

California Regional Water Quality Control Board

Central Coast Region

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ORDER NO. R3-2007-0020
NPDES NO. CA0048089
WASTE DISCHARGE REQUIREMENTS
FOR CUYAMA COMMUNITY SERVICES DISTRICT

The following Discharger is subject to waste discharge requirements as set forth in this Order.

Table 1. Discharger Information

Discharger	Cuyama Community Services District
Name of Facility	Wastewater Treatment Plant
Facility Address	5500 Highway 166
	New Cuyama, California 93254
	Santa Barbara County
The U.S. Environmental Protection Agency (USEPA) and the Regional Water Quality Control Board have classified this discharge as a minor discharge.	

The discharge by the Cuyama Community Services District from the discharge point identified below is subject to waste discharge requirements as set forth in this Order.

Table 2. Discharge Location

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
001	Secondary Effluent	34 °, 57', 9" N	119 °, 41', 42" W	Salisbury Creek

Table 3. Administrative Information

This Order was adopted by the Regional Water Quality Control Board on:	May 11, 2007
This Order shall become effective on:	May 11, 2007
This Order shall expire on:	May 11, 2012
The Discharger shall file a Report of Waste Discharge in accordance with title 23, California Code of Regulations, as application for issuance of new waste discharge requirements no later than:	180 days prior to the Order expiration date

IT IS HEREBY ORDERED, that Order No. R3-2002-0052 is rescinded upon the effective date of this Order except for enforcement purposes, and in order to meet the provisions in division 7 of the California Water Code (commencing with section 13000) and regulations adopted there under, and the provisions of the federal Clean Water Act (CWA) and regulations and guidelines adopted there under, the Discharger shall comply with the requirements in this Order.

I, Roger W. Briggs, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on May 11, 2007.

 Roger W. Briggs, Executive Officer
 Item No. 22 Attachment 1
 May 10-11, 2007 Meeting
 Cuyama CSD WWTP-Reissue
 NPDES Permit

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I. FACILITY INFORMATION

The following Discharger is subject to waste discharge requirements as set forth in this Order.

Table 4. Facility Information

Discharger	Cuyama Community Services District
Name of Facility	Wastewater Treatment Plant
Facility Address	5500 Highway 166
	New Cuyama, CA 93254
	Santa Barbara County
Facility Contact, Title, and Phone	U.S. Wilson, Manager CCSD, 661-766-2780
Mailing Address	P.O. Box 368, New Cuyama, CA 93254
Type of Facility	Publicly Owned Treatment Works
Facility Design Flow	150,000 gallons per day (gpd)

II. FINDINGS

The California Water Quality Control Board, Central Coast Region (Central Coast Water Board) finds:

- A. Background.** Cuyama Community Services District (Discharger) is currently discharging pursuant to Order No. R3-2002-0052, National Pollutant Discharge Elimination System (NPDES) Permit No. CA0048089. The Discharger submitted a Report of Waste Discharge, dated October 31, 2006, and applied to renew its NPDES permit to discharge up to 150,000 gpd of treated wastewater from the District's wastewater treatment plant located at 5500 Highway 166 in New Cuyama, Santa Barbara County.
- B. Facility Description.** The Discharger owns and operates municipal wastewater collection and treatment facilities. The collection system includes a 12-inch trunk line to the wastewater treatment plant, which receives municipal wastewater from primarily residential sources. The treatment plant is an extended aeration activated sludge design that includes a bar screen, an aeration basin with an integral clarifier, chlorination and dechlorination facilities, an aerobic sludge digester and sludge drying beds. The wastewater treatment plant is located at the confluence of Salisbury Creek and Branch Canyon Wash. Treated wastewater is discharged from Discharge Point 001 to Salisbury Creek, waters of the United States, at a point approximately 1.5 miles from the Cuyama River, within the Santa Maria hydrologic unit. Effluent typically percolates into a dry creek bed, except during the wet season, when there is flow in the creek. Attachment B provides a map of the area around the facility. Attachment C provides a flow schematic of the facility.
- C. Legal Authorities.** This Order is issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the USEPA and chapter 5.5, division 7 of the California Water Code (commencing with section 13370). It shall serve as an NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDR) pursuant to article 4, chapter 4, division 7 of the Water Code (commencing with section 13260).

- D. Background and Rationale for Requirements.** The Central Coast Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for Order requirements, is hereby incorporated into this Order and constitutes part of the Findings for this Order. Attachments A through E are also incorporated into this Order.
- E. California Environmental Quality Act (CEQA).** Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of CEQA, Public Resources Code sections 21100-21177.
- F. Technology-Based Effluent Limitations.** CWA Section 301 (b) and USEPA's NPDES regulations at 40 CFR 122.44 require that permits include, at a minimum, conditions meeting applicable technology-based requirements and any more stringent effluent limitations necessary to meet applicable water quality standards. Discharges authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards established at 40 CFR Part 133 and Best Professional Judgment (BPJ) in accordance with 40 CFR 125.3. A detailed discussion of development of technology-based effluent limitations is included in the Fact Sheet (Attachment F).
- G. Water Quality-Based Effluent Limitations.** CWA Section 301 (b) and NPDES regulations at 40 CFR 122.44 (d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

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

- H. Water Quality Control Plans.** The Central Coast Water Board has adopted the *Water Quality Control Plan, Central Coast Basin* (Basin Plan), which designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. In addition, the Basin Plan implements State Water Resources Control Board (State Water Board) Resolution No. 88-63, which establishes State policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply.

In accordance with Chapter 2 of the Basin Plan, surface water bodies that do not have beneficial uses specifically identified by the Basin Plan, like Salisbury Creek, are assigned the beneficial uses of (a) Municipal and domestic supply, and (b) Protection of both recreation and aquatic life. Requirements of this Order implement the Basin Plan.

- I. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** USEPA adopted the NTR on December 22, 1992, and later amended it on May 4, 1995, and November 9, 1999. About forty criteria in the NTR applied in California. On May 18, 2000, USEPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the State. The CTR was amended on February 13, 2001. These rules contain water quality criteria for priority pollutants that are applicable to discharges from the Cuyama Community Services District's wastewater treatment facility.
- J. **State Implementation Policy.** On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP became effective on April 28, 2000, with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Central Coast Water Board in the Basin Plan. The SIP became effective on May 18, 2000, with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005, that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.
- K. **Compliance Schedules and Interim Requirements.** Section 2.1 of the SIP provides that, based on a discharger's request and demonstration that it is infeasible for an existing discharger to achieve immediate compliance with an effluent limitation derived from a CTR criterion, compliance schedules may be allowed in an NPDES permit. Unless an exception has been granted under section 5.3 of the SIP, a compliance schedule may not exceed 5 years from the date that the permit is issued or reissued, nor may it extend beyond 10 years from the effective date of the SIP (May 18, 2010) to establish and comply with CTR criterion-based effluent limitations. Where a compliance schedule for a final effluent limitation exceeds 1 year, the Order must include interim numeric limitations for that constituent or parameter. Where allowed by the Basin Plan, compliance schedules and interim effluent limitations or discharge specifications may also be granted to allow time to implement a new or revised water quality objective. This Order does not include compliance schedules or interim effluent limitations.
- L. **Alaska Rule.** On March 30, 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards become effective for CWA purposes. [65 Fed. Reg. 24641 (April 27, 2000) (codified at 40 CFR 131.21)] Under the revised regulation (also known as the Alaska Rule), new and revised standards submitted to USEPA after May 30, 2000, must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000, may be used for CWA purposes, whether or not approved by USEPA.
- M. **Stringency of Requirements for Individual Pollutants.** This Order contains both technology-based and water quality-based effluent limitations (WQBELs) for individual pollutants. The technology-based effluent limitations consist of restrictions for biochemical oxygen demand, total suspended solids, settleable solids, and pH and are discussed in

section IV.C. of the Fact Sheet. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements.

WQBELs have been scientifically derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant WQBELs were derived from the CTR, the CTR is the applicable standard pursuant to NPDES regulations at 40 CFR 131.38. The scientific procedures for calculating the individual WQBELs for priority pollutants are based on the CTR and the SIP, which was approved by USEPA on May 18, 2000. All beneficial uses and water quality objectives contained in the Basin Plan were approved under State law and submitted to and approved by USEPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to USEPA prior to May 30, 2000, but not approved by USEPA before that date, are nonetheless "applicable water quality standards for purposes of the CWA" pursuant to NPDES regulations at 40 CFR 131.21 (c) (1).

- N. Antidegradation Policy.** NPDES regulations at 40 CFR 131.12 require that state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16, which incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Central Coast Water Board's Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. As discussed in detail in the Fact Sheet the permitted discharge is consistent with the antidegradation provisions of 40 CFR 131.12 and State Water Board Resolution No. 68-16.
- O. Anti-Backsliding Requirements.** CWA sections 402 (o) (2) and 303 (d) (4) and NPDES regulations at 40 CFR 122.44 (l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order.
- P. Endangered Species Act.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the state. The discharger is responsible for meeting all requirements of the applicable Endangered Species Act.
- Q. Monitoring and Reporting.** NPDES regulations at 40 CFR 122.48 require that all NPDES permits specify requirements for recording and reporting monitoring results. Water Code sections 13267 and 13383 also authorize the Central Coast Water Board to require technical and monitoring reports. The Monitoring and Reporting Program, provided as Attachment E to the Order, establishes monitoring and reporting requirements to implement federal and State requirements.

- R. Standard and Special Provisions.** Standard Provisions, which apply to all NPDES permits in accordance with 40 CFR 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR 122.42, are provided in Attachment D. The Discharger must comply with all standard provisions and with those additional conditions that are applicable pursuant to 40 CFR 122.42. The Central Coast Water Board has also included in this Order special provisions applicable to the Discharger. A rationale for the special provisions contained in this Order is provided in the attached Fact Sheet.
- S. Provisions and Requirements Implementing State Law.** The provisions and requirements in subsections IV.B, IV.C, and V.B of this Order are included to implement State law only. These provisions and requirements are not required or authorized under the federal CWA; consequently, violations of these provisions and requirements are not subject to the enforcement remedies that are available for NPDES violations. In accordance with Section 13241 of the CWC, the Central Coast Water Board has established water quality objectives for groundwater in the Basin Plan. The groundwater limitations listed in Section V.B. of this Order are consistent with the Basin Plan and are for the protection of present and potential groundwater beneficial uses. In establishing these limitations, the Central Coast Water Board has considered the factors listed in Section 13241 of the CWC. The Discharger and other interested parties have not submitted any information regarding economic considerations or the other factors set forth in Section 13241. The groundwater limitations in the permit are consistent with other similar permits throughout the Central Coast region. Other dischargers have successfully implemented similar requirements. Beneficial uses and environmental characteristics of the area are discussed in Attachment F. The requirements are reasonably necessary to protect beneficial uses identified in the Basin Plan, and there is no economic information related to costs of compliance sufficient, in the Board's determination, to justify failing to protect beneficial uses. Coordinated control of water quality throughout the region will not eliminate the need for this Discharger to prevent adverse water quality impacts from its discharge.
- T. Notification of Interested Parties.** The Central Coast Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of notification are provided in the Fact Sheet of this Order.
- U. Consideration of Public Comment.** The Central Coast Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the public hearing are provided in the Fact Sheet of this Order.

III. DISCHARGE PROHIBITIONS

- A.** Discharge of treated wastewater at a location or in a manner, other than as described by this Order, is prohibited.
- B.** The overflow or bypass of wastewater from the Discharger's collection, treatment, or disposal facilities and the subsequent discharge of untreated or partially treated wastewater, except as provided for in Attachment D, Standard Provision I. G (Bypass), is prohibited.

- C. The discharge shall not contain floating material, including solids, liquids, foams, and scum, which cause nuisance or adversely affect beneficial uses.
- D. Effluent flow shall not exceed 150,000 gpd (monthly average, dry weather flow).

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations – Discharge Point 001

1. The Discharger shall maintain compliance with the following effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location EFF-001, as described in the attached Monitoring and Reporting Program.

Table 5. Effluent Limitations

Constituent	Units	Average Monthly	Average Weekly	Maximum Daily
BOD ₅ ^[1]	mg/L	30	45	90
	lbs/day	38	56	113
TSS ^[2]	mg/L	30	45	90
	lbs/day	38	56	113
Settleable Solids	mLs/L/Hr	0.1	---	0.3
pH	pH units	6.5 – 8.3 at all times		
Acute Toxicity	TUa	---	---	1.0
Bromodichloromethane	µg/L	0.56	---	1.13
Dibromochloromethane	µg/L	0.40	---	0.81

^[1] Biochemical Oxygen Demand, 5 day at 20° C

^[2] Total Suspended Solids

2. The average monthly percent removal of BOD₅ and TSS shall not be less than 85 percent.
3. Fecal coliform bacteria shall not exceed a log mean most probable number (MPN) of 200 per 100 milliliters (mLs) with no more than ten percent of all samples exceeding 400 MPN per 100 mLs.
4. When continuously monitored, compliance determination for total chlorine residual shall be based on 99 percent compliance by satisfying the following conditions.
 - Total chlorine residual shall not exceed 0.02 mg/L for more than 7 hours and 26 minutes (total) in any calendar month.
 - The total chlorine residual shall not continuously exceed 0.02 mg/L for more than 30 minutes.
 - Total chlorine residual shall not exceed 0.1 mg/L at any time.

When continuous monitoring is not being used, the total chlorine residual shall be less than 0.02 mg/L at all times.

B. Land Discharge Specifications. Not applicable to this permit.

C. Reclamation Specifications. Not applicable to this permit.

V. RECEIVING WATER LIMITATIONS

A. Surface Water Limitations. Receiving water limitations are based on water quality objectives contained in the Basin Plan and are a required part of this Order. Discharge from the wastewater treatment facility shall not cause the following conditions in receiving waters

1. Waters shall be free of coloration that causes nuisance or adversely affects beneficial uses. Coloration attributable to materials of waste origin shall not be greater than 15 units or 10 percent above natural background color, whichever is greater.
2. Waters shall not contain taste or odor-producing substances in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, that cause nuisance, or that adversely affect beneficial uses.
3. Waters shall not contain floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.
4. Waters shall not contain suspended material in concentrations that cause nuisance or adversely affect beneficial uses.
5. Waters shall not contain settleable material in concentrations that result in deposition of material that causes nuisance or adversely affects beneficial uses.
6. Waters shall not contain oils, greases, waxes, or other similar materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect beneficial uses.
7. Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses.
8. The suspended sediment load and suspended sediment discharge rate to surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses.
9. Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increase in turbidity attributable to controllable water quality factors shall not exceed the following limits.
 - a. Where natural turbidity is between 0 and 50 Jackson Turbidity Units (JTU), increases shall not exceed 20 percent.
 - b. Where natural turbidity is between 50 and 100 JTU, increases shall not exceed 10 JTU.

- c. Where natural turbidity is greater than 100 JTU, increases shall not exceed 10 percent.
10. The pH value shall not be depressed below 7.0 nor raised above 8.3.
11. Dissolved oxygen concentrations in receiving waters shall not be reduced below 5.0 mg/L at any time.
12. Natural temperature of receiving waters shall not be altered unless it can be demonstrated to the satisfaction of the Central Coast Water Board that such alteration in temperature does not adversely affect beneficial uses.
13. All waters shall be maintained free of toxic substances in concentrations which are toxic to, or which produce detrimental physiological responses in, human, plant, animal, or aquatic life. Survival of aquatic life in surface waters subjected to a waste discharge or other controllable water quality conditions shall not be less than that for the same water body in areas unaffected by the waste discharge.
14. The discharge of wastes shall not cause concentrations of un-ionized ammonia (NH₃) to exceed 0.025 mg/L (as N) in the receiving water.
15. No individual pesticide or combination of pesticides shall reach concentrations that adversely affect the beneficial uses of the receiving water. There shall be no increase in pesticide concentrations found in bottom sediments or aquatic life. For waters where existing concentrations are presently nondetectable or where beneficial uses would be impaired by concentrations in excess of nondetectable levels, total identifiable chlorinated hydrocarbon pesticides shall not be present at concentrations detectable within the accuracy of analytical methods as prescribed in Standard Methods for the Examination of Water and Wastewater, latest edition, or other equivalent methods approved by the Central Coast Water Board Executive Officer.
16. Waters shall not contain organic substances in concentrations greater than the following.
- | | |
|-------------------------------------|------------|
| Methylene Blue Activated Substances | 0.2 mg/L |
| Phenols | 1.0 µg/L |
| PCBs | 0.3 µg/L |
| Phthalate Esters | 0.002 µg/L |
17. Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life; or result in the accumulation of radionuclides in the food web to an extent which presents a hazard to human, plant, animal, or aquatic life. In no circumstance shall receiving waters contain concentrations of radionuclides in excess of the maximum contaminant levels (MCLs) for radioactivity presented in Table 4 of Title 22 California Code of Regulations, Division 4, Chapter 15, Article 5.
18. Receiving waters shall not contain concentrations of chemical constituents in excess of the primary maximum contaminant levels (MCLs) specified for drinking water in Table 64431-A (Primary MCLs for Inorganic Chemicals) and Table 64444-A (Primary

MCLs for Organic Chemicals) of Title 22 California Code of Regulations, Division 4, Chapter 15.

19. Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 2,000 per 100 mL, nor shall more than 10 percent of samples collected during any 30-day period exceed 4,000 per 100 mL.

B. Groundwater Limitations. Activities at the treatment facility shall not cause exceedance/deviation from the following water quality objectives for groundwater established by the Basin Plan.

1. Groundwater shall not contain taste or odor producing substances in concentrations that adversely affect beneficial uses.
2. Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life; or result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life.
3. The median concentration of coliform organisms in groundwater, over any seven-day period, shall be less than 2.2 organisms per 100 milliliters.
4. Groundwater shall not contain concentrations of chemical constituents in excess of the primary maximum contaminant levels (MCLs) specified for drinking water in Table 64431-A (Primary MCLs for Inorganic Chemicals) and Table 64444-A (Primary MCLs for Organic Chemicals) of Title 22 California Code of Regulations, Division 4, Chapter 15.
5. Groundwaters shall not contain constituents greater than the following concentrations established in Table 3-8 of the Basin Plan for groundwaters within the Cuyama Valley.

TDS	Chloride	Boron	Nitrogen
1,500 mg/L	80 mg/L	0.4 mg/L	5.0 mg/L

VI. PROVISIONS

A. Standard Provisions

1. The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.
2. Prior to making any change in the point of discharge, place of use, or purpose of use of treated wastewater that results in a decrease of flow in any portion of an inland watercourse, the Discharger must file a petition with the State Water Board, Division of Water Rights, and receive approval for such a change. (Water Code § 1211.)

B. Monitoring and Reporting Program (MRP) Requirements. The Discharger shall comply with the Monitoring and Reporting Program, and future revisions thereto, in

Attachment E of this Order. All monitoring shall be conducted according to 40 CFR Part 136, Guidelines Establishing Test Procedures for Analysis of Pollutant.

C. Special Provisions

1. **Reopener Provisions.** This permit may be reopened and modified in accordance with NPDES regulations at 40 CFR 122 and 124, as necessary, to include additional conditions or limitations based on newly available information or to implement any USEPA approved, new, State water quality objective.
2. **Special Studies, Technical Reports and Additional Monitoring Requirements.** The Discharger shall investigate the feasibility of eliminating the surface water discharge by the end of the term of this permit. Status reports regarding this investigation shall be provided in the annual monitoring report (described in Attachment E).
3. **Best Management Practices and Pollution Prevention.** Not applicable to this permit.
4. **Construction, Operation and Maintenance Specifications.** Not applicable to this permit.
5. **Biosolids Management.** The handling, management, and disposal of sludge and biosolids derived from wastewater treatment must comply with applicable provisions of U.S. EPA regulations at 40 CFR 257, 258, 501, and 503, including all monitoring, record keeping, and reporting requirements.

Solids and sludge treatment, storage, and disposal or reuse shall not create a nuisance, such as objectionable odors or flies, and shall not result in groundwater contamination. Sites for solids and sludge treatment and storage shall have adequate facilities to divert surface water runoff from adjacent areas to protect the boundaries of such sites from erosion, and to prevent drainage from treatment and storage sites.

The treatment, storage, disposal, or reuse of sewage sludge and biosolids shall not cause waste material to be in a position where it is, or can be, conveyed from the treatment and storage sites and deposited into waters of the State. The Discharger is responsible for assuring that all biosolids produced at its facility are used or disposed of in accordance with the above rules, whether the Discharger uses or disposes of the biosolids itself, or transfers them to another party for further treatment, use, or disposal. The Discharger is responsible for informing subsequent preparers, appliers, and disposers of the requirements that they must adhere to under these rules.

6. **Discharges of Storm Water.** For the control of storm water discharged from the site of the wastewater treatment and disposal facilities, if applicable, the Discharger shall seek authorization to discharge under and meet the requirements of the State Water Resources Control Board's Water Quality Order 97-03-DWQ, NPDES General Permit No. CAS000001, *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities.*

7. Sanitary Sewer Overflows (SSOs). If applicable, the Discharger shall seek coverage under and comply with the requirements of General Waste Discharge Requirements for Sanitary Sewer Systems (State Water Board Order No. 2006-0003-DWQ), which establishes requirements for the proper and efficient management, operation, and maintenance of sanitary sewer systems to minimize the occurrence and impacts of sanitary sewer overflows.

8. Compliance Schedules. Not applicable to this permit.

VII. COMPLIANCE DETERMINATION

Compliance with the effluent limitations contained in section IV of this Order will be determined as specified below.

- A. General.** Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined in the MRP and Attachment A (Definitions) of this Order. For purposes of reporting and administrative enforcement by the Regional and State Water Boards, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).
- B. Multiple Sample Data.** When determining compliance with an Average Monthly Effluent Limitation, Average Weekly Effluent Limitation, or Maximum Daily Effluent Limitation for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:
1. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
 2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

ATTACHMENT A – DEFINITIONS

Arithmetic Mean (μ), also called the average, is the sum of measured values divided by the number of samples. For ambient water concentrations, the arithmetic mean is calculated as follows:

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

where: Σx is the sum of the measured ambient water concentrations, and n is the number of samples.

Average Monthly Effluent Limitation (AMEL) is the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Effluent Limitation (AWEL) is the highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

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

Carcinogenic pollutants are substances that are known to cause cancer in living organisms.

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

Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that reasonably represents a calendar day for purposes of sampling (as specified in the permit), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.

Detected, but Not Quantified (DNQ) are those sample results less than the RL, but greater than or equal to the laboratory's method detection limit.

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

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

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

Estimated Chemical Concentration is the estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the minimum level value.

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

Inland Surface Waters are all surface waters of the State that do not include the ocean, enclosed bays, or estuaries.

Instantaneous Maximum Effluent Limitation is the highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

Instantaneous Minimum Effluent Limitation is the lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

Maximum Daily Effluent Limitation (MDEL) means the highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged

over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day.

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

Method Detection Limit (MDL) is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, as defined in title 40 of the Code of Federal Regulations, Part 136, Attachment B, revised as of July 3, 1999.

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

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

Not Detected (ND) are those sample results less than the laboratory's MDL.

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

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

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

Pollution Prevention means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is not limited to, input change, operational improvement, production process change, and product

reformulation (as defined in Water Code section 13263.3). Pollution prevention does not include actions that merely shift a pollutant in wastewater from one environmental medium to another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State or Central Coast Water Board.

Reporting Level (RL) is the minimum level (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the minimum levels included in this Order. The minimum levels included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Central Coast Water Board either from Appendix 4 of the SIP in accordance with section 2.4.2 of the SIP or established in accordance with section 2.4.3 of the SIP. The minimum level is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the minimum level depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the minimum level in the computation of the reporting level.

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

Source of Drinking Water is any water designated as municipal or domestic supply (MUN) in a Central Coast Water Board Basin Plan.

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

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

where:

x is the observed value;

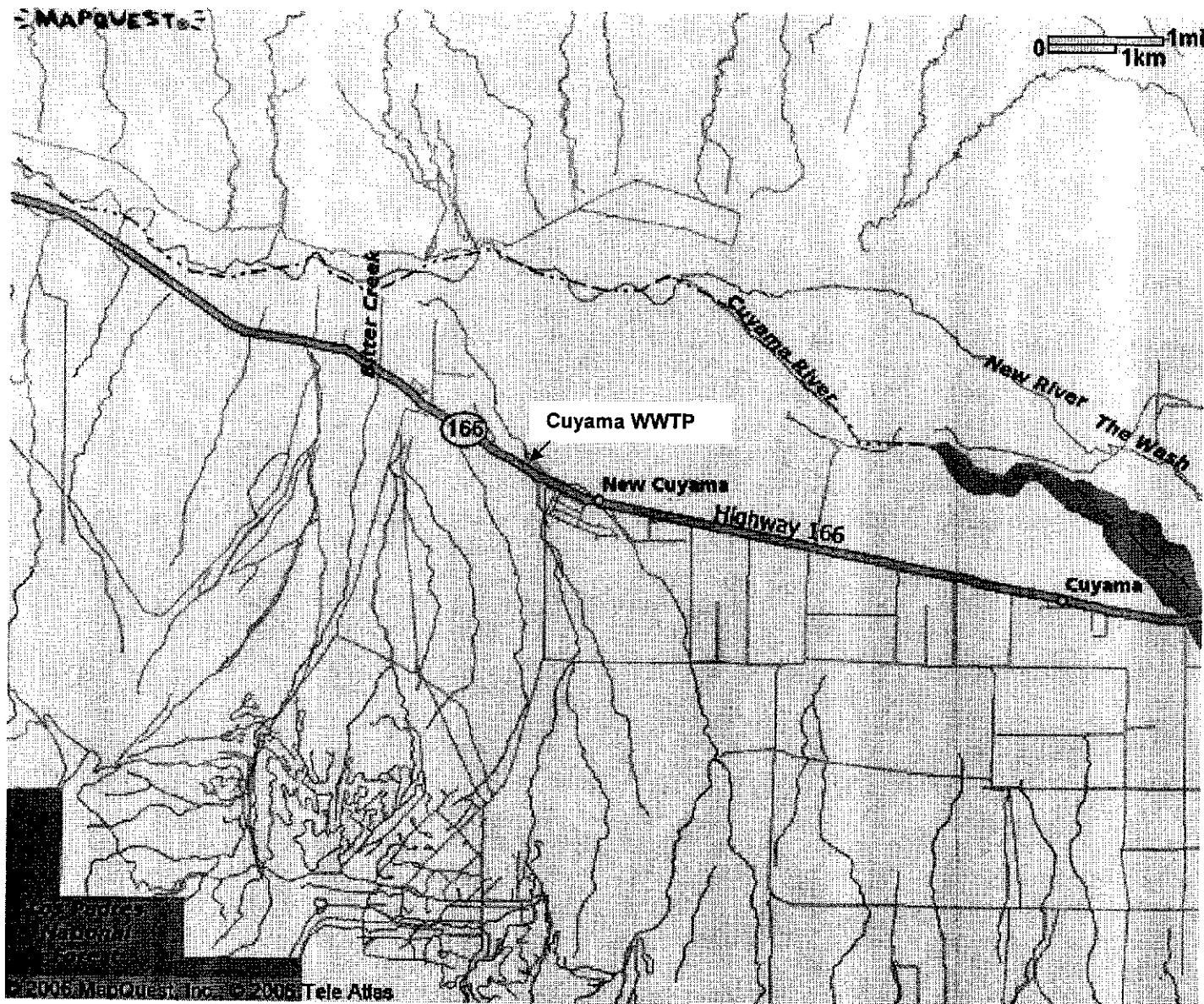
μ is the arithmetic mean of the observed values; and

n is the number of samples.

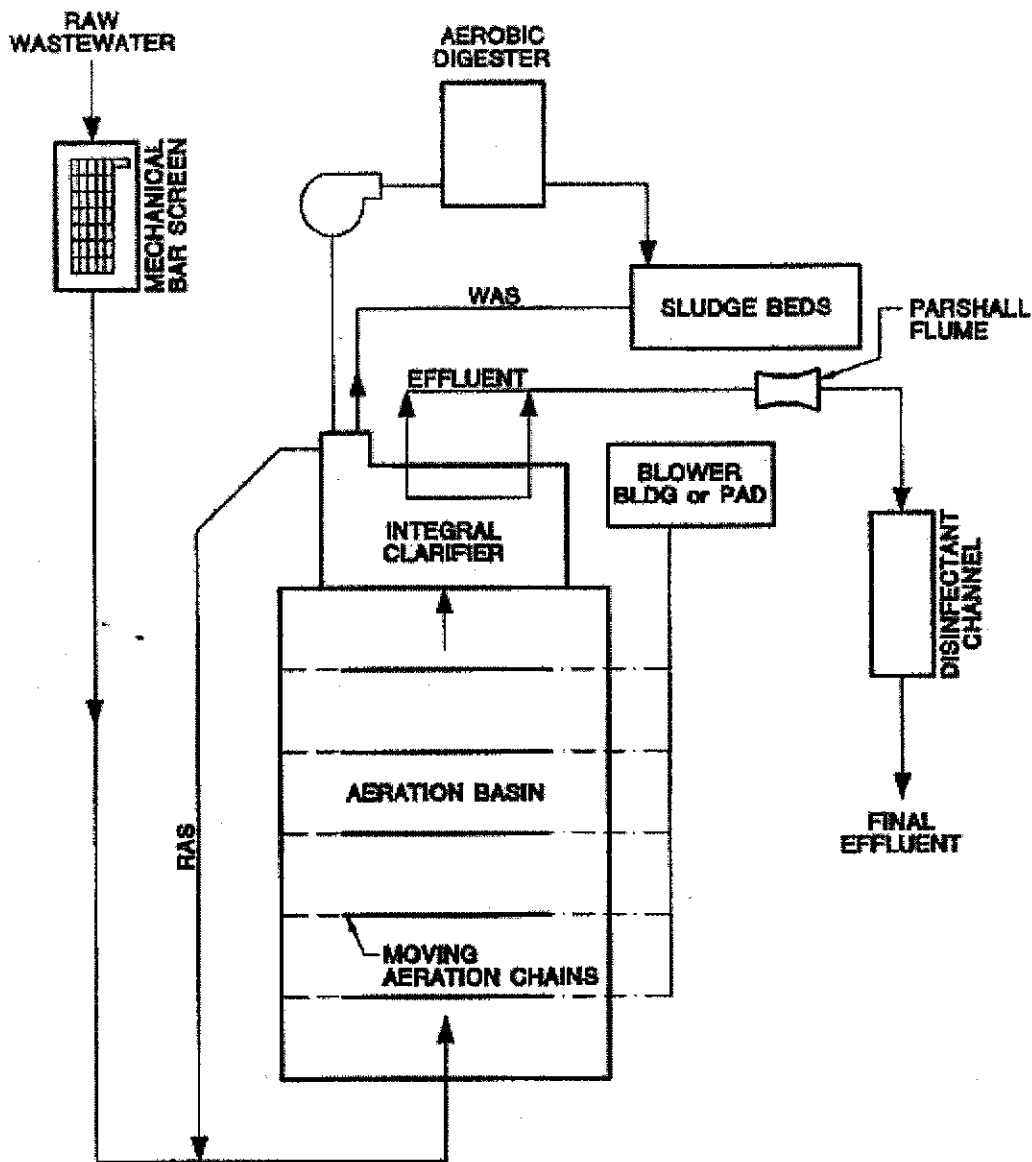
Toxicity Reduction Evaluation (TRE) is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity.

The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)

ATTACHMENT B – MAP



ATTACHMENT C – FLOW SCHEMATIC



Flow Schematic
New Cuyama
Wastewater Treatment Plant
Improvements Project

ATTACHMENT D –STANDARD PROVISIONS

I. FEDERAL STANDARD PROVISIONS – PERMIT COMPLIANCE

A. Duty to Comply

1. The Discharger must comply with all of the conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code and is grounds for enforcement action, permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. [40 CFR § 122.41(a)]
2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. [40 CFR § 122.41(a)(1)]

B. Need to Halt or Reduce Activity Not a Defense. It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order. [40 CFR § 122.41(c)]

C. Duty to Mitigate. The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. [40 CFR § 122.41(d)]

D. Proper Operation and Maintenance. The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order. [40 CFR § 122.41(e)]

E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges. [40 CFR § 122.41(g)]
2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations. [40 CFR § 122.5(c)]

F. Inspection and Entry. The Discharger shall allow the Central Coast Water Board, State Water Board, United States Environmental Protection Agency (USEPA), and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to [40 CFR § 122.41(i); Wat. Code, § 13383]:

1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order [40 CFR § 122.41(i)(1)];
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order [40 CFR § 122.41(i)(2)];
3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order [40 CFR § 122.41(i)(3)]; and
4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location. [40 CFR § 122.41(i)(4)]

G. Bypass

1. Definitions
 - a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. [40 CFR § 122.41(m)(1)(i)]
 - b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. [40 CFR § 122.41(m)(1)(ii)]
2. Bypass not exceeding limitations. The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3, I.G.4, and I.G.5 below. [40 CFR § 122.41(m)(2)]
3. Prohibition of bypass. Bypass is prohibited, and the Central Coast Water Board may take enforcement action against a Discharger for bypass, unless [40 CFR § 122.41(m)(4)(i)]:
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 CFR § 122.41(m)(4)(i)(A));

- b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance [40 CFR § 122.41(m)(4)(i)(B)]; and
 - c. The Discharger submitted notice to the Central Coast Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. [40 CFR § 122.41(m)(4)(i)(C)]
4. The Central Coast Water Board may approve an anticipated bypass, after considering its adverse effects, if the Central Coast Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above. [40 CFR § 122.41(m)(4)(ii)]
5. Notice
 - a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a notice, if possible at least 10 days before the date of the bypass. [40 CFR § 122.41(m)(3)(i)]
 - b. Unanticipated bypass. The Discharger shall submit notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below (24-hour notice). [40 CFR § 122.41(m)(3)(ii)]
- H. Upset.** Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. [40 CFR § 122.41(n)(1)]
 1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance I.H.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. [40 CFR § 122.41(n)(2)]
 2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that [40 CFR § 122.41(n)(3)]:

- a. An upset occurred and that the Discharger can identify the cause(s) of the upset [40 CFR § 122.41(n)(3)(i)];
 - b. The permitted facility was, at the time, being properly operated [40 CFR § 122.41(n)(3)(ii)];
 - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) [40 CFR § 122.41(n)(3)(iii)]; and
 - d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above. [40 CFR § 122.41(n)(3)(iv)]
3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof. [40 CFR § 122.41(n)(4)]

II. STANDARD PROVISIONS – PERMIT ACTION

- A. General.** This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition. [40 CFR § 122.41(f)]
- B. Duty to Reapply.** If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit. [40 CFR § 122.41(b)]
- C. Transfers.** This Order is not transferable to any person except after notice to the Central Coast Water Board. The Central Coast Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the Water Code. [40 CFR § 122.41(l)(3); § 122.61]

III. STANDARD PROVISIONS – MONITORING

- A.** Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. [40 CFR § 122.41(j)(1)]
- B.** Monitoring results must be conducted according to test procedures under Part 136 or, in the case of sludge use or disposal, approved under Part 136 unless otherwise specified in Part 503 unless other test procedures have been specified in this Order. [40 CFR § 122.41(j)(4); § 122.44(i)(1)(iv)]

IV. STANDARD PROVISIONS – RECORDS

A. Records Retention. Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by Part 503), the Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Central Coast Water Board Executive Officer at any time. [40 CFR § 122.41(j)(2)]

B. Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements [40 CFR § 122.41(j)(3)(i)];
2. The individual(s) who performed the sampling or measurements [40 CFR § 122.41(j)(3)(ii)];
3. The date(s) analyses were performed [40 CFR § 122.41(j)(3)(iii)];
4. The individual(s) who performed the analyses [40 CFR § 122.41(j)(3)(iv)];
5. The analytical techniques or methods used [40 CFR § 122.41(j)(3)(v)]; and
6. The results of such analyses. [40 CFR § 122.41(j)(3)(vi)]

C. Claims of confidentiality for the following information will be denied [40 CFR § 122.7(b)]:

1. The name and address of any permit applicant or Discharger [40 CFR § 122.7(b)(1)]; and
2. Permit applications and attachments, permits and effluent data. [40 CFR § 122.7(b)(2)]

V. STANDARD PROVISIONS – REPORTING

A. Duty to Provide Information. The Discharger shall furnish to the Central Coast Water Board, State Water Board, or USEPA within a reasonable time, any information which the Central Coast Water Board, State Water Board, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Central Coast Water Board, State Water Board, or USEPA copies of records required to be kept by this Order. [40 CFR § 122.41(h); Wat. Code, § 13267]

B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Central Coast Water Board, State Water Board, and/or USEPA shall be signed and certified in accordance with Standard Provisions – Reporting (V.B.2, V.B.3, V.B.4, and V.B.5 below). [40 CFR § 122.41(k)]
2. All permit applications shall be signed by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of USEPA). [40 CFR § 122.22(a)(3)]
3. All reports required by this Order and other information requested by the Central Coast Water Board, State Water Board, or USEPA shall be signed by a person described in Standard Provisions – Reporting (V.B.2 above), or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Standard Provisions – Reporting (V.B.2 above) [40 CFR § 122.22(b)(1)];
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) [40 CFR § 122.22(b)(2)]; and
 - c. The written authorization is submitted to the Central Coast Water Board and State Water Board. [40 CFR § 122.22(b)(3)]
4. If an authorization under Standard Provisions – Reporting V.B.3 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Standard Provisions – Reporting (V.B.3 above) must be submitted to the Central Coast Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. [40 CFR § 122.22(c)]
5. Any person signing a document under Standard Provisions – Reporting (V.B.2 or V.B.3 above) shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system

designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." [40 CFR § 122.22(d)]

C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. [40 CFR § 122.22(l)(4)]
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Central Coast Water Board or State Water Board for reporting results of monitoring of sludge use or disposal practices. [40 CFR § 122.41(l)(4)(i)]
3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under Part 136 or, in the case of sludge use or disposal, approved under Part 136 unless otherwise specified in Part 503, or as specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Central Coast Water Board. [40 CFR § 122.41(l)(4)(ii)]
4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order. [40 CFR § 122.41(l)(4)(iii)]

D. Compliance Schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date. [40 CFR § 122.41(l)(5)]

E. Twenty-Four Hour Reporting

1. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. [40 CFR § 122.41(l)(6)(i)]

2. The following shall be included as information that must be reported within 24 hours under this paragraph [40 CFR § 122.41(l)(6)(ii)]:
 - a. Any unanticipated bypass that exceeds any effluent limitation in this Order. [40 CFR § 122.41(l)(6)(ii)(A)]
 - b. Any upset that exceeds any effluent limitation in this Order. [40 CFR § 122.41(l)(6)(ii)(B)]
3. The Central Coast Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours. [40 CFR § 122.41(l)(6)(iii)]

F. Planned Changes. The Discharger shall give notice to the Central Coast Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when [40 CFR § 122.41(l)(1)]:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in section 122.29(b) [40 CFR § 122.41(l)(1)(i)]; or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this Order. [40 CFR § 122.41(l)(1)(ii)]
3. The alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. [40 CFR § 122.41(l)(1)(iii)]

G. Anticipated Noncompliance. The Discharger shall give advance notice to the Central Coast Water Board or State Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with General Order requirements. [40 CFR § 122.41(l)(2)]

H. Other Noncompliance. The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting (V.C, V.D, and V.E above) at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E above. [40 CFR § 122.41(l)(7)]

I. Other Information. When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Central Coast Water Board, State Water

Board, or USEPA, the Discharger shall promptly submit such facts or information.
[40 CFR § 122.41(l)(8)]

VI. STANDARD PROVISIONS – ENFORCEMENT

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

VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

- A. **Publicly-Owned Treatment Works (POTWs).** All POTWs shall provide adequate notice to the Central Coast Water Board of the following [40 CFR § 122.42(b)]:
1. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to sections 301 or 306 of the CWA if it were directly discharging those pollutants [40 CFR § 122.42(b)(1)]; and
 2. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of the Order. [40 CFR § 122.42(b)(2)]
 3. Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW. [40 CFR § 122.42(b)(3)]

VIII. CENTRAL COAST REGION'S STANDARD PROVISIONS (January 1985)

A. General Permit Conditions

Prohibitions

1. Introduction of "incompatible wastes" to the treatment system is prohibited.
2. Discharge of high-level radiological waste and of radiological, chemical, and biological warfare agents is prohibited.
3. Discharge of "toxic pollutants" in violation of effluent standards and prohibitions established under Section 307(a) of the Clean Water Act is prohibited.
4. "Bypass" and "overflow" of untreated and partially treated waste is prohibited.
5. Discharge of sludge, sludge digester or thickener supernatant, and sludge drying bed leachate to drainageways, surface waters, or the ocean is prohibited.

6. Introduction of pollutants into the collection, treatment, or disposal system by an "indirect discharger" that:
 - a) inhibit or disrupt the treatment process, system operation, or the eventual use or disposal of sludge; or,
 - b) flow through the system to the receiving water untreated; and,
 - c) cause or "significantly contribute" to a violation of any requirement of this Order, is prohibited.
7. Introduction of "pollutant free" wastewater to the collection, treatment, and disposal system in amounts that threaten compliance with this order is prohibited.

Provisions

8. Collection, treatment, and discharge of waste shall not create a nuisance or pollution, as defined by Section 13050 of the California Water Code.
9. All facilities used for transport or treatment of wastes shall be adequately protected from inundation and washout as the result of a 100-year frequency flood.
10. Operation of collection, treatment, and disposal systems shall be in a manner that precludes public contact with wastewater.
11. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed in a manner approved by the Executive Officer.
12. Publicly owned wastewater treatment plants shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Title 23 of the California Administrative Code.
13. After notice and opportunity for a hearing, this order may be terminated for cause, including, but not limited to:
 - a) violation of any term or condition contained in this order;
 - b) obtaining this order by misrepresentation, or by failure to disclose fully all relevant facts;
 - c) a change in any condition or endangerment to human health or environment that requires a temporary or permanent reduction or elimination of the authorized discharge; and,
 - d) a substantial change in character, location, or volume of the discharge.

14. Provisions of this permit are severable. If any provision of the permit is found invalid, the remainder of the permit shall not be affected.
15. After notice and opportunity for hearing, this order may be modified or revoked and reissued for cause, including:
 - a) Promulgation of a new or revised effluent standard or limitation;
 - b) A material change in character, location, or volume of the discharge;
 - c) Access to new information that affects the terms of the permit, including applicable schedules;
 - d) Correction of technical mistakes or mistaken interpretations of law; and,
 - e) Other causes set forth under Sub-part D of 40 CFR Part 122.
16. Safeguards shall be provided to assure maximal compliance with all terms and conditions of this permit. Safeguards shall include preventative and contingency plans and may also include alternative power sources, stand-by generators, retention capacity, operating procedures, or other precautions. Preventative and contingency plans for controlling and minimizing the affect of accidental discharges shall:
 - a) identify possible situations that could cause "upset", "overflow" or "bypass", or other noncompliance. (Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks and pipes should be considered.)
 - b) evaluate the effectiveness of present facilities and procedures and describe procedures and steps to minimize or correct any adverse environmental impact resulting from noncompliance with the permit.
17. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Clean Water Act, or amendments thereto, the Board will revise and modify this Order in accordance with such more stringent standards.
18. Physical Facilities shall be designed and constructed according to accepted engineering practice and shall be capable of full compliance with this order when properly operated and maintained. Proper operation and maintenance shall be described in an Operation and Maintenance Manual. Facilities shall be accessible during the wet-weather season.
19. Production and use of reclaimed water is subject to the approval of the Board. Production and use of reclaimed water shall be in conformance with reclamation criteria established in Chapter 3, Title 22, of the California Administrative Code and

Chapter 7, Division 7, of the California Water Code. An engineering report pursuant to section 60323, Title 22, of the California Administrative Code is required and a waiver or water reclamation requirements from the Board is required before reclaimed water is supplied for any use, or to any user, not specifically identified and approved either in this Order or another order issued by this Board.

B. General Monitoring Requirements

1. Monitoring location, minimum sampling frequency, and sampling method for each parameter shall comply with the Monitoring and Reporting Program of this Order.
2. If results of monitoring a pollutant appear to violate effluent limitations based on a weekly, monthly, 30-day, or six-month period, but compliance or non-compliance cannot be validated because sampling is too infrequent, the frequency of sampling shall be increased to validate the test within the next monitoring period. The increased frequency shall be maintained until the Executive Officer agrees the original monitoring frequency may be resumed.

For example, if copper is monitored annually and results exceed the six-month median numerical effluent limitation in the permit, monitoring of copper must be increased to a frequency of at least once every two months (ref. paragraph F.13.). If suspended solids are monitored weekly and results exceed the weekly average numerical limit in the permit, monitoring of suspended solids must be increased to at least four (4) samples every week (ref. paragraph F.14.).

3. Water quality analyses performed in order to monitor compliance with this permit shall be by a laboratory certified by the State Department of Health Services for the constituent(s) being analyzed. Bioassay(s) performed in order to monitor compliance with this permit shall be in accord with guidelines approved by the State Water Resources Control Board and the State Department of Fish and Game. If the laboratory used or proposed for use by the discharger is not certified by the California Department of Health Services or, where appropriate, the Department of Fish and Game due to restrictions in the State's laboratory certification program, the discharger shall be considered in compliance with this provision provided:
 - a) Data results remain consistent with results of samples analyzed by the Central Coast Water Board;
 - b) A quality assurance program is used at the laboratory, including a manual containing steps followed in this program that is available for inspections by the staff of the Central Coast Water Board; and,
 - c) Certification is pursued in good faith and obtained as soon as possible after the program is reinstated.

4. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Samples shall be taken during periods of peak loading conditions. Influent samples shall be samples collected from the combined flows of all incoming wastes, excluding recycled wastes. Effluent samples shall be samples collected downstream of the last treatment unit and tributary flow and upstream of any mixing with receiving waters.
5. All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.

C. General Reporting Requirements

1. Reports of marine monitoring surveys conducted to meet receiving water monitoring requirements of the Monitoring and Reporting Program shall include at least the following information:
 - a) A description of climatic and receiving water characteristics at the time of sampling (weather observations, floating debris, discoloration, wind speed and direction, swell or wave action, time of sampling, tide height, etc.).
 - b) A description of sampling stations, including differences unique to each station (e.g., station location, grain size, rocks, shell litter, calcareous worm tubes, evident life, etc.).
 - c) A description of the sampling procedures and preservation sequence used in the survey.
 - d) A description of the exact method used for laboratory analysis. In general, analysis shall be conducted according to paragraph B.1 above, and Attachment D, Federal Standard Provision III.B. However, variations in procedure are acceptable to accommodate the special requirements of sediment analysis. All such variations must be reported with the test results.
 - e) A brief discussion of the results of the survey. The discussion shall compare data from the control station with data from the outfall stations. All tabulations and computations shall be explained.
2. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule shall be submitted within 14 days following each scheduled date unless otherwise specified within the permit. If reporting noncompliance, the report shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance. A second report shall be submitted within 14 days of full compliance.

3. The "Discharger" shall file a report of waste discharge or secure a waiver from the Executive Officer at least 180 days before making any material change or proposed change in the character, location, or plume of the discharge.
4. Within 120 days after the discharger discovers, or is notified by the Central Coast Water Board, that monthly average daily flow will or may reach design capacity of waste treatment and/or disposal facilities within four (4) years, the discharger shall file a written report with the Central Coast Water Board. The report shall include:
 - a) the best estimate of when the monthly average daily dry weather flow rate will equal or exceed design capacity; and,
 - b) a schedule for studies, design, and other steps needed to provide additional capacity for waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units.

In addition to complying with Attachment D, Federal Standard Provision V.B, the required technical report shall be prepared with public participation and reviewed, approved and jointly submitted by all planning and building departments having jurisdiction in the area served by the waste collection, treatment, or disposal facilities.

5. All "Dischargers" shall submit reports to the:

California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

In addition, "Dischargers" with designated major discharges shall submit a copy of each document to:

Regional Administrator
US Environmental Protection Agency, Region 9
Attention: CWA Standards and Permits Office (WTR-5)
75 Hawthorne Street
San Francisco, California 94105

6. Transfer of control or ownership of a waste discharge facility must be preceded by a notice to the Central Coast Water Board at least 30 days in advance of the proposed transfer date. The notice must include a written agreement between the existing "Discharger" and proposed "Discharger" containing specific date for transfer of responsibility, coverage, and liability between them. Whether a permit may be transferred without modification or revocation and reissuance is at the discretion of the Board. If permit modification or revocation and reissuance is necessary, transfer may be delayed 180 days after the Central Coast Water Board's receipt of a

complete permit application. Please also see Attachment D, Federal Standard Provision II.C.

7. Except for data determined to be confidential under Section 308 of the Clean Water Act (excludes effluent data and permit applications), all reports prepared in accordance with this permit shall be available for public inspection at the office of the Central Coast Water Board or Regional Administrator of EPA. Please also see Attachment D, Federal Standard Provision IV.C.
8. By January 30th of each year, the discharger shall submit an annual report to the Central Coast Water Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. The discharger shall discuss the compliance record and corrective actions taken, or which may be needed, to bring the discharge into full compliance. The report shall address operator certification and provide a list of current operating personnel and their grade of certification. The report shall inform the Board of the date of the Facility's Operation and Maintenance Manual (including contingency plans as described in Provision A.16.), of the date the manual was last reviewed, and whether the manual is complete and valid for the current facility. The report shall restate, for the record, the laboratories used by the discharger to monitor compliance with effluent limits and provide a summary of performance relative to Section B above, *General Monitoring Requirements*.

If the facility treats industrial or domestic wastewater and there is no provision for periodic sludge monitoring in the Monitoring and Reporting Program, the report shall include a summary of sludge quantities, analyses of its chemical and moisture content, and its ultimate destination.

If applicable, the report shall also evaluate the effectiveness of the local source control or pretreatment program using the State Water Resources Control Board's "Guidelines for Determining the Effectiveness of Local Pretreatment Programs."

D. General Pretreatment Provisions

1. Discharge of pollutants by "indirect dischargers" in specific industrial sub-categories (appendix C, 40 CFR Part 403), where categorical pretreatment standards have been established, or are to be established, (according to 40 CFR Chapter 1, Subchapter N), shall comply with the appropriate pretreatment standards:
 - a) By the date specified therein;
 - b) Within three (3) years of the effective date specified therein, but in no case later than July 1, 1984; or,
 - c) If a new indirect discharger, upon commencement of discharge.

E. Enforcement

1. Any person failing to file a report of waste discharge or other report as required by this permit shall be subject to a civil penalty not to exceed \$5,000 per day.
2. Upon reduction, loss, or failure of the treatment facility, the "Discharger" shall, to the extent necessary to maintain compliance with this permit, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided.

F. Definitions (Not otherwise included in Attachment A to this Order)

1. "Bypass" means the diversion of waste streams from any portion of a treatment facility.
2. A "composite sample" is a combination of no fewer than eight (8) individual samples obtained at equal time intervals (usually hourly) over the specified sampling (composite) period. The volume of each individual sample is proportional to the flow rate at the time of sampling. The period shall be specified in the Monitoring and Reporting Program ordered by the Executive Officer.
3. "Daily Maximum" limit means the maximum acceptable concentration or mass emission rate of a pollutant measured during a calendar day or during any 24-hour period reasonably representative of the calendar day for purposes of sampling. It is normally compared with results based on "composite samples" except for ammonia, total chlorine, phenolic compounds, and toxicity concentration. For all exceptions, comparisons will be made with results from a "grab sample".
4. "Duly Authorized Representative" is one where:
 - a) the authorization is made in writing by a person described in the signatory paragraph of Attachment D, Federal Standard Provision V.B;
 - b) the authorization specifies either an individual or the occupant of a position having either responsibility for the overall operation of the regulated facility, such as the plant manager, or overall responsibility for environmental matters of the company; and,
 - c) the written authorization was submitted to the Central Coast Water Board.
5. A "grab sample" is defined as any individual sample collected in less than 15 minutes. "Grab samples" shall be collected during peak loading conditions, which may or may not be during hydraulic peaks. It is used primarily in determining compliance with the daily maximum limits identified in paragraph F.4 and instantaneous maximum limits.

6. "Hazardous substance" means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act.
7. "Incompatible wastes" are:
- a) Wastes which create a fire or explosion hazard in the treatment works;
 - b) Wastes which will cause corrosive structural damage to treatment works, but in no case wastes with a pH lower than 5.0 unless the works is specifically designed to accommodate such wastes;
 - c) Solid or viscous wastes in amounts which cause obstruction to flow in sewers, or which cause other interference with proper operation of treatment works;
 - d) Any waste, including oxygen demanding pollutants (BOD, etc), released in such volume or strength as to cause inhibition or disruption in the treatment works and subsequent treatment process upset and loss of treatment efficiency; and,
 - e) Heat in amounts that inhibit or disrupt biological activity in the treatment works or that raise influent temperatures above 40°C (104°F) unless the treatment works is designed to accommodate such heat.
8. "Indirect Discharger" means a non-domestic discharger introducing pollutants into a publicly owned treatment and disposal system.
9. "Log Mean" is the geometric mean. Used for determining compliance of fecal or total coliform populations, it is calculated with the following equation:

$$\text{Log Mean} = (C_1 \times C_2 \times \dots \times C_n)^{1/n}$$

in which "n" is the number of days samples were analyzed during the period and any "C" is the concentration of bacteria (MPN/100 ml) found on each day of sampling. "n" should be five or more.

10. "Mass emission rate" is a daily rate defined by the following equations:

$$\text{mass emission rate (lbs/day)} = 8.34 \times Q \times C; \text{ and,}$$

$$\text{mass emission rate (kg/day)} = 3.79 \times Q \times C,$$

where "C" (in mg/l) is the measured daily constituent concentration or the average of measured daily constituent concentrations and "Q" (in MGD) is the measured daily flow rate or the average of measured daily flow rates over the period of interest.

11. The "Maximum Allowable Mass Emission Rate," whether for a month, week, day, or six-month period, is a daily rate determined with the formulas in paragraph F.10,

above, using the effluent concentration limit specified in the permit for the period and the average of measured daily flows (up to the allowable flow) over the period.

12. "Maximum Allowable Six-Month Median Mass Emission Rate" is a daily rate determined with the formulas in paragraph F.10, above, using the "six-month Median" effluent limit specified in the permit, and the average of measured daily flows (up to the allowable flow) over a 180-day period.

13. "Median" is the value below which half the samples (ranked progressively by increasing value) fall. It may be considered the middle value, or the average of two middle values.

14. "Monthly Average" (or "Weekly Average", as the case may be) is the arithmetic mean of daily concentrations or of daily mass emission rates over the specified 30-day (or 7-day) period

$$\text{Average} = (X_1 + X_2 + \dots + X_n) / n$$

in which "n" is the number of days samples were analyzed during the period and "X" is either the constituent concentration (mg/l) or mass emission rate (kg/day or lbs/day) for each sampled day. "n" should be four or greater.

15. "Municipality" means a city, town, borough, county, district, association, or other public body created by or under state law and having jurisdiction over disposal of sewage, industrial waste, or other waste.

16. "Overflow" means the intentional or unintentional diversion of flow from the collection and transport systems, including pumping facilities.

17. "Discharger", as used herein, means, as appropriate: (1) the Discharger, (2) the local sewerage entity (when the collection system is not owned and operated by the Discharger), or (3) "indirect discharger" (where "Discharger" appears in the same paragraph as "indirect discharger", it refers to the discharger.)

18. "Pollutant-free wastewater" means inflow and infiltration, storm waters, and cooling waters and condensates which are essentially free of pollutants.

19. "Primary Industry Category" means any industry category listed in 40 CFR Part 122, Appendix A.

20. "Removal Efficiency" is the ratio of pollutants removed by the treatment unit to pollutants entering the treatment unit. Removal efficiencies of a treatment plant shall be determined using "Monthly averages" of pollutant concentrations (C, in mg/l) of influent and effluent samples collected about the same time and the following equation (or its equivalent):

$$C_{\text{Effluent}} \text{ Removal Efficiency (\%)} = 100 \times (1 - C_{\text{effluent}} / C_{\text{influent}})$$

21. "Severe property damage" means substantial physical damage to property, damage to treatment facilities which causes them to become inoperable, or substantial and permanent loss to natural resources which can reasonably be expected to occur in the absence of a "bypass". It does not mean economic loss caused by delays in production.
22. "Sludge" means the solids, residues, and precipitates separated from, or created in, wastewater by the unit processes of a treatment system.
23. To "significantly contribute" to a permit violation means an "indirect discharger" must:
 - a) Discharge a daily pollutant loading in excess of that allowed by contract with the "Discharger" or by Federal, State, or Local law;
 - b) Discharge wastewater which substantially differs in nature or constituents from its average discharge;
 - c) Discharge pollutants, either alone or in conjunction with discharges from other sources, which results in a permit violation or prevents sewage sludge use or disposal; or
 - d) Discharge pollutants, either alone or in conjunction with pollutants from other sources, that increase the magnitude or duration of permit violations.
24. "Toxic Pollutant" means any pollutant listed as toxic under Section 307 (a) (1) of the Clean Water Act or under 40 CFR Part 122, Appendix D. Violation of maximum daily discharge limitations are subject to 24-hour reporting (Attachment D, Federal Standard Provision V.E.).
25. "Upset" means an exceptional incident causing noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Discharger. It does not include noncompliance caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.
26. "Zone of Initial Dilution" means the region surrounding or adjacent to the end of an outfall pipe or diffuser ports whose boundaries are defined through calculation of a plume model verified by the State Water Resources Control Board.

ATTACHMENT E – MONITORING AND REPORTING PROGRAM

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

NPDES regulations at 40 CFR 122.48 require that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Central Coast Water Board to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements, which implement the federal and California regulations.

I. GENERAL MONITORING PROVISIONS

- A.** Laboratories analyzing monitoring samples shall be certified by the Department of Health Services, in accordance with Water Code section 13176, and must include quality assurance/quality control data with their reports.
- B.** Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring locations specified below and, unless otherwise specified, before the monitored flow joins or is diluted by any other waste stream, body of water, or substance. Monitoring locations shall not be changed without notification to and approval of the Central Coast Water Board.
- C.** Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than ± 10 percent from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration, and operation of acceptable flow measurement devices can be obtained from the following references.
 1. A Guide to Methods and Standards for the Measurement of Water Flow, U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 421, May 1975, 96 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by SD Catalog No. C13.10:421.)
 2. Water Measurement Manual, U.S. Department of Interior, Bureau of Reclamation, Second Edition, Revised Reprint, 1974, 327 pp. (Available from the U.S. Government Printing Office, Washington D.C. 20402. Order by Catalog No. 172.19/2:W29/2, Stock No. S/N 24003-0027.)
 3. Flow Measurement in Open Channels and Closed Conduits, U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 484, October 1977, 982 pp. (Available in paper copy or microfiche from National Technical Information Services (NTIS) Springfield, VA 22151. Order by NTIS No. PB-273 535/5ST.)
 4. NPDES Compliance Sampling Manual, U.S. Environmental Protection Agency, Office of Water Enforcement, Publication MCD-51, 1977, 140 pp. (Available from the

General Services Administration (8FFS), Centralized Mailing Lists Services, Building 41, Denver Federal Center, CO 80225.)

- D. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices.
- E. Monitoring results, including noncompliance, shall be reported at intervals and in a manner specified in this MRP.
- F. Unless otherwise specified by this MRP, all monitoring shall be conducted according to test procedures established at 40 CFR 136, *Guidelines Establishing Test Procedures for Analysis of Pollutants*. All analyses shall be conducted using the lowest practical quantitation limit achievable using the specified methodology. Where effluent limitations are set below the lowest achievable quantitation limits, pollutants not detected at the lowest practical quantitation limits will be considered in compliance with effluent limitations. Analysis for toxics listed by the California Toxics Rule shall also adhere to guidance and requirements contained in the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (2005).

II. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations to demonstrate compliance with effluent limitations, discharge specifications, and other requirements in this Order:

Table E-1. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
--	INF-001	Influent samples shall be collected at the plant headworks.
001	EFF-001	Effluent samples shall be collected at a point after all treatment.
--	R-001	In the Cuyama River upstream of confluence with Salisbury Creek
--	S-001	Biosolids removed for disposal

III. INFLUENT MONITORING REQUIREMENTS

- A. **Monitoring Location INF-001.** The Discharger shall monitor influent to the wastewater facility at Monitoring Location INF – 001 in accordance with the following schedule.

Table E-2. Influent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency
BOD ₅	mg/L	8 hr composite	Quarterly (Mar, June, Sept, Dec)
TSS	mg/L	8 hr composite	Quarterly

IV. EFFLUENT MONITORING REQUIREMENTS

A. **Monitoring Location EFF-001.** The Discharger shall monitor effluent at Monitoring Location EFF – 001 in accordance with the following schedule.

Table E-3. Effluent Monitoring at EFF - 001

Parameter	Units	Sample Type	Minimum Sampling Frequency
Total Flow	MGD	Metered	Daily
Mean Daily Flow	MGD	---	Monthly
Maximum Daily Flow	MGD	---	Monthly
pH	pH units	Grab	Monthly
BOD ₅	mg/L	8-hr composite	Monthly
TSS	mg/L	8-hr composite	Monthly
Settleable Solids	mL/L/hr	Grab	Weekly
Fecal Coliform Bacteria	MPN/100 mL	Grab	Weekly
Total Chlorine Residual	mg/L	Grab	Daily
Acute Toxicity ^[1]	TUa	Grab	Annually
Bromodichloromethane ^[2]	µg/L	Grab	Quarterly
Dibromochloromethane ^[2]	µg/L	Grab	Quarterly
CTR Pollutants ^[3]	µg/L	8-hr composite	1X / Permit Term

^[1] Whole effluent, acute toxicity monitoring shall be conducted according to the requirements established in section V. of this Monitoring and Reporting Plan.

^[2] Monitoring shall continue on a quarterly basis until effluent concentrations are below effluent limitations for four consecutive monitoring events, at which time monitoring frequency may be reduced to one time per year.

^[3] Those pollutants identified in the CTR at 40 CFR 131.38. Analyses, compliance determination, and reporting for these pollutants shall adhere to applicable provisions of the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (SIP). The Discharger shall instruct its analytical laboratory to establish calibration standards so that the Minimum Levels (MLs) presented in Appendix 4 of the SIP are the lowest calibration standards. The Discharger and its analytical laboratory shall select MLs, which are below applicable water quality criteria of the CTR; and when applicable water quality criteria are below all MLs, the Discharger and its analytical laboratory shall select the lowest ML.

V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

A. **Monitoring Requirements.** Bioassays shall be performed to evaluate the toxicity of the discharged wastewater in accordance with the following procedures unless otherwise specified by the Central Coast Water Board's Executive Officer or designee:

1. Bioassays shall be conducted on a sensitive fish species and an invertebrate species as approved by the Central Coast Water Board's Executive Officer. *Pimephales promelas* (fathead minnow) and *Ceriodaphnia dubia* (water flea) are suggested test species that may be utilized. The bioassays shall be conducted in accordance with the protocol given in EPA/821-R-02-012 – Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters for Freshwater and Marine Organisms, 5th Edition, or subsequent editions.
2. Both test species given below shall be used to measure acute toxicity:

Table E-4. Approved Test for Acute Toxicity

Species	Effect	Test Duration (days)	Reference
Fathead Minnow (<i>Pimephales promelas</i>)	Larval Survival and Growth	7	EPA/821-R-02-012 (Acute)
Water Flea (<i>Ceriodaphnia dubia</i>)	Survival and Reproduction	7	EPA/821-R-02-012 (Acute)

3. Toxicity Test References for Conducting Toxicity Tests: Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition, EPA/821-R-02-012, October 2002 or subsequent editions.

B. Quality Assurance

1. If applicable, a series of at least five dilutions and a control shall be tested for chronic toxicity testing and may be used for acute toxicity testing. The series shall include the following concentrations: 12.5, 25, 50, 75, and 100 percent effluent.
2. For the acute toxicity testing using a t-test, two dilutions shall be used, i.e., 100 percent effluent and a control (when a t-test is used instead of an LC50).
3. If organisms are not cultured in-house, concurrent testing with a referenced toxicant shall be conducted. Where organisms are cultured in-house, monthly reference toxicant testing is sufficient. Reference toxicant tests also shall be conducted using the same test conditions as the effluent toxicity tests (e.g., same test duration, etc.).
4. If either the reference toxicant test or effluent test does not meet all test acceptability criteria as specified in the toxicity test references, then the permittee must re-sample and retest within 15 working days or as soon as possible. The retesting period begins when the Discharger collects the first sample required to complete the retest.
5. The reference toxicant and effluent tests must meet the upper and lower bounds on test sensitivity as determined by calculating the percent minimum significant difference for each test result. The test sensitivity bound is specified for each test method in the respective methods manuals.

C. Accelerated Monitoring Requirements. When the numeric toxicity limit is exceeded during regular toxicity monitoring, and the testing meets all test acceptability criteria, the Discharger shall initiate accelerated monitoring to confirm the effluent toxicity. The Discharger shall implement an accelerated monitoring frequency consisting of three toxicity tests in a six-week period following the first failed test results. Results of the initial failed test and any toxicity monitoring results subsequent to the failed test shall be reported as soon as reasonable to the Central Coast Water Board Executive Officer. The Executive Officer will determine whether to initiate enforcement action, whether to require the Discharger to implement toxicity reduction evaluation (TRE) requirements, or to implement other measures.

If implementation of the generic (Toxicity Reduction Evaluation (TRE) work plan indicates the source of the exceedance of the toxicity trigger (for instance, a temporary plant upset), then only one additional test is necessary. If exceedance of the toxicity trigger is detected in this test, the Discharger will continue with accelerated monitoring requirements or implement the Toxicity Identification and Toxicity Reduction Evaluations.

If none of the three tests indicated exceedance of the toxicity trigger, then the Discharger may return to the normal bioassay testing frequency.

D. Conducting Toxicity Identification Evaluations and Toxicity Reduction Evaluations

1. A Toxicity Identification Evaluation (TIE) shall be triggered if testing from the accelerated monitoring frequency indicates any of the following:
 - a. Two of the three acute toxicity tests are reported as failed tests meeting any of the conditions specified in Attachment E, Section V.C.
 - b. The TIE shall be initiated within 15 days following failure of the second accelerated monitoring test.
 - c. If a TIE is triggered prior to the completion of the accelerated testing, the accelerated testing schedule may be terminated, or used as necessary in performing the TIE.
2. The TIE shall be conducted to identify and evaluate toxicity in accordance with procedures recommended by the United States Environmental Protection Agency (USEPA) which include the following:
 - a. Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I, (USEPA, 1992a);
 - b. Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures, Second Edition (USEPA, 1991a);
 - c. Methods for Aquatic Toxicity Identification Evaluations: Phase II Toxicity Identification Procedures for Sampling Exhibiting Acute and Chronic Toxicity (USEPA, 1993a); and
 - d. Methods for Aquatic Toxicity Identification Evaluations: Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity (USEPA, 1993b).
3. As part of the TIE investigation, the Discharger shall be required to implement its TRE work plan. The Discharger shall take all reasonable steps to control toxicity once the source of the toxicity is identified. A failure to conduct required toxicity tests or a TRE within a designated period shall result in the establishment of numerical effluent limitations for chronic toxicity in a permit or appropriate

enforcement action. Recommended guidance in conducting a TRE include the following:

- a. Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants, August 1999, EPA/833B-99/002; and
- b. Clarifications Regarding Toxicity Reduction and Identification Evaluations in the National Pollutant Discharge Elimination System Program dated March 27, 2001, USEPA Office of Wastewater Management, Office of Regulatory Enforcement.

VI. LAND DISCHARGE MONITORING REQUIREMENTS. Not applicable to this permit.

VII. RECLAMATION MONITORING REQUIREMENTS. Not applicable to this permit.

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

A. Monitoring Location R-001

- 1. The Discharger shall monitor receiving water in the Cuyama River at Monitoring Station R-001 in accordance with the following schedule.

Table E-5. Receiving Water Monitoring - Monitoring Location R-001

Constituent	Units	Sample Type	Minimum Sampling Frequency
Hardness	mg/L CaCO ₃	Grab	2x/permit term ^[1]
CTR Pollutants ^[2]	µg/L	Grab	1x/permit term ^[3]

^[1] Monitoring shall occur one time in a dry season and one time in a wet season during the expected five year permit term that begins at the time of permit adoption.

^[2] Those pollutants identified in the CTR at 40 CFR 131.38. Analyses, compliance determination, and reporting for these pollutants shall adhere to applicable provisions of the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP)*.

^[3] Monitoring shall occur one time in a dry season during the expected five year permit term that begins at the time of permit adoption.

IX. BIOSOLIDS MONITORING REQUIREMENTS

- A. The following information shall be submitted with the Annual Report required by X.B.5.d, below (or Central Coast Region’s Standard Provision C.16).

- 1. Volume of biosolids removed, % moisture, and disposal and/or reuse destination. Order or permit number (if applicable) for the biosolids destination shall also be provided.
- 2. Representative sample of biosolids removed for disposal and/or reuse shall be analyzed for the following parameters

Arsenic	Cadmium	Copper	Lead	Mercury
Molybdenum	Nickel	Selenium	Zinc	Total Nitrogen

3. Biosolids shall be identified as Class A or Class B (in accordance with criteria specified at 40CFR 503). The basis for classification shall also be described.
 4. Pathogen reduction and vector attraction reduction achievement methods shall be described in adequate detail to demonstrate compliance with 40CFR 503.32.
- B. If no biosolids are removed from the facility during the reporting period (the year), then the Discharger shall include such statement in the Annual Report required by X.B.5.d, below (or Central Coast Region's Standard Provision C.16).

X. REPORTING REQUIREMENTS

A. General Monitoring and Reporting Requirements

1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.
2. The Discharger shall report the results of acute toxicity testing, TRE and TIE as required in the previous Section entitled, "Effluent Toxicity Testing".
3. The results of any analysis taken, more frequently than required using analytical methods, monitoring procedures and performed at the locations specified in this Monitoring and Reporting Program shall be reported to the Central Coast Water Board.

B. Self Monitoring Reports (SMRs)

1. At any time during the term of this permit, the State or Central Coast Water Board may notify the Discharger to electronically submit Self-Monitoring Reports (SMRs) using the State Water Board's California Integrated Water Quality System (CIWQS) Program Web site (<http://www.waterboards.ca.gov/ciwqs/index.html>). Until such notification is given, the Discharger shall submit hard copy SMRs. The CIWQS Web site will provide additional directions for SMR submittal in the event there will be service interruption for electronic submittal.
2. The Discharger shall report in the SMR the results for all monitoring specified in this MRP under sections III through IX. The Discharger shall submit monthly, quarterly, and annual SMRs including the results of all required monitoring using USEPA-approved test methods or other test methods specified in this Order. If the Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR.
3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Table E-6. Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On...	Monitoring Period	SMR Due Date
Continuous	May 11, 2007	All	First day of second calendar month following the month of sampling
1x/day	May 11, 2007	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	First day of second calendar month following the month of sampling
1x/week	May 13, 2007	Sunday through Saturday	First day of second calendar month following the month of sampling
1x/month	June 1, 2007	1 st day of calendar month through last day of calendar month	First day of second calendar month following the month of sampling
1x/quarter	July 1, 2007	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	May 1 st August 1 st November 1 st February 1 st
1x/semiannual period	July 1, 2007	January 1 through June 30 July 1 through December 31	August 1 st February 1 st
1x/year	January 1, 2008	January 1 through December 31	February 1 st
1x/permit term	September 1, 2011	Permit term	The earliest of May 1 st , Aug 1 st , Nov 1 st , or Feb 1 st following the monitoring event

4. Reporting Protocols. The Discharger shall report with each sample result the applicable Reporting Level (RL) and the current Method Detection Limit (MDL), as determined by the procedure in Part 136.

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

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

For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ as well as the words "Estimated Concentration" (may be shortened to "Est. Conc."). The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (±

- a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.
- c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.
 - d. Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from *extrapolation* beyond the lowest point of the calibration curve.
5. The Discharger shall submit SMRs in accordance with the following requirements:
- a. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations. The Discharger is not required to duplicate the submittal of data that is entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.
 - b. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the WDRs; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.
 - c. SMRs must be submitted to the Central Coast Water Board, signed and certified as required by the Standard Provisions (Attachment D), to the address listed below:

California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401
 - d. An Annual Self Monitoring Report shall be due on February 1 following each calendar year and shall include all information described in Central Coast Region's Standard Provision C.16, including (but not limited to):
 - All data required by this MRP for the corresponding monitoring period, including appropriate calculations to verify compliance with effluent limitations.
 - A discussion of any incident of non-compliance and corrective actions taken.

C. Discharge Monitoring Reports (DMRs)

1. As described in Section X.B.1 above, at any time during the term of this permit, the State or Central Coast Water Board may notify the Discharger to electronically submit SMRs that will satisfy federal requirements for submittal of Discharge Monitoring Reports (DMRs). Until such notification is given, the Discharger shall submit DMRs in accordance with the requirements described below.
2. DMRs must be signed and certified as required by the standard provisions (Attachment D). The Discharge shall submit the original DMR and one copy of the original DMR to the address listed below.

Standard Mail

State Water Resources Control Board
c/o Division of Water Quality Processing Center
Post Office Box 100
Sacramento, CA 95812-100

FedEx/UPS/Other Private Carrier

State Water Resources Control Board
c/o Division of Water Quality Processing Center
1001 I Street, 15th Floor
Sacramento, CA 95814

3. All discharge monitoring results must be reported on the official USEPA pre-printed DMR forms (EPA Form 3320-1). Forms that are self-generated or modified cannot be accepted.

D. Other Reports

1. The Discharger shall report the results of any special monitoring, TREs, or other data or information that results from the Special Provisions, section VI. C, of the Order. The Discharger shall submit such reports with the first monthly SMR scheduled to be submitted on or immediately following the report due date.

ATTACHMENT F – FACT SHEET

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ATTACHMENT F – FACT SHEET

As described in section II of this Order, this Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

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

I. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

Table F-1. Facility Information

WDID	3 421003001
Discharger	Cuyama Community Services District
Name of Facility	Wastewater Treatment Facility, New Cuyama
Facility Address	5500 Highway 166
	New Cuyama, CA 93254
	Santa Barbara County
Facility Contact, Title and Phone	U.S. Wilson, Manager CCSD, 661-766-2780
Authorized Person to Sign and Submit Reports	U.S. Wilson, Manager CCSD, 661-766-2780
Mailing Address	4885 Primero Street
	P.O. Box 368
	New Cuyama, CA 93254
Billing Address	Same as Mailing Address
Type of Facility	Publicly Owned Treatment Works (POTW)
Major or Minor Facility	Minor
Threat to Water Quality	II
Complexity	B
Pretreatment Program	N/A
Reclamation Requirements	N/A
Facility Permitted Flow	150,000 gallons per day
Facility Design Flow	150,000 gallons per day
Watershed	Santa Maria
Receiving Water	Salisbury Creek (1.5 miles upstream of the Cuyama River)
Receiving Water Type	Inland Fresh Surface Water

- A. The Cuyama Community Services District (hereinafter the Discharger) is the owner and operator of the wastewater collection and treatment system which is the subject of this Order. For the purposes of this Order, references to the “discharger” or “permittee” in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

- B. The treatment facility discharges wastewater to Salisbury Creek, waters of the United States, and is currently regulated by Order R3-2002-0052, which was adopted on May 31, 2002, and expires on May 31, 2007.
- C. The Discharger filed a Report of Waste Discharge and submitted an application for renewal of its Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) permit on October 31, 2006. Water Board staff visited the site on November 17, 2006, to observe operations and collect additional data to develop permit limitations and conditions. Staff made a follow up visit on December 12, 2006, to collect effluent samples.

II. FACILITY DESCRIPTION

A. Description of Wastewater and Biosolids Treatment or Controls

The Cuyama collection system includes a 12 inch trunk line to the wastewater treatment plant, which receives flow from primarily residential sources. The treatment plant is an extended aeration activated sludge design that includes a bar screen, an aeration basin with an integral clarifier, chlorination and dechlorination capability, an aerobic sludge digester and sludge drying beds. The wastewater treatment plant is located at the confluence of Salisbury Creek and Branch Canyon Wash, as depicted on Attachment B of this Order.

B. Discharge Points and Receiving Waters

Treated wastewater is discharged from a single discharge point (001) to Salisbury Creek, a water of the United States, at a point approximately 1.5 miles from the Cuyama River within the Santa Maria hydrologic unit. Effluent typically percolates into a dry creek bed, except during wet weather periods, when there is flow in the creek.

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

Effluent limitations contained in the existing Order for discharges to Salisbury Creek (Monitoring Location 001) and representative monitoring data from the term of the previous Order are as follows.

Table F-2. Historic Effluent Limitations and Monitoring Data

Parameter	Units	Existing Effluent Limitation			Monitoring Data (January 2002 – December 2005)
		Average Monthly	Average Weekly	Maximum Daily	Highest Average Monthly Discharge
BOD ₅	mg/L	30	45	90	20
	lbs/day	38	56	113	7.1
TSS	mg/L	30	45	90	35
	lbs/day ¹	38	56	90	10.8
Settleable Solids	mL/L	0.1		0.3	"Trace" ¹

Parameter	Units	Existing Effluent Limitation			Monitoring Data (January 2002 – December 2005)
		Average Monthly	Average Weekly	Maximum Daily	Highest Average Monthly Discharge
Total Coliform Bacteria	MPN ²	Fecal Coliform - Less than 200/100 ml with no more than 10 % of samples exceeding 400/100 ml			140
Chlorine	mg/L			0.02 ³ 0.1 ⁴	1 ⁵
pH	s.u.	Not less than 6.5 or greater than 8.3			6.6 – 8.0
Dry Weather Flow	mgd	0.15			0.07
Bromodichloromethane	ug/L	20	30	60	7.2
Dibromochloromethane	ug/L	8	12	24	2.2
Carbon Tetrachloride	ug/L	4.3		8.64	ND (<0.5)

¹ The facility reported Settleable Solids in "Trace" and "Nil". Therefore, compliance with the Settleable Solids limitations of the previous order were not able to be determined

² MPN = Most Probable Number

³ Instantaneous maximum for any 30 minutes excursion or for a total of 7 hours and 26 minutes in any calendar month.

⁴ No individual excursion.

⁵ Lowest detection limit of analyses used, not representative of concentration present in effluent.

D. Compliance Summary

Central Coast Water Board records indicate the Discharger complied with Order No. R3-2002-0052 with the exceptions indicated below.

Table F-3. Compliance Summary

Date	Violation Description	Effluent Limit Violated	Reported Value and Cause	Staff Enforcement Action
03/31/05 and prior months	Total Coliform - Failure to monitor weekly (monthly data submitted)	N/A	N/A	Site visit, review monitoring requirements with Discharger.
06/01/05	Total Coliform - Failure to monitor weekly (one week's missing data)	N/A	N/A	Discharger submitted missing data. No further action taken.
11/04/05	TSS 30-day Average (violation based upon one monthly sample, which was uncharacteristically high)	30 mg/L	35 mg/L	NOV sent 4/20/06.
04/20/06	Late SMR	N/A	N/A	NOV sent 4/20/06.
Entire Month of July 2006	Chlorine Residual (violation based upon detection limit of equipment, not actual concentration present)	0.02 mg/L	0.1	NOV sent 4/20/06; Management meeting with discharger on 5/25/06; Advisory letter sent 5/25/06

- E. Planned Changes.** No significant changes to the physical components or operation of the wastewater collection, treatment, and disposal systems are planned for the term of the Order. However, the Discharger has applied for grant funding to develop land disposal alternatives to the surface water discharge. Also, this permit requires investigation and reporting of such alternatives (Provision VI.C.2.)

III. APPLICABLE PLANS, POLICIES, AND REGULATIONS

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

- A. Legal Authorities.** This Order is issued pursuant to section 402 of the federal Clean Water Act and implementing regulations adopted by the USEPA and chapter 5.5, division 7 of the California Water Code (commencing with section 13370). It shall serve as an NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements pursuant to article 4, chapter 4, division 7 of the Water Code (commencing with section 13260).
- B. California Environmental Quality Act (CEQA).** Pursuant to Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of CEQA, Public Resources Code sections 21100 through 21177.
- C. State and Federal Regulations, Policies, and Plans**
- 1. Water Quality Control Plans.** The Central Coast Water Board has adopted the *Water Quality Control Plan, Central Coast Basin* (Basin Plan), which designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the Plan. In addition, the Basin Plan implements State Water Board Resolution No. 88-63, which establishes State policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. For surface water bodies within the Region that do not have beneficial uses designated for them in Table 2-1 of the Basin Plan, like Salisbury Creek, the Basin Plan assigns the use designations of municipal and domestic supply and protection of both recreation and aquatic life. Requirements of this Order implement the Basin Plan.
 - 2. National Toxics Rule (NTR) and California Toxics Rule (CTR).** USEPA adopted the NTR on December 22, 1992, and later amended it on May 4, 1995, and November 9, 1999. About forty criteria in the NTR applied in California. On May 18, 2000, USEPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the State. The CTR was amended on February 13, 2001. These rules contain water quality criteria for priority pollutants that are applicable to discharges to Salisbury Creek.
 - 3. State Implementation Policy.** On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP became effective on April 28, 2000, with respect to the priority pollutant

criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Central Coast Water Board in the Basin Plan. The SIP became effective on May 18, 2000, with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005, that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control that are applicable to discharges to Salisbury Creek. Requirements of this Order implement the SIP.

- 4. Compliance Schedules and Interim Requirements.** Section 2.1 of the SIP provides that, based on a Discharger's request and demonstration that it is infeasible for an existing Discharger to achieve immediate compliance with an effluent limitation derived from a CTR criterion, compliance schedules may be allowed in an NPDES permit. Unless an exception has been granted under section 5.3 of the SIP, a compliance schedule may not exceed 5 years from the date of permit issuance or reissuance, nor may it extend beyond 10 years from the effective date of the SIP (May 18, 2010) to establish and comply with CTR criterion-based effluent limitations. Where a compliance schedule for a final effluent limitation exceeds one year, the Order must include interim numeric limitations for that constituent or parameter. Where allowed by the Basin Plan, compliance schedules and interim effluent limitations or discharge specifications may also be granted to allow time to implement a new or revised water quality objective. Order No. RB3-2002-0052 included interim limits for chlorination byproducts (bromodichloromethane and dibromochloromethane) and carbon tetrachloride. Effluent monitoring demonstrates potential for the chlorine byproducts to be present in the discharge. Accordingly, final effluent limitations are included in this Order based upon the CTR. This Order does not establish interim effluent limitations or schedules for compliance with final effluent limitations.
- 5. Alaska Rule.** On March 30, 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards become effective for CWA purposes [65 Fed. Reg. 24641 (April 27, 2000) (codified at 40 CFR 131.21,)]. Under the revised regulation (also known as the Alaska Rule), new and revised standards submitted to USEPA after May 30, 2000, must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000, may be used for CWA purposes, whether or not approved by USEPA.
- 6. Stringency of Requirements for Individual Pollutants.** This Order contains both technology-based and water quality-based effluent limitations (WQEBLs) for individual pollutants. As discussed in section IV. B of the Fact Sheet, the Order establishes technology-based effluent limitations for BOD₅, TSS, and settleable solids for Discharge Point 001. These technology-based limitations implement the minimum, applicable federal technology-based requirements. The Order also contains effluent limitations in addition to the minimum, federal technology-based requirements, necessary to meet applicable water quality standards. These limitations are not more stringent than required by the CWA.

WQBELs have been scientifically derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards.

For Discharge Point 001, to the extent that WQBELs for toxic pollutants are derived from the CTR, the CTR is the applicable standard pursuant to 40 CFR 131.38. Procedures for calculating individual WQBELs for priority pollutants are based on the CTR and the SIP, which was approved by USEPA on May 18, 2000. All beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by USEPA prior to May 30, 2000.

Any water quality objectives and beneficial uses submitted to USEPA prior to May 30, 2000, but not approved by USEPA before that date, are nonetheless "applicable water quality standards for purposes of the CWA" pursuant to 40 CFR 131.21 (c) (1).

Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA

7. **Antidegradation Policy.** NPDES regulations at 40 CFR 131.12 require that State water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16, which incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that the existing quality of waters be maintained unless degradation is justified based on specific findings. The Central Coast Water Board's Basin Plan implements and incorporates by reference both the State and federal antidegradation policies. As discussed in detail in the Fact Sheet, the permitted discharge is consistent with the antidegradation provisions of 40 CFR 131.12 and State Water Board Resolution No. 68-16.
8. **Anti-Backsliding Requirements.** CWA Sections 402 (o) (2) and 303 (d) (4) and NPDES regulations at 40 CFR 122.44 (l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. As discussed in the Fact Sheet, effluent limitations and other requirements established by this Order satisfy applicable anti-backsliding provisions of the CWA and NPDES regulations.

The previous permit (Order No. RB3-2002-0052) included final effluent limitations for carbon tetrachloride. However, because the reasonable potential analysis showed that discharges from the Cuyama Wastewater Treatment Plant no longer demonstrate a reasonable potential to cause or contribute to exceedances of applicable water quality criteria carbon tetrachloride limitations from the previous permit are not retained and new limitations are not included in the Order for these pollutants. Elimination of WQBELs carbon tetrachloride in this Order is consistent with the exception to anti-backsliding requirements expressed at Section 402 (o) (2) (B) (i) of the Clean Water Act, which allows a reissued permit to include less stringent limitations when "information is available which was not available at the

time of permit issuance (other than revised regulations, guidance or test methods), and which would have justified the application of a less stringent effluent limitation at the time of permit issuance." In these circumstances, less stringent limitations (here, the elimination of a limitation) are based on new data, which was generated during the term of Order No. RB3-2002-0052, and which demonstrates no reasonable potential for discharges from the facility to cause or contribute to exceedances of applicable water quality standards for these pollutants.

D. Impaired Water Bodies on CWA 303(d) List. Neither Salisbury Creek nor the Cuyama River are identified as impaired pursuant to CWA section 303 (d), which requires states to identify receiving waters which are not meeting applicable water quality standards after imposition of technology-based requirements on point source discharges, as required by CWA sections 301 (b) (1) (A and B).

E. Other Plans, Policies and Regulations

1. Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (State Water Board Order No. 2006-0003-DWQ). This General Order, adopted on May 2, 2006, is applicable to all federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California. The purpose of the General Order is to promote the proper and efficient management, operation and maintenance of sanitary sewer systems and to minimize the occurrences and impacts of sanitary sewer overflows. If applicable, the Discharger must seek coverage under the General Order and comply with its requirements.

2. Discharges of Storm Water. For the control of storm water discharged from the site of the wastewater treatment and disposal facilities, the Order requires the Discharger to seek authorization to discharge under and meet the requirements of the State Water Resources Control Board's Water Quality Order 97-03-DWQ, NPDES General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities.

IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. NPDES regulations establish two principal bases for effluent limitations. At 40 CFR 122.44 (a) permits are required to include applicable technology-based limitations and standards; and at 40 CFR 122.44 (d) permits are required to include water quality-based effluent limitations (WQBELs) to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water. When numeric water quality objectives have not been established, but a discharge has the reasonable potential to cause or contribute to an excursion above a narrative criterion,

WQBELs may be established using one or more of three methods described at 40 CFR 122.44 (d) - 1). WQBELs may be established using a calculated water quality criterion derived from a proposed State criterion or an explicit State policy or regulation interpreting its narrative criterion; 2) WQBELs may be established on a case-by-case basis using U.S. EPA criteria guidance published under CWA Section 304 (a); or 3) WQBELs may be established using an indicator parameter for the pollutant of concern.

A. Discharge Prohibitions

- 1. Discharge Prohibition III. A (No discharge at a location or in a manner except as described by the Order).** The Order authorizes a single, specific point of discharge to Salisbury Creek, and this prohibition reflects CWA section 402's prohibition against discharges of pollutants except in compliance with the Act's permit requirements, effluent limitations, and other enumerated provisions. This prohibition is retained from the previous permit.
- 2. Discharge Prohibition III. B (Overflows and bypasses prohibited).** The discharge of untreated or partially treated wastewater from the Discharger's collection, treatment, or disposal facilities represents an unauthorized bypass pursuant to 40 CFR 122.41 (m) or an unauthorized discharge that poses a threat to human health and/or aquatic life, and therefore, is explicitly prohibited by the Order.
- 3. Discharge Prohibition III. C (Discharges shall not contain floating materials).** This prohibition is retained from the previous permit and reflects the Basin Plan prohibition.
- 4. Discharge Prohibition III. D (Discharge flow shall not exceed 150,000gpd).** This prohibition is retained from the previous permit, where it was expressed as an effluent limitation. The purpose of the prohibition is to ensure that influent flows do not exceed the treatment plant's design capacity, and thereby, ensure efficient treatment of wastewater.

B. Technology-Based Effluent Limitations

- 1. Scope and Authority.** NPDES regulations at 40 CFR 122.44 (a) require that permits include applicable technology-based limitations and standards. This Order includes such limitations based on the minimum level of effluent quality attainable by secondary treatment, as established at 40 CFR 133. The Secondary Treatment Regulations (40 CFR 133) includes requirements for BOD₅, suspended solids, and pH.

Where the USEPA has not yet developed technology based standards for a particular industry or a particular pollutant, CWA Section 402 (a) (1) and USEPA regulations at 40 CFR 125.3 authorize the use of best professional judgment (BPJ) to derive technology-based effluent limitations on a case-by-case basis. When BPJ is used, the permit writer must consider specific factors outlined at 40 CFR 125.3.

- 2. Applicable Technology-Based Effluent Limitations.** The following table summarizes technology-based effluent limitations established by the Order.

Table F-4. Summary of Technology-Based Effluent Limitations

Parameter	Units	Effluent Limitations		
		Average Monthly	Average Weekly	Maximum Daily
Discharge Point 001				
BOD ₅ ⁽¹⁾	mg/L	30	45	90
	lbs/day	38	56	113
TSS ⁽¹⁾	mg/L	30	45	90
	lbs/day	38	56	113
Settleable Solids	mL/L/hr	0.1	---	0.3

⁽¹⁾ The average monthly, percent removal of BOD₅ and TSS, as measured at Monitoring Location EFF-001, shall not be less than 85 percent.

Concentration-based limitations for BOD₅ and TSS, described above, are required pursuant to the Secondary Treatment Regulations at 40 CFR 133. Mass-based limitations for BOD₅ and TSS for Discharge Point 001 are based on the design, dry weather treatment capacity of the facility of 150,000 GPD.

Limitations for settleable solids are retained from the previous permit and are established using BPJ, reflecting pollutant removals attainable by secondary treatment.

Although the Secondary Treatment Regulations at 40 CFR 133 require a technology-based pH limitation of 6.0 – 9.0, the Order retains the more stringent pH limitation from the previous permit of 6.5 – 8.3, which is based on water quality objectives established by the Basin Plan.

C. Water Quality-Based Effluent Limitations (WQBELs)

- 1. Scope and Authority.** NPDES regulations at 40 CFR 122.44 (d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards, including numeric and narrative objectives within a standard.

The process for determining “reasonable potential” and calculating WQBELs, when necessary, is intended to protect the designated uses of receiving waters as specified in the Basin Plan, and achieve applicable water quality objectives and criteria that are contained in the Basin Plan and in other applicable State and federal rules, plans, and policies, including applicable water quality criteria from the CTR and the NTR.

Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, WQBELs must be established in accordance with the requirements of 40 CFR 122.44 (d) (1) (vi), using (1) USEPA criteria guidance under CWA section 304 (a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or

policy interpreting the state’s narrative criterion, supplemented with other relevant information.

2. **Applicable Beneficial Uses and Water Quality Criteria and Objectives.** Beneficial uses for Salisbury Creek are established by the Basin Plan and are described by Section II. (Findings) H of the Order. Water quality criteria applicable to this receiving water are established by the CTR and the NTR, and by Table 3-5 (Toxic Metal Concentrations not to be Exceeded in Aquatic Life Habitats) of the Basin Plan.
3. **Determining the Need for WQBELs.** Limited data characterizing the discharge to Salisbury Creek is available for the toxic pollutants with water quality criteria established by the NTR, CTR, and Basin Plan. Available data indicates a “reasonable potential” for some toxic pollutants to be present in the discharge above established criteria, therefore demonstrating the need for WQBELs. The Order retains WQBELs for pH, bacteria, chlorine, bromodichloromethane, and dibromochloromethane, and establishes a WQBEL for acute toxicity (described below).
4. **WQBEL Calculations.** The Order retains WQBELs for pH, bacteria, and chlorine and establishes final WQBELs for bromodichloromethane, and dibromochloromethane, for which the previous permit had established interim limitations. In accordance with the SIP, final WQBELs are established to ensure protection of receiving water quality.
5. **Final WQBELs.** Final WQBELs established by the Order are summarized below.

Table F-5. Final WQBELs

Constituent	Units	Average Monthly	Average Weekly	Maximum Daily
pH	pH units	6.5 – 8.3 at all times		
Acute Toxicity	TUa	---	---	1.0
Bromodichloromethane	µg/L	0.56	---	1.13
Dibromochloromethane	µg/L	0.40	---	0.81
Fecal Coliform Bacteria	MPN/100 mL	Fecal coliform bacteria shall not exceed a log mean most probable number (MPN) of 200 per 100 milliliters (mLs) with no more than ten percent of all samples exceeding 400 MPN per 100 mLs.		
Total Chlorine Residual	mg/L	<p>When continuously monitored, compliance determination for total chlorine residual shall be based on 99 percent compliance by satisfying the following conditions.</p> <ul style="list-style-type: none"> • Total chlorine residual shall not exceed 0.02 mg/L for more than 7 hours and 26 minutes (total) in any calendar month. • The total chlorine residual shall not continuously exceed 0.02 mg/L for more than 30 minutes. • Total chlorine residual shall not exceed 0.1 mg/L at any time. <p>When continuous monitoring is not being used, the total chlorine residual shall be less than 0.02 mg/L at all</p>		

Constituent	Units	Average Monthly	Average Weekly	Maximum Daily
		times.		

6. Whole Effluent Toxicity (WET). Whole effluent toxicity (WET) limitations protect receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. WET tests measure the degree of response of exposed aquatic test organisms to an effluent. The WET approach allows for protection of the narrative “no toxics in toxic amounts” criterion while implementing numeric criteria for toxicity. There are two types of WET tests - acute and chronic. An acute toxicity test is conducted over a short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction, and growth.

The Basin Plan specifies a narrative objective for (acute) toxicity, requiring that all waters be maintained free of toxic substances in concentrations that are toxic to, or which produce detrimental physiological responses in human, plant, animal, or aquatic life. Survival of aquatic organisms in surface waters subjected to a waste discharge or other controllable water quality conditions shall not be less than that for the same water body in areas unaffected by the waste discharge or for another control water. This narrative objective for toxicity was included in the previous permit as an effluent limitation that required, simply, “The discharge shall not be toxic.” This effluent limitation is now expressed in the Order as a specific effluent limitation of 1.0 acute toxicity units (TUa).

D. Final Effluent Limitations. Final, technology-based and water quality-based effluent limitations established by the Order are discussed in the preceding sections of the Fact Sheet.

- 1. Satisfaction of Anti-Backsliding Requirements.** The Order satisfies applicable anti-backsliding provisions of the Clean Water Act, as all limitations and requirements of the Order are at least as stringent as those of the previous permit.
- 2. Satisfaction of Antidegradation Policy.** Provisions of the Order are consistent with applicable anti-degradation policy expressed by NPDES regulations at 40 CFR 131.12 and by State Water Board Resolution No. 68-16. Limitations and conditions of the Order ensure maintenance of the existing quality of receiving waters.
- 3. Stringency of Requirements for Individual Pollutants.** This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. The technology-based effluent limitations consist of restrictions on BOD₅; TSS; and settleable solids. Restrictions on these pollutants are discussed in section IV. B of the Fact Sheet. This Order’s technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. In addition, this Order contains effluent limitations more stringent than the minimum, federal technology-based requirements that are necessary to meet water quality standards. These limitations are not more stringent than required by the CWA.

Final, technology and water quality based effluent limitations are summarized in sections IV. B and C of this Fact Sheet.

- E. Interim Effluent Limitations.** The Order does not establish interim effluent limitations and schedules for compliance with final effluent limitations.
- F. Land Discharge Specifications.** This section of the standardized permit is not applicable to the Cuyama Community Services District.
- G. Reclamation Specifications.** This section of the standardized permit is not applicable to the Cuyama Community Services District.

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

- A. Surface Water.** Receiving water quality is a result of many factors, some unrelated to the discharge. This Order considers these factors and is designed to minimize the influence of the discharge on the receiving water. Receiving water limitations within the proposed Order generally include the receiving water limitations of the previous Order; however, these limitations have been supplemented and modified to reflect all current applicable, general water quality objectives of the Basin Plan for inland surface waters.
- B. Groundwater.** Groundwater limitations established by the Order include general objectives for groundwater established by the Basin Plan for the Central Coast Region as well as specific objectives for groundwaters within the Cuyama Valley, which are established by Table 3-8 of the Basin Plan.

VI. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

NPDES regulations at 40 CFR 122.48 require that all NPDES permits specify requirements for recording and reporting monitoring results. Water Code sections 13267 and 13383 also authorize the Central Coast Water Board to require technical and monitoring reports. Rationale for the monitoring and reporting requirements contained in the Monitoring and Reporting Program (MRP), which is presented as Attachment E of this Order, is presented below.

- A. Influent Monitoring.** Influent monitoring for BOD₅ and TSS is required to determine compliance with the Order's 85 percent removal requirement for those pollutants.
- B. Effluent Monitoring.** Effluent monitoring requirements of the previous permit for Discharge Point 001 are retained in this Order, with the following exceptions/changes.
 - Monitoring for TDS has been eliminated as TDS levels in effluent correspond to levels in the water supply. Previous monitoring has also shown effluent TDS levels to be generally in the range of 900 – 1300 mg/L, which are not unusual concentrations, and which will not adversely impact receiving waters.
 - Acute toxicity must be monitored annually and may not be discontinued if "acute toxicity is not present in the first sample."

- Because the Order establishes final effluent limitations for chlorodibromomethane and dichlorobromomethane, the MRP requires routine (quarterly) monitoring for these pollutants. This monitoring frequency may be reduced if effluent concentrations are "non-detect" in four consecutive monitoring events.
- Fecal Coliform Bacteria monitoring replaces Total Coliform Bacteria monitoring to evaluate compliance with Fecal Coliform Bacteria limitations.

C. Whole Effluent Toxicity Testing Requirements. Whole effluent toxicity (WET) limitations protect receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. Acute toxicity testing measures mortality in 100 percent effluent over a short test period, and chronic toxicity testing is conducted over a longer period of time and may measure mortality, reproduction, and/or growth. This Order retains monitoring requirements for acute toxicity for Discharge Point 001 from the previous permit but does not allow discontinuance of monitoring if "acute toxicity is not present in the first sample."

D. Receiving Water Monitoring

1. **Surface Water.** The Order requires receiving water monitoring for the CTR toxic pollutants in the Cuyama River one time during the permit term. This monitoring will provide characterization of receiving water and is required by the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* to determine if discharges from the treatment facility have a reasonable potential to contribute to excursions from applicable water quality objectives in receiving waters. Because applicable water quality objectives for some metals are hardness dependent (i.e., toxicity of metals increases with decreasing hardness, and therefore, applicable water quality objectives are lower in softer waters), the Discharger must determine background hardness levels in the Cuyama River two times during the permit term.
2. **Groundwater.** The Order does not establish groundwater monitoring requirements.

E. Biosolids Monitoring Requirements. The Order requires a minimum level of biosolids monitoring needed to evaluate compliance with federal biosolids disposal criteria (40 CFR 503) or the State Water Board's General Waste Discharge Requirements for Discharge of Biosolids to Land (Order No. 2004-0012-DWQ).

VII. RATIONALE FOR PROVISIONS

A. Standard Provisions. Standard Provisions, which apply to all NPDES permits in accordance with 40 CFR 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR 122.42, are provided in Attachment D to the Order.

NPDES regulations at 40 CFR 122.41 (a) (1) and (b - n) establish conditions that apply to all state-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. 40 CFR 123.25 (a) (12) allows the State to omit

or modify conditions to impose more stringent requirements. In accordance with 40 CFR123.25, this Order omits federal conditions that address enforcement authority specified in 40 CFR 122.41 (j) (5) and (k) (2), because the enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387 (e).

B. Special Provisions

1. **Reopener Provisions.** The Order may be modified in accordance with the requirements set forth at 40 CFR 122 and 124, to include appropriate conditions or limits based on newly available information, or to implement any, new State water quality objectives that are approved by the U.S. EPA. As effluent is further characterized through additional monitoring, and if a need for additional effluent limitations becomes apparent after additional effluent characterization, the Order will be reopened to incorporate such limitations.
2. **Special Studies and Additional Monitoring Requirements.** The Order does not establish requirements for special studies or monitoring requirements.
3. **Best Management Practices and Pollution Prevention.** The Order does not establish requirements regarding best management practices and pollution prevention.
4. **Construction, Operation, and Maintenance Specifications.** The Order does not establish construction, operation, or maintenance specifications.
5. **Special Provisions for Municipal Facilities (POTWs Only).** Provisions regarding sludge handling and disposal ensure that such activity will comply with all applicable regulations.

40 CFR Part 503 sets forth USEPA's final rule for the use and disposal of biosolids, or sewage sludge, and governs the final use or disposal of biosolids. The intent of this federal program is to ensure that sewage sludge is used or disposed of in a way that protects both human health and the environment.

USEPA's regulations require that producers of sewage sludge meet certain reporting, handling, and disposal requirements. As the USEPA has not delegated the authority to implement the sludge program to the State of California, the enforcement of sludge requirements that apply to the Discharger remains under USEPA's jurisdiction at this time. USEPA, not the Central Coast Water Board, will oversee compliance with 40 CFR Part 503.

6. Other Special Provisions

- a. **Discharges of Storm Water.** The Order does not address discharges of storm water from the treatment and disposal site, except to require coverage by and compliance with applicable provisions of General Permit No. CAS000001 - *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities.*

- b. Sanitary Sewer Overflows.** The Order does not address sanitary sewer overflows, except, if applicable, to require coverage by and compliance with applicable provisions of General Waste Discharge Requirements for Sanitary Sewer Systems (State Water Board Order No. 2006-0003-DWQ), which establishes requirements for the proper and efficient management, operation, and maintenance of sanitary sewer systems to minimize the occurrence and impacts of sanitary sewer overflows.

- 7. Compliance Schedules.** The Order does not establish interim effluent limitations and schedules for compliance with final effluent limitations.

VIII. PUBLIC PARTICIPATION

The California Water Resources Control Board, Central Coast Region (Central Coast Water Board) is considering the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for the Cuyama Community Services District's wastewater treatment plant. As a step in the WDR adoption process, the Central Coast Water Board staff has developed tentative WDRs. The Central Coast Water Board encourages public participation in the WDR adoption process.

- A. Notification of Interested Parties.** The Central Coast Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Notification was provided through publication of the Public Notice in the local newspaper (Santa Maria Times) on April 4, 2007, and in the Cuyama Valley Recreation District Newsletter (April 2007 edition). The Public Notice was also posted at the Cuyama Community Services District Office and Post Office.
- B. Written Comments.** The staff determinations are tentative. Interested persons are invited to submit written comments concerning these tentative WDRs. Comments must be submitted either in person or by mail to the Executive Officer at the Central Coast Water Board at the address above on the cover page of this Order.

To be fully responded to by staff and considered by the Central Coast Water Board, written comments should be received at the Central Coast Water Board offices by 5:00 p.m. on **April 16, 2007**.

On April 16, 2007, the Central Coast Water Board received a comment letter from Cuyama CSD indicating its plans to pursue land disposal when funds for such projects become available. No comments were received from Santa Barbara County Planning Department, Santa Barbara County Environmental Health, California Department of Fish and Game, State Water Board, Tetra Tech, U.S. Fish and Wildlife Service, or U.S. Environmental Protection Agency; all of which were notified by direct mailing.

- C. Public Hearing.** The Central Coast Water Board will hold a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: **May 11, 2007**
Time: **8:30 am**
Location: **Water Board Hearing Room
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401**

Interested persons are invited to attend. At the public hearing, the Central Coast Water Board will hear testimony, if any, pertinent to the discharge, WDRs, and permit. Oral testimony will be heard; however, for accuracy of the record, important testimony should be in writing.

Please be aware that dates and venues may change. Our Web address is <http://www.waterboards.ca.gov/centralcoast/> where you can access the current agenda for changes in dates and locations.

- D. Waste Discharge Requirements Petitions.** Any aggrieved person may petition the State Water Resources Control Board to review the decision of the Central Coast Water Board regarding the final WDRs. The petition must be submitted within 30 days of the Central Coast Water Board's action to the following address:

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

- E. Information and Copying.** The Report of Waste Discharge, related documents, tentative effluent limitations and special provisions, comments received, and other information are on file and may be inspected at the address above at any time between 8:00 a.m. and 5:00 p.m., Monday through Friday. Copying of documents may be arranged through the Central Coast Water Board by calling (805) 549-3147.
- F. Register of Interested Persons.** Any person interested in being placed on the mailing list for information regarding the WDRs and NPDES permit should contact the Central Coast Water Board, reference this facility, and provide a name, address, and phone number.
- G. Additional Information.** Requests for additional information or questions regarding this Order should be directed to Ms. Sorrel Marks by telephone at (805) 549-3695 or by e-mail at smarks@waterboards.ca.gov.