



California Regional Water Quality Control Board

Los Angeles Region



Linda S. Adams
Agency Secretary

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Arnold Schwarzenegger
Governor

March 18, 2009

Mr. Jon MacKenzie
Western Los Angeles Council, Inc.
Boy Scouts of America
16525 Sherman Way, Unit C-8
Van Nuys, CA 91406

VIA FACSIMILIE AND MAIL

Dear Mr. MacKenzie:

WASTE DISCHARGE REQUIREMENTS AND MONITORING AND REPORTING REQUIREMENTS FOR WESTERN LOS ANGELES COUNTY COUNCIL, INC., BOY SCOUTS OF AMERICA, TIMOTHY PENNINGTON IV MARINE SCIENCE CENTER, 1 COVE ROAD, AVALON, SANTA CATALINA ISLAND, CA (ORDER NO. R4-2009-0036, CI-8673, FILE NO. 03-062)

Our letter of January 29, 2009, transmitted tentative Waste Discharge Requirements (WDR) and Monitoring and Reporting Program (MRP) for Western Los Angeles County Council, Inc., Boy Scouts of America, Timothy Pennington IV Marine Science Center located at 1 Cove Road, Avalon, Santa Catalina Island, California.

Pursuant to Division 7 of the California Water Code, this Regional Board at a public meeting held on March 5, 2009, reviewed the revised tentative WDR and MRP, considered all factors in the case, and adopted WDR Order No. R4-2009-0036 and MRP No. CI-8673 (copies enclosed) relative to this discharge. Standard Provisions, which are a part of the WDR, are also enclosed.

You are required to implement the Monitoring and Reporting Program No. CI-8673 on the effective date of Order No. R4-2009-0036. Your first monitoring report under these Requirements is due to this Regional Board by July 15, 2009. All monitoring reports should be sent to the Regional Board, Attn: Information Technology Unit, and referenced to our Compliance File No. CI 8673.

The WDR, MRP and Standard Provisions are enclosed for the addressee only. However, these are on file in our office, and a copy will be sent to interested parties upon request.

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Mr. Jon MacKenzie
Boy Scouts of America

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March 18, 2009

If you have any questions or need additional information, please call Project Manager, Ms. Dionisia Rodriguez at (213) 620-6122 or me at (213) 620-6156.

Sincerely,



Rebecca Chou, Ph.D., P.E.
Chief of Groundwater Permitting Unit

Enclosures: Waste Discharge Requirements Order No. R4-2009-0036
Revised Monitoring and Reporting Requirements CI- 8673
Standard Provisions Applicable to WDR

cc: Mr. Patrick Nejadian, County of Los Angeles Department of Public Health,
Environmental Protection Bureau
Mr. Mark L. Russell, Earth Systems, Southern California

California Environmental Protection Agency

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Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

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

ORDER NO. R4-2009-0036
WASTE DISCHARGE REQUIREMENTS
FOR
WESTERN LOS ANGELES COUNTY COUNCIL, INC.
BOY SCOUTS OF AMERICA
(Timothy Pennington IV Marine Science Center)
(File No. 03-062, CI-8673)

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

PURPOSE OF ORDER

1. Western Los Angeles County Council, Inc., Boy Scouts of America (hereinafter Discharger) owns and operates the Timothy Pennington IV Marine Science Center (Facility), which serves as a seawater life support and learning center for the Boy Scouts. The Facility is located within Camp Emerald Bay, a youth camp and recreational facility used by the Boy Scouts of America.
2. The Facility consists of a seawater life support system, including aquarium tanks, to show a variety of marine faunas endemic to Santa Catalina Island. The Facility's discharges of circulated seawater from the seawater life support system are regulated under Waste Discharge Requirements (WDR) Order No. R4-2003-0142, which was in effect for a period of five years and expired on November 6, 2008. On August 8, 2008, the Discharger applied to the Regional Board for a renewal of the WDR.
3. WDR Order No. R4-2003-0142 is solely for the discharge of circulated sea water from the Facility. There is no other waste water discharged from the Facility; nor is potable water supplied to the Facility. All domestic waste from the Boy Scouts and camp staff discharged from Camp Emerald Bay is regulated under WDR Order No. 01-031, Series No. 006.

DESCRIPTION OF FACILITY

4. The Discharger leases Camp Emerald Bay (latitude: 33° 28'10" ;longitude 118°31'56') located at 1 Cove Road, Avalon in Santa Catalina Island, from Santa Catalina Island Company. The Facility is on the "West Side" area of Camp Emerald Bay. Figure 1 is Camp Emerald Bay Site Plan, which shows the location of the Facility.
5. The Facility is a two-story building that consists of three aquarium tanks, a touch tank and three wet tables used to observe various marine animals native to the island. The three aquarium tanks are the subtidal tank or kelp community tank (volume: 700 gallons) which houses animals indigenous to the subtidal zones around the island, the cryptic tank (volume: 400 gallons) which houses species found in the near shore reefs of Santa

January 21, 2009

Catalina Island and the benthic tank (volume: 700 gallons) which is used to maintain species that are found on or near the ocean floor. The touch tank (volume: 435 gallons) and wet tables are used to more closely observe smaller animals, such as snails, gobies and nudibranchs. All the animals are fed daily with a total of 3.5 pounds (lbs) of food that consists of shrimp, squid and krill. The animals are not given any other kind of feed or nutrient.

6. The Facility's seawater life support system is designed to support a variety of marine animals in the aquarium tanks and wet labs. The system consists of two separate processes: a seawater intake system and a seawater re-circulation system. The seawater intake system transports seawater from the ocean to a storage reservoir. From the reservoir, a sea water recirculation system pumps water through a filtration loop to exhibit tanks and touch tables. An overflow pipe at the exhibit tanks and touch tables return excess water from them to the storage reservoir. The seawater intake system operates as needed to provide water lost through evaporation, backwash of sand filters, and to maintain nitrogen concentration at or below 20 milligrams per liter (mg/l).
7. The seawater re-circulation system operates continuously in order to support the collected aquatic animals with filtered and oxygenated water. The re-circulation system circulates water from the reservoir through sand filtration, a chiller, and an aeration tower for nitrification and air stripping process at a rate of approximately 125 gallons per minute (gpm). The sand filter removes suspended solid from the sea water before it is fed to the exhibit tanks and touch tables. Backwash water from the maintenance of the sand filter is pumped to the retention basin and mixed with the overflow from the sea water supply before being discharged to the leachfield. A portion of the water leaving the sand filters is by-passed to a chiller which maintains the water within the system at a temperature of 58°F to 62°F. The water then flows to the aeration/bio tower where nitrification and air stripping takes place and then gravity fed to the exhibit tanks and touch tables. Seawater overflow from the storage reservoir and any waste seawater from the Facility flow into a 250-gallon retention basin before discharge to a leachfield.
8. When operating, the intake system will provide approximately 10 gpm of seawater to the storage reservoir. When filled to capacity, additional water will overflow to a 250 gallon detention basin. The water from the detention basin is then discharged to the leachfield at the rate of 10 gpm. The maximum discharge is 14,400 gallons per day (gpd). The expected average discharge is 7,500 gpd. The Process Flow Diagram is shown on Figure 2.
9. The leachfield, which is 15 feet (ft) long by 10 ft wide, is located in the northerly area of Emerald Bay Canyon. Percolation tests performed in the area determined the dimensions of the leachfield. It is located 100 feet away from the nearest drainage channel and 130 feet from the high tide line, which is the intersection of the land with the water surface at the maximum height reached by a rising tide. (Figure 3).
10. In permitting cases for discharge of domestic wastewater through leachfield, the Regional Board requires that there shall be 5 feet groundwater separation. During a percolation test

conducted at the site on February 4, 2003, groundwater was encountered at approximately three and a half feet below ground surface (bgs). The Discharger cannot meet the 5 feet groundwater separation requirement.

11. Sea water carries various amounts of suspended and settleable solids from both natural and human sources. The discharge from the Facility carries approximately less than 10 milligrams per liter (mg/L) of suspended solids of fish waste. The Monitoring and Reporting Program, CI 8673, associated with Order No. R4-2003-0142 requires influent monitoring to measure concentration of settleable and suspended solids and dissolved oxygen. These concentrations are compared to concentrations of the effluent prior to discharge to the leachfield to assure that the system is not discharging more of the contaminants into the ocean. The Discharger has failed to comply with this requirement of the Monitoring and Reporting Program. A Notice of Violation was issued to Discharger on January 14, 2009.
12. However, during the sampling event for the third quarter of 2005, a sample of the influent water taken from the bay adjacent to the ocean intake was collected as well as the effluent sample collected at the point of discharge to the leachfield. Both samples were analyzed for the same constituents. The effluent sample exhibited distinctly lower amount of total coliform. The influent sample showed 300 Most Probable Number per 100 milliliters (MPN/100ml) while the effluent sample showed <2 MPN/100ml. The other effluent parameters measured were not significantly different from those of the influent.
13. The Discharger provided analytical results of a sample from the sea water life support system taken on February 21, 2008 as part of the its monitoring and reporting program. The analytical results of the effluent to be discharged into the disposal system is as follows:

<u>Constituents</u>	<u>Units</u> ¹	<u>Sample Results</u>
Ammonia (expressed as nitrogen)	mg/L	< 0.5 (ND) ²
Biochemical Oxygen Demand	mg/L	< 2 (ND) ²
pH	pH Units	7.82
Dissolved Oxygen	mg/L	8.8
Residual Chlorine	mg/L	<0.1 (ND)
Total Settleable Solids	ml/L	<0.1 (ND)
Total Suspended Solids	mg/L	96
Total Coliform	MPN/100 ml	<1 (ND) ²
Fecal Coliform	MPN/100 ml	<1(ND) ²
Enterococcus	MPN/100 ml	<1(ND) ²

⁽¹⁾ mg/L: milligrams per liter; ml/L: milliliters per liter; MPN/100mL: Most Probable Number per 100 milliliter

⁽²⁾ ND = Not detected above the reporting limit.

Compared to a domestic septic tank effluent, the discharge is significantly less in strength relative to nutrients, ammonia and bacteria. Considering the analytical results reported

and the distance (minimum 100 feet) from the disposal area to the ocean, setting the compliance point for the effluent from the retention tank before discharge to the leachfield is adequate to protect the receiving water quality (groundwater in hydraulic connection with the ocean).. The treatment mechanisms of the leachfield and the safety factors afforded by a soil filtration in the five-foot separation zone between the leachfield and groundwater are not needed for this low-strength wastewater.

14. The estimated daily discharge flow from the facility is estimated at 7,500 gpd. The system is designed to discharge this volume per day. The leachfield is located 100 feet from the nearest drainage channel and 130 feet from the high tide line.
15. The Facility was constructed from February through July 2003. The Los Angeles County Department of Regional Planning issued a mitigated negative declaration on environmental impact for Camp Emerald Bay, including the Facility, on April 13, 2000. The Los Angeles County Department of Building and Safety issued the Building Final Inspection for the Facility on July 16, 2003. The Facility began operation in January 2004 and ran continuously with an intake and discharge rate of 10 gallons per minute (gpm) until April 2008. Since April 2008, the aquarium system has operated two days per week at a rate of 5 gpm.

APPLICABLE LAWS, PLANS, POLICIES, AND REGULATIONS

16. On June 13, 1994, the Regional Board adopted a revised *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan) which was amended on January 27, 1997 by Regional Board Resolution No. 97-02. The Basin Plan (i) designates beneficial uses for surface waters and groundwaters, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state antidegradation policy (*Statement of Policy with Respect to Maintaining High Quality Waters in California*, State Water Resources Control Board [State Board] Resolution No. 68-16, October 28, 1968), and (iii) describes implementation programs to protect all waters in the Region. In addition, the Basin Plan incorporates by reference applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations. This Order implements the plans, policies, and provisions of the Basin Plan. The Basin Plan designates beneficial uses and water quality objectives for the following waterbody as follows:

Groundwater:

San Pedro Channel Islands (Santa Catalina Island)

Existing	Municipal and domestic supply, Agricultural supply
Potential	Industrial Process Supply

Surface water:

Island Nearshore Zones (Santa Catalina Island)

Existing: Navigation, water contact recreation, non-contact water recreation, commercial and sport fishing, marine habitat, wildlife habitat, preservation of biological habitat (areas of special biological significance), rare, threatened, or endangered specie refuge and shellfish harvesting.

Potential: Spawning, reproduction and/or early development

17. On November 16, 2000, the State Board adopted a revised *Water Quality Control Plan for the Ocean Waters of California* (Ocean Plan). The State of California Office of Administrative Law and the United States Environmental Protection Agency approved the Ocean Plan on July 9, 2001 and December 3, 2001, respectively. The Ocean Plan contains water quality objectives for coastal waters of California. The beneficial uses of the ocean waters of the State that shall be protected include industrial water supply; water contact and non-contact recreation, including aesthetic enjoyment; navigation; commercial and sport fishing; mariculture; rare and endangered species; marine habitat; fish migration; fish spawning; shellfish harvesting and enhancement of designated Areas of Special Biological Significance (ASBS). This Ocean Plan prohibits the direct discharge of wastes to ASBS.
18. The Facility is located within the Santa Catalina Island groundwater basin as identified in the Basin Plan. The Basin Plan indicates that the beneficial uses for groundwater in Santa Catalina Island include municipal and domestic supply (MUN); however the beneficial use (MUN) is not applicable to beach areas lacking significant aquifers. The beneficial use (MUN) of any ground water that may be found at the facility is limited because the facility is adjacent to the beach. While the effluent will be discharged to the land through the existing leachfields, the depth to the ground water is controlled by the tide, and at this location, the receiving surface water is the Pacific Ocean.
19. In any marine biological life, there will be production of ammonia and the breakdown of wastes. Since the groundwater flow gradient is generally toward the Pacific Ocean, Regional Board staff is concerned that pollutants such as ammonia could move through groundwater to the ocean. To regulate the impacts from the discharge of wastewater to groundwater and the ultimate receiving water, Ocean Plan standards have been used for the limitations established herein. However, ocean monitoring is not proposed for this Facility because the discharge volume is relatively small.
20. The requirements contained in this Order are based on the Basin Plan, Ocean Plan, other state plans, policies, and guidelines, and best professional judgment.

CEQA, NOTIFICATION, AND APPEALS

21. On April 13, 2000, the Los Angeles County Department of Regional Planning issued an initial study determination that a Mitigated Negative Declaration is required for the upgrade

project for Emerald Bay Camp which includes the Facility. In compliance with the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.), the Regional Planning Commission approved the Mitigated Negative Declaration on February 14, 2001.

22. The Regional Board has notified the Discharger and interested agencies and persons of its intent to renew the WDRs for this discharge, and has provided them an opportunity to submit their views and recommendations for the requirements.
23. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the requirements.
24. Pursuant to California Water Code section 13320, any aggrieved person may seek review of this Order by filing a petition with the State Water Resources Control Board (State Board). The State Board, P.O. Box 100, Sacramento, California 95812, must receive the petition within 30 days of the date of adoption of the Order.

IT IS HEREBY ORDERED that the Discharger, Western Los Angeles County Council, Inc., Boy Scouts of America, shall comply with the following requirements in connection with the disposal operations at the Facility.

A. DISCHARGE LIMITATIONS

1. Waste discharged to the leachfield disposal system shall be limited to wastewater discharged from the Facility only.
2. Average waste discharge flow from the Facility is estimated to be 7,500 gpd. The maximum daily discharge flow shall not exceed 14,400 gpd.

B. EFFLUENT LIMITATIONS BEFORE THE DISPOSAL SYSTEM

1. The wastewater discharged to the disposal system shall not contain constituents in excess of the following limits:

<u>Constituent</u> ¹	<u>Units</u> ²	<u>Monthly</u>		<u>Daily</u>
		<u>Mean</u>	<u>Median</u>	<u>Maximum</u>
Total coliform ⁴	MPN/100mL	--	70	--
Ammonia (expressed as nitrogen)	mg/L	--	0.6 ³	2.4
Enterococcus ⁴	MPN/100mL	35	--	-- ⁵
Suspended solids	mg/L	--	--	-- ⁵
Settable solids	ml/L	--	--	-- ⁵
Total residual chlorine	µg/L	--	--	8

^[1] For the above parameters, the compliance point for each parameter shall be at the effluent point of the retention basin.

^[2] MPN/100mL: Most Probable Number per 100 milliliter, mg/L: milligrams per liter, µg/L: micrograms per liter

^[3] Expressed as 6-month Median as specified in the Ocean Plan.

^[4] If only one sample is taken in any monthly period, that value shall be considered as the mean/median for the month.

^[5] The discharge shall not contain concentrations of solids higher than those found in the influent and shall not cause nuisance or adversely affect beneficial uses

2. The dissolved oxygen concentration in the wastewater discharged to the disposal system shall not be at any time depressed more than 10 percent from that which occurs naturally.
3. The pH of the wastewater discharged to the disposal system shall be within the range of 6 to 9.

C. PROHIBITIONS

1. There shall be no wastewater system overflows or discharge of wastes to waters of the State (including storm drains) at any time.
2. Wastes shall not be disposed of in geologically unstable areas or so as to cause earth movement.
3. Wastes discharged shall not impart tastes, odors, color, foaming or other objectionable characteristics to the receiving water.
4. Waste discharged shall not cause any impact on the indigenous marine life and diverse marine community.
5. Adequate facilities shall be provided to divert surface and storm water away from the seawater life support and leachfield disposal systems and from areas where any potential pollutants are stored.
6. The seawater life support and leachfield disposal systems shall be protected from damage by storm flows or runoff generated by a 100-year storm.
7. There shall be no onsite disposal of sludge. Any offsite disposal of sludge shall be made only to a legal point of disposal. For purposes of this Order, a legal disposal site is one for which requirements have been established by a regional water quality control board and which is in compliance therewith. Any sewage or sludge handling shall be conducted in such a manner as to prevent sewage or sludge from reaching surface waters or watercourses.
8. No foul odors shall be detectable.
9. The discharge of waste shall not create a condition of pollution, contamination, or nuisance.

10. The direct or indirect discharge of any wastewater to surface waters or surface water drainage courses is prohibited.

E. PROVISIONS

1. A copy of this Order shall be maintained at the Facility so as to be available at all times to operating personnel.
2. In the event of any change in name, ownership, or control of the Facility, the Discharger shall notify the Regional Board of such change and shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to the Regional Board.
3. The Discharger shall file with the Regional Board technical reports on self-monitoring work performed according to the detailed specifications contained in Monitoring and Reporting Program No. CI 8673 attached hereto and incorporated herein by reference, as directed by the Regional Board Executive Officer (Executive Officer). The results of any monitoring done more frequently than required at the location and/or times specified in the Monitoring and Reporting Program shall be reported to the Regional Board.
4. The Discharger shall cause the disposal system to be inspected annually during the life of this Order by a professional inspector to be retained by the Discharger. National Sanitation Foundation standards shall be applied where possible to the inspection. The inspector shall also specify the capacity and condition of the disposal system and of the leachfield and the corrections needed.
5. The Discharger shall prepare a contingency plan to deal with disposal system failure or the loss of soil assimilative capacity. Within 60 days of the effective date of this Order, the Discharger shall submit for the Executive Officer's approval a contingency plan addressing the steps that will be taken to deal with any failure of the disposal system and future 100 percent replacement of the subsurface disposal area.
6. The Discharger shall notify the Regional Board within 24 hours of any adverse condition resulting from the discharge of wastewater from the Facility; written confirmation by the Discharger shall follow within one week. The Discharger in the next monitoring report shall also confirm this information. In addition, the report shall include the reasons for the violations or adverse conditions, the steps being taken to correct the problem (including dates thereof), and the steps being taken to prevent a recurrence.
7. The Discharger shall notify the Regional Board within 24 hours, by telephone or electronically, of any bypassing or surfacing of wastes. Written confirmation by the Discharger shall follow within one week and shall include information relative to the

location(s), estimated volume, date and time, duration, cause, and remedial measures taken to effect cleanup and measures taken to prevent any recurrence.

8. This Order does not relieve the Discharger from the responsibility to obtain other necessary local, state, and federal permits to construct facilities necessary for compliance with this Order; nor does this Order prevent imposition of additional standards, requirements, or conditions by any other regulatory agency.
9. Any discharge of wastewater from the seawater life support system (including wastewater collection system) at any point other than a site with approved waste discharge requirements or specifically described in this Order is prohibited, and constitutes a violation of this Order.
10. After notice and opportunity for a hearing, this Order may be terminated or modified for cause including, but not limited, to:
 - a) Violation of any term or condition contained in this Order;
 - b) Obtaining this Order by misrepresentation, or failure to disclose all relevant facts;
 - c) A change in any condition, or the discovery of any information, that requires either a temporary or permanent reduction or elimination of the authorized discharge.
11. The Discharger shall furnish, within a reasonable time, any information the Regional Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The Discharger shall also furnish to the Regional Board, upon request, copies of records required to be kept by this Order.
12. The Discharger shall file a written report within 10 days with the Regional Board at such time as the average daily waste flow per month has reached or exceeded 80 percent of the recognized seawater life support system design flow capacity (currently 14,400 gpd) or conditions suggest that the hydraulic capacity for the disposal system has been exceeded. The report shall detail proposed provisions to cope with excess flows.
13. Should monitoring data indicate contamination of groundwater or discharge related violations of receiving water limitations, the Discharger shall submit, within 60 days after discovery of the problem, plans for measures that will be taken, or have been taken, to mitigate any long-term effects that may result from the subsurface disposal of wastes.
14. This Order includes the attached "Standard Provisions Applicable to Waste Discharge Requirements" which is incorporated herein by reference. If there is

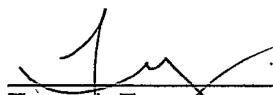
any conflict between provisions stated herein and the "Standard Provisions," those provisions stated herein will prevail.

15. WDR Order No. R4-2009-xxxx supersedes WDR Order No. R4-2003-0142, which was adopted by the Regional Board on November 6, 2003. WDR Order No. R4-2003-0142 is terminated, except for enforcement purposes
16. In accordance with the Governor's Executive Order requiring that any proposed activity be reviewed to determine whether such activity will cause additional energy usage, Regional Board staff have determined that implementation of these WDRs will result in minimal increases in energy usage.
17. All discharges of waste into the waters of the State are privileges, not rights. In accordance with California Water Code section 13263(g), these requirements shall not create a vested right to continue to discharge and are subject to rescission or modification.

F. REOPENER

This Order may be reopened to delete outdated requirements, or to include additional or modified requirements to address pollutant loading problems verified by monitoring data, Discharger workplans or mitigation plans, TMDL schedules, or Ocean Plan or Basin Plan mandates.

I, Tracy J. Egoscue, 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 March 5, 2009.

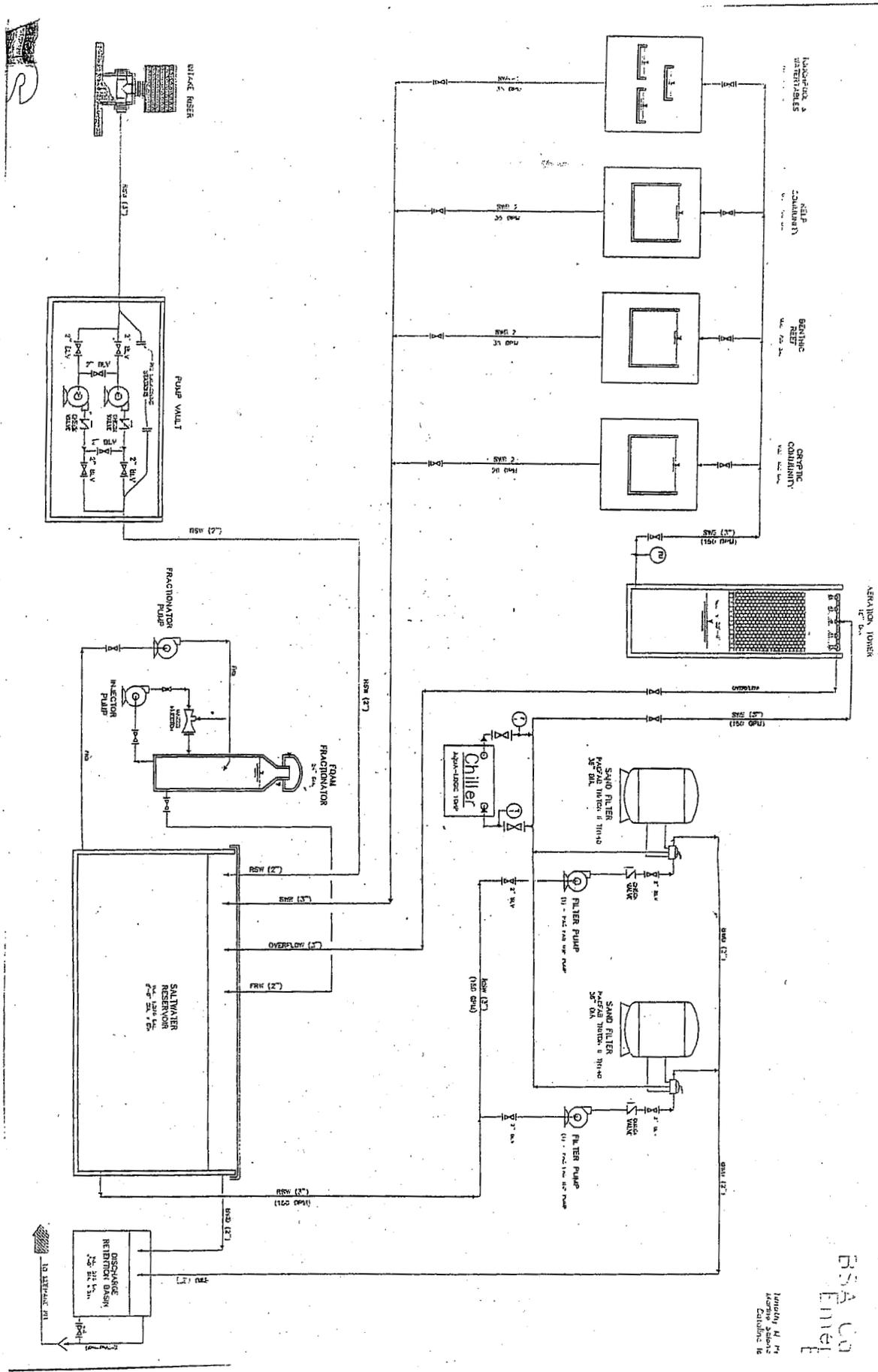


Tracy J. Egoscue
Executive Officer

Site Plan
Scale: 1" = 1'-0"



Figure 1 – Site Plan



BSA Co
 Lansing, MI
 48866
 517-391-1111

Figure 2 – Process Flow Diagram



SEAWATER DISCHARGE LINE & SEEPAGE PIT
SCALE: AS NOTED

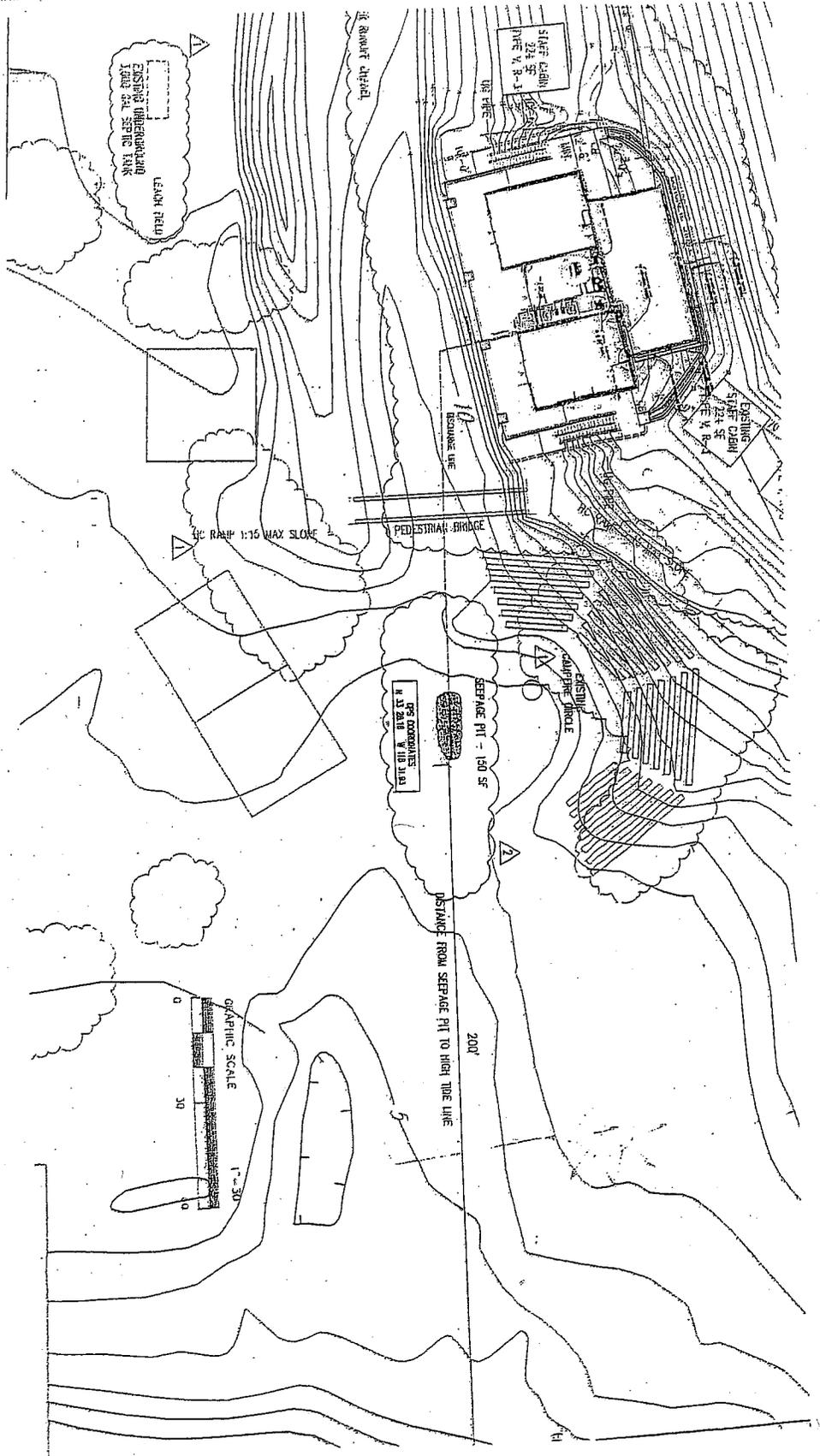


Figure 2 - 1 backfield location

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

MONITORING AND REPORTING PROGRAM NO. CI 8673
FOR
WESTERN LOS ANGELES COUNTY COUNCIL, INC.
BOY SCOUTS OF AMERICA ("Discharger")
(Timothy M. Pennington IV, Marine Science Center)
(File No. 03-062)

I. REPORTING REQUIREMENTS

- A. The Discharger shall implement this Monitoring Program on the effective date of WDR Order No. R4-2009-0036 (Order). The first monitoring report under this program, for April-June 2009, shall be received at the Regional Board by July 15, 2009. Subsequent monitoring reports shall be received at the Regional Board according to the following schedule:

<u>Reporting Period</u>	<u>Report Due</u>
January – March	April 15
April – June	July 15
July – September	October 15
October – December	January 15

- B. If there is no discharge during any reporting period, the report shall so state. Monitoring reports must be addressed to the Regional Board, Attention: Information Technology Unit.
- C. By January 30th of each year, beginning January 30, 2010, the Discharger shall submit an annual summary report to the Regional Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous calendar year. In addition, the Discharger shall discuss the compliance record and the corrective actions taken or planned which may be needed to bring the discharge into full compliance with the waste discharge requirements.
- D. Laboratory analyses – all chemical, bacteriological, and toxicity analyses shall be conducted at a laboratory certified for such analyses by the California Department of Health Services Environmental Laboratory Accreditation Program (ELAP). A copy of the laboratory certification shall be provided each time a new and/or renewal certification is obtained from ELAP.
- E. The method limits (MLs) employed for effluent analyses shall be lower than the permit limits established for a given parameter, unless the Discharger can

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demonstrate that a particular ML is not attainable and obtains approval for a higher ML from the Executive Officer.

- F. Water/wastewater samples must be analyzed within allowable holding time limits as specified in 40 CFR Part 136. All Quality Assurance/Quality Control (QA/QC) samples must be run on the same dates when samples were actually analyzed. At least once a year, the Discharger shall maintain and update a list of the analytical methods employed for each test and the associated laboratory QA/QC procedures. The Discharger shall make available for inspection and/or submit the QA/QC documentation upon request by Regional Board staff.
- G. Each monitoring report must affirm in writing that "All analyses were conducted at a laboratory certified for such analyses by the California Department of Health Services and in accordance with current United States Environmental Protection Agency (USEPA) guideline procedures or as specified in this Monitoring Program." Proper chain of custody procedures must be followed and a copy of the completed chain of custody form shall be submitted with the report.
- H. Each monitoring report shall contain a separate section titled "Summary of Non-Compliance" which discusses the compliance record and the corrective actions taken or planned that may be needed to bring the discharge into full compliance with waste discharge requirements. This section shall be located at the front of the report and shall clearly list all non-compliance with discharge requirements, as well as all excursions of effluent limitations.
- I. For every item where the requirements are not met, the Discharger shall submit a statement of the cause(s), and actions undertaken or proposed which will bring the discharge into full compliance with waste discharge requirements at the earliest possible time, including a timetable for implementation of those actions.
- J. The Discharger shall maintain all records of sampling and analytical results: date; exact place, and time of sampling; dates analyses were performed; analyst's name; analytical techniques used; and results of all analyses. Such records shall be retained for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.
- K. In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized to demonstrate compliance with the requirements and, where applicable, shall include results of receiving water observations.
- L. Any mitigation/remedial activity including any pre-discharge treatment conducted at the site must be reported in the quarterly monitoring report. In addition, if effluent

groundwater monitoring programs have not yet been implemented, a short description of the status of both shall also be included.

II. WATER QUALITY MONITORING REQUIREMENTS

A. Influent Monitoring

An influent monitoring program shall be designed to quarterly measure the concentrations of settleable and suspended solids and dissolved oxygen. The Discharger shall provide influent monitoring information with quarterly reports.

B. Effluent Monitoring

An effluent monitoring program shall be designed to evaluate the water quality of the discharge of circulated seawater from the proposed seawater life support system. An effluent sampling station(s) shall be established at a location(s) where representative samples of treated effluent can be obtained prior to discharge to the leachfield disposal system.

1. The following shall constitute the effluent monitoring program:

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Minimum Frequency of Analysis</u> ¹
Total Flow	gal/day	--	monthly
pH	pH units	grab	quarterly
Ammonia-N	mg/L	grab	quarterly
Total coliform	MPN/100mL	grab	quarterly
Enterococcus	MPN/100mL	grab	quarterly
BOD ₅ 20°C	mg/L	grab	annually
Dissolved oxygen	mg/L	grab	quarterly
Suspended solids	mg/L	grab	quarterly
Settleable solids	mg/L	grab	quarterly
Total residual chlorine	µg/L	grab	quarterly

¹⁾ The Discharger's compliance point is at "end of pipe".

2. The quarterly reports shall contain the following information:

- a. Average and maximum daily waste flow (effluent from retention basin) for each month of the quarter in gallons per day.
- b. Results of at least monthly observations in the disposal area for any over flow or surfacing of wastes.

3. In addition, the Discharger shall annually inspect the wastewater system including disposal area and submit an operation and maintenance report on the system. The information to be contained in the report shall include, at a minimum, the following:

- a. Results of annual inspection;
- b. The maintenance records for the wastewater treatment system;
- c. Type of maintenance (preventive or corrective action performed);
- d. Frequency of maintenance, if preventive;
- e. The name of the person responsible for the operation and maintenance of the facility.

III. WASTE HAULING REPORTING

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

IV. OPERATION AND MAINTENANCE REPORT

The Discharger shall annually submit a technical report to the Executive Officer relative to the operation and maintenance program for the Timothy M. Pennington IV, Marine Science Center. The information to be contained in the report shall include the following:

- a. The name and address of the person or company responsible for the operation and maintenance of the facility;
- b. Type of maintenance (preventive or corrective action performed);
- c. Frequency of maintenance, if preventive;
- d. Maintenance record of leaching/disposal fields system; and
- e. Results of at least monthly observations in the disposal area for any overflow or surfacing of waste.

This operations and maintenance record shall be kept current and filed with the annual report due by January 30.

V. CERTIFICATION STATEMENT

Each report shall contain the following declaration:

"I certify under penalty of law that this document, including all attachments and supplemental information, was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment.

Executed on the ____ day of _____ at _____.

(Signature)

(Title)"

VI. MONITORING FREQUENCIES

Monitoring frequencies may be adjusted to a less frequent basis or parameters dropped by the Executive Officer if the Discharger makes a request and the Executive Officer determines that the request is adequately supported by statistical trends of monitoring data submitted.

These records and reports are public documents and shall be made available for inspection during normal business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region.

Ordered by:



Tracy J. Egoscue
Executive Officer

Date: March 5, 2009

STANDARD PROVISIONS
APPLICABLE TO WASTE DISCHARGE REQUIREMENTS

1. DUTY TO COMPLY

The discharger must comply with all conditions of these waste discharge requirements. A responsible party has been designated in the Order for this project, and is legally bound to maintain the monitoring program and permit. Violations may result in enforcement actions, including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board. [CWC Section 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, 13350]

2. GENERAL PROHIBITION

Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the California Water Code (CWC). [H&SC Section 5411, CWC Section 13263]

3. AVAILABILITY

A copy of these waste discharge requirements shall be maintained at the discharge facility and be available at all times to operating personnel. [CWC Section 13263]

4. CHANGE IN OWNERSHIP

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

5. CHANGE IN DISCHARGE

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

- (a) Addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the Waste.

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Standard Provisions Applicable to
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- (b) Significant change in disposal method, e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.
- (c) Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
- (d) Increase in flow beyond that specified in the waste discharge requirements.
- (e) Increase in the area or depth to be used for solid waste disposal beyond that specified in the waste discharge requirements. [CCR Title 23 Section 2210]

6. REVISION

These waste discharge requirements are subject to review and revision by the Regional Board. [CCR Section 13263]

7. TERMINATION

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

8. VESTED RIGHTS

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

9. SEVERABILITY

Provisions of these waste discharge requirements are severable. If any provision of these requirements are found invalid, the remainder of the requirements shall not be affected. [CWC Section 921]

Standard Provisions Applicable to
Waste Discharge Requirements

10. OPERATION AND MAINTENANCE

The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order. [CWC Section 13263(f)]

11. HAZARDOUS RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the Water Code unless the discharger is in violation of a prohibition in the applicable Water Quality Control plan. [CWC Section 1327(a)]

12. PETROLEUM RELEASES

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

Standard Provisions Applicable to
Waste Discharge Requirements

13. ENTRY AND INSPECTION

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

- (a) Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- (d) Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order, or as otherwise authorized by the California Water Code, any substances or parameters at any location. [CWC Section 13267]

14. MONITORING PROGRAM AND DEVICES

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

All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year, or more frequently, to ensure continued accuracy of the devices. Annually, the discharger shall submit to the Executive Office a written statement, signed by a registered professional engineer, certifying that all flow measurement devices have been calibrated and will reliably achieve the accuracy required.

Unless otherwise permitted by the Regional Board Executive officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. The Regional Board Executive Officer may allow use of an uncertified laboratory under exceptional circumstances, such as when the closest laboratory to the monitoring location is outside the State boundaries and therefore not subject to certification. All analyses shall be required to be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants" [40CFR Part 136] promulgated by the U.S. Environmental Protection Agency. [CCR Title 23, Section 2230]

Standard Provisions Applicable to
Waste Discharge Requirements

15. TREATMENT FAILURE

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

16. DISCHARGE TO NAVIGABLE WATERS

Any person discharging or proposing to discharge to navigable waters from a point source (except for discharge of dredged or fill material subject to Section 404 of the Clean Water Act and discharge subject to a general NPDES permit) must file an NPDES permit application with the Regional Board. [CCR Title 2 Section 22357]

17. ENDANGERMENT TO HEALTH AND ENVIRONMENT

The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence(s) must be reported to the Executive Office within 24 hours:

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

18. MAINTENANCE OF RECORDS

The discharger shall retain records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and record of all data used

Standard Provisions Applicable to
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to complete the application for this Order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.

Records of monitoring information shall include:

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

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

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

20. OPERATOR CERTIFICATION

Supervisors and operators of municipal wastewater treatment plants and privately owned facilities regulated by the PUC, used in the treatment or reclamation of sewage and industrial waste shall possess a certificate of appropriate grade in accordance with Title 23, California Code of Regulations Section 3680. State Boards may accept experience in lieu of qualification training. In lieu of a properly certified wastewater treatment plant operator, the State Board may approve use of a water treatment plant operator of appropriate grade certified by the State Department of Health Services where reclamation is involved.

Each plan shall be operated and maintained in accordance with the operation and maintenance manual prepared by the municipality through the Clean Water Grant Program [CWC Title 23, Section 2233(d)]

ADDITIONAL PROVISIONS APPLICABLE TO
PUBLICLY OWNED TREATMENT WORKS' ADEQUATE CAPACITY

21. Whenever a publicly owned wastewater treatment plant will reach capacity within four years the discharger shall notify the Regional Board. A copy of such notification shall be sent to appropriate local elected officials, local permitting agencies and the press. The discharger must demonstrate that adequate steps are being taken to address the capacity problem. The discharger shall submit a technical report to the Regional Board showing flow volumes will be prevented from exceeding capacity, or how capacity will be increased, within 120 days after providing notification to the Regional Board, or within 120 days after receipt of notification from the Regional Board, of a finding that the treatment plant will reach capacity within four years. The time for filing the required technical report may be extended by the Regional Board. An extension of 30 days may be granted by the Executive Officer, and longer extensions may be granted by the Regional Board itself. [CCR Title 23, Section 2232]