
Central Valley Regional Water Quality Control Board

10 April 2017

Kelly Strong
Bill & Kathy's, Inc.
Wastewater Treatment Facility
PO Box 83
Dunnigan, CA 95937

CERTIFIED MAIL
91 7199 9991 7035 8360 4930

NOTICE OF APPLICABILITY

**GENERAL WASTE DISCHARGE REQUIREMENTS FOR
SMALL DOMESTIC WASTEWATER TREATMENT SYSTEMS
ORDER WQ 2014-0153-DWQ**

FOR

KELLY STRONG

**BILL & KATHY'S, INC. WASTEWATER TREATMENT FACILITY
YOLO COUNTY**

Kelly Strong submitted a Report of Waste Discharge (RWD) dated 22 December 2016 describing the Bill & Kathy's Inc. Wastewater Treatment Facility (WWTF) in Yolo County. Additional information was submitted on 13 January 2017 and 21 March 2017. Based on the provided information, the wastewater treatment system and discharge is consistent with the requirements of the State Water Resources Control Board (State Water Board) *General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems*, Order WQ 2014-0153-DWQ (General Order). This Notice of Applicability (NOA) provides notice that the General Order is applicable to the site and discharge as described below. You are hereby assigned Order WQ 2014-0153-DWQ-R5221 for the discharge. A copy of the General Order is enclosed and also available at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2014/wqo2014_0153_dwq.pdf

You should familiarize yourself with the entire General Order and its attachments, which describe mandatory discharge and monitoring requirements. The General Order contains operational and reporting requirements by wastewater system type. Sampling, monitoring, and reporting requirements applicable to your treatment and disposal methods must be completed in accordance with the appropriate treatment system sections of the General Order and the attached Monitoring and Reporting Program (MRP) 2014-0153-DWQ-R5221. The Discharger is responsible for all the applicable requirements that exist in the General Order and this NOA.

REGULATORY BACKGROUND

Prior to issuance of this NOA, the Bill & Kathy's Inc. WWTF was regulated by Waste Discharge Requirements (WDRs) Order 87-089, which was adopted on 22 May 1987. The Monitoring and Reporting Program required monthly monitoring of the wastewater ponds for pH and freeboard.

Effective upon rescission of Order 87-089 (expected to be at the 8/9 June 2017 Board meeting), the discharge shall be regulated pursuant to the General Order and this NOA.

This is an existing facility; therefore enrollment under the General Order is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, title 14, section 15301 which applies to ongoing or existing projects.

EXISTING FACILITY AND DISCHARGE DESCRIPTION

Kelly Strong (hereafter "Discharger") owns and operates the Bill & Kathy's, Inc. WWTF located approximately 0.2 miles south of the town of Dunnigan in Section 21, Township 12 North, Range 1 West, MDB&M in Yolo County. Surface water drainage is to Dunnigan Creek to the north and drains to the Colusa Basin Drainage Canal to the east. The site location is shown on Attachment A, which is attached hereto and is made part of this NOA by reference.

The WWTF is located in an area without a regional wastewater collection system; therefore, wastewater is collected and treated on-site. The service area serves a rural and transient population. The WWTF provides domestic wastewater treatment services to three areas as shown on Attachment A. Currently, wastewater is received from two fueling-stations (located at the southwest and southeast corner of the intersection of County Road 6 and 89) and a mini-mart (located at the northeast corner of the intersection of County Road 6 and 89). Domestic wastewater can also be received from an out-of-business restaurant located in the southwest corner of the intersection of County Road 6 and 89. Discharges of wastewater from recreational vehicles (motor homes) was originally accepted into the WWTF, however the Discharger no longer accepts this waste. Potable water is supplied by onsite private wells located within the three service areas.

The wastewater collection system consists of approximately 1/3 of a mile of pipeline, including gravity pipelines and a force main, and a lift station that was constructed sometime in or before 1976. The WWTF consists of two, clay-lined treatment ponds (Ponds 1 and 2) and an overflow basin as shown on Attachment A. Ponds 1 and 2 can receive wastewater from the lift station. Pipe connections and valves allow flow between Ponds 1 and 2 and from Pond 2 to the overflow basin when water levels are high. Estimated pond depths and volumes are shown in the table below.

Pond Name	Depth ¹ (feet)	Volume ² (mgal)
Pond 1	8.7	0.46
Pond 2	8.4	0.71
Overflow Basin	1.3	0.41
	Total:	1.57

¹ Approximate depth from the lowest elevation to the top of pond.

² Volume at 2-feet of freeboard from the lowest elevation to the top of pond.

The Discharger does not monitor flows into the ponds. Current wastewater flow was estimated to be 1,100 gallons per day (gpd) based on a flow rate of 430 gpd for fueling (gas) stations and 100 gpd per 1,000 square feet of retail space. The water balance submitted along with the RWD demonstrates adequate pond capacity under current domestic wastewater disposal conditions for a 100-year return period and average precipitation; however, the ponds and emergency basin have capacity for higher wastewater flows.

There are no groundwater wells to monitor underlying groundwater quality near the ponds. Depth to shallow groundwater in the Dunnigan area ranges between approximately 15 to 25 feet below ground surface. Residual solids are removed from the ponds as needed, and disposed of at permitted landfill.

SITE-SPECIFIC REQUIREMENTS AND EFFLUENT LIMITS

Note that the General Order contains prohibitions and specifications that apply to all wastewater treatment systems as well as those that only apply to specific treatment and/or disposal systems. The specific requirements and effluent limits for your treatment system are summarized below.

The wastewater treatment operator must be certified and familiar with the requirements contained in the General Order, this NOA, and the MRP.

Requirements by Wastewater System Type, Section B of General Order

B.1. All Wastewater Systems

This section applies in its entirety to the Bill & Kathy's, Inc. WWTF with the following site specific requirements.

B.1.a. Influent flow limits.

Treatment Unit	Flow Limit as Monthly Average ¹
Pond 1 and 2	1,500 gpd

¹ As determined by the total flow during the calendar month divided by the number of days in the month for each pond. Flow rate may be metered or estimated based on potable water supply meter reading or other approved method.

B.1.1. Wastewater system setbacks.

Equipment or Activity	Domestic Well	Flowing Stream ¹	Ephemeral Stream Drainage ²	Property Line	Lake or Reservoir ³
Septic Tank, Treatment System, & Collection System ⁴	150 ft. ⁵	50 ft. ⁶	50 ft.	5 ft. ⁶	200 ft. ⁷

¹ A flowing stream shall be measured from the ordinary high water mark established by fluctuations of water elevation and indicated by characteristics such as shelving, changes in soil character, vegetation, type, presence of litter or debris, or other appropriate means.

² Ephemeral Stream Drainage denotes a surface water drainage feature that flows only after rain or snow-melt and does not have sufficient groundwater seepage (baseflow) to maintain a condition of flowing surface water. The drainage shall be measured from a line that defines the limit of the ordinary high water mark (described in "a" above). Irrigation canals are not considered ephemeral streams drainage features. The ephemeral stream shall be a "losing stream" (discharging surface water to groundwater) at the proposed wastewater system site.

³ Lake or reservoir boundary measured from the high water line.

⁴ Septic Tank, Aerobic Treatment Unit, Treatment System, or Collection System addresses equipment located below ground or that impedes leak detection by routine visual inspection.

⁵ Setback established by the Onsite Wastewater Treatment System Policy, section 7.5.6.

⁶ Setback established by California Plumbing Code, Table K-1.

⁷ Setback established by the Onsite Wastewater Treatment System Policy, section 7.5.5.

B.5. Pond Systems

The WWTF utilizes a pond system; therefore this section applies in its entirety.

B.8. Sludge/Solids/Biosolids Disposal

The WWTF utilizes a pond system that will accumulate solid waste. To ensure optimal plant operation, solid waste shall be removed from the ponds; therefore this section applies in its entirety.

Effluent Limitations, Section D of General Order

The pond system is not subject to technology performance effluent limits for biochemical oxygen demand (BOD) and total suspended solids (TSS) as specified in Table 4 of the General Order because BOD and TSS limits are only applicable to land application or subsurface disposal. In addition, an effluent nitrate limit is not necessary because monthly average flows will be less than 20,000 gpd.

Technical Report Preparation Requirements, Provisions Section E.1 of General Order

The following technical reports shall be submitted as described below:

1. **By 1 August 2017**, the Discharger shall submit a *Spill Prevention and Emergency Response Plan* (Response Plan) consistent with the requirements of General Order Provision E.1.a.
2. **By 1 August 2017**, the Discharger shall submit a *Sampling and Analysis Plan* (SAP) consistent with the requirements of General Order Provision E.1.b. In addition, the SAP shall describe the method of compliance with the influent flow monitoring requirement and identify the facility's certified operator.
3. **By 1 October 2017**, the Discharger shall submit a *Sanitary Sewer System and Wastewater Treatment Facility Evaluation Report*. The sanitary sewer system consists of any sewer pipe, manholes, lift station, and/or other conveyance system elements that direct raw sewage to the treatment facility. The report shall describe the routine maintenance program, control measures, and/or management practices taken to adequately maintain, operate, and prevent overflows from its sanitary sewer system and confirm the integrity of the system. The report shall summarize the most recent sewer system inspection, evaluation, and/or repairs performed over the last 10 years. The report shall also include information regarding pond and emergency basin construction such as but not limited to as-builts or construction completion reports, that certifies that the ponds and emergency basin were constructed as designed.
 - a. If an inspection or evaluation of the sewer system has not occurred in the last 10 years, the Discharger shall conduct a sewer system inspection of the system. **By 1 December 2017**, the Discharger shall submit a *Sanitary Sewer System Inspection Report* that describes the inspection, evaluates the system, and certifies any repairs made.
4. **Within 90 days prior** to any removal, drying, treatment, or disposal of sludge for pond maintenance, the Discharger shall submit and implement a *Sludge Management Plan* consist with the requirements of General Order Provision E.1.c.

MONITORING AND REPORTING PROGRAM

The Discharger shall comply with MRP 2014-0153-DWQ-R5221, which is attached hereto and made part of this NOA by reference.

ENFORCEMENT

Please review this NOA carefully to ensure that it completely and accurately reflects the discharge. Discharge of wastes other than those described in this NOA is prohibited. Prior to allowing changes to the wastewater strength or generation rate, or to the method of waste disposal, you must contact the Central Valley Regional Water Board to determine if submittal of an RWD is required.

The waste, subject to the terms and conditions of WQ 2014-0153-DWQ-R5221, is discharged to property owned by Kelly Strong. Kelly Strong will maintain exclusive control over the discharge,

and therefore is primarily responsible for compliance with this NOA, MRP, and General Order, with all attachments. Failure to comply with the requirements in the General Order or this NOA could result in an enforcement action as authorized by provisions of the California Water Code.

ANNUAL FEES

Staff has determined the discharge is a threat to water quality and complexity rating of 3-B. The annual fee corresponding to a threat to water quality and complexity of 3-B is currently \$4,699. The fee is due and payable on an annual basis until coverage under the General Order is formally rescinded. Please note that the annual fees are reviewed each year and may change. If the wastewater discharge ceases, you must provide written notice so that we can terminate coverage under the General Order and no longer bill you.

DOCUMENT SUBMITTAL

All monitoring reports and other correspondence should be converted to searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB should be emailed to: centralvalleysacramento@waterboards.ca.gov.

To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or any documentation submitted to the mailing address for this office:

Facility Name: Bill & Kathy's, Inc. WWTF, Yolo County		
Program: Non-15 Compliance	Order: 2014-0153-DWQ-R5221	CIWQS Place ID: 209595

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to:

Central Valley Regional Water Quality Control Board
ECM Mailroom
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

Now that the Notice of Applicability has been issued, the Board's Compliance and Enforcement section will take over management of your case. Brendan Kenny is your new point of contact for any questions about the General Order. If you find it necessary to make a change to your permitted operations, Brendan will direct you to the appropriate Permitting staff. You may contact Brendan at (916) 464-4635 or at bkenny@waterboards.ca.gov

- Original signed by Andrew Altevogt for -

PAMELA C. CREEDON
Executive Officer

Enc and Cc: See next page

Enc: Attachment A, Site Location Map
Monitoring and Reporting Program 2014-0153-DWQ-R5221
Water Quality Order WQ 2014-0153-DWQ

Cc w/out enc: Timothy O'Brien, State Water Resources Control Board, Sacramento
Yolo County Environmental Health Department, Woodland
Brian Delemos, Laugenour and Meikle, Woodland

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM WQ 2014-0153-DWQ-R5221

FOR

KELLY STRONG
BILL & KATHY'S INC. WASTEWATER TREATMENT FACILITY
YOLO COUNTY

This Monitoring and Reporting Program (MRP) describes requirements for monitoring a wastewater treatment system at the Bill & Kathy's Inc. Wastewater Treatment Facility. This MRP is issued pursuant to Water Code section 13267. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) or Executive Officer.

Water Code section 13267 states, in part:

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

Water Code section 13268 states, in part:

“(a) Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of section 13267, or failing or refusing to furnish a statement of compliance as required by subdivision (b) of section 13399.2, or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in accordance with subdivision (b).

(b)(1) Civil liability may be administratively imposed by a regional board in accordance with article 2.5 (commencing with section 13323) of chapter 5 for a violation of subdivision (a) in an amount which shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.”

Kelly Strong owns and operates the wastewater system that is subject to the Notice of Applicability (NOA) of Water Quality Order 2014-0153-DWQ-R5221. The reports are

necessary to ensure that the Discharger complies with the NOA and General Order. Pursuant to Water Code section 13267, the Discharger shall implement this MRP and submit the monitoring reports described herein.

All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. The name of the sampler, sample type (grab or composite), time, date, location, bottle type, and any preservative used for each sample shall be recorded on the sample chain of custody form. The chain of custody form must also contain all custody information including date, time, and to whom samples were relinquished. If composite samples are collected, the basis for sampling (time or flow weighted) shall be approved by Central Valley Water Board staff.

Field test instruments (such as those used to test pH, dissolved oxygen, and electrical conductivity) may be used provided that they are used by a State Water Resources Control Board, Environmental Laboratory Accreditation Program certified laboratory, or:

1. The user is trained in proper use and maintenance of the instruments;
2. The instruments are field calibrated prior to monitoring events at the frequency recommended by the manufacturer;
3. Instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
4. Field calibration reports are maintained and available for at least three years.

INFLUENT FLOW MONITORING

Influent flow shall be representative of wastewater flow from all sources and monitored upstream of the ponds, as specified below:

Parameter	Units	Type of Sample	Monitoring Frequency	Reporting Frequency
Average Daily Influent	MGD	Meter ¹ 11Observation ¹	Daily	Quarterly

¹ Metered or estimated based on potable water supply meter readings or other approved method.

POND SYSTEM MONITORING

The Discharger shall monitor each pond and the overflow basin as specified below.

Parameter	Units	Type of Sample	Monitoring Frequency	Reporting Frequency
Freeboard ¹	0.1 feet	Staff Gage	Weekly	Quarterly
Levee Condition	--	Observation	Weekly	Quarterly
Seepage ²	--	Observation	Weekly	Quarterly
Odors	--	Observation	Weekly	Quarterly
Dissolved Oxygen ³	mg/L	Grab	Monthly	Quarterly

¹ Freeboard shall be measured vertically from the surface of the pond water to the lowest elevation of the surrounding berm and shall be measured to the nearest 0.1 feet.

- ² Pond containment berms shall be observed for signs of seepage or surfacing water along the exterior toe. If surfacing water is found, then a sample shall be collected and tested for total coliform organisms and total dissolved solids.
- ³ Dissolved oxygen shall be monitored at each pond that contains at least one foot of standing water. The report shall state how much water was in the pond if dissolved oxygen was not monitored. Samples shall be collected opposite the pond inlet at a depth of one foot.

SOLIDS DISPOSAL MONITORING

The Discharger shall report the handling and disposal of all solids (e.g., screenings, grit, sludge, biosolids, etc.) generated at the wastewater system. Records shall include the name/contact information for the hauling company, the type and amount of waste transported, the date removed from the wastewater system, the disposal facility name and address, and copies of analytical data required by the entity accepting the waste. These records shall be submitted as part of the annual monitoring report.

REPORTING

All monitoring reports should be converted to a searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50MB should be emailed to: *centralvalleysacramento@waterboards.ca.gov*.

Documents that are 50 MB or larger should be transferred to a CD, DVD, or flash drive and mailed to the following address:

Central Valley Regional Water Quality Control Board
ECM Mailroom
11020 Sun Center Drive, Suite 200
Rancho Cordova, California 95670

To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or transmittal sheet:

Attention: Compliance/Enforcement Section
Kelly Strong
Bill & Kathy's Inc. Wastewater Treatment Facility
Yolo County
Place ID: 209595

In reporting monitoring data, the Discharger shall arrange the data in tabular form so that the date, sample type (e.g., effluent, solids, etc.), and reported analytical or visual inspection results are readily discernible. The data shall be summarized to clearly illustrate compliance with the General Order and NOA as applicable. The results of any monitoring done more frequently than required at the locations specified in the MRP shall be reported in the next regularly scheduled monitoring report and shall be included in calculations as appropriate.

Monitoring information shall include the method detection limit (MDL) and the Reporting limit (RL) or practical quantitation limit (PQL). If the regulatory limit for a given constituent is less than the RL (or PQL), then any analytical results for that constituent that are below

the RL (or PQL) but above the MDL shall be reported and flagged as estimated. For a Discharger conducting any of its own analyses, reports must be signed and certified by the chief of the laboratory.

A. Quarterly Monitoring Reports

Quarterly reports shall be submitted to the Regional Water Board on the **first day of the second month after the quarter ends** (e.g., the January-March Quarterly Report is due by May 1st). The reports shall bear the certification and signature of the Discharger's authorized representative. At a minimum, the quarterly reports shall include:

1. Results of all required monitoring. Data shall be organized by the associated monitoring sections (e.g., Flow Monitoring, Effluent Monitoring, etc.) and presented in tabular format.
2. A comparison of monitoring data to the discharge specifications, flow limit, and effluent limits.
3. A disclosure of any violations of the NOA and/or General Order requirements and an explanation of corrective actions.
4. The name of the certified operator for this facility.
5. If requested by staff, copies of laboratory analytical report(s) and chain of custody form(s).

B. Annual Report

Annual Reports shall be submitted to the Regional Water Board by **February 1st following the monitoring year**. The Annual Report shall include the following:

1. Tabular and graphical summaries of all monitoring data collected during the year.
2. An evaluation of the performance of the wastewater treatment system, including discussion of capacity issues, nuisance conditions, system problems, and a forecast of the flows anticipated in the next year. A flow rate evaluation, as described in the General Order (Provision E.2.c), shall also be submitted if required.
3. A discussion of compliance and the corrective action taken, as well as any planned or proposed actions needed to bring the discharge into compliance with the NOA and/or General Order.
4. A discussion of any data gaps and potential deficiencies/redundancies in the monitoring system or reporting program.
5. The name and contact information for the certified wastewater operator responsible for operation, maintenance, and system monitoring.

A letter transmitting the monitoring reports shall accompany each report. The letter shall report violations found during the reporting period, and actions taken or planned to correct the violations and prevent future violations. The transmittal letter shall contain

the following penalty of perjury statement and shall be signed by the Discharger or the Discharger's authorized agent:

"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 the 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."

The Discharger shall implement the above monitoring program as of the date of this MRP.

Ordered by:

- Original signed by Andrew Altevogt for -

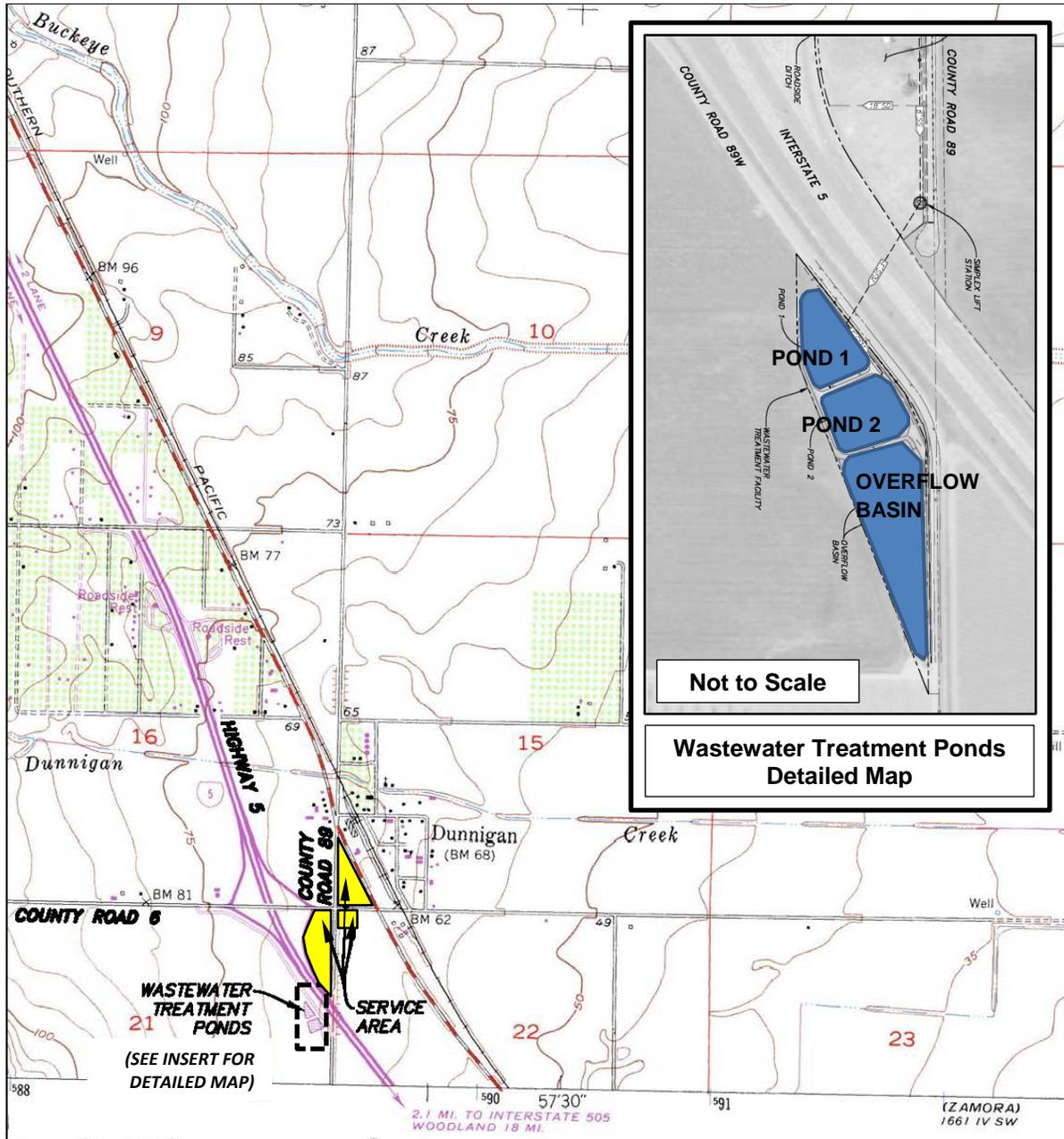
PAMELA C. CREEDON, Executive Officer
10 April 2017

DATE

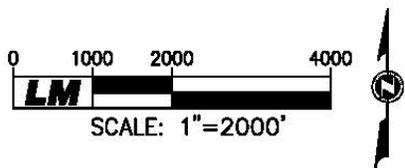
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GLOSSARY

BOD ₅	Five-day biochemical oxygen demand
CaCO ₃	Calcium carbonate
DO	Dissolved oxygen
EC	Electrical conductivity at 25° C
FDS	Fixed dissolved solids
NTU	Nephelometric turbidity unit
TKN	Total Kjeldahl nitrogen
TDS	Total dissolved solids
TSS	Total suspended solids
Continuous	The specified parameter shall be measured by a meter continuously.
24-hr Composite	Samples shall be a flow-proportioned composite consisting of at least eight aliquots over a 24-hour period.
Daily	Every day except weekends or holidays.
Twice Weekly	Twice per week on non-consecutive days.
Weekly	Once per week.
Twice Monthly	Twice per month during non-consecutive weeks.
Monthly	Once per calendar month.
Bimonthly	Once every two calendar months (i.e., six times per year) during non-consecutive months.
Quarterly	Once per calendar quarter.
Semiannually	Once every six calendar months (i.e., two times per year) during non-consecutive quarters.
Annually	Once per year.
mg/L	Milligrams per liter
mL/L	Milliliters [of solids] per liter
µg/L	Micrograms per liter
µmhos/cm	Micromhos per centimeter
gpd	Gallons per day
mgd	Million gallons per day
MPN/100 mL	Most probable number [of organisms] per 100 milliliters
MTF	Multiple tube fermentation



NOTE: VERTICAL DATUM FOR TOPOGRAPHY SHOWN HERE IS DIFFERENT THAN FOR RECENT LAND SURVEY DATA SHOWN IN OTHER EXHIBITS



Drawing Reference:
 RWD, 22 December 2016
 U.S.G.S. Topographic Map
 Dunnigan Quadrangle
 7.5 Minute Quadrangle

SITE LOCATION MAP
 Bill & Kathy's, Inc.
 Wastewater Treatment Facility
 Yolo County

Approx. Scale:
 As Noted Above