



GAVIN NEWSOM  
GOVERNOR



JARED BLUMENFELD  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

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## Los Angeles Regional Water Quality Control Board

June 3, 2019

Mr. Derek Kroeger  
Ms. Lindsey Kroeger  
14564 Gallaudet Place  
Pacific Palisades, CA 90272

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
CLAIM NO. 7018 1830 0001 5952 8149

**GENERAL WASTE DISCHARGE REQUIREMENTS FOR ADVANCED ONSITE WASTEWATER TREATMENT SYSTEMS – DEREK AND LINDSEY KROEGER RESIDENCE, 14564 GALLAUDET PLACE, PACIFIC PALISADES, CALIFORNIA 90272 (FILE NO. 19-016, WDR ORDER NO. R4-2019-0024, SERIES NO. 004, CI-10480, GLOBAL ID WDR100040488)**

Dear Mr. Kroeger and Ms. Kroeger:

The Los Angeles Regional Water Quality Control Board (Regional Water Board), is the public agency with primary responsibility for the protection of ground and surface water quality for all beneficial uses of water within major portions of Los Angeles and Ventura Counties. Derek And Lindsey Kroeger Residence (Facility) located at 14564 Gallaudet Place, Pacific Palisades, California, is within the Regional Water Board jurisdiction.

The former facility was demolished in February 2019. A 4,030-square foot two-story custom home will be built on this 8,286-square foot lot. The house will have 4 bedrooms, 4 bathrooms, a living room, a family room, a dining room, a kitchen, a laundry room, and a two-car garage. The house is currently under construction.

Domestic wastewater from the proposed house will be discharged to a proposed new advanced treatment system (Aquaklear 6S245F Unit) consisting of one 424-gallon pretreatment tank, one 520-gallon aeration tank, and one 188-gallon clarifier located in the front yard approximately 10 feet to the southeast of the house. A 5-foot diameter by 51-foot deep seepage pit will also be installed. You are required to obtain Waste Discharge Requirements (WDRs) because the use of an advanced treatment system cannot be covered by the *Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy)*.

IRMA MUÑOZ, CHAIR | RENEE PURDY, EXECUTIVE OFFICER

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320 West 4th St., Suite 200, Los Angeles, CA 90013 | [www.waterboards.ca.gov/losangeles](http://www.waterboards.ca.gov/losangeles)

The estimated maximum discharge volume to the proposed new OWTS is 600 gallons per day (gpd) (4 bedrooms x 150 gpd per bedroom). The maximum daily discharge volume shall not exceed 755 gpd.

Regional Board staff have reviewed the information provided and have determined that the proposed discharge meets the conditions specified in the Order No. R4-2019-0024, "*General Waste Discharge Requirements for Advanced Wastewater Treatment Systems*," adopted by the Regional Board on February 14, 2019.

Enclosed are your General WDRs, consisting of Order No. R4-2019-0024, Monitoring and Reporting Program (MRP) CI No.10480, and Standard Provisions Applicable to WDRs. Based on the location of the Facility and anticipated performance of the proposed advanced treatment system, the requirements specified in Order No. R4-2019-0024, including effluent quality limitations specified in Section III and numeric limitations in Table 2, are applicable to your discharge. Groundwater limitations specified in Section IV are not applicable to your discharge since groundwater monitoring is not required. The effluent limitation for total dissolved solids is 1,000 milligrams per liter (mg/L), for sulfate is 250 mg/L, for chloride is 200 mg/L, and for boron is 0.5 mg/L. Total coliform in the effluent shall not exceed 23 and 240 MPN/100 mL for monthly average and weekly average, respectively. In addition, since there is no chlorination, effluent limitations for total residual chlorine and chlorination by-product limitations specified in Section III.C.3 are not applicable.

Should changes to the Facility be needed, revised engineering drawings showing the change must be filed with the Regional Water Board a minimum of thirty days prior to the change. You must receive approval from the Regional Water Board prior to making any changes to the Facility.

The MRP requires you to implement the monitoring program on the effective date of coverage under this permit. When submitting monitoring or technical reports to the Regional Water Board per these requirements, please include a reference to "Compliance File CI No. 10480", which will assure that the reports are directed to the appropriate file and staff. Also, please do not combine other reports with your monitoring reports. Submit each type of report as a separate document.

You shall comply with the Electronic Submittal of Information (ESI) requirements by submitting all reports required under the MRP, including monthly water usage, and pdf format monitoring reports to the State Water Resources Control Board GeoTracker database under Global ID WDR100040488.

Please see Paperless Office Notice for GeoTracker Users, dated December 21, 2011 for further details at:

<http://www.waterboards.ca.gov/losangeles/resources/Paperless/Paperless%20Office%20for%20GT%20Users.pdf>

Mr. Derek Kroeger  
Ms. Lindsey Kroeger

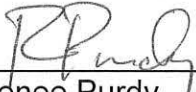
- 3 -

June 3, 2019

To avoid paying future annual fees, please submit a written request for termination of your enrollment under the General WDRs in a separate letter if your Facility is connected to a sewer system and the permit is no longer needed. Be aware that the annual fee covers the fiscal year billing period beginning July 1 and ending June 30, the following year. You will pay the full annual fee if your request for termination is made after the beginning of the new fiscal year beginning July 1.

If you have any additional questions, please contact the Project Manager, Mr. David Koo at (213) 620-6155 ([david.koo@waterboards.ca.gov](mailto:david.koo@waterboards.ca.gov)) or the Chief of Groundwater Permitting Unit, Dr. Eric Wu at (213) 576-6683 ([eric.wu@waterboards.ca.gov](mailto:eric.wu@waterboards.ca.gov)).

Sincerely,

  
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Renee Purdy  
Executive Officer

Enclosures: Order No. R4-2019-0024  
Standard Provisions Applicable to Waste Discharge Requirements  
Monitoring and Reporting Program CI No. 10480

cc (via email): Ms. Isabella Kwok, Department of Public Health, County of Los Angeles

# CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD LOS ANGELES REGION

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**ORDER NO. R4-2019-0024**

## **GENERAL WASTE DISCHARGE REQUIREMENTS FOR ADVANCED ONSITE WASTEWATER TREATMENT SYSTEMS**

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

### **BACKGROUND**

1. The California Water Code section 13260(a)(1) requires that any person discharging waste, or proposing to discharge waste, that could affect the quality of the waters of the state, other than into a community sewer system, must file a Report of Waste Discharge (ROWD) with the Regional Board. The Regional Board shall then prescribe requirements for the discharge or proposed discharge of waste pursuant to Water Code section 13263. "Waste" is defined in Water Code section 13050(d).
2. CWC section 13263(i) provides that the Regional Board may prescribe general waste discharge requirements for discharges produced by similar operations, involving similar types of waste, and requiring similar treatment standards. This General Order establishes general waste discharge requirements for certain Advanced Onsite Wastewater Treatment Systems (OWTSs). Discharges from Advanced OWTSs have common characteristics, such as similar constituents of concern and similar concentrations of constituents that can be regulated by the same or similar treatment standards. This General Order applies to discharges from Advanced OWTSs throughout the entire Los Angeles Region including inland and coastal areas of Los Angeles, Ventura, and small portion of Santa Barbara Counties. Only those Advanced OWTSs with a maximum wastewater discharge of 100,000 gallons per day are eligible for coverage under this General Order. An owner and/or operator of Advanced OWTSs is hereafter referred to as Permittee in this General Order. Owners and/or operators of Advanced OWTSs that exceed a maximum wastewater discharge of 100,000 gallons per day must obtain individual waste discharge requirements.
3. Advanced OWTSs may be used for individual residences, multifamily residences, rural parks, schools, campgrounds, mobile home parks, roadside rest stops, small commercial or residential subdivisions, apartments/condominiums, restaurants, resort hotels/lodges, small correctional facilities, temporary fire-fighting camps, recreational vehicle (RV) dump locations, and RV parks.
4. Advanced OWTSs exist within the entire Los Angeles Region, covering inland and coastal areas. The requirements of this General Order are for the purpose of protecting both the beneficial uses of groundwater basins and/or inland or coastal surface waters where groundwater and surface water are hydrologically connected.

5. The design of OWTSSs can be categorized as “conventional” or “advanced.” Both types of OWTSSs consist of: (1) a septic tank system, (2) a disposal system such as leach line(s) or seepage pit(s), and (3) soil treatment. Advanced OWTSSs include additional treatment.
  - a. Conventional OWTSSs – The septic tank of Conventional OWTSSs provides minimal primary treatment, which separates liquids from solids. The liquids are dispersed in the leach line(s) or seepage pit(s). Percolation of this waste through the soil further treats the waste before reaching groundwater.
  - b. Advanced OWTSSs – Advanced OWTSSs include additional treatment consisting of secondary treatment (such as aerobic [for nitrification] and anaerobic [for denitrification] treatment systems or membrane bioreactors), tertiary treatment (such as sand/media filters), and disinfection (such as chlorination and/or ultraviolet irradiation).
    - i. Nitrification and denitrification involve the conversion of nitrogen compounds by bacteria. Under aerobic conditions, nitrifying bacteria oxidize ammonia or ammonium into nitrite, which is further oxidized into nitrate. Under anaerobic conditions, denitrifying bacteria convert nitrate to atmospheric nitrogen ( $N_2$ ). The additional nitrification and denitrification processes greatly reduce the concentrations of ammonium, nitrate, and nitrite in the effluent thus preventing these pollutants from contaminating the groundwater.
    - ii. Tertiary treatment treats harmful bacteria contained in fecal material before reaching groundwater. Wastewater, before disinfection, is filtered through sand/media to remove suspended solids. The reduction of suspended solids in wastewater minimizes bacteria attached on the surface area of solids and improves turbidity to allow for further treatment. Disinfection is mostly accomplished by chlorination and/or ultraviolet (UV) light. Both chlorine and UV light are effective in treating human pathogens in domestic wastewater provided proper dosage of chlorine and/or sufficient contact time for UV light.
6. In both conventional and advanced OWTSSs, the treated wastewater is discharged to a disposal system, followed by soil treatment. Soil provides additional treatment and attenuation of wastes existing in discharged wastewater through the following physical, chemical and biological processes:
  - a. Microorganisms in soil provide nitrification and denitrification to reduce the remaining nitrogen compounds as well as other organic compounds associated with biochemical oxygen demand (BOD).
  - b. The cation exchange capacity of the soil sorbs positively charged ammonium ( $NH_4^+$ ).
  - c. Soil functions as a filter to remove total suspended solids (TSS).
  - d. Bacteria including total coliforms (fecal coliform, *E. coli*) and enterococcus may die off in the dry soil column prior to reaching groundwater.

Table 1 shows the removal rates of pollutants at 3- to 5-feet depth below ground surface (bgs) after percolating through soil.

<b>Table 1 – Removal Rates of Constituents via Soil Column [1]</b>				
<b>Pollutants</b>	<b>BOD</b>	<b>TSS</b>	<b>Total Nitrogen</b>	<b>Bacteria</b>
<b>Removal Rates</b>	> 90%	> 90%	10-20%	> 99.99%

**Table Note:**

[1] USEPA Onsite Wastewater Treatment System Manual, June 2005, EPA/625/R-00/008.

7. Minimum setbacks of wastewater treatment areas, dispersal areas, and/or land application areas (LAAs) from domestic wells, flowing and/or ephemeral streams, lakes/reservoirs, and property lines are usually required for dischargers using Conventional OWTSS. Setbacks are included as a means of reducing pathogenic risks by coupling pathogen inactivation rates with groundwater travel time to a well or other potential exposure route (e.g. water contact activities). In general, a substantial unsaturated zone reduces pathogen survival compared to saturated soil conditions. Fine grained (silt or clay) soil particles reduce the rate of groundwater transport and therefore are generally less likely to transport pathogens; coarse grained soil particles or fracture flow groundwater conditions may be more likely to transport pathogens. Setbacks also provide attenuation of other wastewater constituents through physical, chemical, and biological processes. The setbacks are based on: (1) California Code of Regulations, title 22 Water Recycling Criteria, (2) California Well Standards, (3) the State Water Resources Control Board's (State Water Board's) Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy), (4) California Plumbing Code, and (5) commonly imposed setbacks by regulatory agencies.

Specific minimum setbacks requirements are not required in this General Order because this General Order regulates discharges from Advanced OWTSS only. Advanced OWTSS incorporate additional treatment including nitrification, denitrification and disinfection making such minimum setback requirements generally unnecessary.

8. This General Order allows for the use of treated wastewater as recycled water for non-human contact subsurface landscape irrigation only. Such recycled water use, is not subject to the Title 22 Water Recycling Criteria.
9. For the use of treated wastewater for other Title 22 non-potable recycled water applications, including, but not limited to surface landscape irrigation and/or dust control, a Title 22 Engineering Report shall be prepared by the Permittee, and shall be reviewed and approved by the Division of Drinking Water (DDW) of the State Water Board and the Regional Board. The additional recycled water requirements for other Title 22 non-potable recycled water applications are specified in Sections III, V, VI, and VII.

## APPLICABLE LAWS, PLANS, POLICIES, AND REGULATIONS

10. Water Quality Control Plan for the Los Angeles Region for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan): The Basin Plan: (1) designates beneficial uses for surface and groundwater, (2) establishes narrative and numeric water quality objectives that must be attained or maintained to protect the designated beneficial uses, and (3) sets forth implementation programs to achieve those objectives for all waters addressed through the Basin Plan. The Basin Plan also incorporates applicable State Water Board plans and policies and other pertinent water quality policies and regulations, including State Water Board Resolution No. 68-16 (see finding below for detail). The requirements in this General Order implement the Basin Plan, including any prohibitions and/or water quality objectives, governing the discharge.

Designated beneficial uses of groundwater in the Los Angeles Region include municipal supply (MUN), industrial service supply (IND), industrial process supply (PROC), agricultural supply (AGR), and aquaculture (AQUA). Some beneficial uses only apply to certain geographic areas within the Los Angeles Region. The beneficial uses of any specifically identified water body, groundwater included, generally apply to all tributaries. Downgradient groundwater basins from the discharge location of the Advanced OWTs must be protected.

11. State Water Board Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality of Waters in California", (also called the "Antidegradation Policy") requires the Regional Board, in regulating the discharges of waste, to maintain high quality waters of the state unless it is demonstrated that any change in quality is consistent with maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in the State Water Board's policies. Further, any activity that produces waste must meet waste discharge requirements that will result in the best practicable treatment or control of the discharge necessary to ensure that (1) pollution or nuisance will not occur and (2) the highest water quality consistent with maximum benefit to the people of the State will be maintained.

This General Order is not expected to result in degradation of groundwater or surface water. To the extent any degradation occurs, it is consistent with the maximum benefit to the people of the state, will not impact beneficial uses, and will not result in water quality less than the Basin Plan standards. This General Order sets forth requirements that will result in best practicable treatment or control of the discharge. The General Order sets forth influent standards and numeric effluent and receiving water limitations based on the applicable Basin Plan or State Water Board plans and policies and using best professional judgement. This General Order includes prohibitions on discharges and operational requirements to protect the waters of the state and human health. Compliance with the requirements of the permit will protect and maintain existing and potential beneficial uses of both groundwater and surface waters in the Los Angeles Region. Numeric limitations that apply to Advanced OWTs in inland areas are protective of underlying groundwater. Numeric limitations that apply to Advanced OWTs in coastal areas are protective of surface water that may be hydrologically connected to underlying shallow groundwater.

12. In 2000, the California Legislature passed Assembly Bill 885 (CWC section 13290) that required the State Water Board to adopt regulations or standards for the permitting and operation of OWTs. On June 19, 2012, the State Water Board adopted the "Water Quality

*Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems*" (OWTS Policy), Resolution No. 2012-0032. The OWTS Policy became effective on May 13, 2013 and was subsequently incorporated into the Regional Board's Basin Plan through Resolution No. R14-007 on May 8, 2014. The OWTS Policy sets minimum standards for OWTSs and for OWTSs program administration by local agencies.

The OWTS Policy identified onsite wastewater disposal as a potential contributing source of pathogens or nitrogen to an impaired water body. In general, wastewater systems located within the geographic areas where total maximum daily loads (TMDLs) are developed for nutrient and/or pathogens, or areas that are within 600 feet from surface waters listed on the Clean Water Act Section 303(d) List of water quality limited segments shall include advanced treatment processes to protect groundwater and surface water quality and beneficial uses. This General Order implements the OWTS Policy for wastewater discharges from Advanced OWTSs. The State Water Board has adopted Water Quality Order 2014-0153-DWQ General Waste Discharge Requirements for Discharges to Land by Small Domestic Systems. That State Board General Order applies to conventional OWTSs throughout California, including the Los Angeles Region. Conventional OWTSs covered by the State Water Board General Order are not eligible to enroll in this Regional Board General Order for Advanced OWTSs.

13. Consistent with CWC section 13241, the Water Board, in establishing the requirements contained herein, considered factors including, but not limited to, the following:
  - a. Past, present, and probable future beneficial uses of water.
  - b. Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.
  - c. Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area.
  - d. Economic considerations.
  - e. The need for developing housing within the region(s).
  - f. The need to develop and use recycled water.

This General Order implements the Regional Board's Basin Plan and other applicable plans and policies to protect the beneficial uses of the ground and surface water that could be impacted by the discharges authorized by this General Order; takes into account the environmental characteristics of the receiving waters by including numeric effluent and receiving water limitations and other requirements to protect both inland and coastal areas; considers the water quality conditions by imposing requirements specifically to address Advanced OWTSs; takes into account economics by using general waste discharge requirements rather than individual requirements to regulated Advanced OWTSs; addresses housing by continuing to allow for the use of Advanced OWTSs; and allows for the use of recycled water for subsurface landscape irrigation.



14. Water Code section 13263(i) states the Regional Board may prescribe general waste discharge requirements for a category of discharges if the Regional Board finds or determines that all of the following criteria apply to the discharges in that category:
  - a. The discharges are produced by the same or similar operations.
  - b. The discharges involve the same or similar types of waste.
  - c. The discharges require the same or similar treatment standards.
  - d. The discharges are more appropriately regulated under general WDRs than individual WDRs.

These criteria apply to the Advanced OWTSS regulated under this General Order and therefore a general order is appropriate. All discharges regulated under this General Order are from similar operations – all the systems subject to this order are Advanced OWTSS; they all involve the treatment and discharge of domestic wastewater and such wastewater requires the same or similar treatment standards (e.g. screening, settling, biological treatment, clarification, and application to land). Individual WDRs are not necessary because the discharges are similar and discharge requirements would be similar. The adoption of new General WDRs for Advanced OWTSS in the coastal and inland areas would: (1) simplify the application process for dischargers, (2) allow more efficient use of Regional Board staff time, (3) reduce Regional Board staff time by enabling the Executive Officer to notify the dischargers of the applicability of the General WDRs, (4) enhance the protection of surface water quality by eliminating the discharge of wastewater to surface waters, (5) promote the use of recycled water, if appropriate, and (6) provide a level of protection comparable to individual, site-specific WDRs.

15. This General Order does not preempt or supersede the authority of municipalities, flood control agencies, or other local agencies to prohibit, restrict, or control discharges of waste subject to their jurisdiction.
16. CWC section 13267 states, in part:

"In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."

The technical reports required by this General Order and the attached Monitoring and Reporting Program are necessary to assure compliance with this General Order. The burden and cost of preparing the reports is reasonable and consistent with the interest of the state in maintaining water quality. The types and frequency of reports is similar to what has been required in the previous permits issued to Advanced OWTS owners and operators and such reports are effective in determining compliance. The Permittees operate the facilities that discharge the waste subject to this General Order.

## CALIFORNIA ENVIRONMENTAL QUALITY ACT

17. This General Order is intended to cover both new and existing Advanced OWTSs.
18. The Regional Board is the lead agency for the adoption of this General Order pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et seq.) and has conducted an Initial Study in accordance with section 15063 of the "State CEQA Guidelines" at California Code of Regulations, title 14, section 15000 et seq. Based upon the Initial Study, the Regional Board prepared a Mitigated Negative Declaration concluding that the project will not have a significant adverse effect on the environment and the Regional Board adopts Resolution No. R19-001 approving the Mitigated Negative Declaration and the Environmental Checklist in this Order. The Mitigated Negative Declaration identifies environmental impacts that are less than significant impact regarding 1) *Air Quality* and 2) *Hydrology and Water Quality*. The Mitigated Negative Declaration identifies the possible mitigation measures and the actions to be taken to reduce the impacts, if necessary. The Permittee is required by this General Order to obtain and comply with applicable permits of other agencies. This General Order includes a monitoring and reporting program to assure protection of water quality.

## APPLICATION PROCESS

19. Dischargers seeking coverage under this General Order shall file an ROWD with the Regional Board. The application process is summarized in Attachment A. An ROWD consists of:
  - a. A completed Form 200, which is available at:  
<[http://www.waterboards.ca.gov/publications\\_forms/forms/docs/form200.pdf](http://www.waterboards.ca.gov/publications_forms/forms/docs/form200.pdf)>.
  - b. An application fee that serves as the first annual fee. Fees are based on threat and complexity ratings and the treatment technology employed. Threat and complexity ratings are defined in the fee schedule listed in California Code of Regulations, title 23, section 2200 and also available at:  
<[http://www.waterboards.ca.gov/resources/fees/docs/fy1112fee\\_schdl\\_wdr.pdf](http://www.waterboards.ca.gov/resources/fees/docs/fy1112fee_schdl_wdr.pdf)>. This Order regulates land discharges that have a threat to water quality of category 3 and complexity rating of B for a combined rating of 3-B.
  - c. A technical report that describes the wastewater generation, treatment, storage, and disposal. Submittal of the report in the recommended format provided in Attachment B will allow for an expedited review by Regional Board staff.

Upon review of the ROWD, Regional Board staff will determine if the applicant is eligible for coverage under this General Order. The Regional Board's Executive Officer will issue a Notice of Applicability (NOA) when coverage under this General Order has been authorized. The NOA will contain the necessary site-specific monitoring and reporting requirements.

20. Although an applicant may be eligible for coverage under this General Order, the Regional Board may determine that the discharge would be better regulated by a waiver of waste discharge requirements, individual waste discharge requirements, a different general order, an enforcement order, or a National Pollutant Discharge Elimination System (NPDES) Permit.

## NOTIFICATION

21. The Regional Board has notified potential Permittees and interested agencies and persons of its intent to prescribe General WDRs for discharges from Advanced OWTSS and has provided them with an opportunity to submit their written comments and recommendations.
22. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge.
23. Any person aggrieved by this action of the Regional Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the Regional Board's action, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions will be provided upon request or may be found on the Internet at:  
[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)

**IT IS HEREBY ORDERED** that, in order to meet the provisions contained in Division 7 of the CWC (commencing with section 13000) and regulations adopted thereunder, the Permittee shall comply with the following requirements, including all attachments, in all operations and activities pertaining to the Advanced OWTS at the Permittee's property:

### I. INFLUENT LIMITATIONS AND REQUIREMENTS

Influent to an Advanced OWTS shall be limited to domestic wastewater sources including, but not limited to, individual residences, multifamily residences, rural parks, schools, campgrounds, mobile home parks, roadside rest stops, small commercial or residential subdivisions, apartments/condominiums, restaurants, resort hotels/lodges, small correctional facilities, temporary fire-fighting camps, recreational vehicle (RV) dump locations, and RV parks.

### II. EFFLUENT QUANTITY LIMITATION

The maximum wastewater discharge from an Advanced OWTS shall not exceed its design volume or 100,000 gallons per day, whichever is less.

### III. EFFLUENT QUALITY LIMITATIONS FOR DISCHARGE

The treated effluent quality shall not exceed the effluent limitations specified below for Advanced OWTs:

A. Discharges from Advanced OWTs shall meet the following effluent limitations (Table 2).

Table 2 – Effluent Limitations <sup>[1]</sup> for Advanced OWTs				
Constituent	Unit <sup>[2]</sup>	Monthly Average	Weekly Average	Daily Maximum
BOD <sub>5@20°C</sub> <sup>[3][4]</sup>	mg/L	30	45	--
Oil and Grease <sup>[5]</sup>	mg/L	10	--	15
Nitrate-N <sup>[5]</sup>	mg/L	10	--	--
Nitrite-N <sup>[5]</sup>	mg/L	1	--	--
Nitrate + Nitrite-N <sup>[5]</sup>	mg/L	10	--	--
Total Dissolved Solids	mg/L	<sup>[7]</sup>	--	--
Sulfate	mg/L	<sup>[7]</sup>	--	--
Chloride	mg/L	<sup>[7]</sup>	--	--
Boron	mg/L	<sup>[7]</sup>	--	--
Total Residual Chlorine <sup>[8]</sup>	mg/L	--	--	0.1
Constituent	Unit	Instantaneous Minimum	Instantaneous Maximum	--
pH <sup>[5]</sup>	pH Unit	6	9	--
Constituent	Unit	Weekly Median	Monthly	Maximum
Total Coliform for Secondary Treatment System <sup>[9][10]</sup>	MPN/100 mL	23	240	--
Total Coliform for Tertiary Treatment System <sup>[9][11]</sup>	MPN/100 mL	2.2	23	240

**Table Notes:**

- [1] The effluent limitations set forth above with the exception of turbidity and total coliform are applicable for both secondary and tertiary treatment Advanced OWTs. The effluent limitations for total coliform for secondary and tertiary treatment Advanced OWTs are specified in Table Notes [9] and [10], respectively.
- [2] mg/L: milligrams per liter  
 NTU: nephelometric turbidity unit  
 MPN/100mL: most probable number per 100 milliliters
- [3] BOD: Biochemical Oxygen Demand
- [4] Limitations are based on secondary treatment requirements, 40 C.F.R. § 133.102.
- [5] Limitations are based on best professional judgment.

- [6] Based on the Groundwater Quality Objective for nitrogen specified in the Basin Plan.
- [7] Based on the site-specific Groundwater Quality Objectives for the named groundwater basin in the Basin Plan or the Tributary Rule, which will be provided and specified in the **enrollment letter**. These objectives are applicable to inland discharges (where underlying groundwater basins underneath have designated beneficial uses and/or are tributary to groundwater basins with beneficial uses) and are not applicable to coastal discharges (where underlying groundwater basins may be under tidal influence or immediately hydrologically connected with the ocean).
- [8]. Applicable only if chlorination is used for disinfection.

**Inland discharge:** The limit for residual chlorine is based on the Basin Plan (Page 3-9) narrative, "Chlorine residual shall not be present in surface water discharges at concentrations that exceed 0.1 mg/L and shall not persist in receiving waters at any concentration that causes impairment of beneficial uses." Chlorine with 0.1 m/L and above in effluent is harmful to some aquatic life, this level of residual chlorine discharged via land to the receiving groundwater near river/coastal areas will be reduced by soil attenuation, diluted by groundwater, and further diluted by river/ocean water. Once reaching river/ocean, the residual chlorine in river/ocean should insignificantly affect aquatic life. It is impracticable to use a 7-day average or a 30-day average limitation, because chlorine is very toxic to aquatic life and short-term exposures of chlorine may cause aquatic life killed.

**Coastal discharge:** Chlorine with 0.1 m/L in effluent is harmful to some marine life. Residual chlorine discharged to land to will be attenuated by soil, diluted by groundwater, and further diluted by ocean water. Once reaching ocean, the remaining residual chlorine should be significantly less than 0.06 mg/L, which meets the Ocean Plan Water Quality Objective. The rationale above is based on Best Professional Judgment.

- [9]. To determine the effectiveness of treatment, the United States Environmental Protection Agency (USEPA) recommends testing for *Escherichia coli* (E. coli, a type of fecal coliform) and enterococci bacteria, which exist in fecal material from humans and other warm-blooded animals, as the best indicators of health risk from water contact. E. coli is one of the five general groups of total coliforms. The USEPA considers total coliforms a useful indicator for possible water contamination. The effectiveness of disinfection procedures for total coliforms are similar for E. coli and enterococci bacteria, therefore, there is no need to monitor them separately in wastewater effluent. The reliance on total coliforms, which can be analyzed using less expensive methods, is appropriate to determine if OWTS effluent is effectively disinfected.
- [10]. Based on Title 22 disinfected secondary recycled water criteria.

The median total coliform bacteria in the disinfected effluent shall not exceed 23 MPN/100 mL utilizing the bacteriological results of the last week for which analyses are completed.

Total coliform bacteria shall not exceed 240 MPN/100 mL in more than one sample in any month.

- [11]. Based on Title 22 disinfected tertiary recycled water criteria.

The median total coliform bacteria in the disinfected effluent shall not exceed 2.2 MPN/100 mL utilizing the bacteriological results of the last week for which analyses are completed.

The total coliform bacteria shall not exceed 23 MPN/100 mL in more than one sample in any month.

No sample shall exceed a 240 MPN/100 mL, any time.

- B. A filtered wastewater shall be an oxidized wastewater that has been passed through a filtration system so that the turbidity of the filtered wastewater does not exceed any of the following:
1. An average of 2 Nephelometric Turbidity Units (NTU) within a 24-hour period;
  2. 5 NTU more than 5 percent of the time within a 24-hour period; and
  3. 10 NTU at any time.
- C. Maximum Contaminant Levels: The effluent shall not contain trace, toxic and other constituents in concentrations that exceed the applicable maximum contaminant levels for drinking water established by the State Water Board's Division of Drinking Water (DDW) in sections 64431, 64442, 64443, 64444, 64449, and 64533 of CCR, Title 22, Division 4, or subsequent revisions, or at levels that adversely affect the beneficial uses of receiving groundwater. The effluent shall, at all times, not exceed the following MCLs (Attachment C). In the event of a violation of any primary or secondary MCL, the City shall notify and submit a report in accordance with Provision VI.F. of this Order.
1. Primary MCLs specified in CCR, Title 22, Division 4, Chapter 15 (Domestic Water Quality and Monitoring Regulations):
    - i. Inorganic chemicals in CCR, Title 22, Division 4, Chapter 15, Section 64431, Table 64431-A, except for nitrogen compounds (Attachment C-1 of this Order);
    - ii. Radionuclides in CCR, Title 22, Division 4, Chapter 15, Section 64442, Table 64442 (Attachment C-2 of this Order) and Section 64443, Table 64443 (Attachment C-3 of this Order); and
    - iii. Organic chemicals in CCR, Title 22, Division 4, Chapter 15, Section 64444, Table 64444-A (Attachment C-4 of this Order).
  2. Secondary MCLs specified in CCR, Title 22, Division 4, Chapter 15 (Domestic Water Quality and Monitoring Regulations), Section 64449, Table 64449-A (Attachment C-5 of this Order).
  3. Primary MCLs for disinfection byproducts specified in CCR, Title 22, Division 4, Chapter 15.5 (Disinfectant Residuals, Disinfection Byproducts, and Disinfection Byproduct Precursors) Article 2, Section 64533, Table 64533-A (Attachment C-6 of this Order).

- D. Samples shall be collected at a time when wastewater flow and characteristics are most demanding (e.g., during normal peak loading conditions) on treatment facilities and disinfection processes.

#### IV. GROUNDWATER LIMITATIONS

The discharge is prohibited from degrading the quality or altering the elevation of the underlying groundwater. The discharge of treated wastewater from the Advanced OWTSS shall not cause an exceedance of the following groundwater limitations in Tables 3 and 4 below. The specific monitoring well locations shall be determined through the Monitoring and Reporting Program (MRP) (Attachment D). Per Section III.B of the MRP, the Permittee may be required to submit a work plan proposing a groundwater monitoring network, if necessary.

- A. Advanced OWTSS within inland areas

Discharges from Advanced OWTSS shall not cause the underlying groundwater designated with beneficial uses, or tributary to a groundwater basin, to exceed the groundwater quality objectives set forth in the table below.

Table 3 – Groundwater Limitations for Advanced OWTSS located in Inland Areas		
Constituents	Units	Monthly Average
Nitrate-N + Nitrite-N	mg/L	10 [1]
Nitrate-N	mg/L	10 [1]
Nitrite-N	mg/L	1 [1]
Total Dissolved Solids	mg/L	[2]
Sulfate	mg/L	[2]
Chloride	mg/L	[2]
Boron	mg/L	[2]
Total coliform	MPN/100mL	1.1 [1]
Total Residual Chlorine	mg/L	0.1 [3, 4]

**Table Notes:**

- [1] Based on Basin Plan Groundwater Quality Objective.
- [2]. Based on site-specific Groundwater Quality Objective for named groundwater basins in the Basin Plan or Tributary Rule, which will be provided and specified in the **enrollment letter**.
- [3]. Based on Basin Plan Inland Surface Water Quality Objective.
- [4]. Applicable only if chlorination is used for disinfection.

B. Advanced OWTs in coastal areas

Discharges from Advanced OWTs shall not cause underlying groundwater basins that may be under tidal influence or immediately hydrologically connected with the ocean to exceed the Ocean Plan water quality objectives set forth in the table below:

Table 4 – Groundwater Limitations for Advanced OWTs in Coastal Areas		
Constituents	Units	Monthly Average
Nitrate-N + Nitrite-N	mg/L	10 <sup>[1]</sup>
Nitrate-N	mg/L	10 <sup>[1]</sup>
Nitrite-N	mg/L	1 <sup>[1]</sup>
Total Residual Chlorine	mg/L	0.1 <sup>[2, 3]</sup>
Total coliform	MPN/100mL	10,000 <sup>[4]</sup>
Fecal coliform	MPN/100mL	400 <sup>[4]</sup>
Enterococcus	MPN/100mL	104 <sup>[4]</sup>

Table Notes:

- [1] Based on Basin Plan Groundwater Quality Objective.
- [2]. Limit based on the Basin Plan. Chlorine with 0.1 m/L in effluent is harmful to some marine life, residual chlorine discharged to land to will be attenuated by soil, diluted by groundwater, and further diluted by ocean water. Once reaching ocean, the remaining residual chlorine should be significantly less than 0.06 mg/L, which meets the Ocean Plan Water Quality Objective. The rationale above is based on Best Professional Judgment.
- [3]. Applicable only if chlorination is used for disinfection.
- [4]. Based on Ocean Plan Bacteria Objectives.

V. SPECIFICATIONS FOR USE OF RECYCLED WATER

- A. The Permittee is the distributor of the recycled water and responsible for recycled water uses for non-human contact **subsurface landscape irrigation**.
- B. Recycled water shall not be used for direct human consumption or for the processing of food or drink intended for human consumption.
- C. The Executive Officer of the Regional Board is delegated with authority to approve the recycled water used for non-human contact **subsurface landscape irrigation**. The Permittee must furnish an application for the Executive Officer's approval prior to the treated effluent as recycled water used for the non-human contact **subsurface landscape irrigation**.
- D. The Permittee shall submit a Title 22 Engineering Report to DDW and the Regional Board for review and approval, if additional Title 22 non-potable recycled water application(s) are proposed, including dust control and surface irrigation.



## VI. USE AREA REQUIREMENTS

“Use area” means an area with defined boundaries. The Permittee shall be responsible to ensure that all users of recycled water comply with the following:

- A. No irrigation with, or impoundment of, disinfected recycled water shall take place within 900 feet of any domestic water supply well.
- B. Recycled water shall be applied at agronomic rates and when soil is not saturated, such that volume does not exceed vegetative demand and soil moisture conditions. Pipelines shall be maintained so as to prevent leakage.
- C. Any incidental runoff from recycled water projects shall be handled as follows:
  - 1. The discharge of recycled water to surface water is prohibited.
  - 2. Discharges of recycled water to surface waters may only occur where regulated under a separate NPDES permit issued by the Regional Board.
- D. Recycled water shall not be used for irrigation during periods of rainfall and/or runoff.
- E. Recycled water shall be retained on the designated area and shall not be allowed to escape as surface flow.
- F. No physical connection shall be made or allowed to exist between any recycled water piping and any piping conveying potable water, except as allowed under Section 7604 of Title 17, CCR.
- G. The portions of the recycled water piping system that are in areas subject to access by the general public shall not include any hose bibs (a faucet or similar device to which a common garden hose can be readily attached). Only quick couplers that differ from those used on the potable water system shall be used on the portions of the recycled water piping system in areas subject to public access.
- H. Recycled water used for non-human contact subsurface landscape irrigation or other Title 22 non-potable recycled water applications shall not result in earth movement in geologically unstable areas.
- I. All above ground irrigation appurtenances need to be marked appropriately.
- J. Spray, mist, or runoff shall not enter dwellings, designated outdoor eating areas, or food handling facilities, and shall not contact any drinking water fountain.
- K. All recycled water use areas that are accessible to the public shall be posted with signs that are visible to the public, in a size no less than 4 inches high by 8 inches wide, that include the following wording: “RECYCLED WATER – DO NOT DRINK” as shown in Figure 1. Each sign shall display an international symbol similar to that shown in Figure 1. An alternative signage and wording may be used upon approval by the Executive Officer of the Regional Board.
- L. Any additional use area requirement is subject to DDW approval.

## VII. REQUIREMENTS FOR DUAL-PLUMBED SYSTEM

- A. "Dual plumbed" means a system that utilizes separated piping systems for recycled water and potable water within the Permittee's property and where the recycled water is used for a subsurface landscape irrigation and surface irrigation.
- B. The public water supply shall not be used as a backup or supplemental source of water for a dual-plumbed recycled water system.
- C. Any additional requirement for dual-plumbed system is subject to DDW approval.

## VIII. GENERAL REQUIREMENTS

- A. The siting, design, construction, operation, maintenance, and monitoring of the Advanced OWTSS covered by this General Order must comply with all applicable provisions of the Basin Plan and applicable statewide plans and policies.
- B. Adequate facilities shall be provided to protect the Advanced OWTSS from damage by storm flows and run-off or run-on generated by a 100-year return storm/24-hour duration. Adequate facilities shall also be provided to divert surface and storm water away from the Advanced OWTSS.
- C. The cleaning or maintenance of the Advanced OWTSS shall be performed solely by a duly authorized service.
- D. Wastewater must be adequately treated prior to disinfection in order for any disinfectant to be effective. Reduction of TSS and BOD is necessary prior to disinfection. TSS may absorb UV radiation, shield microorganisms, and increase chlorine demand. Removing TSS also reduces the number of microorganisms present. Organic compounds associated with BOD also consume added chlorine.
- E. Other dispersal options for the treated effluent may include pressure dosing, drip irrigation, land applications, mound/at grade systems, or evapotranspiration systems. The discussion of treatment and disposal alternatives is not intended to limit the selection of alternatives available to the wastewater system designer. The level of treatment required shall be based upon the wastewater quality and quantity, the receiving water quality at the wastewater disposal location, and the end use of the treated effluent.
- F. The Permittee shall maintain logs of all Advanced OWTSS cleaning/maintenance for a period of no less than five (5) years. At a minimum the logs shall include the date of the cleaning/maintenance, nature of cleaning/maintenance work (including volume of waste pumped out), and information on the cleaner including the name, address, phone number, and license number.
- G. The Permittee who accepts wastewater from RVs or other mobile waste systems must ensure that such wastewater does not deleteriously affect the Advanced OWTSS.
- H. The Permittee shall ensure that the contents of the Advanced OWTSS are disposed of in accordance with all applicable laws and ordinances.

- I. The Advanced OWTS shall be maintained so that at no time will sewage surface at any location.
- J. A minimal separation between the bottom of the leach line(s) or seepage pit(s) and the groundwater table may be required to prevent surfacing. The separation requirement will be determined based on the site-specific conditions and will be addressed in the enrollment letter issued by the Executive Officer.
- K. The Permittee shall comply with a groundwater monitoring program established by the Executive Officer, where required by the Executive Officer in the enrollment letter, to determine if discharges from the Advanced OWTS may impact or have impacted the receiving groundwater quality.
- L. Any sewage or sludge handling shall be in such a manner as to prevent its reaching surface or watercourses.
- M. Wastewater discharged from the Advanced OWTS may be disposed of by different methods such as through a leach field or seepage pit. The choice of disposal method depends upon the amount of wastewater generated, the wastewater quality, the value of the wastewater for irrigation, and the receiving groundwater.
  1. When wastewater discharge via a leach field or seepage pit is selected as a disposal method, adequate acreage must be available to allow application rates that will not create nuisance conditions (e.g. vectors, nuisance odors, off-site discharge) or degrade groundwater quality.
  2. If conditions are not favorable for traditional leach field construction, an at-grade, or an above grade (mound) system may be used. Typically, at-grade and above grade systems are dosed using a dosing pump and pump controller. Dosed systems use relatively small diameter pipe to distribute the wastewater to zones within the dispersal area. Even in well operated systems, some suspended solids will be pumped into the distribution piping. Cleanouts or a flushing system on the distribution piping are required to remove the solids that will accumulate if the emitters are small in diameter to prevent suspended solids from passing through the distribution equipment. Gravel-less trench systems which do not use gravel, typically use distribution piping and a dosing system, and should be constructed with cleanouts or a flushing system similar to at-grade and/or above grade systems when needed.
  3. Subsurface disposal areas may be planted with shallow rooted plants to prevent erosion and provide for uptake of wastewater nutrients; trees and shrubs should be removed to prevent roots from damaging the leach field. Similarly, burrowing animals can damage an at-grade or above grade (mound) disposal system and result in leakage. Burrowing animals shall be promptly controlled and repairs to the disposal system completed as soon as possible.
- N. The Permittee must notify the Executive Officer, in writing, at least thirty (30) days in advance of any proposed transfer of this General Order's responsibility and coverage to a new Permittee. The notice must include a written agreement between the existing and new Permittee containing a specific date for the transfer of responsibility under

this General Order and compliance between the current Permittee and the new Permittee. Such agreement shall include an acknowledgement that the existing Permittee is liable for violations up to the transfer date, and that the new Permittee is liable from the transfer date on.

## IX. PROHIBITIONS

- A. Any additional hookups to the Advanced OWTS without prior to written approval from the Regional Board Executive Officer are prohibited.
- B. The surfacing or overflow of sewage from the Advanced OWTS at any time and at any location and the direct or indirect discharge of wastes to waters of the State (including storm drains, groundwater or surface water drainage courses) is prohibited.
- C. The onsite disposal of sludge is prohibited.
- D. Any offsite disposal of sewage or sludge other than to a legal point of disposal is prohibited.
- E. The discharge of treated wastewater that causes or contributes to the following is prohibited:
  - 1. Affects human, animal, or plant life;
  - 2. Causes nuisance or adversely affects any beneficial uses and quality of the receiving groundwater;
  - 3. Impacts the waterbody and watercourse that may be in hydraulic connection with groundwater;
  - 4. Causes earth movement; or
  - 5. Emerges from ground surface.
- F. Odor originating at the Advanced OWTS perceivable any time outside the boundary of the Permittee's property is prohibited.
- G. Bypass or overflow of untreated and treated wastewater is prohibited.
- H. The discharge of waste to land not owned or controlled by the Permittee is prohibited.
- I. The discharge of waste to the Advanced OWTS in excess of its maximum design and disposal capacity is prohibited.
- J. The discharge of wastes from the Advanced OWTS, which is not authorized by this General Order, is prohibited.
- K. Human contact with untreated and treated wastewater is prohibited, unless otherwise approved by the DDW and Water Board.

## X. PROVISIONS

- A. This Order includes "Attachment E - Standard Provisions Applicable to Waste Discharge Requirements" (Standard Provisions). If there is any conflict between provisions stated herein and the Standard Provisions, the provisions stated herein prevail.
- B. The Permittee shall operate and maintain facilities, treatment operations, associated collection systems and outfalls in ways that preclude adverse impacts to surface or groundwater from impacts predicted to occur due to climate change.
- C. The Permittee shall comply with all provisions and requirement of the MRP (Attachment D), which is part of this Order, and any revisions thereto as ordered by the Executive Officer. The submittal dates of Permittee self-monitoring reports shall be no later than the submittal date specified in the MRP. If there is any conflict between the provisions stated herein and the MRP, the provisions stated herein prevail.
- D. The Permittee shall file with the Regional Board, under penalty of perjury, annual and quarterly reports on self-monitoring work performed according to the detailed specifications contained in the MRP attached hereto and incorporated herein by reference, as directed by the Executive Officer. The results of any monitoring done in addition to what is required or done more frequently than required at the location and/or times specified in the MRP shall be reported to the Regional Board.
- E. The Permittee shall notify this Regional Board by telephone or electronic means within 24 hours of knowledge of any discharge exceeding the effluent limits prescribed in this Order from the Advanced OWTs; written confirmation shall follow within 5 working days from date of notification, unless otherwise specified in this Order. The report shall include, but is not limited to, the following information, as appropriate:
  - 1. Nature and extent of the violation;
  - 2. Date and time: when the violation started, when compliance was achieved, and when treatment and/or discharge were suspended and restored, as applicable;
  - 3. Duration of violation;
  - 4. Cause(s) of violation;
  - 5. Corrective and/or remedial actions taken and/or will be taken with a time schedule for implementation to prevent future violations; and
  - 6. Impact of the violation.
- F. This Order does not exempt the Permittee from compliance with any other laws, regulations, or ordinances that may be applicable; it does not legalize the recycling and use facilities; and it does not affect any further constraint on the use of recycled water at certain site(s) that may be contained in other statutes or required by other agencies.

- G. This Order does not alleviate the responsibility of the Permittee to obtain other necessary local, state, and federal permits to construct facilities necessary for compliance with this Order; nor does this Order prevent imposition of additional standards, requirements, or conditions by any other regulatory agency. Expansion of the recycled water distribution facility shall be contingent upon issuance of all necessary requirements and permits, including a conditional use permit.
- H. After notice and opportunity for a hearing, this Order may be modified, revoked and reissued, or terminated for cause, that includes, but is not limited to: failure to comply with any condition in this Order, endangerment of human health, adverse impacts on water quality and/or beneficial uses of the receiving water resulting from the permitted activities in this Order, obtaining this Order by misrepresentation or failure to disclose all relevant facts, and acquisition of new information that could have justified the application of different conditions if known at the time of Order adoption.
- I. The filing of a request by the Permittee for modification, revocation and reissuance, or termination of this Order; or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.


#### **XI. REOPENER**

The Regional Board will review this Order periodically and will revise requirements when necessary. The waste discharge requirements and monitoring and reporting requirements in this Order were developed based on currently available technical information and applicable water quality laws, regulations, policies, and plans, and are intended to assure compliance with them. If applicable laws and regulations change, including but not limited to, establishment of TMDLs, or once new information is obtained that will change the overall discharge and its potential to impact waters of the state, it may be appropriate to reopen this Order. This Order may also specifically be reopened to make revisions consistent with an approved salt and nutrient management plan.

#### **XII. EFFECTIVE DATE**

This Order becomes effective immediately upon its adoption.

I, Deborah J. Smith, 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, Los Angeles Region on February 14, 2019.

  
Deborah J. Smith  
Executive Officer

## **Attachment E – Standard Provisions Applicable to Waste Discharge Requirements**

### **1. DUTY TO COMPLY**

The discharger must comply with all conditions of these waste discharge requirements. A responsible party has been designated in the Order for this project, and is legally bound to maintain the monitoring program and permit. Violations may result in enforcement actions, including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board. (California Water Code, Sections 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, and 13350). Failure to comply with any waste discharge requirement, monitoring and reporting requirement, or other order or prohibition issued, reissued or amended by the Los Angeles Water Board or State Water Resources Control Board is a violation of these waste discharge requirements and the California Water Code, which can result in the imposition of civil liability. (California Water Code, Section 13350, subdivision (a).)

### **2. GENERAL PROHIBITION**

Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by California Water Code section 13050. In addition, the discharge of waste classified as hazardous, as defined in California Code of Regulations, Title 23, Section 2521, subdivision (a) is also prohibited.

### **3. AVAILABILITY**

A copy of these waste discharge requirements shall be maintained at the discharge facility and be available at all times to operating personnel. (California Water Code, Section 13263).

### **4. CHANGE IN OWNERSHIP**

The discharger must notify the Executive Officer, in writing at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgement that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date forward. (California Water Code, Sections 13267 and 13263)

### **5. CHANGE IN DISCHARGE**

In the event of a material change or proposed change in the character, location, or volume of the discharge, the discharger shall file with this Regional Board a new Report of Waste Discharge. (California Water Code, Section 13260, subdivision (c)). A material change includes, but is not limited to, the following:

- (a) Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the waste.
- (b) Significant change in disposal method, e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.
- (c) Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
- (d) Increase in flow beyond that specified in the waste discharge requirements.
- (e) Increase in the area or depth to be used for solid waste disposal beyond that specified in the waste discharge requirements. (California Code of Regulations, Title 23, Section 2210)

**6. REVISION**

These waste discharge requirements are subject to review and revision by the Regional Board. (California Water Code, Section 13263)

**7. NOTIFICATION**

Where the discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information. (California Water Code, Sections 13260 and 13267)

**8. VESTED RIGHTS**

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the discharger from his liability under Federal, State or local laws, nor do they create a vested right for the discharger to continue the waste discharge. All discharges of waste into waters of the state are privileges, not rights. (California Water Code, Section 13263, subdivision (g).)

**9. SEVERABILITY**

Provisions of these waste discharge requirements are severable. If any provisions of these requirements are found invalid, the remainder of the requirements shall not be affected.

**10. 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 conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing



and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order. (California Water Code, Section 13263, subdivision (f).)

#### **11. NOTIFICATION REQUIREMENT**

Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the California Water Code unless the discharger is in violation of a prohibition in the applicable Water Quality Control plan. (California Water Code, Section 13271, subdivision (a).)

#### **12. OIL OR PETROLEUM RELEASES**

Except for a discharge which is in compliance with these waste discharge requirements, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Article 3.5 (commencing with Section 8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code. This provision does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Section 311 of the Clean Water Act or the discharge is in violation of a prohibition in the applicable Water Quality Control Plan. (California Water Code, Section 13272)

#### **13. INVESTIGATIONS AND INSPECTIONS**

The discharger shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:

- (a) Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;

- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- (d) Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order, or as otherwise authorized by the California Water Code, any substances or parameters at any location. (California Water Code, Section 13267)
- (e) Except for material determined to be confidential in accordance with applicable law, all reports prepared in accordance with the terms of this Order shall be available for public inspection at the office of the Los Angeles Water Board. Data on waste discharges, water quality, geology, and hydrogeology shall not be considered confidential.

#### 14. MONITORING PROGRAM AND DEVICES

The discharger shall furnish, under penalty of perjury, technical monitoring program reports; such reports shall be submitted in accordance with specifications prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted. (California Water Code, Section 13267)

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, or more frequently, to ensure continued accuracy of the devices. Annually, the discharger shall submit to the Executive Office a written statement, signed by a registered professional engineer, certifying that all flow measurement devices have been calibrated and will reliably achieve the accuracy required.

The analysis of any material required pursuant to Division 7 of the California Water Code shall be performed by a laboratory that has accreditation or certification pursuant to Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101 of the Health and Safety Code. However, this requirement does not apply to field tests, such as test for color, odor, turbidity, pH, temperature, dissolved oxygen, conductivity, and disinfectant residual chlorine. (California Water Code, Section 13176). Unless otherwise permitted by the Regional Board Executive officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Water Resources Control Board's Division of Drinking Water. All analyses shall be required to be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40CFR Part 136) promulgated by the United States, Environmental Protection Agency (USEPA). (California Code of Regulation, Title 23, Section 2230)

The Quality Assurance-Quality Control Program must conform to the USEPA Guidelines "Laboratory Documentation Requirements for Data Validation", January 1990, USEPA Region 9) or procedures approved by the Los Angeles Regional Water Quality Control Board.

All quality assurance and quality control (QA/QC) analyses must be run on the same dates when samples were actually analyzed. All QA/QC data shall be reported, along with the sample results to which they apply, including the method, equipment, analytical detection

and quantitation limits, the percent recovery, and explanation for any recovery that falls outside the QC limits, the results of equipment and method blanks, the results of spiked and surrogate samples, the frequency of quality control analysis, and the name and qualifications of the person(s) performing the analyses. Sample results shall be reported unadjusted for blank results or spike recoveries. In cases where contaminants are detected in QA/QC samples (e.g., field, trip, or lab blanks); the accompanying sample results shall be appropriately flagged.

The Discharger shall make all QA/QC data available for inspection by Regional Board staff and submit the QA/QC documentation with its respective quarterly report. Proper chain of custody procedures must be followed and a copy of that documentation shall be submitted with the quarterly report.

**15. TREATMENT FAILURE**

In an enforcement action, it shall not be a defense for the discharger that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment facility, the discharger shall, to the extent necessary to maintain compliance with this Order, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided. This provision applies, for example, when the primary source of power of the treatment facility fails, is reduced, or is lost. (California Water Code, Section 13263, subdivision (f).)

**16. DISCHARGE TO NAVIGABLE WATERS**

A person who discharges pollutants or proposes to discharge pollutants or proposes to discharge pollutants to the navigable waters of the United States within the jurisdiction of this state or a person who discharges dredged or fill material or proposes to discharge dredged or fill material into the navigable waters of the United States within the jurisdiction of this state shall file a report of waste discharge in compliance with the procedures set forth in California Water Code section 13260. (California Water Code, Section 13376)

**17. ENDANGERMENT TO HEALTH AND ENVIRONMENT**

The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five 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 recurrence of the noncompliance. The Executive officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence(s) must be reported to the Executive Office within 24 hours:

- (a) Any bypass from any portion of the treatment facility.

- (b) Any discharge of treated or untreated wastewater resulting from sewer line breaks, obstruction, surcharge or any other circumstances.
- (c) Any treatment plan upset which causes the effluent limitation of this Order to be exceeded. (California Water Code, Sections 13263 and 13267)

**18. MAINTENANCE OF RECORDS**

The discharger shall retain records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies off all reports required by this Order, and record of all data used to complete the application for this Order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.

Records of monitoring information shall include:

- (a) The date, exact place, and time of sampling or measurement;
  - (b) The individual(s) who performed the sampling or measurement;
  - (c) The date(s) analyses were performed;
  - (d) The individual(s) who performed the analyses;
  - (e) The analytical techniques or method used; and
  - (f) The results of such analyses.
- 19. (a)** All application reports or information to be submitted to the Executive Office shall be signed and certified as follows:
- (1) For a corporation – by a principal executive officer or at least the level of vice president.
  - (2) For a partnership or sole proprietorship – by a general partner or the proprietor, respectively.
  - (3) For a municipality, state, federal, or other public agency – by either a principal executive officer or ranking elected official.
- (b) A duly authorized representative of a person designated in paragraph (a) of this provision may sign documents if:
- (1) The authorization is made in writing by a person described in paragraph (a) of this provision.
  - (2) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and,

(3) The written authorization is submitted to the Executive Officer.

Any person signing a document under this Section shall make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. [California Water Code Sections 13263, 13267, and 13268]"

## 20. OPERATOR CERTIFICATION

Supervisors and operators of municipal wastewater treatment plants and privately owned facilities regulated by the Public Utilities Commission, used in the treatment or reclamation of sewage and industrial waste shall possess a certificate of appropriate grade in accordance with California Code of Regulations, title 23, section 3680. State Board may accept experience in lieu of qualification training. (California Code of Regulations, Title, 23, Sections 3680 and 3680.2.) In lieu of a properly certified wastewater treatment plant operator, the State Board may approve use of a water treatment plant operator of appropriate grade certified by the State Department of Public Health where reclamation is involved. (California Code of Regulations, Title, 23, Section 3670.1, subdivision (b).)

### ADDITIONAL PROVISIONS APPLICABLE TO PUBLICLY OWNED TREATMENT WORKS' ADEQUATE CAPACITY

21. Whenever a regional board finds that a publicly owned wastewater treatment plant will reach capacity within four years, the board shall notify the discharger. Such notification shall inform the discharger that the regional board will consider adopting a time schedule order pursuant to Section 13300 of the California Water Code or other enforcement order unless the discharger can demonstrate that adequate steps are being taken to address the capacity problem. The notification shall require the discharger to submit a technical report to the regional board within 120 days showing how flow volumes will be prevented from exceeding existing capacity or how capacity will be increased. A copy of such notification shall be sent to appropriate local elected officials, local permitting agencies and the press. The time for filing the required technical report may be extended by the regional board. An extension of 30 days may be granted by the executive officer. Longer extensions may be granted by the regional board itself. (California Code of Regulations, Title, 23, Section 2232.)

STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION

MONITORING AND REPORTING PROGRAM NO. CI-10480  
FOR  
DEREK AND LINDSEY KROEGER

ENROLLMENT UNDER GENERAL WASTE DISCHARGE REQUIREMENTS  
ORDER NO. R4-2019-0024 (SERIES NO. 004)  
FILE NO. 19-016

I. REPORTING REQUIREMENTS

- A. Derek and Lindsey Kroeger (hereinafter Dischargers) shall implement this Monitoring and Reporting Program (MRP) at 14564 Gallaudet Place, Pacific Palisades, California, the location of which is shown on Figure 1, on the effective date of this enrollment (June 3, 2019) under Regional Board Order No. R4-2019-0024. The first monitoring report under this monitoring program is due by July 31, 2019.

Monitoring reports shall be received by the dates in the following schedule:

<u>Reporting Period</u>	<u>Report Due</u>
January – March	April 30
April – June	July 31
July – September	October 31
October – December	January 31

- B. If there is no discharge during any reporting period, the report shall so state.
- C. By January 31<sup>st</sup> of each year, beginning January 31, 2020, the Discharger shall submit an annual summary report to the Regional Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous calendar year. In addition, the Discharger shall discuss the compliance record and the corrective actions taken, or planned, which may be needed to bring the discharge into full compliance with the waste discharge requirements (WDR).
- D. Laboratory analyses – all chemical, bacteriological, and/or toxicity analyses shall be conducted at a laboratory certified for such analyses by the State Water Resources Control Board, Division of Drinking Water (SWRCB-DDW) Environmental Laboratory Accreditation Program (ELAP). A copy of the laboratory certifications shall be provided each time a new analysis is used and/or renewal is obtained from ELAP.
- E. The method limits (MLs) employed for effluent analyses shall be lower than the permit limits established for a given parameter, unless the Discharger can

demonstrate that a particular ML is not attainable and obtains approval for a higher ML from the Executive Officer. At least once a year, the Discharger shall submit a list of the analytical methods employed for each test and the associated laboratory quality assurance/quality control (QA/QC) procedures.

- F. All QA/QC samples must be run on the same dates when samples were actually analyzed. The Discharger shall make available for inspection and/or submit the QA/QC documentation upon request by Regional Board staff. Proper chain of custody procedures must be followed and a copy of the chain of custody documentation shall be submitted with the report.
- G. Each monitoring report must affirm in writing that "All analyses were conducted at a laboratory certified for such analyses by the SWRCB-DDW ELAP, and in accordance with current United States Environmental Protection Agency (USEPA) guideline procedures or as specified in this Monitoring Program." Proper chain of custody procedures must be followed and a copy of the completed chain of custody form shall be submitted with the report.
- H. For every item where the requirements are not met, the Discharger shall submit a statement of the cause(s), and actions undertaken or proposed which will bring the discharge into full compliance with waste discharge requirements at the earliest possible time, including a timetable for implementation of those actions.
- I. The Discharger shall maintain all sampling and analytical results, including strip charts, date, exact place, and time of sampling, dates analyses were performed, analyst's name, analytical techniques used, and results of all analyses. Such records shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.
- J. In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized to demonstrate compliance with the requirements and, where applicable, shall include results of receiving water observations.
- K. Any mitigation/remedial activity including any pre-discharge treatment conducted at the site must be reported in the quarterly monitoring report.
- L. Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses the compliance record and the corrective actions taken or planned that may be needed to bring the discharge into full compliance with WDRs. This section shall be located at the front of the report and shall clearly list all non-compliance with discharge requirements, as well as all excursions of effluent limitations.

II. ADVANCED TREATMENT TANK AND DISPOSAL SYSTEM MONITORING REQUIREMENTS

The quarterly reports shall contain the following information:

- A. Average and maximum daily waste flow and average water usage rate for each month of the quarter, in gallons per day. In the absence of a flow meter, a water bill can be used to estimate the flow discharge.
- B. Estimated population served during each month of the reporting period.
- C. Results of at least monthly observations in the disposal area for any overflow or surfacing of wastes.

In addition, the Discharger shall annually submit an operation and maintenance report on the advanced treatment system. The information to be contained in the report shall include, at a minimum, the following:

- A. The name and address of the person or company responsible for the operation and maintenance of the facility;
- B. Type of maintenance (preventive or corrective action performed);
- C. Frequency of maintenance, if preventive;
- D. Periodic pumping out of the advanced treatment tank; and
- E. Maintenance records of the advanced treatment system.

III. EFFLUENT MONITORING

Effluent sampling station shall be established at a location where representative samples of treated wastewater can be obtained prior to discharge to the seepage pits. The sampling station shall be identified and approved by the Executive Officer prior to its use.

The following shall constitute the effluent monitoring program:



Constituent	Units <sup>2</sup>	Type of Sample	Minimum Frequency of Analysis
BOD <sub>5</sub> @20°C	mg/L	grab	Monthly <sup>1</sup>
Oil and Grease	mg/L	grab	Monthly <sup>1</sup>
Nitrate-N	mg/L	grab	Monthly <sup>1</sup>
Nitrite-N	mg/L	grab	Monthly <sup>1</sup>
Nitrate + Nitrite-N	mg/L	grab	Monthly <sup>1</sup>
Total dissolved solids (TDS)	mg/L	grab	Monthly <sup>1</sup>
Sulfate	mg/L	grab	Monthly <sup>1</sup>
Chloride	mg/L	grab	Monthly <sup>1</sup>
Boron	mg/L	grab	Monthly <sup>1</sup>
pH	pH Unit	grab	Monthly <sup>1</sup>
Total coliform for Secondary Treatment System	MPN/100 mL	grab	Monthly <sup>1</sup>
Total coliform for Tertiary Treatment System	MPN/100 mL	grab	Monthly <sup>1</sup>

<sup>1</sup>If the monitoring test results exceed the effluent limitations, the monitoring frequency shall be weekly, for at least four consecutive weeks, to demonstrate compliance with effluent limitations in which case the monitoring frequency can revert to monthly.

IV. GROUNDWATER MONITORING PROGRAM

A groundwater monitoring program will not be required at this time. In the future, the Executive Officer may determine that a groundwater monitoring program is needed to fully evaluate the impact from your wastewater discharge in groundwater.

V. GENERAL PROVISIONS FOR REPORTING

The Discharger shall identify all instances of non-compliance and shall submit a statement of the actions undertaken, or proposed, that will bring the discharge into full compliance with requirements at the earliest time and submit a timetable for correction. The quarterly reports shall contain the following information:

1. A statement relative to compliance with discharge specifications during the reporting period; and
2. Results of daily observations in the disposal area for any overflow or surfacing of wastes, and/or other visible effects of the waste discharge.

VI. WASTE HAULING REPORTING

In the event that waste sludge, septage, or other wastes are hauled offsite, the name and address of the hauler shall be reported, along with types and quantities hauled during the reporting period and the location of the final point of disposal. In the event that no wastes are hauled during the reporting period, a statement to that effect shall be submitted.

VI. MONITORING FREQUENCIES

Specifications in this monitoring program are subject to periodic revisions. Monitoring requirements may be modified or revised by the Executive Officer based on review of monitoring data submitted pursuant to this Order. Monitoring frequencies may be adjusted to a less frequent basis or parameters and locations dropped by the Executive Officer if the Discharger makes a request and the request is backed by statistical trends of monitoring data submitted.

VII. CERTIFICATION STATEMENT

Each report shall contain the following completed declaration:

"I certify under penalty of law that this document, including all attachments and supplemental information, was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated 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 a fine and imprisonment.

Executed on the \_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_.

\_\_\_\_\_(Signature)

\_\_\_\_\_(Title)"

VIII. ELECTRONIC SUBMITTAL OF INFORMATION (ESI) TO GEOTRACKER

The Discharger shall comply with the Electronic Submittal of information (ESI) requirements by submitting all reports required under the MRP, including groundwater monitoring data, discharge location data, correspondence, and pdf monitoring reports to the State Water Resources Control Board GeoTracker database under Global ID WDR100040488.

Derek and Lindsey Kroeger  
Monitoring and Reporting Program No. CI-10480

File No. 19-016

All records and reports submitted in compliance with this Order are public documents and will be made available for inspection during business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region, upon request by interested parties. Only proprietary information, and only at the request of the Discharger, will be treated as confidential.

Ordered by:

  
\_\_\_\_\_  
Renee Purdy  
Executive Officer

Date: June 3, 2019