension request

[11] General minerals shall include total dissolved solids, calcium, chloride, fluoride, iron, magnesium, manganese, nitrate, potassium, sodium, sulfate, barium, total alkalinity (including alkalinity series), and hardness.

should include justification for the delay. The request must be approved by the Executive Officer in writing.

E. Other Provisions

1. **Electronic Submittals.** All submittals and correspondence, including Self-Monitoring Reports (SMRs), shall be submitted electronically via the GeoTracker Database (https://geotracker.waterboards.ca.gov), and in the appropriate Microsoft Office software application format, such as Word or Excel files, or as a Portable Document Format (PDF) file. Large documents must be split into appropriately labelled, manageable file sizes and uploaded into GeoTracker. The following information shall be included in the body of the cover letter:

   Attention: Land Disposal Unit
   Report Title: [Report Title]
   WDID:7A131006001
   Facility: Poe Colonia (Cady Subdivision) Community Subsurface Wastewater Disposal System, Brawley
   County: Imperial County
   GeoTracker ID: WDR100031484

2. **Technical Reports.** The following requirements are applicable to Technical Reports[12] submitted under the Waste Discharge Requirements Order or the Morning and Reporting Program.

   a. The Technical Report shall be prepared by, or under the direct supervision of, a California-licensed civil engineer or engineering geologist that is competent and proficient in the field and subject matter of the submittal (Qualified Professional).

   b. The Technical Report shall be signed and stamped by the Qualified Professional.

[12] Technical reports are those that contain work plans, describe the conduct of investigations and studies, or contain technical conclusions and recommendations concerning engineering and/or geology.

c. The Technical Report shall include a brief summary of the Qualified Professional's qualifications.

3. **Certifications.** All submittals (including non-Technical Reports) shall be accompanied by the certification language below, signed under penalty by a Senior Vice President or equivalent principal executive (Required Signatory) or their Authorized Representative of perjury.

To act as an Authorized Representative for a Required Signatory, an individual must be identified[13] and duly authorized in writing by the Required Signatory; this written authorization shall be provided to the Board beforehand, or concurrently with the first submittal signed by the Authorized Representative.

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

4. **Proper Operation and Maintenance.** The Discharger shall at all times properly operate and maintain all systems and components of collection, treatment, and control installed or used by the Discharger to achieve compliance with this Order.[14] All systems in service or reserved shall be inspected and maintained on a regular basis. Records of inspections and

[13] This identification may be in reference to the Authorized Representative's title or position, provided it is one that customarily has the responsibility of supervising a facility's overall operation (e.g., facility manager, superintendent).

[14] Proper operation and maintenance include the following: effective performance; adequate process controls; and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities/systems when necessary to achieve compliance with this Order.

maintenance shall be retained and made available to the Regional Water Board on request.

5. **Prevention and Mitigation of Violations.** 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.

6. **Disposal Capacity.** The Discharger shall provide a report to the Regional Water Board when it determines that the Facility's average dry-weather flow rate for any month exceeds 80 percent of the design disposal capacity. The report shall indicate what steps, if any, the Discharger intends to take to provide for the expected wastewater disposal capacity necessary when the plant reaches design capacity.

7. **Onsite Materials.** The following materials shall be kept onsite at the Facility, and shall be familiar to operating personnel:

   a. This Order and all attachments thereto;

   b. The operative Monitoring and Reporting Program (including subsequent revisions);

   c. All technical reports and other documents[15] submitted to the Regional Water Board within the last five years.[16]

8. **Changes in Facility Ownership or Operators.**

   a. Prior to any changes in Facility ownership, or any changes in operators (including parties responsible for performing activities to comply with this Order), the Discharger shall notify (in writing) the prospective owners or operators of the existence of this Order and the operative Monitoring and Reporting Program. Copies of this written notification shall be provided to the Board.

[15] This category of records may be maintained electronically.

[16] This period may be extended by the Executive Officer in writing.

b. At least 30 days prior to the effective date of the transfer, the Discharger shall notify the Board of the effective date, and submit a signed statement by the new parties, affirming that they will comply with this Order and the operative Monitoring and Reporting Program as of the transfer date.

c. To assume ownership or operation under regulatory coverage of this Order, the new owner or operator shall apply in writing to the Board requesting transfer of coverage within 14 days of assuming ownership or responsibility for operation. The request shall contain the applicant's full legal name; place of incorporation (if corporation); names, addresses and telephone numbers of designated contact persons, and a signed statement affirming that the new owner or operator assumes full responsibility for compliance with this Order and the operative Monitoring and Reporting Program.[17]

ENFORCEMENT

If, in the opinion of the Executive Officer, the Dischargers fail 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 Regional Water Board reserves its right to take any enforcement actions authorized by law.

ADMINISTRATIVE REVIEW

Any person aggrieved by this Regional Water Board action may petition the State Water Board for review in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. To be timely, the petition must be received by the State Water Board by 5:00 pm on the 30th day after the date of this Order; if the 30th day falls on a Saturday, Sunday or state holiday, the petition must be received by

[17] Failure to submit the request shall be considered a discharge without requirements, a violation of the Water Code.

the State Water Board by 5:00 pm on the next business day. The law and regulations applicable to filing petitions are available on the State Water Board website (http://www.waterboards.ca.gov/public_notices/petitions/water_quality). Copies will also be provided upon request.

ATTACHMENT A—MONITORING AND REPORTING PROGRAM

A. Sampling and Analysis General Requirements

1. **Testing and Analytical Methods.** The collection, preservation, and holding times of all samples shall be in accordance with U.S. Environmental Protection Agency (USEPA)-approved procedures. All analyses shall be conducted in accordance with the latest edition of either the USEPA's *Guidelines Establishing Test Procedures for Analysis of Pollutants Under the Clean Water Act* (40 C.F.R. part 136) or *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods Compendium* (SW-846), unless otherwise specified in the MRP or approved by the Regional Water Board's Executive Officer.

2. **Laboratory Certification.** All analyses shall be conducted by a laboratory certified by the State Water Resources Control Board (State Water Board), Division of Drinking Water's Environmental Laboratory Accreditation Program (ELAP), unless otherwise approved by the Regional Water Board's Executive Officer.

3. **Reporting Levels.** All analytical data shall be reported with method detection limits (MDLs) and with either the reporting level or limits of quantitation (LOQs) according to 40 Code of Federal Regulations part 136, Appendix B. The laboratory reporting limit for all reported monitoring data shall be no greater than the practical quantitation limit (PQL).

4. **Sampling Location(s).** Samples shall be collected at the location(s) specified in the WDRs. If no location is specified, sampling shall be conducted at the most representative sampling point available.

5. **Representative Sampling.** All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. The time, date, and location of each grab sample shall be recorded on the chain of custody form for the sample. If composite samples are collected, the basis for sampling (time or flow weighted) shall be approved by Regional Water Board staff.

6. **Instrumentation and Calibration.** All monitoring instruments and devices used by the Discharger shall be properly maintained and calibrated to ensure their continued accuracy. Any flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the

devices. In the event that continuous monitoring equipment is out of service for a period greater than 24 hours, the Discharger shall obtain representative grab samples each day the equipment is out of service. The Discharger shall correct the cause(s) of failure of the continuous monitoring equipment as soon as practicable. The Discharger shall report the period(s) during which the equipment was out of service and if the problem has not been corrected, shall identify the steps which the Discharger is taking or proposes to take to bring the equipment back into service and the schedule for these actions.

7. **Field Test Instruments.** Field test instruments (such as those used to test pH, dissolved oxygen, and electrical conductivity) may be used provided:

   a. The user is trained in proper use and maintenance of the instruments;

   b. The instruments are field calibrated prior to monitoring events at the frequency recommended by the manufacturer;

   c. Instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and

   d. Field calibration reports are submitted.

8. **Records Retention.** 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, for a minimum of five (5) years from the date of the sampling or measurement. This period may be extended by request of the Executive Officer at any time. Records of monitoring information shall include:

   a. The date, exact place, and time of sampling or measurement(s);

   b. The individual(s) who performed the sampling or measurement(s);

   c. The date(s) analyses were performed;

   d. The individual(s) who performed the analyses;

   e. The analytical techniques or method used; and

f. All sampling and analytical results, including:

i. units of measurement used;

ii. minimum reporting limit for the analyses;

iii. results less than the reporting limit but above the method detection limit (MDL);

iv. data qualifiers and a description of the qualifiers;

v. quality control test results (and a written copy of the laboratory quality assurance plan);

vi. dilution factors, if used; and

vii. sample matrix type.

9. **Inoperative Facility.** If the Facility is not in operation, or there is no discharge during a required reporting period, the Discharger shall forward a letter to the Regional Water Board indicating that there has been no activity during the required reporting period.

B. Monitoring Requirements

1. **Influent Monitoring.** Influent to the disposal system shall be monitored per **MRP Table 1**.

2. **Effluent Monitoring.** Effluent prior to discharge into leach field shall be monitored per **MRP Table 2**.

3. **Sludge Monitoring.** The Discharger shall report annually on the quantity, location, and method of disposal of all sludge and similar solid materials produced at the Facility. If no sludge is disposed of during the year being reported, the Discharger shall state “No Sludge Removed” in the annual monitoring report.

4. **Source Water Monitoring.** The Discharger shall monitor the source water per **MRP Table 3**.

MRP Table 1. Influent Monitoring Schedule.

Constituent	Units	Sample	Monitoring Freq.	Reporting Freq.[18]
TDS	mg/L	Grab	Quarterly[19]	Quarterly
Nitrate as N	mg/L	Grab	Quarterly	Quarterly
Nitrite as N	mg/L	Grab	Quarterly	Quarterly
Total Nitrogen	mg/L	Grab	Quarterly	Quarterly
pH	Std. Units	Grab	Quarterly	Quarterly

MRP Table 2. Effluent Monitoring Schedule.

Constituent	Units	Type	Monitoring Freq	Reporting Freq
Flow	GPD	Calculation[20]	3x/week	Quarterly
TDS	mg/L	Grab	Quarterly	Quarterly
Nitrate as N	mg/L	Grab	Quarterly	Quarterly
Nitrite as N	mg/L	Grab	Quarterly	Quarterly
Total Nitrogen	mg/L	Grab	Quarterly	Quarterly

[18] The Discharger may request a reduction in monitoring frequencies. Approval of the request is subject to Executive Officer approval via a Revised MRP, which will supersede the provisions of this attachment.

[19] Quarterly monitoring shall be sampled during March, June, September, and December.

[20] Calculation methodology shall be provided in the SMRs.

Constituent	Units	Type	Monitoring Freq	Reporting Freq
pH	Std. Units	Grab	Quarterly	Quarterly
VOCs	µg/L	Grab	Annually[21]	Annually

MRP Table 3. Source Water Monitoring Schedule.

Constituent	Units	Type of Sample	Monitoring Frequency	Reporting Frequency
TDS	mg/L	Grab	Quarterly[22]	Quarterly

C. Reporting Requirements

1. The results of quarterly and annual monitoring shall be included in Self-Monitoring Reports (SMRs).

2. **Quarterly Reporting.** Quarterly Self-Monitoring Reports (SMRs) shall be submitted by **January 31st, April 30th, July 31st, and October 31st**. Annual SMRs shall be submitted by **January 31st** of the following year. Quarterly SMRs shall include, at a minimum, the following:

   a. **Cover Letter.** A transmittal letter summarizing the essential points in the report.

   b. **Maps.** Maps depicting the Facility layout and the location of sampling points.

   c. **Summary of Monitoring Data.** Tables of the data collected. Each row shall be a monitoring event and each column shall be a

[21] Annual monitoring shall be sampled during November each year.

[22] Quarterly monitoring shall be sampled during March, June, September, and December.

separate parameter at a single location (or a single average, as appropriate).

d. **Compliance Summary.** Identification of any violations found since the last report was submitted, and actions taken or planned for correcting each violation. If the Discharger previously submitted a report describing corrective actions and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory. If no violations have occurred since the last submittal, this shall be stated.

3. **Annual Reporting.** Annual SMRs shall include:

a. **Cover Letter.** A transmittal letter summarizing the essential points in the report.

b. **Maps.** Maps depicting the Facility layout and the location of sampling points.

c. **Summary of Monitoring Data.** Tables of the data collected. The tables shall include all of the data collected to-date at each monitoring point, organized in chronological order, with the oldest data in the top row and progressively newer data in rows below the top row. Each row shall be a monitoring event and each column shall be a separate parameter at a single location (or a single average, as appropriate).

d. **Graphical Display.** Graphs depicting monitoring parameters through time, with the concentrations being the y-axis and time being the x-axis. Logarithmic scales can be used for values that vary by orders of magnitude. Individual graphs can combine multiple locations or multiple chemicals if that allows the data to be compared more easily.

e. **Operation and Maintenance Summary.** Information concerning operation and maintenance of the facility, including documentation showing the calibration of flow meters and equipment, modifications to the Operation and Maintenance Manual, and any modifications or updates to the Discharger’s wastewater rules and/or regulations.

f. **Compliance Summary.** Identification of any violations found since the last report was submitted, and actions taken or planned for correcting each violation. If the Discharger previously submitted a report describing corrective actions and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory. If no violations have occurred since the last submittal, this shall be stated.

ATTACHMENT B—MAPS AND FIGURES

Figure 1: Facility Map.

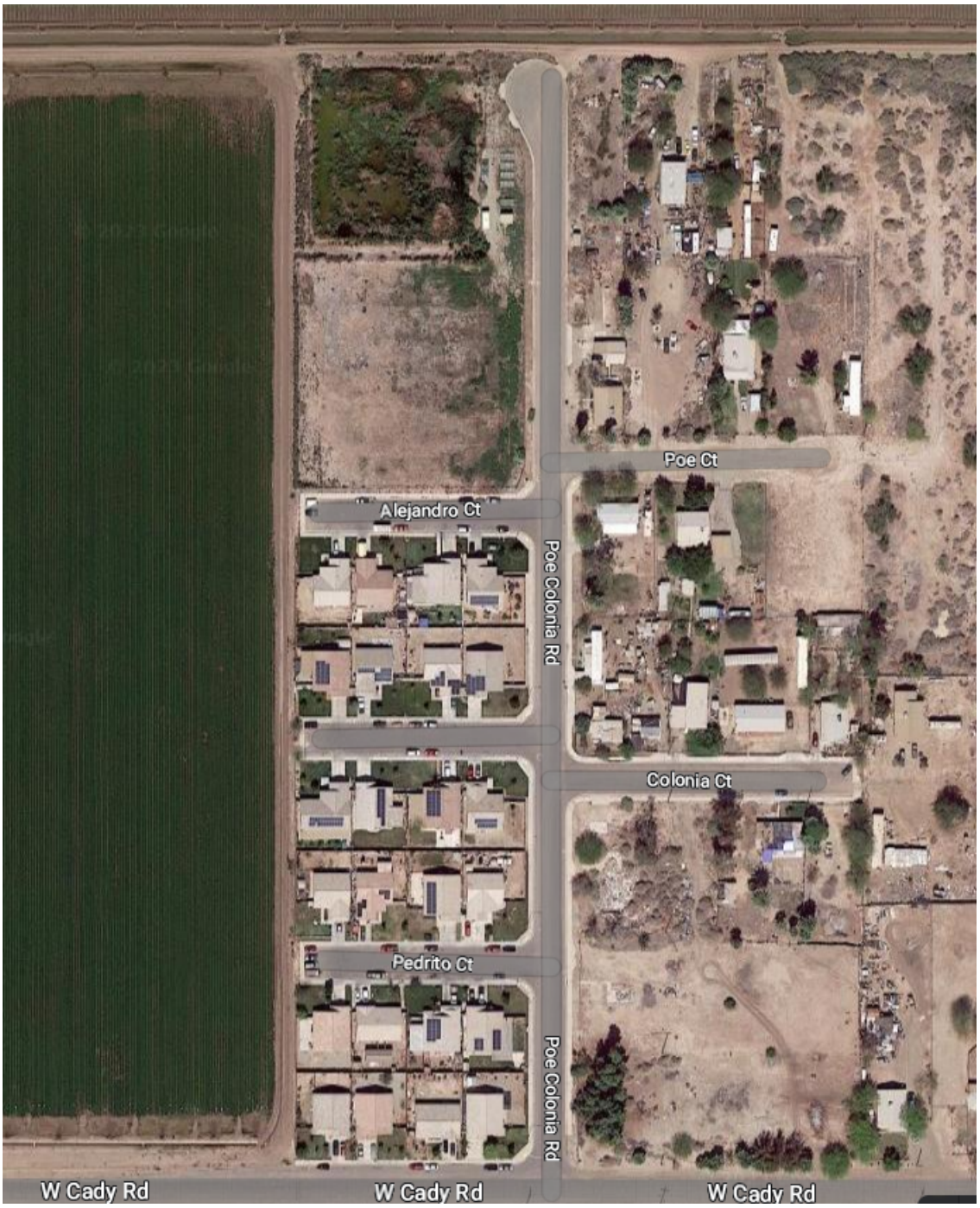

Figure 2—Process Flow Diagram