

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD**

**REGION 4, LOS ANGELES REGION**

320 W. West 4<sup>th</sup> Street, Suite 200, Los Angeles, California 90013  
 (213) 576-6600 • Fax (213) 576-6640  
<http://www.waterboards.ca.gov>

**ORDER NO. R4-2008-0039  
 NPDES NO. CA0053961**

**WASTE DISCHARGE REQUIREMENTS  
 FOR OJAI VALLEY SANITARY DISTRICT  
 (Ojai Valley Wastewater Treatment Plant)**

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

**Table 1. Discharger Information**

<b>Discharger</b>	<b>Ojai Valley Sanitary District</b>
<b>Name of Facility</b>	<b>Ojai Valley Wastewater Treatment Plant</b>
<b>Facility Address</b>	<b>6363 North Ventura Avenue</b>
	<b>Ventura, CA 93001</b>
	<b>Ventura County</b>
The U.S. Environmental Protection Agency (USEPA) and the Regional Water Quality Control Board have classified this discharge as a major discharge.	

The discharge by the Ojai Valley Sanitary District from the points identified below is subject to waste discharge requirements as set forth in this Order:

**Table 2. Discharge Location**

<b>Discharge Point</b>	<b>Effluent Description</b>	<b>Discharge Point Latitude</b>	<b>Discharge Point Longitude</b>	<b>Receiving Water</b>
001	Tertiary treated wastewater	34°, 20', 33" N	119°, 17', 26" W	Ventura River

**Table 3. Administrative Information**

This Order was adopted by the Regional Water Quality Control Board on:	<b>July 10, 2008</b>
This Order shall become effective on:	<b>August 29, 2008</b>
This Order shall expire on:	<b>June 10, 2013</b>
The Discharger shall file a Report of Waste Discharge in accordance with title 23, CCR, as application for issuance of new waste discharge requirements no later than:	<b>180 days prior to the Order expiration date</b> (Title 40, Code of Federal Regulations, part 122.21(d))

I, Tracy J. Egoscue, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on July 10, 2008.

---

Tracy J. Egoscue, Executive Officer

## Table of Contents

I.	Facility Information .....	5
II.	Findings .....	6
III.	Discharge Prohibitions.....	13
IV.	Effluent Limitations and Discharge Specifications .....	14
	A. Effluent Limitations – Discharge Point 001 .....	14
	1. Effluent Limitations Applicable to Discharge Point 001 .....	14
	2. Other Effluent Limitations Applicable to Discharge Point 001 .....	15
	B. Land Discharge Specifications.....	17
	C. Reclamation Specifications.....	17
V.	Receiving Water Limitations .....	19
	A. Surface Water Limitations.....	19
	B. Groundwater Limitations .....	22
VI.	Provisions.....	23
	A. Standard Provisions.....	23
	B. Monitoring and Reporting Program (MRP) Requirements .....	25
	C. Special Provisions.....	26
	1. Reopener Provisions.....	26
	2. Special Studies, Technical Reports and Additional Monitoring Requirements .....	27
	3. Best Management Practices and Pollution Prevention .....	29
	4. Construction, Operation and Maintenance Specifications.....	30
	5. Special Provisions for Municipal Facilities (POTWs Only) .....	31
	6. Other Special Provisions.....	33
VII.	Compliance Determination .....	36

## List of Tables

Table 1.	Discharger Information .....	1
Table 2.	Discharge Location .....	1
Table 3.	Administrative Information .....	1
Table 4.	Facility Information.....	5
Table 5a.	Basin Plan Beneficial Uses- Surface Water .....	8
Table 5b.	Basin Plan Beneficial Uses- Ground Water .....	8
Table 6a.	Effluent Limitations Applicable to Discharge Point 001 .....	14

### List of Attachments

Attachment A – Definitions .....	A-1
Attachment B – Location Map (Ojai Valley WWTP) .....	B-1
Attachment C – Flow Schematic (Ojai Valley WWTP) .....	C-1
Attachment D – Standard Provisions .....	D-1
Attachment E – Monitoring and Reporting Program .....	E-1
Attachment F – Fact Sheet .....	F-1
Attachment G – Generic Toxicity Reduction Evaluation Workplan .....	G-1
Attachment H – Biosolids/Sludge Use and Disposal Requirements .....	H-1
Attachment I – Pretreatment Reporting Requirements .....	I-1

## I. FACILITY INFORMATION

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

**Table 4. Facility Information**

<b>Discharger</b>	Ojai Valley Sanitary District
<b>Name of Facility</b>	Ojai Valley Wastewater Treatment Plant
<b>Facility Address</b>	6363 North Ventura Avenue
	Ventura, CA 93001
	Ventura County
<b>FACILITY CONTACT, TITLE, AND PHONE</b>	Ronald Sheets, Operations Superintendent, (805) 646-5548
<b>MAILING ADDRESS</b>	1072 Tico Road, Ojai Valley, CA 93023
<b>Type of Facility</b>	Publicly-Owned Treatment Works
<b>Facility Design Flow</b>	3 million gallons per day (MGD)

## II. FINDINGS

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

**A. Background.** Ojai Valley Sanitary District (hereinafter OVSD or Discharger) is currently discharging pursuant to Order No. R4-2003-0087 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA 0053961. The Discharger submitted a Report of Waste Discharge, dated November 21, 2007, and applied for a NPDES permit renewal to discharge up to 3 MGD of tertiary-treated wastewater from the Ojai Valley Wastewater Treatment Plant, hereinafter Ojai Valley WWTP. The application was deemed complete on March 24, 2008.

For the purposes of this Order, references to the “discharger” or “permittee” in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

**B. Facility Description.** The Discharger owns and operates the Ojai Valley Wastewater Treatment Plant, a Publicly-Owned Treatment Works (POTW). The treatment system consists of comminution, primary sedimentation, activated sludge treatment with using an oxidation ditch with an anaerobic-anoxic and aerobic zones for BOD, nitrogen, and phosphorus removal, secondary sedimentation, tertiary filtration, ultraviolet disinfection, (with chlorination/dechlorination as backup), and reaeration. Primary screenings are hauled off-site for disposal. Secondary sludge is pumped either to the oxidation ditches (return activated sludge) or to the belt press for dewatering (waste activated sludge) and composted in the sludge drying beds. Wastewater is discharged from Discharge Point 001 (see Table on cover page) to Ventura River, a water of the United States. Attachment B provides a map of the area around the facility. Attachment C provides a flow schematic of the facility.

**C. Legal Authorities.** This Order is issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (USEPA) and chapter 5.5, division 7 of the California Water Code (commencing with section 13370). It shall serve as an NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260).

**D. Background and Rationale for Requirements.** The Regional Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for Order requirements, is hereby incorporated into this Order and constitutes part of the Findings for this Order. Attachments A through E and G through I are also incorporated into this Order.

**E. California Environmental Quality Act (CEQA).** Under California Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of CEQA, Public Resources Code sections 21100-21177.

**F. Technology-based Effluent Limitations.** Section 301(b) of the CWA and implementing USEPA permit regulations at part 122.44, title 40 of the Code of Federal Regulations<sup>1</sup>, require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards at Part 133 and Best Professional Judgment (BPJ) in accordance with Part 125, section 125.3. A detailed discussion of the technology-based effluent limitations development is included in the Fact Sheet (Attachment F).

**G. Water Quality-Based Effluent Limitations.** Section 301(b) of the CWA and part 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards. This Order contains requirements, expressed as a technology equivalence requirement, that are necessary to achieve water quality standards. The Regional Board has considered the factors listed in California Water Code section 13241 in establishing these requirements. The rationale for these requirements, which consist of tertiary treatment or equivalent requirements or other provisions, is discussed in Section IV.C.2. of the Fact Sheet.

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

**H. Water Quality Control Plans.** The Regional Water Board adopted a Water Quality Control Plan for the Los Angeles Region (hereinafter Basin Plan) on June 13, 1994, that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. In addition, the Basin Plan implements State Water Resources Control Board (State Water Board) Resolution No. 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Beneficial uses applicable to Ventura River are as follows:

---

<sup>1</sup> All further statutory references are to title 40 of the Code of Federal Regulations unless otherwise indicated and will be abbreviated as "40 C.F.R. part number".

**Table 5a. Basin Plan Beneficial Uses- Surface Water**

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	Ventura River (Hydro. Unit No. 402.10)	<u>Existing:</u> Industrial service supply (IND), agricultural supply (AGR), groundwater recharge (GWR), freshwater replenishment (FRSH), contact and non-contact water recreation (REC-1 and REC2), warm freshwater habitat (WARM), cold freshwater habitat (COLD), wild life habitat (WILD), rare, threatened or endangered species (RARE), migration of aquatic organisms (MIGR), spawning, reproduction, and early development (SPWN), and wetland habitat(WET).  <u>Potential:</u> Municipal and domestic water supply (MUN).
001	Ventura River Estuary (Hydro. Unit No. 402.10)	<u>Existing:</u> Navigation (NAV), commercial and sport fishing(COMM), contact and non-contact water recreation (REC-1 and REC-2), warm freshwater habitat (WARM), estuarine habitat (EST), marine habitat (MAR), wild life habitat (WILD), rare threatened or endangered species (RARE), migration of aquatic organisms (MIGR), spawning, reproduction, and early development (SPWN), shellfish harvesting (SHELL), and wetland habitat (WET).

**Table 5b Basin Plan Beneficial Uses- Ground Water**

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	Lower Ventura Groundwater Basin	<u>Existing:</u> Industrial service supply (IND), agricultural supply (AGR).  <u>Potential:</u> Municipal and domestic water supply (MUN), industrial process supply (PROC).

Requirements of this Order implement the Basin Plan and subsequent amendments.

The 1994 Basin Plan provided water quality objectives for ammonia to protect aquatic life, in Tables 3-1 through Tables 3-4. However, those ammonia objectives were revised on April 25, 2002, by the Regional Water Board with the adoption of Resolution No. 2002-011, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Update the Ammonia Objectives for Inland Surface Waters (Including Enclosed Bays, Estuaries and Wetlands) with Beneficial Use Designations for Protection of Aquatic Life*. The ammonia Basin Plan amendment was approved by the State Water Board, the Office of Administrative Law, and USEPA on April 30, 2003, June 5, 2003, and June 19, 2003, respectively. On December 1, 2005, Resolution No. 2005-014, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Revise the Early Life Stage Implementation Provision of the Freshwater Ammonia Objectives for Inland Surface Waters (including enclosed bays, estuaries and wetlands)*

\* The potential MUN beneficial use for the water body is consistent with Regional Board Resolution 89-03; however, the Regional Board has only conditionally designated the MUN beneficial uses and at this time cannot establish effluent limitation designed to protect the conditional designation.

*for Protection of Aquatic Life*, was adopted by the Regional Water Board. Resolution No. 2005-014 was approved by the State Water Board, the Office of Administrative Law, and USEPA on July 19, 2006, August 31, 2006, and April 5, 2007, respectively. Although the revised ammonia water quality objectives may be less stringent than those contained in the 1994 Basin Plan, they are still protective of aquatic life and are consistent with USEPA's 1999 ammonia criteria update.

On October 25, 2006, the State Water Resources Control Board adopted a revised 303(d) list. The 2006 303(d) list was partially approved by the USEPA on November 30, 2006. However, on March 8, 2007, USEPA partially disapproved the State's 303(d) list by disapproving the State's omission of impaired waters that met federal listing regulations or guidance. USEPA is adding 64 waters and 37 associated pollutants to the State's 303(d) list. On June 28, 2007, USEPA transmitted the final approved 2004-2006 Section 303(d) list, which serves as 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 the implementation of technology-based effluent limitations on point sources.

Ventura River and Ventura Estuary are on the 303(d) list. The following pollutants/stressors, from point and non-point sources, were identified as impacting the receiving waters:

*Upstream of the Discharge Point 001:*

Ventura River Reach 3 (Weldon Canyon to Confluence with Coyote Creek) --  
Hydrologic unit 402.20  
Pumping, water diversion

Ventura River Reach 4 (Coyote Creek to Camino Cielo Road) -- Hydrologic unit  
402.20  
Pumping, water diversion

*Downstream of the Discharge Point 001:*

Ventura River Reach 1 and 2 (Estuary to Weldon Canyon) -- Hydrologic unit  
402.10  
Algae

Ventura Estuary--Hydrologic unit 402.10  
Algae, eutrophic, coliform bacteria, and trash

- I. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** USEPA adopted the NTR on December 22, 1992, and later amended it on May 4, 1995 and November 9, 1999. About forty criteria in the NTR applied in California. On May 18, 2000, USEPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the

state. The CTR was amended on February 13, 2001. These rules contain water quality criteria for priority pollutants.

- J. State Implementation Policy.** On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP became effective on April 28, 2000, with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Regional Water Board in the Basin Plan. The SIP became effective on May 18, 2000 with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005 that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.
- K. Compliance Schedules and Interim Requirements.** Section 2.1 of the SIP provides that, based on a Discharger's request and demonstration that it is infeasible for an existing Discharger to achieve immediate compliance with an effluent limitation derived from a CTR criterion, compliance schedules may be allowed in an NPDES permit. Unless an exception has been granted under section 5.3 of the SIP, a compliance schedule may not exceed 5 years from the date that the permit is issued or reissued, nor may it extend beyond 10 years from the effective date of the SIP (or May 18, 2010) to establish and comply with CTR criterion-based effluent limitations. Where a compliance schedule for a final effluent limitation exceeds 1 year, the Order must include interim numeric limitations for that constituent or parameter. Where allowed by the Basin Plan, compliance schedules and interim effluent limitations or discharge specifications may also be granted to allow time to implement a new or revised water quality objective. This Order does not include compliance schedules or interim effluent limitations.
- L. Alaska Rule.** On March 30, 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards (WQS) become effective for CWA purposes. (40 C.F.R. § 131.21; 65 Fed. Reg. 24641 (April 27, 2000).) Under the revised regulation (also known as the Alaska rule), new and revised standards submitted to USEPA after May 30, 2000, must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000 may be used for CWA purposes, whether or not approved by USEPA.
- M. Stringency of Requirements for Individual Pollutants.** This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. The technology-based effluent limitations consist of restrictions on BOD, TSS, pH, and percent removal of BOD and TSS. Restrictions on BOD, TSS and pH are discussed in Section IV.B. of the Fact Sheet. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. In addition, this Order contains effluent limitations more stringent than the minimum, federal technology-based requirements that are necessary to meet water quality standards. The rationale for including these limitations is explained in the Fact Sheet.

In addition, the Regional Board has considered the factors in California Water Code section 13241 in establishing these requirements.

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

This Order contains pollutant restrictions that are more stringent than applicable federal requirements and standards. Specifically, this Order includes effluent limitations for BOD and TSS that are more stringent than applicable federal standards, but that are nonetheless necessary to meet numeric objectives or protect beneficial uses. The rationale for including these limitations is explained in Section IV.B. of the Fact Sheet.

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

- Q. Monitoring and Reporting.** Part 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. California Water Code sections 13267 and 13383 authorizes the Regional Water Board to require technical and monitoring reports. The Monitoring and Reporting Program establishes monitoring and reporting requirements to implement federal and State requirements. This Monitoring and Reporting Program is provided in Attachment E.
- R. Standard and Special Provisions.** Standard Provisions, which apply to all NPDES permits in accordance with part 122.41, and additional conditions applicable to specified categories of permits in accordance with part 122.42, are provided in Attachment D. The discharger must comply with all standard provisions and with those additional conditions that are applicable under part 122.42. The Regional Water Board has also included in this Order special provisions applicable to the Discharger. A rationale for the special provisions contained in this Order is provided in the attached Fact Sheet.
- S. Provisions and Requirements Implementing State Law.** The provisions/requirements in subsections VI.C. of this Order are included to implement state law only. These provisions/requirements are not required or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.
- T. Notification of Interested Parties.** The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of notification are provided in the Fact Sheet of this Order.
- U. Consideration of Public Comment.** The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet of this Order.

THEREFORE, IT IS HEREBY ORDERED, that Order No. R4-2003-0087 is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the California Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the federal Clean Water Act and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order.

### **III. DISCHARGE PROHIBITIONS**

- A. Discharge of wastewater at a location different from that described in this Order is prohibited.
- B. The bypass or overflow of untreated wastewater or wastes to surface waters or surface water drainage courses is prohibited, except as allowed in Standard Provision I.G. of Attachment D, Standard Provisions.
- C. The monthly average effluent dry weather discharge flow rate from the facility shall not exceed the design capacity.
- D. The Discharger shall not cause degradation of any water supply, except as consistent with State Water Board Resolution No. 68-16.
- E. The treatment or disposal of wastes from the facility shall not cause pollution or nuisance as defined in section 13050, subdivisions (l) and (m) of the CWC.
- F. The discharge of any substances in concentrations toxic to animal or plant is prohibited.
- G. The discharge of any radiological, chemical, or biological warfare agent or high level radiological waste is prohibited.

#### IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

##### A. Effluent Limitations – Discharge Point 001

##### 1. Effluent Limitations Applicable to Discharge Point 001

- a. The Discharger shall maintain compliance with the following effluent limitations at Discharge Point 001 into Ventura River, with compliance measured at Monitoring Location EFF-001 as described in the attached MRP.
- b. The ammonia nitrogen effluent limitation is the translated effluent limitation based on the water quality objective for ammonia in the current Basin Plan, Table 3-1 and Table 3-2, which resulted from Resolution No. 2002-011, and Resolution No. 2005-014 adopted by the Regional Water Board on April 25, 2002, and December 1, 2005, respectively. This effluent limitation is derived according to the Implementation Section of Resolution No. 2002-011.
- c. The effluent limitations for Bis(2-ethylhexyl)phthalate will apply immediately on the effective date of this permit. The effluent limitation for Bis(2-ethylhexyl)phthalate is based on USEPA Technical Support Document procedures. Bis(2-ethylhexyl)phthalate shows reasonable potential to exceed the criteria (B>C), therefore effluent limits are required.

**Table 6a. Effluent Limitations Applicable to Discharge Point 001**

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
BOD <sub>5</sub> 20°C	mg/L	10	--	15		
	lbs/day <sup>1</sup>	250		380		
Total Suspended Solids (TSS)	mg/L	10		15		
	lbs/day <sup>1</sup>	250		380		
pH	standard units	--	--	--	6.5	8.5
Removal Efficiency for BOD and TSS	%	85	--	--		
Oil and Grease	mg/L	10	--	15		
	lbs/day <sup>1</sup>	250	--	380		
Settleable Solids	ml/L	0.1	--	0.2		
Total Residual Chlorine	mg/L	--	--	0.1		
Total Dissolved Solids	mg/L	1500	--	--		

<sup>1</sup> The mass emission rates are based on the plant design flow rate of 3 MGD, and are calculated as follows: Flow (MGD) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day. During wet-weather storm events in which the flow exceeds the design capacity, the mass discharge rate limitations shall not apply, and concentration limitations will provide the only applicable effluent limitations.

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
	lbs/day <sup>1</sup>	38,000	--	--		
Sulfate	mg/L	500	--	--		
	lbs/day <sup>1</sup>	13,000	--	--		
Chloride	mg/L	300	--	--		
	lbs/day <sup>1</sup>	7,500	--	--		
Boron	mg/L	1.5	--	--		
	lbs/day <sup>1</sup>	38.0	--	--		
MBAS	mg/L	0.5	--	--		
	lbs/day <sup>1</sup>	13.0	--	--		
Ammonia Nitrogen <sup>2</sup>	mg/L	3.0	--	4.6		
	lbs/day <sup>1</sup>	75	--	120		
Nitrate + Nitrite (as N)	mg/L	--	--	10		
	lbs/day <sup>1</sup>	--	--	251		
Nitrite (as N)	mg/L	--	--	1		
	lbs/day <sup>1</sup>		--	25		
Bis(2-ethylhexyl)phthalate	µg/L	4.0	--	--		
	lbs/day <sup>1</sup>	0.10		--		

## 2. Other Effluent Limitations Applicable to Discharge Point 001

- a. **Percent removal:** The average monthly removal of BOD 5-day 20°C and total suspended solids shall not be less than 85 percent.
- b. The temperature of wastes discharged shall not exceed 86°F except when the ambient temperature of the receiving waters is higher than 86°F, in which case the temperature of the wastes discharged shall not exceed the ambient temperature of the receiving waters.
- c. The 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 (CCR), or subsequent revisions.
- d. The wastes discharged to water courses shall at all times be adequately disinfected. For the purpose of this requirement, the wastes shall be considered adequately disinfected if the median number of total coliform

<sup>2</sup> This is the translated effluent limitation for ammonia based on the water quality objective for ammonia in the current Basin Plan, Table 3-1 and Table 3-2, which resulted from Resolution Nos. 2002-011 and 2005-014 adopted by the Regional Water Board on April 25, 2002, and December 1, 2005, respectively. This effluent limitation is derived according to the Implementation Section of Resolution No. 2002-011.

- bacteria at the end of the UV channel during normal operation when the UV backup system is in use, and at the end of the chlorine contact chamber when the back up method is used, does not exceed a 7-day median of 2.2 MPN or CFU per 100 milliliters, and the number of total coliform bacteria does not exceed 23 MPN or CFU per 100 milliliters in more than one sample within any 30-day period. No sample shall exceed 240 MPN or CFU of total coliform bacteria per 100 milliliters in more than one sample in any 30 day period. The median value shall be determined from the bacteriological results of the last seven (7) days for which an analysis has been completed. Samples shall be collected at a time when wastewater flow and characteristics are most demanding on treatment facilities and disinfection processes.
- e. For the protection of the water contact recreation beneficial use, the wastes discharged to water courses shall have received adequate treatment, so that the turbidity of the treated wastewater does not exceed any of the following: (a) an average of 2 Nephelometric turbidity units (NTUs) within a 24-hour period; (b) 5 NTUs more than 5 percent of the time (72 minutes) within a 24-hour period; and (c) 10 NTU at any time.
  - f. To protect the underlying ground water basins, pollutants shall not be present in the wastes discharged at concentrations that pose a threat to ground water quality.
  - g. Acute Toxicity Limitation and Requirements:
    - 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 renewal bioassay tests shall be at least 90%, and
      - (ii) No single test producing less than 70% survival.
    - b. If either of the above requirements g.a.(i) or g.a.(ii) is not met, the Discharger shall conduct six additional tests over a 12-week period, approximately one test every two weeks. The Discharger shall ensure that results of a failing acute toxicity test are received by the Discharger within 24 hours of completion of the test, and the additional tests shall begin within 5 business days of 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 objective.

- c. If the initial test and any of the additional six acute toxicity bioassay tests results are less than 70% survival, the Discharger shall immediately implement the Initial Investigation Toxicity Reduction Evaluation (TRE) Workplan.
  - d. The Discharger shall conduct acute toxicity monitoring as specified in Attachment E - Monitoring and Reporting Program (MRP).
- h. Chronic Toxicity Trigger and Requirements:
- a. The chronic toxicity of the effluent shall be expressed and reported in toxic units, 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. There shall be no chronic toxicity in the effluent discharge.
  - c. If the chronic toxicity of the effluent exceeds the monthly median trigger of 1.0  $TU_c$ , the Discharger shall immediately implement an accelerated chronic toxicity testing according to Attachment E - MRP, Section V.B.3. If any three out of the initial test and the six accelerated tests results exceed 1.0  $TU_c$ , the Discharger shall initiate a TIE and implement the Initial Investigation TRE Workplan, as specified in Attachment E – MRP, Section V.D and V.E.
  - d. The Discharger shall conduct chronic toxicity monitoring as specified in Attachment E – MRP.

**B. Land Discharge Specifications**

Not applicable.

**C. Reclamation Specifications**

The production, distribution, and reuse of recycled water are presently regulated under Water Reclamation Requirements (WRRs) Order No. 88-107, adopted by this Board on October 24, 1988, continued in Board Order No. 97-072, adopted on May 12, 1997. Pursuant to California Water Code section 13523, these

WRRs were revised in 1997 and were readopted without change in Order No. 97-072, adopted May 12, 1997.

## V. RECEIVING WATER LIMITATIONS

### A. Surface Water Limitations

Receiving water limitations are based on water quality objectives contained in the Basin Plan and are a required part of this Order. The discharge shall not cause the following in Ventura River:

1. For waters designated with a warm freshwater habitat (WARM) or cold freshwater habitat (COLD) beneficial use, the temperature of the receiving water at any time or place and within any given 24-hour period shall not be altered by more than 5 °F above the natural temperature (or above 70 °F if the ambient receiving water temperature is less than 60 °F) at the receiving water station located downstream of the discharge, as a result of the waste discharged. Natural conditions shall be determined on a case-by-case basis.
2. The pH of inland surface waters 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 more than 0.5 units from natural conditions as a result of wastes discharged. Natural conditions shall be determined on a case-by-case basis.
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 total residual chlorine shall not exceed 0.1 mg/L in the receiving waters and 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 in the receiving water shall not exceed the following, as a result of wastes discharged:
  - a. Geometric Mean Limits
    - i. E.coli density shall not exceed 126/100 mL.
    - ii. Fecal coliform density shall not exceed 200/100 mL.
  - b. Single Sample Limits
    - i. E.coli density shall not exceed 235/100 mL.
    - ii. Fecal coliform density shall not exceed 400/100 mL.
6. Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increases in natural turbidity attributable to controllable water quality factors shall not exceed the following limits, as a result of wastes discharged:

- 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%.
7. The wastes discharged shall not produce concentrations of substances in the receiving water that are toxic to or cause detrimental physiological responses in human, animal, or aquatic life.
8. The wastes discharged shall not cause concentrations of contaminants to occur at levels that are harmful to human health in waters which are existing or potential sources of drinking water.
9. The concentrations of toxic pollutants in the water column, sediments, or biota shall not adversely affect beneficial uses as a result of the wastes discharged.
10. The wastes discharged shall not contain substances that result in increases in BOD, which adversely affect the beneficial uses of the receiving waters.
11. Waters discharged shall not contain biostimulatory substances in concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses.
12. 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 waters discharged.
13. The wastes discharged shall not cause the receiving waters to contain any substance in concentrations that adversely affect any designated beneficial use.
14. The wastes discharged shall not degrade surface water communities and populations, including vertebrate, invertebrate, and plant species.
15. The wastes discharged shall not alter the natural taste, odor, and color of fish, shellfish, or other surface water resources used for human consumption.
16. The wastes discharged shall not result in problems due to breeding of mosquitoes, gnats, black flies, midges, or other pests.
17. The wastes discharged shall not result in visible floating particulates, foams, and oil and grease in the receiving waters.
18. The wastes discharged shall not cause objectionable aquatic growths or degrade indigenous biota.

19. The wastes discharged shall not alter the color of the receiving waters; not create a visual contrast with the natural appearance of the water; nor cause aesthetically undesirable discoloration of the receiving waters.
20. No physical evidence of wastes discharged shall be visible at any time in the water or on beaches, shores, rocks, or structures.
21. 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 concentrations found in bottom sediments or aquatic life as a result of the wastes discharged.
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. Ammonia shall not be present at levels that, when oxidized to nitrate, pose a threat to groundwater quality.
25. Acute Toxicity Receiving Water Quality Objective
  - a. There shall be no acute toxicity in ambient waters as a result of wastes discharged.
  - b. Receiving water and effluent toxicity testing shall be performed on the same day as close to concurrently as possible.
  - c. The acute toxicity of the receiving water, at monitoring location RSW-004, located approximately 50 feet downstream of the discharge, shall be such that: (i) the average survival in the undiluted receiving water for any three (3) consecutive 96-hour static, static-renewal, or continuous flow bioassay tests shall be at least 90%, and (ii) no single test producing less than 70% survival. Static-renewal bioassay tests may be used, as allowed by the most current USEPA test method for measuring acute toxicity.
  - d. If the upstream acute toxicity of the receiving water is greater than the downstream acute toxicity but the effluent acute toxicity is in compliance, acute toxicity accelerated monitoring in the receiving water according to MRP Section V.A.2.d does not apply.

## 26. Chronic Toxicity Receiving Water Quality Objective

- 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 on the same day as close to concurrently as possible.
  - c. If the chronic toxicity in the receiving water at the monitoring station immediately downstream of the discharge, exceeds the monthly median of 1.0 TU<sub>c</sub> trigger in a critical life stage test and the toxicity cannot be attributed to upstream toxicity, as assessed by the Discharger, then the Discharger shall immediately implement an accelerated chronic toxicity testing according to Monitoring and Reporting Program CI 4245, Section V.B.3. If two of the six tests exceed a 1.0 TU<sub>c</sub> trigger, the Discharger shall initiate a TIE and implement the Initial Investigation TRE Workplan.
  - d. If the chronic toxicity of the receiving water upstream of the discharge is greater than the downstream and the TU<sub>c</sub> of the effluent chronic toxicity test is less than or equal to a monthly median of 1 TU<sub>c</sub> trigger, then accelerated monitoring need not be implemented.
27. The wastes discharged shall not cause the ammonia water quality objective in the Basin Plan to be exceeded in the receiving waters. Compliance with the ammonia water quality objectives shall be determined by comparing the receiving water ammonia concentration to the ammonia water quality objective in the Basin Plan. The ammonia water quality objective can also be calculated using the pH and temperature of the receiving water at the time of collection of the ammonia sample.

## B. Groundwater Limitations

1. The discharge shall not cause the underlying groundwater to be degraded, to exceed water quality objectives, unreasonably affect beneficial uses, or cause a condition of pollution or nuisance.

## VI. PROVISIONS

### A. Standard Provisions

#### 1. Standard Provisions

The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.

#### 2. Regional Water Board Standard Provisions

The Discharger shall comply with the Regional Water Board-specific Standard Provisions as follows:

- a. Neither the treatment nor the discharge of pollutants shall create a pollution, contamination, or nuisance as defined by Section 13050 of the California Water Code.
- b. Odors, vectors, and other nuisances of sewage or sludge origin beyond the limits of the treatment plant site or the sewage collection system due to improper operation of facilities, as determined by the Regional Water Board, are prohibited.
- c. All facilities used for collection and transport of "wastes" shall be adequately protected against damage resulting from overflow, washout, or inundation. The treatment plant shall be protected from a 100-year return, 24-hour duration storm.
- d. Collection, treatment, and disposal systems shall be operated in a manner that precludes public contact with wastewater.
- e. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed of in a manner approved by the Executive Officer of the Regional Water Board.
- f. The provisions of this order are severable. If any provision of this order is found invalid, the remainder of this Order shall not be affected.
- g. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the discharger from any responsibilities, liabilities or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the CWA.
- h. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the discharger from any responsibilities, liabilities or penalties to which the discharger is or may be subject to under Section 311 of the CWA.
- i. The Discharger must comply with the lawful requirements of municipalities, counties, drainage districts, and other local agencies regarding discharges of

- storm water to storm drain systems or other water courses under their jurisdiction, including applicable requirements in municipal storm water management programs developed to comply with NPDES permits issued by the Regional Water Board to local agencies.
- j. Discharge of wastes to any point other than specifically described in this Order is prohibited, and constitutes a violation thereof.
  - k. The Discharger shall comply with all applicable effluent limitations, national standards of performance, toxic effluent standards, and all federal regulations established pursuant to Sections 301, 302, 303(d), 304, 306, 307, 316, 403, and 405 of the Federal CWA and amendments thereto.
  - l. These requirements do not exempt the operator of the waste disposal facility from compliance with any other laws, regulations, or ordinances which may be applicable; they do not legalize this waste disposal facility, and they leave unaffected any further restraints on the disposal of wastes at this site which may be contained in other statutes or required by other agencies.
  - m. Oil or oily material, chemicals, refuse, or other polluting materials shall not be stored or deposited in areas where they may be picked up by rainfall and carried off of the property and/or discharged to surface waters. Any such spill of such materials shall be contained and removed immediately.
  - n. A copy of these waste discharge specifications shall be maintained at the discharge facility so as to be available at all times to operating personnel.
  - o. If there is any storage of hazardous or toxic materials or hydrocarbons at this facility and if the facility is not manned at all times, a 24-hour emergency response telephone number shall be prominently posted where it can easily be read from the outside.
  - p. The Discharger shall file with the Regional Water Board a report of waste discharge at least 120 days before making any proposed change in the character, location or volume of the discharge.
  - q. In the event of any change in name, ownership, or control of these waste disposal facilities, the discharger shall notify the Regional Water Board of such change and shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to the Regional Water Board.
  - r. The CWC section 13385 provides that any person who violates a waste discharge requirement or a provision of the California Water Code is subject to civil penalties of: up to \$5,000 per day, \$10,000 per day, or \$25,000 per day of violation; or when the violation involves the discharge of pollutants, is subject to civil penalties of up to \$10 per gallon per day or \$25 per gallon per day of violation; or some combination thereof, depending on the violation, or upon the combination of violations. Violation of any of the provisions of the NPDES

- program or of any of the provisions of this Order may subject the violator to any of the penalties described herein, or any combination thereof, at the discretion of the prosecuting authority; except that only one kind of penalty may be applied for each kind of violation.
- s. Pursuant to CWC 13387(e), any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this order, including monitoring reports or reports of compliance or noncompliance, or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained in this order and is subject to a fine of not more than \$25,000 or imprisonment for not more than two years, or both. For a subsequent conviction, such a person shall be punished by a fine of not more than \$25,000 per day of violation, by imprisonment of not more than four years, or by both.
  - t. The discharge of any waste resulting from the combustion of toxic or hazardous wastes to any waste stream that ultimately discharges to waters of the United States is prohibited, unless specifically authorized elsewhere in this permit.
  - u. The Discharger shall notify the Executive Officer in writing no later than 6 months prior to planned discharge of any chemical, other than the products previously reported to the Executive Officer, which may be toxic to aquatic life. Such notification shall include:
    - (1) Name and general composition of the chemical,
    - (2) Frequency of use,
    - (3) Quantities to be used,
    - (4) Proposed discharge concentrations, and
    - (5) USEPA registration number, if applicable.
  - v. In the event the Discharger does not comply or will be unable to comply for any reason with any prohibition, maximum daily effluent limitation, or receiving water limitation of this Order, the Discharger shall notify the Watershed Regulatory Section Chief at the Regional Water Board by telephone (213) 576-6616, or by fax at (213) 576-6660 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing to the Regional Water Board within five business days, unless the Regional Water Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe the measures being taken to remedy the current noncompliance and the measures to prevent recurrence including, where applicable, a schedule of implementation. Other noncompliance requires written notification as above at the time of the normal monitoring report.

## **B. Monitoring and Reporting Program (MRP) Requirements**

The Discharger shall comply with the MRP, and future revisions thereto, in Attachment E of this Order.

## C. Special Provisions

### 1. Reopener Provisions

- a. This Order may be modified, revoked and reissued, or terminated for cause, including, but not limited to:

- (1) Violation of any term or condition contained in this Order;
- (2) Obtaining this Order by misrepresentation, or by failure to disclose fully all relevant facts; or
- (3) A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

The filing of a request by the Discharger 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.

- b. This Order may be reopened for modification, or revocation and reissuance, as a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special conditions may be, but are not limited to, fish tissue sampling, whole effluent toxicity, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in this Order as a result of the special condition monitoring data.
- c. This Order may be modified, in accordance with the provisions set forth in 40 C.F.R. parts 122 and 124 to include requirements for the implementation of the watershed protection management approach.
- d. 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.
- e. This Order may also be modified, revoked, and reissued or terminated in accordance with the provisions of 40 C.F.R. 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 Discharger 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.

- f. This Order may be modified, in accordance with the provisions set forth in 40 C.F.R. parts 122 to 124, to include new minimum levels (MLs).
- g. If an applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under section 307(a) of the CWA for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in this Order, the Regional Water Board may institute proceedings under these regulations to modify or revoke and reissue the Orders to conform to the toxic effluent standard or prohibition.
- h. The waste discharged shall not cause a violation of any applicable water quality standard for receiving waters. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the CWA, or amendments, thereto, the Regional Water Board will revise and modify this Order in accordance with such standards.
- i. This Order may be reopened and modified, to revise effluent limitations as a result of future Basin Plan Amendments, such as an update of a water quality objective, or the adoption of a TMDL for the Ventura River Watershed.
- j. This Order may be reopened and modified, to revise effluent limitations as a result of the delisting of a pollutant from the 303(d) list.
- k. This Order may be reopened and modified to revise the chronic toxicity effluent limitation, and/or total residual chlorine limitations, to the extent necessary, to be consistent with State Water Board precedential decisions, new policies, new laws, or new regulations.
- l. This Order may be reopened and modified to revise the chronic toxicity effluent limitation or the residual chlorine effluent limitation, to the extent necessary, to be consistent with State Water Board precedential decisions, new policies, new laws, or new regulations.

## **2. Special Studies, Technical Reports and Additional Monitoring Requirements**

### **a. Toxicity Reduction Requirements**

The Discharger shall prepare and submit a copy of the Discharger's Initial Investigation Toxicity Reduction Evaluation (TRE) workplan to the Executive Officer of the Regional Water Board for approval within 90 days of the effective date of this permit. If the Executive Officer does not disapprove the workplan within 60 days from the date in which it was received, the workplan shall become effective. The Discharger shall use USEPA manual EPA/833B-99/002 (municipal), or the most current version, as guidance. At a minimum, the Initial Investigation TRE workplan must contain the provisions in Attachment G. This workplan shall describe the steps the Discharger intends to follow if toxicity is detected, and should include, at a minimum:

- (1) A description of the investigation and evaluation techniques that will be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency.
- (2) 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,
- (3) 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).

If the effluent toxicity test result exceeds the 1.0 TUc monthly median toxicity trigger, then the Discharger shall immediately implement accelerated toxicity testing that consists of six additional tests over a 12-week period, i.e. approximately one test every two weeks. Effluent sampling for the first test of the six additional tests shall commence within 5 business days of receipt of the test results exceeding the toxicity trigger.

If the results of any two of the six tests (any two tests in a 12-week period) exceed the limitation, the Discharger shall initiate a Toxicity Reduction Evaluation (TRE).

If results of the implementation of the facility's initial investigation TRE workplan (as described above) indicate the need to continue the TRE/TIE, the Discharger shall expeditiously develop a more detailed TRE workplan for submittal to the Executive Officer within 15 days of completion of the initial investigation TRE.

Detailed toxicity testing and reporting requirements are contained in Section V of the MRP, (Attachment E).

#### **b. Treatment Plant Capacity**

The Discharger shall submit a written report to the Executive Officer of the Regional Water Board within 90 days after the "30-day (monthly) average" daily dry-weather flow equals or exceeds 75 percent of the design capacity of waste treatment and/or disposal facilities. The Discharger's senior administrative officer shall sign a letter, which transmits that report and certifies that the discharger's policy-making body is adequately informed of the report's contents. The report shall include the following:

- (1) The average daily flow for the month, the date on which the peak flow occurred, the rate of that peak flow, and the total flow for the day;
- (2) The best estimate of when the monthly average daily dry-weather flow rate will equal or exceed the design capacity of the facilities; and

- (3) A schedule for studies, design, and other steps needed to provide additional capacity for waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units.

This requirement is applicable to those facilities which have not reached 75 percent of capacity as of the effective date of this Order. For those facilities that have reached 75 percent of capacity by that date but for which no such report has been previously submitted, such report shall be filed within 90 days of the issuance of this Order.

### **3. Best Management Practices and Pollution Prevention**

#### **a. Storm Water Pollution Prevention Plan (SWPPP)**

Not applicable

#### **b. Spill Clean-up Contingency Plan (SCP)**

Within ninety days, the Discharger is required to submit a Spill Clean-up Contingency Plan, which describes the activities and protocols to address clean-up of spills, overflows, and bypasses of untreated or partially treated wastewater from the Discharger's collection system or treatment facilities that reach water bodies, including dry channels and beach sands. At a minimum, the Plan shall include sections on spill clean-up and containment measures, public notification, and monitoring. The Discharger shall review and amend the Plan as appropriate after each spill from the facility or in the service area of the facility. The Discharger shall include a discussion in the annual summary report of any modifications to the Plan and the application of the Plan to all spills during the year.

#### **c. Pollutant Minimization Program (PMP)**

Reporting protocols in the Monitoring and Reporting Program, Attachment E, Section X.B.4 describe sample results that are to be reported as Detected but Not Quantified (DNQ) or Not Detected (ND). Definitions for a reported Minimum Level (ML) and Method Detection Limit (MDL) are provided in Attachment A. These reporting protocols and definitions are used in determining the need to conduct a Pollution Minimization Program (PMP) as follows:

The Discharger shall be required to develop and conduct a PMP as further described below when there is evidence (e.g., sample results reported as DNQ when the effluent limitation is less than the MDL, sample results from analytical methods more sensitive than those methods required by this Order, presence of whole effluent toxicity, health advisories for fish consumption, results of benthic or aquatic organism tissue sampling) that a pollutant is present in the effluent above an effluent limitation and either:

- (1) The concentration of the pollutant is reported as DNQ and the effluent limitation is less than the reported ML; or
- (2) The concentration of the pollutant is reported as ND and the effluent limitation is less than the MDL.

The goal of the PMP shall be to reduce all potential sources of a pollutant through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, 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 Regional Water Board may consider cost-effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to CWC section 13263.3(d), shall be considered to fulfill the PMP requirements.

The PMP shall include, but not be limited to, the following actions and submittals acceptable to the Regional Water Board:

- (1) An annual review and semi-annual monitoring of potential sources of the reportable pollutant(s), which may include fish tissue monitoring and other bio-uptake sampling;
- (2) Quarterly monitoring for the reportable pollutant(s) in the influent to the wastewater treatment system;
- (3) Submittal of a control strategy designed to proceed toward the goal of maintaining concentrations of the reportable pollutant(s) in the effluent at or below the effluent limitation;
- (3) Implementation of appropriate cost-effective control measures for the reportable pollutant(s), consistent with the control strategy; and
- (5) An annual status report that shall be sent to the Regional Water Board including:
  - (a) All PMP monitoring results for the previous year;
  - (b) A list of potential sources of the reportable pollutant(s);
  - (c) A summary of all actions undertaken pursuant to the control strategy; and
  - (d) A description of actions to be taken in the following year.

#### **4. Construction, Operation and Maintenance Specifications**

- a. Wastewater treatment facilities subject to this Order shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to CCR, title 23, chapter 3, subchapter 14 (Section 13625 of the California Water Code).
- b. The Discharger shall maintain in good working order a sufficient alternate power source for operating the wastewater treatment and disposal facilities. All equipment shall be located to minimize failure due to moisture, liquid spray, flooding, and other physical phenomena. The alternate power source shall be designed to permit inspection and maintenance and shall provide for periodic testing. If such alternate power source is not in existence, the discharger shall halt, reduce, or otherwise control all discharges upon the reduction, loss, or failure of the primary source of power.

## **5. Special Provisions for Municipal Facilities (POTWs Only)**

### **a. Sludge Disposal Requirements**

- (1) All sludge generated at the wastewater treatment plant will be disposed of, treated, or applied to land in accordance with federal regulations contained in 40 C.F.R. Part 503, in general, and in particular with the requirements in Attachment H of this Order, (Biosolids, Sludge Management]. These requirements are enforceable by USEPA.
- (2) The Discharger shall ensure compliance with the requirements in SWRCB Order No. 2004- 10-DWQ, General Waste Discharge Requirements for the Discharge of Biosolids to Land for Use as a Soil Amendment in Agricultural, Silvicultural, Horticultural and Land Reclamation Activities” for those sites receiving the Discharger’s biosolids which a Regional Water Board has placed under this general order, and with the requirements in individual WDRs issued by a Regional Water Board for sites receiving the Discharger’s biosolids.
- (3) The Discharger shall comply, if applicable, with WDRs issued by other Regional Water Boards to which jurisdiction the biosolids are transported and applied.
- (4) The Discharger shall furnish this Regional Water Board with a copy of any report submitted to USEPA, State Water Board or other Regional Water Board, with respect to municipal sludge or biosolids.

### **b. Pretreatment Requirements**

- (1) This Order includes the Discharger’s Pretreatment Program as previously submitted to this Regional Water Board. Any change to the Program shall be reported to the Regional Water Board in writing and shall not become effective until approved by the Executive Officer in accordance with procedures established in 40 C.F.R. 403.18.

- (2) 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.
- (3) The Discharger shall perform the pretreatment functions as required in Federal Regulations 40 C.F.R. Part 403 including, but not limited to:
  - A. Implement the necessary legal authorities as provided in 40 C.F.R. 403.8(f)(1);
  - B. Enforce the pretreatment requirements under 40 C.F.R. 403.5 and 403.6;
  - C. Implement the programmatic functions as provided in 40 C.F.R. 403.8(f)(2); and
  - D. Provide the requisite funding of personnel to implement the Pretreatment Program as provided in 40 C.F.R. 403.8(f)(3).
- (4) The Discharger shall submit semiannual and annual reports to the Regional Water Board, with copies to the State Water 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 I), 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.
- (5) The Discharger shall be responsible and liable for the performance of all control authority pretreatment requirements contained in 40 C.F.R. 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 Water Board, USEPA, or other appropriate parties, as provided in the Federal Clean Water Act. The Regional Water 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's collection system is part of the system that is subject to this Order. As such, the Discharger must properly operate and maintain its collection system (40 C.F.R. § 122.41(e)). The Discharger must report any non-compliance (40 C.F.R. § 122.41(l), subsections (6) and (7)) and mitigate any discharge from the collection system in violation of this Order (40 C.F.R. § 122.41(d)). See Attachment D, subsections I.D, V.E, V.H, and I.C., and the following section (Spill Reporting Requirements) of this Order.

## 6. Other Special Provisions

### A. Notification

Although State and Regional Water Board staff do not have duties as first responders, this requirement is an appropriate mechanism to ensure that the agencies that do have first responder duties are notified in a timely manner in order to protect public health and beneficial uses. For certain spills, overflows and bypasses, the Discharger shall make notifications as required below:

- a. For any discharges of sewage that results in a discharge to a drainage channel or a surface water, the Discharger shall, as soon as possible, but no later than two (2) hours after becoming aware of the discharge, notify the State Office of Emergency Services, the local health officer or directors of environmental health with jurisdiction over affected water bodies, and the Regional Water Quality Control Board.
- b. As soon as possible, but no later than twenty-four (24) hours after becoming aware of a discharge to a drainage channel or a surface water, the Discharger shall submit to the Regional Water Quality Control Board a certification that the State Office of Emergency Services and the local health officer or directors of environmental health with jurisdiction over the affected water bodies have been notified of the discharge.

### B. Monitoring

For certain spills, overflows and bypasses, the Discharger shall monitor as required below:

- a. To define the geographical extent of spill's impact the Discharger shall obtain grab samples (if feasible, accessible, and safe) for spills, overflows or bypasses of any volume that reach receiving waters. The Discharger shall analyze the samples for total and fecal coliforms or *E. coli*, and *enterococcus*, and relevant pollutants of concern, upstream and downstream of the point of entry of the spill (if feasible, accessible and safe). This monitoring shall be done on a daily basis from time the spill is known until the results of two consecutive sets of bacteriological

monitoring indicate the return to the background level or the County Department of Public Health or appropriate local agency authorizes cessation of monitoring.

- b. The Discharger shall obtain a grab sample (if feasible, accessible, and safe) for spills, overflows or bypasses of any volume that flowed to receiving waters, entered a shallow ground water aquifer, or have the potential for public exposure; and for all spills, overflows or bypasses of 1,000 gallons or more. The Discharger shall characterize the sample for total and fecal coliforms or *E. coli*, and *enterococcus*, and analyze relevant pollutants of concern depending on the area and nature of spills or overflows (if feasible, accessible and safe).

### **C. Reporting**

The initial notification to the Regional Water Board shall be followed by:

- a. A written preliminary report five working days after disclosure of the incident (submission to the Regional Water Board of the log number of the Sanitary Sewer Overflow database entry shall satisfy this requirement). Within 30 days after submitting the preliminary report, the Discharger shall submit the final written report to this Regional Water Board. (A copy of the final written report, for a given incident, already submitted pursuant to a Statewide General Waste Discharge Requirements for Wastewater Collection System Agencies, may be submitted to the Regional Water Board to satisfy this requirement.) The written report shall document the information required in paragraph D. below, monitoring results and any other information required in provisions of the Standard Provisions document including corrective measures implemented or proposed to be implemented to prevent/minimize future occurrences. The Executive Officer for just cause can grant an extension for submittal of the final written report.
- b. The Discharger shall include a certification in the annual summary report (due according to the schedule in the Monitoring and Reporting Program) stating that the sewer system emergency equipment, including alarm systems, backup pumps, standby power generators, and other critical emergency pump station components were maintained and tested in accordance with the Discharger's Preventative Maintenance Plan. Any deviations from or modifications to the Plan shall be discussed.

### **D. Records**

The Discharger shall develop and maintain a record of all spills, overflows or bypasses of raw or partially treated sewage from its collection system or treatment plant. This record shall be made available to the Regional Water Board upon request and a spill summary shall be included in the annual summary report. The records shall contain:

- a. the date and time of each spill, overflow or bypass;
- b. the location of each spill, overflow or bypass;
- c. the estimated volume of each spill, overflow or bypass including gross volume, amount recovered and amount not recovered, monitoring results as required by Section VI.C.6.B;
- d. the cause of each spill, overflow or bypass;
- e. whether each spill, overflow or bypass entered a receiving water and, if so, the name of the water body and whether it entered via storm drains or other man-made conveyances;
- f. mitigation measures implemented; and,
- g. corrective measures implemented or proposed to be implemented to prevent/minimize future occurrences.

#### **E. Activities Coordination**

In addition, Regional Water Board expects that the POTW's owners/operators will coordinate their compliance activities for consistency and efficiency with other entities that have responsibilities to implement: (i) this NPDES permit, including the Pretreatment Program, (ii) a Municipal Separate Storm Sewer (MS4) NPDES permit that may contain spill prevention, sewer maintenance, reporting requirements and (iii) the Sanitary Sewer Overflows (SSOs) WDR.

#### **F. Consistency with Sanitary Sewer Overflows WDRs**

The Clean Water Act prohibits the discharge of pollutants from point sources to surface waters of the United States unless authorized under an NPDES permit. (33 U.S.C. §§1311, 1342). The State Water Board adopted a General WDR for SSOs, (WQ Order No. 2006-0003) on May 2, 2006, to provide a consistent, statewide regulatory approach to address SSOs. The SSOs WDR requires public agencies that own or operate sanitary sewer systems to develop and implement sewer system management plans and report all SSOs to the State Water Board's online SSOs database.

The requirements contained in this Order in Sections VI.C.3.b. (Spill Contingency Plan Section), VI.C.4. (Construction, Operation and Maintenance Specifications Section), and VI.C.6. (Spill Reporting Requirements) are intended to be consistent with the requirements of the SSOs WDR. The Regional Water Board recognizes that there may be some overlap between the NPDES permit provisions and SSOs WDR requirements. The requirements of the SSOs WDR are considered the minimum thresholds (see Finding 11 of WQ Order No. 2006-0003). The Regional Water Board will accept the

documentation prepared by the Permittees under the SSOs WDR for compliance purposes, as satisfying the requirements in Sections VI.C.3.b., VI.C.4., and VI.C.6. provided any more specific or stringent provisions enumerated in this Order, have also been addressed.

- G.** 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.

## **VII. COMPLIANCE DETERMINATION**

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

### **A. General.**

Compliance with effluent limitations for priority pollutants shall be determined using sample reporting protocols defined in the MRP and Attachment A of this Order. For purposes of reporting and administrative enforcement by the Regional and State Water Boards, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).

### **B. Multiple Sample Data**

When determining compliance with a measure of central tendency (arithmetic mean, geometric mean, median, etc.) of multiple sample analyses and the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND), the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

1. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
2. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

### **C. Average Monthly Effluent Limitation (AMEL).**

If the average (or when applicable, the median determined by subsection B above for multiple sample data) of daily discharges over a calendar month exceeds the AMEL for a given parameter, this will represent a single alleged violation, though the Discharger may be considered out of compliance for each day of that month for that parameter

(e.g., resulting in 31 days of non-compliance in a 31-day month). If only a single sample is taken during the calendar month and the analytical result for that sample exceeds the AMEL, the Discharger may be considered out of compliance for that calendar month. The Discharger will only be considered out of compliance for days when the discharge occurs. For any one calendar month during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar month with respect to the AMEL.

If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, does not exceed the AMEL for a given parameter, the Discharger will have demonstrated compliance with the AMEL for each day of that month for that parameter.

If the analytical result of any single sample, monitored monthly, quarterly, semiannually, or annually, exceeds the AMEL for any parameter, the Discharger shall collect up to four additional samples within the same calendar month. All analytical results shall be reported in the monitoring report for that month. The concentration of pollutant (an arithmetic mean or a median) in these samples estimated from the "Multiple Sample Data Reduction" Section above, will be used for compliance determination.

In the event of noncompliance with an AMEL, the sampling frequency for that parameter shall be increased to weekly and shall continue at this level until compliance with the AMEL has been demonstrated.

#### **D. Average Weekly Effluent Limitation (AWEL).**

If the average (or when applicable, the median determined by subsection B above for multiple sample data) of daily discharges over a calendar week exceeds the AWEL for a given parameter, this will represent a single alleged violation, though the Discharger may be considered out of compliance for each day of that week for that parameter, resulting in 7 days of non-compliance. If only a single sample is taken during the calendar week and the analytical result for that sample exceeds the AWEL, the Discharger may be considered out of compliance for that calendar week. The Discharger will only be considered out of compliance for days when the discharge occurs. For any one calendar week during which no sample (daily discharge) is taken, no compliance determination can be made for that calendar week with respect to the AWEL.

A calendar week will begin on Sunday and end on Saturday. Partial weeks consisting of four or more days at the end of any month will include the remaining days of the week, which occur in the following month in order to calculate a consecutive seven-day average. This value will be reported as a weekly average or seven-day average on the SMR for the month containing the partial week of four or more days. Partial calendar weeks consisting of less than four days at the end of any month will be carried forward to the succeeding month and reported as a weekly average or a seven-day average for the calendar week that ends with the first Saturday of that month.

#### **E. Maximum Daily Effluent Limitation (MDEL).**

If a daily discharge exceeds the MDEL for a given parameter, the Discharger may be considered out of compliance for that parameter for that 1 day only within the reporting period. For any 1 day during which no sample is taken, no compliance determination can be made for that day with respect to the MDEL.

#### **F. Instantaneous Minimum Effluent Limitation.**

If the analytical result of a single grab sample is lower than the instantaneous minimum effluent limitation for a parameter, the Discharger may be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both are lower than the instantaneous minimum effluent limitation would result in two instances of non-compliance with the instantaneous minimum effluent limitation).

#### **G. Instantaneous Maximum Effluent Limitation.**

If the analytical result of a single grab sample is higher than the instantaneous maximum effluent limitation for a parameter, the Discharger may be considered out of compliance for that parameter for that single sample. Non-compliance for each sample will be considered separately (e.g., the results of two grab samples taken within a calendar day that both exceed the instantaneous maximum effluent limitation would result in two instances of non-compliance with the instantaneous maximum effluent limitation).

#### **H. Six-month Median Effluent Limitation.**

If the median of daily discharges over any 180-day period exceeds the six-month median effluent limitation for a given parameter, an alleged violation will be flagged and the discharger may be considered out of compliance for each day of that 180-day period for that parameter. The next assessment of compliance will occur after the next sample is taken. If only a single sample is taken during a given 180-day period and the analytical result for that sample exceeds the six-month median, the discharger may be considered out of compliance for the 180-day period. For any 180-period during which no sample is taken, no compliance determination can be made for the six-month median effluent limitation.

#### **I. Percent Removal.**

The average monthly percent removal is the removal efficiency expressed in percentage across a treatment plant for a given pollutant parameter, as determined from the 30-day average values of pollutant concentrations (C in mg/L) of influent and effluent samples collected at about the same time using the following equation:

$$\text{Percent Removal (\%)} = [1 - (\text{CEffluent}/\text{CInfluent})] \times 100 \%$$

When preferred, the Discharger may substitute mass loadings and mass emissions for the concentrations.

#### **J. Mass and Concentration Limitations**

Compliance with mass and concentration effluent limitations for the same parameter shall be determined separately with their respective limitations. When the concentration of a constituent in an effluent sample is determined to be ND or DNQ, the corresponding mass emission rate determined from that sample concentration shall also be reported as ND or DNQ.

### **K. Compliance with single constituent effluent limitations**

Dischargers may be considered out of compliance with the effluent limitation if the concentration of the pollutant (see Section B "Multiple Sample Data Reduction" above) in the monitoring sample is greater than the effluent limitation and greater than or equal to the Reporting Level (RL).

### **L. Compliance with effluent limitations expressed as a sum of several constituents**

Dischargers are out of compliance with an effluent limitation which applies to the sum of a group of chemicals (e.g., PCB's) if the sum of the individual pollutant concentrations is greater than the effluent limitation. Individual pollutants of the group will be considered to have a concentration of zero if the constituent is reported as ND or DNQ.

### **M. Mass Emission Rate.**

The mass emission rate shall be obtained from the following calculation for any calendar day:

$$\text{Mass emission rate (lb/day)} = \frac{8.34}{N} \sum_{i=1}^N Q_i C_i$$

$$\text{Mass emission rate (kg/day)} = \frac{3.79}{N} \sum_{i=1}^N Q_i C_i$$

in which 'N' is the number of samples analyzed in any calendar day. 'Qi' and 'Ci' are the flow rate (MGD) and the constituent concentration (mg/L), respectively, which are associated with each of the 'N' grab samples, which may be taken in any calendar day. If a composite sample is taken, 'Ci' is the concentration measured in the composite sample and 'Qi' is the average flow rate occurring during the period over which samples are composited.

The daily concentration of all constituents shall be determined from the flow-weighted average of the same constituents in the combined waste streams as follows:

$$\text{Daily concentration} = \frac{1}{Q_t} \sum_{i=1}^N Q_i C_i$$

in which 'N' is the number of component waste streams. 'Qi' and 'Ci' are the flow rate (MGD) and the constituent concentration (mg/L), respectively, which are associated with each of the 'N' waste streams. 'Qt' is the total flow rate of the combined waste streams.

## **N. Bacterial Standards and Analysis.**

1. The geometric mean used for determining compliance with bacterial standards is calculated with the following equation:

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

where n is the number of days samples were collected during the period and C is the concentration of bacteria (MPN/100 mL or CFU/100 mL) found on each day of sampling.

2. For bacterial analyses, sample dilutions should be performed so the expected range of values is bracketed (for example, with multiple tube fermentation method or membrane filtration method, 2 to 16,000 per 100 ml for total and fecal coliform, at a minimum, and 1 to 1000 per 100 ml for enterococcus). The detection methods used for each analysis shall be reported with the results of the analyses.
3. Detection methods used for coliforms (total and fecal) shall be those presented in Table 1A of 40 C.F.R. part 136 (revised March 12, 2007), unless alternate methods have been approved by USEPA pursuant to 40 C.F.R. part 136, or improved methods have been determined by the Executive Officer and/or USEPA.
4. Detection methods used for *enterococcus* shall be those presented in Table 1A of 40 C.F.R. part 136 (revised March 12, 2007) or in the USEPA publication EPA 600/4-85/076, *Test Methods for Escherichia coli and Enterococci in Water By Membrane Filter Procedure* or any improved method determined by the Executive Officer and/or USEPA to be appropriate.

## **O. Single Operational Upset**

A single operational upset (SOU) that leads to simultaneous violations of more than one pollutant parameter shall be treated as a single violation and limits the Discharger's liability in accordance with the following conditions:

1. A single operational upset is broadly defined as a single unusual event that temporarily disrupts the usually satisfactory operation of a system in such a way that it results in violation of multiple pollutant parameters.
2. A Discharger may assert SOU to limit liability only for those violations which the Discharger submitted notice of the upset as required in Provision V.E.2(b) of Attachment D – Standard Provisions.
3. For purposes outside of CWC section 13385, subsections (h) and (i), determination of compliance and civil liability (including any more specific definition of SOU, the

requirements for Dischargers to assert the SOU limitation of liability, and the manner of counting violations) shall be in accordance with USEPA Memorandum "Issuance of Guidance Interpreting Single Operational Upset" (September 27, 1989).

4. For purposes of CWC section 13385, subsections (h) and (i), determination of compliance and civil liability (including any more specific definition of SOU, the requirements for Dischargers to assert the SOU limitation of liability, and the manner of counting violations) shall be in accordance with CWC section 13385(f)(2).

## ATTACHMENT A – DEFINITIONS

### Acute Toxicity:

a. Acute Toxicity (TUa)

Expressed in Toxic Units Acute (TUa)

$$TUa = \frac{100}{96 - hr LC 50\%}$$

b. Lethal Concentration 50% (LC 50)

LC 50 (percent waste giving 50% survival of test organisms) shall be determined by static or continuous flow bioassay techniques using standard marine test species as specified in Ocean Plan Appendix III. If specific identifiable substances in wastewater can be demonstrated by the discharger as being rapidly rendered harmless upon discharge to the marine environment, but not as a result of dilution, the LC 50 may be determined after the test samples are adjusted to remove the influence of those substances.

When it is not possible to measure the 96-hour LC 50 due to greater than 50 percent survival of the test species in 100 percent waste, the toxicity concentration shall be calculated by the expression:

$$TUa = \frac{\log(100 - S)}{1.7}$$

where:

S = percentage survival in 100% waste. If S > 99, TUa shall be reported as zero.

**Annual Average:** is the arithmetic mean of daily concentrations, or of daily "mass emission rates", over the specified 365-day period.

$$\text{Average} = \frac{1}{N} \sum_{i=1}^N X_i$$

in which 'N' is the number of days samples were analyzed during the period and 'Xi' is either the constituent concentration (mg/L) or "mass emission rate" (kg/day or lb/day) for each day sampled.

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

Arithmetic mean =  $\mu = \Sigma x / n$       where:  $\Sigma x$  is the sum of the measured ambient water concentrations, and  $n$  is the number of samples.

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

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

**Best Management Practice (BMP)** means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs may include, but are not limited to, treatment requirements, operating procedures, or practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

**Best Professional Judgment (BPJ)**: The method used by permit writers to develop technology-based NPDES permit conditions on a case-by-case basis using all reasonably available and relevant data.

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

**Bioassay**: A test used to evaluate the relative potency of a chemical or a mixture of chemicals by comparing its effect on a living organism with the effect of a standard preparation on the same type of organism.

**Biochemical Oxygen Demand (BOD)**: A measurement of the amount of oxygen utilized by the decomposition of organic material, over a specified time period (usually 5 days) in a wastewater sample; it is used as a measurement of the readily decomposable organic content of a wastewater.

**Biosolids**: Sewage sludge that is used or disposed through land application, surface disposal, incineration, or disposal in a municipal solid waste landfill.

**Bypass** means the intentional diversion of waste streams from any portion of a treatment (or pretreatment) facility whose operation is necessary to maintain compliance with the terms and conditions of this order and permit.

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

**Chlordane** shall mean the sum of chlordane-alpha, chlordane-gamma, chlordene-alpha, chlordene-gamma, nonachlor-alpha, nonachlor-gamma, and oxychlordane.

**Chlorinated Phenolic Compounds** shall mean the sum of 2-chlorophenol, 2,4-dichlorophenol, 4-chloro-3-methylphenol, 2,4,6-trichlorophenol, and pentachlorophenol.

**Chronic Toxicity:** This parameter shall be used to measure the acceptability of waters for supporting a healthy marine biota until improved methods are developed to evaluate biological response.

a. Chronic Toxicity (TUc)

Expressed as Toxic Units Chronic (TUc)

$$TUc = \frac{100}{NOEL}$$

b. No Observed Effect Level (NOEL)

The NOEL is expressed as the maximum percent effluent or receiving water that causes no observable effect on a test organism, as determined by the result of a critical life stage toxicity test listed in Ocean Plan Appendix II.

**Clean Water Act (CWA):** The Clean Water Act is an act passed by the U.S. Congress to control water pollution. It was formerly referred to as the Federal Water Pollution Control Act of 1972 or Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500), 33 U.S.C. 1251 et seq., as amended by: Public Law 96-483; Public Law 97-117; Public Laws 95-217, 97-117, 97-440, and 100-04.

**Code of Federal Regulation (C.F.R.):** A codification of the final rules published daily in the *Federal Register*. Title 40 of the C.F.R. contains the environmental regulations.

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

**Composite Sample** means, for flow rate measurements, the arithmetic mean of no fewer than eight individual measurements taken at equal intervals for 24 hours or for the duration of discharge, whichever is shorter.

Composite sample means, for other than flow rate measurement,

- a. A combination of at least eight individual portions obtained at equal time intervals for 24 hours, or the duration of the discharge, whichever is shorter. The volume of each individual portion shall be directly proportional to the discharge flow rate at the time of sampling; or,

- b. A combination of at least eight individual portions of equal volume obtained over a 24-hour period. The time interval will vary such that the volume of wastewater discharged between sampling remains constant.

The compositing period shall equal the specified sampling period, or 24 hours, if no period is specified.

For 24-hour composite samples, if the duration of the discharge is less than 24 hours but greater than 8 hours, at least eight flow-weighted samples shall be obtained during the discharge period and composited. For discharge durations of less than eight hours, individual "grab samples" may be substituted. A grab sample is an individual sample collected in less than 15 minutes.

**Conventional Pollutants.** Pollutants typical of municipal sewage, and for which municipal secondary treatment plants are typically designed; defined at 40 C.F.R. part 401.16 as BOD, TSS, fecal coliform, bacteria, oil and grease, and pH.

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

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

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

**DDT** shall mean the sum of 4,4'DDT, 2,4'DDT, 4,4'DDE, 2,4'DDE, 4,4'DDD, and 2,4'DDD.

**Degradation** shall be determined by comparison of the waste field and reference site(s) for characteristic species diversity, population density, contamination, growth anomalies, debility, or supplanting of normal species by undesirable plant and animal species. Degradation occurs if there are significant differences in any of three major biotic groups, namely, demersal fish, benthic invertebrates, or attached algae. Other groups may be evaluated where benthic species are not affected, or are not the only ones affected.

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

**Dichlorobenzenes** shall mean the sum of 1,2- and 1,3-dichlorobenzene.

**Dilution Credit** is the amount of dilution granted to a discharge in the calculation of a water quality-based effluent limitation, based on the allowance of a specified mixing zone. It is

calculated from the dilution ratio or determined through conducting a mixing zone study or modeling of the discharge and receiving water.

**Downstream Ocean Waters** shall mean waters downstream with respect to ocean currents.

**Dredged Material:** Any material excavated or dredged from the navigable waters of the United States, including material otherwise referred to as "spoil".

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

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

**Endosulfan** shall mean the sum of endosulfan-alpha and -beta and endosulfan sulfate.

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

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

**Grab Sample** is defined as any individual sample collected in a short period of time not exceeding 15 minutes. Grab samples shall be collected during normal peak loading conditions for the parameter of interest, which may or may not be during hydraulic peaks. It is used primarily in determining compliance with the maximum daily effluent limitations and the instantaneous maximum effluent limitations.

**Halomethanes** shall mean the sum of bromoform, bromomethane (methyl bromide) and chloromethane (methyl chloride).

**Hazardous Substance** means any substance designated under 40 C.F.R. part 116 pursuant to section 311 of the Clean Water Act and/or a hazardous waste, as defined in 40 C.F.R. part 261.3.

**HCH** shall mean the sum of the alpha, beta, gamma (lindane) and delta isomers of hexachlorocyclohexane.

**Initial Dilution** is the process that results in the rapid and irreversible turbulent mixing of wastewater with ocean water around the point of discharge.

For a submerged buoyant discharge, characteristic of most municipal and industrial wastes that are released from the submarine outfalls, the momentum of the discharge and its initial buoyancy act together to produce turbulent mixing. Initial dilution in this case is completed when the diluting wastewater ceases to rise in the water column and first begins to spread horizontally.

For shallow water submerged discharges, surface discharges, and non-buoyant discharges, characteristic of cooling water wastes and some individual discharges, turbulent mixing results primarily from the momentum of discharge. Initial dilution, in these cases, is considered to be completed when the momentum induced velocity of the discharge ceases to produce significant mixing of the waste, or the diluting plume reaches a fixed distance from the discharge to be specified by the Regional Water Board, whichever results in the lower estimate for initial dilution.

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

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

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

**Kelp Beds**, for purposes of the bacteriological standards of the Ocean Plan, are significant aggregations of marine algae of the genera Macrocystis and Nereocystis. Kelp beds include the total foliage canopy of Macrocystis and Nereocystis plants throughout the water column.

**Land Application** is the spraying or spreading of sewage sludge onto the land surface; the injection of sewage sludge below the land surface; or the incorporation of sewage sludge into the soil so that the sewage sludge can either condition the soil or fertilize crops or vegetation grown in the soil.

**Local Limits.** Conditional discharge limits imposed by municipalities upon industrial or commercial facilities that discharge to the municipal sewage treatment system.

**Mariculture** is the culture of plants and animals in marine waters independent of any pollution source.

**Material:** (a) In common usage: (1) the substance or substances of which a thing is made or composed (2) substantial; (b) For purposes of the Ocean Plan relating to waste disposal, dredging and the disposal of dredged material and fill, MATERIAL means matter of any kind or description which is subject to regulation as waste, or any material dredged from the navigable waters of the United States. See also, DREDGED MATERIAL.

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

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

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

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

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

**Monthly Average** is the arithmetic mean of daily concentrations, or of daily "mass emission rates", over the specified monthly period:

$$\text{Average} = \frac{1}{N} \sum_{i=1}^N X_i$$

in which 'N' is the number of days samples were analyzed during the period and 'X<sub>i</sub>' is either the constituent concentration (mg/L) or mass emission rate (kg/day or lb/day) for each sampled day.

**Natural Light:** Reduction of natural light may be determined by the Regional Water Board by measurement of light transmissivity or total irradiance, or both, according to the monitoring needs of the Regional Water Board.

**Nearshore** is defined as the zone bounded by the shoreline and a line 1,000 feet from the shoreline or the 30-foot depth contours, whichever is further from the shoreline.

**Non-Chlorinated Phenolic Compounds** shall mean the sum of 2,4-dimethylphenol, 2-nitrophenol, 4-nitrophenol, 2,4-dinitrophenol, 2-methyl-4,6-dinitrophenol, and phenol.

**Nonconventional Pollutants:** All pollutants that are not included in the list of conventional or toxic pollutants in 40 C.F.R. part 401. Includes pollutants such as chemical oxygen demand (COD), total organic carbon (TOC), nitrogen, and phosphorus.

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

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

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

**PAHs (polynuclear aromatic hydrocarbons)** shall mean the sum of acenaphthylene, anthracene, 1,2-benzanthracene, 3,4-benzofluoranthene, benzo[k]fluoranthene, 1,12-benzoperylene, benzo[a]pyrene, chrysene, dibenzo[ah]anthracene, fluorene, indeno[1,2,3-cd]pyrene, phenanthrene and pyrene.

**Pass Through** is defined as the discharge through the POTW to navigable waters which, alone or in conjunction with discharges from other sources, is a cause of a violation of POTW's NPDES permit.

**PCBs (polychlorinated biphenyls)** shall mean the sum of chlorinated biphenyls whose analytical characteristics resemble those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254 and Aroclor-1260.

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

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

**Pollution Prevention** means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is

not limited to, input change, operational improvement, production process change, and product reformulation (as defined in California Water Code section 13263.3). Pollution prevention does not include actions that merely shift a pollutant in wastewater from one environmental medium to another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State or Regional Water Board.

**Preservation of Biological Habitats (BIOL):** means that Areas of Special Biological Significance (along coast from Latigo Point to Laguna Point) and Big Sycamore Canyon and Abalone Cove Ecological Reserves and Point Femin Marine Life Refuge.

**Pretreatment:** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a publicly owned treatment works (40 C.F.R. § 403.3(q)).

**Priority Pollutants** are those constituents referred to in 40 C.F.R. part 401.15; a list of these pollutants is provided as Appendix A to 40 C.F.R. part 423.

**Publicly Owned Treatment Works (POTW):** A treatment works, as defined by section 212 of the CWA, that is owned by the State or municipality. This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW treatment plant (40 C.F.R. § 403.3).

**Rare, Threatened or Endangered Species (RARE)** means that one or more rare species utilize all ocean, bays, estuaries, and coastal wetlands for foraging and/or nesting.

**Reported Minimum Level** is the ML (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the MLs included in this Order. The MLs included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Regional Water Board either from Appendix II of the Ocean Plan in accordance with section III.C.5.a. of the Ocean Plan or established in accordance with section III.C.5.b. of the Ocean Plan. The ML is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the ML depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the reported ML.

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

sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the RL.

**Sanitary Sewer:** A pipe or conduit (sewer) intended to carry wastewater or water-borne wastes from homes, businesses, and industries to the POTW.

**Sanitary Sewer Overflows (SSO):** Untreated or partially treated sewage overflows from a sanitary sewer collection system.

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

**Secondary Treatment Standards:** Technology-based requirements for direct discharging municipal sewage treatment facilities. Standards are based on a combination of physical and biological processes typical for the treatment of pollutants in municipal sewage. Standards are expressed as a minimum level of effluent quality in terms of: BOD<sub>5</sub>, total suspended solids (TSS), and pH (except as provided for special considerations and treatment equivalent to secondary treatment).

**Severe Property Damage** means substantial physical damage, to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a "bypass" or "overflow." It does not mean economic loss caused by delays in production.

**Shellfish** are organisms identified by the California Department of Public Health as shellfish for public health purposes (i.e., mussels, clams and oysters).

**Significant Difference** is defined as a statistically significant difference in the means of two distributions of sampling results at the 95 percent confidence level.

**Six-month Median Effluent Limitation:** the highest allowable moving median of all daily discharges for any 180-day period.

**Sludge** means the solids, semi-liquid suspensions of solids, residues, screenings, grit, scum, and precipitates separated from, or created in, wastewater by the unit processes of a treatment system. It also includes, but is not limited to, all supernatant, filtrate, centrate, decantate, and thickener overflow/underflow in the solids handling parts of the wastewater treatment system.

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

**Standard Deviation ( $\sigma$ )** is a measure of variability that is calculated as follows:

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

where:  
x is the observed value;

$\mu$  is the arithmetic mean of the observed values; and  
 $n$  is the number of samples.

**State Water Quality Protection Areas (SWQPAs)** are non-terrestrial marine or estuarine areas designated to protect marine species or biological communities from an undesirable alteration in natural water quality. All Areas of Special Biological Significance (ASBS) that were previously designated by the State Water Board in Resolution Nos. 74-28, 74-32, and 75-61 are now also classified as a subset of State Water Quality Protection Areas and require special protections afforded by the Ocean Plan.

**Statistical analyses** that are useful in determining temporal and spatial trends in the marine environment include, but are not limited to, the following:

- a. Mean and standard deviation ( $\bar{x} \pm s.d.$ )
- b. Regression analyses (univariate and multivariate)  
[e.g., correlation coefficients ( $r$ )]
- c. Parametric statistics  
[e.g., Student's t-test, analysis of variance (ANOVA), Student-Newman-Keuls test (SNK), t-test for paired comparisons]
- d. Nonparametric statistics  
[e.g., Mann-Whitney U-test, Kruskal-Wallis one-way ANOVA, Friedman two-way ANOVA, chi-square test (or G-test)]
- e. Multivariate techniques  
[e.g., discriminant analysis, classification analyses (cladistic/parsimony analysis of endemicity, or phenetic clustering), non-metric multidimensional scaling (NMDS), principal component analysis (PCA), principal coordinate analysis (PCOA), and/or multivariate ANOVA (MANOVA)]
- f. Biological indices  
[e.g., species richness (S), Margalef (d), Shannon-Wiener ( $H'$ ), Brillouin (H), Simpson (SI), Gleason, Infaunal Trophic Index (ITI), evenness, Benthic Response Index (BRI), phylogenetic diversity, and taxonomic distinctiveness]

**TCDD Equivalent**s shall mean the sum of the concentrations of chlorinated dibenzodioxins (2,3,7,8-CDDs) and chlorinated dibenzofurans (2,3,7,8-CDFs) multiplied by their respective toxicity factors, as shown in the table below.

Isomer Group	Toxicity Equivalence Factor
2,3,7,8-tetra CDD	1.0
2,3,7,8-penta CDD	0.5
2,3,7,8-hexa CDDs	0.1
2,3,7,8-hepta CDD	0.01
octa CDD	0.001
2,3,7,8 tetra CDF	0.1
1,2,3,7,8 penta CDF	0.05
2,3,4,7,8 penta CDF	0.5
2,3,7,8 hexa CDFs	0.1
2,3,7,8 hepta CDFs	0.01
octa CDF	0.001

**Technology-Based Effluent Limit:** A permit limit for a pollutant that is based on the capability of a treatment method to reduce the pollutant to a certain concentration.

**Total Maximum Daily Load (TMDL):** The amount of pollutant, or property of a pollutant, from point, nonpoint, and natural background sources, that may be discharged to a water quality-limited receiving water. Any pollutant loading above the TMDL results in violation of applicable water quality standards.

**Toxic Pollutant:** Pollutants or combinations of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly - from the environment or indirectly by ingestion through food chains, will, on the basis of information available to the Administrator of USEPA, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, (including malfunctions in reproduction) or physical deformations, in such organisms or their offspring. Toxic pollutants also include those pollutants listed by the Administrator under CWA section 307(a)(1) or any pollutant listed under section 405 (d) which relates to sludge management.

**Toxicity Reduction Evaluation (TRE)** is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)

**Upset** means an exceptional incident in which there is unintentional and temporary noncompliance with the permit because of factors beyond the reasonable control of the permittee. It does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive

maintenance, careless or improper operation, or those problems the discharger should have foreseen.

**Waste:** As used in the Ocean Plan, waste includes a Discharger's total discharge, of whatever origin; i.e., gross, not net, discharge.

**Weekly Average** is the arithmetic mean of daily concentrations, or of daily mass emission rates, over the specified weekly period:

$$\text{Average} = \frac{1}{N} \sum_{i=1}^N X_i$$

in which "N" is the number of days samples were analyzed during the period and "X<sub>i</sub>" is either the constituent concentration (mg/L) or mass emission rate (kg/day or lb/day) for each sampled day.

**Wasteload Allocation (WLA):** The proportion of a receiving water's total maximum daily load that is allocated to one of its existing or future point sources of pollution.

**Water Quality-Based Effluent Limit (WQBEL):** A value determined by selecting the most stringent of the effluent limits calculated using all applicable water quality criteria (e.g., aquatic life, human health, and wildlife) for a specific point source to a specific receiving water for a given pollutant.

**Water Quality Criteria:** Comprised of numeric and narrative criteria. Numeric criteria are scientifically derived ambient concentrations developed by USEPA or States for various pollutants of concern to protect human health and aquatic life. Narrative criteria are statements that describe the desired water quality goal.

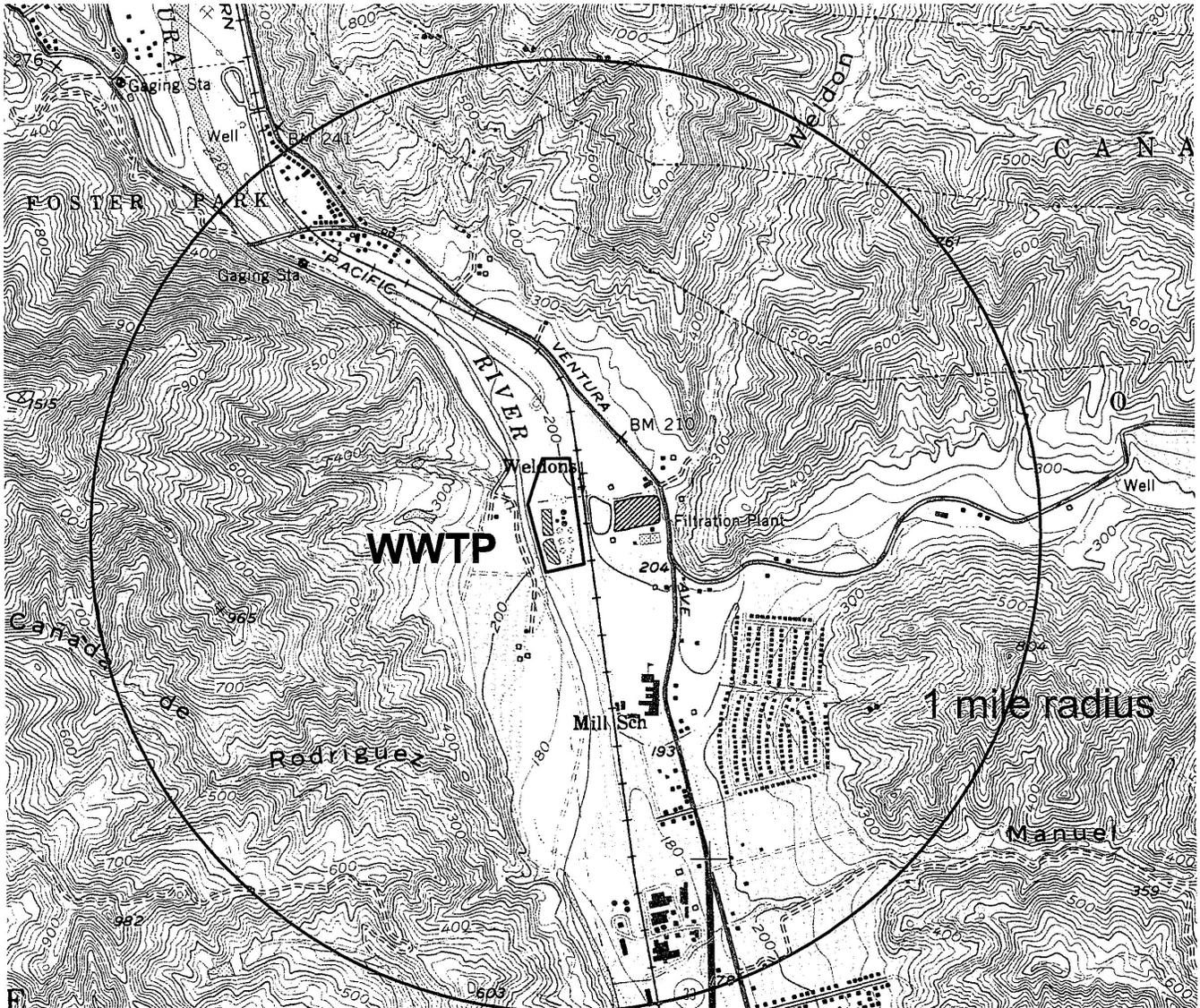
**Water Quality Standard:** A law or regulation that consists of the beneficial use or uses of a waterbody, the numeric and narrative water quality criteria that are necessary to protect the use or uses of that particular waterbody, and an antidegradation statement.

**Water Reclamation:** The treatment of wastewater to render it suitable for reuse, the transportation of treated wastewater to the place of use, and the actual use of treated wastewater for a direct beneficial use or controlled use that would not otherwise occur.

**Whole Effluent Toxicity (WET):** The total toxic effect of an effluent measured directly with a toxicity test.

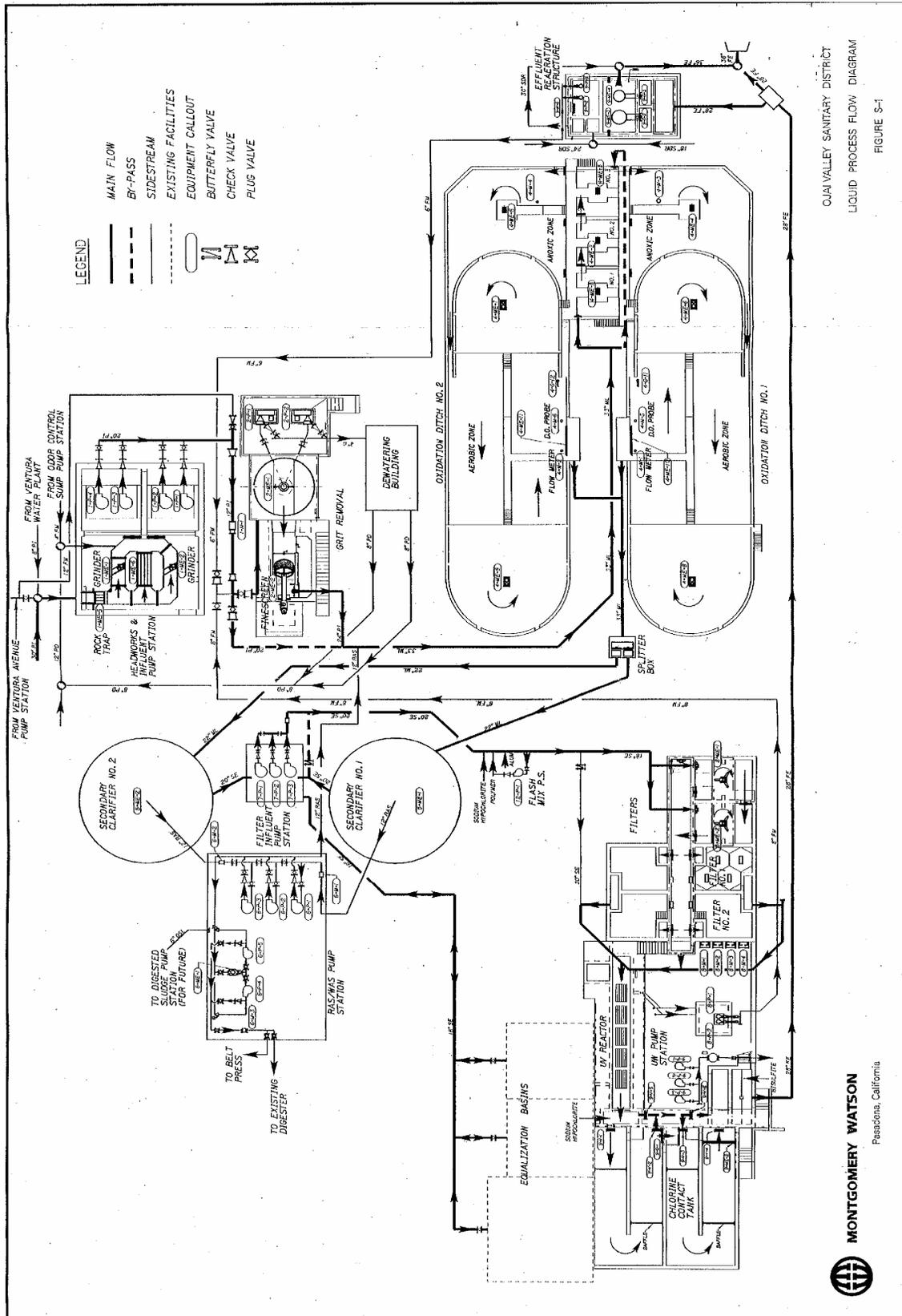
**Zone of Initial Dilution (ZID)** means, for purposes of designating monitoring stations, the region within a horizontal distance equal to a specified water depth (usually depth of outfall or average depth of diffuser) from any point of the diffuser or end of the outfall and the water column above and below that region, including the underlying seabed.

### ATTACHMENT B – LOCATION MAP (OJAI VALLEY WWTP)



Attachment B –Map  
Tentative Version: May 19, 2008  
Revised: June 20, 2008  
Adopted: July 10, 2008

**ATTACHMENT C – FLOW SCHEMATIC (OJAI VALLEY WWTP)**



## **ATTACHMENT D – STANDARD PROVISIONS**

### **I. STANDARD PROVISIONS – PERMIT COMPLIANCE**

#### **A. Duty to Comply**

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

#### **B. Need to Halt or Reduce Activity Not a Defense**

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order. (40 C.F.R. § 122.41(c).)

#### **C. Duty to Mitigate**

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

#### **D. Proper Operation and Maintenance**

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

#### **E. Property Rights**

1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 C.F.R. § 122.41(g).)

2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations. (40 C.F.R. § 122.5(c).)

## **F. Inspection and Entry**

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

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

## **G. Bypass**

1. Definitions
  - a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. (40 C.F.R. § 122.41(m)(1)(i).)
  - b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 C.F.R. § 122.41(m)(1)(ii).)
2. Bypass not exceeding limitations. The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3, I.G.4, and I.G.5 below. (40 C.F.R. § 122.41(m)(2).)

3. Prohibition of bypass. Bypass is prohibited, and the Regional Water Board may take enforcement action against a Discharger for bypass, unless (40 C.F.R. § 122.41(m)(4)(i)):
  - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 C.F.R. § 122.41(m)(4)(i)(A));
  - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance (40 C.F.R. § 122.41(m)(4)(i)(B)); and
  - c. The Discharger submitted notice to the Regional Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. (40 C.F.R. § 122.41(m)(4)(i)(C).)
4. The Regional Water Board may approve an anticipated bypass, after considering its adverse effects, if the Regional Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above. (40 C.F.R. § 122.41(m)(4)(ii).)
5. Notice
  - a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a notice, if possible at least 10 days before the date of the bypass. (40 C.F.R. § 122.41(m)(3)(i).)
  - b. Unanticipated bypass. The Discharger shall report an unanticipated bypass as required in Standard Provisions - Reporting V.E below (24-hour notice). (40 C.F.R. § 122.41(m)(3)(ii).)

## H. Upset

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. (40 C.F.R. § 122.41(n)(1).)

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance I.H.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. (40 C.F.R. § 122.41(n)(2).)

2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that (40 C.F.R. § 122.41(n)(3)):
  - a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 C.F.R. § 122.41(n)(3)(i));
  - b. The permitted facility was, at the time, being properly operated (40 C.F.R. § 122.41(n)(3)(ii));
  - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) (40 C.F.R. § 122.41(n)(3)(iii)); and
  - d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above. (40 C.F.R. § 122.41(n)(3)(iv).)
3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof. (40 C.F.R. § 122.41(n)(4).)

## **II. STANDARD PROVISIONS – PERMIT ACTION**

### **A. General**

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition. (40 C.F.R. § 122.41(f).)

### **B. Duty to Reapply**

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit. (40 C.F.R. § 122.41(b).)

### **C. Transfers**

This Order is not transferable to any person except after notice to the Regional Water Board. The Regional Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the California Water Code. (40 C.F.R. § 122.41(l)(3); § 122.61.)

### **III. STANDARD PROVISIONS – MONITORING**

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

### **IV. STANDARD PROVISIONS – RECORDS**

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

#### **B. Records of monitoring information shall include:**

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

#### **C. Claims of confidentiality for the following information will be denied (40 C.F.R. § 122.7(b)):**

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

## **V. STANDARD PROVISIONS – REPORTING**

### **A. Duty to Provide Information**

The Discharger shall furnish to the Regional Water Board, State Water Board, or USEPA within a reasonable time, any information which the Regional Water Board, State Water Board, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Regional Water Board, State Water Board, or USEPA copies of records required to be kept by this Order. (40 C.F.R. § 122.41(h); California Water Code, § 13267.)

### **B. Signatory and Certification Requirements**

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

and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 C.F.R. § 122.22(c).)

5. Any person signing a document under Standard Provisions – Reporting V.B.2 or V.B.3 above shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.” (40 C.F.R. § 122.22(d).)

### **C. Monitoring Reports**

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

### **D. Compliance Schedules**

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

### **E. Twenty-Four Hour Reporting**

1. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided to the Regional Water Board within five (5) days of the time the

Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. (40 C.F.R. § 122.41(l)(6)(i).)

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

#### **F. Planned Changes**

The Discharger shall give notice to the Regional Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when (40 C.F.R. § 122.41(l)(1)):

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

#### **G. Anticipated Noncompliance**

The Discharger shall give advance notice to the Regional Water Board or State Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with General Order requirements. (40 C.F.R. § 122.41(l)(2).)

#### **H. Other Noncompliance**

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

#### **I. Other Information**

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Regional Water Board, State Water Board, or USEPA, the Discharger shall promptly submit such facts or information. (40 C.F.R. § 122.41(l)(8).)

### **VI. STANDARD PROVISIONS – ENFORCEMENT**

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

### **VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS**

#### **A. Publicly-Owned Treatment Works (POTWs)**

All POTWs shall provide adequate notice to the Regional Water Board of the following (40 C.F.R. § 122.42(b)):

1. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to sections 301 or 306 of the CWA if it were directly discharging those pollutants (40 C.F.R. § 122.42(b)(1)); and
2. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of the Order. (40 C.F.R. § 122.42(b)(2).)
3. Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW. (40 C.F.R. § 122.42(b)(3).)

## ATTACHMENT E – MONITORING AND REPORTING PROGRAM

### Table of Contents

Attachment E – Monitoring and Reporting Program (MRP) .....	E-2
I. General Monitoring Provisions.....	E-2
II. Monitoring Locations .....	E-5
III. Influent Monitoring Requirements.....	E-5
A. Monitoring Location INF-001.....	E-5
IV. Effluent Monitoring Requirements .....	E-6
A. Monitoring Location EFF-001.....	E-6
V. Whole Effluent Toxicity Testing Requirements .....	E-8
VI. LAND DISCHARGE MONITORING REQUIREMENTS.....	E-16
Not applicable.....	E-16
VII. Reclamation Monitoring Requirements.....	E-16
VII. Receiving Water Monitoring Requirements – Surface Water.....	E-16
A. Monitoring Locations RSW-003, RSW-004, and RSW-005 .....	E-16
VIII. Other Monitoring Requirements .....	E-18
IX. Reporting Requirements.....	E-21
A. General Monitoring and Reporting Requirements.....	E-21
B. Self Monitoring Reports (SMRs) .....	E-21
C. Discharge Monitoring Reports (DMRs) .....	E-23
D. Other Reports .....	E-24

### List of Tables

Table 1. Monitoring Station Locations.....	E-5
Table 2. Influent Monitoring .....	E-5
Table 3. Effluent Monitoring.....	E-6
Table 4a. Receiving Water Monitoring Requirements.....	E-16
Table 4b. Receiving Water Monitoring Requirements.....	E-17
Table 4c. Receiving Water Monitoring Requirements.....	E-17
Table 4d. Receiving Water Monitoring Requirements.....	E-18
Table 5. Monitoring Periods and Reporting Schedule.....	E-22

## **ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)**

The Code of Federal Regulations, title 40, part 122.48 requires that all NPDES permits specify monitoring and reporting requirements. California Water Code sections 13267 and 13383 also authorize the Regional Water Quality Control Board (Regional Water Board) to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements, which implement the federal and California regulations.

### **I. GENERAL MONITORING PROVISIONS**

- A. All samples shall be representative of the waste discharge under conditions of peak load. Quarterly effluent analyses shall be performed during the months of February, May, August, and November. Semiannual analyses shall be performed during the months of February and August. Annual analyses shall be performed during the month of August. Should there be instances when monitoring could not be done during these specified months, the Discharger must notify the Regional Water Board, state the reason why monitoring could not be conducted, and obtain approval from the Executive Officer for an alternate schedule. Results of quarterly, semiannual, and annual analyses shall be reported in the second monthly monitoring report following the analysis.
- B. Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. Parts 136.3, 136.4, and 136.5 (revised March 12, 2007); or where no methods are specified for a given pollutant, by methods approved by this Regional Water Board or the State Water Board. Laboratories analyzing effluent samples and receiving water samples shall be certified by the California Department of Health Services Environmental Laboratory Accreditation Program (ELAP) or approved by the Executive Officer and must include quality assurance/quality control (QA/QC) data in their reports. A copy of the laboratory certification shall be provided in the Annual Report due to the Regional Board each time a new certification and/or renewal of the certification is obtained from ELAP.
- C. Water/wastewater samples must be analyzed within allowable holding time limits as specified in 40 C.F.R. Part 136.3 (revised March 12, 2007). All QA/QC analyses must be run on the same dates that samples are actually analyzed. The Discharger shall retain the QA/QC documentation in its files and make available for inspection and/or submit them when requested by the Regional Water Board. Proper chain of custody procedures must be followed and a copy of that documentation shall be submitted with the monthly report.
- D. The Discharger shall calibrate and perform maintenance procedures on all monitoring instruments and to insure accuracy of measurements, or shall insure that both equipment activities will be conducted.
- E. For any analyses performed for which no procedure is specified in the USEPA guidelines, or in the MRP, the constituent or parameter analyzed and the method or procedure used must be specified in the monitoring report.

- F. Each monitoring report must affirm in writing that “all analyses were conducted at a laboratory certified for such analyses by the Department of Health Services or approved by the Executive Officer and in accordance with current USEPA guideline procedures or as specified in this MRP.”
- G. The monitoring report shall specify the USEPA analytical method used, the Method Detection Limit (MDL), and the Reporting Level (RL) [the applicable minimum level (ML) or reported Minimum Level (RML)] for each pollutant. The MLs are those published by the State Water Board in the *Policy for the Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, February 9, 2005, Appendix 4. The ML represents the lowest quantifiable concentration in a sample based on the proper application of all method-based analytical procedures and the absence of any matrix interference. When all specific analytical steps are followed and after appropriate application of method specific factors, the ML also represents the lowest standard in the calibration curve for that specific analytical technique. When there is deviation from the method analytical procedures, such as dilution or concentration of samples, other factors may be applied to the ML depending on the sample preparation. The resulting value is the reported minimum level.
- H. The Discharger shall select the analytical method that provides a ML lower than the permit limit established for a given parameter, unless the Discharger can demonstrate that a particular ML is not attainable, in accordance with procedures set forth in 40 C.F.R. Part 136, and obtains approval for a higher ML from the Executive Officer, as provided for in section J, below. If the effluent limitation is lower than all the MLs in Appendix 4, SIP, the Discharge must select the method with the lowest ML for compliance purposes. The Discharger shall include in the Annual Summary Report a list of the analytical methods employed for each test.
- I. The Discharger shall instruct its laboratories to establish calibration standards so that the ML (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from extrapolation beyond the lowest point of the calibration curve. In accordance with section J, below, the Discharger’s laboratory may employ a calibration standard lower than the ML in Appendix 4 of the SIP.
- J. In accordance with Section 2.4.3 of the SIP, the Regional Water Board Executive Officer, in consultation with the State Water Board’s Quality Assurance Program Manager, may establish an ML that is not contained in Appendix 4 of the SIP to be included in the discharger’s permit in any of the following situations:
- a. When the pollutant under consideration is not included in Appendix 4, SIP;
  - b. When the discharger and the Regional Water Board agree to include in the permit a test method that is more sensitive than those specified in 40 C.F.R. Part 136 (revised as of May 14, 1999);
  - c. When a discharger agrees to use an ML that is lower than those listed in Appendix 4;

- d. When a discharger demonstrates that the calibration standard matrix is sufficiently different from that used to establish the ML in Appendix 4 and proposes an appropriate ML for the matrix; or,
- e. When the discharger uses a method, which quantification practices are not consistent with the definition of the ML. Examples of such methods are USEPA-approved method 1613 for dioxins, and furans, method 1624 for volatile organic substances, and method 1625 for semi-volatile organic substances. In such cases, the discharger, the Regional Water Board, and the State Water Resources Control Board shall agree on a lowest quantifiable limit and that limit will substitute for the ML for reporting and compliance determination purposes.

If there is any conflict between foregoing provisions and the State Implementation Policy (SIP), the provisions stated in the SIP (Section 2.4) shall prevail.

- K. If the Discharger samples and performs analyses (other than for process/operational control, startup, research, or equipment testing) on any influent, effluent, or receiving water constituent more frequently than required by this Program using approved analytical methods, the results of those analyses shall be included in the report. These results shall be reflected in the calculation of the average used in demonstrating compliance with limitations set forth in this Order.
- L. The Discharger shall develop and maintain a record of all spills or bypasses of raw or partially treated sewage from its collection system or treatment plant according to the requirements in the WDR section of this Order. This record shall be made available to the Regional Water Board upon request and a spill summary shall be included in the annual summary report.
- M. For all bacteriological analyses, sample dilutions should be performed so the expected range of values is bracketed (for example, with multiple tube fermentation method or membrane filtration method, 2 to 16,000 per 100 ml for total and fecal coliform, at a minimum, and 1 to 1000 per 100 ml for *enterococcus*). The detection methods used for each analysis shall be reported with the results of the analyses.
  - a. Detection methods used for coliforms (total and fecal) shall be those presented in Table 1A of 40 C.F.R. Part 136 (revised March 12, 2007), unless alternate methods have been approved in advance by the United State Environmental Protection Agency (USEPA) pursuant to 40 C.F.R. Part 136.
  - b. Detection methods used for enterococcus shall be those presented in Table 1A of 40 C.F.R. Part 136 (revised March 12, 2007) or in the USEPA publication EPA 600/4-85/076, *Test Methods for Escherichia coli and Enterococci in Water By Membrane Filter Procedure*, or any improved method determined by the Regional Water Board to be appropriate.

## II. MONITORING LOCATIONS

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

**Table 1. Monitoring Station Locations**

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
<b>Influent Monitoring Station</b>		
--	INF-001	Sampling stations shall be established at each point of inflow to the sewage treatment plant and shall be located upstream of any in-plant return flows and where representative samples of the influent can be obtained.
<b>Effluent Monitoring Stations</b>		
001	EFF-001	The effluent sampling station shall be located downstream of any in-plant return flows and after the final disinfection process, where representative samples of the effluent can be obtained.
<b>Receiving Water Monitoring Stations</b>		
--	RSW-003	Ventura River, approximately 1650 feet upstream of Discharge Points 001.
--	RSW-004	Ventura River, approximately 50 feet downstream of Discharge Points 001.
--	RSW-005	Ventura River, at a point immediately upstream of the confluence with Canada Larga.

## III. INFLUENT MONITORING REQUIREMENTS

Influent monitoring is required to:

- Determine compliance with NPDES permit conditions.
- Assess treatment plant performance.
- Assess effectiveness of the Pretreatment Program

### A. Monitoring Location INF-001

1. The Discharger shall monitor influent to the facility at INF-001 as follows:

**Table 2. Influent Monitoring**

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Flow	MGD	recorder	continuous <sup>1</sup>	1
pH	pH unit	grab	weekly	2

<sup>1</sup> Total daily flow and instantaneous peak daily flow (24-hr basis). Actual monitored flow shall be reported (not the maximum flow, i.e., design capacity).

<sup>2</sup> Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. 136; where no methods are specified for a given pollutant, by methods approved by this Regional Water Board or State Water Resources

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Total suspended solids	mg/L	24-hour composite	weekly	<sup>2</sup>
BOD <sub>5</sub> 20 °C	mg/L	24-hour composite	weekly	<sup>2</sup>
Total nitrogen	mg/L	24-hour composite	semiannually	
Total phosphorus	mg/L	24-hour composite	semiannually	
Bis(2-ethylhexyl)phthalate	µg/L	Grab	quarterly	<sup>2</sup>
Remaining EPA priority pollutants <sup>3</sup> excluding asbestos	µg/L	24-hour composite/grab for VOCs, cyanide, and Chromium VI	semiannually	<sup>2</sup>

#### IV. EFFLUENT MONITORING REQUIREMENTS

Effluent monitoring is required to:

- Determine compliance with NPDES permit conditions and water quality standards.
- Assess plant performance, identify operational problems and improve plant performance.
- Provide information on wastewater characteristics and flows for use in interpreting water quality and biological data.
- Determine reasonable potential analysis for toxic pollutants.

##### A. Monitoring Location EFF-001

1. The Discharger shall monitor the discharge of tertiary-treated effluent at EFF-001. If more than one analytical test method is listed for a given parameter, the Discharger must select from the listed methods and corresponding Minimum Level.

**Table 3. Effluent Monitoring**

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method and (Minimum Level, units), respectively
Total waste flow	MGD	recorder	continuous <sup>4</sup>	<sup>5</sup>
Turbidity <sup>7</sup>	NTU	recorder	continuous <sup>4</sup>	<sup>5</sup>

Control Board. For any pollutant whose effluent limitation is lower than all the minimum levels (MLs) specified in Attachment 4 of the SIP, the analytical method with the lowest ML must be selected.

<sup>3</sup> Priority pollutants are those constituents referred to in 40 C.F.R. 401.15; a list of these pollutants is provided as Appendix A to 40 C.F.R. 423.

<sup>4</sup> Where continuous monitoring of a constituent is required, the following shall be reported:  
 Total waste flow – Total daily and peak daily flow (24-hour basis);  
 Turbidity – Maximum daily value, total amount of time each day the turbidity exceeded five turbidity units, flow-proportioned average daily value. Grab sample can be used to determine compliance with the 10 NTU limit.  
 Total residual chlorine- Maximum daily value (24-hour basis)

<sup>5</sup> Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. 136; where no methods are specified for a given pollutant, by methods approved by this Regional Water Board or State Water Resources

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method and (Minimum Level, units), respectively
Total residual chlorine	mg/L	recorder	Continuous <sup>4, 6</sup>	--
Total coliform <sup>7</sup>	MPN/ 100mL or CFU/100mL	grab	daily	5
Fecal coliform <sup>7</sup>	MPN/ 100mL or CFU/100mL	grab	daily	5
Temperature	°F	grab	weekly	5
pH	pH units	grab	weekly	5
Settleable solids	mL/L	grab	weekly	5
Suspended solids	mg/L	24-hour composite	weekly	5
BOD <sub>5</sub> 20 °C	mg/L	24-hour composite	weekly	5
Oil and grease	mg/L	grab	Semiannually	5
Dissolved oxygen	mg/L	grab	weekly	5
Total Dissolved Solids	mg/L	24-hour composite	quarterly	5
Sulfate	mg/L	24-hour composite	quarterly	5
Chloride	mg/L	24-hour composite	quarterly	5
Boron	mg/L	24-hour composite	quarterly	5
Fluoride	mg/L	24-hour composite	Semiannually	5
Ammonia Nitrogen	mg/L	24-hour composite	monthly	5
Nitrite nitrogen	mg/L	24-hour composite	monthly	5
Nitrate nitrogen	mg/L	24-hour composite	monthly	5
Organic nitrogen	mg/L	24-hour composite	monthly	5
Total nitrogen	mg/L	24-hour composite	monthly	5
Total phosphorous	mg/L	24-hour composite	monthly	5
Orthosphosphate-P				
Surfactants (MBAS)	mg/L	24-hour composite	semiannually	5
Surfactants (CTAS <sup>8</sup> )	mg/L	24-hour composite	semiannually	5

Control Board. For any pollutant whose effluent limitation is lower than all the minimum levels (MLs) specified in Attachment 4 of the SIP, the analytical method with the lowest ML must be selected.

<sup>6</sup> When chlorination is used, total residual chlorine (TRC) shall be recorded continuously. The recorded data shall be maintained by the Permittee for at least five years. The Permittee shall extract the maximum daily peak, minimum daily, and average daily from the recorded media and shall be made available upon request of the Regional Board. The continuous monitoring data are not intended to be used for compliance determination purposes.

Continuous monitoring of TRC at the current location shall serve as an internal trigger for increased TRC end of pipe grab sampling if either of the following occur, except as noted in footnote 9.c:

- a. TRC concentration excursions of up to 0.3 mg/L lasting greater than 15 minutes; or
- b. TRC concentration peaks in excess of 0.3 mg/L lasting greater than 1 minute.
- c. Additional end of pipe grab samples need not be taken if it can be demonstrated that a stoichiometrically appropriate amount of dechlorination chemical has been added to effectively dechlorinate the effluent to 0.1 mg/L or less for peaks in excess of 0.3 mg/L lasting more than 1 minute, but not for more than five minutes.

<sup>7</sup> Coliform and turbidity samples shall be obtained at some point in the treatment process at a time when wastewater flow and characteristics are most demanding on the treatment facilities, filtration, and disinfection procedures. If total coliform test results are positive then fecal coliform test shall be conducted.

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method and (Minimum Level, units), respectively
Total hardness (CaCO <sub>3</sub> )	mg/L	24-hour composite	monthly	5
Chronic toxicity	TUc	24-hour composite	monthly	5
Acute toxicity	% Survival	24-hour composite	quarterly	5
Radioactivity <sup>9</sup>	pCi/L	24-hour composite	semiannually	10
Bis(2-ethylhexyl)phthalate	µg/L	grab	monthly	5
Aluminum	µg/L	24-hour composite	semiannually	5
Iron	µg/L	24-hour composite	semiannually	5
Vanadium	µg/L	24-hour composite	semiannually	5
Cobalt	µg/L	24-hour composite	semiannually	5
Molybdenum	µg/L	24-hour composite	semiannually	5
Remaining EPA priority pollutants <sup>3</sup> excluding asbestos	µg/L	24-hour composite; grab for VOCs <sup>11</sup>	semiannually	5
Emerging Chemicals	µg/L	24-hour composite;	semiannually	12
Endocrine disrupting chemicals	µg/L	to be decided	biennially	13
Pharmaceuticals	µg/L	to be decided	biennially	14

## V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

### A. Acute Toxicity

#### 1. Definition of Acute Toxicity

Acute toxicity is a measure of primarily lethal effects that occur over a 96-hour period. Acute toxicity shall be measured in percent survival measured in undiluted (100%) effluent.

- a. The average survival in the undiluted effluent for any three (3) consecutive 96-hour static renewal bioassay tests shall be at least 90%, and
- b. No single test shall produce less than 70% survival.

#### 2. Acute Toxicity Effluent Monitoring Program

- a. **Method.** The Discharger shall conduct acute toxicity tests on 24-hr composite 100% effluent and receiving water grab samples by methods specified in 40 C.F.R. part 136, which cites USEPA's *Methods for Measuring the Acute*

<sup>8</sup> CTAS- Cobalt Thiocyanate Active Substances.

<sup>9</sup> Gross alpha, gross beta, combined radium-226 and radium-228, tritium, strontium-90 and uranium.

<sup>10</sup> Analyze these radiochemicals by the following USEPA methods: method 900.0 for gross alpha and gross beta, method 903.0 or 903.1 for radium-226, method 904.0 for radium-228, method 906.0 for tritium, method 905.0 for strontium-90, and method 908.0 for uranium. Analysis for combined Radium-226 & 228 shall be conducted only if gross alpha results for the same sample exceed 15 pCi/L or beta greater than 50 pCi/L. If Radium-226 & 228 exceeds the stipulated criteria, analyze for Tritium, Strontium-90 and uranium.

<sup>11</sup> VOC- Volatile Organic Compounds

*Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, October, 2002 (EPA-821-R-02-012) or a more recent edition to ensure compliance.

- b. **Test Species.** The fathead minnow, *Pimephales promelas*, shall be used as the test species for fresh water discharges and the topsmelt, *Atherinops affinis*, shall be used as the test species for brackish discharges. However, if the salinity of the receiving water is between 1 to 32 parts per thousand (ppt), the Discharger may have the option of using the inland silverside, *Menidia beryllina*, instead of the topsmelt. The method for topsmelt is found in USEPA's *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, October, 2002 (EPA-821-R-02-012).
- c. **Alternate Reporting.** In lieu of conducting the standard acute toxicity testing with the fathead minnow, the Discharger may elect to report the results or endpoint from the first 96 hours of the chronic toxicity test as the results of the acute toxicity test, but only if the Discharger uses USEPA's October 2002 protocol (EPA-821-R-02-013) and fathead minnow is used to conduct the chronic toxicity test.
- d. **Acute Toxicity Accelerated Monitoring.** If either of the effluent or receiving water acute toxicity requirements in Section IV.A.2.g.a.(i) and (ii), and Section V.A.25.c., respectively, of this Order is not met, the Discharger shall conduct six additional tests, approximately one test every two weeks, over a 12-week period. The Discharger shall ensure that results of a failing acute toxicity test are received by the Discharger within 24 hours of completion of the test and the additional tests shall begin within 5 business days of receipt of the result. If the additional tests indicate compliance with acute toxicity limitation, the Discharger may resume regular testing.

However, if the extent of the acute toxicity of the receiving water upstream of the discharge is greater than the downstream and the results of the effluent acute toxicity test comply with acute toxicity limitation, the accelerated monitoring need not be implemented for the receiving water.

- e. **Toxicity Identification Evaluation (TIE).**
  1. 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 objective.
  2. If the initial test and any of the additional six acute toxicity bioassay tests results are less than 70% survival, the Discharger shall immediately implement Initial Investigation Toxicity Reduction Evaluation (TRE) Workplan. Once the sources are identified the Discharger shall take all reasonable steps to reduce toxicity to meet the requirements.

## B. Chronic Toxicity Testing

### 1. Definition of Chronic Toxicity

Chronic toxicity is a measure of adverse sub-lethal effects in plants, animals, or invertebrates in a long-term test. The effects measured may include lethality or decreases in fertilization, growth, and reproduction.

### 2. Chronic Toxicity Effluent Monitoring Program

a. **Test Methods.** The Discharger shall conduct critical life stage chronic toxicity tests on 24-hour composite 100 % effluent samples and receiving water grab samples in accordance with EPA's *Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, October 2002 (EPA-821-R-02-013) or EPA's *Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms*, October 2002 (EPA-821-R-02-014), or current version. The Discharger shall conduct static renewal tests in accordance with the 2002 freshwater chronic methods manual for water flea and fathead minnow. For *Selenastrum*, use a static non-renewal test protocol.

### b. Frequency

1. **Screening and Monitoring.** - The Discharger shall conduct the first chronic toxicity test screening for three consecutive months in 2008. The Discharger shall conduct short-term tests with the cladoceran, water flea (*Ceriodaphnia dubia* - survival and reproduction test), the fathead minnow (*Pimephales promelas* - larval survival and growth test), and the green alga (*Selenastrum capricornutum* - growth test) as an initial screening process for a minimum of three, but not to exceed, five suites of tests to account for potential variability of the effluent/receiving water. After this screening period, monitoring shall be conducted using the most sensitive species.
2. **Re-screening** is required every 24 months. The Discharger shall re-screen with the three species listed above and continue to monitor with the most sensitive species. If the first suite of re-screening tests demonstrates that the same species is the most sensitive then the re-screening does not need to include more than one suite of tests. If a different species is the most sensitive or if there is uncertainty as to whether the same species is still the most sensitive based on the test results, then the Discharger shall proceed with suites of screening tests for a minimum of three, but not to exceed five suites.
3. **Regular toxicity tests** - After the screening period, monitoring shall be conducted monthly using the most sensitive species.

- c. **Toxicity Units.** The chronic toxicity of the effluent shall be expressed and reported in Chronic 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.

### 3. Accelerated Monitoring

If the chronic toxicity of the effluent or the receiving water downstream the discharge exceeds the monthly trigger median of 1.0  $TU_c$ , the Discharger shall conduct six additional tests of the water source that exceeded the 1.0  $TU_c$  trigger (effluent or downstream receiving water), approximately every two weeks, over a 12-week period. The Discharger shall ensure that they receive results of a failing chronic toxicity test within 24 hours of the completion of the test and the additional tests shall begin within 5 business days of the receipt of the result. However, if the chronic toxicity of the receiving water upstream of the discharge is greater than the downstream and the  $TU_c$  of the effluent chronic toxicity test is less than or equal to a monthly median of 1  $TU_c$  trigger, then accelerated monitoring need not be implemented for the receiving water.

- a. If any three out of the initial test and the six additional tests results exceed 1.0  $TU_c$  the Discharger shall immediately implement the Initial Investigation TRE workplan. Otherwise, the Discharger may return to normal sampling.
- b. If implementation of the initial investigation TRE workplan indicates the source of toxicity (e.g., a temporary plant upset, etc.), then the Discharger shall return to the normal sampling frequency required in Table 3, Table 4a, and Table 4b of this MRP.
- c. If all of the six additional tests required above do not exceed 1  $TU_c$ , then the Discharger may return to the normal sampling frequency.
- d. If a TRE/TIE is initiated prior to completion of the accelerated testing schedule required, then the accelerated testing schedule may be terminated, or used as necessary in performing the TRE/TIE, as determined by the Executive Officer.

### C. Quality Assurance

1. Concurrent testing with a reference toxicant shall be conducted. Reference toxicant tests shall be conducted using the same test conditions as the effluent toxicity tests (e.g., same test duration, etc).
2. If either the reference toxicant test or effluent test does not meet all test acceptability criteria (TAC) as specified in the test methods manual (EPA-821-R-

02-012 and/or EPA-821-R-02-013), then the Discharger must re-sample and re-test within 14 days.

3. Control and dilution water should be receiving water or laboratory water, as appropriate, as described in the manual. If the dilution water used is different from the culture water, a second control using culture water shall be used.

#### **D. Preparation of an Initial Investigation TRE Workplan**

The Discharger shall prepare and submit a copy of the Discharger's initial investigation Toxicity Reduction Evaluation (TRE) workplan to the Executive Officer of the Regional Water Board for approval within 90 days of the effective date of this permit. If the Executive Officer does not disapprove the workplan within 60 days, the workplan shall become effective. The Discharger shall use USEPA manual EPA/833B-99/002 (municipal) as guidance, or most current version. At a minimum, the TRE Workplan must contain the provisions in Attachment G. This workplan shall describe the steps that the Discharger intends to follow if toxicity is detected. At minimum, the workplan shall include:

1. A description of the investigation and evaluation techniques that will be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency.
2. 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,
3. 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 V.E.3. for guidance manuals.

#### **E. Steps in Toxicity Reduction Evaluation (TRE) and Toxicity Identification Evaluation (TIE)**

1. If results of the implementation of the facility's initial investigation TRE workplan indicate the need to continue the TRE/TIE, the Discharger shall expeditiously develop a more detailed TRE workplan for submittal to the Executive Officer within 15 days of completion of the initial investigation TRE. The detailed workplan shall include, but not be limited to:
  - a. Further actions to investigate and identify the cause of toxicity;
  - b. Actions the Discharger will take to mitigate the impact of the discharge and prevent the recurrence of toxicity; and
  - c. A schedule for these actions.
2. The following section summarizes the stepwise approach used in conducting the TRE:

- a. Step 1 includes basic data collection.
  - b. Step 2 evaluates optimization of the treatment system operation, facility housekeeping, and selection and use of in-plant process chemicals.
  - c. If Steps 1 and 2 are unsuccessful, Step 3 implements a Toxicity Identification Evaluation (TIE) and employment of all reasonable efforts using currently available TIE methodologies. The objective of the TIE shall be to identify the substance or combination of substances causing the observed toxicity.
  - d. Assuming successful identification or characterization of the toxicant(s), Step 4 evaluates final effluent treatment options.
  - e. Step 5 evaluates in-plant treatment options.
  - f. Step 6 consists of confirmation once a toxicity control method has been implemented.  
Many recommended TRE elements parallel source control, pollution prevention, and storm water control program best management practices (BMPs). To prevent duplication of efforts, evidence of compliance with those requirements may be sufficient to comply with TRE requirements. By requiring the first steps of a TRE to be accelerated testing and review of the facility's TRE workplan, a TRE may be ended in its early stages. All reasonable steps shall be taken to reduce toxicity to the required level. The TRE may be ended at any stage if monitoring indicates there are no longer toxicity violations.
3. The Discharger shall initiate a TIE as part of the TRE process to identify the cause(s) of toxicity. The Discharger shall use the USEPA acute manual, chronic manual, EPA/600/R-96-054 (Phase I), EPA/600/R-92/080 (Phase II), and EPA-600/R-92/081 (Phase III), as guidance.
  4. If a TRE/TIE is initiated prior to completion of the accelerated testing required in Section V.D. of this program, then the accelerated testing schedule may be terminated, or used as necessary in performing the TRE/TIE, as determined by the Executive Officer .
  5. Toxicity tests conducted as part of a TRE/TIE may also be used for compliance, if appropriate.
  6. The Regional Water Board recognizes that toxicity may be episodic and identification of causes of and reduction of sources of toxicity may not be successful in all cases. Consideration of enforcement action by the Board will be based, in part, on the Discharger's actions and efforts to identify and control or reduce sources of consistent toxicity.
    - a. If all the results of the six additional tests are in compliance with the chronic toxicity limitation, the Discharger may resume regular monthly testing.

- b. If the results of any of the six accelerated tests exceeds the limitation, the Discharger shall continue to monitor weekly until six consecutive weekly tests are in compliance. At that time, the Discharger may resume regular monthly testing.
- c. If the results of two of the six tests exceed the  $1TU_C$  trigger, the Discharger shall initiate a TRE.
- d. If implementation of the initial investigation TRE workplan (see item D.3, above) indicates the source of toxicity (e.g., a temporary plant upset, etc.), then the Discharger shall return to the regular testing frequency.

#### **F. Ammonia Removal**

- 1. Except with prior approval from the Executive Officer of the Regional Water Board, ammonia shall not be removed from bioassay samples. The Discharger must demonstrate the effluent toxicity is caused by ammonia because of increasing test pH when conducting the toxicity test. It is important to distinguish the potential toxic effects of ammonia from other pH sensitive chemicals, such as certain heavy metals, sulfide, and cyanide. The following may be steps to demonstrate that the toxicity is caused by ammonia and not other toxicants before the Executive Officer would allow for control of pH in the test.
  - a. There is consistent toxicity in the effluent and the maximum pH in the toxicity test is in the range to cause toxicity due to increased pH.
  - b. Chronic ammonia concentrations in the effluent are greater than 4 mg/L total ammonia.
  - c. Conduct graduated pH tests as specified in the toxicity identification evaluation methods. For example, mortality should be higher at pH 8 and lower at pH 6.
  - d. Treat the effluent with a zeolite column to remove ammonia. Mortality in the zeolite treated effluent should be lower than the non-zeolite treated effluent. Then add ammonia back to the zeolite-treated samples to confirm toxicity due to ammonia.
- 2. When it has been demonstrated that toxicity is due to ammonia because of increasing test pH, pH may be controlled using appropriate procedures which do not significantly alter the nature of the effluent, after submitting a written request to the Regional Water Board, and receiving written permission expressing approval from the Executive Officer of the Regional Water Board.

#### **G. Reporting**

The Discharger shall submit a full report of the toxicity test results, including any accelerated testing conducted during the month, as required by this permit. Test

results shall be reported in Acute Toxicity Units (TUa) or Chronic Toxicity Units (TUc), as required, with the self-monitoring report (SMR) for the month in which the test is conducted. If an initial investigation indicates the source of toxicity and accelerated testing is unnecessary, pursuant to Section V.A.2.d. and V.B.3., then those results also shall be submitted with the SMR for the period in which the Investigation occurred.

1. The full report shall be received by the Regional Water Board by the 15th day of the second month following sampling.
2. The full report shall consist of (1) the results; (2) the dates of sample collection and initiation of each toxicity test; (3) the toxicity limit; and, (4) printout of the toxicity program (ToxCalc or CETIS).
3. Test results for toxicity tests also shall be reported according to the appropriate manual chapter on Report Preparation and shall be attached to the SMR. Routine reporting shall include, at a minimum, as applicable, for each test, as appropriate:
  - a. sample date(s)
  - b. test initiation date
  - c. test species
  - d. end point value(s) for each dilution (e.g. number of young, growth rate, percent survival)
  - e. NOEC values in percent effluent
  - f. TUc value(s), where  $TU_c = \frac{100}{NOEC}$
  - g. Mean percent mortality (+standard deviation) after 96 hours in 100% effluent (if applicable)
  - h. NOEC and LOEC (Lowest Observable Effect Concentration) values for reference toxicant test(s)
  - i. Available water quality measurements for each test (e.g., pH, D.O., temperature, conductivity, hardness, salinity, ammonia).
4. The Discharger shall provide a compliance summary that includes a summary table of toxicity data from at least eleven of the most recent samples.
5. The Discharger shall notify this Regional Water Board immediately of any toxicity exceedance and in writing 14 days after the receipt of the results of an effluent limit. The notification will describe actions the Discharger has taken or will take to investigate and correct the cause(s) of toxicity. It may also include a status

report on any actions required by the permit, with a schedule for actions not yet completed. If no actions have been taken, the reasons shall be given.

**VI. LAND DISCHARGE MONITORING REQUIREMENTS**

Not applicable.

**VII. RECLAMATION MONITORING REQUIREMENTS**

Not applicable.

**VII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER**

**A. Monitoring Locations RSW-003, RSW-004, and RSW-005**

1. The Discharger shall monitor Ventura River at RSW-003 through RSW-005 as follows:

**Table 4a. Receiving Water Monitoring Requirements**

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Total flow	MGD	grab	monthly	--
Turbidity	NTU	grab	monthly	12
Temperature	°F	grab	monthly	16
pH	pH units	grab	monthly	16
Total coliform	MPN/100ml or CFU/100ml	grab	monthly	16
Fecal coliform	MPN/100ml or CFU/100ml	grab	monthly	16
Turbidity	NTU	grab	monthly	16
Total residual chlorine	mg/L	grab	monthly <sup>13</sup>	16
BOD <sub>5</sub> 20 °C	mg/L	grab	annually	16
Oil and grease	mg/L	grab	annually	16
Dissolved oxygen	mg/L	grab	monthly	16
Total Dissolved Solids	mg/L	grab	semiannually	16
Sulfate	mg/L	grab	semiannually	16
Chloride	mg/L	grab	semiannually	16
Boron	mg/L	grab	semiannually	16
Nitrate nitrogen	mg/L	grab	quarterly	16
Nitrite nitrogen	mg/L	grab	quarterly	16
Ammonia nitrogen	mg/L	grab	quarterly	16
Organic nitrogen	mg/L	grab	quarterly	16

<sup>12</sup> Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. 136; where no methods are specified for a given pollutant, by methods approved by this Regional Water Board or State Water Resources Control Board. For any pollutant whose effluent limitation is lower than all the minimum levels (MLs) specified in Attachment 4 of the SIP, the analytical method with the lowest ML must be selected.

<sup>13</sup> Applicable only to when chlorination is in use.

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Total nitrogen	mg/L	grab	quarterly	<sup>16</sup>
Total phosphorus	mg/L	grab	quarterly	<sup>16</sup>
Orthophosphate-p	mg/L	grab	quarterly	<sup>16</sup>
Algal biomass (Chlorophyll a) <sup>14</sup>	mg/L	grab	annually	<sup>16</sup>
Surfactants (MBAS)	mg/L	grab	semiannually	<sup>16</sup>
Surfactants (CTAS)	mg/L	grab	semiannually	<sup>16</sup>
2,3,7,8-TCDD <sup>15</sup>	µg/L	grab	semiannually	<sup>16</sup>
1,4-Dioxane	µg/L	grab	annually	<sup>16</sup>
Perchlorate	µg/L	grab	annually	<sup>16</sup>
1,2,3-Trichloropropane	µg/L	grab	annually	<sup>16</sup>
Methyl tert-butyl-ether (MTBE)	µg/L	grab	annually	<sup>16</sup>
Remaining EPA priority pollutants excluding asbestos <sup>16</sup>	µg/L	grab	semiannually	<sup>16</sup>

2. The Discharger shall monitor Ventura River at RSW-003 as follows:

**Table 4b. Receiving Water Monitoring Requirements**

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Total hardness (CaCO <sub>3</sub> )	mg/L	grab	monthly	<sup>16</sup>

3. The Discharger shall monitor Ventura River at RSW-003 and RSW-004 as follows:

**Table 4c. Receiving Water Monitoring Requirements**

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Chronic toxicity	TUc	grab	quarterly	<sup>16</sup>

4. The Discharger shall monitor Ventura River at RSW-003 and RSW-005 as follows:

<sup>14</sup> Algal biomass or Chlorophyll a samples shall be collected by obtaining scrapings from the substrate, concurrently with pH, dissolved oxygen, and (macro)invertebrate monitoring. This will be a measure of benthic algae, rather than algae in the water column. Percent cover shall also be reported.

<sup>15</sup> In accordance with the SIP, the Discharger shall conduct effluent monitoring for the seventeen 2,3,7,8-tetrachlorodibenzo-p-dioxin (2,3,7,8-TCDD or dioxin) congeners in the effluent and in the receiving water Stations RSW-003 through RSW-005. The Discharger shall use the appropriate Toxicity Equivalence Factor (TEF) to determine Toxic Equivalence (TEQ). Where TEQ equals the product between each of the 17 individual congeners' (i) concentration analytical result (C<sub>i</sub>) and their corresponding Toxicity Equivalence Factor (TEF<sub>i</sub>), (i.e., TEQ<sub>i</sub> = C<sub>i</sub> x TEF<sub>i</sub>). Compliance with the Dioxin limitation shall be determined by the summation of the seventeen individual TEQs, or the following equation:

$$\text{Dioxin concentration in effluent} = \sum_{i=1}^{17} (\text{TEQ}_i) = \sum_{i=1}^{17} (C_i)(\text{TEF}_i)$$

<sup>16</sup> Remaining EPA priority pollutants are those constituents referred to in 40 C.F.R. 401.15, minus the pollutants listed by name in Tables 4a to 4d of this tentative order; a list of the priority pollutants is provided as Appendix A to 40 C.F.R. 423.

**Table 4d. Receiving Water Monitoring Requirements**

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Aluminum	µg/L	grab	annually	13
Cobalt	µg/L	grab	annually	13
Iron	µg/L	grab	annually	13
Molybdenum	µg/L	grab	annually	13
Vanadium	µg/L	grab	annually	13

5. At the time of sampling, the following observations shall be made at all stations and a log shall be maintained thereof:
  - a. Measurement of flow;
  - b. Odor of water;
  - c. Color of water;
  - d. Occurrence of significant storm runoff (flowing into the river)
  - e. Presence of floating solids (type);
  - f. Presence of any sludge banks or deposits, grease, oil, foam, or visible solids of waste origin;
  - g. Presence of any aquatic plant growth, sessile or floating;
  - h. Any unusual occurrence;
  - i. Users of water in river (i.e. people washing, swimming, and playing in the river);
  - j. Non-contact users (i.e. bikers, joggers, etc); and
  - k. Wildlife (i.e. fish, birds, mammals, reptiles, estimated amount of vegetation).
6. The time, date, and weather conditions at the time of sampling shall be reported.
7. The color of the effluent shall be contrasted with that of the receiving water and reported descriptively.
8. Receiving water samples shall not be taken during or within 48-hours following the flow of rainwater runoff into the Ventura River unless it is safe to do so.
9. Weekly sampling may be rescheduled at receiving water stations if weather and/or flow conditions would endanger personnel collecting receiving water samples. The monthly monitoring report shall note such occasions.
10. The results of receiving water monitoring and observations shall be submitted with the effluent monitoring reports.

**VIII. OTHER MONITORING REQUIREMENTS**

**A. Watershed Monitoring**

The goals of the Watershed-wide Monitoring Program for the Ventura River Watershed are to:

- Determine compliance with receiving water limits;
- Monitor trends in surface water quality;

- Ensure protection of beneficial uses;
  - Provide data for modeling contaminants of concern;
  - Characterize water quality including seasonal variation of surface waters within the watershed;
  - Assess the health of the biological community; and
  - Determine mixing dynamics of effluent and receiving waters in the estuary.
1. To achieve the goals of the Watershed-wide Monitoring Program, the Discharger shall participate in the implementation of the Watershed-wide Monitoring Program for the Ventura River. The Discharger's responsibilities under the Watershed-wide Monitoring Program are described in the Receiving Water Monitoring Requirements section. To achieve the goals of the Watershed-wide Monitoring Program, revisions to the Receiving Water Monitoring Requirements may be made under the direction of the Regional Water Board. The Discharger shall continue to participate with the Regional Water Board, Ventura County Watershed Protection Division, and other stakeholders, in the development and implementation of a watershed-wide monitoring program.
  2. In coordination with the Ventura County Watershed Protection District, the Discharger shall conduct instream bioassessment monitoring once a year, during the spring/summer period. Over time, bioassessment monitoring will provide a measure of the physical condition of the waterbody and the integrity of its biological communities.
    - A. The bioassessment program shall include an analysis of the community structure of the instream macroinvertebrate assemblages and physical habitat assessment at a minimum of three sites within the Ventura River. All of the sites shall be sampled annually during the spring/summer.

This program shall be implemented by appropriately trained staff. Alternatively, a professional subcontractor qualified to conduct bioassessments may be selected to perform the bioassessment work for the Discharger. Analyses of the results of the bioassessment monitoring program, along with photographs of the monitoring site locations taken during sample collection, shall be submitted in the corresponding annual report. If another stakeholder, or interested party in the watershed subcontracts a qualified professional to conduct bioassessment monitoring during the same season and at the same location as specified in the MRP, then the Discharger may, in lieu of duplicative sampling, submit the data, a report interpreting the data, photographs of the site, and related QA/QC documentation in the corresponding annual report.

- B. The Discharger must provide a copy of their Standard Operation Procedures (SOPs) for the Bioassessment Monitoring Program to the Regional Water Board upon request. The document must contain step-by-step field, laboratory and data entry procedures, as well as, related QA/QC procedures. The SOP must also include specific information about each bioassessment program including: assessment program description, its organization and the

responsibilities of all its personnel; assessment project description and objectives; qualifications of all personnel; and the type of training each member has received.

- C. Field sampling must conform to the SOP established for the California Stream Bioassessment Procedure (CSBP) or more recently established sampling protocols, such as used by the Surface Water Ambient Monitoring Program (SWAMP). Field crews shall be trained on aspects of the protocol and appropriate safety issues. All field data and sample Chain of Custody (COC) forms must be examined for completion and gross errors. Field inspections shall be planned with random visits and shall be performed by the Discharger or an independent auditor. These visits shall report on all aspects of the field procedure with corrective action occurring immediately.
  - D. A taxonomic identification laboratory shall process the biological samples that usually consist of subsampling organisms, enumerating and identifying taxonomic groups and entering the information into an electronic format. The Regional Water Board may require QA/QC documents from the taxonomic laboratories and examine their records regularly. Intra-laboratory QA/QC for subsampling, taxonomic validation and corrective actions shall be conducted and documented. Biological laboratories shall also maintain reference collections, vouchered specimens (the Discharger may request the return of their sample voucher collections) and remnant collections. The laboratory should participate in an (external) laboratory taxonomic validation program at a recommended level of 10% or 20%. External QA/QC may be arranged through the California Department of Fish and Game's Aquatic Bioassessment Laboratory located in Rancho Cordova, California.
3. The Executive Officer of the Regional Water Board may modify Monitoring and Reporting Program to accommodate the watershed-wide monitoring.

## **B. Tertiary Filter Treatment Bypasses**

1. During any day that filters are bypassed, the Discharger shall monitor the effluent for BOD, suspended solids, and settleable solids, on daily basis, until it is demonstrated that the filter "bypass" has not caused an adverse impact on the receiving water.
2. As soon as possible, but no later than twenty-four (24) hours after becoming aware of a discharge to a drainage channel or a surface water, the Discharger shall submit to the Regional Water Board a certification that the State Office of Emergency Services and the local health officer or directors of environmental health with jurisdiction over the affected water bodies have been notified of the discharge.
3. The Discharger shall maintain chronological log of tertiary filter treatment process bypasses, to include the following:
  - I. Date and time of bypass start and end;

- m. Total duration time; and,
  - n. Estimated total volume bypassed
4. The Discharger shall submit a written report to the Regional Water Board, according to the corresponding monthly self monitoring report schedule. The report shall include, at a minimum, the information from the chronological log. Results from the daily effluent monitoring, required by B.1. above, shall be verbally reported to the Regional Water Board as the results become available and submitted as part of the monthly self monitoring report.

## **IX. REPORTING REQUIREMENTS**

### **A. General Monitoring and Reporting Requirements**

1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.
2. If there is no discharge during any reporting period, the report shall so state.
3. Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses the compliance record and the corrective actions taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall clearly list all non-compliance with discharge requirements, as well as all excursions of effluent limitations.
4. The Discharger shall inform the Regional Water Board well in advance of any proposed construction activity that could potentially affect compliance with applicable requirements.

### **B. Self Monitoring Reports (SMRs)**

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

3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

**Table 5. Monitoring Periods and Reporting Schedule**

Sampling Frequency	Monitoring Period Begins On...	Monitoring Period	SMR Due Date
Continuous	Permit effective date	All	Submit with monthly SMR
Daily	Permit effective date	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	Submit with monthly SMR
Weekly	Sunday following permit effective date or on permit effective date if on a Sunday	Sunday through Saturday	Submit with monthly SMR
Monthly	First day of calendar month following permit effective date or on permit effective date if that date is first day of the month	1 <sup>st</sup> day of calendar month through last day of calendar month	By the 15 <sup>th</sup> day of the second month after the month of sampling
Quarterly	Closest of February 1, May 1, August 1, or November 1 following (or on) permit effective date	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	April 15 July 15 October 15 January 15
Semiannually	Closest of February 1 or August 1 following (or on) permit effective date	January 1 through June 30 July 1 through December 31	April 15 October 15
Annually	January 1 following (or on) permit effective date	January 1 through December 31	April 15
Biennially	August 1, 2009	August 1, every other year	October 15

4. Reporting Protocols. The Discharger shall report with each sample result the applicable Reporting Level (RL) and the current Method Detection Limit (MDL), as determined by the procedure in 40 C.F.R. part 136.

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

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

For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ as well as the words "Estimated Concentration" (may be shortened to "Est. Conc."). The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy ( $\pm$  a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

- c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.
  - d. Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from *extrapolation* beyond the lowest point of the calibration curve.
5. The Discharger shall submit SMRs in accordance with the following requirements:
- a. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations. The Discharger is not required to duplicate the submittal of data that is entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.
  - b. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the WDRs; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.
  - c. SMRs must be submitted to the Regional Water Board, signed and certified as required by the Standard Provisions (Attachment D), to the address listed below: (Reference the reports to Compliance File No. 4245 to facilitate routing to the appropriate staff and file.)

California Regional Water Quality Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013  
Attention: Information Technology Unit

### **C. Discharge Monitoring Reports (DMRs)**

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

<b>STANDARD MAIL</b>	<b>FEDEX/UPS/ OTHER PRIVATE CARRIERS</b>
State Water Resources Control Board Division of Water Quality c/o DMR Processing Center PO Box 100 Sacramento, CA 95812-1000	State Water Resources Control Board Division of Water Quality c/o DMR Processing Center 1001 I Street, 15 <sup>th</sup> Floor Sacramento, CA 95814

- All discharge monitoring results must be reported on the official USEPA pre-printed DMR forms (EPA Form 3320-1). Forms that are self-generated will not be accepted unless they follow the exact same format of EPA Form 3320-1.

#### **D. Other Reports**

##### **1. Annual Summary Report**

By April 15 of each year, the Discharger shall submit an annual report containing a discussion of the previous year’s influent/effluent analytical results and receiving water bacterial monitoring data. The annual report shall contain graphical and tabular summaries of the monitoring analytical data. The annual report shall also contain an overview of any plans for upgrades to the treatment plant’s collection system, the treatment processes, or the outfall system. The Discharger shall submit a hard copy of annual report to the Regional Water Board in accordance with the requirements described in subsection B.5 above.

Each annual monitoring report shall contain a separate section titled “Reasonable Potential Analysis” which discusses whether or not reasonable potential was triggered for pollutants which do not have a final effluent limitation in the NPDES permit. This section shall contain the following statement: “The analytical results for this sampling period did/ did not trigger reasonable potential.” If reasonable potential was triggered, then the following information should also be provided:

- A list of the pollutant(s) that triggered reasonable potential;
  - The Basin Plan or CTR criteria that was exceeded for each given pollutant;
  - The concentration of the pollutant(s);
  - The test method used to analyze the sample; and,
  - The date and time of sample collection.
- The Discharger shall submit to the Regional Water Board, together with the first monitoring report required by this permit, a list of all chemicals and proprietary additives which could affect this waste discharge, including quantities of each. Any subsequent changes in types and/or quantities shall be reported promptly.
  - The Regional Water Board requires the Discharger to file with the Regional Water Board, within 90 days after the effective date of this Order, a technical report on his preventive (failsafe) and contingency (cleanup) plans for controlling accidental

discharges, and for minimizing the effect of such events. The technical report should:

- a. Identify the possible sources of accidental loss, untreated waste bypass, and contaminated drainage. Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks, and pipes should be considered.
- b. Evaluate the effectiveness of present facilities and procedures and state when they become operational.
- c. Describe facilities and procedures needed for effective preventive and contingency plans.
- d. Predict the effectiveness of the proposed facilities and procedures and provide an implementation schedule contingent interim and final dates when they will be constructed, implemented, or operational.

## ATTACHMENT F – FACT SHEET

### Table of Contents

Attachment F – Fact Sheet .....	F-3
I. Permit Information .....	F-3
II. Facility Description .....	F-4
A. Description of Wastewater and Biosolids Treatment or Controls .....	F-4
B. Discharge Points and Receiving Waters.....	F-5
C. Summary of Existing Requirements and Self-Monitoring Report (SMR) Data .....	F-7
D. Compliance Summary.....	F-9
E. Planned Changes .....	F-9
III. Applicable Plans, Policies, and Regulations.....	F-9
A. Legal Authorities .....	F-9
B. California Environmental Quality Act (CEQA) .....	F-9
C. State and Federal Regulations, Policies, and Plans .....	F-9
D. Impaired Water Bodies on CWA 303(d) List .....	F-12
E. Other Plans, Polices and Regulations.....	F-12
IV. Rationale For Effluent Limitations and Discharge Specifications.....	F-15
A. Discharge Prohibitions .....	F-15
B. Technology-Based Effluent Limitations.....	F-15
1. Scope and Authority.....	F-15
2. Applicable Technology-Based Effluent Limitations .....	F-15
C. Water Quality-Based Effluent Limitations (WQBELs).....	F-17
1. Scope and Authority.....	F-17
2. Applicable Beneficial Uses and Water Quality Criteria and Objectives.....	F-17
3. Determining the Need for WQBELs .....	F-30
4. Whole Effluent Toxicity (WET) .....	F-33
D. Final Effluent Limitations.....	F-34
E. Land Discharge Specification .....	F-41
Not applicable.....	F-41
F. Reclamation Specifications.....	F-41
V. Rationale for Receiving Water Limitations.....	F-41
A. Surface Water .....	F-41
B. Groundwater .....	F-41
VI. Rationale for Monitoring and Reporting Requirements.....	F-42
A. Influent Monitoring .....	F-42
B. Effluent Monitoring.....	F-42
C. Whole Effluent Toxicity Testing Requirements .....	F-43
D. Receiving Water Monitoring.....	F-43
1. Surface Water.....	F-43
E. Other Monitoring Requirements.....	F-43
1. Watershed Monitoring and Bioassessment Monitoring.....	F-43
VII. Rationale for Provisions.....	F-43
A. Standard Provisions.....	F-43

B.	Special Provisions.....	F-44
1.	Reopener Provisions.....	F-44
2.	Special Studies and Additional Monitoring Requirements.....	F-44
3.	Best Management Practices and Pollution Prevention .....	F-45
4.	Construction, Operation, and Maintenance Specifications.....	F-45
5.	Special Provisions for Municipal Facilities (POTWs Only) .....	F-45
6.	Other Special Provisions .....	F-46
	Not applicable. ....	F-46
VIII.	Public Participation .....	F-46
A.	Notification of Interested Parties .....	F-46
B.	Written Comments .....	F-46
C.	Public Hearing .....	F-46
D.	Nature of Hearing.....	F-47
E.	Parties to the Hearing .....	F-47
F.	Public Comments and Submittal of Evidence .....	F-47
G.	Hearing Procedure.....	F-47
H.	Waste Discharge Requirements Petitions.....	F-48
I.	Information and Copying.....	F-48
J.	Register of Interested Persons .....	F-48
K.	Additional Information .....	F-49

**List of Tables**

Table 1.	Facility Information.....	F-3
Table 2.	Historic Effluent Limitations and Monitoring Data .....	F-7
Table 3a.	Basin Plan Beneficial Uses – Receiving Waters .....	F-10
Table 3b.	Basin Plan Beneficial Uses – Ground Waters.....	F-10
Table 4.	Summary of Technology-based Effluent Limitations.....	F-16
Table 5.	Translated Ammonia Effluent Limitations .....	F-27
Table 7a.	Summary of Water Quality-based Effluent Limitations for Discharge Point 001 ..	F-32
Table 8.	Summary of Final Effluent Limitations .....	F-39
Table R1.	Reasonable Potential Analysis for Priority Pollutants.....	--

## ATTACHMENT F – FACT SHEET

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

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

### I. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

**Table 1. Facility Information**

<b>WDID</b>	
<b>Discharger</b>	Ojai Valley Sanitary District (OVSD)
<b>Name of Facility</b>	Ojai Valley Wastewater Treatment Plant
<b>Facility Address</b>	6363 North Ventura Avenue
	Ventura, CA 93001
	Ventura County
<b>Facility Contact, Title and Phone</b>	Ronald Sheets, Operations Superintendent, (805) 646-5548
<b>Authorized Person to Sign and Submit Reports</b>	John K. Correa, General Manager, (805) 646-5548
<b>Mailing Address</b>	1072 Tico Road
<b>Billing Address</b>	Same as above
<b>Type of Facility</b>	POTW
<b>Major or Minor Facility</b>	Major
<b>Threat to Water Quality</b>	1
<b>Complexity</b>	A
<b>Pretreatment Program</b>	Y
<b>Reclamation Requirements</b>	Not Applicable
<b>Facility Permitted Flow</b>	3 Million Gallons per Day (MGD)
<b>Facility Design Flow</b>	3 MGD
<b>Watershed</b>	Ventura River Watershed
<b>Receiving Water</b>	Ventura River
<b>Receiving Water Type</b>	Inland surface water

- A. The Discharger owns and operates the Ojai Valley Wastewater Treatment Plant (WWTP), a Publicly-Owned Treatment Works (POTW).

For the purposes of this Order, references to the “discharger” or “permittee” in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

- B. The Facility discharges wastewater to Ventura River, water of the United States, and is currently regulated by Order No. R4-2003-0087, which was adopted on June 5, 2003, and expired on June 5, 2008. The terms and conditions of the current Order have been automatically continued and remain in effect until new Waste Discharge Requirements and NPDES permit are adopted pursuant to this Order.
- C. The Discharger filed a report of waste discharge and submitted an application for renewal of its Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) permit, dated November 21, 2008. Supplemental information was requested on December 19, 2007 and February 13, 2008, and received on January 31<sup>st</sup> and March 14<sup>th</sup>, respectively. A site visit was conducted on May 8, 2008, to observe operations and collect additional data to develop permit limitations and conditions.

## II. FACILITY DESCRIPTION

The Discharger owns and operates the Ojai Valley WWTP, a publicly owned, tertiary wastewater treatment plant located at 6363 North Ventura Avenue, Ventura. Attachment B shows the location of the plant. Ojai Valley WWTP currently serves an estimated population of 23,000 people and receives wastewater from Ojai, the unincorporated communities of Meiners Oaks, Mira Monte, Oak View, Casitas Springs, Foster Park, and North Ventura Avenue area. The wastewater is a mixture of domestic and industrial wastewater that is pre-treated pursuant to 40 C.F.R. part 403.

### A. Description of Wastewater and Biosolids Treatment or Controls

1. Ojai Valley WWTP has a design capacity of 3 MGD. In 2007, the annual average daily flow rate and maximum daily flow rate were 1.99 MGD and 3.61 MGD, respectively.
2. Treatment at the Ojai Valley WWTP consists of influent grinding, grit removal and screening, activated sludge treatment with using an oxidation ditch with an anaerobic-anoxic and aerobic zones for BOD, nitrogen, and phosphorus removal, secondary sedimentation, tertiary filtration, ultraviolet disinfection, (with chlorination/dechlorination as backup), and reaeration.
3. Primary screenings are hauled off-site for disposal. Following clarification, secondary sludge is pumped either to the oxidation ditches (return activated sludge) or to the belt press for dewatering (waste activated sludge) and during dry weather, composted in the sludge drying beds. During wet weather, sludge is stored in sludge drying beds until hauled off-site.
4. The following are brief descriptions of the major unit processes, operations, and/or equipment:

**Influent grinding:** Solids such as paper and rags are ground prior to entering the treatment process to prevent entangling of these solids in the mechanical parts of the treatment chain.

**Grit removal and screening:** Grit is wide assortment of inorganic solids such as pebbles, sand, silt, egg shells, glass, and metal fragments. Grit is removed by settling, and rags and plastics by screening. This material is collected and disposed of to a landfill.

**Oxidation ditch:** The aeration zone provides oxygen for living microorganisms that are produced and maintained to breakdown and consume the organic material in the incoming wastewater. The mixture of wastewater with such microorganisms in the oxidation ditch is known as mixed liquor. In the anoxic zone, denitrification and in anaerobic/aerobic zone, phosphorus removal are accomplished biologically by anaerobic microorganisms that consume organic matter in the wastewater and reduce nitrates to nitrogen gas and phosphorus is incorporated into microbial cells.

**Final clarification in secondary clarifiers:** In this stage, solids (sludge) are separated from the effluent and the sludge blankets is thickened.

**Equalization Basins:** Allow for adjustments of flow to the filters throughout the day and during storm events.

**Tertiary filtration:** The filtration process is used to remove or reduce suspended or colloidal matter from a liquid stream, by passing the water through a bed of granular material. In the case of Ojai Valley WWTP, sand is the filtration media. Filters remove the solids that the secondary sedimentation process did not remove, thereby improving the disinfection efficiency and reliability.

**Ultraviolet disinfection:** Irradiation with UV light is a promising method of disinfection. Although it provides no residual, this method is effective in inactivating both bacteria and viruses. When applied to a thin sheet of turbidity-free water, it has been proven to be effective. UV spans wavelengths from 2000-3900 angstroms. The most effective band for disinfection is in the shorter range of 2000-3000 angstroms.

**Chlorination:** Sodium hypochlorite is used as a disinfectant in the Ojai Valley WWTP as a backup to the UV system during storm events or normal process interruptions. The disinfecting agent is added to the treated effluent to destroy bacteria, pathogens, and viruses, and to minimize algal growth.

**Dechlorination:** Prior to discharge, sodium bisulfite is added to the treated effluent to remove residual chlorine.

**Sludge drying beds:** The sludge beds provide an area for storage and drying of sludge during dry weather so it can be windrow composted.

## **B. Discharge Points and Receiving Waters**

The Ojai Valley WWTP discharges tertiary-treated municipal and industrial wastewater to the Ventura River, water of the United States. Treated effluents are discharged from the plant to surface waters at the following discharge point:

Discharge Point 001: Discharge to the Ventura River, a water of the United States, and is currently regulated by Order via a point located approximately 3,000 feet upstream of the confluence of the Ventura River with Canada Larga (approximate coordinates: Latitude 34° 20' 33", Longitude 119° 17' 26"). From the discharge point of the treatment plant, the Ventura River flows about 5 miles through the Ventura River Valley to the Pacific Ocean.

The Ventura River, the receiving water for the Ojai Valley WWTP discharges, is part of the Ventura River watershed. The watershed covers a fan-shaped area of 235 square miles that generally flows in a southerly direction to an estuary, located at the mouth of the Ventura River. At its mouth, the river traverses an alluvial delta and forms a lagoon at the ocean shore. A sand bar generally closes during 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, while the lower end is part of the City of San Buenaventura's Seaside Wilderness Park.

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.

The Ventura River watershed supports a diversity of wildlife, and is one of the southernmost rivers where endangered Steelhead Trout historically ran in large numbers. Aquatic life, such as fish, invertebrates, and algae, as well as birds, amphibians, and mammals exist in the Ventura River Watershed.

The majority of water quality problems involve eutrophication (excessive nutrients and effects), especially in the estuary/lagoon although some DDT and metals have been found in mussel and fish tissue. Sediment in the estuary, however, appears relatively uncontaminated and laboratory tests conducted by Bay Protection and Toxic Cleanup Program showed little sediment toxicity. In some subwatersheds, high total dissolved solids concentrations impair the use of water for agriculture. Certain reaches of the Ventura River are listed as impaired for DDT, algae, heavy metals, trash, groundwater pumping, and /or water diversion in the 2006 Clean Water Act (CWA) Section 303(d) listing. The OVSD's upgrade has addressed some of these problems; however, the watershed's water quality problems are, for the most part, attributed to nonpoint sources.

Ojai Valley WWTP is the only major discharger in the watershed. The treatment plant effluent had been implicated in nuisance growth of aquatic plants and low dissolved oxygen found at times downstream of the discharge. For much of the year, the facility's effluent can make up two-thirds of the total river flow. The most recent monitoring has shown the quality of the effluent has significantly improved with regards to nutrients. DO levels in the river have also improved dramatically and algal growth is greatly

reduced below the plant; however, nonpoint sources (agriculture and horse stables) still appear to be contributing to algal growth above the plant.

There are four minor NPDES dischargers under general permits and 27 dischargers are enrolled under the general industrial storm water permit in the watershed.

In August 1997, the National Marine Fisheries Service (NMFS) listed the steelhead trout in Southern California as endangered under the Federal Endangered Species Act (ESA). The listing means that any project or action that may affect steelhead trout or their habitats will require consultation with NMFS to obtain an incidental take permit. In order to prepare for the listing and deal with possible regulatory requirements as a result of the listing, the Ojai Valley Sanitary District, Casitas MWD, City of Ventura, Ventura County Watershed Protection District, and seven other local public and private agencies collaborated and developed the Ventura River Steelhead Restoration and Recovery Plan in December 1997. The plan also contains large amount of background information on the watershed such as hydrology, biology, steelhead habitat conditions, and the operations and maintenance of water, wastewater, solid waste, transportation and flood control facilities of the sponsoring agencies. The same public agencies have joined together in a cooperative effort to develop a Habitat Conservation Plan (HCP) for their activities in and adjacent to the Ventura River.

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

Effluent limitations contained in the previous Order for discharges from Discharge Point 001 (Monitoring Location EFF-001) and representative monitoring data from the term of the previous Order are as follows:

**Table 2. Historic Effluent Limitations and Monitoring Data**

Parameter	Units	Effluent Limitation			Monitoring Data <sup>1</sup> (From 08/01/2003 To 12/30/2007)		
		Average Monthly	Average Weekly	Maximum Daily	Highest Average Monthly Discharge	Highest Average Weekly Discharge <sup>2,3</sup>	Highest Daily Discharge
BOD <sub>5</sub> 20°C	mg/L	10	--	15	2.7	--	5
Suspended Solids	mg/L	10	--	15	3.1	--	7.00
Oil and Grease	mg/L	10	--	15	ND	--	ND
Settleable Solids	ml/L	0.1	--	0.2	ND	--	ND
Residual Chlorine	mg/L	--	--	0.1	0.00	--	0.00
Total Dissolved Solids	mg/L	1500	--	--	870	--	870
MBAS	mg/L	0.5	--	--	ND	--	ND

<sup>1</sup> "E" means estimated concentration. These monitoring data are less than the reporting level, but greater than or equal to the respective laboratory's MDLs.

<sup>2</sup> The highest average weekly discharge concentration is reported for constituents that are monitored at weekly or more frequent intervals.

<sup>3</sup> Weekly averages are calculated as a calendar week average.

Parameter	Units	Effluent Limitation			Monitoring Data <sup>1</sup> (From 08/01/2003 To 12/30/2007)		
		Average Monthly	Average Weekly	Maximum Daily	Highest Average Monthly Discharge	Highest Average Weekly Discharge <sup>2,3</sup>	Highest Daily Discharge
Chloride	mg/L	300	--	--	145	--	145
Sulfate	mg/L	500	--	--	215	--	215
Boron	mg/L	1.5	--	--	0.63	--	0.63
Fluoride	mg/L	1.0	--	--	0.5	--	0.5
Nitrite-N (as N)	mg/L	--	--	1	0.1	--	0.1
Nitrate + Nitrite as N	mg/L		--	10	8.1	--	8.1
Total Ammonia	mg/L	<sup>4</sup>	--	4	0.60	--	0.60
Arsenic	µg/L	50	--	--	2.5	--	2.5
Cadmium	µg/L	5	--	--	0.1	--	0.1
Chromium	µg/L	50	--	--	0.8	--	0.8
Copper	µg/L	1000	--	--	7.1	--	7.1
Iron	mg/L	300	--	--	0.14		0.14
Lead	µg/L	50	--	--	1.8	--	1.8
Mercury	µg/L	2		0.10	0.0028	--	0.0028
Selenium	µg/L	50	--	--	3.0	--	3.0
Silver	µg/L	50	--	--	ND	--	ND
Thallium	µg/L	2	--	--	.1	--	.1
Zinc	µg/L	5000	--	--	57	--	57
Cyanide <sup>5</sup>	µg/L	3.4	--	9.6	4.0	--	4.0
Dibromochloromet hane	µg/L	34	--	133	ND	--	ND
Dichlorobromomet hane	µg/L	46	--	190	ND	--	ND
Toluene	µg/L	150	--	--	ND	--	ND
Bis(2-Ethylhexyl)Phthalat e	µg/L	4	--	--	8.9	--	8.9
Gamma-BHC (aka Lindane)	µg/L	0.063	--	0.23	ND	--	ND

With the exception of chloroform (maximum of 0.5 µg/L), bromomethane (0.25 µg/L), phenol (2 µg/L), diethyl phthalate (6.9 µg/L), and di-n-butyl phthalate (2.1 µg/L), all other priority pollutants were not detected in the effluent.

<sup>4</sup> The footnote from the previous Order reads, "Ojai Valley WWTP must meet the total ammonia limitations contained in the 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."

<sup>5</sup> Samples collected prior to January 2006 should be considered invalid because the preservation method used generated false positives. Samples collected beginning January 2006 are used to assess compliance.

## **D. Compliance Summary**

Monitoring data from August 2003 to December 2007 indicate that the Discharger has consistently complied with the effluent limitations of Order No. R4-2003-0087 except for: exceedances of total coliform, turbidity, Bis(2-Ethylhexyl)phthalate, cyanide, and chronic toxicity and secondary effluent bypass.

### *Time Schedule Order*

TSO No. R4-2003-0088 was adopted concurrently with the NPDES permit, Order No. R4-2003-0087. This TSO required the Discharger to:

1. Achieve compliance with the Bis(2-Ethylhexyl)phthalate and thallium limitations by May 20, 2008;
2. Modify or improve the treatment system and/or conduct Pollution Prevention Program (PPP) necessary to achieve timely compliance.

Bis(2-Ethylhexyl)phthalate interim limit was exceeded once in March 2007. The interim limit for thallium was fully complied with.

## **E. Planned Changes**

There are no planned changes to the facility operations at this time.

## **III. APPLICABLE PLANS, POLICIES, AND REGULATIONS**

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

### **A. Legal Authorities**

This Order is issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (USEPA) and chapter 5.5, division 7 of the California Water Code (commencing with section 13370). It shall serve as an NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260).

### **B. California Environmental Quality Act (CEQA)**

Under California Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of CEQA, Public Resources Code sections 21100 through 21177.

### **C. State and Federal Regulations, Policies, and Plans**

1. **Water Quality Control Plans.** The Regional Water Quality Control Board (Regional Water Board) adopted a Water Quality Control Plan for the Los Angeles Region

(hereinafter Basin Plan) on June 13, 1994 that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. In addition, the Basin Plan implements State Water Resources Control Board (State Water Board) Resolution No. 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Beneficial uses applicable to Ventura River are as follows:

**Table 3a. Basin Plan Beneficial Uses – Receiving Waters**

Discharge Point	Receiving Water Name	Beneficial Use(s)
001	Ventura River (Hydro. Unit No. 402.10)	<p><u>Existing:</u>                      Industrial service supply (IND), agricultural supply (AGR), groundwater recharge (GWR), freshwater replenishment (FRSH), contact and non-contact water recreation (REC-1 and REC2), warm freshwater habitat (WARM), cold freshwater habitat (COLD), wild life habitat (WILD), rare, threatened or endangered species (RARE), migration of aquatic organisms (MIGR), spawning, reproduction, and early development (SPWN), and wetland habitat(WET).</p> <p><u>Potential:</u>                      Municipal and domestic water supply (MUN<sup>6</sup>).</p>
001	Ventura River Estuary (Hydro. Unit No. 402.10)	<p><u>Existing:</u>                      Navigation (NAV), commercial and sport fishing(COMM), contact and non-contact water recreation (REC-1 and REC-2), warm freshwater habitat (WARM), estuarine habitat (EST), marine habitat (MAR), wild life habitat (WILD), rare threatened or endangered species (RARE), migration of aquatic organisms (MIGR), spawning, reproduction, and early development (SPWN), shellfish harvesting (SHELL), and wetland habitat (WET).</p>

Beneficial uses of the receiving ground waters are as follows:

**Table 3b. Basin Plan Beneficial Uses – Ground Waters**

Discharge Point	Basin Name	Beneficial Use(s)
001	Lower Ventura Groundwater Basin	<p><u>Existing:</u>                      Industrial service supply (IND), agricultural supply (AGR).</p> <p><u>Potential:</u>                      Municipal and domestic water supply (MUN<sup>2</sup>), industrial process supply (PROC).</p>

Requirements of this Order implement the Basin Plan and subsequent amendments.

<sup>6</sup> The potential MUN beneficial use for the water body is consistent with Regional Board Resolution 89-03; however, the Regional Board has only conditionally designated the MUN beneficial uses and at this time cannot establish effluent limitation designed to protect the conditional designation.

- 2. National Toxics Rule (NTR) and California Toxics Rule (CTR).** USEPA adopted the NTR on December 22, 1992, and later amended it on May 4, 1995 and November 9, 1999. About forty criteria in the NTR applied in California. On May 18, 2000, USEPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on February 13, 2001. These rules contain water quality criteria for priority pollutants.
- 3. State Implementation Policy.** On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP became effective on April 28, 2000 with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Regional Water Board in the Basin Plan. The SIP became effective on May 18, 2000 with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005 that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.
- 4. Alaska Rule.** On March 30, 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards (WQS) become effective for CWA purposes (40 C.F.R. § 131.21, 65 Fed. Reg. 24641 (April 27, 2000)). Under the revised regulation (also known as the Alaska rule), new and revised standards submitted to USEPA after May 30, 2000, must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000, may be used for CWA purposes, whether or not approved by USEPA.
- 5. Antidegradation Policy.** Part 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. The permitted discharge must be consistent with the antidegradation provision of part 131.12 and State Water Board Resolution No. 68-16.
- 6. Anti-Backsliding Requirements.** Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at title 40, Code of Federal Regulations<sup>7</sup> part 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require

---

<sup>7</sup> All further statutory references are to title 40 of the Code of Federal Regulations unless otherwise indicated and will be abbreviated as "40 C.F.R. part number."

that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed. All conventional and non-conventional pollutants effluent limitations in the Order are at least as stringent as the effluent limitations in the previous Order. Most of the priority pollutants from the previous Order were deleted because they did not show reasonable potential to be in the effluent water. Specifically, new information on effluent and receiving monitoring data indicated that the following pollutants has no reasonable potential; thallium, cyanide, lindane (gamma-BHC), dibromochloromethane, dichlorobromomethane, arsenic, cadmium chromium, copper, lead, selenium, silver, zinc, and toluene. As discussed in this Fact Sheet, this relaxation of effluent limitations is consistent with the anti-backsliding requirements of the CWA and federal regulations.

#### **D. Impaired Water Bodies on CWA 303(d) List**

On November 30, 2006, USEPA approved the State's 2004-2006 303(d) 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 the implementation of technology-based effluent limitations on point sources. Ventura River and Ventura Estuary are on the 303(d) List due to the following pollutants/ stressors, from point and non-point sources:

##### *Upstream of the Discharge Point 001:*

Ventura River Reach 3 (Weldon Canyon to Confluence with Coyote Creek) --  
Hydrologic unit 402.20  
Pumping, water diversion

Ventura River Reach 4 (Coyote Creek to Camino Cielo Road) -- Hydrologic unit  
402.20  
Pumping, water diversion

##### *Downstream of the Discharge Point 001:*

Ventura River Reach 1 and 2 (Estuary to Weldon Canyon) -- Hydrologic unit  
402.10  
Algae

Ventura Estuary--Hydrologic unit 402.10  
Algae, eutrophic, coliform bacteria, and trash

#### **E. Other Plans, Policies and Regulations**

- 1. Sources of Drinking Water Policy.** On May 19, 1988, the State Water 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 Water Board's SODW policy, on March 27, 1989, the Regional Water 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)*.

Consistent with Regional Water Board Resolution No. 89-03 and State Water Board Resolution No. 88-63, in 1994 the Regional Water 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 Water Board's enabling resolution] until the Regional Water 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 Water 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 Water Board finalizes the designations for these waters. This permit is designed to be consistent with the existing Basin Plan.

2. **Secondary Treatment Regulations.** Part 133 of 40 C.F.R. establishes the minimum levels of effluent quality to be achieved by secondary treatment. These limitations, established by USEPA, are incorporated into this Order, except where more stringent limitations are required by other applicable plans, policies, or regulations or to prevent backsliding.
3. **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 C.F.R. part 122.26 that established requirements for storm water discharges under an NPDES program. To facilitate compliance with federal regulations, on November 1991, the State Water 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 on April 17, 1997 in State Water Board Order No. 97-03-DWQ to regulate storm water discharges associated with industrial activity.

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

4. **Sanitary Sewer Overflows.** The Clean Water Act prohibits the discharge of

pollutants from point sources to surface waters of the United States unless authorized under an NPDES permit. (33 U.S.C. §§1311, 1342). The State Water Board adopted Statewide General Waste Discharge Requirements (WDRs) for Sanitary Sewer Systems, Water Quality Order No. 2006-0003 on May 2, 2006, to provide a consistent, statewide regulatory framework to address Sanitary Sewer Overflows (SSOs). The WDR requires public agencies that own or operate sanitary sewer systems to develop and implement sewer system management plans and report all SSOs to the State Water Board's online SSO database.

The requirements contained in this Order in Sections VI.C.3.b, VI.C.4, and VI.C.6. are intended to be consistent with the requirements in the SSO WDR. The Regional Water Board recognizes that there are areas of overlapping interest between the NPDES permit conditions and the SSO WDR requirements. The requirements of the SSO WDR are considered the minimum thresholds (see Finding 11 of WQ Order NO. 2006-0003). The Regional Water Board will accept the documentation prepared by the Permittee under the SSO WDR for compliance purposes, as satisfying the requirements in Sections VI.C.3.b, VI.C.4, and VI.C.6, provided for any more specific or stringent provisions enumerated in this Order, have also been addressed.

- 5. Watershed Management** - This Regional Water Board has been implementing a Watershed Management Approach (WMA) to address water quality protection in the Los Angeles Region following the USEPA guidance in *Watershed Protection: A Project Focus* (EPA841-R-95-003, August 1995). The objective of the WMA 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 hydrologically-defined drainage basin or watershed. The WMA 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 WMA integrates activities across the Regional Water 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 Water Board has prepared and periodically updates its Watershed Management Initiative Chapter, the latest is updated December 2007. This document contains a summary of the region's 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 website: <http://www.waterboards.ca.gov/losangeles>.

- 6. Total Maximum Daily Loads.** A Total Maximum Daily Load (TMDL) is a determination of the amount of a pollutant, from point, non-point, 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 at 40 C.F.R. Part 130.7. TMDLs must be developed for the pollutants of concern, which impact the water quality of water bodies on the 303(d) List.

Currently, there are no TMDLs adopted for the Ventura River.

#### **IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS**

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. There are two principal bases for effluent limitations in the Code of Federal Regulations: part 122.44(a) requires that permits include applicable technology-based limitations and standards; and part 122.44(d) requires that permits include water quality-based effluent limitations to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water.

##### **A. Discharge Prohibitions**

Effluent and receiving water limitations in this Board Order are based on the Federal Clean Water Act, Basin Plan, State Water Board's plans and policies, U. S. Environmental Protection Agency guidance and regulations, and best practicable waste treatment technology. This order authorizes the discharge of tertiary-treated wastewater from Discharge Point 001 only. It does not authorize any other types of discharges.

##### **B. Technology-Based Effluent Limitations**

###### **1. Scope and Authority**

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 EPA develop secondary treatment standards for POTWs as defined in Section 304(d)(1). Based on this statutory requirement, EPA developed national secondary treatment regulations which are specified in 40 C.F.R. 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 five-day biochemical oxygen demand, total suspended solids, and pH.

###### **2. Applicable Technology-Based Effluent Limitations**

This facility is subject to the technology-based regulations for the minimum level of effluent quality attainable by secondary treatment in terms of BOD<sub>5</sub>20°C, TSS, and pH. However, all technology-based effluent limitations from the previous Order No. R4-2003-0087 are based on tertiary-treated wastewater treatment standards. These effluent limitations have been carried over from the previous Order to avoid

backsliding. Further, mass-based effluent limitations are based on a design flow rate of 3 MGD. The removal efficiency for BOD and TSS is set at the minimum level attainable by secondary treatment technology. The following Table summarizes the technology-based effluent limitations applicable to the Facility:

**Summary of Technology-based Effluent Limitations  
 Discharge Points 001**

**Table 4. Summary of Technology-based Effluent Limitations**

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
BOD <sub>5</sub> 20°C	mg/L	10	--	15		
	lbs/day <sup>8</sup>	250	--	375		
Total Suspended Solids (TSS)	mg/L	10	--	15		
	lbs/day <sup>1</sup>	250	--	375		
pH	standard units	--	--	--	6.5	8.5
Removal Efficiency for BOD and TSS	%	85	--	--		

<sup>8</sup> The mass emission rates are based on the plant design flow rate of 3 MGD, and are calculated as follows: Flow (MGD) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day. During wet-weather storm events in which the flow exceeds the design capacity, the mass discharge rate limitations shall not apply, and concentration limitations will provide the only applicable effluent limitations.

## **C. Water Quality-Based Effluent Limitations (WQBELs)**

### **1. Scope and Authority**

Section 301(b) of the CWA and part 122.44(d) of title 40 of the C.F.R. require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards. This Order contains requirements, expressed as a technology equivalence requirement, that are necessary to achieve water quality standards. The Regional Water Board has considered the factors listed in California Water Code section 13241 in establishing these requirements. The rationale for these requirements, which consist of tertiary treatment or equivalent requirements or other provisions, is discussed starting from Section IV.C.2.

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

The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated uses of the receiving water as specified in the Basin Plan, and achieve applicable water quality objectives and criteria that are contained in other state plans and policies, or any applicable water quality criteria contained in the CTR and NTR.

### **2. Applicable Beneficial Uses and Water Quality Criteria and Objectives**

- a. The Basin Plan establishes the beneficial uses for surface water bodies in the Los Angeles region. The beneficial uses of the Ventura River affected by the discharge have been described previously in this Fact Sheet.
- b. The Basin Plan also specifies narrative and numeric water quality objectives applicable to surface water as shown in the following discussions.

#### **i. Biochemical Oxygen Demand (BOD) and Suspended Solids**

Biochemical oxygen demand (BOD) is a measure of the quantity of the organic matter in the water and, therefore, the water's potential for becoming depleted in dissolved oxygen. As organic degradation takes place, bacteria and other decomposers use the oxygen in the water for respiration. Unless there is a

steady resupply of oxygen to the system, the water will quickly become depleted of oxygen. Adequate dissolved oxygen levels are required to support aquatic life. Depressions of dissolved oxygen can lead to anaerobic conditions resulting in odors, or, in extreme cases, in fish kills.

40 C.F.R. part 133 describes the minimum level of effluent quality attainable by secondary treatment, for BOD and suspended solids, as:

- The 30-day average shall not exceed 30 mg/L, and
- The 7-day average shall not exceed 45 mg/L.

Ojai Valley WWTP provides tertiary treatment, as such, the BOD and suspended solids limits in the permit are more stringent than secondary treatment requirements and are based on Best Professional Judgment (BPJ). The Plant achieves solids removal that are better than secondary-treated wastewater by filtering the effluent.

The monthly average, the 7-day average, and the daily maximum limits cannot be removed because none of the antibacksliding exceptions apply. Those limits were all included in the previous permit (Order R4-2003-0087) and the Ojai Valley WWTP has been able to meet both limits (monthly average and the daily maximum), for both BOD and suspended solids.

In addition to having mass-based and concentration-based effluent limitations for BOD and suspended solids, the Ojai Valley WWTP also has a percent removal requirement for these two constituents. In accordance with 40 C.F.R. parts 133.102(a)(3) and 133.102(b)(3), the 30-day average percent removal shall not be less than 85 percent. Percent removal is defined as a percentage expression of the removal efficiency across a treatment plant for a given pollutant parameter, as determined from the 30-day average values of the raw wastewater influent pollutant concentrations to the facility and the 30-day average values of the effluent pollutant concentrations for a given time period.

## ii. pH

The hydrogen ion activity of water (pH) is measured on a logarithmic scale, ranging from 0 to 14. While the pH of "pure" water at 25°C is 7.0, the pH of natural waters is usually slightly basic due to the solubility of carbon dioxide from the atmosphere. Minor changes from natural conditions can harm aquatic life. In accordance with 40 C.F.R. part 133.102(c), the effluent values for pH shall be maintained within the limits of 6.0 to 9.0 unless the POTW demonstrates that: (1) Inorganic chemicals are not added to the waste stream as part of the treatment process; and (2) contributions from industrial sources do not cause the pH of the effluent to be less than 6.0 or greater than 9.0. The effluent limitation for pH in this permit requiring that the wastes discharged shall at all times be within the range of 6.5 to 8.5 is taken from the

Basin Plan (page 3-15) which reads “the pH of inland surface waters shall not be depressed below 6.5 or raised above 8.5 as a result of waste discharge.”

### **iii. Settleable solids**

Excessive deposition of sediments can destroy spawning habitat, blanket benthic (bottom dwelling) organisms, and abrade the gills of larval fish. The limits for settleable solids are based on the Basin Plan (page 3-16) narrative, “Waters shall not contain suspended or settleable material in concentrations that cause nuisance or adversely affect beneficial uses.” The numeric limits are empirically based on results obtained from the settleable solids 1-hour test, using an Imhoff cone.

It is impracticable to use a 7-day average limitation, because short-term spikes of settleable solid levels that would be permissible under a 7-day average scheme would not be adequately protective of all beneficial uses. The monthly average and the daily maximum limits cannot be removed because none of the antibacksliding exceptions apply. The monthly average and daily maximum limits were both included in the previous permit (Order R4-2003-0087) and the Ojai Valley WWTP has been able to meet both limits.

### **iv. Oil and grease**

Oil and grease are not readily soluble in water and form a film on the water surface. Oily films can coat birds and aquatic organisms, impacting respiration and thermal regulation, and causing death. Oil and grease can also cause nuisance conditions (odors and taste), are aesthetically unpleasant, and can restrict a wide variety of beneficial uses. The limits for oil and grease are based on the Basin Plan (page 3-11) narrative, “Waters shall not contain oils, greases, waxes, or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect beneficial uses.”

The numeric limits are empirically based on concentrations at which an oily sheen becomes visible in water. It is impracticable to use a 7-day average limitation, because spikes that occur under a 7-day average scheme could cause a visible oil sheen. A 7-day average scheme would not be sufficiently protective of beneficial uses. The monthly average and the daily maximum limits cannot be removed because none of the antibacksliding exceptions apply. Both limits were included in the previous permit (Order R4-2003-0087) and the Ojai Valley WWTP has been able to meet both limits.

### **v. Residual Chlorine**

Disinfection of wastewaters with chlorine produces a chlorine residual. Chlorine and its reaction products are toxic to aquatic life. The limit for residual chlorine

is based on the Basin Plan (page 3-9) narrative, "Chlorine residual shall not be present in surface water discharges at concentrations that exceed 0.1 mg/L and shall not persist in receiving waters at any concentration that causes impairment of beneficial uses."

It is impracticable to use a 7-day average or a 30-day average limitation, because it is not as protective as of beneficial uses as a daily maximum limitation is. Chlorine is very toxic to aquatic life and short term exposures of chlorine may cause fish kills.

#### **vi. Fluoride**

The existing permit effluent limitation of 1.0 mg/l for fluoride was developed based on the Basin Plan chemical constituent incorporation of Title 22, Drinking Water Standards of the CCR. Fluoride is not a priority pollutant. The discharge from the Ojai Valley WWTP does not exhibit reasonable potential to exceed the USEPA Quality Criteria for Water 1976 (EPA 440/9-76-023) limit of 2 mg/L. Therefore, the accompanying Order will not contain a limit for fluoride.

#### **vii. Total Dissolved Solids, Chloride, Sulfate, and Boron**

The limits for total dissolved solids, sulfate, and boron are based on Basin Plan Table 3-8 (page 3-13) for the Ventura River Watershed (between confluence with Weldon Canyon and Main Street). TDS = 1500 mg/L; Sulfate = 500 mg/L; and Boron = 1.5 mg/L. The Chloride limit of 300 mg/L is based on the Regional Water Board Resolution No. 97-02, Amendment to the Water Quality Control Plan to incorporate a Policy for Addressing Levels of Chloride in Discharges of Wastewaters. Resolution 97-02 was adopted by Regional Water Board on January 27, 1997; approved by SWRCB (Resolution 97-94); and, approved by OAL on January 8, 1998; and served to revise the chloride water quality objective in some of the surface waters, not including the Ventura River, to which OVSD discharges. It is practicable to express these limits as monthly averages, since they are not expected to cause acute effects on beneficial uses.

Limits based upon the Basin Plan Objectives have been included in this Order because, based upon Best Professional Judgment, these constituents are always present in potable water which is the supply source of the wastewater entering the Treatment Plant. They may be present in concentrations, which meet California drinking water standards but exceed the Basin Plan Objectives. Therefore, limitations are warranted to protect the beneficial uses of the receiving water.

#### **viii. Iron**

The existing permit effluent limitation of 300 µg/L for iron was developed based on the Basin Plan chemical constituent incorporation of Title 22, Drinking Water Standards of the CCR. 300 µg/L is the secondary MCL for iron. Iron is not a

priority pollutant. The discharge from the Ojai Valley WWTP does not exhibit reasonable potential to exceed the USEPA Quality Criteria for Water 1976 (EPA 440/9-76-023) limit of 300 µg/L. Therefore, the accompanying Order will not contain a limit for iron.

#### **ix. Methylene Blue Activated Substances (MBAS)**

The MBAS procedure tests for the presence of anionic surfactants (detergents) in surface and ground waters. Surfactants disturb the water surface tension, which affects insects and can affect gills in aquatic life. The MBAS can also impart an unpleasant soapy taste to water, as well as cause scum and foaming in waters, which impact the aesthetic quality of both surface and ground waters.

Given the nature of the facility (a POTW), which accepts domestic wastewater into the sewer system and treatment plant, and the characteristics of the waste discharge, the discharge has reasonable potential to exceed both the numeric MBAS water quality objective (WQO) and the narrative WQO for prohibition of floating material such as foams and scums. Therefore, an effluent limitation is required.

The existing permit effluent limitation of 0.5 mg/l for MBAS was based on the California Department of Public Health's (formerly known as the Department of Health Services) secondary drinking water standard, and on the Basin Plan WQO (p.3-11) which reads, "Waters shall not have MBAS concentrations greater than 0.5 mg/L in waters designated MUN." The wastewater from this POTW discharges into the Ventura River, which enters the Ojai valley and the Lower Ventura Groundwater Basin whose potential uses include potential MUN. Therefore, secondary MCL should be the MBAS limit for this discharge to protect ground water recharge and the potential MUN use of the underlying ground water, while also protecting surface waters from exhibiting scum or foaming.

Since the Basin Plan objective is based on a secondary drinking water standard, it is practicable to have a monthly average limitation in the permit, rather than a daily maximum.

#### **x. Total Inorganic Nitrogen (NO<sub>2</sub> + NO<sub>3</sub> as N)**

Total inorganic nitrogen is the sum of Nitrate-nitrogen and Nitrite-nitrogen. High nitrate levels in drinking water can cause health problems in humans. Infants are particularly sensitive and can develop methemoglobinemia (blue-baby syndrome). Nitrogen is also considered a nutrient. Excessive amounts of nutrients can lead to other water quality impairments, e.g. algae.

##### **(a).Algae.**

Several reaches of the Ventura River are 303(d) listed for algae. Excessive growth of algae and/or other aquatic plants can degrade water quality. Algal

blooms sometimes occur naturally, but they are often the result of excess nutrients (i.e., nitrogen, phosphorus) from waste discharges or nonpoint sources. These algal blooms can lead to problems with tastes, odors, color, and increased turbidity and can depress the dissolved oxygen content of the water, leading to fish kills. Floating algal scum and algal mats are also an aesthetically unpleasant nuisance.

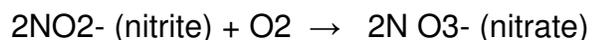
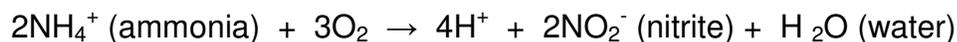
In absence of a TMDL, the 303(d) listing for algae is being addressed by applying the narrative WQO for biostimulatory substances in the Basin Plan (page 3-8), "Waters shall not contain biostimulatory substances in concentrations that promote aquatic growth to the extent that such growth causes nuisance or adversely affects beneficial uses," and other relevant information to arrive at a mass based-limit intended to be protective of the beneficial uses, pursuant to 40 C.F.R. part 122.44(d). Total inorganic nitrogen will be the indicator parameter intended to control algae, pursuant to 40 C.F.R. part 122.44(d)(1)(vi)(C).

**(b).Concentration-based limit.** The effluent limit of 10 mg/L for total inorganic nitrogen ( $\text{NO}_2\text{-N} + \text{NO}_3\text{-N}$ ) is based on Basin Plan Table 3-8 (page 3-13), for the Ventura River Watershed (between confluence with Weldon Canyon and Main Street)..

**(c).Mass-based limit.** The mass emission rates are based on the plant design flow rate of 3 MGD.

#### **xi. Nitrite as Nitrogen**

The effluent limit of 1 mg/L is in the Order based upon best professional judgment, and Basin Plan water quality objective for nitrite nitrogen, because in the process of reducing ammonia concentrations by a process such as nitrification-denitrification, the ammonia and organic nitrogen are oxidized to nitrite before final conversion to nitrate. Therefore there is reasonable potential for nitrite to be present in the discharge if the oxidation process is not complete.



#### **xii. Total ammonia**

Ammonia is a pollutant routinely found in the wastewater effluent of Publicly Owned Treatment Works (POTWs), in landfill-leachate, as well as in run-off from agricultural fields where commercial fertilizers and animal manure are applied. Ammonia exists in two forms – un-ionized ammonia ( $\text{NH}_3$ ) and the ammonium ion ( $\text{NH}_4^+$ ). They are both toxic, but the neutral, un-ionized ammonia species ( $\text{NH}_3$ ) is much more toxic, because it is able to diffuse

across the epithelial membranes of aquatic organisms much more readily than the charged ammonium ion. The form of ammonia is primarily a function of pH, but it is also affected by temperature and other factors. Additional impacts can also occur as the oxidation of ammonia lowers the dissolved oxygen content of the water, further stressing aquatic organisms. Oxidation of ammonia to nitrate may lead to groundwater impacts in areas of recharge. There is groundwater recharge in these reaches. Ammonia also combines with chlorine (often both are present in POTW treated effluent discharges) to form chloramines – persistent toxic compounds that extend the effects of ammonia and chlorine downstream.

The 1994 Basin Plan contained water quality objectives for ammonia to protect aquatic life, in Tables 3-1 through Tables 3-4. However, those ammonia objectives were revised on April 25, 2002, by the Regional Water Board, with the adoption of Resolution No. 2002-011, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Update the Ammonia Objectives for Inland Surface Waters (including enclosed bays, estuaries and wetlands) with Beneficial Use designations for protection of Aquatic Life*. Resolution No. 2002-011 was approved by the State Water Board, OAL, and USEPA on April 30, 2003, June 5, 2003, and June 19, 2003, respectively, and is now in effect.

On December 1, 2005, The Regional Water Board adopted Resolution No. 2005-014, *An Amendment to the Water Quality Control Plan for the Los Angeles Region to Revise Early Life Stage Implementation Provision of the Freshwater Ammonia Objectives for Inland Surface Waters (including enclosed bays, estuaries and wetlands) for Protection of Aquatic Life*. This amendment contains ammonia objectives to protect Early Life Stages (ELS) of fish in inland surface water supporting aquatic life. This resolution was approved by the USEPA on April 5, 2007. This amendment revised the implementation provision included as part of the freshwater ammonia objectives relative to the protection of ELS of fish in inland surface waters. The monthly average of 3.0 mg/L and the daily maximum effluent limit of 4.6 mg/L for ammonia as nitrogen (NH<sub>3</sub>-N) are based on the WQO included in this Basin Plan amendment.

The procedures for calculating the ammonia nitrogen effluent limitation based on Basin Plan amendment is discussed below:

### **(1) One-Hour Average Objective**

The USEPA approval letter dated June 19, 2003, of the 2002 Ammonia Basin Plan Amendment, stated that the acute criteria are dependent on pH and whether sensitive coldwater fish are present. The Facility's immediate receiving waterbody has "COLD" and "MIGR" beneficial use designation. Therefore, the one-hour average objective is dependent

on pH and fish species (salmonids present or absent) but not on temperature.

For waters designated COLD or MIGR, the one-hour average concentration of total ammonia as nitrogen (in mg N/L) shall not exceed the values in Table 3-1 (amended on April 25, 2002) of the Basin Plan or as described in the equation below:

$$\text{One-hour Average Concentration} = \frac{0.275}{1 + 10^{7.204 - \text{pH}}} + \frac{39}{1 + 10^{\text{pH} - 7.204}}$$

The 90<sup>th</sup> percentile of effluent pH is 8.1. Use of the 90<sup>th</sup> percentile pH to set effluent limitations is appropriate because of the shorter time scale of the one-hour average. It is conservative, because it is overprotective 90% of the time. Additionally, there is little variability in the effluent pH data. Using the pH value of 8.1 in the formula above, the resulting One-hour Average Objective is equal to 4.6 mg/L.

## (2) 30-Day Average Objective

Early life stage of fish is presumptively present and must be protected at all times of the year unless the water body is listed in Table 3-X of the Basin Plan (in Resolution No. 2005-014) or unless a site-specific study is conducted, which justifies applying the ELS absent condition or a seasonal ELS present condition. Ojai Valley WWTP discharges into the Ventura River, which is not listed in Table 3-X. Therefore, this waterbody will be designated “ELS Present” condition. For freshwaters subject to the “Early Life Stage Present” condition, the thirty-day average concentration of total ammonia as nitrogen (in mg N/L) shall not exceed the values in Table 3-2 of the Basin Plan or as described in the equation below:

$$\text{30-day Average Concentration} = \left( \frac{0.0577}{1 + 10^{7.688 - \text{pH}}} + \frac{2.487}{1 + 10^{\text{pH} - 7.688}} \right) * \text{MIN} ( 2.85, 1.45 * 10^{0.028 * (25 - T)} )$$

Where T = temperature expressed in °C.

The 30-day average objective<sup>1</sup> is dependent on pH, temperature, and the presence or absence of early life stages of fish. The 50<sup>th</sup> percentile of effluent pH and temperature is 7.9 pH and 22 °C, respectively. Use of the 50<sup>th</sup> percentile pH and temperature is appropriate to set the 30-day average objective, because the 30-day average represents more long-term conditions. Additionally, there is little variability in the effluent pH data, and the 30-day objective is primarily dependent upon pH. Using the Discharger's monitoring data in the formula above, the resulting 30-Day Average Objective is equal to 3.0 mg/L.

### **(3) Translation of Ammonia Nitrogen Objectives into Effluent Limitations**

In order to translate the water quality objectives for ammonia as described in the preceding discussions into effluent limitations, the Implementation Provisions of the 2002 Basin Plan Amendment, Section 5 – Translation of Objectives into Effluent Limits, was followed and was discussed below. This method is similar to the method contained in “Policy for Implementation of Toxics Standard for Inland Surface Waters, Enclosed Bays, and Estuaries of California (2000). The method is also consistent with that outlined in the US EPA “Technical Support Document for Water Quality-based Toxics Control (1991).

Step 1 – Identify applicable water quality criteria.

Effluent pH and temperature are used to calculate effluent ammonia limits. This is appropriate when using the translation procedure, because the translation procedure uses variability in ammonia effluent concentrations to set the limits from the objectives. Additionally, conditions in the effluent may be significantly different than conditions in the receiving water. Use of effluent data to set effluent ammonia limits will ensure that ammonia water quality objectives are met in the effluent at all times, even in the case where effluent conditions are less favorable than receiving water conditions. Additional receiving water monitoring and compliance determinations will be required in addition to the effluent limits, to ensure that ammonia water quality objectives are met in the receiving water at all times.

---

<sup>1</sup> This is the current Basin Plan definition of the 30-day average objective, according to the Ammonia Basin Plan Amendment, Resolution No. 2002-011, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Update the Ammonia Objectives for Inland Surface Waters (including enclosed bays, estuaries and wetlands) with Beneficial Use designations for protection of “Aquatic Life,”* adopted by the Los Angeles Regional Water Quality Control Board on April 25, 2002. It was amended by Resolution No. 2005-014, adopted by the Regional Board on December 1, 2005 and was approved by the USEPA on April 5, 2007. This new Resolution implements ELS Provision as described under “implementation”, subparagraph 3. In this Resolution, the Discharger's receiving waterbody is designated as ELS present.

From the Discharger's effluent, the following data are summarized below:

pH = 8.0 at 90th percentile  
pH = 7.9 at 50th percentile  
Temperature = 22 °C at 50th percentile

The receiving water is classified as Waters Designated COLD and MIGR.

From Table 3-1 of the Basin Plan, when pH is equal to 8.0;

One-hour Average Objective = 5.62 mg/L

From Table 3-2 of the Basin Plan, when pH = 7.9 and temperature = 22 °C;

30-day Average Objective = 1.73 mg/L

From Basin Plan amendment;

4-day Average Objective = 2.5 times the 30-day average objective.  
4-day Average Objective = 2.5 X 1.73 = 4.32 mg/L

Ammonia Water Quality Objectives (WQO) Summary:

One-hour Average = 5.62 mg/L  
Four-day Average = 4.32 mg/L  
30-day Average = 1.73 mg/L

Step 2 – For each water quality objective, calculate the effluent concentration allowance (ECA) using the steady-state mass balance model. Since mixing has not been allowed by the Regional Water Board, this equation applies:

$$ECA = WQO$$

Step 3 – Determine the Long-Term Average discharge condition (LTA) by multiplying each ECA with a factor (multiplier) that adjust for variability. By using Table 3-6, calculated CV (i.e., standard deviation/mean for ammonia), the following are the Effluent Concentration Allowance.

ECA multiplier when CV = 0.7

One-hour Average = 0.281  
Four-day Average = 0.481

$$30\text{-day Average} = 0.750$$

Using the LTA equations:

$$LTA_{1\text{-hour}/99} = ECA_{1\text{-hour}} \times ECA \text{ multiplier}_{1\text{-hour}99} = 5.62 \times 0.281 = 1.58 \text{ mg/L}$$

$$LTA_{4\text{-day}/99} = ECA_{4\text{-day}} \times ECA \text{ multiplier}_{4\text{-day}99} = 4.32 \times 0.281 = 2.08 \text{ mg/L}$$

$$LTA_{30\text{-day}/99} = ECA_{30\text{-day}} \times ECA \text{ multiplier}_{30\text{-day}99} = 1.73 \times 0.750 = 1.30 \text{ mg/L}$$

Step 4 – Select the (most limiting) of the LTAs derived in Step 3 ( $LTA_{\min}$ )

$$LTA_{\min} = 1.30 \text{ mg/L}$$

Step 5 – Calculate water based effluent limitation MDEL and AMEL by multiplying  $LTA_{\min}$  as selected in Step 4, with a factor (multiplier) found in Table 3-7.

Monthly sampling frequency (n) is once per month or less, and the minimum LTA is the  $LTA_{30\text{-day}/99}$ , therefore  $n = 1$ ,  $CV = 0.7$ .

$$\text{MDEL multiplier} = 3.56$$

$$\text{AMEL multiplier} = 2.32$$

$$\text{MDEL} = LTA_{\min} \times \text{MDEL multiplier}_{99} = 1.30 \times 3.56 = 4.6 \text{ mg/L}$$

$$\text{AMEL} = LTA_{\min} \times \text{AMEL multiplier}_{95} = 1.30 \times 2.32 = 3.0 \text{ mg/L}$$

**Table 5. Translated Ammonia Effluent Limitations**

Constituent	MDEL (mg/L)	AMEL (mg/L)
Ammonia Nitrogen	4.6	3.0

### xiii. Coliform

Total and fecal coliform bacteria are used to indicate the likelihood of pathogenic bacteria in surface waters. Given the nature of the facility, a wastewater treatment plant, pathogens are likely to be present in the effluent in cases where the disinfection process is not operating adequately. As such, the permit contains the following:

i. Effluent Limitations:

- The 7-day median number of total coliform bacteria at some point at the end of the UV channel, during normal operation of the UV channel, and at the end of the chlorine contact chamber, when backup method

is used, must not exceed a Most Probably Number or Colony Forming Unit of 2.2 per 100 milliliters, and

- the number of total coliform bacteria must not exceed an MPN or CFU of 23 per 100 milliliters in more than one sample within any 30-day period; and

These disinfection-based effluent limitations for coliform are for human health protection and are consistent with requirements established by the California Department of Public Health (formerly known as the Department of Health Services). These limits for coliform must be met at the point of the treatment train immediately following disinfection, as a measure of the effectiveness of the disinfection process.

#### **xiv. Temperature**

USEPA document, *Quality Criteria for Water 1986* [EPA 440/5-86-001, May 1, 1986], also referred to as the *Gold Book*, discusses temperature and its effects on beneficial uses, such as recreation and aquatic life.

- The Federal Water Pollution Control Administration in 1967 called temperature “a catalyst, a depressant, an activator, a restrictor, a stimulator, a controller, a killer, and one of the most important water quality characteristics to life in water.” The suitability of water for total body immersion is greatly affected by temperature. Depending on the amount of activity by the swimmer, comfortable temperatures range from 20°C to 30°C (68 °F to 86 °F).
- Temperature also affects the self-purification phenomenon in water bodies and therefore the aesthetic and sanitary qualities that exist. Increased temperatures accelerate the biodegradation of organic material both in the overlying water and in bottom deposits which makes increased demands on the dissolved oxygen resources of a given system. The typical situation is exacerbated by the fact that oxygen becomes less soluble as water temperature increases. Thus, greater demands are exerted on an increasingly scarce resource which may lead to total oxygen depletion and obnoxious septic conditions. Increased temperature may increase the odor of water because of the increased volatility of odor-causing compounds. Odor problems associated with plankton may also be aggravated.
- Temperature changes in water bodies can alter the existing aquatic community. Coutant (1972) has reviewed the effects of temperature on aquatic life reproduction and development. Reproductive elements are noted as perhaps the most thermally restricted of all life phases assuming other factors are at or near optimum levels. Natural short-term

temperature fluctuations appear to cause reduced reproduction of fish and invertebrates.

The Basin Plan lists temperature requirements for the receiving waters. Based on the requirements of the Basin Plan and a white paper developed by Regional Water Board staff entitled *Temperature and Dissolved Oxygen Impacts on Biota in Tidal Estuaries and Enclosed Bays in the Los Angeles Region*, a maximum effluent temperature limitation of 86 °F is included in the Order. The white paper evaluated the optimum temperatures for steelhead, topsmelt, ghost shrimp, brown rock crab, jackknife clam, and blue mussel. The new temperature effluent limitation is reflective of new information available that indicates that the 100 °F temperature which was formerly used in permits was not protective of aquatic organisms. A survey was completed for several kinds of fish and the 86 °F temperature was found to be protective. It is impracticable to use a 7-day average or a 30-day average limitation for temperature, because it is not as protective as of beneficial uses as a daily maximum limitation is. A daily maximum limit is necessary to protect aquatic life and is consistent with the fishable/swimmable goals of the CWA.

#### **xv. Turbidity**

Turbidity is an expression of the optical property that causes light to be scattered in water due to particulate matter such as clay, silt, organic matter, and microscopic organisms. Turbidity can result in a variety of water quality impairments. The effluent limitation for turbidity which reads, "For the protection of the water contact recreation beneficial use, the wastes discharged to water courses shall have received adequate treatment, so that the turbidity of the wastewater does not exceed: (a) a daily average of 2 Nephelometric turbidity units (NTU); (b) 5 NTU more than 5 percent of the time (72 minutes) during any 24 hour period; and (c) 10 NTU at any time" is based on the Basin Plan (page 3-17) and section 60301.320 of Title 22, Chapter 3, "Filtered Wastewater" of the CCR.

#### **xvi. Radioactivity**

Radioactive substances are generally present in natural waters in extremely low concentrations. Mining or industrial activities increase the amount of radioactive substances in waters to levels that are harmful to aquatic life, wildlife, or humans. Section 301(f) of the CWA contains the following statement with respect to effluent limitations for radioactive substances: "Notwithstanding any of other provisions of this Act it shall be unlawful to discharge any radiological, chemical, or biological warfare agent, any high-level radioactive waste, or any medical waste, into the navigable waters." Chapter 4.4 of the California Water Code contains a similar prohibition under section 13375, which reads as follows: "The discharge of any radiological, chemical, or biological warfare agent into the waters of the

state is hereby prohibited.” However, rather than an absolute prohibition on radioactive substances, Regional Water Board staff have set the following effluent limit for radioactivity: “Radioactivity of the wastes discharged shall not exceed the limits specified in Title 22, Chapter 15, Article 5, section 64443, of the CCR, or subsequent revisions.” The limit is based on the Basin Plan incorporation of Title 22, CCR, *Drinking Water Standards*, by reference, to protect beneficial use. Therefore. The accompanying Order will retain the limit for radioactivity.

### c. CTR and SIP

The California Toxic Rule (CTR) and State Implementation Policy (SIP) specify numeric objectives for toxic substances and the procedures whereby these objectives are to be implemented. The procedures include those used to conduct reasonable potential analysis to determine the need for effluent limitations for priority pollutants. The Technical Support Document (TSD) specifies the procedures to conduct reasonable potential analyses for non-priority pollutants.

## 3. Determining the Need for WQBELs

In accordance with Section 1.3 of the SIP, the Regional Water Board conducted a reasonable potential analysis for each priority pollutant with an applicable criterion or objective to determine if a WQBEL is required in the permit. The Regional Water Board analyzed effluent data to determine if a pollutant in a discharge has a reasonable potential to cause or contribute to an excursion above a state water quality standard. For all parameters that demonstrate reasonable potential, numeric WQBELs are required. The RPA considers water quality criteria from the CTR and NTR, and when applicable, water quality objectives specified in the Basin Plan. To conduct the RPA, the Regional Water Board staff identified the maximum effluent concentration (MEC) and maximum background concentration in the receiving water for each constituent, based on data provided by the Discharger. The monitoring data cover the period from August 2003 to December 2007.

Section 1.3 of the SIP provides the procedures for determining reasonable potential to exceed applicable water quality criteria and objectives. The SIP specifies three triggers to complete a RPA:

Trigger 1 – If the MEC is greater than or equal to the CTR water quality criteria or applicable objective (C), a limitation is needed.

Trigger 2 – If background water quality (B) > C and the pollutant is detected in the effluent, a limitation is needed.

Trigger 3 – If other related information such as CWA 303(d) listing for a pollutant, discharge type, compliance history, then best professional judgment is used to determine that a limit is needed.

Sufficient effluent and ambient data are needed to conduct a complete RPA. If data are not sufficient, the Discharger will be required to gather the appropriate data for the Regional Water Board to conduct the RPA. Upon review of the data, and if the Regional Water Board determines that WQBELs are needed to protect the beneficial uses, the permit will be reopened for appropriate modification.

The RPA was performed for the priority pollutants regulated in the CTR for which data are available. No pollutant demonstrated reasonable potential, except for bis(2-ethylhexyl)- phthalate. Because the most limiting criteria for bis(2-ethylhexyl)- phthalate was a Title 22 criterion (i.e. not a CTR criterion), a RPA was performed using the USEPA TSD. Based on the TSD RPA, there was reasonable potential for the Discharge to contribute to an exceedance of the criteria for bis(2-ethylhexyl)- phthalate. Table R1 showing the RPA results appears at the end of this section.

#### **a. Impracticability Analysis**

Federal NPDES regulations contained in 40 C.F.R. part 122.45 for continuous dischargers, states that all permit limitations, standards, and prohibitions, including those to achieve water quality standards, shall unless impracticable be stated as maximum daily and average monthly discharge limitations for all dischargers other than POTWs.

As stated by USEPA in its long standing guidance for developing water quality-based effluent limitations (WQBELs) average alone limitations are not practical for limiting acute, chronic, and human health toxic affects.

For example, a POTW sampling for a toxicant to evaluate compliance with a 7-day average limitation could fully comply with this average limit, but still be discharging toxic effluent on one, two, three, or up to four of these seven days and not be meeting 1-hour average acute criteria or 4-day average chronic criteria. For these reason, USEPA recommends daily maximum and 30-day average limits for regulating toxics in all NPDES discharges.

A 7-day average alone would not protect one, two, three, or fours days of discharging pollutants in excess of the acute and chronic criteria. Fish exposed to these endocrine disrupting chemicals will be passed on to the human consumer. Endocrine disrupters alter hormonal functions by several means. These substances can:

- mimic or partly mimic the sex steroid hormones estrogens and androgens (the male sex hormone) by binding to hormone receptors or influencing cell signaling pathways.
- block, prevent and alter hormonal binding to hormone receptors or influencing cell signaling pathways.
- alter production and breakdown of natural hormones.
- modify the making and function of hormone receptors.

**b. Mass based limits.** 40 C.F.R. part 122.45(f)(1) requires that except under certain conditions, all permit limits, standards, or prohibitions be expressed in terms of mass units. 40 C.F.R. part 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 mass and concentration limits for some constituents.

**Summary of Water Quality-based Effluent Limitations  
 Discharge Point 001 (Ventura River)**

**Table 7a. Summary of Water Quality-based Effluent Limitations for Discharge Point 001**

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Bis(2-ethylhexyl)phthalate	µg/L	4.0	--	--		
	lbs/day <sup>2</sup>	0.10	--	--		
Ammonia Nitrogen <sup>3</sup>	µg/L	3.0	--	4.6		
	lbs/day <sup>2</sup>	75	--	120		

<sup>2</sup> The mass emission rates are based on the plant design flow rate of 3 MGD, and are calculated as follows: Flow (MGD) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day. During wet-weather storm events in which the flow exceeds the design capacity, the mass discharge rate limitations shall not apply, and concentration limitations will provide the only applicable effluent limitations.

<sup>3</sup> This is the translated effluent limitation for ammonia based on the water quality objective for ammonia in the current Basin Plan, Table 3-1 and Table 3-2, which resulted from Resolution Nos. 2002-011 and 2005-014 adopted by the Regional Water Board on April 25, 2002, and December 1, 2005, respectively. This effluent limitation is derived according to the Implementation Section of Resolution No. 2002-011.

#### 4. Whole Effluent Toxicity (WET)

Because of the nature of industrial discharges into the POTW sewershed, it is possible that other toxic constituents could be present in the Ojai Valley WWTP effluent, or could have synergistic or additive effects. Also, because numeric limits for certain toxic constituents that did not show RP have been removed, the acute toxicity limit may provide a backstop to preventing the discharge of toxic pollutants in toxic amounts.

The chronic toxicity was exceeded in seven of the 55 chronic toxicity tests conducted from August 2003 to February 2008. Acute toxicity testing results from the same period did not exceed any acute toxicity requirements. Regional Water Board staff determined that, pursuant to the SIP, reasonable potential exists for toxicity. As such, the permit contains effluent limitations for toxicity.

The toxicity numeric effluent limitations are based on:

- a. 40 C.F.R. 122.44(d)(v) – limits on whole effluent toxicity are necessary when chemical-specific limits are not sufficient to attain and maintain applicable numeric or narrative water quality standards;
- b. 40 C.F.R. 122.44(d)(vi)(A) – where a State has not developed a water quality criterion for a specific pollutant that is present in the effluent and has reasonable potential, the permitting authority can establish effluent limits using numeric water quality criterion;
- c. Basin Plan objectives and implementation provisions for toxicity;
- d. Regions 9 & 10 Guidance for Implementing Whole Effluent Toxicity Programs Final May 31, 1996;
- e. Whole Effluent Toxicity (WET) Control Policy July 1994; and,
- f. Technical Support Document (several chapters and Appendix B).

The circumstances warranting a numeric chronic toxicity effluent limitation when there is reasonable potential were under review by the State Water Resources Control Board (State Water Board) in SWRCB/OCC Files A-1496 & A-1496(a) [Los Coyotes/Long Beach Petitions]. On September 16, 2003, at a public hearing, the State Water Board adopted Order No. 2003-0012 deferring the issue of numeric chronic toxicity effluent limitations until a subsequent Phase of the SIP is adopted. In the mean time, the State Water Board replaced the numeric chronic toxicity limit with a narrative effluent limitation and a 1 TUc trigger, in the Long Beach and Los Coyotes WRP NPDES permits. This permit contains a similar narrative chronic toxicity effluent limitation, with a numeric trigger for accelerated monitoring. Phase II of the SIP has been adopted, however, the toxicity control provisions were not revised.

On January 17, 2006, the State Water Board Division of Water Quality held a California Environmental Quality Act (CEQA) scoping meeting to seek input on the scope and content of the environmental information that should be considered in the planned revisions of the Toxicity Control Provisions of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (SIP). However, the Toxicity Control Provisions of the SIP continue unchanged.

This Order contains a reopener to allow the Regional Water Board to modify the permit, if necessary, consistent with any new policy, law, or regulation. Until such time, this Order will have toxicity limitations that are consistent with the State Water Board's precedential decision.

a. Acute Toxicity Limitation:

The Dischargers may test for acute toxicity by using USEPA's *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, October 2002 (EPA-821-R-02-012). Acute toxicity provisions in the accompanying Order are derived from the Basin Plan's toxicity standards (Basin Plan 3-16 and 3-17). The provisions require the Discharger to accelerate acute toxicity monitoring and take further actions to identify the source of toxicity and to reduce acute toxicity.

b. Chronic Toxicity Limitation and Requirements:

Chronic toxicity provisions in the accompanying Order are derived from the Basin Plan's toxicity standards (Basin Plan 3-16 and 3-17). The provisions require the Discharger to accelerate chronic toxicity monitoring and take further actions to identify the source of toxicity and to reduce chronic toxicity. The monthly median trigger of 1.0 TU<sub>c</sub> for chronic toxicity is based on *USEPA Regions 9 & 10 Guidance for Implementing Whole Effluent Toxicity (WET) Programs* Final May 31, 1996 (Chapter 2 – Developing WET Permitting Conditions, page 2-8). In cases where effluent receives no dilution or where mixing zones are not allowed, the 1.0 TU<sub>c</sub> chronic criterion should be expressed as a monthly median. The "median" is defined as the middle value in a distribution, above which and below which lie an equal number of values. For example, if the results of the WET testing for a month were 1.5, 1.0, and 1.0 TU<sub>c</sub>, the median would be 1.0 TU<sub>c</sub>.

The *USEPA Regions 9 & 10 Guidance for Implementing Whole Effluent Toxicity (WET) Programs* Final May 31, 1996 (Chapter 2 – Developing WET Permitting Conditions, page 2-8) recommends two alternatives for setting up maximum daily limit: using 2.0 TU<sub>c</sub> as the maximum daily limit; or using a statistical approach outlined in the TSD to develop a maximum daily effluent limitation.

## D. Final Effluent Limitations

### 1. Satisfaction of Anti-Backsliding Requirements

The effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order, with the exception of effluent limitations for fluoride, thallium, cyanide, lindane (gamma-BHC), dibromochloromethane, dichlorobromomethane, arsenic, cadmium, chromium, copper, iron, lead, selenium, silver, zinc, and toluene. The effluent limitations for these pollutants are deleted because they did not show reasonable potential to exceed the applicable WQO. This relaxation of effluent limitations is consistent with the anti-backsliding requirements of the CWA and federal regulations.

## **2. Satisfaction of Antidegradation Policy**

On October 28, 1968, the State Water Board adopted Resolution No. 68-16, *Maintaining High Quality Water*, which established an antidegradation policy for State and Regional Water Boards. The State Water Board has, in State Water Board Order No. 86-17 and an October 7, 1987 guidance memorandum, interpreted Resolution No. 68-16 to be fully consistent with the federal antidegradation policy. Similarly, the CWA (section 304(d)(4)(B)) and USEPA regulations (40 C.F.R. §131.12) require that all permitting actions be consistent with the federal antidegradation policy. Together, the State and Federal policies are designed to ensure that a water body will not be degraded resulting from the permitted discharge. Discharges in conformance with the provisions of this Order will not result in a lowering of water quality and therefore conform to the antidegradation policies.

## **3. Stringency of Requirements for Individual Pollutants**

This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. The technology-based effluent limitations consist of restrictions on BOD, TSS, pH, and percent removal of BOD and TSS. Restrictions on BOD, TSS and pH are discussed in Section IV.B. of the Fact Sheet. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. The Regional Board has considered the factors in California Water Code section 13241 in establishing these requirements.

Water quality-based effluent limitations have been scientifically derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant water quality-based effluent limitations were derived from the CTR, the CTR is the applicable standard pursuant to part 131.38. The scientific procedures for calculating the individual water quality-based effluent limitations for priority pollutants are based on the CTR-SIP, which was approved by USEPA on May 18, 2000. All beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by USEPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to USEPA

prior to May 30, 2000, but not approved by USEPA before that date, are nonetheless “applicable water quality standards for purposes of the CWA” pursuant to part 131.21(c)(1). Collectively, this Order’s restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA and the applicable water quality standards for purposes of the CWA.

This Order contains effluent limitations more stringent than the minimum, federal technology-based requirements that are necessary to meet water quality standards. Specifically, this Order includes performance-based effluent limitations for TSS and BOD<sub>5</sub> that are more stringent than the federal secondary treatment standards. The previous Order contains these performance-based effluent limits for TSS and BOD<sub>5</sub>, with which the Discharger has consistently complied. The monthly average and the daily maximum limits cannot be relaxed because none of the exceptions under the Antibalancing Policy apply.

In addition, this Order includes effluent limitations for bis(2-ethylhexyl)phthalate that are more stringent than applicable federal standards, but that are nonetheless necessary to meet numeric objectives or protect beneficial uses. The rationale for including these limitations is explained in this Fact Sheet. Also, the Regional Water Board has considered the factors in Water Code section 13241.

The California MCL for bis(2-ethylhexyl)phthalate is more stringent than the USEPA MCL and more stringent than the CTR criteria. Therefore, the monthly average effluent limitation for bis(2-ethylhexyl)phthalate is the only limit more stringent than the federal requirements. Therefore, an economic analysis should be done for bis(2-ethylhexyl)phthalate.

According to section 13241 of the CWC, the factors to be considered by a Regional Water Board in establishing water quality objectives include, but are not necessarily be limited to, all of the following:

- (a) Past, present, and probable future beneficial uses of water.
- (b) Environmental characteristics of the hydrographic unit under consideration, including the quality of water available thereto.
- (c) Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area.
- (d) Economic considerations.
- (e) The need for developing housing within the region.
- (f) The need to develop and use recycled water.

Regional Water Board staff have considered all of the above factors.

The proposed Order is protective of all beneficial uses of surface waters (using CWA) and ground water (using CWC);

The environmental characteristics of the discharge and of the watershed in which the facility is located have been taken into consideration.

Limitations, which could reasonably be achieved, have been placed in the Order to protect the water quality of the immediate receiving waters and those located downstream of the discharge point;

Economic considerations have also been provided:

1. **Economic Analysis.** The technical and economic feasibility of regulating MCLs is evaluated as part of the MCL development and adoption process by the California Department of Public Health (formerly known as the Department of Health Services), a sister agency. The technical feasibility includes an evaluation of commercial laboratories' ability to analyze for and detect the chemical in drinking water, the costs of monitoring, and the costs of treatment required for pollutant removal.
2. **Requirements under future WRR Order for Recycling**  
The Ojai Valley WWTP treatment system includes, filtration and disinfection, therefore, its effluent should be able to comply with the Maximum Contaminant Levels of the current California Drinking Water Standards for inorganic and organic chemicals.
3. **Similar Facilities.** Other POTWs in Region 4 have similar NPDES permit requirements. When Regional Water Board staff was preparing the first set of permits that would implement the SIP and the CTR, they asked the State Water Board, Division of Water Quality's Standard Development Section to prepare an economic analysis of the cost of complying with the California Toxics Rule for the five Los Angeles County Sanitation District (LACSD) inland POTWs in the San Gabriel River Watershed. The State Water Board contracted Sciences Applications International Corporation (SAIC) to prepare the economic analysis. Their report titled, *Potential Costs of Complying with the California Toxics Rule for Five Los Angeles County Sanitation District Facilities* (March 21, 2001), presented a worst case scenario and a most likely control scenario for all five facilities. Of the five LACSD POTWs, the smallest is the Pomona WRP, with a 15 MGD capacity. For the Pomona WRP, the worst case control scenario would require the use of Granular Activated Carbon (GAC), with a construction cost of about \$12 Million, and an operation costs of \$387,000 per year. The most likely control scenario required implementation of a source control or pollutant minimization program, a plant study for process optimization, and an improved coagulant chemical addition process, at a cost of \$141,000 per year. Although the focus of the study was to consider CTR-based limits, the study did include consideration of the 4 µg/L MCL-based limit for Bis(2-ethylhexyl)phthalate. The LACSD plants have focused on source control and techniques to achieve compliance with their permit limitations. In the case of Bis(2-ethylhexyl)phthalate, using cleaner sampling techniques has made a big difference in eliminating the amounts of detects (or false positives) obtained. The clean hands technique involved using gloves and bottles that were free of phthalates, for example using teflon and glassware. In no case did any of the LACSD POTWs have to install costly treatment systems for the removal of

CTR-based or MCL-based pollutants.

Regional Water Board staff conclude that additional treatment units would not be required to meet the effluent limitation for bis(2-ethylhexyl)phthalate contained in the accompanying Order, in light of the above considerations as well as the fact that with one exception, the Discharger has demonstrated full compliance with the effluent limit in the previous Order as well as the interim limit in the Time Schedule Order. The Discharger may conduct an economic analysis and submit it to the Regional Water Board for consideration, during the public comment period, if so desired.

The Discharger has not submitted any economic information to indicate what the cost of complying with this Order would be. As discussed in other sections of the Fact Sheet, the individual pollutant restrictions are reasonably necessary to protect beneficial uses identified in the Basin Plan, and the economic information related to costs of compliance are not sufficient, in the Regional Water Board's determination, to justify failing to protect beneficial uses. The Regional Water Board adopted on June 5, 2003, a Time Schedule Order that included an interim limit for bis(2-ethylhexyl)phthalate, and the requirement to achieve full compliance with the final limit for bis(2-ethylhexyl)phthalate by May 10, 2008. Therefore, it is not appropriate to issue another Time Schedule Order.

**Summary of Final Effluent Limitations  
 Discharge Point 001**

**Table 8. Summary of Final Effluent Limitations**

Parameter	Units	Effluent Limitations					Basis
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	
BOD <sub>5</sub> 20°C	mg/L	10	--	15			Existing
	lbs/day <sup>4</sup>	250		380			
Total Suspended Solids (TSS)	mg/L	10		15			Existing
	lbs/day <sup>4</sup>	250		380			
pH	standard units	--	--	--	6.5	8.5	Existing
Removal Efficiency for BOD and TSS	%	85	--	--			Existing
Oil and Grease	mg/L	10	--	15			Existing
	lbs/day <sup>4</sup>	250	--	380			
Settleable Solids	ml/L	0.1	--	0.2			Existing
Total Residual Chlorine	mg/L	--	--	0.1			Existing
Total Dissolved Solids	mg/L	1500	--	--			Existing
	lbs/day <sup>4</sup>	38,000	--	--			
Sulfate	mg/L	500	--	--			Existing
	lbs/day <sup>4</sup>	13,000	--	--			
Chloride	mg/L	300	--	--			Existing
	lbs/day <sup>4</sup>	7,500	--	--			
Boron	mg/L	1.5	--	--			Existing
	lbs/day <sup>4</sup>	38.0	--	--			
MBAS	mg/L	0.5	--	--			Existing
	lbs/day <sup>4</sup>	13.0	--	--			
Ammonia Nitrogen <sup>5</sup>	mg/L	3.0	--	4.6			Basin Plan
	lbs/day <sup>4</sup>	75	--	120			
Nitrate + Nitrite (as N)	mg/L	--	--	10			Existing
	lbs/day <sup>4</sup>	--	--	251			
Nitrite (as N)	mg/L	--	--	1			Existing

<sup>4</sup> The mass emission rates are based on the plant design flow rate of 3 MGD, and are calculated as follows: Flow (MGD) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day. During wet-weather storm events in which the flow exceeds the design capacity, the mass discharge rate limitations shall not apply, and concentration limitations will provide the only applicable effluent limitations.

<sup>5</sup> This is the translated effluent limitation for ammonia based on the water quality objective for ammonia in the current Basin Plan, Table 3-1 and Table 3-2, which resulted from Resolution Nos. 2002-011 and 2005-014 adopted by the Regional Water Board on April 25, 2002, and December 1, 2005, respectively. This effluent limitation is derived according to the Implementation Section of Resolution No. 2002-011.

Parameter	Units	Effluent Limitations					Basis
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	
	lbs/day <sup>4</sup>		--	25			
Bis(2-ethylhexyl)phthalate	µg/L	4.0	--	--			TSD
	lbs/day <sup>4</sup>	0.10		--			

## **E. Land Discharge Specification**

Not applicable.

## **F. Reclamation Specifications**

The production, distribution, and reuse of recycled water are presently regulated under Water Reclamation Requirements (WRRs) Order No. 88-107, adopted by this Board on October 24, 1988, continued in Board Order No. 97-072, adopted on May 12, 1997. Pursuant to California Water Code section 13523, these WRRs were revised in 1997 and were readopted without change in Order No. 97-072, adopted May 12, 1997.

## **V. RATIONALE FOR RECEIVING WATER LIMITATIONS**

### **A. Surface Water**

Receiving water limitations are based on water quality objectives contained in the Basin Plan and are a required part of this Order.

### **B. Groundwater**

Limitations in this Order must protect not only surface receiving water beneficial uses, but also, the beneficial uses of underlying groundwater where there is a recharge beneficial use of the surface water. In addition to a discharge to surface water, there is discharge that can impact groundwater. Sections of the Ventura River, near the Ojai Valley WWTP discharge point, are designated as GWR beneficial use. Surface water from the Ventura River percolates into the Ventura Groundwater Basin. Since groundwater from the Basin is used to provide drinking water to the community, the groundwater aquifers should be protected.

However, this Order and Monitoring and Reporting Program does not include requirement for groundwater monitoring because none of the limitations are based upon the protection of MUN use of underlying groundwater. For constituents that have limitations, the limits are based upon Basin Plan and CTR and are also protective of the beneficial uses of groundwater.

## **VI. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS**

Part 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. California Water Code sections 13267 and 13383 authorizes the Regional Water Board to require technical and monitoring reports. The Monitoring and Reporting Program (MRP), Attachment E of this Order, establishes monitoring and reporting requirements to implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this facility.

### **A. Influent Monitoring**

Influent monitoring is required:

- To determine compliance with the permit conditions for BOD<sub>5</sub> 20°C and suspended solids removal rates;
- To assess treatment plant performance;
- To assess the effectiveness of the Pretreatment Program; and,
- As a requirement of the Pollution Minimization Program

### **B. Effluent Monitoring**

The Discharger is required to conduct monitoring of the permitted discharges in order to evaluate compliance with permit conditions. Monitoring requirements are given in the proposed Monitoring and Reporting Program (Attachment E). This provision requires compliance with the Monitoring and Reporting Program, and is based on 40 C.F.R. 122.44(i), 122.62, 122.63, and 124.5. The Monitoring and Reporting Program is a standard requirement in almost all NPDES permits (including the proposed Order) issued by the Regional Water Board. In addition to containing definition of terms, it specifies general sampling/analytical protocols and the requirements of reporting spills, violation, and routine monitoring data in accordance with NPDES regulations, the California Water Code, and Regional Water Board policies. The Monitoring and Reporting Program also contains sampling program specific for the Discharger's wastewater treatment plant. It defines the sampling stations and frequency, pollutants to be monitored, and additional reporting requirements. Pollutants to be monitored include all pollutants for which effluent limitations are specified. Further, in accordance with Section 1.3 of the SIP, a periodic monitoring is required for all priority pollutants defined by the CTR, for which criteria apply and for which no effluent limitations have been established, to evaluate reasonable potential to cause or contribute to an excursion above a water quality standard.

Monitoring for those pollutants expected to be present in the discharge from the facility, will be required as shown on the proposed Monitoring and Reporting Program (Attachment E) and as required in the SIP. Semi-annual monitoring for priority pollutants in the effluent is required in accordance with the Pretreatment requirements.

## **C. Whole Effluent Toxicity Testing Requirements**

Whole effluent toxicity (WET) protects the receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. An acute toxicity test is conducted over a short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction, and growth.

This requirement establishes conditions and protocol by which compliance with the Basin Plan narrative water quality objective for toxicity will be demonstrated and in accordance with Section 4.0 of the SIP. Conditions include required monitoring and evaluation of the effluent for acute and chronic toxicity and numerical values for chronic toxicity evaluation to be used as 'triggers' for initiating accelerated monitoring and toxicity reduction evaluation(s).

## **D. Receiving Water Monitoring**

### **1. Surface Water**

Receiving water monitoring is required to determine compliance with receiving water limitations and to characterize the water quality of the receiving water.

## **E. Other Monitoring Requirements**

### **1. Watershed Monitoring and Bioassessment Monitoring**

The goals of the Watershed-wide Monitoring Program including the bioassessment monitoring for the Ventura River Watershed are to:

- Determine compliance with receiving water limits;
- Monitor trends in surface water quality;
- Ensure protection of beneficial uses;
- Provide data for modeling contaminants of concern;
- Characterize water quality including seasonal variation of surface waters within the watershed;
- Assess the health of the biological community; and
- Determine mixing dynamics of effluent and receiving waters in the estuary.

## **VII. RATIONALE FOR PROVISIONS**

### **A. Standard Provisions**

Standard Provisions, which apply to all NPDES permits in accordance with part 122.41, and additional conditions applicable to specified categories of permits in accordance with part 122.42, are provided in Attachment D. The discharger must comply with all

standard provisions and with those additional conditions that are applicable under part 122.42.

Part 122.41(a)(1) and (b) through (n) establish conditions that apply to all State-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. Part 123.25(a)(12) allows the state to omit or modify conditions to impose more stringent requirements. In accordance with part 123.25, this Order omits federal conditions that address enforcement authority specified in parts 122.41, subsections (j)(5) and (k)(2) because the enforcement authority under the California Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference California Water Code section 13387(e).

## **B. Special Provisions**

### **1. Reopener Provisions**

This provision is based on 40 C.F.R. part 123. The Regional Water Board may reopen the permit to modify permit conditions and requirements. Causes for modifications include the promulgation of new regulations, modification in sludge use or disposal practices, or adoption of new regulations by the State Water Board or Regional Water Board, including revisions to the Basin Plan.

### **2. Special Studies and Additional Monitoring Requirements**

- a. **Antidegradation Analysis and Engineering Report for Proposed Plant Expansion.** This provision is based on the State Water Resources Control Board Resolution No. 68-16, which requires the Regional Water Board in regulating the discharge of waste to maintain high quality waters of the State. The Discharger must demonstrate that it has implemented adequate controls (e.g., adequate treatment capacity) to ensure that high quality waters will be maintained. This provision requires the Discharger to clarify that it has increased plant capacity through the addition of new treatment system(s) to obtain alternative effluent limitations for the discharge from the treatment system(s). This provision requires the Discharger to report specific time schedules for the plants projects. This provision requires the Discharger to submit report to the Regional Water Board for approval.
- b. **Operations Plan for Proposed Expansion.** This provision is based on Section 13385(j)(1)(D) of the CWC and allows a time period not to exceed 90 days in which the Discharger may adjust and test the treatment system(s). This provision requires the Discharger to submit an Operations Plan describing the actions the Discharger will take during the period of adjusting and testing to prevent violations.

- c. **Treatment Plant Capacity.** The treatment plant capacity study required by this Order shall serve as an indicator for the Regional Water Board regarding Facility's increasing hydraulic capacity and growth in the service area.

### 3. Best Management Practices and Pollution Prevention

- a. **Pollutant Minimization Program.** This provision is based on the requirements of section 2.4.5 of the SIP.

### 4. Construction, Operation, and Maintenance Specifications

This provision is based on the requirements of 40 C.F.R. part 122.41(e) and the previous Order.

### 5. Special Provisions for Municipal Facilities (POTWs Only)

- a. **Biosolids Requirements.** To implement CWA Section 405(d), on February 19, 1993, USEPA promulgated 40 C.F.R. part 503 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 Discharger to comply with said regulations that are enforceable by USEPA, because California has not been delegated the authority to implement this program. The Discharger is also responsible for compliance with WDRs and NPDES permits for the generation, transport and application of biosolids issued by the State Water Board, other Regional Water Boards, Arizona Department of Environmental Quality or USEPA, to whose jurisdiction the Facility's biosolids will be transported and applied.
- b. **Pretreatment Requirements.** This permit contains pretreatment requirements consistent with applicable effluent limitations, national standards of performance, and toxic and performance effluent standards established pursuant to Sections 208(b), 301, 302, 303(d), 304, 306, 307, 403, 404, 405, and 501 of the CWA, and amendments thereto. This permit contains requirements for the implementation of an effective pretreatment program pursuant to Section 307 of the CWA; 40 C.F.R. 35 and 403; and/or Title 23, CCR section 2233.
- c. **Spill Reporting Requirements.** This Order established a reporting protocol for how different types of spills, overflow or bypasses of raw or partially treated sewage from its collection system or treatment plant covered by this Order shall be reported to regulatory agencies.

The State Water Board issued General Waste Discharge Requirements for Sanitary Sewer Systems, Water Quality Order No. 2006-0003-DWQ (General Order) on May 2, 2006. The General Order requires public agencies that own or operate sanitary sewer systems with greater than one mile of pipes or sewer lines to enroll for coverage under the General Order. The General Order requires agencies to develop sanitary sewer management plans (SSMPs) and

report all sanitary sewer overflows (SSOs), among other requirements and prohibitions.

Furthermore, the General Order contains requirements for operation and maintenance of collection systems and for reporting and mitigating sanitary sewer overflows. The Discharger must comply with both the General Order and this Order.

#### **6. Other Special Provisions**

Not applicable.

### **VIII. PUBLIC PARTICIPATION**

The California Regional Water Quality Control Board, Los Angeles Region (Regional Water Board) is considering the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for Long Beach Water Reclamation Plant. As a step in the WDR adoption process, the Regional Water Board staff has developed tentative WDRs. The Regional Water Board encourages public participation in the WDR adoption process.

#### **A. Notification of Interested Parties**

The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Notification was provided by posting a notice in the newspaper of local circulation and by posting a notice at the Ojai Valley WWTP.

#### **B. Written Comments**

The staff determinations are tentative. Interested persons are invited to submit written comments concerning these tentative WDRs. Comments must be submitted either in person or by mail to the Executive Office at the Regional Water Board at the address above on the cover page of this Order.

To be fully responded to by staff and considered by the Regional Water Board, written comments must be received at the Regional Water Board offices by 5:00 p.m. on June 19, 2008.

#### **C. Public Hearing**

The Regional Water Board will hold a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: July 10, 2008  
Time: 9:00 AM  
Location: City of Ventura

Council Chambers  
501 Poli Street, Ventura, CA

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

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

#### **D. Nature of Hearing**

This will be a formal adjudicative hearing pursuant to section 648 et seq. of title 23 of the CCR. Chapter 5 of the California Administrative Procedure Act (commencing with section 11500 of the Government Code) will not apply to this proceeding.

*Ex Parte Communications Prohibited:* As a quasi-adjudicative proceeding, no board member may discuss the subject of this hearing with any person, except during the public hearing itself. Any communications to the Regional Water Board must be directed to staff.

#### **E. Parties to the Hearing**

The following are the parties to this proceeding:

1. The applicant/permittee
2. Regional Water Board Staff

Any other persons requesting party status must submit a written or electronic request to staff not later than [20] business days before the hearing. All parties will be notified if other persons are so designated.

#### **F. Public Comments and Submittal of Evidence**

Persons wishing to comment upon or object to the tentative waste discharge requirements, or submit evidence for the Board to consider, are invited to submit them in writing to the above address. To be evaluated and responded to by staff, included in the Board's agenda folder, and fully considered by the Board, written comments must be received no later than close of business June 19, 2008. Comments or evidence received after that date will be submitted, ex agenda, to the Board for consideration, but only included in administrative record with express approval of the Chair during the hearing. Additionally, if the Board receives only supportive comments, the permit may be placed on the Board's consent calendar, and approved without an oral testimony.

#### **G. Hearing Procedure**

The meeting, in which the hearing will be a part of, will start at 9:00 a.m. Interested persons are invited to attend. Staff will present the matter under consideration, after which oral statements from parties or interested persons will be heard. For accuracy of the record, all important testimony should be in writing. The Board will include in the administrative record written transcriptions of oral testimony that is actually presented at the hearing. Oral testimony may be limited to 30 minutes maximum or less for each speaker, depending on the number of persons wishing to be heard. Parties or persons with similar concerns or opinions are encouraged to choose one representative to speak. At the conclusion of testimony, the Board will deliberate in open or close session, and render a decision.

Parties or persons with special procedural requests should contact staff. Any procedure not specified in this hearing notice will be waived pursuant to section 648(d) of title 23 of the CCR. Objections to any procedure to be used during this hearing must be submitted in writing not later than close of [15] business days prior to the date of the hearing. Procedural objections will not be entertained at the hearing.

If there should not be a quorum on the scheduled date of this meeting, all cases will be automatically continued to the next scheduled meeting on August 14, 2008. A continuance will not extend any time set forth herein.

#### **H. Waste Discharge Requirements Petitions**

Any aggrieved person may petition the State Water Resources Control Board to review the decision of the Regional Water Board regarding the final WDRs. The petition must be submitted within 30 days of the Regional Water Board's action to the following address:

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

#### **I. Information and Copying**

The Report of Waste Discharge (RWD), related documents, tentative effluent limitations and special provisions, comments received, and other information are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Regional Water Board by calling (213) 576-6600.

#### **J. Register of Interested Persons**

Any person interested in being placed on the mailing list for information regarding the WDRs and NPDES permit should contact the Regional Water Board, reference this facility, and provide a name, address, and phone number.

## **K. Additional Information**

Requests for additional information or questions regarding this order should be directed to Dr. Cathy Chang at (213) 576-6664.