CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

ORDER NO. R4-2003-0087

NPDES PERMIT NO. CA0053961

OJAI VALLEY SANITARY DISTRICT
(Ojai Valley Wastewater Treatment Plant)

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

ORDER NO. R4-2003-0087
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WASTE DISCHARGE REQUIREMENTS FOR OJAI VALLEY SANITARY DISTRICT (Ojai Valley Treatment Plant)

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

PURPOSE OF ORDER

1. Ojai Valley Sanitary District (hereinafter OVSD or Discharger) owns and operates the Ojai Valley Wastewater Treatment Plant (Ojai Valley WTP) which discharges tertiary treated wastewater to the Ventura River, a water of the State and the United States. The discharge is regulated under waste discharge requirements contained in Order No. 96-041, adopted by this Board on June 10, 1996 and amended by Order No. 99-063, a revised Monitoring and Reporting Program (CI-4245) adopted by this Regional Board on July 8, 1999. Order No. 96-041 also serves as a permit under the National Pollutant Discharge Elimination System (NPDES) Permit No. CA0053961.

2. Order No. 96-041 has an expiration date of May 10, 2001. Section 122.6 of Title 40, Code of Federal Regulations (40 CFR) and section 2235.4 of Title 23, California Code of Regulations (CCR), state that an expired permit continue in force until the effective date of a new permit, provided the permittee has timely submitted a complete application for a new permit. The Discharger filed a Report of Waste Discharge (ROWD) and applied to the Regional Board for reissuance of waste discharge requirements (WDRs) and NPDES permit for the Ojai Valley WTP. Therefore, the Discharger's permit has been administratively extended until the Regional Board acts on the new WDRs and permit.

3. This Order is the reissuance of waste discharge requirements and NPDES permit for the Ojai Valley WTP.

FACILITY AND TREATMENT PROCESS DESCRIPTION

4. The Ojai Valley WTP, a publicly owned treatment work (POTW), is located at 6363 North Ventura Avenue, Ventura. Figure 1 shows the vicinity map for the plant. The Discharger provides wastewater collection services for the City of Ojai, the unincorporated communities of Meiners Oaks, Mira Monte, Oak View, Casitas Springs, and Foster Park, and a small portion of the unincorporated area located north of the City of Ventura. The collected wastewater is treated at the plant. The plant serves an estimated population of 23,000 people.

5. The Ojai Valley WTP has a dry weather design capacity of 3 million gallons per day (mgd) and 9 mgd instantaneous peak wet weather flow.

6. The U.S. Environmental Protection Agency (USEPA) and the Regional Board have classified the discharge from Ojai Valley WTP as a major discharge. It has a Threat to Water Quality and Complexity Rating of 1-A pursuant to CCR Section 2200.

7. Prior to the plant upgrade that was completed in 1997, nutrients and biochemical oxygen demand (BOD) in the discharge were determined to be causing problems downstream of the discharge. During late summer and early fall, the dissolved oxygen concentration of the receiving water below the discharge point had been found to fall below the 7.0 mg/L objective for cold water streams contained with spawning beneficial use in the Water Quality Control Plan for Los Angeles Region (Basin Plan). During the same period, there were heavy growths of aquatic vegetation in the river - 30-50% more downstream than upstream of OVSD's discharge point. A study conducted in 1991 by the Discharger, in compliance with a requirement in the previous WDRs contained in Board Order No. 90-062 issued on May 21, 1990, found that the dissolved oxygen depletion and the heavy aquatic plant growths in the river were related to Ojai Valley WTP's discharge.

8. Considering the impact of the discharge to the river, together with the reissuance of the WDRs and NPDES permit in Order No. 90-062 in 1990, the Regional Board also issued to OVSD Cease and Desist Order No. 90-063 (CDO). The CDO required OVSD, among others, to upgrade the treatment plant by providing tertiary treatment and reducing the oxygen demand and nutrients impact of the discharge to the river. OVSD completed the construction and started operation of a practically new plant in the fall of 1997.

9. The upgraded treatment plant utilizes a multistage suspended growth biological nutrient removal process in conjunction with extended aeration technology. Flocculation and filtration facilities and ultraviolet disinfection were added. Since the fall of 1997, the upgraded plant provides preliminary, secondary, and tertiary treatment. The treatment plant design capacity, however, remains at 3 mgd average dry weather flow and 9 mgd instantaneous peak wet weather flow.

10. The plant's preliminary treatment processes and operations consist of influent grinding, pumping, metering, grit removal and screening. Secondary treatment consists of biological treatment using an oxidation ditch with anaerobic-anoxic and aerobic zones for BOD, nitrogen, and phosphorous removal. Solids removal and tertiary treatment consist of clarification, equalization, flocculation, filtration and ultraviolet disinfection with chlorination/dechlorination as backup. The tertiary treated effluent is re-aerated prior to discharge.

    The waste activated sludge removed from clarification is stabilized in an aerobic holding tank, dewatered in belt presses, and dried and/or composted in sludge drying beds. During dry weather, sludge is composted onsite while during wet weather it is hauled to an offsite composting facility.

The new plant is designed to remove nitrogen to a level 30 day average of 8 mg/L and phosphorous to a level of 2 mg/L.

Figure 2 shows the schematic of the wastewater flow for the treatment plant.

11. *Storm Water Management.* OVSD treat storm water runoff at the facility, including stormwater infiltration and inflows in the sewer and stormwater that traverses the treatment tanks. It has developed a Storm Water Pollution Prevention Plan (SWPPP) for storm water that does not enter the treatment system.

DISCHARGE AND RECEIVING WATER DESCRIPTION

12. The plant discharges an average of 2.35 mgd of tertiary treated wastewater through Discharge Serial No. 001 (latitude 34° 20' 33", longitude 119° 17' 26") to the Ventura River, above the estuary. The Ventura River is part of the Ventura River Watershed Management Area as defined in the Regional Board's Watershed Management Initiative.

13. From the discharge point of the treatment plant, the Ventura River flows approximately 5 miles through the Ventura River Valley to the Pacific Ocean. At its mouth, the river traverses an alluvial delta and forms a lagoon (estuary) at the ocean shore. A sand bar generally closes this lagoon during low flow months, although during winter months the bar may be breached by high river flows. The upper end of the lagoon is part of the Emma Wood State Beach-Ventura River Group Camp. The lower end of the lagoon is part of the City of San Buenaventura's Seaside Wilderness Park.

14. The Ventura River and its tributaries drain a coastal watershed in western Ventura County – the Ventura Watershed Management Area. The watershed covers a fan-shaped area of 235 square miles, which is situated within the western Transverse Ranges (the only major east-west mountain ranges in the continental U.S.). From the upper slopes of the Transverse Ranges, the surface water system in the Ventura River Watershed generally flows in a southerly direction to the estuary. Groundwater basins, composed of alluvial aquifers deposited along the surface water system, are highly interconnected with the surface water system and are quickly recharged or depleted, according to surface flow conditions. Topography in the watershed is rugged and as a result, the surface waters that drain the watershed have very steep gradients, ranging from 40 feet per mile at the mouth to 150 feet at the headwaters.

Precipitation varies widely in the watershed. Most occurs as rainfall during a few storms between November and March. Summer and fall months are typically dry. Although snow occurs at higher elevations, melting snowpack does not sustain significant runoff in warmer months. The erratic weather pattern, coupled with the steep gradients throughout most of the watershed, result in high flow velocities with most runoff reaching the ocean.

DISCHARGE QUALITY

15. Monitoring after the completion of the upgrade has shown the quality of the effluent has significantly improved including a reduction of nitrate-nitrogen from 20 mg/L to below 10 mg/L. The average removal efficiency of both BOD and suspended solids has been over 99%. Dissolved oxygen levels in the river have improved dramatically to about 11 mg/L and algal growth below the plant has been greatly reduced.

16. The characteristics of the wastewater discharged, shown below, were based on data submitted in the Discharger's 2001 Annual Summary Monitoring Report and interim monitoring reports (conducted pursuant to California Water Code Section 13267, as discussed later). For priority pollutants, only those that were detected are shown below. Not detected toxic priority pollutants and their corresponding detection limits are given in the factsheet. (Note: The "<" symbol indicates that the pollutant was not detected (ND) at the indicated concentration level).

Constituent	Unit	Average	Maximum	Minimum	Existing Limit
Flow	MGD	2.35	3.61	1.97	
pH	pH unit	7.8	8.0	7.6	6.5/8.5
Temperature	^{o}F	70	77	61	80
$BOD_5 20^{o}C$	mg/L	2	3	2	10/15
BOD % removal	mg/L	99.1			85
Suspended Solids	mg/L	2	10	2	10/15
(S.S % removal)	mg/L	99.2			
Dissolved Oxygen	mg/L	8.3	9.8	7.1	-----
Ammonia Nitrogen	mg/L	0.3	0.46	<0.05	-----
Total phosphorous	mg/L	1.1	2.0	0.3	----
Settleable solids	mg/L	<0.1	<0.1	<0.1	0.1
Oil and Grease	mg/L	<3	5	<1	10/15
Total Dissolved Solids	mg/L	821	890	750	1500
MBAS	mg/L	<0.1	<0.1	<0.1	0.5
Chloride	mg/L	120	120	107	300
Sulfate	mg/L	257	290	230	500
Boron	mg/L	0.52	0.56	0.50	1.5

Constituent	Unit	Average	Maximum	Minimum	Existing Limit
Turbidity	NTU	<0.1	1	<0.1	2
Fluoride	mg/L	0.4	0.5	0.3	1.0
Organic-N	mg/L	1.2	2.2	0.5	-----
Nitrate-N + Nitrite N	mg/L	4.9	14.2	2.11	10
Total Nitrogen	mg/L	6.1	15.5	3.2	-----
Coliform	MPN/100ml	1.1	2.7	<2	2.2
Arsenic	ug/L	<0.25	<1	<0.5	50
Beryllium	ug/L	1.9	3.9	<0.1	-----
Cadmium	ug/L	<0.005	<0.1	0.01	5
Chromium III	ug/L	0.4	0.4	0.4	-----
Chromium VI	ug/L	0.89	2	0.009	50
Copper	ug/L	2.8	2.9	2.7	1000
Lead	ug/L	0.85	2	0.2	50
Mercury	ug/L	0.0025	0.001	0.0006	-----
Nickel	ug/L	2.2	3.8	0.5	-----
Selenium	ug/L	0.5	1	<1	50
Silver	ug/L	<0.1	<0.1	<0.1	50
Thallium	ug/L	0.05	0.2	0.005	-----
Zinc	ug/L	34	39	29	5000
Cyanide	ug/L	3.8	6	1.5	200
2,3,7,8-TCDD (Dioxin)	ug/L	6.30E-09	8.339E-08	4.26E-10	-----
Bromoform	ug/L	0.95	1.9	<0.5	-----
Dibromochloromethane	ug/L	5.2	9.9	0.5	-----
Chloroform	ug/L	5.5	6.9	<0.5	-----
Bromodichloromethane	ug/L	6.3	12.6	<0.46	-----
Bis(2-ethylhexyl)phthalate	ug/L	4	4	<0.3	-----
Gamma-BHC (Lindane)	ug/L	0.0185	0.03	<0.007	-----
Radioactivity–gross alpha	pCi/L	2 $\pm$ 4	2 $\pm$ 5	1 $\pm$ 2	15
Radioactivity-gross beta	pCi/L	6 $\pm$ 13	12 $\pm$ 7	4 $\pm$ 8	50

17. The Discharger's effluent demonstrated chronic toxicity during the last permit cycle. Based on this information, the Regional Board has determined that there is a reasonable potential that the discharge will cause toxicity in the receiving water and, consistent with SIP section 4, the Order contains a numeric effluent limitation for chronic toxicity. The circumstances warranting a numeric chronic toxicity effluent limitation are presently

under review by the State Water Resources Control Board (State Board) in SWRCB/OCC Files A-1496 & A-1496(a) [Los Coyotes/Long Beach Petitions]. The State Board's decision is expected in July 2003. In the event the State Board removes the numeric chronic toxicity effluent limitation from the Los Coyotes/Long Beach permits or replaces the limit with a narrative chronic toxicity effluent limitation, this Order contains a reopener to allow the Regional Board to modify this permit, if necessary, consistent with the State Board order on the Los Coyotes/Long Beach Petitions.

APPLICABLE PLANS, POLICIES, AND REGULATIONS

18. ***Federal Clean Water Act***. The federal Clean Water Act (CWA) provides that no person may discharge pollutants from a point source into a water of the United States, except in conformance with an NPDES permit. NPDES permits establish effluent limitations that incorporate various requirements of the CWA designed to protect and enhance water quality.

19. **Basin Plan**. The Board adopted a revised Water Quality Control Plan, Los Angeles Region: Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan) on June 13, 1994. This updated and consolidated plan represents the Board's master water quality control planning document and regulations. The revised Basin Plan was approved by the State Water Resources Control Board and the State of California Office of Administrative Law on November 17, 1994, and February 23, 1995, respectively. The Basin Plan has been amended by a number of resolutions subsequently adopted by the Regional Board. The Basin Plan:

    A. Designates beneficial uses for surface and groundwater;
    B. Sets narrative and numeric objectives that must be attained or maintained to protect the designated (existing and potential) beneficial uses and conform to state and federal antidegradation policies,
    C. Includes implementation provisions, programs, and policies to protect all waters in the Region; and
    D. Incorporates (by reference) all applicable State and Regional Board plans, policies and regulations.

    This Order implements the plans, policies and provisions of the Board's Basin Plan.

20. ***Sources of Drinking Water Policy***. On May 19, 1988, the State Board adopted Resolution No. 88-63, *Sources of Drinking Water (SODW) Policy*, which established a policy that all surface and ground waters, with limited exemptions, are suitable or potentially suitable for municipal and domestic supply. To be consistent with State Board's SODW policy, on March 27, 1989, the Regional Board adopted Resolution No. 89-03, *Incorporation of Sources of Drinking Water Policy into the Water Quality Control Plans (Basin Plans) – Santa Clara River Basin (4A)/ Los Angeles River Basin (4B).*

21. Consistent with Regional Board Resolution No. 89-03 and State Board Resolution No. 88-63, in 1994 the Regional Board conditionally designated all inland surface waters in Table 2-1 of the 1994 Basin Plan as existing, intermittent, or potential for Municipal and

Domestic Supply (MUN). However, the conditional designation in the 1994 Basin Plan included the following implementation provision: "no new effluent limitations will be placed in Waste Discharge Requirements as a result of these [potential MUN designations made pursuant to the SODW policy and the Regional Board's enabling resolution] until the Regional Board adopts [a special Basin Plan Amendment that incorporates a detailed review of the waters in the Region that should be exempted from the potential MUN designations arising from SODW policy and the Regional Board's enabling resolution]." On February 15, 2002, the USEPA clarified its partial approval (May 26, 2000) of the 1994 Basin Plan amendments and acknowledged that the conditional designations do not currently have a legal effect, do not reflect new water quality standards subject to USEPA review, and do not support new effluent limitations based on the conditional designations stemming from the SODW Policy until a subsequent review by the Regional Board finalizes the designations for these waters. This permit is designed to be consistent with the existing Basin Plan.

This permit is consistent with the foregoing provision of the Basin Plan.

22. ***Beneficial Uses.*** The Basin Plan contains water quality objectives and beneficial uses for the Ventura River and contiguous waters.

A. The receiving waters of OVSD include the Ventura River, the Ventura River Estuary, and the Lower Ventura Groundwater Basin in the Ventura River Valley (because of the groundwater recharge beneficial use of the Ventura River). The beneficial uses of the these receiving waters are:

<u>Ventura river – Hydro Unit 402.1</u>

Potential: municipal and domestic supply

The potential MUN beneficial use is pursuant to Regional Board Resolution 89-03; therefore, no effluent limits are prescribed to protect this beneficial use at this time.

Existing: industrial service supply, agricultural supply, groundwater recharge, freshwater replenishment, contact and non-contact water recreation, warm freshwater habitat, cold freshwater habitat, wild life habitat, rare, threatened or endangered species, migration of aquatic organisms, spawning, reproduction, and early development, and wetland habitat.

<u>Ventura River Estuary - Hydro Unit 402.10</u>

Existing: navigation, commercial and sport fishing, contact and non-contact water recreation, warm freshwater habitat, estuary habitat, marine habitat, wild life habitat, rare, threatened or endangered species, migration of aquatic organisms, spawning, reproduction, and early development, shellfish harvesting, and wetland habitat;

Lower Ventura Groundwater Basin

Potential: municipal and domestic supply, industrial process supply

The potential MUN designation is not based on the SODW policy, therefore, effluent limits are prescribed to protect the groundwater recharge beneficial use designation.

Existing: industrial service supply, agricultural supply

B. There is public contact in the downstream areas of the discharge; hence, the quality of wastewater discharged to the Ventura River must be equivalent to recycled water used as a source of supply for unrestricted recreational impoundment (Water Recycling Criteria, Title 22, California Code of Regulations) such that no health hazard is created.

The requirements in this Order are intended to protect the designated beneficial uses and enhance the water quality of the watershed. Effluent limits are prescribed to protect both existing and potential beneficial uses, except for conditionally designated potential MUN.

23. ***Title 22 of the California Code of Regulations***. The California Department of Health Services establishes primary and secondary maximum contaminant levels (MCLs) for inorganic and organic chemicals and radioactive contaminants in drinking water. These MCLs are codified in Title 22, California Code of Regulations. The Basin Plan (Chapter 3) incorporates Title 22 MCLs by reference. Title 22 MCLs have been used as bases for effluent limitations in WDRs and NPDES permits to protect the groundwater recharge beneficial use when the receiving groundwater is designated as MUN.

Groundwater Recharge (GWR). Hydro Unit 402.10 of the Ventura River is designated as GWR. Surface water from the Ventura River enters the Ojai Valley and the Ventura Groundwater Basin. As discharge to the Ventura River recharges the groundwater basin, the Basin Plan requires Title 22-based limits be prescribed to protect the groundwater. By limiting the contaminants in the Ojai Valley WRP discharges, the amount of pollutants entering the surface waters and groundwater basins are correspondingly reduced. Once groundwater basins are contaminated, it may take years to clean up, depending on the pollutant. Compared to surface water pollution, investigations and remediation of groundwater are often more difficult, costly, and extremely slow.

24. ***Antidegradation Policy***. On October 28, 1968, the State Board adopted Resolution No. 68-16*, Maintaining High Quality Water*, which established an antidegradation policy for State and Regional Boards. Similarly, CWA section 304(d)(4)(B) and 40 CFR section 131.12 require all NPDES permitting actions to be consistent with the federal antidegradation policy. Both state and federal antidegradation policies require that where the quality of the waters exceed levels necessary to support the beneficial uses, that quality shall be maintained and protected unless allowing lower water quality is necessary to accommodate important economic or social development, and provided the lower water quality is adequate to support the existing beneficial uses.

25. ***California Toxics Rule (CTR)***. The USEPA promulgated the CTR criteria that became effective on May 18, 2000 (codified as 40 CFR section 131.38). The CTR established water quality criteria for priority toxic pollutants in California's inland surface waterways. The CTR also provides a schedule of compliance not to exceed 5 years from the date of permit renewal for an existing discharger if the discharger demonstrates that it is infeasible to promptly comply with the CTR criteria.

The human health criteria for carcinogens in the CTR is based on an incremental cancer risk level of one in a million (10^{-6}). USEPA recognizes that adoption of criteria at a different risk factor is outside the scope of the CTR. However, States have the discretion to adopt water quality criteria that result in a higher risk level, if the chosen risk level has been demonstrated to adequately protect the most highly exposed subpopulation, and all necessary public outreach participation has been conducted. This demonstration has not been conducted in California. Further, information that is available on highly exposed subpopulations in California supports the need to protect the general population at the10^{-6} level. The discharger may undertake a study, in accordance with the procedures set forth in Chapter 3 of USEPA's Water Quality Standards Handbook: Second Edition (EPA-823-B-005a, August 1994) to demonstrate that a different risk level is more appropriate for discharges subject to this Order. Upon completion of the study, the State Board and Regional Board will review the results and determine if the risk level proposed is more appropriate. In the mean time, the State will continue using a 10^{-6} risk level, as it has done historically, to protect the population against carcinogenic pollutants.

26. **State Implementation Plan (SIP).** Anticipating USEPA's promulgation of the CTR, the State Board adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (also known as the State Implementation Plan or SIP) on March 2, 2000. The SIP was amended by Resolution No. 2000-30, adopted on April 26, 2000, and the Office of Administrative Law approved the SIP as amended on April 28, 2000. The SIP applies to discharges of toxic pollutants to inland surface waters, enclosed bays and estuaries of California that are subject to regulation under the State's Porter-Cologne Water Quality Control Act (Division 7 of the Water Code) and the Clean Water Act. The policy provides for the following:

A. implementation procedures for the CTR priority pollutants criteria and for priority pollutant objectives established by the Regional Boards in their Basin Plans;
B. monitoring requirements for priority pollutants with insufficient data to determine reasonable potential;
C. monitoring requirements for 2,3,7,8–TCDD equivalents; and,
D. chronic toxicity control provisions.

27. ***Watershed Approach*.** This Regional Board has been working to implement a Watershed Management Approach, to address water quality protection in the Los Angeles Region. The objective is to provide a more comprehensive and integrated strategy resulting in water resource protection, enhancement, and restoration while balancing economic and environmental impacts within a hydrological-defined drainage basin or watershed. The Watershed Management Approach emphasizes cooperative relationships between regulatory agencies, the regulated community, environmental

groups, and other stakeholders in the watershed to achieve the greatest environmental improvements with the resources available. The watershed approach integrates activities across the Regional Board's diverse programs, particularly permitting, planning, and other surface water-oriented programs that have tended to operate somewhat independently of each other.

The Regional Board has prepared and periodically updates its *Watershed Management Initiative Chapter*; the latest is dated December 2001. This document contains a summary of the region's watershed approach to watershed management. It addresses each watershed and the associated water quality problems and issues. It describes the background and history of each watershed, current and future activities, and addresses TMDL development. The information can be accessed on our web site www.swrcb.ca.gov/~rwqcb4/

28. This Order fosters the implementation of the watershed approach by protecting beneficial uses in the watershed and requiring OVSD to participate in watershed-wide activities and cooperate with other stakeholders such as the Ventura County Watershed Protection Division, and the Santa Barbara ChannelKeeper. Examples of watershed-wide activities are development and implementation of a volunteer watershed-wide monitoring program1 and the development or implementation of the Ventura River Steelhead Restoration and Recovery Plan, and the Habitat Conservation Plan (HCP). The purpose and goals and the participants to these plans are described in the Factsheet that accompanies this Order.

29. ***303(d) Listed Pollutants.*** On May 12, 1999, the USEPA approved the State's most recent list of impaired waterbodies. The list (hereinafter referred to as the 303(d) list) was prepared in accordance with Section 303(d) of the Federal Clean Water Act to identify specific impaired waterbodies where water quality standards are not expected to be met after implementation of technology-based effluent limitations on point sources.

Within the Ventura River Watershed, the Ventura River Estuary, as well as Reaches 1, 2, 3, and 4 of the Ventura River are listed as impaired for a number of pollutants. Reaches 3 and 4 are above the treatment plant and will not be addressed here. The following were identified as the pollutants or stressors, from point and non-point sources:

Ventura River Estuary – Hydrologic Unit 402.10
Algae, eutrophication, DDT, and trash

Ventura River Reach 1 (Estuary to Main Street) – Hydrologic Unit 402.10
Algae, copper, silver, and zinc (metals in fish tissue)

Ventura River Reach 2 (Main Street to Weldon Canyon) – Hydrologic Unit 402.10
Algae, copper, selenium, silver, and zinc (metals in fish tissue)

[1] This has already been developed and implemented and OVSD's participation is included in the Monitoring and Reporting Program that accompanies this Order.

30. ***Total Maximum Daily Loads.*** A Total Maximum Daily Load (TMDL) is a determination of the amount of a pollutant, from point, nonpoint, and natural background sources, including a margin of safety, that may be discharged to a water quality-limited water body. Section 303(d) of the CWA established the TMDL process. The statutory requirements are codified in 40 CFR Part 130.7. TMDLs must be developed for the pollutants of concern that impact the water quality of water bodies on the 303(d) list. The Regional Board is developing a TMDL that will assess the extent and sources of the algae and eutrophication problem in the Ventura River. According to the TMDL schedule, under the amended consent decree*, Heal the Bay, Santa Monica Bay Keeper, et al. v. Browner, et al.* (March 23, 1999), the algae and eutrophication TMDLs for the Ventura River Watershed are expected to be completed by 2004/05. The remaining TMDLs, such as metals (copper, silver, selenium, and zinc) and trash, are scheduled for completion by 2005/06.

REGULATORY BASIS FOR EFFLUENT AND DISCHARGE REQUIREMENTS

31. ***Water Quality Objectives and Effluent Limits****.* Water Quality Objectives (WQOs) and effluent limitations in this permit are based on:
    - State Board's *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Plan or SIP);
    - The plans, policies and water quality standards (beneficial uses + objectives + antidegradation policy) contained in the 1994 *Water Quality Control Plan, Los Angeles Region: Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties*, as amended;
    - Administrative Procedures Manual and Administrative Procedure Updates;
    - California Toxics Rule (Federal Register Volume 65, No. 97);
    - USEPA Regions 9 & 10 *Guidance for Implementing Whole Effluent Toxicity Programs* Final, May 31, 1996;
    - *Whole Effluent Toxicity (WET) Control Policy*, July 1994;
    - Applicable Federal Regulations
        - Federal Clean Water Act, and
        - 40 CFR Parts 122, 131, among others; and,
    - Best professional judgment (pursuant to 40 CFR 122.44).

32. Where numeric water quality objectives have not been established in the Basin Plan, 40 CFR Part 122.44(d)(1)(vi) provides that water quality based effluent limits may be set based on USEPA criteria, for example, USEPA's national recommended Section 304(a) water quality criteria for nonpriority pollutants and pollutants having organoleptic effects, and supplemented where necessary by other relevant information to attain and maintain narrative water quality criteria to fully protect designated beneficial uses.

33. U.S. EPA regulations, policy, and guidance documents upon which Best Professional Judgment (BPJ) was developed may include in part:
    - *Technical Support Document for Water Quality Based Toxics Control,* March 1991 (EPA-505/ 2-90-001); and,
    - *NPDES Permit Writers' Manual*, USEPA, December 1996 (EPA-833-B-96-003).

34. ***Mass and Concentration Limits.*** 40 CFR section 122.45(f)(1) requires that except under certain conditions, all permit limits, standards, or prohibitions be expressed in terms of mass units. 40 CFR section 122.45(f)(2) allows the permit writer, at its discretion, to express limits in additional units (e.g., concentration units). The regulations mandate that, where limits are expressed in more than one unit, the permittee must comply with both.

    Generally, mass-based limits ensure that proper treatment, and not dilution, is employed to comply with the final effluent concentration limits. Concentration-based effluent limits, on the other hand, discourage the reduction in treatment efficiency during low-flow periods and require proper operation of the treatment units at all times. In the absence of concentration-based effluent limits, a permittee would be able to increase its effluent concentration (i.e., reduce its level of treatment) during low-flow periods and still meet its mass-based limits. To account for this, this permit includes both mass and concentration limits for some constituents; however, the mass-based limits are inappropriate during wet weather flows when plant flows may exceed design capacity. Therefore, during storm events when flows exceed design capacity, only concentration-based limits are applicable.

35. ***Maximum Daily Effluent Limitations*.** Pursuant to 40 CFR section 122.45(d)(2), for a POTW's continuous discharges, all permit effluent limitations, standards, and prohibitions, including those necessary to achieve water quality standards, shall, unless impracticable, be stated as average weekly and average monthly discharge limitations. It is impracticable to only include average weekly and average monthly effluent limitations for certain pollutants in the permit, because a single daily discharge of certain pollutants, in excess amounts, can cause violations of water quality objectives. The effects of certain pollutants on aquatic organisms are often rapid. For many pollutants, an average weekly or average monthly effluent limitation alone is not sufficiently protective of beneficial uses. As a result, maximum daily effluent limitations, as referenced in 40 CFR section 122.45(d)(1), are included in the permit for certain constituents as discussed in the Fact Sheet accompanying this Order.

36. ***Pretreatment.*** Pursuant to 40 CFR Part 403, OVSD has developed and implemented an approved industrial wastewater pretreatment program. This Order requires implementation of the approved pretreatment program. Two noncategorical Significant Industrial Users (SIUs) and two Categorical Industrial Users (not discharging at this time) are subject to OVSD's pretreatment program. In 1984, the Categorical Industrial User, the Petrochem Industry shutdown. The two SIUs are subject to local limits, but not categorical pretreatment standards.

37. ***Sewage Sludge*.** To implement Section 405(d) of the Clean Water Act, USEPA promulgated 40 CFR Part 503 on February 19, 1993, to regulate the use and disposal of municipal sewage sludge. This regulation was amended on September 3, 1999. The regulation requires that producers of sewage sludge meet certain reporting, handling, and disposal requirements. It is the responsibility of the OVSD to comply with said regulations that are enforceable by USEPA, because California has not been delegated the authority to implement this program.

The State Board, however, under the authority of the Water Code adopted a statewide general WDRs for the generation, transport, and discharge of biosolids (Order No. 2000-10-DWQ). Other regional boards, particularly those where biosolids are land applied also adopted general WDRs for disposal of biosolids. It is the responsibility of the Discharger to comply with the applicable WDRs.

38. ***Storm Water*.** CWA section 402(p), as amended by the Water Quality Act of 1987, requires NPDES permits for storm water discharges. Pursuant to this requirement, in 1990, USEPA promulgated 40 CFR section 122.26 that established requirements for storm water discharges under an NPDES program. To facilitate compliance with federal regulations, in November 1991, the State Board issued a statewide general permit, General NPDES Permit No. CAS000001 and Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities. This permit was amended in September 1992 and reissued in April1997 in State Board Order No. 97-03-DWQ.

General NPDES Permit No. CAS000001 is applicable to storm water discharges from the Ojai Valley WTP premises. On March 30, 1992, OVSD filed a Notice of Intent to comply with the requirements of the general permit. OVSD developed and has been implementing a Storm Water Pollution Prevention Plan (SWPPP) to comply with State Board's Order No. 97-03-DWQ.

39. ***Clean Water Act Effluent Limitations***. Numeric and narrative effluent limitations are established pursuant to Section 301 (Effluent Limitations), Section 302 (Water Quality-Related Effluent Limitations), Section 303 (Water Quality Standards and Implementation Plans), Section 304 (Information and Guidelines [Effluent]), Section 305 (Water Quality Inventory), Section 307 (Toxic and Pretreatment Effluent Standards), and Section 402 (NPDES) of the CWA. The CWA and amendments thereto are applicable to the discharges herein.

40. ***Antibacksliding.*** Antibacksliding provisions are contained in Sections 303(d)(4) and 402(o) of the CWA and in 40 CFR section 122.44(l). Those provisions require a reissued permit to be as stringent as the previous permit with some exceptions. Section 402(o)(2) outlines six exceptions where effluent limitations may be relaxed.

41. ***Types of Pollutants.*** For CWA regulatory purposes, pollutants are grouped into three general categories under the NPDES program: conventional, toxic, and nonconventional. By definition, there are five conventional pollutants (listed in 40 CFR section 401.16): 5-day biochemical oxygen demand, total suspended solids, fecal coliform, pH, and oil and grease. Toxic or "priority" pollutants are those defined in Section 307(a)(1) of the CWA (and listed in 40 CFR section 401.12 and 40 CFR Part 423, Appendix A) and include metals and organic compounds. Nonconventional pollutants are those which do not fall under either of the two previously described categories and include such parameters as ammonia, phosphorous, chemical oxygen demand, whole effluent toxicity, etc.

42. ***Technology-Based Limits for Municipal Facilities (POTWs).*** Technology-based effluent limits require a minimum level of treatment for industrial/municipal point sources based on currently available treatment technologies while allowing the discharger to use any available control techniques to meet the effluent limits. The 1972 CWA required POTWs to meet performance requirements based on available wastewater treatment technology. Section 301 of the CWA established a required performance level - referred to as "secondary treatment" - that all POTWs were required to meet by July 1, 1977. More specifically, Section 301(b)(1)(B) of the CWA required that USEPA develop secondary treatment standards for POTWs (as defined in Section 304(d)(1)). Based on this statutory requirement, USEPA developed national secondary treatment regulations that are specified in 40 CFR Part 133. These technology-based regulations apply to all POTWs and identify the minimum level of effluent quality to be attained by secondary treatment in terms of 5-day biochemical oxygen demand, total suspended solids, and pH.

43. ***Water Quality-Based Effluent Limitations (WQBELs)***. Water quality-based effluent limits are designed to protect the quality of the receiving water by ensuring that State water quality standards are met by discharges from an industrial/municipal point source. If, after technology-based effluent limits are applied, a point source discharge still cause, have the reasonable potential to cause, or contribute to an exceedance of an applicable water quality criterion, then 40 CFR 122.44(d)(1) requires that the permit contain a WQBEL.

    The WQBELs in this Order are based on the numeric and narrative water quality objectives (WQOs) in the 1994 Basin Plan as amended, the CTR criteria, Title 22 MCLs, effluent limits in the previous permit, and/or best professional judgment (BPJ) pursuant to Part 122.44. The CTR is comprised of numeric aquatic life criteria for 23 toxic pollutants and human health criteria for 57 toxic pollutants. Federal regulations require that the most stringent of the State and federal criteria/objectives shall be applied to best protect the beneficial uses of the receiving waters.

    40 CFR section 122.44(d)(vi)(A) requires the establishment of numeric effluent limitations to attain and maintain applicable narrative water quality criteria to protect the designated beneficial uses. WQBELs may be set based on USEPA criteria and supplemented, where necessary, by other relevant information to attain and maintain the narrative water quality criteria to fully protect the designated beneficial uses.

    The CTR and the SIP authorize the State to issue compliance schedules in the permit for new or revised NPDES permit limits based on the CTR criteria, when certain conditions are met.

44. ***Mixing Zones and Dilution Credits.*** Mixing zone and dilution credits were not allowed in the calculation of the WQBELs in this Order. While the 1994 Basin Plan and the 2000 SIP provide for mixing zones on a case by case basis, there are criteria that have to be complied with before a mixing zone is allowed. One of the criteria in the Basin Plan is that, for rivers and streams, the mixing zone cannot extend more than 250 feet downstream of the discharge point. The Basin Plan also points out that for most inland streams in the region, upstream flows are minimal and mixing zones are usually not

appropriate. In calculating year-round mixing zone and dilution credits, the SIP requires the use of critical stream flow data for acute (1Q10) and chronic (7Q10) aquatic life criteria. 1Q10 is the lowest flow that occurs for one day and 7Q10 is the average low flow that occurs for seven consecutive days, with statistical frequencies of once every 10 years.

In a letter dated September 6, 2001, the Regional Board, based on its preliminary findings, informed OVSD that mixing zone and dilution credit are not appropriate for the their discharge because of the following:

A. Mixing occurs 290 feet from the discharge point, which is over the allowed 250 feet maximum.
B. The OVSD discharge constitutes the largest flow into the Ventura River near the vicinity and downstream of the discharge point.
C. There were instances in which 1Q10 and 7Q10 were 0 cubic feet per second (cfs). There is also a wide variability in monthly average flows upstream of the discharge – 1723 cfs in January 1995 to 0 in November 1991, October 1994, and November 1994 (U.S. Geological Survey Data).
D. The receiving water primarily consists of agricultural runoff limiting its ability to assimilate additional wastes.
E. Reaches of the Ventura River, at the discharge point and downstream, are included in the 303(d) list of impaired water bodies for a number of constituents.

45. ***Ammonia Limits***. The ammonia objectives in the 1994 Basin Plan are prescribed in this Order as end-of-pipe effluent limitations. These objectives have been revised by Regional Board Resolution No. 2002-011, adopted on April 28, 2002, to be consistent with the 1999 USEPA update on ammonia criteria. The revision is under review for approval by the State Board, Office of Administrative Law, and USEPA. Once the revision is approved, this Order will be reopened to incorporate the revised ammonia objectives (that are less stringent than the existing ones) and specific ammonia effluent limitations will be prescribed based on long-term average seasonal temperature and pH.

REASONABLE POTENTIAL ANALYSIS

46. As specified in 40 CFR Part 122.44(d)(1)(i), permits are required to include limits for all pollutants that the permitting authority determined are or may be discharged at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard.

Using the method described in the SIP, Regional Board staff have conducted Reasonable Potential Analyses (RPA) on priority pollutants using the Discharger's monitoring data and other available information regarding the discharge and receiving water. Attachment R summarizes the results of RPA; and where available, the lowest adjusted criteria (C_a) the maximum effluent concentrations (MECs), and the calculated effluent limits.

A. ***RPA Data***. Regional Board staff used priority pollutant data from January 1998 (i.e., when operation of the upgraded plant had stabilized) through June 2002, including the results of the interim monitoring program, in the RPAs.

B. ***Interim Monitoring.*** In accordance with the SIP and pursuant to Water Code section 13267, the Regional Board required the Discharger to conduct monthly interim monitoring of priority pollutants (except for asbestos and 2,3,7,8-TCDD) in the effluent and receiving water. Monitoring for asbestos and 2,3,7,8-TCDD is semiannual. The goal is to obtain an adequate number of data points for statistical analyses. Interim monitoring started in July 2001 and completed in December 2002. Results of interim monitoring are reported to the Regional Board on a quarterly basis.

Interim monitoring data from July 2001 to June 2002 were used in the RPAs. Once the reports for the remaining six months (July to December 2002) are received, Regional Board staff will again conduct RPAs, and when appropriate, reopen this Order to include the results of the revised RPAs.

C. ***Reasonable Potential Determination.*** *Section 1.3 of the SIP details the procedure in conducting a RPA. The preliminary steps involve the following:*

a. Identifying the lowest or most stringent criterion or water quality objective for the pollutant "(C)";
b. Adjusting the selected criterion/objective, when appropriate, for hardness, pH, and translators of the receiving water (C_a). For the OVSD permit, the hardness used was 400 mg/L as $CaCO_3$. Ambient hardness ranged from 327 to 488 mg/L averaging 427. The SIP only allows a freshwater maximum hardness of 400 mg/L as $CaCO_3$.
c. Collating the appropriate effluent data for the pollutant;
d. Determining the observed maximum concentration in the effluent (MEC) from the effluent data; and
e. Determining the observed maximum ambient background concentration of the pollutant (B).

There are three tiers in determining reasonable potential:

- For the first tier, the MEC is compared with the adjusted lowest applicable water quality objective or criterion (C_a). If the pollutant was not detected in any samples and the reported detection limits were below C_a, the lowest detection limit is used as the MEC. If the MEC is greater than C_a, then there is reasonable potential for the constituent to cause or contribute to an excursion above C_a and a WQBEL must be prescribed. If the MEC is less than C_a or if the pollutant was not detected in any of the effluent samples and all of the reported detection limits were greater than or equal to C_a, proceed with Tier 2.

- For the second tier, if the MEC is less than C_a or if the pollutant was not detected in any of the effluent samples and all of the detection limits were greater than or equal to C_a, then the observed maximum ambient background concentration (B) of the pollutant is compared with C_a. If B is

greater than C_a, then a WQBEL is required. If B is less than C_a, proceed to Tier 3.

- For the third tier, other information available, such as the CWA 303(d) List and fish advisories is reviewed to determine RPA. Section 1.3 of the SIP describes the type of information that can be considered in Tier 3. If the review indicates the need for a WQBEL to protect the beneficial uses, regardless of the results of Tier 1 and Tier 2, a WQBEL is prescribed.

On contract with the State Board, Scientific Applications International Corporation developed software to determine RPAs and, when reasonable potential exists, calculate the WQBELs, following procedures in SIP. Regional Board staff used this software, known as California Permit Writers Training Tool (CAPWTT). However if the pollutant has an MCL, Regional Board staff compares the CAPWITT-calculated WQBEL with the MCL-based WQBEL and selects the more stringent of the two as the limit.

Using the method described in the TSD, the Regional Board has conducted Reasonable Potential Analyses for Chronic Toxicity using the discharger's effluent data from their ROWD and annual self monitoring reports. The RPA compares the effluent data with USEPA's 1 Tuc water quality criteria. The Discharger's effluent demonstrated Chronic Toxicity during the last permit cycle. Based on this information, the Regional Board has determined that there is a reasonable potential that the discharge will cause toxicity in the receiving water and, consistent with SIP section 4, the Order contains a numeric effluent limitation for Chronic Toxicity. Furthermore, the Discharger has not conducted any Toxicity Identification Evaluations (TIEs) or Toxicity Reduction Evaluations (TREs). The circumstances warranting a numeric Chronic Toxicity effluent limitation are presently under review by the State Water Resources Control Board (State Board) in SWRCB/OCC Files A-1496 & A-1496(a) [Los Coyotes/Long Beach Petitions]. The State Board's decision is expected in July 2003. In the event the State Board removes the numeric chronic toxicity effluent limitation from the Los Coyotes/Long Beach permits or replaces the limit with a narrative chronic toxicity effluent limitation, this Order contains a reopener to allow the Regional Board to modify this permit, if necessary, consistent with the State Board order on the Los Coyotes/Long Beach Petitions.

47. ***Toxic Pollutant WQBELs.*** The following toxic pollutants exhibited reasonable potential to exceed their respective most stringent water quality objective or criterion, therefore, WQBELS are prescribed in this Order: bromodichloromethane, dibromochloromethane, bis(2-ethylhexyl)phthalate, cyanide, thallium and lindane. WQBELS for thallium and bis(2-ethylhexyl)phthalate were based on Title 22 MCLs, the others were based on the CTR criteria.

In general, no numerical limit is prescribed for a toxic pollutant that has been determined to have no reasonable potential to cause or contribute to excursions of water quality objectives or CTR criteria. Arsenic, cadmium copper, mercury, selenium, chromium VI, iron, lead, silver, and toluene did not exhibit reasonable potential on their respective most stringent CTR criteria – aquatic life protection - but had limits in the previous permit, Order No. 96-041. The previous permit limits which were based on either Title 22 MCLs or the

USEPA Water Quality Criteria are being retained for consistency with the Antibacksliding Policy.

There are only two data points for TCDD – one is below the most stringent criterion and one is above the criterion. The corresponding receiving water data show that TCDD has not been detected. Ojai Valley WTP has no industrial users that could be a source of TCDD. Based on this information and exercising best professional judgement, no TCDD limit is prescribed in this Order; however, the Discharger is required to monitor on a semiannual basis for the next two years to obtain adequate information for an RPA. In the event that there is a confirmed detection of TCDD, the Discharger is required to conduct a source investigation and develop and implement a Pollution Minimization Program (PMP) for this constituent. If the additional results indicate that there is reasonable potential, then the permit will be reopened and CTR-based limits for TCDD will be added.

48. ***Pollutant Minimization Program and Toxicity.*** For some priority pollutants, the applicable water quality objectives or criteria are below the levels that current technology can measure. Section 2.4.5 of the SIP provides how compliance will be determined in those cases. This Order requires the Discharger to conduct a Pollutant Minimization Program, as described in section 2.4.5.1, when there is evidence that the priority pollutant is present in the effluent above an effluent limitation. The Discharger is also required to work with its laboratory to lower detection levels. Also, to determine the impact of pollutants that could not be measured by current technology and the synergistic effect of all pollutants, this Order prescribes toxicity effluent limitations.

49. ***Basis for Effluent Limits for 303(d) Listed Pollutants.*** For 303(d) listed pollutants, the Regional Board plans to develop and adopt total maximum daily loads (TMDLs) that will specify wasteload allocations (WLAs) for point sources and load allocations (LA) for nonpoint sources. Following Regional Board adoption of the TMDLs, this Order may be reopened to include the results of the TMDLs. In the absence of a TMDL, the permits will include WQBELs derived as provided in the CTR, SIP, and other applicable guidance using best professional judgment. These WQBELs are applied end-of-pipe.

Ventura River reaches impacted by the Ojai discharge are listed as impaired because of algal growth and eutrophication. The 1994 Basin Plan as amended contains a Nitrate-N + Nitrite-N objective of 10 mg/L based on Tile 22 MCL, but no numerical objective for phosphorous. It, however, has a narrative objective that prohibits discharges of biostimulatory substances (includes nutrients – nitrogen and phosphorous) at levels that promote aquatic growth that such growth causes nuisance or adversely effects beneficial uses.

The upgraded plant is designed to remove nitrogen to a level of 8.0 mg/L and phosphorous to a level of 2.0 mg/L. The nitrate/nitrite nitrogen level meets the objective based on health effects. Analyses of algal growth and eutrophication are to be studied in the TMDL for nutrients to be completed in 2004/5. In the meantime, this Order prescribes a nitrate/nitrite nitrogen limit of 10 mg/L with a performance goal of 8 mg/L. No limit for phosphorous is prescribed at this time but a performance goal of 2 mg/L is included.

50. This Order is consistent with State and Federal antidegradation policies in that it does not authorize a change in the quantity of wastewater discharged by the facility, nor does it authorize a change or relaxation in the manner or level of treatment. As a result, both the quantity and quality of the discharge are expected to remain the same consistent with antidegradation policies. The accompanying monitoring and reporting program requires continued data collection and if monitoring data show a reasonable potential for a constituent to cause or contribute to an exceedance of water quality standards, the permit will be reopened to incorporate appropriate WQBELs. Such an approach ensures that the discharge will adequately protect water quality standards for potential and existing uses and conforms with antidegradation policies and antibacksliding provisions.

51. The requirements contained in this Order were developed in accordance with the foregoing laws, regulations, plans, policies, and guidance and procedures. Specific effluent limitations for each constituent were derived using best professional judgment and are based on the Basin Plan; Federal and State water quality criteria, plans, policies, and guidelines; and plant performance. The specific methodology and example calculations are documented in the fact sheet prepared by Regional Board staff that accompanies this Order. As they are met, the requirements will protect and maintain the beneficial uses of the receiving water.

INTERIM LIMITS

52. 40 CFR Part 131.38(e) provides conditions under which interim effluent limits and compliance schedules may be issued, but the current Basin Plan does not allow the inclusion of interim limits and compliance schedules within NPDES permits. However, the SIP does allow inclusion of an interim limit within an NPDES permit for priority pollutants if the limit for the priority pollutant is CTR-based, and if the previous permit did not contain an effluent limit for that priority pollutant. Interim limits have been established for lindane and cyanide in this Order.

53. The OVSD may not be able to achieve immediate compliance with the non-CTR-based limits for thallium and bis(2-ethylhexyl)phthalate contained in Section I.A.2.b. Data submitted in previous discharge monitoring reports indicate that these constituents have been detected in the effluent, at least once, at a concentration greater than the new limits proposed in this Order. Interim limits for thallium and bis(2-ethylhexyl)phthalate have been placed in the accompanying Time Schedule Order.

    The limitations contained in this Order are intended to protect and maintain existing and potential beneficial uses of the receiving waters. Environmental benefits provided by these limitations are reasonable and necessary.

CEQA AND NOTIFICATION

54. The Regional Board has notified OVSD and interested agencies and persons of its intent to issue waste discharge requirements for this discharge and has provided them with an opportunity to submit their written views and recommendations.

55. The Regional Board, in a public hearing, heard and considered all comments pertaining to the discharge and to the tentative requirements.

56. This Order shall serve as a National Pollutant Discharge Elimination System permit pursuant to §402 of the Federal Clean Water Act, or amendments thereto, and is effective 50 days from the date of adoption because of significant public comment, in accordance with federal law, provided the Regional Administrator, USEPA, has no objections.

57. Pursuant to California Water Code section 13320, any aggrieved party may seek review of this Order by filing a petition with the State Board. A petition must be sent to the State Water Resources Control Board, P.O. Box 100, Sacramento, California, 95812, within 30 days of adoption of the Order.

58. The issuance of waste discharge requirements that serve as a NPDES permit is exempt from the provisions of Chapter 3 (commencing with Section 21100) of Division 13 (California Environmental Quality Act) of the Public Resources Code in accordance with California Water Code Section 13389.

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IT IS HEREBY ORDERED that Ojai Valley Sanitary District, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Federal Clean Water Act and regulations and guidelines adopted thereunder, shall comply with the following:

I. DISCHARGE LIMITATIONS

A. Effluent Limitations

1. Waste discharged shall be limited to tertiary treated and disinfected wastewater only, as proposed.

2. The discharge of an effluent from Discharge Serial No. 001 with constituents in excess of the following limits is prohibited (See Footnotes pages 21-23):

a. Conventional and Nonconventional Pollutants

Discharge Limitations[1]			
Constituents	**Units**	**Monthly Average [2]**	**Daily Maximum [3]**
BOD_5 (20°C)	mg/L lbs/day	10 250	15 375
Total Suspended Solids	mg/L lbs/day	10 250	15 375
Oil & Grease	mg/L lbs/day	10 250	15 375
Residual Chlorine	mg/L	---	0.1[4]
Settleable Solids	ml/L	0.1	0.2
Total Dissolved Solids	mg/L lbs/day	1500 37,500	--- ---
Sulfate	mg/L lbs/day	500 12,500	--- ---
Chloride	mg/L lbs/day	300 7,500	--- ---
Fluoride	mg/L lbs/day	1.0 25.02	--- ---
Boron	mg/L lbs/day	1.5 37.5	--- ---
Nitrate-N+Nitrite-N	mg/L lbs/day	8 [5] ----	10 251
Nitrite-N	mg/L lbs/day	---- ----	1 25
Phosphorous	mg/L lbs/day	2 [5]	---- ----

Constituents	Units	Monthly Average [2]	Daily Maximum [3]
Total ammonia	mg/L lbs/day	[6]	[6]
Detergents (as MBAS)	mg/L lbs/day	0.5 12.5	

[1] Based on the plant design average flow rate of 3.0 mgd. During storm events, when the flow exceeds the design capacity, the mass emission rate shall not apply. However, the actual mass emission rates shall still be calculated and reported.

[2] The mean of all samples collected at equal intervals in a calendar month.

[3] The daily maximum effluent concentration limits apply to both flow weighted 24-hour composite samples and grab samples, as specified in the Monitoring and Reporting Program (Attachment T). The daily maximum is the highest value of the results of all samples collected in a calendar day.

[4] Based on results of continuous monitoring when chlorine is used in disinfection or in treatment process, total residual chlorine concentration of up to 0.3 mg/L, at the point in the treatment train immediately following dechlorination, shall not be considered violations of this requirement provided the total duration of such excursions do not exceed 15 minutes during any 24-hour period. Peaks in excess of 0.3 mg/L lasting less than one minute shall not be considered a violation of this requirement.

[5] Based on the design capability of the plant. This is only a performance goal and not an enforceable limit. In the event of exceedance of the goal, the Discharger shall investigate the cause, implement remedial measures, and report findings. Performance goals are intended to encourage and facilitate the minimization of pollutant loading while, at the same time, maintaining the incentive for future voluntary improvements of water quality whenever feasible, without the imposition of more stringent limits based on improved performance. They are not considered as limitations or standards for the regulation of the discharge from the treatment facility.

[6] Ojai Valley Treatment Plant must meet the total ammonia limitations contained in Attachment H, Basin Plan Tables 3-2 and 3-4, for the protection of freshwater aquatic habitat, immediately. These objectives have been revised in a Regional Board Resolution No. R02-011. Once revisions are approved by the State Board, Office of Administrative Law, and U.S.EPA, this Order may be reopened to incorporate the revisions and specific ammonia limits will be prescribed based on long term average or seasonal temperature and pH of the receiving water.

b. Toxic Pollutants

Discharge Limitations [1]				
CTR #[7]	Constituents	Units	Monthly Average [2] [8]	Daily Maximum [3]
12	Thallium [9]	µg/L lbs/day	2 [10] 0.05	--- ---
14	Cyanide [9] [11]	µg/L lbs/day	3.4 0.084	9.6 0.239
105	Lindane [9]	µg/L lbs/day	0.063 0.0016	0.23 0.0058

CTR #[7]	Constituents	Units	Monthly Average [2] [8]	Daily Maximum [3]
23	Dibromochloromethane [9] [12]	µg/L lbs/day	34 0.852	133 3.33
27	Dichlorobromomethane [9] [12]	µg/L lbs/day	46 1.153	190 4.78
68	Bis(2-ethylhexyl)phthalate [9]	µg/L lbs/day	4 [10] 0.100	---
2	Arsenic	µg/L lbs/day	50 [13]	---
4	Cadmium	µg/L lbs/day	5 [13] 0.125	---
5	Chromium	µg/L lbs/day	50 [13] 1.25	---
6	Copper	µg/L lbs/day	1000 [14] 25	---
	Iron	µg/L lbs/day	300 [14] 7.5	---
7	Lead	µg/L lbs/day	50 [14] 1.25	---
8	Mercury	µg/L lbs/day	2 [13] 0.05	---
10	Selenium	µg/L lbs/day	50 [13] 1.25	---
11	Silver	µg/L lbs/day	50 [14] 1.25	---
13	Zinc	µg/L lbs/day	5000 [14] 125	---
39	Toluene	µg/L lbs/day	150 [13] 3.75	---

[7] This number corresponds to the compound number found in Table 1 of CTR. It is simply the order in which the 126 priority pollutants were listed in 40 CFR part 131.38 (b)(1).

[8] Compliance is determined from a single analysis or from the average of the initial analysis and three additional analyses within the month taken one week apart after the results of the initial analysis are tabulated.

[9] RPA triggered limits.

[10] Limit based on Title 22, MCL for drinking water for the protection of the groundwater recharge beneficial use. The MCL–based limit is prescribed because it is more stringent than the proposed CTR-based limit.

[11] The recovery of free cyanide from metal complexes must be comparable to that achieved by Standard Methods 412 F, G, and H (Standards for the Examination of Water and Wastewater; Joint Editorial Board, American Public Health Association, American Water Works Association, and Water Pollution Control Federation [Water Environment Federation]; most recent edition).

[12] To be monitored only when chlorine is used for disinfection or in other parts of the treatment system.

[13] Limits carried over from the previous Order to prevent backsliding. These limits are based on Basin Plan (Title 22) MCL drinking water for the protection of the groundwater recharge beneficial use.

[14] Limits carried over from the previous Order to prevent backsliding. Limit based on USEPA water quality Criteria for water 1986 [EPA 440/5-86-001, May 1, 1986].

Interim Limits

Constituent	Units	Discharge Limitations	
		Daily Maximum	Monthly Average
Lindane	ug/L	--	0.11
	lbs/day	--	0.0028
Cyanide	ug/L	--	7.6
	lbs/day		0.19

Interim limits prescribed as maximum detected effluent concentration.

The Discharger shall submit quarterly progress reports (January 15, April 15, July 1 and October 15) to describe the progress of studies and/or actions undertaken to reduce these compounds in the effluent, and to achieve compliance with the limits in this Order by May 10, 2008. The first progress report shall be received at the Region Board by October 15, 2003.

B. Other Effluent Limitations

1. The pH of wastes discharged shall at all times be within the range of 6.5 and 8.5.

2. The monthly average removal of BOD and suspended solids shall not be less than 85 percent. [40 CFR Parts 133.102(a)(3)]. Percent removal is defined as a percentage expression of the removal efficiency across a treatment plant for a given pollutant parameter determined from the monthly average values of the raw wastewater influent pollutant concentrations to the facility and the monthly average values of the effluent pollutant concentrations for a given time period.

3. The temperature of wastes discharged shall not exceed 80^{o}F; except when the ambient temperature of the receiving waters is higher than 80^{o}F, the temperature of the wastes discharged shall not exceed the ambient temperature of the receiving waters.

4. Radioactivity of the wastes discharged shall not exceed the limits specified in Title 22, Chapter 15, Article 5, Section 64443, of the California Code of Regulations, or subsequent revisions.

5. The wastes discharged to watercourses shall at all times be adequately disinfected. For the purpose of this requirement, the wastes discharged shall be considered adequately disinfected if the median concentration of total coliform organisms at the end of the UV channel during normal operation when the UV system is in use, and at the end of the chlorine contact chamber when the backup method is used, does not exceed 7-day median of 2.2 per 100 milliliters, and the number of coliform organisms does not exceed 23 per 100 milliliters in more than one sample within any 30-day period. No sample shall exceed an MPN of 240 total coliform bacteria per 100 ml. The median value shall be determined from the bacteriological results of the last seven (7) days for which analysis have been completed. Samples shall be collected at a time when wastewater flow and characteristics are most demanding on treatment facilities and disinfection processes.

6. For the protection of the water contact recreation beneficial use, the wastes discharged to watercourses shall have received adequate treatment, so that the turbidity of the wastewater does not exceed a daily average of 2 Nephelometric turbidity units (NTUs), and does not exceed 5 NTUs more than 5 percent of the time (72 minutes) during any 24 hour period.

7. To protect underlying ground water basins, pollutants shall not be present in the wastes discharged at levels that pose a threat to groundwater quality.

C. Receiving Water Limitations

1. For waters designated with a cold freshwater habitat benefitial use, the temperature of the receiving water at any time or place and within any given 24-hour period shall not be increased by more than 5^0F (or above 70^0F if the ambient receiving water temperature is less than 60^0F) as a result of the waste discharged.

2. The pH of the receiving water shall not be depressed below 6.5 or raised above 8.5 as a result of wastes discharged. Ambient pH levels shall not be changed by more than 0.5 units from natural conditions.

3. The dissolved oxygen in the receiving water shall not be depressed below 7 mg/L as a result of the wastes discharged.

4. The residual chlorine shall not exceed 0.1 mg/L in the receiving waters shall not persist in the receiving water at any concentration that causes impairment of beneficial uses as a result of the wastes discharged.

5. The fecal coliform concentration shall not exceed a log mean of 200/100 ml (based on a minimum of not less than four samples for any 30-day period), nor

shall more than 10% of total samples during any 30-day period exceed 400/100 ml as a result of the wastes discharged.

6. The wastes discharged shall not alter the color of the receiving waters; create a visual contrast with the natural appearance of the water; nor cause aesthetically undesirable discoloration of the receiving waters.

7. The wastes discharged shall not contain substances that result in increases in the BOD that it adversely affects the beneficial uses of the receiving water.

8. The wastes discharged shall not contain biostimulatory substances in concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects the beneficial uses of the receiving waters.

9. The wastes discharged shall not cause the receiving waters to contain any substance in concentrations that adversely affect any designated beneficial use.

10. The wastes discharged shall not degrade surface water communities and populations, including vertebrate, invertebrate, and plant species.

11. The wastes discharged shall not result in problems due to breeding of mosquitos, gnats, black flies, midges, or other pests.

12. The wastes discharged shall not result in visible floating particulates, foams, and oil and grease in the receiving water.

13. The wastes discharged shall not contain any individual pesticide or combination of pesticides in concentrations that adversely affect beneficial uses of the receiving waters. There shall be no increase in pesticide concentration found in bottom sediments or aquatic life as a result of wastes discharged.

14. The wastes discharged shall not alter the natural taste, odor, and color of fish, shellfish, or other surface water resources used for human consumption.

15. The wastes discharged shall not change the turbidity of the receiving water so as to cause nuisance or adversely affect the beneficial uses. The wastes discharged shall not cause increases in natural turbidity attributable to controllable water quality factors to exceed the following limits:

    a. Where natural turbidity is between 0 and 50 NTU, increases shall not exceed 20%, and

    b. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%.

16. The dissolved sulfide concentration of waters in and near sediments shall not be significantly increased above that present under natural conditions as a result of wastes discharged.

17. The wastes discharged shall not cause objectionable aquatic growths or degrade indigenous biota.

18. The concentration of organic substances in fish, shellfish or other marine resources used for human consumption shall not bioaccumulate to levels that are harmful to human health as a result of wastes discharged.

19. The wastes discharged shall not produce concentrations of toxic substances in the receiving water that are toxic to or cause detrimental physiological responses in human, animal, or aquatic life.

20. The concentration of organic materials in marine sediments shall not be increased above that which would degrade marine life as result of wastes discharged.

21. No physical evidence of wastes discharged shall be visible at any time in the water or on beaches, shores, rocks, or structures.

22. The natural hydrologic conditions necessary to support the physical, chemical, and biological characteristics present in wetlands shall be protected to prevent significant adverse effects on: (a) natural temperature, pH, dissolved oxygen, and other natural physical and chemical conditions; (b) movement of aquatic fauna; (c) survival and reproduction of aquatic flora and fauna; and (d) water levels.

23. The existing habitats and associated populations of wetlands fauna and flora shall be maintained by: (a) maintaining substrate characteristics necessary to support flora and fauna which would be present naturally; (b) protecting food supplies for fish and wildlife; (c) protecting reproductive and nursery areas; and (d) protecting wildlife corridors.

24. The wastes discharged shall not cause the concentrations of toxic pollutants in the water column, sediments, or biota to incresase to levels adversely affect the beneficial uses.

25. The wastes discharged shall not cause concentrations of contaminants to occur at levels that are harmful to human health in waters that are existing or potential sources of drinking water.

26. Ammonia shall not be present at levels that, when oxidized to nitrate, pose a threat to groundwater quality.

D. Toxicity Requirements

1. Acute Toxicity Limitation and Requirements for Effluent

a. The acute toxicity of the effluent shall be such that: (i) the average survival in the undiluted effluent for any three (3) consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, and (ii) no single test producing less than 70 % survival.

b. If either of the above requirements I.D.1.a.i. or I.D.1.a.ii. is not met, the Discharger shall conduct six additional tests over a six-week period. The Discharger shall ensure that they receive results of a failing acute toxicity test within 24 hours of the completion of the test and the additional tests shall begin within 3 business days of the receipt of the result. If the additional tests indicate compliance with acute toxicity limitation, the Discharger may resume testing at the regular frequency as specified in the monitoring and reporting program. However, if the results of any two of the six accelerated tests are less than 90% survival, then the Discharger shall begin a Toxicity Identification Evaluation (TIE). The TIE shall include all reasonable steps to identify the sources of toxicity. Once the sources are identified, the Discharger shall take all reasonable steps to reduce toxicity to meet the limits.

c. If the initial test and any of the additional six acute toxicity bioassay tests result in less than 70 % survival, the Discharger shall immediately implement the Initial Investigation Toxicity Reduction Evaluation (TRE) Workplan described later in this section.

d. The Discharger shall conduct acute toxicity monitoring as specified in Monitoring and Reporting Program CI 4245 (Attachment T).

2. Chronic Toxicity Requirements for Effluent

a. The chronic toxicity of the effluent shall be expressed and reported in toxic units (TU_c) where:

$$TU_c = \frac{100}{NOEC}$$

The No Observable Effect Concentration (NOEC) is expressed as the maximum percent effluent concentration that causes no observable effect on test organisms, as determined by the results of a critical life stage toxicity test.

b. Chronic toxicity of 100% effluent shall not exceed a monthly median of 1.0 TU_c or a daily maximum of 2.0 TU_c in a critical life stage test.

c. If the chronic toxicity of the effluent exceeds the monthly median of 1.0 TU_c, the Discharger shall immediately implement an accelerated chronic toxicity testing program according to Monitoring and Reporting Program CI 4245, Item VI.D.2.d. If any three out of the initial test and the six accelerated tests exceed 1.0 TU_c, the Discharger shall initiate a TIE and implement the Initial Investigation TRE Workplan .

d. The Discharger shall conduct chronic toxicity monitoring as specified in Monitoring and Reporting Program No. 4245 (Attachment T).

3. Chronic Toxicity Requirements for Receiving Water

a. There shall be no chronic toxicity in ambient waters as a result of wastes discharged.

b. Receiving water and effluent toxicity testing shall be performed concurrently on the same day or close to each other as possible.

c. If the chronic toxicity in the receiving water at the monitoring station immediately downstream of the discharge, R4, exceeds 1.0 TU_c in a critical life stage test and the toxicity is attributed to the discharge, then the Discharger shall immediately implement an accelerated chronic toxicity testing according to Monitoring and Reporting Program CI 4245, section VI.D.2.d If two of the six tests exceed 1.0 TU_c, the Discharger shall initiate a TIE and implement the Initial Investigation TRE Workplan.

d. If the the chronic toxicity of the receiving water upstream of the discharge greater than the downstream and the TU_c of the effluent chronic toxicity test is less than 1 TU_c, then accelerated monitoring need not be implemented.

4. Preparation of an Initial Investigation TRE Workplan

a. The Discharger shall submit a copy of the Discharger's Initial Investigation Toxicity Reduction Evaluation (TRE) Workplan (1 to2 pages) to the Executive Officer of the Regional Board for approval within 90 days of the effective date of this permit. If the Regional Board Executive Officer does not disapprove the Workplan within 60 days, the Workplan shall become effective. The Discharger shall use EPA manuals EPA/600/2-88/070 (industrial) or EPA/833B-99/002 (municipal) as guidance. This Workplan shall describe the steps the Discharger intends to follow if toxicity is detected, and should include, at a minimum:

i. A description of the investigation and evaluation techniques that would be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency;
ii. A description of the facility's methods of maximizing in-house treatment efficiency and good housekeeping practices, and a list of all chemicals used in the operation of the facility; and,

iii. If a toxicity identification evaluation (TIE) is necessary, an indication of the person who would conduct the TIEs (i.e., an in-house expert or an outside contractor) (See MRP Section VI.D.4. for guidance manuals).

II. BIOSOLIDS REQUIREMENTS

A. The Discharger shall comply with the requirements of 40 CFR Part 503, in general, and in particular the requirements in Attachment B of this Order, [*Biosolids Use and Disposal Requirements*]. These requirements are enforceable by the USEPA.

B. The Discharger shall comply, if applicable, with the requirements in State issued statewide general Waste Discharge Requirements (WDRs) Order No. 2000-10-DWQ, tiltled "General waste Discharge Requirements for the Discharge of Biosolids to Land for use as a soil Amendment in Agricultural, Silvicultural and Horticultural and Land Reclamation Activities" adopted in August 2000.

C. The Discharger shall comply, if applicable, with WDRs issued by other Regional Boards to which jurisdiction the OVSD biosolids are transported and applied.

D. The Discharger shall furnish this Regional Board with a copy of any report submitted to USEPA, State Board or other regional board with respect to municipal sludge or biosolids.

III. PRETREATMENT REQUIREMENTS

A. This Order includes the Discharger's pretreatment program as previously submitted to this Regional Board. Any change to the program shall be reported to the Regional Board in writing and shall not become effective until approved by the Executive Officer in accordance with procedures established in 40 CFR 403.18.

B. The Discharger shall implement and enforce its approved pretreatment program. The Discharger shall be responsible and liable for the performance of all control authority pretreatment requirements contained in 40 CFR Part 403, including subsequent regulatory revisions thereof. Where Part 403 or subsequent revision places mandatory actions upon the Discharger as Control Authority but does not specify a timetable for completion of the actions, the Discharger shall complete the required actions within six months from the effective date of this Order or the effective date of Part 403 revisions, whichever comes later. For violations of pretreatment requirements, the Discharger shall be subject to enforcement actions, penalties, fines, and other remedies by the Regional Board, USEPA, or other appropriate parties, as provided in the Federal Clean Water Act. The Regional Board or USEPA may initiate enforcement action against an industrial user for noncompliance with acceptable standards and requirements as provided in the Federal Clean Water Act and/or the California Water Code.

C. The Discharger shall update its pretreatment local limits whether they are adequate to meet the requirements of this Order. Within 60 days of the effective date of this Order, the Discharger shall submit the result of evaluation, and if an update is necessary, the plan and schedule for updating the local limits for approval of the Executive Officer.

D. The Discharger shall enforce the requirements promulgated under Sections 307(b), 307(c), 307(d), and 402(b) of the Federal Clean Water Act with timely, appropriate, and effective enforcement actions. The Discharger shall require industrial users to comply with Federal Categorical Standards and shall initiate enforcement actions against those users who do not comply with the standards. The Discharger shall require industrial users subject to the Federal Categorical Standards to achieve compliance no later than the date specified in those requirements or, in the case of a new industrial user, upon commencement of the discharge.

E. The Discharger shall perform the pretreatment functions as required in Federal Regulations 40 CFR Part 403 including, but not limited to:

1. Implement the necessary legal authorities as provided in 40 CFR 403.8(f)(1);
2. Enforce the pretreatment requirements under 40 CFR 403.5 and 403.6;
3. Implement the programmatic functions as provided in 40 CFR 403.8(f)(2); and
4. Provide the requisite funding of personnel to implement the pretreatment program as provided in 40 CFR 403.8(f)(3).

F. The Discharger shall submit semiannual and annual reports to the Regional Board, with copies to the State Board, and USEPA, Region 9, describing the Discharger's pretreatment activities over the period. The annual and semiannual reports shall contain, but not be limited to, the information required in the attached *Pretreatment Reporting Requirements* (Attachment P), or an approved revised version thereof. If the Discharger is not in compliance with any conditions or requirements of this Order, the Discharger shall include the reasons for noncompliance and shall state how and when the Discharger will comply with such conditions and requirements.

IV. PROVISIONS

A. Discharge of wastes to any point other than specifically described in this Order and permit is prohibited and constitutes a violation thereof.

B. The Discharger shall comply with all applicable effluent limitations, national standards of performance, toxic and pretreatment effluent standards, and all federal regulations established pursuant to Sections 208(b), 301, 302, 303(d), 304, 306, 307, 316, 403 and 405 of the Federal Clean Water Act and amendments thereto.

C. This Order includes the attached "Standard Provisions and General Monitoring and Reporting Requirements" (Attachment N). If there is any conflict between provisions stated hereinbefore and the attached "Standard Provisions", those provisions stated herein prevail.

D. This Order includes the attached Monitoring and Reporting Program (Attachment T). If there is any conflict between provisions stated in the Monitoring and Reporting Program and the "Standard Provisions" (Attachment N), those provisions stated in the Monitoring and Reporting Program prevail.

E. The Discharger shall comply with the applicable requirements of the State Board's General NPDES Permit No. CAS000001 and *Waste Discharge Requirements for Discharges of Storm water associated with Industrial Activities* by continuing to implement a SWPPP and conducting the required monitoring.

F. Compliance Determination

1. Compliance with single constituent effluent limitation – If the concentration of the pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported Minimum Level (see Reporting Requirement III. A. of *M&RP)*, then the Discharger is out of compliance.

2. Compliance with monthly average limitations - In determining compliance with monthly average limitations, the following provisions shall apply to all constituents:

a. If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, does not exceed the monthly average limit for that constituent, the Discharger has demonstrated compliance with the monthly average limit for that month.

b. If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, exceeds the monthly average limit for any constituent, the Discharger shall collect four additional samples at approximately equal intervals during the month. All five analytical results shall be reported in the monitoring report for that month, or 45 days after the sample was obtained, whichever is later.

When all sample results are greater than or equal to the reported Minimum Level (see Reporting Requirement III. A. of M&RP), the numerical average of the analytical results of these five samples will be used for compliance determination.

When one or more sample results are reported as "Not-Detected (ND)" or "Detected, but Not Quantified (DNQ)" (see Reporting Requirement III. D. of *M&RP*), the median value of these four samples shall be used for compliance determination. If one or both of the middle values is ND or DNQ, the median shall be the lower of the two middle values.

c. In the event of noncompliance with a monthly average effluent limitation, the sampling frequency for that constituent shall be increased to weekly and shall continue at this level until compliance with the monthly average effluent limitation has been demonstrated.

d. If only one sample was obtained for the month or more than a monthly period and the result exceed the monthly average, then the Discharger is in violation of the monthly average limit.

3. Compliance with effluent limitations expressed as a sum of several constituents – If the sum of the individual pollutant concentrations is greater than the effluent limitation, then the Discharger is out of compliance. In calculating the sum of the concentrations of a group of pollutants, consider constituents reported as ND or DNQ to have concentrations equal to zero.

4. Compliance with effluent limitations expressed as a median – In determining compliance with a median limitation, the analytical results in a set of data will be arranged in order of magnitude (either increasing or decreasing order); and

a. If the number of measurements (n) is odd, then the median will be calculated as = $X_{(n+1)/2}$, or

b. If the number of measurements (n) is even, then the median will be calculated as = $[X_{n/2} + X_{(n/2)+1}]$, i.e. the midpoint between the n/2 and n/2+1 data points.

G. In calculating mass emission rates from the monthly average concentrations, use one half of the method detection limit for "Not Detected" (ND) and the estimated concentration for "Detected, but Not Quantified" (DNQ) for the calculation of the monthly average concentration.

H. Pollutant Minimization Program (PMP)

1. The goal of the PMP is to reduce all potential sources of a pollutant through pollutant minimization (control) strategies, including pollution prevention measures, in order to maintain the effluent concentration at or below the 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 completion and implementation of a Pollution Prevention Plan, required in accordance with California Water Code Section 13263.3 (d) shall fulfill the PMP requirements in this section.

2. The Discharger shall develop and conduct a PMP if all of the following conditions are true, and shall submit the PMP to the Regional Board within 90 days of determining the conditions are true:

a. The calculated effluent limitation is less than the reported minimum level;

b. The concentration of the pollutant is reported as "Detected, but Not Quantified", DNQ;

c. There is evidence showing that the pollutant is present in the effluent above the calculated effluent limitation.

3. The Discharger shall also develop and conduct a PMP if all of the following conditions are true, and shall submit the PMP to the Regional Board within 90 days of determining the conditions are true:

   a. The calculated effluent limitation is less than the method detection limit;

   b. The concentration of the pollutant is reported as “Not-Detected”, ND;

   c. There is evidence showing that the pollutant is present in the effluent above the calculated effluent limitation.

4. The Discharger shall consider the following in determining whether the pollutant is present in the effluent at levels above the calculated effluent limitation:

   a. health advisories for fish consumption;

   b. presence of whole effluent toxicity;

   c. results of benthic or aquatic organism tissue sampling;

   d. sample results from analytical methods more sensitive than methods included in the permit;

   e. the concentration of the pollutant is reported as DNQ and the effluent limitation is less than the method detection limit.

5. Elements of a PMP. The PMP shall include actions and submittals acceptable to the Regional Board including, but not limited to, the following:

   a. An annual review and semi-annual monitoring of potential sources of the reportable pollutant, which may include fish tissue monitoring and other bio-uptake sampling;

   b. Quarterly monitoring for the reportable pollutant in the influent to the wastewater treatment system;

   c. Submittal of a control strategy designed to proceed toward the goal of maintaining concentrations of the reportable pollutant in the effluent at or below the calculated effluent limitation;

   d. Implementation of appropriate cost-effective control measures for the pollutant, consistent with the control strategy; and,

   e. An annual status report that shall be sent to the Regional Board including:

- All PMP monitoring results for the previous year;
- A list of potential sources of the reportable pollutant;
- A summary of all action taken in accordance with control strategy; and,
- A description of actions to be taken in the following year.

I. The Discharger shall provide standby or emergency power facilities and/or storage capacity or other means so that in the event of plant upset or outage due to power failure or other cause, discharge of raw or inadequately treated sewage does not occur.

J. The Discharger shall protect the facility from inundation which could occur as a result of a flood having a predicted frequency of once in 100 years.

K. The Discharger shall comply with all applicable water quality objectives for the receiving waters, including the toxic criteria in 40 CFR Part 131.36, as specified in this permit.

V. REOPENERS AND MODIFICATIONS

A. This Order may be reopened and modified, in accordance with SIP section 2.2.2.A to incorporate the results of revised reasonable potential analyses to be conducted upon receipt of additional data from the monitoring program.

B. This Order may be modified, in accordance with the provisions set forth in 40 CFR Parts 122 and 124 to include requirements for the implementation of the watershed protection management approach.

C. The Board may modify, or revoke and reissue this Order if present or future investigations demonstrate that the discharge(s) governed by this Order will cause, have the potential to cause, or will contribute to adverse impacts on water quality and/or beneficial uses of the receiving waters.

D. This Order may also be modified, revoked, and reissued or terminated in accordance with the provisions of 40 CFR Parts 122.44, 122.62 to 122.64, 125.62, and 125.64. Causes for taking such actions include, but are not limited to, failure to comply with any condition of this Order, endangerment to human health or the environment resulting from the permitted activity, or acquisition of newly obtained information which would have justified the application of different conditions if known at the time of Order adoption. The filing of a request by the District for an Order modification, revocation and issuance or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

E. This Order may be modified, in accordance with the provisions set forth in 40 CFR Parts 122 to 124, to include new MLs.

F. This Order may be reopened and modified to revise effluent limitations as a result of future Basin Plan Amendments, such as an update of the ammonia objective, or the adoption of a TMDL for the Ventura River Watershed.

G. This Order may be reopened and modified to revise the chronic toxicity effluent limitation, to the extent necessary, to be consistent with State Board precedential decisions in the Los Coyotes/Long Beach Petitions.

VI. EXPIRATION DATE

This Order expires on May 10, 2008. The Discharger must file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, not later than 180 days in advance of the expiration date as application for issuance of new waste discharge requirements.

VII. RESCISSION

Order No. 96-041, adopted by this Board on June 10, 1996, is hereby rescinded, except for purposes of enforcement.

I, Dennis A. Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region on June 5, 2003.

Dennis A. Dickerson
Executive Officer