

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

**ORDER NO. R4-2003-0145**

**NPDES NO. CA0054216**

**WASTE DISCHARGE REQUIREMENTS  
FOR  
COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY  
(Valencia Water Reclamation Plant)**

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

**PURPOSE OF ORDER**

1. County Sanitation Districts of Los Angeles County (hereinafter CSDLAC or Discharger) discharges tertiary-treated wastewater from its Valencia Water Reclamation Plant (Valencia WRP) under waste discharge requirements contained in Order No. 95-081, adopted by this Regional Board on June 12, 1995. Order No. 95-081 also serves as a permit under the National Pollutant Discharge Elimination System (NPDES No. CA0054216), which regulates the discharge of treated wastewater to the Santa Clara River, a water of the State of California and of the United States.
2. Order No. 95-081 has an expiration date of May 10, 2000. Section 122.6 of Title 40, Code of Federal Regulations (40 CFR) and Section 2235.4 of Title 23, California Code of Regulations (CCR), state that an expired permit continues in force until the effective date of a new permit, provided that the permittee has made a timely submittal of a complete application for a new permit. On November 10, 1999, CSDLAC filed a report of waste discharge (ROWD) and applied to the Regional Water Quality Control Board (Regional Board) for reissuance of waste discharge requirements (WDRs) and an NPDES permit to discharge tertiary-treated wastewater. Therefore, the Discharger's permit has been administratively extended until the Regional Board acts on the new WDR and permit.
3. This Order is the reissuance of WDRs that serves as an NPDES permit for the Valencia WRP.

**FACILITY AND TREATMENT PROCESS DESCRIPTION**

4. The Valencia WRP is one of eleven publicly owned treatment works (POTWs) (Saugus, Valencia, Whittier Narrows, Pomona, La Cañada, Long Beach, Los Coyotes, San Jose Creek, Lancaster, Palmdale, and Joint Water Pollution Control Plant) owned and operated by CSDLAC. The Valencia WRP is a tertiary treatment facility located at 28185 The Old Road, Valencia, California. The plant has a dry weather average design capacity of 12.6 million gallons per day (mgd), but only discharges an average of 12.35 mgd (the Year

2002) of tertiary treated municipal wastewater to the Santa Clara River, at Valencia, California. The Valencia WRP is a part of CSDLAC's regional system, known as the Santa Clarita Valley Joint Sewerage System, which also includes the Saugus Water Reclamation Plant (Saugus WRP). The regional system allows biosolids, solids, and excess flows from the Saugus WRP to be diverted to the Valencia WRP for treatment and disposal. Figure 1 shows the vicinity map for the Valencia WRP.

5. The Valencia WRP serves a population of approximately 84,922 in the Santa Clarita Valley. Flow to the plant consists of domestic, commercial and industrial wastewater. For fiscal year 2002, industrial wastewater represented only about 2.4% of the total flow to the plant. Discharges to the collection system from industry include discharges from metal finishers and electrical component manufacturers.
6. The United States Environmental Protection Agency (USEPA) and the Regional Board have classified the Valencia WRP as a major discharger. It has a Threat to Water Quality and Complexity rating of 1-A pursuant to Section 2200, Title 23, CCR.
7. Pursuant to 40 CFR, Part 403, the Valencia WRP developed, and has been implementing, an industrial wastewater Pretreatment Program, which has been approved by USEPA and the Regional Board.
8. The treatment system at the Valencia WRP currently consists of comminution, grit removal, primary sedimentation, nitrification/ denitrification (NDN) activated sludge biological treatment, secondary clarification, inert media filtration, chlorination, and dechlorination (sodium bisulfite). Waste activated sludge is concentrated by dissolved air flotation, blended with primary sludge, and anaerobically digested. The digested solids are thickened using a filter press. Dried solids are trucked away offsite either to a landfill or to a site for land application. Figure 2 shows the schematic of wastewater flow.
9. As part of its phased plant upgrade and expansion project, and in order to achieve compliance with the ammonia Basin Plan objectives, CSDLAC began construction of nitrification-denitrification (NDN) treatment facilities at the Valencia WRP on December 2002. Since the time of the last permit renewal, CSDLAC has also completed the following tasks:

Task	Completion Date
Completed construction of an additional aeration tank and final sedimentation tank, increasing capacity from 11 MGD to 12.6 MGD	June 1996
Improved sodium hypochlorite and bisulfite facilities	February 1997
Replaced diesel fuel facilities for the plant generators	November 1999
Expanded solids processing facilities by constructing two new digesters and expanding filter presses	2002
Finished NDN construction for 12.6 MGD capacity	June 18, 2003

Stage V of the expansion project, which began in August 2001, will increase the plant's design capacity from 12.6 to 21.6 MGD and will add three new NDN aeration units. Construction is scheduled for completion in fall 2004.

10. CSDLAC prepared a Final Environmental Impact Report (FEIR) and a Final Supplemental Environmental Impact Report (FSEIR) in accordance with the California Environmental Quality Act (Public Resource Code Section 21000 et seq.). The FSEIR addressed potential effects of the discharge on downstream surface waters, groundwaters, and flooding. On January 1998, CSDLAC's Board of Directors certified the EIR.
11. The treated effluent is also regulated under Water Recycling Requirements (WRRs) contained in Order No. 87-48, adopted by this Board on April 27, 1987. The WRRs were re-adopted on May 12, 1997, by Board Order No. 97-072. The Castaic Lake Water Agency plans to deliver reclaimed water to various sites beginning in Fall 2003.
12. **Storm Water Management** - CSDLAC currently does not treat storm water runoff at the Valencia WRP except for incidental storm water infiltration and inflows in the sewer and storm water that traverses the treatment tanks. It has developed a Storm Water Pollution Prevention Plan (SWPPP) for storm water that does not enter the treatment system.

#### **DISCHARGE OUTFALL AND RECEIVING WATER DESCRIPTION**

13. The Valencia WRP discharges tertiary treated municipal and industrial wastewater to Reach 5 of Santa Clara River through Discharge Serial No. 001 (Latitude 34°25'47" North, Longitude 118°35'27" West). The Discharge Serial No. 001 in Figure 1 is located downstream of Francisquito Creek and upstream of Castaic Creek.

CSDLAC has requested permission to discharge tertiary treated effluent to the Santa Clara River through a second discharge point (Discharge Serial No. 002, approximate location: latitude 34°25'47" North, longitude 118°35'27" West), located approximately 170 feet upstream from Discharge Serial No. 001. Discharge through Discharge Serial No. 002 would take place during extreme wet weather events when it would not be possible to discharge through Discharge Serial No. 001.

14. The Santa Clara River is one of the largest river systems in southern California. The River originates in the northern slope of the San Gabriel Mountains in Los Angeles County, traverses Ventura County, and flows into the Pacific Ocean, halfway between the cities of San Buenaventura and Oxnard.
15. Extensive patches of riparian habitat are present along the length of the River and its tributaries. The endangered fish, the unarmored stickleback, is resident in the river. One of the largest of the Santa Clara River's tributaries, Sespe Creek, is designated as a wild trout stream by the state of California and supports significant spawning and rearing habitat. The Sespe Creek is also designated a wild and scenic river. Piru and Santa Paula Creeks, which are tributaries to the Santa Clara River, support habitat for steelhead. In addition, the river serves as an important wildlife corridor. A lagoon exists at the mouth of the river and supports a large variety of wildlife.

**DISCHARGE QUALITY DESCRIPTION**

16. From June 1995 to December 2002, the Discharger's discharge monitoring reports showed the following:
- A. Treated wastewater average annual effluent flow rate of 10.39 mgd.
  - B. Average annual removal rate of 98% and >99%, of BOD and total suspended solids, respectively.
  - C. 7-day median and daily maximum coliform values as <1 coliform forming units (CFU)/ 100 ml in the treated wastewater.
17. The characteristics of the treated wastewater discharged, based on data submitted in the 2002 Annual summary discharge monitoring report, are as follows in Table 1. The "<" symbol indicates that the pollutant was not detected (ND) at that concentration level. We do not know if the pollutant was present at a lower concentration.

Table 1 - 2002 Annual Summary Effluent Monitoring Summary

CTR#	Constituent	Unit	Average	Maximum	Minimum
	Flow	mgd	12.35	13.17	11.63
	pH	pH units	7.2	7.3	7.2
	Temperature- winter (Nov. – April)	°F	73 winter	77	71
	summer(May – Oct.)	°F	79 summer	81	75
	BOD <sub>5@20°C</sub>	mg/L	9	14	4
	Suspended solids	mg/L	3	4	<2
	Settleable solids	ml/L	<0.1	<0.1	<0.1
	Total dissolved solids	mg/L	802	853	698
	Chloride	mg/L	187	208	165
	Sulfate	mg/L	175	205	140
	Boron	mg/L	0.8	0.93	0.74
	Total Phosphate	mg/L	<0.5	<0.5	<0.5
	Turbidity (24-HR composite)	NTU	1.4	1.7	1.0
	Oil and grease	mg/L	<4-<5	<5	<4
	Fluoride	mg/L	0.37	0.48	0.29
	MBAS	mg/L	0.1	0.2	0.1
	Residual Chlorine (Dechlorinated)	mg/L	<0.1	<0.1	<0.1
	Total Coliform	CFU/ 100mL	<1	<1	<1
	Ammonia-N	mg/L	22.1	26.9	17.1
	Organic-N	mg/L	0.8	1.1	0.3
	Nitrate-N	mg/L	1.9	4.61	0.1
	Nitrite-N	mg/L	2.89	3.78	1.96
	Total Nitrogen	mg/L	27.7	32.8	23.9
	Boron	mg/L	0.8	0.93	0.74
	Iron	mg/L	0.1	0.11	0.09

Table 1 - 2002 Annual Summary Effluent Monitoring Summary

CTR#	Constituent	Unit	Average	Maximum	Minimum
1	Antimony	µg/L	1.4	3.7	0.7
2	Arsenic	µg/L	<1-1.3	1.3	<1
3	Beryllium	µg/L	<0.5	<0.5	<0.5
4	Cadmium	µg/L	<0.4	<0.4	<0.4
5a	Chromium III				
5b	Chromium VI				
	Total Chromium	µg/L	<10	<10	<10
6	Copper	µg/L	<8	<8	<8
7	Lead	µg/L	<2-2	2	<2
8	Mercury	µg/L	<0.1-<0.04	0.1	<0.04
9	Nickel	µg/L	<20	<20	<20
10	Selenium	µg/L	<1	<1	<1
11	Silver	µg/L	0.065-0.35	0.35	0.065
12	Thallium	µg/L	<1	<1	<1
13	Zinc	µg/L	30	60	20
14	Cyanide	µg/L	<5-<14	<14	<5
16	2,3,7,8-TCDD (Dioxin)	µg/L	<0.00066-<0.0043	<0.0043	<0.00066
17	Acrolein	µg/L	<2-<10	<10	<2
18	Acrylonitrile	µg/L	<2-<5	<5	<2
19	Benzene	µg/L	< 0.5	< 0.5	< 0.5
20	Bromoform	µg/L	<0.5-1.9	1.9	<0.5
21	Carbon tetrachloride	µg/L	< 0.5	<0.5	< 0.5
22	Chlorobenzene	µg/L	< 0.5	<0.5	<0.5
23	Dibromochloromethane	µg/L	<0.9	1.1	<0.5
24	Chloroethane	µg/L	<0.5	<0.5	<0.5
25	2-Chloroethylvinyl ether	µg/L	<0.5	<0.5	<0.5
26	Chloroform	µg/L	3	3.8	1.5
27	Bromodichloromethane	µg/L	<0.5-6	0.6	<0.5
28	1,1-Dichloroethane	µg/L	<0.5	<0.5	< 0.5
29	1,2-Dichloroethane	µg/L	<0.5	<0.5	<0.5
30	1,1-Dichloroethylene	µg/L	<0.5	<0.5	< 0.5
31	1,2-Dichloropropane	µg/L	<0.5	<0.5	<0.5
32	1,3-Dichloropropylene	µg/L	<0.5	<0.5	< 0.5
33	Ethylbenzene	µg/L	<0.5	<0.5	<0.5
34	Methyl bromide (Bromomethane)	µg/L	<0.5-<1	<1	< 0.5
35	Methyl chloride (Chloromethane)	µg/L	<0.5	<0.5	< 0.5
36	Methylene chloride	µg/L	<0.5-0.6	0.6	<0.5
37	1,1,2,2-Tetrachloroethane	µg/L	<0.5	<0.5	< 0.5
38	Tetrachloroethylene	µg/L	<0.5	<0.5	<0.5
39	Toluene	µg/L	<0.5	<0.5	< 0.5
40	1,2-Trans-dichloroethylene	µg/L	<0.5	<0.5	<0.5
41	1,1,1-Trichloroethane	µg/L	<0.5	<0.5	< 0.5
42	1,1,2-Trichloroethane	µg/L	<0.5	<0.5	<0.5

Table 1 - 2002 Annual Summary Effluent Monitoring Summary

CTR#	Constituent	Unit	Average	Maximum	Minimum
43	Trichloroethylene	µg/L	<0.5	<0.5	< 0.5
44	Vinyl chloride	µg/L	<0.5	<0.5	<0.5
45	2-Chlorophenol	µg/L	<1-<5	<5	<1
46	2,4-Dichlorophenol	µg/L	<1-<5	<5	<1
47	2,4-Dimethylphenol	µg/L	<2	<2	<2
48	2-Methyl-4,6-dinitrophenol	µg/L	<5	<5	<5
49	2,4-Dinitrophenol	µg/L	<5	<5	<5
50	2-Nitrophenol	µg/L	<1-<10	<10	<1
51	4-Nitrophenol	µg/L	<1-<10	<10	<1
52	3-Methyl-4-chlorophenol	µg/L	<1	<1	<1
53	Pentachlorophenol	µg/L	<1-<5	<5	<1
54	Phenol	µg/L	<1	<1	<1
55	2,4,6-Trichlorophenol	µg/L	<1-<10	<10	<1
56	Acenaphthene	µg/L	<1-<10	<10	<1
57	Acenaphthylene	µg/L	<1-<10	<10	<1
58	Anthracene	µg/L	<1-<10	<10	<1
59	Benzidine	µg/L	<5	<5	<5
60	Benzo[a]anthracene	µg/L	<1-<5	<5	<1
61	Benzo[a]pyrene	µg/L	<0.0031-<0.0059	0.0059	<0.0031
62	Benzo[b]fluoranthene	µg/L	<0.0031-<0.0104	0.0104	<0.0031
63	Benzo[g,h,i]perylene	µg/L	<1-<5	<5	<1
64	Benzo[k]fluoranthene	µg/L	0.0088-<0.0031	0.0088	<0.0031
65	Bis(2-chloroethoxy)methane	µg/L	<1-<5	<5	<1
66	Bis(2-chloroethyl)ether	µg/L	<1	<1	<1
67	Bis(2-chloroisopropyl)ether	µg/L	<1-<2	<2	<1
68	Bis(2-ethylhexyl)phthalate	µg/L	<1-<5	<5	<1
69	4-Bromophenyl phenyl ether	µg/L	<1-<5	<5	<1
70	Butylbenzyl phthalate	µg/L	<1-<10	<10	<1
71	2-Chloronaphthalene	µg/L	<1-<10	<10	<1
72	4-Chlorophenyl phenyl ether	µg/L	<1-<5	<5	<1
73	Chrysene	µg/L	<0.0031-<0.0056	0.0056	<0.0031
74	Dibenzo[a,h]anthracene	µg/L	<0.006-0.014	0.014	<0.006
75	1,2-Dichlorobenzene	µg/L	<1-<2	<2	<1
76	1,3-Dichlorobenzene	µg/L	<1	<1	<1
77	1,4-Dichlorobenzene	µg/L	<1	<1	<1
78	3,3'-Dichlorobenzidine	µg/L	<5	<5	<5
79	Diethyl phthalate	µg/L	<1-<2	<2	<1
80	Dimethyl phthalate	µg/L	<1-<2	<2	<1
81	Di-n-butyl phthalate	µg/L	<1-<10	<10	<1
82	2,4-Dinitrotoluene	µg/L	<1-<5	<5	<1
83	2,6-Dinitrotoluene	µg/L	<1-<5	<5	<1
84	Di-n-octyl phthalate	µg/L	<1-<10	<10	<1
85	1,2-Diphenylhydrazine	µg/L	<1	<1	<1

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CTR#	Constituent	Unit	Average	Maximum	Minimum
86	Fluoranthene	µg/L	<1	<1	<1
87	Fluorene	µg/L	<1-<10	<10	<1
88	Hexachlorobenzene	µg/L	<1	<1	<1
89	Hexachlorobutadiene	µg/L	<1	<1	<1
90	Hexachlorocyclopentadiene	µg/L	<5	<5	<5
91	Hexachloroethane	µg/L	<1	<1	<1
92	Indenof[1,2,3-cd]pyrene	µg/L	<0.006-0.016	0.016	<0.006
93	Isophorone	µg/L	<1	<1	<1
94	Naphthalene	µg/L	<1	<1	<1
95	Nitrobenzene	µg/L	<1	<1	<1
96	N-Nitrosodimethylamine (NDMA)	µg/L	<1-<5	<5	<1
97	N-Nitrosodi-n-propylamine	µg/L	<1-<5	<5	<1
98	N-Nitrosodiphenylamine	µg/L	<1	<1	<1
99	Phenanthrene	µg/L	<1-<5	<5	<1
100	Pyrene	µg/L	<1-<10	<10	<1
101	1,2,4-Trichlorobenzene	µg/L	<1-<5	<5	<1
102	Aldrin	µg/L	<0.01	<0.01	<0.01
103	alpha-BHC	µg/L	<0.01	<0.01	<0.01
104	beta-BHC	µg/L	<0.01	<0.01	<0.01
105	gamma-BHC (Lindane)	µg/L	<0.01-0.01	0.01	<0.01
106	delta-BHC	µg/L	<0.01	<0.01	<0.01
107	Chlordane	µg/L	<0.05	<0.05	<0.05
108	4,4-DDT	µg/L	<0.01	<0.01	<0.01
109	4,4-DDE	µg/L	<0.01	<0.01	<0.01
110	4,4-DDD	µg/L	<0.01	<0.01	<0.01
111	Dieldrin	µg/L	<0.01	<0.01	<0.01
112	alpha-Endosulfan	µg/L	<0.01	<0.01	<0.01
113	beta-Endosulfan	µg/L	<0.01	<0.01	<0.01
114	Endosulfan sulfate	µg/L	<0.1	<0.1	<0.1
115	Endrin	µg/L	<0.01	<0.01	<0.01
116	Endrin aldehyde	µg/L	<0.04	<0.04	<0.04
117	Heptachlor	µg/L	<0.01	<0.01	<0.01
118	Heptachlor epoxide	µg/L	<0.01	<0.01	<0.01
	Polychlorinated biphenyls (PCBs)				
119	Aroclor 1016	µg/L	<0.1	<0.1	<0.1
120	Aroclor 1221	µg/L	<0.1	<0.1	<0.1
121	Aroclor 1232	µg/L	<0.1	<0.1	<0.1
122	Aroclor 1242	µg/L	<0.1	<0.1	<0.1
123	Aroclor 1248	µg/L	<0.1	<0.1	<0.1
124	Aroclor 1254	µg/L	<0.05	<0.05	<0.05
125	Aroclor 1260	µg/L	<0.1	<0.1	<0.1
126	Toxaphene	µg/L	<0.5	<0.5	<0.5
	Methoxychlor	µg/L	<0.01	<0.01	<0.01

Table 1 - 2002 Annual Summary Effluent Monitoring Summary					
CTR#	Constituent	Unit	Average	Maximum	Minimum
	2,4-D	µg/L	<2-<2.2	<2.2	<2
	2,4,5-TP	µg/L	<0.5-<0.54	<0.54	<0.5

18. The Discharger's effluent demonstrated chronic toxicity during the last permit cycle. Based on this information, the Regional Board has determined that there is a reasonable potential that the discharge will cause toxicity in the receiving water. However, 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 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 Board adopted Order No. WQO 2003-0012, deferring the issue of numeric chronic toxicity effluent limitations until Phase II of the SIP is adopted. In the mean time, the State 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 chronic toxicity effluent limitation. This Order also contains a reopener to allow the Regional Board to modify the permit, if necessary, consistent with any new policy, law, or regulation.

#### APPLICABLE PLANS, POLICIES AND REGULATIONS

19. **Federal Clean Water Act** - Section 301(a) of the federal Clean Water Act (CWA) requires that point source discharges of pollutants to a water of the United States must be done in conformance with a NPDES permit. NPDES permits establish effluent limitations that incorporate various requirements of the CWA designed to protect water quality. CWA section 402 authorizes the USEPA or States with an approved NPDES program to issue NPDES permits. The State of California has an approved NPDES program.
20. **Basin Plan** - The Regional Board adopted a revised *Water Quality Control Plan for the Los Angeles Region: Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan) on June 13, 1994, and amended by various Regional Board resolutions. This updated and consolidated plan represents the Board's master quality control planning document and regulations. The State Water Resources Control Board (State Board) and the State of California Office of Administrative Law (OAL) approved the revised Basin Plan on November 17, 1994, and February 23, 1995, respectively. On May 26, 2000, the USEPA approved the revised Basin Plan except for the implementation plan for potential municipal and domestic supply (MUN) designated water bodies, which is not applicable to this discharge.

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 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 Board, the Office of Administrative Law, and USEPA

on April 30, 2003, June 5, 2003, and June 19, 2003, respectively, and are now in effect. The final effluent limitations for ammonia prescribed in this Order are based on the revised ammonia criteria (see Attachment H) and apply at the end of pipe.

The Basin Plan (i) designates beneficial uses for surface and groundwater, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated (existing and potential) beneficial uses and conform to the State's antidegradation policy, and (iii) includes implementation provisions, programs, and policies to protect all waters in the Region. In addition, the Basin Plan incorporates (by reference) all applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations. The 1994 Basin Plan was prepared to be consistent with all State and Regional Board plans and policies adopted in 1994 and earlier. This Order implements the plans, policies, and provisions of the Board's Basin Plan.

21. **Sources of Drinking Water Policy** - On May 19, 1988, the State Water Resources Control Board (State Board) adopted Resolution No. 88-63, *Sources of Drinking Water (SODW) Policy*, which established a policy that all surface and ground waters, with limited exemptions, are suitable or potentially suitable for municipal and domestic supply. To be consistent with State Board's SODW policy, on March 27, 1989, the Regional Board adopted Resolution No. 89-03, *Incorporation of Sources of Drinking Water Policy into the Water Quality Control Plans (Basin Plans) – Santa Clara River Basin (4A)/ Los Angeles River Basin (4B)*.
22. **Potential Municipal and Domestic Supply (P\* MUN)**. Consistent with Regional Board Resolution No. 89-03 and State Board Resolution No. 88-63, in 1994 the Regional Board conditionally designated all inland surface waters in Table 2-1 of the 1994 Basin Plan as existing, intermittent, or potential for Municipal and Domestic Supply (MUN). However, the conditional designation in the 1994 Basin Plan included the following implementation provision: "no new effluent limitations will be placed in Waste Discharge Requirements as a result of these [potential MUN designations made pursuant to the SODW policy and the Regional Board's enabling resolution] until the Regional Board adopts [a special Basin Plan Amendment that incorporates a detailed review of the waters in the Region that should be exempted from the potential MUN designations arising from SODW policy and the Regional Board's enabling resolution]." On February 15, 2002, the USEPA clarified its partial approval (May 26, 2000) of the 1994 Basin Plan amendments and acknowledged that the conditional designations do not currently have a legal effect, do not reflect new water quality standards subject to USEPA review, and do not support new effluent limitations based on the conditional designations stemming from the SODW Policy until a subsequent review by the Regional Board finalizes the designations for these waters. This permit is designed to be consistent with the existing Basin Plan.
23. **State Implementation Plan (SIP) and California Toxics Rule (CTR)** - The State Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (also known as the State Implementation Plan or SIP) on March 2, 2000. The SIP was amended by Resolution No. 2000-30, on April 26, 2000, and the Office of Administrative Law approved the SIP on April 28, 2000. The SIP applies to discharges of toxic pollutants in the inland surface waters, enclosed bays and

estuaries of California which are subject to regulation under the State's Porter-Cologne Water Quality Control Act (Division 7 of the Water Code) and the Federal Clean Water Act (CWA). This policy also establishes the following:

- a. Implementation provisions for priority pollutant criteria promulgated by USEPA through the California Toxics Rule (CTR) and for priority pollutant objectives established by Regional Water Quality Control Boards in their water quality control plans (Basin Plans);
- b. Monitoring requirements for priority pollutants with insufficient data to determine reasonable potential;
- c. Monitoring requirements for 2, 3, 7, 8 – TCDD equivalents; and,
- d. Chronic toxicity control provisions.

The CTR became effective on May 18, 2000 (codified as 40 CFR, Part 131.38). Toxic pollutant limits are prescribed in this Order to implement the CTR and Basin Plan.

In the CTR, USEPA promulgated criteria that protects the general population at an incremental cancer risk level of one in a million ( $10^{-6}$ ), for all priority toxic pollutants regulated as carcinogens. USEPA recognizes that adoption of a different risk factor is outside of the scope of the CTR. However, states have the discretion to adopt water quality criteria that result in a higher risk level, if it can demonstrate that the chosen risk level is adequately protective of the most highly exposed subpopulation, and has completed all necessary public participation. This demonstration has not happened in California. Further, the information that is available on highly exposed subpopulations in California supports the need to protect the general population at the  $10^{-6}$  level. The Discharger may undertake a study, in accordance with the procedures set forth in Chapter 3 of USEPA's Water Quality Standards Handbook: Second Edition (EPA-823-B-005a, August 1994) to demonstrate that a different risk factor is more appropriate. Upon completion of the study, the State Board will review the results and determine if the risk factor needs to be changed. In the mean time, the State will continue using a  $10^{-6}$  risk level, as it has done historically, to protect the population against carcinogenic pollutants.

24. **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 Clean Water Act (CWA) purposes (40 CFR 131.21, 65 FR 24641, April 27, 2000). Under USEPA's new regulation (also known as the *Alaska rule*), new and revised standards submitted to USEPA after May 30, 2000, must be approved 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 EPA.
25. **Beneficial Uses** - The Basin Plan contains water quality objectives and beneficial uses for the Santa Clara River and its contiguous waters.

A. The beneficial uses of the receiving surface water are:

Santa Clara River - Hydrologic Unit 403.51	
Existing:	industrial service, industrial process, and agriculture supply; groundwater recharge; freshwater replenishment; water contact and non-contact water recreation; rare, threatened, or endangered species; warm freshwater, wildlife, and wetland <sup>[1]</sup> habitat.
Potential:	municipal and domestic supply <sup>[2]</sup>
Santa Clara River - Hydrologic Unit 403.41	
Existing:	industrial service, industrial process, and agriculture supply; groundwater recharge; freshwater replenishment; water contact and non-contact water recreation; rare, threatened, or endangered species; migration of aquatic organisms; warm freshwater, wildlife, and wetland <sup>[1]</sup> habitat.
Potential:	municipal and domestic supply <sup>[2]</sup>
Santa Clara River - Hydrologic Unit 403.31	
Existing:	industrial service, industrial process, and agriculture supply; groundwater recharge; freshwater replenishment; water contact <sup>[3]</sup> and non-contact water recreation; rare, threatened, or endangered species; migration of aquatic organisms; warm freshwater, wildlife, and wetland <sup>[1]</sup> habitat.
Potential:	municipal and domestic supply <sup>[2]</sup>
Santa Clara River - Hydrologic Unit 403.21	
Existing:	industrial service, industrial process, and agriculture supply; groundwater recharge; freshwater replenishment; water contact <sup>[3]</sup> and non-contact water recreation; rare, threatened, or endangered species; migration of aquatic organisms; warm freshwater, wildlife, and wetland <sup>[1]</sup> habitat.
Potential:	municipal and domestic supply <sup>[2]</sup>
Santa Clara River - Hydrologic Unit 403.11	
Existing:	industrial service, industrial process, and agriculture supply; groundwater recharge; freshwater replenishment; water contact and non-contact water recreation; rare, threatened, or endangered species; migration of aquatic organisms; warm and cold freshwater, wildlife, and wetland <sup>[1]</sup> habitat.
Potential:	municipal and domestic supply <sup>[2]</sup>
Santa Clara River Estuary - Hydrologic Unit 403.11	
Existing:	navigation, water contact and non-contact water recreation; commercial and sport fishing; estuary, marine, wildlife, and wetland <sup>[1]</sup> habitat; rare, threatened, or endangered species <sup>[4]</sup> ; migration of aquatic organisms <sup>[5]</sup> ; spawning, reproduction, and/or early development <sup>[5]</sup> .

Footnote:

[1]. This wetland habitat may be associated with only a portion of the waterbody. Any regulatory action would require a detailed analysis of the area.

- [2]. Municipal and domestic supply uses were designated for the State Water Resources Control Board Order No. 88-63 and Regional Board Resolution No. 89-003.
- [3]. The Los Angeles County Department of Public Works posted signs prohibiting access to the stream. However, there is public access to the Santa Clara River and its tributaries through the bike trails that run parallel to the stream. The public has been observed fishing and wading across sections of the river. There is a public contact in the downstream areas; hence, the quality of treated wastewater discharged to the Santa Clara River must be such that no health hazard is created.
- [4]. One or more rare species utilize estuary and coastal wetlands for foraging and/or nesting.
- [5]. Aquatic organisms utilize estuary and coastal wetland, to a certain extent, for spawning and early development. This may include migration into areas, which are heavily influenced by freshwater inputs.

B. The beneficial uses of the receiving groundwater are:

Eastern Santa Clara – DWR Basin No. <sup>[1]</sup> 4-4.07	
South Fork	
Existing:	municipal and domestic supply, industrial service supply, industrial process supply, and agriculture supply
Potential:	None
Placerita Canyon	
Existing:	municipal and domestic supply, industrial service supply, industrial process supply, and agriculture supply
Potential:	None
Santa Clara-Bouquet and San Francisquito Canyons	
Existing:	municipal and domestic supply, industrial service supply, industrial process supply, and agriculture supply
Potential:	None
Castaic Valley	
Existing:	municipal and domestic supply, industrial service supply, industrial process supply, and agriculture supply
Potential:	None
Saugus Aquifer	
Existing:	municipal and domestic supply
Potential:	None
Ventura Central – DWR Basin No. <sup>[1]</sup> 4-4	
Santa Clara – Lower area east of Piru Creek	
Existing:	municipal and domestic supply, industrial service supply, industrial process supply, and agriculture supply
Potential:	None

Santa Clara – Lower area west of Piru Creek	
Existing:	municipal and domestic supply, industrial service supply, industrial process supply, and agriculture supply
Potential:	None
Santa Clara – Upper Sespe area	
Existing:	industrial service supply, and agriculture supply
Potential:	municipal and domestic supply, and industrial process supply
Santa Clara – Fillmore area: Pole Creek Fan area	
Existing:	municipal and domestic supply, industrial service supply, industrial process supply, and agriculture supply
Potential:	None
Santa Clara – Fillmore area: South side of Santa Clara River	
Existing:	municipal and domestic supply, industrial service supply, industrial process supply, and agriculture supply
Potential:	None
Santa Clara – Remaining Fillmore area	
Existing:	municipal and domestic supply, industrial service supply, industrial process supply, agriculture supply, and aquaculture
Potential:	None
Santa Clara – Santa Paula area: East of Peck Road	
Existing:	municipal and domestic supply, industrial service supply, industrial process supply, and agriculture supply
Potential:	None
Santa Clara – Santa Paula area: West of Peck Road	
Existing:	municipal and domestic supply, industrial service supply, industrial process supply, and agriculture supply
Potential:	None
Oxnard Plain – Oxnard Forebay	
Existing:	municipal and domestic supply, industrial service supply, industrial process supply, and agriculture supply
Potential:	None
Oxnard Plain – Confined aquifers	
Existing:	municipal and domestic supply, industrial service supply, industrial process supply, and agriculture supply
Potential:	None
Oxnard Plain – Unconfined and perched aquifers	
Existing:	municipal and domestic supply, and agriculture supply
Potential:	industrial service supply

Footnote:

[1]. Basins are numbered according to DWR Bulletin No. 118-80 (DWR, 1980).

- C. The requirements in this Order are intended to protect designated beneficial uses and enhance the water quality of the watershed. Effluent limits must protect both existing and potential beneficial uses.
- D. Consistent with Regional Board Resolution No. 89-03 and State Board Resolution No. 88-63, all inland surface waters in Table 2-1 of the 1994 Basin Plan are designated existing, intermittent, or potential for Municipal and Domestic Supply (MUN).
26. **Title 22 of the California Code of Regulations** - The California Department of Health Services established primary and secondary maximum contaminant levels (MCLs) for inorganic, organic, and radioactive contaminants in drinking water. These MCLs are codified in Title 22, California Code of Regulations (Title 22). The Basin Plan (Chapter 3) incorporates Title 22 primary MCLs by reference. This incorporation by reference is prospective including future changes to the incorporated provisions as the changes take effect. Title 22 primary MCLs have been used as bases for effluent limitations in WDRs and NPDES permits to protect the groundwater recharge beneficial use when that receiving groundwater is designated as MUN. Also, the Basin Plan specifies that "Ground waters shall not contain taste or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses." Therefore the secondary MCL's, which are limits based on aesthetic, organoleptic standards, are also incorporated into this permit to protect groundwater quality.
27. **Antidegradation Policy** - On October 28, 1968, the State Board adopted Resolution No. 68-16, *Maintaining High Quality Water*, which established an antidegradation policy for State and Regional Boards. The State Board has, in State 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 CFR, Section 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. The provisions of this Order are consistent with the antidegradation policies.
28. **Watershed Approach** - This Regional Board has been implementing a Watershed Management Approach (WMA), to address water quality protection in the Los Angeles Region, as detailed in the Watershed Management Initiative (WMI). The WMI is designed to integrate various surface and ground water regulatory programs while promoting cooperative, collaborative efforts within a watershed. It is also designed to focus limited resources on key issues and use sound science. Information about the Santa Clara River Watershed and other watersheds in the region can be obtained from the Regional Board's web site at <http://www.swrcb.ca.gov/rwqcb4/> and clicking on the word "Watersheds".

Pursuant to this Regional Board's watershed initiative framework, the Santa Clara River Watershed Management Area was the targeted watershed for fiscal year 1999-2000. However, the NPDES permit renewals were re-scheduled for the 2003-2004 fiscal year so that provisions of the CTR and SIP could be incorporated into the permits.

## REGULATORY BASES FOR EFFLUENT AND DISCHARGE REQUIREMENTS

29. ***Water Quality Objectives and Effluent Limits*** - *Water* Quality Objectives (WQOs) and effluent limitations in this permit are based on:

- A. Applicable State Regulations/Policies/Guidances
  - a. The plans, policies and water quality standards (beneficial uses + objectives + antidegradation policy) contained in the 1994 *Water Quality Control Plan, Los Angeles Region: Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties*, as amended, including chemical constituent limitations established by incorporating the California Code of Regulations, title 22, maximum contaminant levels designed to protect the existing drinking water use of the receiving groundwaters;
  - b. California Toxics Rule (40 CFR 131.38);
  - c. The State Board's "Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California" (the State Implementation Plan or SIP);
  - d. Administrative Procedures Manual and Administrative Procedure Updates;
- B. Applicable Federal Regulations/Policies/Guidances
  - a. Federal Clean Water Act;
  - b. 40 CFR, Parts 122, 131, among others;
  - c. Best professional judgment (pursuant to 40 CFR 122.44);
  - d. USEPA Regions 9 & 10 Guidance for Implementing Whole Effluent Toxicity Programs Final May 31, 1996;
  - e. USEPA Whole Effluent Toxicity (WET) Control Policy July 1994;
  - f. Inspectors Guide for Evaluation of Municipal Wastewater Treatment Plants, April 1979 (EPA/430/9-79-010);
  - g. Fate of Priority Pollutants in Publicly Owned Treatment Works Pilot Study October 1979 (EPA-440/1-79-300);
  - h. *Technical Support Document for Water Quality Based Toxics Control*, March 1991 (EPA-505/ 2-90-001); and,

- i. *U.S. EPA NPDES Permit Writers' Manual*, December 1996 (EPA-833-B-96-003).

Where numeric water quality objectives have not been established in the Basin Plan, 40 CFR, Part 122.44(d) specifies that water quality based effluent limits may be set based on USEPA criteria and supplemented where necessary by other relevant information to attain and maintain narrative water quality criteria to fully protect designated beneficial uses.

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

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

31. **Maximum Daily Effluent Limitations** - Pursuant to 40 CFR, Section 122.45(d)(2), for POTWs continuous discharges, all permit effluent limitations, standards, and prohibitions, including those necessary to achieve water quality standards, shall, unless impracticable, be stated as average weekly and average monthly discharge limitations. It is impracticable to only include average weekly and average monthly effluent limitations in the permits, because a single daily discharge of certain pollutants, in excess amounts, can cause violations of water quality objectives. The effects of certain pollutants on aquatic organisms are often rapid. For many pollutants, an average weekly or average monthly effluent limitation alone is not sufficiently protective of beneficial uses. As a result, maximum daily effluent limitations, as referenced in 40 CFR, Section 122.45(d)(1), are included in the permit for certain constituents as discussed in the Fact Sheet accompanying this Order.
32. **Pretreatment** - Pursuant to 40 CFR, Section 403, the CSDLAC developed and has been implementing an approved industrial wastewater Pretreatment Program. This Order requires the CSDLAC to continue the implementation of the approved Pretreatment Program and modifications thereof.
33. **Sludge Disposal** - To implement CWA Section 405(d), on February 19, 1993, the USEPA promulgated 40 CFR, 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 CSDLAC to comply with said regulations that are enforceable by USEPA, because California has not been delegated the authority to implement this program.

34. **Storm Water Management** - CWA section 402(p), as amended by the Water Quality Act of 1987, requires NPDES permits for storm water discharges. Pursuant to this requirement, in 1990, USEPA promulgated 40 CFR, Section 122.26 that established requirements for storm water discharges under an NPDES program. To facilitate compliance with federal regulations, on November 1991, the State Board issued a statewide general permit, *General NPDES Permit No. CAS000001 and Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities*. This permit was amended in September 1992 and reissued on April 17, 1997 in State 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 Valencia WRP's premises. On June 4, 1992, the CSDLAC filed a Notice of Intent to comply with the requirements of the general permit. CSDLAC developed and currently implements a Storm Water Pollution Prevention Plan (SWPPP), to comply with the State Board's Order No. 97-03-DWQ.

35. **Clean Water Act Effluent Limitations** - Numeric and narrative effluent limitations are established pursuant to Section 301 (Effluent Limitations), Section 302 (Water Quality-Related Effluent Limitations), Section 303 (Water Quality Standards and Implementation Plans), Section 304 (Information and Guidelines [Effluent]), Section 305 (Water Quality Inventory), Section 307 (Toxic and Pretreatment Effluent Standards), and Section 402 (NPDES) of the CWA. The CWA and amendments thereto are applicable to the discharges herein.
36. **Antibacksliding Policies** - Antibacksliding provisions are contained in Sections 303(d)(4) and 402(o) of the CWA and in 40 CFR, Section 122.44(l). Those provisions require a reissued permit to be as stringent as the previous permit with some exceptions. Section 402(o)(2) outlines six exceptions where effluent limitations may be relaxed.
37. **Applicable Water Quality Objectives** - 40 CFR, Section 122.44(d)(vi)(A) requires the establishment of numeric effluent limitations to attain and maintain applicable narrative water quality criteria to protect the designated beneficial use.

The Basin Plan includes narrative and numeric Water Quality Objectives (WQOs). The CTR promulgates numeric aquatic life criteria for 23 toxic pollutants and numeric human health criteria for 57 toxic pollutants. A compliance schedule provision in the CTR and the SIP authorizes the State to issue schedules of compliance for new or revised NPDES permit limits based on the federal CTR criteria when certain conditions are met. Where numeric water quality objectives have not been established in the Basin Plan, 40 CFR, Section 122.44(d) specifies that WQBELs may be set based on USEPA criteria and supplemented, where necessary, by other relevant information to attain and maintain narrative water quality criteria to fully protect designated beneficial uses.

38. **Types of Pollutants** - For CWA regulatory purposes, pollutants are grouped into three general categories under the NPDES Program: conventional, toxic, and non-conventional. By definition, there are five conventional pollutants (listed in 40 CFR 401.16) – 5-day biochemical oxygen demand, total suspended solids, fecal coliform, pH, and oil and grease. Toxic or “priority” pollutants are those defined in Section 307(a)(1) of the CWA (and listed in 40 CFR 401.12 and 40 CFR 423, Appendix A) and include heavy metals and organic compounds. Non-conventional pollutants are those which do not fall under either of the two previously described categories and include such parameters as ammonia, phosphorous, chemical oxygen demand, whole effluent toxicity, etc.
39. **Technology-Based Limits for Municipal Facilities (POTWs)** - Technology-based effluent limits require a minimum level of treatment for industrial/municipal point sources based on currently available treatment technologies while allowing the Discharger to use any available control techniques to meet the effluent limits. The 1972 CWA required POTWs to meet performance requirements based on available wastewater treatment technology. Section 301 of the CWA established a required performance level—referred to as “secondary treatment”—that all POTWs were required to meet by July 1, 1977. More specifically, Section 301(b)(1)(B) of the CWA required that USEPA develop secondary treatment standards for POTWs as defined in Section 304(d)(1). Based on this statutory requirement, USEPA developed national secondary treatment regulations, which are specified in 40 CFR 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.
40. **Water Quality Based Effluent Limits (WQBELs)** - Water quality-based effluent limits are designed to protect the quality of the receiving water by ensuring that State water quality standards are met by discharges from an industrial/municipal point source. If, after technology-based effluent limits are applied, a point source discharge will cause, have the reasonable potential to cause, or contribute to an exceedance of an applicable water quality criterion, then 40 CFR 122.44(d)(1) requires that the permit contain a WQBEL. Although the CWA establishes explicit technology-based requirements for POTWs, Congress did not exempt POTWs from additional regulation to protect water quality standards. As a result, POTWs are also subject to WQBELs. This was upheld by the Appellate Court in *the City of Burbank, City of Los Angeles v. State Water Resources Control Board* case. Applicable water quality standards for the Santa Clara River are contained in the Basin Plan and CTR, as described in previous findings.
41. **Water Quality Based Effluent Limitations for Toxic Pollutants** - Toxic substances are regulated in this permit by water quality based effluent limitations derived from the 1994 Basin Plan, the CTR, and/or best professional judgment (BPJ) pursuant to Part 122.44. If a discharge causes, has a reasonable potential to cause, or contribute to a receiving water excursion above a narrative or numeric objective within a State water quality standard, federal law and regulations, as specified in 40 CFR 122.44(d)(1)(i), and in part, the SIP, require the establishment of WQBELs that will protect water quality. As documented in the Fact Sheet, pollutants exhibiting reasonable potential in the discharge, authorized in this Order, are identified in the Reasonable Potential Analysis (RPA) section and have final

effluent limits. Reasonable potential was not triggered for some of the 126 priority pollutants and final limits cannot be determined at this time. The Discharger is required to gather the appropriate data and the Regional Board will determine if final effluent limits are needed. If final limits are needed, the permit will be reopened and limits will be included in the permit.

42. **Basis for Effluent Limits for 303(d) Listed Pollutants** - For 303(d) listed pollutants, the Regional Board plans to develop and adopt total maximum daily loads (TMDLs) which will specify wasteload allocations (WLAs) for point sources and load allocations (LA) for non-point sources, as appropriate. Following the adoption of TMDLs by the Regional Board, NPDES permits will be issued, and where appropriate, reopened to include effluent limits consistent with the assumptions of the TMDL, based on applicable WLAs. In the absence of a TMDL, the permits will include water quality-based effluent limitations derived as provided in the CTR and SIP (if applicable). These effluent limits are based on criteria applied end-of-pipe due to no mixing zone or dilution credits allowed.
43. **303(d) Listed Pollutants** - On July 25, 2003, USEPA approved the State's most recent list of impaired waterbodies. The list (hereinafter referred to as the 303(d) list) was prepared in accordance with Section 303(d) of the Federal Clean Water Act to identify specific impaired waterbodies where water quality standards are not expected to be met after implementation of technology-based effluent limitations on point sources.

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

- A. Santa Clara River Estuary: Chem A, High Coliform Count, Toxaphene;
- B. Santa Clara River Reach 3 (Freeman Diversion to A Street): Ammonia, Chloride, Total Dissolved Solids;
- C. Santa Clara River Reach 7 (Blue Cut to West Pier Hwy 99 Bridge): Chloride, High Coliform Count, Nitrate and Nitrite;
- D. Santa Clara River Reach 8 (W. Pier Hwy 99 to Bouquet Canyon Rd. Bridge) -- Hydrologic Unit 403.51: Chloride and High Coliform Count; and,
- E. Santa Clara River Reach 9 (Bouquet Canyon Rd to above Lang Gaging) -- Hydrologic Unit 403.51: High Coliform Count.

The Regional Board revised the 303(d) list in 2002 and submitted the draft to the State Board for approval. The State Board had scheduled the draft 303(d) list, dated October 15, 2002, for approval at two of its meetings, however the item was postponed to hold additional workshops and to allow more time for the public to submit comments. The draft 303(d) list dated October 15, 2002, was revised on January 13, 2003, based on comments received. The draft 303(d) list, dated January 13, 2003, was adopted by the State Board

at its February 4, 2003 meeting. The adopted 303(d) list was approved by USEPA on July 25, 2003.

44. **Relevant Total Maximum Daily Loads** - A Total Maximum Daily Load (TMDL) is a determination of the amount of a pollutant, from point, nonpoint, and natural background sources, including a margin of safety, which 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 CFR, 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. The Regional Board has developed a TMDL that assesses the extent and sources of the ammonia and algae (nutrient/nitrogen) problems in the Santa Clara River. According to the TMDL schedule, under the amended consent decree, *Heal the Bay, Santa Monica Bay Keeper, et al. v. Browner, et al.* (March 23, 1999), the nitrogen and chloride TMDLs for the Santa Clara River must be completed by 2004 and 2003, respectively. The coliform TMDL is scheduled for completion by 2006.

**Chloride TMDL** - On October 24, 2002, the Regional Board adopted Resolution No. 2002-018, Amendment to the Basin Plan for the Los Angeles Region to Incorporate a Total Maximum Daily Load to Reduce Chloride Loading in the Upper Santa Clara River. Soon after, the Regional Board submitted the TMDL to the State Board for approval. On February 19, 2003, the State Board adopted Resolution No. 2003-0014, the "Remand Resolution," finding that the Regional Board staff prepared the documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act, scientific peer review, and other State laws and regulations to develop a TMDL. However, the Remand Resolution directed the Regional Board to consider revising the implementation provisions of the chloride TMDL. On July 10, 2003, the Regional Board reconsidered Resolution No. 2002-018, in light of the Remand Resolution, and adopted Resolution No. 2003-008 which modified the chloride TMDL implementation provisions by:

- a. Expanding the phased-TMDL approach to allow CSDLAC to complete the implementation tasks sequentially and within 13 years;
- b. Extending the interim limits beyond the proposed two and a half years but not to exceed 13 years, so that the interim limits may remain in effect during the planning, construction, and execution portions of the TMDL's implementation tasks; and,
- c. Modifying the TMDL analysis task list to include an assessment/ evaluation of alternative water supplies for agricultural beneficial uses.

The TMDL is awaiting final approvals from the State Board, the Office of Administrative Law, and U.S.EPA. Subsequent to the effective date of the chloride TMDL, this Order or its successors may be reopened and modified to include effluent limits that will be consistent with the waste load allocations and other provisions in the chloride TMDL, as necessary.

**Nitrogen Compounds TMDL.** On August 7, 2003, the Regional Board adopted Resolution No. 2003-011, Amendment to the Basin Plan for the Los Angeles Region to Include a TMDL for Nitrogen Compounds in the Santa Clara River (*Nitrogen Compounds TMDL*). The TMDL is awaiting State Board, OAL, and USEPA approval.

45. ***Mixing Zones and Dilution Credits*** - Mixing zones, dilution credits, and attenuation factors are not allowed in this Order. Allowance of a mixing zone is in the Regional Board's discretion under Section 1.4.2 of the SIP and under the Basin Plan (Basin Plan Chapter 4, page 30). If the Discharger subsequently conducts appropriate mixing zone and dilution credit studies, the Regional Board can evaluate the propriety of granting a mixing zone or establishing dilution credits. The Regional Board has concluded mixing zones and dilution credits would be inappropriate to grant, at this time, in light of the following factors:
- A. The Valencia WRP discharge contributes the largest flow (effluent dominated) into the Santa Clara River watershed in the vicinity of the discharge point where it overwhelms the receiving water providing very limited mixing and dilution;
  - B. Even in the absence of the Valencia WRP discharge, the receiving water primarily consists of nuisance flows and other effluents, limiting its assimilative capacity;
  - C. Several reaches of the Santa Clara River [including those subject to this Order] are 303(d) listed (i.e., impaired) for certain constituents;
  - D. Impaired waters do not have the capacity to assimilate pollutants of concern at concentrations greater than the applicable objective;
  - E. For the protection of the beneficial uses is listed on Finding 25;
  - F. Consistent with Antidegradation Policies;
  - G. Because a mixing zone study has not been conducted; and,
  - H. Because hydrologic models of the discharge and the receiving waters have not been conducted.

On July 16, 2003, the State Board adopted Order No. WQO 2003-0009, directing Regional Board staff to work with CSDLAC, once data was provided, to determine whether dilution and attenuation are appropriate factors to consider in developing effluent limits to protect the GWR beneficial use, in the Whittier Narrows WRP NPDES permit. However, this does not apply to the Saugus or Valencia WRPs, because CSDLAC has not provided the necessary site-specific data or studies regarding the ground water basins in the Santa Clarita or Valencia areas.

46. Specific effluent limitations for each constituent contained in this order were developed in accordance with the foregoing laws, regulations, plans, policies, and guidance. The specific methodology and example calculations are documented in the Fact Sheet prepared by Regional Board staff that accompanies this Order.

#### **REASONABLE POTENTIAL ANALYSIS**

47. As specified in 40 CFR, Part 122.44(d)(1)(i), permits are required to include limits for all pollutants "which the Director (defined as the Regional Administrator, State Director, or

authorized representative in 40 CFR, Part 122.2) determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard.”

- A. Using the method described in the TSD, the Regional Board has conducted Reasonable Potential Analysis (RPA) for:
1. Chronic Toxicity - RPA was conducted for Chronic Toxicity (Table R2 of the accompanying Fact Sheet) using the discharger's effluent data from their ROWD and annual self monitoring reports. Chronic Toxicity effluent data is summarized in Table C1 of the accompanying Fact Sheet. The RPA compares the effluent data with USEPA's 1 TUc water quality criteria. The Discharger's effluent demonstrated Chronic Toxicity during the last permit cycle. Based on this information, the Regional Board has determined that there is a reasonable potential that the discharge will cause toxicity in the receiving water and, consistent with SIP section 4, the Order contains a ~~numeric~~ narrative effluent limitation for Chronic Toxicity. The circumstances warranting a numeric Chronic Toxicity effluent limitation were reviewed by the State Water Resources Control Board (State Board) in SWRCB/OCC Files A-1496 & A-1496(a) [Los Coyotes/Long Beach Petitions]. On September 16, 2003, the State Board adopted Order No. WQO 2003-0012, deferring the numeric chronic toxicity effluent limitation issue until the adoption of Phase II of the SIP, and replaced the numeric chronic toxicity effluent limitation with a narrative effluent limitation for the time being.
  2. Ammonia and other Nitrogen Species – RPA was conducted for Ammonia, Nitrate plus Nitrite as Nitrogen, Nitrite Nitrogen, and MBAS (Table R2 of the accompanying Fact Sheet) using the Discharger's effluent data from their self monitoring reports. Ammonia, Nitrate plus Nitrite as Nitrogen, and Nitrite Nitrogen effluent data is summarized in Table A1 of the accompanying Fact Sheet. Temperature and pH effluent data is summarized in Table A2 of the accompanying Fact Sheet. The RPA compares the effluent data with the Basin Plan water quality objectives (WQOs). The Discharger's effluent exceeded the Basin Plan WQOs for Ammonia, Nitrate plus Nitrite as Nitrogen, and Nitrite Nitrogen, during the last permit cycle. Based on this information, the Regional Board has determined that there is a reasonable potential that the discharge will cause or contribute to an exceedance of the Basin Plan WQOs and, consistent with 40 CFR 122.44(d), the Order contains numeric effluent limitations for Ammonia, Nitrate plus Nitrite as Nitrogen, and Nitrite Nitrogen.
- B. Using the method described in the SIP, the Regional Board has conducted Reasonable Potential Analyses (RPA) for priority pollutants using the discharger's effluent data contained in Table D1 and Table D2. The RPA compares the effluent data with water quality objectives in the Basin Plan and CTR.
1. **Reasonable Potential Determination** - The RPA (per the SIP) involves identifying the observed maximum pollutant concentration in the effluent (MEC)

for each constituent based on the effluent concentration data. There are three tiers to determining reasonable potential. If any of the following three tiers is triggered, then reasonable potential exists:

- a. For the first tier, the MEC is compared with the lowest applicable Water Quality Objective (WQO), which has been adjusted for pH, hardness and translator data, if appropriate. If the MEC is greater than the (adjusted) WQO, then there is reasonable potential for the constituent to cause or contribute to an excursion above the WQO and a water quality-based effluent limitation (WQBEL) is required. However, if the pollutant was not detected in any of the effluent samples and all of the reported detection limits are greater than or equal to the WQO, proceed with Tier 2. The Regional Board exercised its discretion in identifying all available, valid, relevant, representative data and information in accordance with SIP Section 1.2 (page 8).
- b. For the second tier, if the MEC is less than the adjusted WQO, then the observed maximum ambient background concentration (B) for the pollutant is compared with the adjusted WQO. If B is greater than the adjusted WQO, then a WQBEL is required. If B is less than the WQO, then a limit is only required under certain circumstances to protect beneficial uses. If a constituent was not detected in any of the effluent samples and all of the detection limits are greater than or equal to the adjusted WQO, then the ambient background water quality concentration is compared with the adjusted WQO. The Regional Board exercised its discretion in identifying all available, applicable ambient background data in accordance with SIP Section 1.4.3 (page 16).
- c. For the third tier, other information is used to determine RPA, such as the current CWA 303(d) List. Section 1.3 of the SIP describes the type of information that can be considered in Tier 3.

For all parameters that have reasonable potential to cause or contribute to an exceedance of a WQO/criteria, numeric WQBELs are required. Section 1.4, Step 5 of the SIP (page 8) states that MDELs shall be used for publicly-owned treatment works (POTWs) in place of average weekly limitations. WQBELs are based on CTR, USEPA water quality criteria, and Basin Plan objectives.

If the data are unavailable or insufficient to conduct the RPA for the pollutant, or if all reported detection limits of the pollutant in the effluent are greater than or equal to the WQO, the Regional Board shall establish interim requirements, in accordance with Section 2.2.2. of the SIP, that require additional monitoring for the pollutant in place of a WQBEL. Upon completion of the required monitoring, the Regional Board shall use the gathered data to conduct RPA and determine if a WQBEL is required. However, if Tier 1 or Tier 3 triggered reasonable potential for a pollutant,

then the lack of receiving water data for Tier 2 evaluation would not prohibit the establishing of WQBELs in the permit.

A numerical limit has not been prescribed for a toxic constituent if it has been determined that it has no reasonable potential to cause or contribute to excursions of water quality standards. However, if the constituent had a limit in the previous permit, and if none of the Antibacksliding exceptions apply, then the limit will be retained. A narrative limit to comply with all water quality objectives is provided in *Standard Provisions* for the priority pollutants, which have no available numeric criteria.

2. **RPA Data** - . The RPA was based on effluent monitoring data for August 1995 through July 2003, including interim monitoring results from July 2001 to December 2002. Table R1 of the fact sheet summarizes the RPA, lists the constituents, and where available, the lowest, adjusted WQO, the MEC, the "Reasonable Potential" result, and the limits from the previous permit.

a. **Metals Water Quality Objective** - For metals, the lowest applicable Water Quality Objective (WQO) was expressed as total recoverable, and where applicable, adjusted for hardness. A spreadsheet (Table R3) was used to calculate the total recoverable CTR criteria. Hardness values from samples collected in the receiving water upstream of the discharge point were averaged and used to determine the appropriate CTR WQO for those hardness-dependent metals. However individual hardness values greater than 400 mg/L were capped at 400 prior to calculating the average hardness. This is consistent with the preamble to the CTR, contained in federal register Section E.f. *Hardness* (p.31692), 40 CFR Part 131.

**Interim Monitoring Requirements** - In accordance with the SIP, the Regional Board may impose interim monitoring requirements upon the Discharger, so that the Discharger obtains adequate ambient, background water data for priority pollutants upstream of the discharge point as well as suitable effluent data. The Executive Officer directed the Discharger to begin an interim monitoring program for the duration of 18 months, beginning July 2001. The Discharger collected the eighteen required samples and reported the results quarterly to the Regional Board. After additional information is gathered, Regional Board staff will conduct RPA once again, to determine if additional numeric limitations are necessary. Section 1.3, Step 8, of the SIP authorizes the Regional Board to use the gathered data to conduct RPA, as outlined in Steps 1 through 7, and determine if a water quality-based effluent limitation is required.

A reopener provision is included in this Order that allows the permit to be reopened to allow the inclusion of new numeric limitations for any constituent that exhibits reasonable potential to cause or contribute to exceedance of applicable water quality objectives.

For some priority pollutants, the applicable water quality objectives are below the levels that current technology can measure. Section 2.4.5 of the SIP discusses how compliance will be determined in those cases. The Discharger should work with the laboratory to lower detection levels to meet applicable and reliable detection limits; follow procedures set forth in 40 CFR, Part 136; and, report the status of their findings in the annual report. During the term of the permit, if and when monitoring with lowered detection limits shows any of the priority pollutants at levels exceeding the applicable WQOs, the Discharger will be required to initiate source identification and control for the particular pollutant. Appendix 4 of the SIP lists the minimum levels and laboratory techniques for each constituent.

- C. The numeric limitations contained in this Order are intended to protect and maintain existing and potential beneficial uses of the receiving waters. Environmental benefits provided by these limitations are reasonable and necessary.
  - D. Regional Board staff have determined that mercury, cyanide, and acrylonitrile showed the potential to exceed respective CTR objectives, and, therefore, require CTR-based effluent limitations.
48. The Order is consistent with State and Federal antidegradation policies in that it does not authorize a change in the quantity of treated wastewater discharged by the facility, nor does it authorize a change or relaxation in the manner or level of treatment. As a result, both the quantity and quality of the discharge are expected to remain the same consistent with antidegradation policies. The accompanying monitoring and reporting program requires continued data collection and if monitoring data show a reasonable potential for a constituent to cause or contribute to an exceedance of water quality standards, the permit will be reopened to incorporate appropriate WQBELs. Such an approach ensures that the discharge will adequately protect water quality standards for potential and existing uses and conforms with antidegradation policies and antibacksliding provisions.
49. **Pollutant Minimization Program** - The Discharger shall be required to conduct a Pollutant Minimization Program (PMP), in accordance with Section 2.4.5.1. of the SIP, when there is evidence that the priority pollutant is present in the effluent above an effluent limitation.

#### INTERIM REQUIREMENTS

50. **Acrylonitrile, Mercury and Cyanide** - Data submitted in previous self-monitoring reports indicated that acrylonitrile, mercury, and cyanide have been detected in the effluent, at least once, at a concentration greater than the limits prescribed in this Order. The Valencia WRP, therefore, may not be able to achieve consistent compliance with the CTR-based final effluent limits for acrylonitrile, mercury, and cyanide. CSDLAC has the option to conduct studies to obtain the necessary data to develop site-specific objectives for acrylonitrile, mercury and cyanide. Accordingly, CSDLAC shall prepare and submit a draft

workplan to the Regional Board for review and approval, prior to implementing the study, if they have optioned to conduct the study.

51. 40 CFR, Section 131.38(e) provides conditions under which interim effluent limits and compliance schedules may be issued, but the current Basin Plan only allows the inclusion of interim limits and compliance schedules in NPDES permits for effluent limits under special circumstances. The SIP allows inclusion of interim limits in NPDES permits for CTR-based priority pollutants. The CTR provides for a five-year maximum compliance schedule, while the SIP allows for longer, TMDL-based compliance schedule. However, the USEPA has yet to approve the longer compliance schedules. Therefore, this Order includes interim limits and compliance schedules for CTR-based priority pollutants limits for a maximum of five years, when the Discharger has been determined to have problems in meeting the new limits. This Order also includes a reopener to allow the Regional Board to grant TMDL-based compliance schedules if the USEPA approves the longer compliance schedule provisions of the SIP. For non-CTR-based limits (tetrachloroethylene, bis(2-ethylhexyl)phthalate, and p-dichlorobenzene) prescribed in this Order based on Basin Plan's WQO, for which the Discharger will not be able to meet immediately, interim limits and compliance dates are provided in the accompanying Time Schedule Order.

On January 30, 2003, the Regional Board adopted, *Resolution Amending the Water Quality Control Plan for the Los Angeles Region to Incorporate Language Authorizing Compliance Schedules in NPDES Permits*, which allows compliance schedules in NPDES permits for effluent limits that implement new, revised or newly interpreted water quality standards, or for effluent limits that implement TMDLs for new, revised or newly interpreted water quality standards. However, since the limits for tetrachloroethylene, bis(2-ethylhexyl)phthalate, and p-dichlorobenzene are neither new nor newly interpreted water quality standards, the Basin Plan Amendment for compliance schedules does not apply to the Valencia WRP's discharge.

52. In conformance with the CTR and the relevant provisions of SIP Section 2.1, the Discharger has submitted documentation that diligent efforts have been made to quantify pollutant levels in the discharge and the sources of the pollutants entering the POTW. In addition, the Discharger already has in place a source control and pollutant minimization approach through its existing pollutant minimization strategies and through the pretreatment program. The duration of interim requirements established in this Order was developed in coordination with Regional Board staff and the Discharger, and the proposed schedule is as short as practicable. The five-year compliance schedule is based on the maximum allowable compliance schedule. However, the Discharger anticipates it will take longer than five years to achieve the final limits.

## **CEQA AND NOTIFICATION**

53. The action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (Public Resources Code §21100, et. seq.) in accordance with California Water Code §13389.

54. The Regional Board has notified the Discharger and interested agencies and persons of its intent to renew waste discharge requirements for this discharge and has provided them with an opportunity to submit their written views and recommendations.
55. The Regional Board, in a public hearing, heard and considered all comments pertaining to the discharge and to the tentative requirements.
56. This Order shall serve as a National Pollutant Discharge Elimination System permit pursuant to Section 402 of the Federal Clean Water Act, or amendments thereto, and is effective 50 days (December 26, 2003) from the date of its adoption because of significant public comment, in accordance with federal law, provided the Regional Administrator, USEPA has no objections.
57. Pursuant to California Water Code Section 13320, any aggrieved party may seek review of this Order by filing a petition with the State Board. A petition must be sent to the State Water Resources Control Board, P.O. Box 100, Sacramento, California, 95812, within 30 days of adoption of the Order.

**IT IS HEREBY ORDERED** that the County Sanitation Districts of Los Angeles County, as the operator of the Valencia Water Reclamation Plant, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Federal Clean Water Act and regulations and guidelines adopted thereunder, shall comply with the following:

**I. DISCHARGE REQUIREMENTS**

**1. Effluent Limitations**

- A. Wastes discharged shall be limited to treated municipal and industrial wastewater, groundwater from dewatering activities, and dry weather urban runoff only, discharged from Serial No. 001 and 002, as proposed in the ROWD.
- B. The discharge of an effluent with constituents in excess of the following limits is prohibited:
  - a. Conventional and nonconventional pollutants for Discharge Nos. 001 and 002:

Constituent	Units	Discharge Limitations		
		Monthly Average <sup>[1]</sup>	Weekly Average <sup>[1]</sup>	Daily Maximum <sup>[2]</sup>
Settleable solids	ml/L	0.1	--	0.3
Suspended solids	mg/L	15	40	45
	lbs/day <sup>[3]</sup>	1600	4200	4700
Oil and grease	mg/L	10	--	15
	lbs/day <sup>[3]</sup>	1100	--	1600

Constituent	Units	Discharge Limitations		
		Monthly Average <sup>[1]</sup>	Weekly Average <sup>[1]</sup>	Daily Maximum <sup>[2]</sup>
BOD <sub>5@20°C</sub>	mg/L	20	30	45
	lbs/day <sup>[3]</sup>	2100	3200	4700
Total residual chlorine	mg/L	--	--	0.1 <sup>[4]</sup>
Total dissolved solids	mg/L	1000	--	--
	lbs/day <sup>[3]</sup>	105,000	--	--
Chloride	mg/L	100 <sup>[5]</sup>	--	--
	lbs/day <sup>[3]</sup>	10,500	--	--
	mg/L	--	--	100 <sup>[6]</sup>
	mg/L	187 <sup>[7]</sup>	--	196 <sup>[7]</sup>
Sulfate	mg/L	400	--	--
	lbs/day <sup>[3]</sup>	42,000	--	--
Boron	mg/L	1.5	--	--
	lbs/day <sup>[3]</sup>	160	--	--
Fluoride	mg/L	1.6	--	--
	lbs/day <sup>[3]</sup>	170	--	--
Detergents (as MBAS)	mg/L	0.5	--	--
	lbs/day <sup>[3]</sup>	50	--	--
Nitrate + Nitrite (as N)	mg/L	5 <sup>[8]</sup>	--	--
	lbs/day <sup>[3]</sup>	500	--	--
	mg/L	6.8 <sup>[9]</sup>	--	--
	mg/L	10 <sup>[10]</sup>	--	--
Nitrite (as N)	mg/L	1 <sup>[8]</sup>	--	--
	lbs/day <sup>[3]</sup>	105	--	--
		0.9 <sup>[9]</sup>	--	--
		1 <sup>[10]</sup>	--	--
Total ammonia (as N)	mg/L	[12]	--	[11]
	lbs/day <sup>[3]</sup>	[3]	--	[3]
	mg/L	1.75 <sup>[9]</sup>	--	5.2 <sup>[9]</sup>

Footnotes:

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

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

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

[3]. The mass emission rates are based on the existing plant design flow rate of 12.6 mgd, and are calculated as follows: Flow(MDG) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day. However, the design capacity will incrementally increase to 21.6 MGD, as the

phased plant upgrade approaches completion, by the fall 2004. The mass-based effluent limitation will accordingly be modified upon certification and approval of increased treatment plant capacity. During wet-weather storm events in which the flow exceeds the design capacity, the mass discharge rate limitations shall not apply, and concentration limitations will provide the only applicable effluent limitations.

- [4]. Total residual chlorine concentration excursions of up to 0.3 mg/L, at the point in treatment train immediately following dechlorination, shall not be considered violations of this requirement provided the total duration of such excursions do not exceed 15 minutes during any 24-hour period. Peaks in excess of 0.3 mg/L lasting less than one minute shall not be considered a violation of this requirement.
- [5] This is the water quality objective for chloride in the current Basin Plan. This effluent limitation applies immediately and will stay in effect until the Chloride TMDL for the Santa Clara River, Resolution No. 2002-018, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Include a TMDL for Chloride in the Santa Clara River (Chloride TMDL)*, is approved by USEPA (i.e., the effective date of the TMDL). At that time, the interim effluent limitation accompanying table footnote [7] will be effective. If U.S. EPA does not approve the *Chloride TMDL*, this effluent limitation will remain in effect until revised by the Regional Board.
- [6] This is the waste load allocation (WLA), according to the Chloride TMDL Resolution No. 2002-018, adopted by the Regional Board on October 24, 2002. The waste load allocation will ultimately serve as the effluent limitation for the discharge. This limit becomes effective after the USEPA approves the Chloride TMDL. If U.S. EPA does not approve the *Chloride TMDL*, this effluent limitation will not apply.
- [7] This is the interim limit according to the *Chloride TMDL* adopted by the Regional Board on October 24, 2002. This interim limit becomes effective when the USEPA approves the *Chloride TMDL* for the Santa Clara River and continues for the duration of the TMDL interim limit provisions. This interim limit will supercede the effluent limitation specified accompanying table footnote [5] and will remain in effect until superceded by the effluent limitation specified accompanying table footnote [6]. If U.S. EPA does not approve the *Chloride TMDL*, this effluent limitation will not apply.
- [8] This is the water quality objective for nitrate plus nitrite as nitrogen and nitrite nitrogen in the current Basin Plan. This effluent limitation applies immediately and will stay in effect until the Nutrient TMDL for the Santa Clara River, Resolution No. 2003-011, *Amendment to the Water Quality Control Plan for the Los Angeles Region to Include a TMDL for Nitrogen Compounds in the Santa Clara River (Nitrogen Compounds TMDL)*, is approved by USEPA (i.e., the effective date of the TMDL). At that time, the interim effluent limitation accompanying table footnote [10] will be effective. If U.S. EPA does not approve the *Nitrogen Compounds TMDL*, this effluent limitation will remain in effect until revised by the Regional Board.
- [9] This is the waste load allocation (WLA), according to the Nitrogen TMDL Resolution No. 2003-011, adopted by the Regional Board on August 7, 2003. The waste load allocation will ultimately serve as the effluent limitation for the discharge. This limit becomes effective after the USEPA approves the Nitrogen TMDL. If U.S. EPA does not approve the *Nitrogen TMDL*, this effluent limitation will not apply.
- [10] This is the interim limit according to the *Nitrogen TMDL* adopted by the Regional Board on August 7, 2003. This interim limit becomes effective when the USEPA approves the *Nitrogen TMDL* for the Santa Clara River and continues for the duration of the TMDL interim limit provisions. This interim limit will supercede the effluent limitation specified accompanying table footnote [8] and will remain in effect until superceded by the effluent limitation specified accompanying table footnote [9]. If U.S. EPA does not approve the *Nitrogen TMDL*, this effluent limitation will not apply.

[11]. The Discharger must comply with the updated ammonia water quality objectives in the Basin Plan, Table 3-1 (Attachment H) which resulted from Resolution No. 2002-011 adopted by the Regional Board on April 25, 2002.

For compliance with Criteria Maximum Concentration (CMC) in the Attachment H, the pH sample collected in the receiving water downstream of the discharge and the ammonia nitrogen sample collected in the effluent, shall be taken and reported at the same time. Should there be no receiving water present, the pH of the effluent at the end of pipe shall be determined and reported.

[12]. The Discharger must comply with the updated ammonia water quality objectives in the Basin Plan, Table 3-3 (Attachment H) which resulted from Resolution No. 2002-011 adopted by the Regional Board on April 25, 2002.

For compliance with Criteria Continuous Concentration (CCC) in the Attachment H, the pH and temperature samples collected in the receiving water downstream of the discharge and the ammonia nitrogen sample collected in the effluent, shall be taken and reported at the same time. Shall there be no receiving water present, the pH and temperature of the effluent at the end of pipe shall be determined and reported.

b. Toxic pollutants for Discharge Nos. 001 and 002:

CTR # <sup>[1]</sup>	Constituent	Units	Discharge Limitations	
			Monthly Average <sup>[2]</sup>	Daily Maximum
1	Antimony	µg/L	6	--
		lbs/day <sup>[5]</sup>	0.6	--
2	Arsenic	µg/L	50	--
		lbs/day <sup>[5]</sup>	5	--
8	Mercury <sup>[3, 4]</sup>	µg/L	0.051	0.10
		lbs/day <sup>[5]</sup>	0.0054	0.011
9	Nickel <sup>[3]</sup>	µg/L	100	--
		lbs/day <sup>[5]</sup>	10	--
10	Selenium	µg/L	50	--
		lbs/day <sup>[5]</sup>	5	--
13	Zinc <sup>[3]</sup>	µg/L	5000	--
		lbs/day <sup>[5]</sup>	500	--
14	Cyanide <sup>[4]</sup>	µg/L	4.1	8.9
		lbs/day <sup>[5]</sup>	0.43	0.93
18	Acrylonitrile <sup>[4]</sup>	µg/L	0.66	1.3
		lbs/day <sup>[5]</sup>	0.069	0.14
38	Tetrachloroethylene	µg/L	5	--
		lbs/day <sup>[5]</sup>	0.5	--
68	Bis(2-ethylhexyl)phthalate	µg/L	4	--
		lbs/day <sup>[5]</sup>	0.4	--

CTR # <sup>[1]</sup>	Constituent	Units	Discharge Limitations	
			Monthly Average <sup>[2]</sup>	Daily Maximum
77	p-Dichlorobenzene (1,4-Dichlorobenzene)	µg/L	5	--
		lbs/day <sup>[5]</sup>	0.5	--
105	Lindane (Gamma-BHC)	µg/L	0.2	--
		lbs/day <sup>[5]</sup>	0.02	--
	Iron	µg/L	300	--
		lbs/day <sup>[5]</sup>	30	--

Footnotes:

- [1]. This number corresponds to the compound number found in Table 1 of CTR. It is simply the order in which the 126 priority pollutants were listed in 40 CFR, Section 131.38 (b)(1).
- [2]. Use the requirements in Section IV.5.B.2 - Compliance Determination.
- [3]. Concentration expressed as total recoverable.
- [4]. This constituent has reasonable potential to exceed the CTR criteria.
- [5]. The mass emission rates are based on the existing plant design flow rate of 12.6 mgd, and are calculated as follows: Flow(MDG) x Concentration (mg/L) x 8.34 (conversion factor) = lbs/day. However, the design capacity will incrementally increase to 21.6 MGD, as the phased plant upgrade approaches completion, by the fall 2004. The mass-based effluent limitation will accordingly be modified upon certification and approval of increased treatment plant capacity. During wet-weather storm events in which the flow exceeds the design capacity, the mass discharge rate limitations shall not apply, and concentration limitations will provide the only applicable effluent limitations.

- C. The pH of wastes discharged shall at all times be within the range of 6.5 to 8.5.
- D. The effluent temperature shall not exceed 86° F.
- E. Radioactivity of the wastes discharged shall not exceed the limits specified in Title 22, Chapter 15, Article 5, Section 64443, CCR, or subsequent revisions.
- F. In accordance with 40 CFR, Parts 133.102(a)(3) and 133.102(b)(3), for BOD and total suspended solids, respectively, 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.

- G. 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 coliform organisms at some point in the treatment process does not exceed 2.2 per 100 milliliters, and the number of coliform organisms does not exceed 23 per 100 milliliters in more than one sample within any 30-day period. The median value shall be determined from the bacteriological results of the last seven (7) days for which analysis has been completed. Samples shall be collected at a time when wastewater flow and characteristics are most demanding on treatment facilities and the disinfection processes.
- H. 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: (a) a daily average of 2 Nephelometric turbidity units (NTUs); and (b) 5 NTUs more than 5 percent of the time (72 minutes) during any 24 hour period.
- I. To protect underlying ground water basins, pollutants shall not be present in the wastes discharged at concentrations that pose a threat to ground water quality.
- J. Interim Effluent Limitations
  - a. The Discharger shall comply immediately with the following interim effluent limit until October 10, 2008. Thereafter, the Discharger shall comply with the final limitations specified in Section I.1.B.b. of this Order:

Constituent	Units	Monthly Average *
Mercury	µg/L	2
Cyanide	µg/L	5.2
Acrylonitrile	µg/L	1.7

\* Interim limits prescribed as maximum detected effluent concentration or based on P-limit calculations. P-limit monthly average interim effluent limit was derived statistically as the 99% confidence level of the 95th percentile, using the P-limit software and effluent performance data from August 1995 through July 2003. This program incorporates the procedure in Appendix E of the *Technical Support Document (TSD) For Water Quality-based Toxics Control [EPA/505/2-90-001]* for the limit calculation. Effluent values ( $x_i$ ) are assumed to be lognormally distributed for data sets containing all detects, and delta log-normally distributed for data sets containing detects and non-detects. In the case of cyanide and mercury the monthly average interim limit was set as the limit in the existing permit (order No. 95-081), in accordance with SIP section 2.2.1 which reads, "Numeric interim limitations for the pollutant must be based on current treatment facility performance or on existing permit limitations, whichever is more stringent."

- b. The Discharger shall submit quarterly progress reports (January 15, April 15, July 15 and October 15) to describe the progress of studies and/or actions undertaken to reduce mercury, cyanide, and acrylonitrile in the effluent, and to achieve compliance with the limits in this Order by the above-mentioned deadline. The first progress report shall be received at the Regional board by April 15, 2004.

## 2. Receiving Water Limitations

- A. For waters designated with a warm freshwater habitat (WARM) 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) due to the discharge of effluent at the receiving water station located downstream of the discharge. Natural conditions shall be determined on a case-by-case basis.
- B. 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.
- C. The dissolved oxygen in the receiving water shall not be depressed below 5 mg/L as a result of the wastes discharged.
- D. 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.
- E. 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%.
- F. The wastes discharged shall not produce concentrations of toxic substances in the receiving water that are toxic to or cause detrimental physiological responses in human, animal, or aquatic life.
- G. 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.
- H. 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.
- I. The wastes discharged shall not contain substances that result in increases in BOD, which adversely affect the beneficial uses of the receiving waters.
- J. 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.
- K. The wastes discharged shall not cause the receiving waters to contain any substance in concentrations that adversely affect any designated beneficial use.
- L. The wastes discharged shall not alter the natural taste, odor, and color of fish, shellfish, or other surface water resources used for human consumption.
- M. The wastes discharged shall not result in problems due to breeding of mosquitoes, gnats, black flies, midges, or other pests.
- N. The wastes discharged shall not result in visible floating particulates, foams, and oil and grease in the receiving waters.
- O. The wastes discharged shall not alter the color of the receiving waters; create a visual contrast with the natural appearance of the water; nor cause aesthetically undesirable discoloration of the receiving waters.
- P. 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.

### 3. Toxicity Requirements

#### A. Acute Toxicity Limitation and Requirements for Effluent:

- a. The acute toxicity of the effluent shall be such that: (i) the average survival in the undiluted effluent for any three (3) consecutive 96-hour static or continuous flow bioassay tests shall be at least 90%, and (ii) no single test producing less than 70% survival
- b. If either of the above requirements I.3.A.a.i. or I.3.A.a.ii. is not met, the Discharger shall conduct six additional tests over a six-week period. The Discharger shall ensure that they receive results of a failing acute toxicity test within 24 hours of the completion of the test and the additional tests shall begin within 3 business days of the receipt of the result. If the additional tests indicate compliance with acute toxicity limitation, the Discharger may resume testing at the regular frequency as specified in the monitoring and reporting program. However, if the results of any two of the six accelerated tests are less than 90% survival, then the Discharger shall begin a Toxicity Identification Evaluation (TIE). The TIE shall include all reasonable steps to identify the sources of toxicity. Once the sources are identified, the Discharger shall take all reasonable steps to reduce toxicity to meet the limits.
- c. If the initial test and any of the additional six acute toxicity bioassay tests result in less than 70 % survival, the Discharger shall immediately implement the Initial Investigation Toxicity Reduction Evaluation (TRE) Workplan described later in this section.
- d. The Discharger shall conduct acute toxicity monitoring as specified in Monitoring and Reporting Program (MRP) No. 4993.

#### B. Chronic Toxicity Limitation and Requirements for Effluent:

- 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 of 1.0 TU<sub>c</sub>, the Discharger shall immediately implement accelerated chronic toxicity testing according to MRP No.4993, Section VI.4.B.e. If any three out of the initial test and the six accelerated tests results exceed 1.0 TU<sub>c</sub>, the Discharger shall initiate a TIE and implement the Initial Investigation TRE Workplan, as specified in the following section of this Order (Section I.3.C.c).
- d. The Discharger shall conduct chronic toxicity monitoring as specified in MRP No. 4993.
- e. This permit may be reopened to include effluent limitations for pollutants found to be causing chronic toxicity and to include numeric chronic toxicity effluent limitations based on direction from the State Water Resources Control Board or failure of the District to comply fully with the TRE/TIE requirements.

C. 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, R-D, exceeds a monthly median of 1.0 TU<sub>c</sub> 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 4993, section VI.4.B.e. If two of the six tests exceed a monthly median of 1.0 TU<sub>c</sub>, 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>, then accelerated monitoring need not be implemented.

D. Preparation of an Initial Investigation TRE Workplan

The Discharger shall submit a detailed copy of the Discharger's Initial Investigation TRE Workplan to the Executive Officer of the Regional Board for approval within 90 days of the effective date of this permit. The Discharger shall use EPA manual EPA/833B-99/002 (municipal) as guidance, or most current version. At a minimum, the TRE Work Plan must contain the provisions

in Attachment C. This Workplan shall describe the steps the Discharger intends to follow if toxicity is detected, and should include, at a minimum:

- a. A description of the investigation and evaluation techniques that would be used to identify potential causes and sources of toxicity, effluent variability, and treatment system efficiency;
- b. 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 operation of the facility; and,
- c. If a TIE is necessary, an indication of the person who would conduct the TIEs (i.e., an in-house expert or an outside contractor). See MRP Section VI.4.D. for guidance manuals.

## **II. SLUDGE REQUIREMENTS**

1. The Discharger shall comply with the requirements of 40 CFR, Part 503, in general, and in particular the requirements in Attachment B of this Order, [*Biosolids Use and Disposal Requirements*]. These requirements are enforceable the USEPA.
2. The Discharger shall comply, if applicable, with the requirements in State issued statewide general Waste Discharge Requirements (WDRs) Order No. 2000-10-DWQ, titled "General waste Discharge Requirements for the Discharge of Biosolids to Land for use as a soil Amendment in Agricultural, Silvicultural and Horticultural and Land Reclamation Activities" adopted in August 2000.
3. The Discharger shall comply, if applicable, with WDRs issued by other Regional Boards to which jurisdiction the Valencia WRP's biosolids are transported and applied.
4. The Discharger shall furnish this Regional Board with a copy of any report submitted to USEPA, State Board or other regional board with respect to municipal sludge or biosolids.

## **III. PRETREATMENT REQUIREMENTS**

1. This Order includes the Discharger's Pretreatment Program as previously submitted to this Regional Board. Any change to the Program shall be reported to the Regional Board in writing and shall not become effective until approved by the Executive Officer in accordance with procedures established in 40 CFR, 403.18.
2. The Discharger shall implement and enforce its approved Pretreatment Program. The Discharger shall be responsible and liable for the performance of all control authority pretreatment requirements contained in 40 CFR, Part 403, including subsequent regulatory revisions thereof. Where Part 403 or subsequent revision places mandatory actions upon the Discharger as Control Authority but does not specify a timetable for

- completion of the actions, the Discharger shall complete the required actions within six months from the effective date of this Order or the effective date of Part 403 revisions, whichever comes later. For violations of pretreatment requirements, the Discharger shall be subject to enforcement actions, penalties, fines, and other remedies by the Regional Board, USEPA, or other appropriate parties, as provided in the Federal Clean Water Act. The Regional Board or USEPA may initiate enforcement action against an industrial user for noncompliance with acceptable standards and requirements as provided in the Federal Clean Water Act and/or the California Water Code.
3. The Discharger shall evaluate whether its pretreatment local limits are adequate to meet the requirements of this Order. The Saugus WRP and the Valencia WRP are highly interconnected, because some flows from the Saugus WRP are bypassed to the Valencia WRP and solids from the Saugus WRP are sent to the Valencia WRP for treatment. Evaluation of local limits for the Saugus WRP cannot be done without consideration of the conditions at the Valencia WRP. Therefore, within 120 days of the effective date of the Order for Valencia WRP, the Discharger shall submit the result of the evaluation, and if an update is necessary; then, the Discharger shall also submit its plan and schedule for updating the local limits, for approval of the Executive Officer.
  4. 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.
  5. The Discharger shall perform the pretreatment functions as required in Federal Regulations 40 CFR, Part 403 including, but not limited to:
    - A. Implement the necessary legal authorities as provided in 40 CFR 403.8(f)(1);
    - B. Enforce the pretreatment requirements under 40 CFR 403.5 and 403.6;
    - C. Implement the programmatic functions as provided in 40 CFR 403.8(f)(2); and
    - D. Provide the requisite funding of personnel to implement the Pretreatment Program as provided in 40 CFR 403.8(f)(3).
  6. The Discharger shall submit semiannual and annual reports to the Regional Board, with copies to the State Board, and USEPA Region 9, describing the Discharger's pretreatment activities over the period. The annual and semiannual reports shall contain, but not be limited to, the information required in the attached *Pretreatment Reporting Requirements* (Attachment P), or an approved revised version thereof. If the Discharger is not in compliance with any conditions or requirements of this Order, the

Discharger shall include the reasons for noncompliance and shall state how and when the Discharger will comply with such conditions and requirements.

#### IV. REQUIREMENTS AND PROVISIONS

1. Discharge of wastes to any point other than specifically described in this Order and permit is prohibited and constitutes a violation thereof.
2. The Discharger shall comply with all applicable effluent limitations, national standards of performance, toxic and pretreatment effluent standards, and all federal regulations established pursuant to Sections 208(b), 301, 302, 303(d), 304, 306, 307, 316, 403 and 405 of the Federal Clean Water Act and amendments thereto.
3. This Order includes the attached "Standard Provisions and General Monitoring and Reporting Requirements" (Attachment N). If there is any conflict between provisions stated hereinbefore and the attached "Standard Provisions", those provisions stated herein prevail.
4. This Order includes the attached Monitoring and Reporting Program (Attachment T). If there is any conflict between provisions stated in the Monitoring and Reporting Program and the "Standard Provisions" (Attachment N), those provisions stated in the Monitoring and Reporting Program prevail.
5. Compliance Determination
  - A. Compliance with single constituent effluent limitation – If the concentration of the pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported Minimum Level (see Reporting Requirement III. A. of MRP), then the Discharger is out of compliance.
  - B. Compliance with monthly average limitations - In determining compliance with monthly average limitations, the following provisions shall apply to all constituents:
    1. If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, does not exceed the monthly average limit for that constituent, the Discharger has demonstrated compliance with the monthly average limit for that month.
    2. If the analytical result of a single sample, monitored monthly, quarterly, semiannually, or annually, exceeds the monthly average limit for any constituent, the Discharger shall collect four additional samples at approximately equal intervals. All five analytical results shall be reported in the monitoring report for that month, or the subsequent month.

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

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

3. In the event of noncompliance with a monthly average effluent limitation, the sampling frequency for that constituent shall be increased to weekly and shall continue at this level until compliance with the monthly average effluent limitation has been demonstrated.
  4. If only one sample was obtained for the month or more than a monthly period and the result exceeds the monthly average, then the Discharger is in violation of the monthly average limit.
- C. Compliance with effluent limitations expressed as a sum of several constituents – If the sum of the individual pollutant concentrations is greater than the effluent limitation, then the Discharger is out of compliance. In calculating the sum of the concentrations of a group of pollutants, consider constituents reported as ND or DNQ to have concentrations equal to zero, provided that the applicable ML is used.
- D. Compliance with effluent limitations expressed as a median – in determining compliance with a median limitation, the analytical results in a set of data will be arranged in order of magnitude (either increasing or decreasing order); and
- a. If the number of measurements ( $n$ ) is odd, then the median will be calculated as  $= X_{(n+1)/2}$ , or
  - b. If the number of measurements ( $n$ ) is even, then the median will be calculated as  $= [X_{n/2} + X_{(n/2)+1}]$ , i.e. the midpoint between the  $n/2$  and  $n/2+1$  data points.
- Consecutive exceedances of the coliform 7-day median effluent limitation, which take place within a calendar week and result from a single operational upset, shall be treated as a single violation.
- E. Compliance with the receiving water temperature limitation – If the receiving water temperature, downstream of the discharge, exceeds 80 °F as a result of:
- i. high temperature in the ambient air, or

- ii. high temperature in the receiving water upstream of the discharge,  
  
then the exceedance shall not be considered a violation.
  
- 6. In calculating mass emission rates from the monthly average concentrations, use one half of the method detection limit for “Not Detected” (ND) and the estimated concentration for “Detected, but Not Quantified” (DNQ) for the calculation of the monthly average concentration. To be consistent with section II.E.3., if all pollutants belonging to the same group are reported as ND or DNQ, the sum of the individual pollutant concentrations should be considered as zero for the calculation of the monthly average concentration.
  
- 7. Pollutant Minimization Program (PMP)
  - A. The goal of the PMP is to reduce all potential sources of a pollutant through pollutant minimization (control) strategies, including pollution prevention measures, in order to maintain the effluent concentration at or below the effluent limitation.  
  
Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The completion and implementation of a Pollution Prevention Plan, required in accordance with California Water Code Section 13263.3 (d) shall fulfill the PMP requirements in this section.
  
  - B. The Discharger shall develop a PMP if all of the following conditions are true, and shall submit the PMP to the Regional Board within 120 days of determining the conditions are true:
    - a. The calculated effluent limitation is less than the reported minimum level;
  
    - b. The concentration of the pollutant is reported as “Detected, but Not Quantified”, DNQ;
  
    - c. There is evidence showing that the pollutant is present in the effluent above the calculated effluent limitation.
  
  - C. The Discharger shall also develop a PMP if all of the following conditions are true, and shall submit the PMP to the Regional Board within 120 days of determining the conditions are true:
    - a. The calculated effluent limitation is less than the method detection limit;
  
    - b. The concentration of the pollutant is reported as “Not-Detected”, ND;
  
    - c. There is evidence showing that the pollutant is present in the effluent above the calculated effluent limitation.

- D. The Discharger shall consider the following in determining whether the pollutant is present in the effluent at levels above the calculated effluent limitation:
    - a. health advisories for fish consumption;
    - b. presence of whole effluent toxicity;
    - c. results of benthic or aquatic organism tissue sampling;
    - d. sample results from analytical methods more sensitive than methods included in the permit;
    - e. the concentration of the pollutant is reported as DNQ and the effluent limitation is less than the method detection limit.
  - E. Elements of a PMP. The PMP shall include actions and submittals acceptable to the Regional Board including, but not limited to, the following:
    - a. An annual review and semi-annual monitoring of potential sources of the reportable pollutant, which may include fish tissue monitoring and other bio-uptake sampling;
    - b. Quarterly monitoring for the reportable pollutant in the influent to the wastewater treatment system;
    - c. Submittal of a control strategy designed to proceed toward the goal of maintaining concentrations of the reportable pollutant in the effluent at or below the calculated effluent limitation;
    - d. Implementation of appropriate cost-effective control measures for the pollutant, consistent with the control strategy; and,
    - e. An annual status report that shall be sent to the Regional Board including:
      - i. All PMP monitoring results for the previous year;
      - ii. A list of potential sources of the reportable pollutant;
      - iii. A summary of all action taken in accordance with control strategy; and,
      - iv. A description of actions to be taken in the following year.
8. 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.
9. The Discharger shall protect the facility from inundation, which could occur as a result of a flood having a predicted frequency of once in 100 years.
  10. The Discharger shall comply with all applicable water quality objectives for the receiving waters of the Santa Clara River, including the toxic criteria in 40 CFR, Part 131.36, as specified in this permit.
  11. The Discharger shall comply with the requirements of the State Board's General NPDES Permit No. CAS000001 and *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities* (Order No. 97-03-DWQ) by continuing to implement a SWPPP and conducting the required monitoring.
  12. The Discharger shall plan to conduct studies to obtain data in support of developing site-specific objectives for mercury and acrylonitrile for the protection of human health from the consumption of organisms and cyanide for protection of aquatic life. The Discharger shall submit to Regional Board staff a detailed work plan for these studies within one year of adoption of this permit. The work plan shall provide a schedule consistent with Effluent Limitation I.1.J.a for development and adoption of site-specific objectives for these constituents.

## **V. REOPENERS AND MODIFICATIONS**

1. This Order may be reopened and modified, in accordance with SIP section 2.2.2.A to incorporate the results of revised reasonable potential analyses to be conducted upon receipt of additional data from the interim monitoring program.
2. This Order may be modified, in accordance with the provisions set forth in 40 CFR, Parts 122 and 124 to include requirements for the implementation of the watershed protection management approach.
3. 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.
4. This Order may also be modified, revoked, and reissued or terminated in accordance with the provisions of 40 CFR, Parts 122.44, 122.62 to 122.64, 125.62, and 125.64. Causes for taking such actions include, but are not limited to, failure to comply with any condition of this Order, endangerment to human health or the environment resulting from the permitted activity, or acquisition of newly obtained information which would have justified the application of different conditions if known at the time of Order adoption. The filing of a request by the District for an Order modification,

revocation and issuance or termination, or a notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

5. This Order may be modified, in accordance with the provisions set forth in 40 CFR, Parts 122 to 124, to include new MLs.
6. 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 Santa Clara River Watershed.
7. This Order may be reopened and modified to revise the chronic toxicity effluent limitation, to the extent necessary, to be consistent with State Board precedential decisions, new policies, new laws, or new regulations.
8. This Order may be reopened to modify final effluent limits, if at the conclusion of necessary studies conducted by the Discharger, the Regional Board determines that dilution credits, attenuation factors, or metal translators are warranted.

#### **VI. EXPIRATION DATE**

This Order expires on October 10, 2008.

The Discharger must file a Report of Waste Discharge in accordance with Title 23, CCR, not later than 180 days in advance of such date as application for issuance of new waste discharge requirements.

#### **VII. RESCISSION**

Order No. 95-081, adopted by this Regional Board on June 12, 1995, is hereby rescinded, except for enforcement purposes.

I, Dennis Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on November 6, 2003.

Dennis Dickerson  
Executive Officer

/AVC

**FIGURE 1 – Schematic of Wastewater Flow**

**FIGURE 2 – Location of Valencia WRP**