State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

TIME SCHEDULE ORDER NO. R4-2003-0146

REQUIRING COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY (VALENCIA WATER RECLAMATION PLANT) TO COMPLY WITH REQUIREMENTS PRESCRIBED IN NPDES ORDER NUMBER R4-2003-0145 (NPDES PERMIT NO. CA0054216)

The California Regional Water Quality Control Board, Los Angeles Region (hereafter Regional Board), finds:

1. The County Sanitation Districts of Los Angeles County (hereafter CSDLAC or Discharger) own and operate the Valencia Water Reclamation Plant (hereafter Valencia WRP) located at 28185 The Old Road, Valencia, California.

2. The Valencia WRP discharges tertiary-treated wastewater under waste discharge requirements contained in Order No. 95-081, adopted by this Regional Board on June 12, 1995. Order No. 95-081 also serves as a permit under the National Pollutant Discharge Elimination System (NPDES No. CA0054216), which regulates the discharge of treated wastewater to Reach 5 of the Santa Clara River, a water of the State of California and of the United States.

3. NPDES Order No. R4-2003-0145, adopted on November 6, 2003, prescribes the following effluent limitations for chloride, nitrate plus nitrite as nitrogen, nitrite nitrogen, tetrachloroethylene, bis(2-ethylhexyl)phthalate, and p-dichlorobenzene:

Constituent	Units	Discharge Limitations		
		Monthly Average[1]	Weekly Average[1]	Daily Maximum[2]
Chloride	mg/L	100 [4]	--	--
	lbs/day[3]	10,500	--	--
	mg/L	--	--	100 [5]
	mg/L	187 [6]	--	196 [6]
Nitrate + Nitrite (as N)	mg/L	5 [7]	--	--
	lbs/day[3]	500	--	--
	mg/L	6.8 [8]	--	--
	mg/L	10 [9]	--	--
Tetrachloroethylene	µg/L	5	--	--
	lbs/day[5]	0.5	--	--
Bis(2-ethylhexyl)phthalate	µg/L	5	--	--
	lbs/day[5]	0.5	--	--
p-Dichlorobenzene	µg/L	5	--	--
(1,4-Dichlorobenzene)	lbs/day[5]	0.5	--	--

Footnotes:

[1]. Average Monthly Discharge Limitation means the highest allowable average of daily discharge over a calendar month, calculated as the sum of all daily discharges measured during that month divided by the number of days on which monitoring was performed.

Average Weekly Discharge Limitation means the highest allowable average of daily discharge over a calendar week, calculated as the sum of all daily discharges measured during that week divided by the number of days on which monitoring was performed.

[2]. The daily maximum effluent concentration limit shall apply to both flow weighted 24-hour composite samples and grab samples, as specified in the Monitoring and Reporting Program.

[3] The mass emission rates are based on the existing plant design flow rate of 12.6 mgd, and are calculated as follows: Flow(MDG) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day. However, the design capacity will incrementally increase to 21.6 MGD, as the phased plant upgrade approaches completion, by the fall 2004. The mass-based effluent limitation will accordingly be modified upon certification and approval of increased treatment plant capacity. During wet-weather storm events in which the flow exceeds the design capacity, the mass discharge rate limitations shall not apply, and concentration limitations will provide the only applicable effluent limitations.

[4] This is the water quality objective for chloride in the current Basin Plan. This effluent limitation applies immediately and will stay in effect until the Chloride TMDL for the Santa Clara River, Resolution No. 2002-018, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Include a TMDL for Chloride in the Santa Clara River (Chloride TMDL)*, is approved by USEPA (i.e., the effective date of the TMDL). At that time, the interim effluent limitation accompanying table footnote [6] will be effective. If U.S. EPA does not approve the *Chloride TMDL*, this effluent limitation will remain in effect until revised by the Regional Board.

[5] This is the waste load allocation (WLA), according to the Chloride TMDL Resolution No. 2002-018, adopted by the Regional Board on October 24, 2002. The waste load allocation will ultimately serve as the effluent limitation for the discharge. This limit becomes effective after the USEPA approves the Chloride TMDL. If U.S. EPA does not approve the *Chloride TMDL*, this effluent limitation will not apply.

[6] This is the interim limit according to the *Chloride TMDL* adopted by the Regional Board on October 24, 2002. This interim limit becomes effective when the USEPA approves the *Chloride TMDL* for the Santa Clara River and continues for the duration of the TMDL interim limit provisions. This interim limit will supercede the effluent limitation specified accompanying table footnote [4] and will remain in effect until superceded by the effluent limitation specified accompanying table footnote [5]. If U.S. EPA does not approve the *Chloride TMDL*, this effluent limitation will not apply.

[7] This is the water quality objective for nitrate plus nitrite as nitrogen and nitrite nitrogen in the current Basin Plan. This effluent limitation applies immediately and will stay in effect until the Nutrient TMDL for the Santa Clara River, Resolution No. 2003-011, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Include a TMDL for Nitrogen Compounds in the Santa Clara River (Nitrogen Compounds TMDL)*, is approved by USEPA (i.e., the effective date of the TMDL). At that time, the interim effluent limitation accompanying table footnote [9] will be effective. If U.S. EPA does not approve the *Nitrogen Compounds TMDL*, this effluent limitation will remain in effect until revised by the Regional Board.

[8] This is the waste load allocation (WLA), according to the *Nitrogen TMDL* Resolution No. 2003-011, adopted by the Regional Board on August 7, 2003. The waste load allocation will ultimately serve as the effluent limitation for the discharge. This limit becomes effective after the USEPA approves the *Nitrogen TMDL*. If U.S. EPA does not approve the *Nitrogen TMDL*, this effluent limitation will not apply.

[9] limit according to the *Nitrogen TMDL* adopted by the Regional Board on August 7, 2003. This interim limit becomes effective when the USEPA approves the *Nitrogen TMDL* for the Santa Clara River and continues for the duration of the TMDL interim limit provisions. This interim limit will supercede the

effluent limitation specified accompanying table footnote [7] and will remain in effect until superceded by the effluent limitation specified accompanying table footnote [8]. If U.S. EPA does not approve the *Nitrogen TMDL*, this effluent limitation will not apply.

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a. These final effluent limits take effect on the effective date of NPDES Order No. R4-2003-0145; i.e., 50 days after its adoption (December 26, 2003).

b. Although the Valencia WRP is being upgraded to provide nitrification/denitrification (NDN) treatment, to comply with the ammonia nitrogen water quality objective, the NDN system was not designed to meet a nitrate plus nitrite as nitrogen water quality objective (WQO) of 5 mg/L. CSDLAC may not be able to comply with the nitrate plus nitrite nitrogen or nitrite nitrogen effluent limitations. Therefore, interim limits are needed.

c. In addition, the Discharger cannot consistently meet the effluent limits for chloride, nitrate plus nitrite as nitrogen, tetrachloroethylene, bis(2-ethylhexyl)phthalate, and p-dichlorobenzene on their respective compliance dates. Therefore, interim limits are also needed for these pollutants.

d. To achieve compliance with the effluent limitations, the Discharger may modify or improve the treatment system; conduct studies leading to approvable site-specific objectives (SSOs), and/or follow the implementation provisions in relevant TMDLs. Regional Board approval of Basin Plan amendments for the SSOs must be obtained on or before the compliance dates.

4. California Water Code section 13300 allows the discharger "to submit for approval by the board, with such modifications as [the board] may deem necessary, a detailed time schedule of specific actions the discharger shall take in order to correct or prevent a violation of requirements." The Discharger submitted a time schedule for completion of various tasks associated with the upgrade and retrofit of the NDN system, for compliance with the ammonia and nitrogen WQOs. Through this TSO, the Regional Board affirms the sufficiency of the Discharger's updated schedule. However, the Discharger has not submitted such a schedule for compliance for chloride, tetrachloroethylene, bis(2-ethylhexyl)phthalate, or p-dichlorobenzene.

5. In conformance with Water Code section 13385(j)(3), the Discharger shall submit a workplan specifying actions that the Discharger will take in order to prevent the violations of the applicable effluent limitations for chloride, tetrachloroethylene, bis(2-ethylhexyl)phthalate, and p-dichlorobenzene. Further, the limitations covered by this TSO are necessary because the effluent limitations became effective after July 1, 2000, new control measures are necessary to comply with the limitations, and the appropriate control measures cannot be put into operation within 30 days. Except for chloride, the Regional Board concluded that the Discharger's 5 year compliance schedule was as short as possible, taking into account the technological, operational, and economic factors that affect the design, development, and implementation of the control measures.

6. This TSO allows the Discharger to achieve full compliance with the tetrachloroethylene, bis(2-ethylhexyl)phthalate, and p-dichlorobenzene effluent limitations by October 10, 2008, and prescribes interim limits for these constituents for the Valencia WRP to comply until the full compliance date. The date of compliance with the final effluent chloride limitation may be extended in the future, following USEPA approval of the Chloride TMDL (i.e., following the effective date of the Chloride TMDL).

7. Basis for Interim Limits.

   a. The interim limit for nitrate plus nitrite nitrogen is based on Resolution No. 2003-011, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Include a TMDL for Nitrogen Compounds in the Santa Clara River* (*Nitrogen Compounds TMDL)*;

   b. The interim limits for tetrachloroethylene, bis(2-ethylhexyl)phthalate, and p-dichlorobenzene are based on the Valencia WRP effluent data, from August 1995 to June 2003. The daily maximum and monthly interim limits were derived statistically at the 99% and 95% confidence levels, respectively; and,

   c. The interim limits for chloride are based on the sum of the State Water Project treated water supply concentration plus 134 mg/L, not to exceed a daily maximum of 230 mg/L, or the following formula:

      Interim limit = Treated Potable Water Supply + Highest 5 year Delta, not to exceed 230 mg/L.

      The highest five year delta, 134 mg/L, is the maximum difference in chloride concentrations between the State Water Project treated water and the Valencia WRP's treated effluent, over the last five years. This value was determined using monthly average chloride concentration data, from 1999 to 2003, provided by the Discharger in their letter dated September 5, 2003. The interim limit will be applied as a twelve-month rolling average. This chloride interim limit is consistent with the approach that will be used to modify the Chloride TMDL, at a future Board meeting.

8. Exceedances of the final effluent NPDES limits for chloride, nitrate plus nitrite nitrogen, tetrachloroethylene, bis(2-ethylhexyl)phthalate, p-dichlorobenzene are not subject to CWC Section 13385 subdivisions (h) and (i) as long as the Discharger complies with all of the requirements of the TSO; does not exceed the interim limits; and, meets requirements A through D of CWC Section 13385(j)(3).

9. The action taken by this Regional Board pertaining to the time schedule does not preclude the possibility of actions to enforce the waste discharge requirements and permit by third parties pursuant to section 505 of the Federal Clean Water Act.

10. The Regional Board may reopen this TSO at its discretion or at the request of the Discharger, if warranted.

11. The Discharger's prior waste discharge requirements and NPDES permit already contained provisions for completing facility upgrades. As such, this TSO concerns an existing facility, does not significantly alter the status with respect to the facility, and is, therefore, categorically exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21100, et.seq.) in accordance with Section 15301 of Title 14, California Code of Regulations.

The Board notified the Discharger and interested agencies and persons of its intent to issue a time schedule Order concerning violations or threatened violations of waste discharge requirements.

The Board, in a public hearing, heard and considered all testimony pertinent to this matter. All Orders referred to above, Regional Board files on this matter, and records of hearings and testimony therein are included herein by reference.

IT IS HEREBY ORDERED that, pursuant to the California Water Code section 13300, County Sanitation Districts of Los Angeles County, as operator of the Valencia Water Reclamation Plant, shall:

1. Comply immediately with the following interim effluent limits for the duration of this TSO:

Constituent	Units	Monthly Average	12-Month Rolling Average
Nitrate plus nitrite as nitrogen	mg/L	10 [1]	--
Chloride	mg/L	--	[2]
Tetrachloroethylene	µg/L	11 [3]	--
Bis(2-ethylhexyl)phthalate	µg/L	8 [3]	--
p-dichlorobenzene (1,4-dichlorobenzene)	µg/L	7 [3]	--

Footnotes:

[1]. This is the interim limit according to the *Nitrogen TMDL* adopted by the Regional Board on August 7, 2003.

[2] The chloride interim limit is equal to the sum of the State Water Project treated water supply chloride concentration plus 134 mg/L, not to exceed a daily maximum of 230 mg/L.

[3]. The Interim limit is based on effluent performance data from August 1995 to June 2003 for the Valencia WRP. The monthly average interim effluent limit was derived as the maximum concentration or it was calculated statistically as the 99% confidence level of the 95th percentile, using the P-limit software. This program incorporates the procedure in Appendix E of *the Technical Support Document (TSD) For Water Quality-based Toxics Control [EPA/505/2-90-001]* for the limit calculation.

2. Submit a pollution prevention plan (PPP) workplan with a time schedule for implementation for approval of the Executive Officer within 120 days after the adoption of this TSO (by March 5, 2004), pursuant to CWC section 13263.3.

3. Achieve full compliance with the limitations in NPDES Order No. R4-2003-0145 for tetrachloroethylene, bis(2-ethylhexyl)phthalate, and p-dichlorobenzene by October 10, 2008.

4. Achieve full compliance with the limitations in NPDES Order No. R4-2003-0145 for chloride and nitrate plus nitrite as nitrogen according to their respective TMDL implementation provisions and by the final compliance dates specified in the respective TMDL.

5. Submit quarterly progress reports of efforts towards compliance with the effluent limits for chloride, nitrate plus nitrite nitrogen, tetrachloroethylene, bis(2-ethylhexyl)phthalate, and p-dichlorobenzene to include, but not limited to:

   A. Status of the plant modification/ upgrade activities; and/or,

   B. Status of the development of SSOs and/or UAAs.

   Progress reports shall be received by the fifteenth day of the first month following the reporting quarter (January 15, April 15, July 15 and October 15). The first progress report shall be received at the Regional Board by April 15, 2004, and will cover the months of December 2003 through March 2004. The first progress report shall also include an update on the status of the derivation of the SSO and/or UAA.

6. If the Discharger fails to comply with any provisions of this Order, the Executive Officer may issue an Administrative Civil Liability Complaint pursuant to California Water Code Section 13323. The Regional Board may also refer the case to the Attorney General for injunction and civil monetary remedies, pursuant to California Water Code sections 13331 and 13385.

7. All other provisions of NPDES Order No. R4-2003-0145 not in conflict with this Order are in full force and effect.

I, Dennis Dickerson, 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, Los Angeles Region, on November 6, 2003.

Dennis A. Dickerson
Executive Officer

/AVC