

# CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD CENTRAL VALLEY REGION

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## [PRELIMINARY] GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2026-XXXX



### ORDER INFORMATION

**General Order:** Waste Discharge Requirements (WDRs) for Domestic Wastewater Treatment Systems with Flows Greater Than 0.1 Million Gallons Per Day

**Status:** Preliminary

**Program:** Groundwater Protection Program

**Region 5 Office:** Sacramento (Rancho Cordova), Fresno, and Redding

**County:** Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, El Dorado, Fresno, Glenn, Kern, Kings, Lake, Lassen, Madera, Mariposa, Merced, Modoc, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Joaquin, San Luis Obispo, Shasta, Sierra, Siskiyou, Solano, Stanislaus, Sutter, Tehama, Tulare, Tuolumne, Yolo, Yuba

## **CERTIFICATION**

I, PATRICK PULUPA, Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Central Valley Region, on \_\_\_\_\_ [Month] [Year].

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PATRICK PULUPA,  
Executive Officer

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## ATTACHMENTS

- Attachment A – Monitoring and Reporting Program Template
- Attachment B – Information Sheet/Definitions
- Attachment C – ROWD/Notice of Intent Form

## I. FINDINGS

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) finds as follows:

### A. Background

#### Purpose

1. This General Order, or Order, establishes waste discharge requirements (WDRs) for domestic wastewater treatment plants (WWTPs) designed to treat wastewater flows greater than 100,000 gallons per day (gpd) (Large WWTPs), which discharge treated wastewater to land.<sup>1</sup> The Information Sheet (Attachment B) includes definitions of relevant terms and further information about Large WWTPs in the Central Valley.
2. The following materials are attached to this Order and incorporated herein:
  - Attachment A – Monitoring and Reporting Program Template
  - Attachment B – Information Sheet/Definitions
  - Attachment C – ROWD/Notice of Intent Guidance Document
3. The Central Valley Water Board currently regulates approximately 200 Large WWTPs. These facilities generally share common characteristics, including similar constituents of concern, concentration levels, disposal techniques, flow ranges, and treatment standards. Therefore, Large WWTPs that will be regulated under this General Order are consistent with the criteria listed in Finding B.2 below, and therefore, it is appropriate to regulate these discharges under a general WDRs Order. (See Wat. Code, § 13263, subd. (i).)
4. Owners and/or operators of the Large WWTPs and land disposal areas enrolled under this Order are collectively referred to as “**Dischargers**.” For each Large WWTP enrolled under this Order, the Central Valley Water Board will issue a Notice of Applicability (NOA) that identifies the Discharger(s) responsible for ensuring that the enrolled facility is operated and maintained in accordance with the requirements of this Order. Along with the NOA, the Central Valley Water Board will develop a facility-specific Monitoring and Reporting Program (MRP).

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<sup>1</sup> “Waste” includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal. (Wat. Code, § 13050, subd. (d).)

Eligibility Requirements

5. To be eligible for coverage under this Order, a Large WWTP (i.e., facility designed to treat a monthly average flow of at least 100,000 gpd or 0.1 million gallons per day [MGD]) must meet the following criteria:
  - a. The facility receives and treats domestic wastewater from municipal and private community sources and other sources with similar wastewater characteristics, including but not limited to national and state parks, hospitals, prisons, commercial centers, and airport terminals. Influent wastewater characteristics should conform to those of typical domestic wastewater as outlined in Table 1 contained in the attached Information Sheet.
  - b. The facility does not receive influent from industrial sources unless they comply with the applicable pretreatment requirements specified in the Pretreatment Requirements and Pretreatment Specifications of this General Order.
  - c. The facility discharges wastewater to land, including but not limited to disposal ponds/fields (e.g., evaporation/percolation ponds) and non-potable reuse (recycled water) activities (e.g., agricultural or landscape irrigation).
6. WWTPs must use an appropriate wastewater treatment level based on the receiving water quality at the wastewater disposal location. A WWTP may provide treatment using any of the following methods, including but not limited to ponds (e.g., facultative, aerobic, anaerobic, etc); constructed wetlands; aerobic treatment systems (e.g., activated sludge, sequencing batch reactors, extended aeration, membrane biological reactors); clarification; settling; biofiltration (e.g., attached growth systems, trickling filters, etc.); filtration; and disinfection systems (e.g., chlorine, ultraviolet light, etc.).
7. In accordance with *Resolution R5-2009-0028 In Support Of Regionalization, Reclamation, Recycling And Conservation For Wastewater Treatment Plants*, new or expanding WWTPs within or near the boundaries of a centralized wastewater district or regional service area, must demonstrate a good faith effort to connect to the centralized system by conducting the appropriate analysis to determine if consolidation is feasible. This effort should include conducting an appropriate analysis to determine if consolidation is feasible, considering technical, environmental, and economic factors.

Exclusions and Other General Orders

8. WWTPs with monthly average flow rates of less than 100,000 gpd do not qualify for coverage under this Order. Such systems may obtain coverage under the separately issued State Water Resources Control Board (State Water Board) Order WQ 2014-0153-DWQ, *General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems* or individual WDRs.

9. This Order does not serve as a National Pollutant Discharge Elimination System (NPDES) permit or water quality certification under the federal Water Pollution Control Act (i.e., Clean Water Act) (33 U.S.C. § 1251 et seq.) nor does it authorize any discharge of waste to surface waters. Any discharges of waste to surface waters or that are otherwise subject to these authorities must be authorized under a separate order(s).
10. This Order authorizes the production of non-potable recycled water (Wat. Code, § 13050, subd. (n)) and requires all recycled water to comply with the applicable requirements of California's Uniform Statewide Recycling Criteria (Cal. Code Regs., tit. 22, div. 4, ch. 3 (§ 60301.050 et seq.)). These criteria are implemented by the State Water Board, Division of Drinking Water (DDW). The distribution and use of recycled water are separately regulated under State Water Board Order WQ 2016-0068-DDW, *Water Reclamation Requirements for Recycled Water Use*.
11. This Order does not regulate the operation of sanitary sewer systems. Dischargers that meet the criteria for coverage under State Water Board Order WQ-2022-0103-DWQ, *Statewide Waste Discharge General Order for Sanitary Sewer Systems*, are required to enroll under that Order.

**B. Statutory Authority and Applicable Regulations**

Statutory Authority

1. Pursuant to Water Code section 13263, subdivision (a), this Order contains requirements as to the nature of discharges from Large WWTPs with relation to the conditions existing in the areas and waters to which those discharges are or will be made. In doing so, this Order implements Water Code section 13241 and its applicable water quality control plans and takes into consideration the beneficial uses of water to be protected, water quality objectives (WQOs) supporting such uses, other waste discharges, prevention of nuisances, and the provisions of Water Code section 13241.
2. Water Code section 13263, subdivision (i), provides that the Central Valley Water Board may prescribe general WDRs for a category of discharges that meet the following criteria:
  - a. The discharges are produced by the same or similar operations.
  - b. The discharges involve the same or similar types of waste.
  - c. The discharges require the same or similar treatment standards.
  - d. The discharges are more appropriately regulated under general discharge requirements than individual waste discharge requirements.

As described in the Findings of this Order, including the Information Sheet, discharges of waste to land from Large WWTPs have common characteristics,

are produced by the same or similar operations, involve similar wastewater constituents, constituent concentrations, flow ranges, and disposal techniques, and require the same or similar treatment standards. Therefore, these types of discharges can be appropriately regulated under this General WDRs Order.

3. Pursuant to Water Code section 13263, subdivision (g), the discharge of waste into waters of the state is a privilege, not a right. This Order does not create a vested right to discharge waste for any party.
4. Pursuant to Water Code section 13267, Dischargers may be required to furnish, under penalty of perjury, technical or monitoring program reports as a condition of this General Order. Water Code section 13267, subdivision (b)(1) states, in part:

*[T]he 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 ... 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.*

5. California Water Code section 13268 states:
  - (a)(1) *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.*
6. Technical and monitoring reports required by this General Order, NOA, or MRP are necessary for the Board to evaluate compliance with this Order, the scope of actual or threatened water quality impacts in disposal areas, and, if necessary, the need for additional or modified WDRs to prevent conditions of pollution or nuisance. The evidence supporting the need for the reports are contained in the information provided by the dischargers subject to this General Permit and in the files of the Central Valley Water Board. The burden, including costs, of providing the technical reports required by this General Permit bears a reasonable relationship to the need for the reports and the benefits to be obtained from the

reports and is consistent with the best interest of the state in maintaining water quality.

7. Water Code section 13260, subdivision (a), requires that any person or entity discharging waste or proposing to discharge waste within any region, other than to a community sewer system, that could affect the quality of the waters of the state to file a Report of Waste Discharge (ROWD) in order to obtain regulatory authorization for the discharge. Pursuant to section 13260, this Order requires existing and prospective Dischargers seeking coverage under this General Order to submit a complete Notice of Intent (NOI), Form 200, technical reports, and appropriate fee (see Cal. Code Regs., tit. 23, § 2200, and Attachment C - ROWD/Notice of Intent Form) to obtain coverage under this Order and before making any material change in the character, location, or volume of any existing, authorized discharge. Large WWTPs seeking permit coverage where individual WDRs are more appropriate must submit a ROWD requesting individual WDRs.

#### Basin Plans

8. This Order implements the Central Valley Water Board's Water Quality Control Plan for the Sacramento River and San Joaquin River Basins (Sacramento and San Joaquin Basin Plan) and Water Quality Control Plan for the Tulare Lake Basin (Tulare Lake Basin Plan) (collectively, Basin Plans)<sup>[2]</sup>. The Basin Plans designate beneficial uses for surface and ground waters in their respective basins, WQOs to preserve those beneficial uses, and implementation plans and policies for achieving the WQOs, and incorporate by reference applicable plans and policies adopted by the State Water Board. (See Wat. Code, § 13241 et seq.)
9. Consistent with Water Code section 13241, the Central Valley Water Board, in establishing the requirements contained herein, considered factors including, but not limited to, past, present, and probable future beneficial uses of water; environmental characteristics of the hydrographic units under consideration, including the quality of water available thereto; water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area; economic considerations; the need for developing housing within the region(s); the need to develop and use recycled water; the need to support the human right to water; the need to implement adaptive management strategies to address evolving long-term trends in meteorological conditions, and the need to support disadvantaged communities' access to wastewater treatment and disposal.
10. The Sacramento and San Joaquin Basin Plans provide that, unless otherwise designated by the Central Valley Water Board, all groundwater in the

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<sup>[2]</sup> [Copies of the Basin Plans and Basin Plan amendments](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/) are available. ([https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/))

Sacramento River and San Joaquin River Basins is designated for, at a minimum, municipal and domestic supply (MUN), agricultural supply (AGR), industrial service supply (IND), and industrial process supply (PRO). The Tulare Lake Basin Plan designates all groundwater covered therein for MUN unless specifically exempted by the Central Valley Water Board. In addition, unless otherwise designated by the Central Valley Water Board, all groundwaters in the region are considered suitable or potentially suitable, at a minimum, for AGR, IND, PRO, REC-1, and WILD. Groundwater in the Tulare Lakebed, as described and shown in Figure 2-3 of the Tulare Lake Basin Plan, is not suitable for MUN or AGR uses and has been de-designed as detailed in the Tulare Lake Basin Plan.

11. The Basin Plans establish WQOs to ensure reasonable protection of the beneficial uses of surface and ground waters and prevent nuisance. WQOs are numeric or narrative limits or levels of water quality constituents or characteristics. WQOs apply to all waters for which beneficial uses have been designated and define the least stringent standards that the Central Valley Water Board will apply to discharges of waste to protect beneficial uses. The WQOs implemented by this Order are consistent with the Basin Plans' respective WQOs and Policies for Application of WQOs. WQOs that apply to groundwater include, but are not limited to: (1) numeric objectives for bacteria and (2) narrative objectives for chemical constituents, taste and odor, and toxicity. Dischargers are not required to improve water quality beyond naturally occurring background conditions.
  - a. The numeric WQO for bacteria is expressed as the most probable number (MPN) of coliform organisms per 100 mL of water. For MUN-designated groundwater, the objective is 2.2 MPN/100 mL over any seven-day period.
  - b. The narrative WQO for chemical constituents in groundwater generally provides that groundwater shall not contain constituents in concentrations adversely affecting beneficial uses. For MUN-designated waters, the Basin Plan further requires that such water, at a minimum, meets the primary and secondary maximum contaminant levels (MCLs) specified in California Code of Regulations, title 22 (Title 22), sections 64431, 64444, and 64449. For Secondary MCLs identified in Title 22, Tables 64449-A and 64449-B, appropriate long-term averaging periods shall be used to evaluate ambient groundwater quality and annual averages of samples results will be used to determine compliance with WDRs implementing WQOs based on these Secondary MCLs.

Additionally, for ground waters designated MUN, concentrations of chemical constituents shall not exceed the Secondary MCLs specified in Table 64449-A or the "Upper" level specified in Table 64449-B unless otherwise authorized by the Central Valley Water Board in accordance with the provisions of section 64449 et seq. In cases where the natural background concentration of a particular constituent exceeds these MCLs, the Board may not authorize discharges of waste that would cause

groundwater to exceed that natural background concentration, except in accordance with the State Antidegradation Policy (State Water Board, Res. 68-16.)

- c. The narrative WQO for tastes and odors provides that ground waters shall not contain taste- or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses.
- d. The narrative WQO for toxicity provides that groundwater shall be maintained free of toxic substances in concentrations producing detrimental physiological responses in human, animal, plant, or aquatic life associated with designated beneficial uses.

12. To the extent necessary, narrative WQOs are quantified on a site-specific basis as numeric limits for constituents with the potential to adversely impact designated uses. In determining a site-specific numeric limit, the Central Valley Water Board considers relevant published criteria.

13. Section 4.1.11.5 (Discharges to Land) of the Tulare Lake Basin Plan establishes mandatory treatment requirements for, in part, biochemical oxygen demand (BOD) and total suspended solids (TSS) for WWTPs that discharge to land within the Tulare Lake basin. This Order implements those treatment requirements for all enrolled WWTPs within the Tulare Lake Basin.

14. This Order establishes effluent limitations consistent with U.S. EPA secondary treatment standards, the Basin Plans, and Title 22 (if applicable).

Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS)

15. On 31 May 2018, the Central Valley Water Board adopted Resolution R5-2018-0034, approving Basin Plan amendments incorporating the CV-SALTS Salt and Nitrate Control Programs. The Basin Plan amendments became effective on 17 January 2020 but were subsequently revised by the Central Valley Water Board in 2020 through the adoption of Resolution R5-2020-0057, effective 10 November 2021.

16. The overarching goals and priorities of the Salt and Nitrate Control Programs are to (1) ensure safe drinking water supply; (2) reduce salt and nitrate loading so that ongoing discharges neither threaten to degrade high quality waters absent findings by the Central Valley Water Board, nor cause or contribute to exceedances of WQOs; and (3) implement long-term managed restoration of impaired water bodies.

17. To ensure compliance with the Salt and Nitrate Control Programs, this Order incorporates the Basin Plans' Conditional Prohibitions for these Programs.

- a. For the Salt Control Program (SCP), dischargers that received a Notice to Comply are prohibited from discharging salts in concentrations that exceed

the salinity numeric values in the Phase 1 Conservative Permitting Approach (700  $\mu\text{mhos}/\text{cm}$  as a monthly average) unless they have elected and are actively implementing the Alternative Salinity Permitting Approach Phase 1 requirements of the SCP.

- b. For the Nitrate Control Program (NCP), Dischargers subject to the Nitrate Control Program (NCP) are prohibited from discharging nitrate to groundwater unless they comply with the NCP requirements. A discharger is subject to the NCP under any of the following circumstances:
  - i. Notice to Comply – The discharger received a Notice to Comply under the NCP.
  - ii. New or Expanded Discharge in a Groundwater Basin/Sub-basin (regardless of priority) – After the effective date of the NCP (January 17, 2020), the discharger either initiates a new discharge or makes a material change to its operation that increases the level of nitrate discharged to groundwater.

Salt Control Program

18. The SCP provides a framework for controlling and permitting salt discharges to groundwater in the Central Valley region. The SCP will be implemented in three ten-to-fifteen-year phases, wherein the findings from each phase will inform the next, allowing for adaptive management of salt discharges in the Central Valley region. The first phase (Phase 1) is underway.
19. During Phase 1, dischargers of salt are required to select one of two permitting pathways: the Conservative Permitting Approach or the Alternative Permitting Approach. Under the Conservative Permitting Approach, dischargers must meet conservative salt-loading limits and limited use of assimilative capacity and/or compliance time schedules. Under the Alternative Permitting Approach, dischargers must maintain current efforts to control salinity in their discharges and fully participate in the regionwide Prioritization and Optimization (P&O) Study. Dischargers that meet these requirements will be deemed in compliance with the salinity discharge requirements of this Order. Based on the nature of the discharge permitted by this Order (i.e., treated domestic wastewater), the majority of eligible WWTPs for this General Order do not meet the thresholds set by the Conservative Permitting Approach. It is anticipated that most WWTPs enrolled under this General order will participate in the regionwide P&O Study.
20. Under the SCP, Dischargers may change their elected compliance pathway by submitting a written request to the Central Valley Water Board. This request must include documentation regarding how the permittee will comply with the requirements applicable to the compliance pathway elected and the basis for the change. If the Discharger requests to change from the Alternative to the Conservative Permitting Approach, the permittee must demonstrate to the Board that it has complied with all provisions associated with the Alternative Compliance Permitting Approach, including financial support to the P&O study,

up through the time of permit revision to incorporate requirements for the Conservative Permitting Approach. If the Discharger requests to change from the Conservative Permitting Approach to the Alternative Approach, the Discharger shall meet the financial commitment requirements of the P&O Study.

Nitrate Control Program

21. Dischargers subject to the NCP are required to select one of two permitting approaches: the Individual Approach (Path A) or the Management Zone Approach (Path B). Path A requires dischargers to evaluate the impacts of their nitrate discharges on shallow groundwater underlying the area of discharge (Shallow Zone). Based on that evaluation, facility discharges will be identified as falling into one of five categories of nitrate discharges (see **Attachment C - CV-SALTS Basin Plan Amendment, Table N-3**). Dischargers whose permitted discharges cause or may cause nitrate in the Shallow Zone to exceed 75 percent of the WQO for nitrate (i.e., Category 4 and 5 dischargers) may be required to develop and implement long-term Alternative Compliance Projects (ACPs) with identified milestones for addressing nitrate-related drinking water issues (see CV-SALTS Basin Plan Amendment, Table N-5.A and Table N-5.B for detailed compliance schedule). Alternatively, under Path B, permitted dischargers of nitrate may elect to comply with the NCP by participating in basin- or sub-basin-specific Management Zones. Path B dischargers must collaborate with other dischargers within their respective Management Zones to ensure provision of safe drinking water to adversely affected residents within their areas and to develop and execute Management Zone Implementation Plans for managing and reducing nitrate loading to groundwater.
22. The Central Valley Water Board has identified and categorized Groundwater Basins/Sub-basins (Priority 1, Priority 2, and Non-Prioritized Basins) and established timelines for phased implementation of the NCP in these prioritized areas. As of the date of the adoption of this Order, Priority 1 Management Zones (identified in the Information Sheet) have Management Zone Implementation Plans (MZIPs) that are either accepted or approved by the Central Valley Water Board. Priority 2 Management Zones (**identified in the Information Sheet**) have approved Early Action Plans and are in the process of developing MZIPs. Groundwater basins that are not currently prioritized may be designated as a high priority on a case-by-case basis when determined necessary by the Central Valley Water Board. In such cases, existing dischargers to those basins will receive Notices to Comply, including a time schedule for implementation of NCP requirements.
23. New dischargers or existing dischargers proposing to increase the level of nitrate discharged to any designated groundwater basin/sub-basin (regardless of

priority)<sup>[3]</sup> must include the initial assessment information at the time of submittal of the ROWD. If a Management Zone does not exist at the time of application, the Central Valley Water Board may use its discretion to issue a time schedule to the discharger to comply with the Nitrate Control Program through a later-formed Management Zone. Dischargers of nitrate located in areas that are not part of a designated basin/sub-basin are not subject to the NCP unless they receive a Notice to Comply.

24. If a discharger would like to elect a different permitting pathway under the NCP, they must notify the Central Valley Water Board in writing. The Central Valley Water Board will consider approval of the requested change on a case-by-case basis.

25. **Exceptions from the WQO for Nitrate.** As described in the Basin Plans' Exceptions Policy, exceptions are intended to facilitate long-term attainment of WQOs or to provide the time needed to revise an inappropriate WQO or beneficial use designation. Dischargers granted an exception may not be required to comply with effluent and/or groundwater limitations for nitrate. Exceptions shall generally not exceed a term of ten years; however, the Central Valley Water Board may adopt exceptions up to 35 years for nitrate if the applicant(s) can demonstrate that it is necessary to further the management goals of the NCP. Any permitted discharger, or a recognized third party acting on behalf of multiple dischargers, may apply to the Central Valley Water Board for an exception from implementation of WQOs for nitrate for their wastewater discharges. For dischargers participating in a Management Zone, the Management Zone Implementation Plan may substitute for an exception application if it meets the criteria described in the Exceptions Policy. The Central Valley Water Board may rescind exceptions when the applicant(s) does not comply with the terms and conditions of their exception. The issuance, modification, or rescission of any exception must be approved by the Central Valley Water Board after public notice and hearing.

#### Antidegradation Policy

26. State Water Board Resolution 68-16, *Statement of Policy with Respect to Maintaining High Quality Waters in California* (Antidegradation Policy), which is incorporated as part of the Basin Plan, requires existing "high quality waters" be maintained until it has been demonstrated to the State that any change will be consistent with the maximum benefit to the people of California; will not unreasonably affect present and anticipated future beneficial uses of such water; and will not result in water quality less than as prescribed in applicable policies. Resolution 68-16 further requires that any discharge to existing high-quality

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<sup>[3]</sup> Figure N-1 of [RESOLUTION R5-2020-0057](#)

([https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/resolutions/r5-2020-0057\\_res.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2020-0057_res.pdf)).

waters be required to meet WDRs that will result in the best practicable treatment or control (BPTC) of the discharge necessary to ensure that pollution and/or nuisance will not occur and that the highest quality consistent with the maximum benefit to the people of the state will be maintained.

27. The Antidegradation Policy applies when the Central Valley Water Board authorizes an activity that will result in discharges of waste to high-quality waters that will degrade the quality of those waters. "High-quality waters" are those waters where water quality is more than sufficient to support beneficial uses designated in the Basin Plan. Whether a water is a high-quality water is established on a constituent-by-constituent basis, which means that an aquifer can be considered a high-quality water with respect to one constituent, but not for others (State Water Board Order No. WQ 91-10). If the activity will not result in the degradation of high-quality waters, the Antidegradation Policy does not apply, and the discharger need only demonstrate that it will use "best efforts" to control the discharge of waste.
28. For the purposes of this Order, typical constituents in the effluent from a Large WWTP with the potential to degrade groundwater include salts (e.g., electrical conductivity [EC], total dissolved solids [TDS], chloride, and sodium), nutrients (e.g., nitrate), pathogens, disinfection by-products (e.g., total trihalomethanes), and organic compounds. Organic compounds can contribute to reducing conditions in groundwater, which may mobilize naturally occurring elements such as iron, arsenic, and manganese.
29. This Order allows discharge to numerous groundwater sources, each with its own chemical characteristics. Due to the geographic scale, available data, and variability of the basins covered, it is not feasible for this General Order to specify which areas constitute high-quality waters for each constituent or where such waters are located. For the purposes of this analysis, this Order presumes groundwater is of high quality. This Order authorizes limited degradation to high-quality waters, provided it is consistent with the terms of the applicable Basin Plan, other applicable State Water Board and Central Valley Water Board policies, the Antidegradation Policy, and as described in these findings. To the extent that a receiving water is not considered high-quality, this Order requires the Discharger to implement best-efforts to ensure the facility's discharge does not cause further degradation to the receiving water.
30. This Order finds that the suite of treatment and control practices and infrastructure employed by the WWTPs regulated by this order to achieve compliance with this order are considered BPTC as that term is defined by the Antidegradation Policy. These treatment and control practices and infrastructure that limit groundwater degradation for specified constituents of concern from the WWTPs regulated by this Order include, but are not limited to:
  - a. Compliance with the Salt and Nitrate Control Programs;
  - b. Monitoring of and reporting on constituent concentrations in effluent;

- c. Land application limits for BOD to prevent or minimize creation of anaerobic conditions and mobilization of metals;
- d. Employment of either primary, secondary, and/or tertiary treatment technologies to reduce concentrations of solids, nutrients and BOD concentrations in the effluent;
- e. Employment of disinfection treatment where needed to remove/reduce the pathogen concentrations in the effluent;
- f. The requirement to line all new or expanded ponds, and assess threat to water quality associated with existing ponds;
- g. Collection and appropriate treatment of domestic wastewater in compliance with the effluent limits in this Order.

31. Limited degradation of groundwater by some waste constituents associated with Large WWTP discharges, after effective source control, treatment, and control measures are implemented as required by this Order, is consistent with the maximum benefit to the people of the State. The technology, energy, water recycling, and waste management advantages of a municipal utility service far exceed any benefits derived from numerous dispersed, individual wastewater treatment systems, and the impacts on water quality will be substantially less. Accordingly, to the extent that any degradation occurs as a result of the Facility's continued operation, such degradation is consistent with the maximum interest of the people of the State of California.

32. Based on the foregoing, the adoption of this Order is consistent with the Antidegradation Policy.

California Environmental Quality Act (CEQA) Compliance

33. Adoption of this Order is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, title 14, section 15301, because the Order involves negligible or no expansion of existing Large WWTPs and their respective waste discharges. Any party seeking coverage under this Order for a new or expanded discharge of waste must demonstrate compliance with CEQA before such new or expanded discharge can be authorized under this Order.

Exemption from Title 27 Requirements

34. Pursuant to California Code of Regulations, title 27 (Title 27), section 20090, subdivisions (a), (b), and (i), the treatment, storage, and disposal of waste authorized by this Order are exempt from the requirements of the Title 27 section 20005, et seq. This Order implements the applicable preconditions described in section 20090.

Other Regulatory Considerations

35. This Order does not preempt or supersede the authority of local governmental agencies to prohibit, restrict, or control discharges of waste subject to their jurisdiction. It is the responsibility of the Discharger(s) to obtain any required local, state, or federal governmental agency permits or authorizations necessary for compliance with this Order.

Industrial Pretreatment Considerations

36. Pursuant to California Code of Regulations, title 23 (Title 23), section 2233, subdivision (a), this Order requires Large WWTPs treating or designed to treat an average dry weather flow of five million gpd or more to have and enforce adequate pretreatment programs approved by the Central Valley Water Board. The Board may also impose this requirement upon Large WWTPs treating or designed to treat an average dry weather flow of less than five million gpd, as necessary and appropriate to address site- or facility-specific issues. Any such requirement will be specified in the Discharger's NOA. Pretreatment programs developed pursuant to this Order should incorporate requirements equivalent to 40 Code of Federal Regulations (CFR) part 403, *General Pretreatment Regulations for Existing and New Sources of Pollution*, as applicable.

Biosolids

37. Dischargers subject to this Order may generate biosolids as part of their wastewater treatment and disposal operations. Application of biosolids to land in designated on-site areas that receive facility wastewater and discharges of biosolids for disposal or reuse off-site are not authorized by this Order. Biosolids must be disposed of at an appropriately authorized disposal facility or reused in accordance with applicable federal and state requirements and standards. Dischargers who wish to reuse biosolids as a soil amendment on- or off-site must obtain authorization to do so under State Water Board Order No. 2004-0012-DWQ, *General Waste Discharge Requirements for the Discharge of Biosolids to Land For Use as a Soil Amendment in Agricultural, Silvicultural, Horticultural, and Land Reclamation Activities* (Biosolids General Order) (or any successor order thereto) or an individual WDRs order.
38. The U.S. EPA has promulgated regulations governing reuse of biosolids in 40 CFR part 503, *Standards for the Use or Disposal of Sewage Sludge*, which establishes management criteria for protection of ground and surface waters, sets limits and application rates for heavy metals, and establishes stabilization and disinfection criteria. The Central Valley Water Board is not the implementing agency for part 503 regulations. Dischargers that reuse biosolids should confer with the U.S. EPA to ascertain whether separate and/or additional compliance, reporting, and permitting requirements are applicable to their biosolids-related operations.

Recycled Water Considerations

39. This Order encourages the production and use of recycled water, as described in the State Water Board's *Water Quality Control Policy for Recycled Water* (Recycled Water Policy). The Recycled Water Policy encourages the use of recycled water in lieu of potable water and includes the stated goals of increasing recycled water use statewide and maximizing recycled water use in areas where groundwater supplies are in a state of overdraft, to the extent that downstream water rights, instream flow requirements, and public trust resources are protected. The Central Valley Water Board's Basin Plans incorporate the Recycled Water Policy.

Monitoring and Reporting Requirements

40. Individual MRPs will be issued along with the NOA pursuant to Water Code section 13267. The MRP Template attached to this Order provides a framework for site-specific MRPs. The site-specific MRPs will be tailored to each WWTP's treatment and disposal system and site-specific conditions consistent with the attached MRP Template. Attachment A – Monitoring and Reporting Program Template contains a list of potential technical reports that dischargers may be required to submit in accordance with their site-specific MRP.

41. The Central Valley Water Board is transitioning to using the GeoTracker database for the submittal of self-monitoring reports. Dischargers enrolled under this Order are required to submit self-monitoring reports utilizing GeoTracker. GeoTracker is the State Water Board's internet-accessible database system used by the State Water Board, regional boards, and local agencies to track and archive compliance data from authorized or unauthorized discharges of waste to land, or unauthorized releases of hazardous substances from underground storage tanks. This system consists of a relational database, online compliance reporting features, a geographical information system (GIS) interface, and other features that are utilized by the State Water Board, regional boards, local agencies, regulated industry, and the public to input, manage, or access compliance and regulatory tracking data.

Setback Requirements

42. This Order requires Dischargers to maintain setbacks separating wastewater treatment areas, land application areas (LAAs) where spray or drip methods are used, and wastewater impoundment areas from nearby domestic wells, surface waters, and property lines. The setbacks required by this Order are based on the Title 22 Water Recycling Criteria, the California Well Standards, the California Plumbing Code, and commonly imposed setbacks by regulatory agencies. The required setbacks are designed to reduce potential impacts to human health and safety and the environment as a result of wastewater discharges. Setbacks provide attenuation of such impacts through physical, chemical, and biological processes.

**C. Application for Coverage**

1. Dischargers seeking regulatory coverage under this Order must file with the Central Valley Water Board a ROWD, in the form of a Notice of Intent (NOI) and an attached technical report. The Application Process is further described in Attachment C, which also provides guidance on what information should be included in the ROWD.
2. Upon review of the application, Central Valley Water Board staff will determine if coverage under this General Permit is appropriate. The Central Valley Water Board Executive Officer will issue a NOA when coverage under this General Permit has been authorized. The NOA will contain the necessary site-specific monitoring and reporting requirements.
3. Although a Discharger may be eligible for coverage under this General Permit, the Central Valley Water Board Executive Officer may determine that a waiver of WDRs, individual WDRs, or different general WDRs would better regulate the discharge.
4. The Discharger's NOIs shall identify which effluent limitations, setback distances, and site-specific requirements are applicable based on location and treatment technology(s).

**D. Closure of Facilities**

1. Residual waste, sludge, solids, and biosolids that accumulate over time in WWTPs covered by this Order can present ongoing threats to water quality. The level of threat depends on various factors, including the facility's underlying hydrogeology, the quality of the wastewater being treated, the types of treatment processes used, the operational and maintenance history of the facility, and the duration of its operation.
2. To mitigate the potential legacy threat to groundwater quality from residual waste, sludge, solids, and biosolids in the event of a complete or partial closure of a facility governed by this Order, dischargers are required to submit a Facility Closure Work Plan as described in Section IV.C.

**E. Procedural Matters**

**Public Outreach, Potential Environmental Justice, Tribal Impact, and Racial Equity Considerations, and the Human Right to Water**

3. Water Code section 13149.2, subdivision (c), provides that regional water boards, when issuing regional waste discharge requirements, shall make concise, programmatic findings on potential environmental justice, tribal impact, and racial equity considerations related to the issuance. To inform these findings, the Central Valley Water Board considered pertinent, available information and engaged in outreach to potentially impacted communities throughout the region

pursuant to Water Code section 189.7. This outreach included the Board's notice and comment procedures preceding the adoption of this Order. Based upon its review of relevant information related to the adoption of this Order, the Board finds [programmatic finding(s) on potential environmental justice, tribal impact, and racial equity considerations related to the issuance].

4. Human Right to Water. Pursuant to Water Code section 106.3, subdivision (a), it is "the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes." Although this Order is not subject to Water Code section 106.3, as it does not revise, adopt, or establish a policy, regulation, or grant criterion (see § 106.3, subd. (b)), it nevertheless promotes the policy by requiring compliance with WDRs that implement the MCLs for drinking water (excluding salinity and nitrate), which are designed to protect human health and ensure that water is safe for domestic use. For salinity and nitrate, this Order requires compliance with the Salt Control Program and NCP, respectively. Although the Exceptions Policy allows participants in these Programs to obtain limited-term exceptions from WQOs for salinity and/or nitrate, these Programs are consistent with the Human Right to Water Policy because their over-arching management goals and priorities include short-term provision of safe drinking water to impacted users and long-term restoration of impacted groundwater basins and sub-basins where reasonable, feasible, and practicable.
5. Interested agencies, tribes, and persons were notified of the Central Valley Water Board's intent to prescribe the WDRs in this Order and were provided an opportunity to submit their written comments and recommendations and/or be heard at a public meeting before the Central Valley Water Board. (Wat. Code, § 13167.5.)
6. At a public meeting held on **XXXX XX 2026**, the Central Valley Water Board heard and considered all comments pertaining to this Order.

**IT IS HEREBY ORDERED**, pursuant to Water Code sections 13263, 13267, and 13523, that all Dischargers enrolled under this Order, as well as any agents, successors, and assigns of such Dischargers, shall comply with the following:

## **II. REQUIREMENTS**

### **A. Prohibitions**

The following actions are prohibited except as authorized by a separate WDRs order or Waiver of WDRs adopted by the Central Valley Water Board or the State Water Board:

1. Discharge of waste to surface waters.

2. Bypass<sup>[4]</sup>, overflow, or discharge of untreated or partially treated waste, except as authorized by the Specifications for Ponds section of this Order regarding emergency bypass.
3. Treatment, storage, or disposal of waste in a manner that causes or contributes to, or threatens to cause or contribute to, a condition of pollution, contamination, and/or nuisance (see Wat. Code, § 13050).
4. Discharge of waste to land not owned, operated, or controlled by the Discharger,<sup>5</sup> except where the specific manner and location of such use is described in a Title 22 Engineering Report approved by DDW.
5. Discharge of waste in a manner different than that described in this Order and the Discharger's NOA.
6. Discharge of waste classified as hazardous (Title 23, § 2521, subd. (a)) or designated (Wat. Code, § 13173).
7. Discharge of wastes at a location or in a manner different from that described in the Discharger's complete ROWD and the resulting NOA issued by the Executive Officer.
8. The production of recycled water in a manner different from that described in the Title 22 Engineering Report that has been conditionally accepted by DDW.
9. Production of recycled water for direct human consumption, indirect human consumption, or processing of food or drink intended for human consumption.
10. Use of equipment used for potable water supply (e.g., tanks, piping, valves) for the conveyance of recycled water or wastewater.

Conditional Discharge Prohibitions

11. During Phase I of the Salt Control Program, the Discharger is prohibited from discharging salts at concentrations exceeding the salinity numeric value of 700 µmhos/cm (as a monthly average) unless the Discharger is fully participating in the Phase I requirements of the Salt Control Program Alternative Permitting Approach (i.e., full participation in the P&O Study).

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<sup>[4]</sup> "Bypass" refers to the intentional or accidental diversion of the waste stream from any portion of the WWTP.

<sup>5</sup> The owner(s) of any property(s) used for disposal of waste subject to this Order must be identified as a "Discharger" in the applicable NOA before waste discharges permitted by this Order can commence.

12. If subject to the NCP, the Discharger is prohibited from discharging nitrate and other forms of nitrogen speciation (e.g., total inorganic nitrogen and total Kjeldahl nitrogen) unless the Discharger is implementing the requirements of the NCP.

**B. Specifications for All Systems**

1. The siting, design, construction, operation, maintenance, and monitoring of WWTP must comply with the requirements of the NOA, the applicable Basin Plan, and this Order.
2. Odors shall not create nuisance conditions that are perceivable beyond the limits of the wastewater treatment system, the land disposal areas, and any infrastructure involved in storing or transporting wastewater to or from the wastewater treatment system and land disposal areas.
3. The Discharger shall manage their Facility to prevent breeding of mosquitoes by implementing, at a minimum, the following procedures:
  - a. An erosion control program shall be implemented to ensure that small coves and irregularities are not created around the perimeter of the bermed flood area(s) and ponds.
  - b. Weeds shall be minimized through control of water depth, harvesting, herbicides, or other suitable measures in ponds and open containment structures.
  - c. Vegetation and debris shall not accumulate on the water surface in such a way as to create stagnant water conditions and/or promote the breeding of mosquitoes.
  - d. Prevention of standing water 48 hours after the application of wastewater to LAAs.
  - e. Low-pressure and unpressurized pipelines and ditches accessible to mosquitoes must not be used to store wastewater or recycled water.
  - f. The Discharger must coordinate with the local mosquito abatement or vector control district to supplement the measures described above.
4. The Discharger must comply with the setbacks described in **Table X of the attached Information Sheet** unless an approved variance is obtained from the Central Valley Water Board in accordance with the setback variance processes outlined in the attached Information Sheet. Site-specific setbacks will be established in the NOA. Setbacks provided in this Order are the distances of wastewater treatment areas, land application by spray or drip methods areas, or wastewater impoundment areas from sensitive receptors, including domestic wells, water courses (perennial or ephemeral), lakes/reservoirs, wetlands, and property lines.

Some existing WWTPs may not comply with the setbacks provided herein. Those that do not meet setback requirements at the time they submit a NOI shall nonetheless be considered in compliance with these requirements unless pollution or nuisance conditions result from the reduced setback distances. Any areal expansion of such facilities after submittal of the NOI will require the WWTP to comply with the applicable setbacks unless an approved variance is obtained from the Central Valley Water Board Executive Officer.

For new or expanded facilities where a WWTP will not comply with the setbacks included in the Order, the Dischargers will need to evaluate the potential impact of the proposed discharge/s, potential mitigations of those impacts, and whether shorter setback/s are adequately protective of sensitive receptors and receive approval of a variance by the Central Valley Water Board.

5. WWTPs producing tertiary treated disinfected wastewater shall comply with the following specifications:

- a. Wastewater Filtration:

- i. Oxidized wastewater shall be coagulated and passed through natural undisturbed soil filtered or a bed of filter media at a rate that does not exceed 5 gallons per minute per square foot of surface area in mono, dual or mixed media gravity, upflow or pressure filtration systems, or does not exceed 2 gallons per minute per square foot of surface area in traveling bridge automatic backwash filters; so that the turbidity of the filtered wastewater does not exceed any of the following: An average of 2 NTU within a 24-hour period; 5 NTU more than 5 percent of the time within a 24-hour period; and 10 NTU at any time.

or

- ii. Wastewater shall be passed through a microfiltration, ultrafiltration, nanofiltration, or reverse osmosis membrane so that the turbidity of the filtered wastewater does not exceed any of the following: 0.2 NTU more than 5 percent of the time within a 24-hour period; and 0.5 NTU at any time.

- b. Wastewater Disinfection:

- i. Filtered wastewater shall be disinfected by a chlorine disinfection process that provides a CT (the product of total chlorine residual and modal contact time measured at the same point) value of not less than 450 milligram-minutes per liter at all times with a modal contact time of at least 90 minutes, based on peak dry weather design flow;

or

- ii. Filtered wastewater shall be disinfected by a process that, when combined with the filtration process, has been demonstrated to inactivate and/or remove 99.999 percent of the plaque-forming units of

F-specific bacteriophage MS2, or polio virus in the wastewater. A virus that is at least as resistant to disinfection as the polio virus may be used for the purposes of the demonstration.

**C. Specifications for Ponds**

The following requirements apply to all ponds unless otherwise noted (e.g., treatment ponds, storage ponds, emergency storage/bypass ponds, etc.).

1. The Discharger shall design, construct, operate, and maintain all ponds sufficiently to protect the integrity of containment dams and berms and prevent overtopping and/or structural failure.
2. Emergency bypass ponds may be used for the temporary storage of untreated or partially treated domestic wastewater if WWTP processes are damaged or overwhelmed, or are threatened to be damaged or overwhelmed. Storage of untreated or partially treated wastewater in emergency bypass ponds must be done in accordance with the WWTP's Spill Prevention and Emergency Response Plan, limited to short durations, and minimized to the maximum extent possible.
3. All new, reconstructed, and expanded treatment and storage ponds<sup>6</sup> must be constructed with an engineered liner; emergency bypass pond lining may be required on a case-by-case basis. The engineered liner shall meet a hydraulic conductivity limit of  $1 \times 10^{-6}$  centimeters per second or less using one of the following:
  - a. A compacted clay liner, with a minimum clay thickness of two feet;
  - b. A Portland cement concrete liner, designed to minimize cracking and infiltration;
  - c. A synthetic liner, consisting of 40 thousandths of an inch (mil) synthetic geomembrane or a 60-mil high-density polyethylene liner installed over a prepared base or a secondary clay or concrete liner; or
  - d. An equivalent engineered alternative.
4. An exemption to the lining requirements in II.C.3 above may be granted on a case-by-case basis if it can be demonstrated that pond lining is not necessary to prevent degradation of underlying groundwater. Any such exemption would require approval by the Central Valley Water Board.
5. Prior to the construction of a new or expanded lined pond per Requirement II.C.3, the Discharger shall submit a **Design Report** prepared by the

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<sup>6</sup> 1Percolation ponds are not subject to the above lining requirements. Lining of emergency bypass pond(s) may be required on a case-by-case basis.

appropriately licensed professional(s) to the Central Valley Water Board. The Design Report shall include the following:

- a. Design plans and specifications for construction and lining of the pond(s), including a schedule for construction.
- b. A geotechnical investigation for the area around the proposed ponds, including boring logs, soil assessment, and analysis of depth to first encountered groundwater.
- c. A Construction Quality Assurance (CQA) Plan that discusses how the subgrade and liner will be tested to ensure the liner is properly installed. The CQA Plan should also discuss any leak detection system for the pond(s) integrity testing (e.g., action leakage rate), and the pond's design life
- d. An Operations and Maintenance Plan for the pond(s). The plan must include:
  - i. Procedures for monitoring the liner integrity to ensure the pond liner remains in good condition.
  - ii. Methods for detecting liner failure and establishing criteria for timely repairs. Where applicable, this should include developing an action leakage level for each pond equipped with a leachate detection system.
6. The Discharger shall maintain at least two feet of freeboard in all ponds to provide adequate storage capacity and prevent overtopping or spills. If freeboard is less than two feet,<sup>[7]</sup> the Discharger shall immediately implement the contingency plan contained in the Spill Prevention and Emergency Response Plan.<sup>[8]</sup> Wastewater ponds shall contain permanent markers indicating depth and freeboard. Freeboard shall be measured vertically from the lowest elevation of the pond berm to the pond water surface.
7. Pond systems shall be designed, constructed, maintained, and operated to ensure adequate capacity at all times to accommodate wastewater, design seasonal precipitation, ancillary inflow and infiltration, and wind driven waves. Design seasonal precipitation must be based on the following precipitation criteria:
  - a. The 100-year return annual total precipitation value distributed monthly in accordance with average (mean) precipitation values. The calculations must demonstrate adequate capacity to maintain two feet of freeboard in the pond(s).

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<sup>[7]</sup> Reference – Tchobanoglous, George (1979) “Wastewater Engineering: Treatment, Disposal, Reuse,” Metcalf & Eddy, Inc.

<sup>[8]</sup> See section V.B.3.iv.

8. Objectionable odors shall not be perceivable beyond the limits of the WWTP at an intensity that creates or threatens to create nuisance conditions. As a means of ensuring compliance with this discharge specification, the Discharger shall comply with the following:
  - a. The dissolved oxygen content in the upper one foot of any wastewater treatment or storage pond shall not be less than 1.0 mg/L for three consecutive sampling events. Notwithstanding the dissolved oxygen monitoring frequency specified in the monitoring and reporting program, if the dissolved oxygen in the pond(s) is below 1.0 mg/L for any single sampling event, the Discharger shall implement daily dissolved oxygen monitoring of that pond until the minimum dissolved oxygen concentration is achieved for at least three consecutive days. If the dissolved oxygen in the pond is below 1.0 mg/L for three consecutive days, the Discharger shall report the findings to the Central Valley Water Board in accordance with provisions of this Order (§IV.B.3). The written notification shall include a specific plan to resolve the low DO results within 30 days of the first date of violation.
9. Burrowing animals active in areas that may compromise the integrity of pond containment must be promptly controlled and repairs to the containment completed as soon as possible.
10. Prior to any removal, drying, treatment, or disposal of sludge for pond maintenance, the Discharger must develop and implement a Sludge Management Plan (SMP).
11. Constructed ponds must be graded to prevent the accumulation of stormwater runoff into the pond.
12. A minimum five-foot separation between the base of any pond<sup>9</sup> and seasonal high groundwater shall be maintained at all times. Dischargers with wastewater ponds constructed prior to the adoption date of this Order with less than the five-foot minimum separation from groundwater must cease discharges to these ponds or modify the ponds to achieve the minimum five-foot separation no later than ten years from the date of enrollment in this Order. Ponds that receive high-quality treated wastewater (i.e., disinfected secondary and disinfected tertiary wastewater) or are adequately lined (i.e., with a hydraulic conductivity of less than  $1 \times 10^{-6}$  cm/s) are exempt from this requirement.

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<sup>9</sup> The lowest physical point within a pond where wastewater collects, either within the pond or within the collection system, if applicable (e.g., leachate removal and collection system).

**D. Specifications for Land Disposal**

The following specifications apply to land disposal of treated domestic wastewater not subject to Title 22 requirements (i.e., wastewater not used for reclamation), including but not limited to spray and drip fields and disposal via flooding (e.g., spreading basins, rapid infiltration beds, etc.). Land application of recycled domestic wastewater (i.e., reclamation) is not regulated by this Order and is subject to regulation under separate WDRs or Water Reclamation Requirements (e.g., State Water Board Order WQ 2016-0068-DDW).

**General Land Disposal Specifications**

1. For all land disposal areas enrolled under this Order, if undisinfected wastewater is applied, stormwater runoff from the designated land disposal area is prohibited.
2. If stormwater can run off from a land disposal area, all applied wastewater must meet disinfection requirements at a level equivalent to at least disinfected secondary-23 recycled water (Title 22, § 60301.225). Land disposal of wastewater treated to a higher level is acceptable. Alternatively, the Central Valley Water Board may approve alternative disposal after the Discharger submits a technical report describing how the land disposal area will be operated to prevent pathogens from migrating off the land disposal area with stormwater.

**BOD Loading Limitations**

3. Application of wastewater to disposal areas shall not exceed the BOD loading rate limitations specified in Table 1. For existing Large WWTPs with individual WDRs adopted after 1 January 2007, that specify a less stringent BOD loading rate, those loading rate limit(s) may be applied instead in the NOA. The BOD loading limitations below do not apply to the reclamation of wastewater.

**Table 1: BOD Loading Rate Limitations**

Constituent	Units	Cycle-Average	Daily Maximum
BOD, 5-Day	Pounds/acre/day	100 (See 1 Below)	300

1. More information regarding calculation of cycle-average is included in Attachment B – Information Sheet/Definitions

**Specifications for Spray and Drip Disposal Methods**

The following requirements apply to areas where land disposal occurs by spray and drip methods:

4. Wastewater must not be applied to a land disposal area within 24 hours of forecasted measurable precipitation with a greater than 50 percent probability<sup>10</sup> of occurring, during precipitation events, or when the land application area surface soil is saturated.
5. Spray irrigation with treated wastewater shall be managed to prevent sprayed wastewater from drifting outside of the boundaries of the land disposal area/ WWTP boundaries. Spray application of treated wastewater is prohibited when wind speed (including gusts) exceeds 30 miles per hour. Wind speed may be measured with an on-site weather station or at a nearby weather station operated by a governmental organization.
6. Land disposal of treated wastewater must be managed to prevent ponding, runoff, and erosion.

Specifications for Controlled Flood Disposal Methods

The following requirements apply to areas where land disposal occurs by controlled flood methods:

7. Two feet of freeboard must always be maintained in bermed flood areas to provide adequate storage capacity and prevent wastewater spills. Freeboard must be measured vertically from the lowest elevation of the berm to the water surface (lowest elevation shall include the bottom of any overflow channel).
8. If wastewater spills occur (e.g., breaches in berms, flows spilling over the berms, etc.) at existing controlled flood areas, the Central Valley Water Board Executive Officer may require upgrades consistent with the size specification defined in section II.D.9.a.i below.
9. Controlled flood areas must have the capacity to accommodate wastewater, design seasonal precipitation, ancillary inflow and infiltration, and wind-driven waves. For new or expanded controlled flood areas, seasonal precipitation used in the sizing water balance calculations must be based on the following:
  - a. The 100-year return annual total precipitation value distributed monthly in accordance with average (mean) precipitation values. The calculations must demonstrate adequate capacity to maintain two feet of freeboard in the bermed flood area(s).
  - b. The Central Valley Water Board may allow a lower standard for the return annual total precipitation value, with approval of a technical report describing how operation of the system will not result in wastewater spills. If the Discharger seeks relief from the 100-year return annual total precipitation value, the Discharger must certify that the spill prevention and emergency

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<sup>10</sup> Based on forecasted weather available from the National Weather Service

response plan is adequate to respond to forecast conditions using the 100-year return annual total precipitation value distributed monthly in accordance with average (mean) precipitation values. The calculations must demonstrate adequate capacity to maintain two feet of freeboard in the bermed flood area(s).

10. Burrowing animals active in areas that may compromise the integrity of controlled containment must be promptly controlled, and repairs to the containment must be completed as soon as possible.
11. Constructed flood disposal areas must be graded to prevent the accumulation of stormwater runoff into the disposal area.

#### **E. Specifications for Sludge, Solids, and Biosolids Management**

1. Dischargers shall comply with the Sludge Management Plan prepared pursuant to the facility-specific MRP.
2. Sludge and solid waste must be removed from screens, sumps, tanks, and ponds as needed to ensure optimal plant operation.
3. Prior to any removal, drying, treatment, or disposal of sludge/solids/biosolids from the WWTP the Discharger must implement and comply with the Sludge/Solids/Biosolids Management Plan.
4. Storage of residual sludge/solids/biosolids must be temporary (i.e. for the shortest period practicable) and shall be controlled and contained in a manner that minimizes leachate formation in masses or concentrations that violate or threaten to violate the **Groundwater Limitations** of this Order. All sludge/solids/biosolids impoundments (i.e. storage beds, treatment beds, drying beds, etc.) designed or installed as part of a new or expanding system and/or after submittal of the NOI must be constructed with an engineered liner. The engineered liner shall meet a hydraulic conductivity limit of  $1 \times 10^{-6}$  centimeters per second or less using one of the following:
  - a. A compacted clay liner, with a minimum clay thickness of two feet;
  - b. A Portland cement concrete liner, designed to minimize cracking and infiltration;
  - c. A synthetic liner, consisting of a 40 thousandths of an inch (mil) synthetic geomembrane or a 60-mil high-density polyethylene liner installed over a prepared base or a secondary clay or concrete liner; or
  - d. An equivalent engineered alternative.
5. Residual sludge and solid waste must be disposed of in a manner approved by the Central Valley Water Board and consistent with Title 27 or other applicable standards, as appropriate. Removal for further treatment, disposal, or reuse at

disposal sites operated in accordance with valid WDRs issued by the State Water Board or Central Valley Water Board will satisfy this specification.

6. Use and disposal of screenings, sludges, biosolids and other solids removed from liquid wastes shall comply with the U.S. EPA Part 503 Biosolids Rule (40 C.F.R. § 503).
7. This Order does not authorize or regulate the use of biosolids for agricultural, horticultural, silvicultural, or reclamation site soil amendments. Dischargers intending to use biosolids for soil amendments are required to enroll under State Water Board Order No. 2004-0012-DWQ, *General Waste Discharge Requirements for the Discharge of Biosolids to Land for Use as a Soil Amendment in Agricultural, Silvicultural, Horticultural, and Land Reclamation Activities*, or updated order, or separate individual WDRs.
8. Any proposed change in biosolids use or disposal practice from a previously approved practice shall be reported to the Executive Officer and U.S. EPA Regional Administrator at least 90 days in advance of the change.
9. The Discharger shall notify the Central Valley Water Board within five days of any deviation from or modification to a Sludge Management Plan that the Discharger deems to be part of an emergency action and provide with that notification the rationale(s) for the emergency deviation and/or modification.

#### **F. Pretreatment Specifications**

10. These Pretreatment Specifications apply to Large WWTPs treating or designed to treat an average dry weather flow of five million gpd (5 MGD) or more and any other Large WWTPs for which the Central Valley Water Board determines that pretreatment requirements are necessary to prevent the introduction of pollutants/wastes that will interfere with the operation of the treatment works, pass through the treatment system, reduce opportunities to recycle and reuse domestic wastewater and sludge, or expose employees to hazardous chemicals. (Title 23, § 2233, subd. (a). Additional guidance for developing a pretreatment program compliant with the below requirements are included in Appendix B of Attachment B – Information Sheet. Dischargers subject to these Pretreatment Specifications shall:
  - a. Update as necessary the appropriate contractual agreements with all governmental agencies within one year of submittal of a pretreatment program. The contractual agreements shall give the Discharger the authority to implement and enforce the pretreatment program within the sewer service areas of the treatment facility. The Discharge shall ensure that any other steps necessary to provide this implementation and enforcement authority (e.g., adoption of ordinances, etc.) are taken by all governmental agencies. If a governmental agency has a pretreatment program for any portion of the service area of the treatment facility, the Discharger's pretreatment program

shall contain provisions ensuring that the governmental agency's program is implemented. In the event that any agency discharging to the Discharger's facility fails to effectively implement its individual pretreatment program, the Discharger shall implement and enforce its program within that agency's service area.

- b. Perform the pretreatment functions which are equivalent to those described in 40 CFR Part 403, including, but not limited to:
  - i. Enforce the pretreatment requirements equivalent to those described in 40 CFR 403.5 and 403.6;
  - ii. Implement the necessary legal authorities equivalent to those described in 40 CFR 403.8;
  - iii. Implement the programmatic functions equivalent to those described in 40 CFR 403.8(f) (2);
  - iv. Publish a list of significant non-compliance equivalent to that described by 40 CFR 403.8(f) (2) (vii);
  - v. Provide the requisite funding and personnel to implement the pretreatment program equivalent to that described in 40 CFR 403.8(f) (3); and
  - vi. Implement a monitoring and reporting program that is compliant with requirements equivalent to those described in 40 CFR 403.12.
- c. Implement the necessary legal authorities, programs, and controls equivalent to those described in 40 CFR 403.5(b) to ensure that the following wastes are not introduced to the treatment system:
  - i. Wastes which create a fire or explosion hazard in the wastewater collection system or treatment works;
  - ii. Wastes which will cause corrosive structural damage to the treatment works (i.e., a pH no lower than 5);
  - iii. Solid or viscous wastes in amounts which cause obstruction to flow in sewers, or which cause other interference with proper operation or treatment works;
  - iv. Any waste, including oxygen-demanding pollutants (BOD, etc.), released in such volume or strength as to cause inhibition or disruption in the treatment works, and subsequent treatment process upset and/or loss of treatment efficiency;
  - v. Heat in amounts that inhibit or disrupt biological activity in the treatment works (i.e., temperatures in excess of 140° Fahrenheit or 60° Centigrade);
  - vi. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;

- vii. Any trucked or hauled wastewater or septage, except at points predesignated by the Discharger and subject to the above conditions; and
- viii. Pollutants that result in the presence of toxic gases, vapors, or fumes within the collection system or treatment works in a quantity that may cause acute worker health and safety problems.

d. Implement the legal authorities, programs, and control necessary to ensure that industrial dischargers do not introduce pollutants into the sewerage system that, either alone or in conjunction with a discharge or discharges from other sources:

- i. Flow through the system to the receiving water in quantities or concentrations that cause a violation of this Order, or
- ii. Inhibit or disrupt treatment processes or treatment system operations and either cause a violation of this Order or prevent water recycling, biosolids reuse, or sludge disposal.

e. Review the pretreatment program by conducting a pretreatment program audit (PPA) every 5 years and submit a report documenting the results. The PPA shall evaluate industrial user compliance with the Dischargers Pretreatment Program Plan (PPP) (described below), the overall effectiveness of the PPP, adequacy of program local limits, and include suggested changes to the PPP to address any deficiencies identified. The scope of the PPA shall be equivalent to the scope covered by the Pretreatment Compliance Audit Checklist contained in the **Information Sheet**. The Discharger shall make any necessary changes to ensure compliance with this Order.

f. Submit a notification that is compliant with the equivalent to the requirements described in 40 CFR 403.18(c) (1) to the Board at least 60 days before implementation of any updates/modifications to the Discharger's pretreatment program that are equivalent to the substantial modifications described in 40 CFR 403.18(b).

The Discharger's pretreatment program and its components, such as city ordinances, local limits, and control mechanisms, among others, are hereby made enforceable conditions of this Order until such time as they are revised.

g. WWTPs with an existing pretreatment program shall submit a Pretreatment Program Plan (PPP) to the Central Valley Water Board for review as a part of the NOI (unless one has already been submitted) and/or within 12 months of any significant changes in the discharge quality/quantity from industrial users to the WWTP influent. Large WWTPs that are required to have a pretreatment program per the NOA, without an existing pretreatment program, shall submit a pretreatment program plan no later than 12 months after enrollment under the Order.

The PPP must provide a clear, long-term plan for addressing pretreatment requirements equivalent to those contained in 40 Code of Federal Regulations part 403, as described above. Dischargers may implement their PPPs immediately upon submission, however, the Central Valley Water Board reserves the right to require modifications, as necessary, to ensure compliance with applicable laws, regulations, policies, plans, and other authorities.

The Information Sheet contains a guidance document describing the minimum requirements of a PPP.

- h. Maintain a copy of the PPP at the wastewater treatment facility and must be presented to the Central Valley Water Board staff upon request.
- i. Implement and enforce its Pretreatment Program Plan.

#### **G. Title 22 Recycled Water Specifications**

1. Large WWTPs that produce recycled water must comply with the applicable requirements described in California Code of Regulations, Title 22, Division 4, Chapter 3, (Title 22) and the conditions of the DDW accepted Title 22 Engineering Report.

#### **H. Salinity Action Level Specifications**

1. For Dischargers that have selected the alternative permitting approach for the Salt Control Program, the average annual EC, TDS, or fixed dissolved solids (FDS) concentration in effluent at the point of discharge to the land disposal area or pond shall not exceed a Salinity Action Level consisting of 120% of the average EC, TDS, or FDS for the last three years prior to issuance of the NOA. As part of the annual monitoring report requirements specified in the MRP, the Discharger shall calculate the Facility's annual average effluent EC, TDS, or FDS concentration monitored at the discharge point to the land disposal area or pond and the EC of the Facility's source water and compare the net increase to the Salinity Action Level. If the Facility's discharge exceeds the Salinity Action Level, the Discharger shall submit a Salinity Action Plan **by 1 April of the year following the exceedance of the Salinity Action Level**. The Salinity Action Plan shall, at a minimum, include the following:
  - a. An evaluation of the Facility's salinity effluent levels. This evaluation shall discuss any changes to the source water for the Facility, any increased water conservation efforts (with flow data demonstrating decreased flows), and any other changes to the Facility's collection or treatment system or wastewater influent that could contribute to increases in salinity concentrations.
  - b. If additional time is needed to investigate the source(s) of the salinity in the Facility's discharge, the Salinity Action Plan shall include a detailed work plan with milestones describing what actions the Discharger will conduct to

investigate the source(s) of salinity in the discharge and report the findings to the Central Valley Water Board. The findings from the investigation shall be submitted to the Central Valley Water Board no later than October 1st of the year following the exceedance of the Salinity Action Level.

2. The Salinity Action Plan shall evaluate the potential impact increased salinity concentrations in the discharge could have on underlying groundwater and down-gradient users and identify additional practicable control measures to control the salinity in the discharge. If additional time is needed for this evaluation, the Salinity Action Plan shall propose a submittal date no later than October 1st of the year following exceedance of the Salinity Action Level.

### **I. Nitrate Control Program Alternative Compliance Projects**

1. Dischargers subject to the NCP, who elect to follow the Individual Permitting Approach (Path A) and are unable to meet the requirements of Category 1, 2, or 3 as outlined in Table N-3 (included in Attachment B - Information Sheet/Definitions) may be required to develop and implement an alternative compliance project which complies with the requirements of the NCP.

## **III. LIMITATIONS**

### **A. Groundwater Limitations**

1. The facility's discharges shall not cause or contribute to groundwater containing constituents more than the concentrations specified below or natural background groundwater quality, whichever is greater:
  - a. Constituents in concentrations that exceed either the Primary or Secondary MCLs established in Title 22 (§§ 64431, 64439, 64442, 64443, 64444, 64449, 64533, 64533.5), excluding salinity for Dischargers participating in and in compliance with Salt Control Program Alternative Permitting Approach requirements, and/or excluding nitrate for Dischargers that have obtained an exception from the WQO for nitrate via the NCP.
  - b. Contain toxic substances, taste or odor-producing constituents, or any other constituents in concentrations that cause nuisance or adversely affect beneficial uses, (e.g., by creating off-tastes and/or odor, producing detrimental physiological responses in human, plant, animal, or aquatic life).
  - c. 2.2 MPN/100 mL or more of coliform bacteria organisms over any seven-day period.

### **B. Effluent Limitations**

2. **Secondary Wastewater Treatment Facilities:** **Table 2 and Table 3** below specify BOD and TSS effluent limitations for Large WWTPs providing secondary treatment in the Sacramento and San Joaquin Basin and the Tulare Lake Basin,

respectively. These effluent limitations apply at the end of the Large WWTP's treatment system prior to discharge to land.

3. **Tertiary Wastewater Treatment Facilities:** Table 4 below specifies BOD and TSS effluent limitations for Large WWTPs providing tertiary treatment. These effluent limitations apply at the end of the Large WWTP's treatment system prior to discharge to land.
4. **Large WWTPs Providing Disinfection (not producing recycled water):** Table 5 below specifies effluent limitations for Large WWTPs that provide disinfection but do not produce recycled water. The total coliform limits are determined by the level of treatment provided at the Large WWTP (i.e., secondary or tertiary treatment).
5. **Large WWTPs with Title 22 Reclamation:** Large WWTPs that produce non-potable recycled water subject to Title 22 reclamation requirements must have a DDW conditionally accepted Title 22 Engineering Report. The Discharger is required to comply with the requirements established in the DDW conditionally accepted Title 22 Engineering Report, and DDW conditional acceptance letter and the effluent limitations specified in Table 6.
6. Applicable effluent limits will be specified in Dischargers' NOAs.

**Table 2: Secondary Treatment Effluent Limitations - Sacramento and San Joaquin Basin**

Constituent	Monthly Average	Daily Maximum
BOD, 5-Day	40 mg/L	80 mg/L
TSS	40 mg/L	80 mg/L

**Table 3: Secondary Treatment Effluent Limitations – Tulare Lake Basin**

Constituent	Monthly Average	Daily Maximum	Minimum % Removal (Monthly Average)
BOD, 5-Day	40 mg/L	80 mg/L	80
TSS	40 mg/L	80 mg/L	80

**Table 4: Tertiary Treatment Effluent Limitations**

Constituent	Units	Monthly Average	Daily Maximum
BOD, 5-Day	mg/L	10	20
TSS	mg/L	10	20

**Table 5: Disinfected Secondary and Tertiary Treatment Effluent Limitations for Non-recycled Wastewater Disposal to Land**

Constituents	Unit	7-Day Median	30-Day Maximum	Single Sample
Total Coliform	MPN/100 mL (See 1 below)	2.2, 23 (See 2 below)	23,240 (See 2 below)	23, 240 (See 2 below)

1. MPN denotes most probable number.
2. Effluent limits selected based on NOI

**Table 6: Effluent Limitations for Recycled Wastewater Producers - All WWTP**

Constituents	Unit	Regulatory Limitations
Total Coliform	MPN/100 mL	Title 22 (See 1 below)
Turbidity	NTU (See 2 below)	Title 22
Chlorine Residual	mg/L	Title 22
Other constituents or operational requirements identified in a Title 22 Engineering Report	Not Applicable	Title 22

1. As specified in DDW Title 22 conditional acceptance letter. Disinfection methods will vary between WWTPs. Some customization of this table will occur in the NOA based on the Title 22 conditional acceptance letter.
2. NTU denotes Nephelometric Turbidity Units
7. **Large WWTPs with Nitrification/Denitrification:** Large WWTPs that provide full nitrification and denitrification shall comply with a total nitrogen effluent limitation of 10 mg/L (as a monthly average).
8. **Compliance Schedule Request:** If a Discharger regulated by this Order is unable to achieve immediate compliance with the effluent limitations specified in

Tables 2 through 6 of this Order, the Discharger may request a compliance schedule in their NOA. The compliance schedule shall require the Discharger to comply with the effluent limitations specified in their preexisting individual WDRs until compliance with the limitations in this Order is achieved. The Executive Officer may grant a compliance schedule for a **period of up to 24 months** after the date of issuance of the NOA. If a longer compliance schedule is required, the NOA and accompanying compliance schedule must be adopted by the Central Valley Water Board. No compliance schedule shall be longer than reasonably necessary for the Discharger to achieve compliance with the effluent limits of this Order.

All Dischargers requesting a compliance schedule shall include in the NOI a time schedule compliance plan to revise their operations and upgrade their WWTP as necessary to achieve compliance with effluent limitations in this Order for Central Valley Water Board review and approval. The revised operation practices and/or upgrades must be designed to ensure compliance with Order limitations and other requirements, improve consistency of effluent quality, improve the performance of current WWTP operations, and provide redundancy, as appropriate, for some existing operations.

9. Dischargers who elect to participate in the Salt Control Program Conservative Permitting Approach (individual permitting option) shall comply with the following effluent limitations for EC:
  - a. For Large WWTPs discharging to groundwater with the AGR beneficial use, the Large WWTP shall not exceed an electrical conductivity effluent limit of **700  $\mu\text{mhos}/\text{cm}$**  (as a monthly average).
  - b. For Large WWTPs discharging to groundwater with the MUN beneficial use, but not the AGR beneficial use, the Large WWTP shall not exceed an electrical conductivity effluent limit of **900  $\mu\text{mhos}/\text{cm}$**  (as an annual average).

Dischargers that elect to comply with the Alternative Permitting Approach for the Salt Control Program are not subject to these conservative salinity effluent limitations. Instead, dischargers must comply with the Salinity Action Level Specification specified in Section II.H. and in the NOA.

## IV. PROVISIONS

### A. General Provisions

1. The Discharger shall pay an annual fee to the State Water Board in accordance with the fee schedule for each fiscal year (see Title 23, § 2200). Fees are based on threat to water quality and complexity ratings, which will be determined based on information in the permit application. Annual invoices are issued by the State Water Board for the state fiscal year (July 1 to June 30).

2. This Order does not authorize the commission of any act causing injury to the property of another, or protect the Discharger from liabilities under federal, state, or local laws.
3. This Order does not convey any property rights or exclusive privileges.
4. The prohibitions, specifications, limitations, and provisions of this Order are severable. If any prohibition, specification, limitation, or provision of this Order is invalidated, the remainder of this Order shall not be affected.
5. The Discharger shall permit representatives of the Central Valley Water Board and the State Water Board, upon presentation of credentials, to:
  - a. Enter and inspect, at reasonable hours, any premises where wastes are treated, stored, or disposed of and facilities in which any records are kept,
  - b. Copy any records required to be kept under the terms and conditions of this Order,
  - c. Inspect, at reasonable hours, monitoring equipment that is or could be used to evaluate compliance with this Order, and
  - d. Monitor, sample, photograph, and/or video record any discharge, waste, waste management unit, or monitoring device.
6. WWTPs shall be supervised and operated by persons possessing wastewater treatment operator certificates of the appropriate grades. (Title 23, § 2233, subd. (d)(1).)
7. The Discharger shall operate and maintain all WWTP systems in accordance with an **Operations and Maintenance Manual** for the WWTP. (See Title 23, § 2233, subd. (d)(2).) The Operations and Maintenance Manual, including expected performance criteria, a process flow diagram, and a copy of as-built plans, must be submitted with the Dischargers NOI and kept onsite and periodically updated whenever there is a change in operational procedures or an expansion of the system. See the Monitoring and Reporting Program for additional requirements of the Operations and Maintenance Manual.
8. The Discharger shall keep a copy of this Order, the Discharger's NOA, the separately issued MRP Order, and all technical reports required by this Order (including Pretreatment Program Plan, Operations and Maintenance Manual, Recycled Water Feasibility Evaluation and Plan, Salinity Action Plan, Sampling and Analysis Plan, Sludge Management Plan, Wastewater Disposal Management Plan, Spill Prevention and Emergency Response Plan, and Recycled Water Feasibility Evaluation and Plan, Title 22 Engineering Report) at the Large WWTP facility for reference by operating personnel.
9. The Discharger shall ensure that all site operating personnel are familiar with the contents of this Order, the Discharger's NOA, the Operations and Maintenance

Manual, the separately issued Monitoring and Reporting Program Order, and, if applicable, any conditionally accepted Title 22 Engineering Report (for non-potable recycled water production and onsite use). To ensure compliance with this requirement, the Discharger shall, at a minimum, implement and document training for all new site operating personnel, as well as annual refresher training for all operating personnel.

10. The discharger shall maintain in good working order and operate as efficiently as possible any facility, control system, or monitoring device installed to achieve compliance with this Order, the Dischargers NOA, and associated Monitoring and Reporting Program.
11. For any electrically operated equipment at the WWTP, the failure of which would cause loss of control or containment of waste materials or violation of this Order, the Discharger shall employ safeguards to prevent loss of control over wastes. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means.
12. Public contact with wastewater must be precluded through use of fences, signs, and/or other appropriate means and access to the WWTP must be limited to authorized persons.
13. Dischargers that operate a sanitary sewer system and meet the criteria for coverage under State Water Board Order WQ-2022-0103-DWQ, Statewide Waste Discharge General Order for Sanitary Sewer Systems, must enroll under that Order.
14. Following issuance of an NOA, no material changes can be made to the following plans without notifying the Central Valley Water Board. The Discharger shall notify the Central Valley Water Board in writing at least 90 days in advance of any proposed material change in any of the following plans.
  - e. Pretreatment Program Plan.
  - f. Operations and Maintenance Manual.
  - g. Recycled Water Feasibility Evaluation and Plan.
  - h. Salinity Action Plan.
15. Technical reports required as part of the application must be signed and/or stamped, as appropriate, by a California-licensed or credentialed professional.
16. **Initial Pond Evaluation Report (required as part of the NOI)**

An initial evaluation is required for all existing wastewater treatment, storage, emergency bypass, or evaporation ponds to determine if the discharges to the pond pose an unacceptable threat to underlying groundwater quality. The existing pond evaluation report shall be submitted with the NOI. Information

regarding the required contents of the initial pond evaluation report is outlined in **Attachment C - ROWD/Notice of Intent Form**.

### 17. Revised Pond Evaluation Report (may be required per the NOA)

The Central Valley Water Board may require a Revised Pond Evaluation Report for Large WWTPs if the Initial Pond Evaluation Report is found to be incomplete or if existing ponds at the facility appear to pose a threat to underlying groundwater quality. Staff will review the Pond Evaluation Report and information provided in the NOI to determine if a Revised Pond Evaluation Report is needed. For Large WWTPs required to prepare a Revised Pond Evaluation Report, the NOA and site-specific MRP will require the following:

**Table 7 – Revised Pond Evaluation Requirements**

Item	Due Date
<b>a. Revised Pond Evaluation Work Plan</b> The Revised Pond Evaluation Work Plan shall detail the actions the Discharger will take to further assess the potential impact of the Large WWTP's existing ponds on underlying groundwater. The Work Plan shall include a <b>Pond Hydraulic Conductivity Evaluation Work Plan</b> (See 1 below). In addition to evaluating the pond hydraulic capacity, the Work Plan should propose actions for obtaining additional groundwater quality monitoring data around the Large WWTP. The Work Plan must provide a timeline for completing the proposed tasks.	Specified in the site-specific MRP, but no later than two years from NOA Issuance
<b>b. Annual Status Updates</b> Provide annual updates on the status of the Revised Pond Evaluation.	Included in the Fourth Quarter Monitoring Report, as specified in the site-specific MRP.
<b>c. Revised Pond Evaluation Report</b> The report shall present the results of the Revised Pond Evaluation as outlined in the approved Work Plan. It should include conclusions supported by evidence indicating whether the existing Large WWTP ponds impact groundwater quality and, if so, to what extent. If the Discharger has identified actions to mitigate the ponds' impact on groundwater quality, the report shall describe those actions and include a timeline for implementation.	Specified in the site-specific MRP, but no later than five years from the established due date of the Revised Pond Evaluation Work Plan

1. See Provision IV.A.19. for details of what should be included in the Hydraulic Conductivity Evaluation Work Plan

## 18. Pond Hydraulic Evaluation Work Plan

If the Central Valley Water Board determines that the Discharger needs to conduct a Revised Pond Evaluation, the Discharger shall also provide a Pond Hydraulic Conductivity Evaluation Work Plan as described above in Provision IV.A.18. This evaluation shall determine the hydraulic conductivity of the pond and liner system. At a minimum, the Work Plan must include the following:

- a. Sampling and Testing Methodology
- b. Proposed field investigation methods (e.g., test pits, core samples, borehole drilling, in-situ tests).
- c. Planned field equipment and calibration procedures.
- d. Anticipated site and weather conditions during testing.
- e. Rationale for sample number and locations to ensure representativeness.
- f. Laboratory testing procedures to be used (e.g., ASTM standards for hydraulic conductivity).
- g. QA/QC procedures for sampling, testing, and laboratory accreditation.
- h. Data Analysis Approach
- i. How data will be tabulated and summarized.
- j. Approach for identifying anomalies, trends, or exceedances.
- k. Statistical methods, if applicable.
- l. Professional Oversight
- m. Identification of California-licensed Professional Engineer (PE) or Professional Geologist (PG) responsible for review and certification.
- n. Statement that work will follow accepted professional standards.
- o. Method Selection Guidance - The Work Plan must justify the choice of assessment methods based on required accuracy, site conditions, and wastewater characteristics. Acceptable methods include, but are not limited to:
  - i. **In-situ Methods:** Borehole Infiltration, Tension Infiltrometer, Double Ring Infiltrometer
  - ii. **Ex-situ Methods:** Flexible Wall Permeameter (Constant Head, Falling Head, Constant Rate of Flow)
  - iii. **Water Balance Methods:** Isolated Pond (no inflow/outflow), Un-isolated Pond (inflow/outflow measurement)

19. The Discharger shall identify any information that may be confidential under state law and not subject to disclosure under the Public Records Act (Gov. Code, § 7920.000 et seq.). The Discharger shall identify the basis for confidentiality. If the Executive Officer cannot identify a reasonable basis for treating the information as confidential, the Executive Officer will notify the Discharger that the information will be placed in the public file unless the Central Valley Water Board receives, within 10 calendar days, a written request from the Discharger to keep the information confidential containing a satisfactory explanation supporting the information's confidentiality. Except for data determined to be exempt from disclosure under the Public Records Act and/or Water Code section 13267, subdivision (b)(2), all reports prepared and submitted in accordance with this Order shall be available for public inspection at the offices of the Central Valley Water Board. Data on waste discharges, water quality, meteorology, geology, and hydrogeology shall not be considered confidential.

**B. General Compliance Reporting and Notification Provisions**

Electronic Reporting Requirement

1. The Discharger shall submit all reports and laboratory analytical results electronically via the [State Water Board GeoTracker website](http://geotracker.waterboards.ca.gov) (<http://geotracker.waterboards.ca.gov>). All analytical laboratory data shall be electronically submitted in electronic deliverable format (EDF) for all soil and water samples. Additionally, EDF submittal is also required for all site maps (i.e., GEO\_MAP), boring/well survey information, depth to groundwater data, boring logs and well screen intervals, location data (i.e., GEO\_XY file), and elevation data (i.e., GEO\_Z file). All technical reports (e.g. work plans, assessment, and monitoring reports) shall be electronically submitted in portable document format (PDF). All electronic submittals shall be uploaded to the State Water Resources Control Board (State Water Board) GeoTracker database over the internet at <https://geotracker.waterboards.ca.gov/esi/login.asp>.
2. More information regarding GeoTracker can be found at <http://geotracker.waterboards.ca.gov>. Additionally, Central Valley Water Board staff may request paper copies of a report, data tables, or maps and figures, in certain instances. The Discharger must also report electronically as otherwise specified in the NOA or MRP.

Violation Notification Requirements

3. If the Discharger does not comply or will be unable to comply with the requirements of this Order or an applicable Title 22 Engineering Report, the Discharger must notify Central Valley Water Board staff by telephone as soon as reasonably possible. Current phone numbers for Central Valley Water Board offices may be found on the Dischargers NOA or on the Internet at: [Contact Us Page](https://www.waterboards.ca.gov/centralvalley/about_us/contact_us/) ([https://www.waterboards.ca.gov/centralvalley/about\\_us/contact\\_us/](https://www.waterboards.ca.gov/centralvalley/about_us/contact_us/)).

4. The Discharger shall provide written notification to the Board within five days of discovering the actual or potential instance(s) of noncompliance. The written notification shall include a description of the date, time, nature, and cause of the instance(s) of actual or potential noncompliance, all immediate response actions undertaken, a detailed schedule of corrective actions to be undertaken to resolve the issue(s), and an estimated date by which the Discharger expects to have resolved the issue(s). The Discharger shall further notify Central Valley Water Board staff in writing when it has returned to compliance.
5. In the event of a wastewater containment failure, the Discharger shall notify the Office of Emergency Services as soon as possible without substantially impeding cleanup or other emergency measures (see Wat. Code, § 13271, subd. (a)). The Discharger shall also, within 10 days of discovering the containment failure, submit to the Central Valley Water Board a written report of the incident describing the cause of the failure and how a recurrence will be prevented.
6. Notification requirements for the delivery of off-specification recycled water:
  - a. In the event the Discharger of non-potable recycled water does not comply with the recycling specifications in Effluent Limitations section III.B.3, the Discharger must immediately notify, via telephone and email, the Central Valley Water Board and the applicable DDW District office. Within two weeks of the noncompliance, the Discharger must submit a written follow-up report to the Central Valley Water Board Executive Officer and DDW District Engineer, including pertinent information explaining reasons for the noncompliance and steps being taken to prevent the problems from recurring.
  - b. In the event the Discharger delivers recycled water not meeting the Uniform Statewide Recycling Criteria specification, the Discharger must immediately notify, via telephone and email, all enrollees of the State Water Board's Water Reclamation Requirements for Recycled Water Use (Order WQ 2016-0068-DDW) with potential to have received recycled water from the WWTP.
7. The Discharger shall report to the Central Valley Water Board any toxic chemical release data that it reports to the State Emergency Response Commission pursuant to section 313 of the federal Emergency Planning and Community Right to Know Act of 1986 (42 U.S.C. § 11023) within 15 days of reporting the data to the Commission.

Signature Requirements

8. All reports submitted in response to this Order, including monitoring reports, shall be signed by one of the following:
  - a. For a corporation: by a principal executive officer of at least the level of vice president.

- b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
- c. For a public agency: by either a principal executive officer or ranking elected official.
- d. A "duly authorized representative" of one of the above if:
  - i. the authorization is made in writing by a person described in this provision above,
  - ii. the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a waste management unit, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
  - iii. the written authorization is submitted to the Board

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

*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.*

#### Change Notification Requirements

- 9. Pursuant to Water Code section 13260, the Discharger shall file a Report of Waste Discharge (ROWD) with the Central Valley Water Board before making any material change in the character, location, or volume of the discharge authorized in their NOA. A material change includes, but is not limited to, the following:
  - a. A change in area used for waste disposal beyond that specified in the NOA.
  - b. A significant change in disposal method, location, or volume (e.g., change from land application by spray or drip method to percolation pond or increase in flow).
  - c. The addition of a major industrial, municipal, or domestic waste discharge to the influent of the WWTP.
  - d. The 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.

If the proposed material change is eligible for coverage under this Order, then the ROWD shall include an updated NOI and appropriate Technical Report, as specified in Application for Coverage section of this Order. If the proposed material change may not be eligible for coverage under this Order, the Discharger shall contact the Central Valley Water Board to determine what documentation is required to support a complete ROWD.

10. At least **one year** prior to termination or expiration of any lease, contract, or agreement involving disposal or recycling areas or offsite reuse of effluent, used to justify the capacity authorized herein and ensure compliance with this Order, the Discharger shall notify the Central Valley Water Board, in writing, of the situation and the measures taken or to be taken to ensure full compliance with this Order and the NOA.
11. Transfer of control, ownership, or operatorship of any Large WWTP covered by this Order must be preceded by a notice to the Central Valley Water Board at least 30 days in advance of the proposed transfer date. The notice must include a written agreement between the existing discharger and proposed discharger containing specific date for transfer of responsibility, coverage, and liability between them. Whether an order may be transferred without modification and a public hearing is at the discretion of the Board. If order modification is necessary, transfer may be delayed 120 days after the Central Valley Water Board's receipt of a complete Report of Waste Discharge.
12. In the event of any change in ownership, control, or operatorship of the land(s) and/or facility(s) regulated by this Order pursuant to the Discharger's NOA, the succeeding owner, controller, or operator must apply in writing to the Central Valley Water Board requesting a transfer of Order coverage. The request must contain:
  - a. The requesting entity's full legal name;
  - b. If the requesting entity is a corporation, the state of incorporation;
  - c. The address and telephone number of the person(s) responsible for contact with the Central Valley Water Board; and
  - d. A statement that the new owner or operator assumes full responsibility for compliance with this Order.
  - e. A completed signed copy of Standard Form 200 – Application/Report of Waste Discharge
13. Succeeding owners, controllers, and/or operators that fail to submit a request for transfer of coverage shall be discharging waste without a permit, a violation of the Water Code. (See Wat. Code, § 13260 et seq.)

14. Within five days of emergency modifications to an SMP, Dischargers shall notify Central Valley Water Board staff with specific actions, related sludge volumes, and supporting rationale.
15. The Discharger shall comply with the separately issued MRP, and any future revisions thereto, as specified by the Central Valley Water Board Executive Officer. A template MRP is provided as **Attachment A**.

**C. Closure of Facilities**

1. Dischargers seeking to close an entire facility or portions of a facility covered under this Order shall file a Facility Closure Work Plan with the Central Valley Water Board in accordance with the requirements described below.. The Facility Closure Work Plan shall include:
  - a. A certified statement of intent to close all or a portion of WWTPs enrolled under this Order.
  - b. A detailed characterization of the facilities proposed for closure, including:
    - Identification of all areas that have historically stored waste, both liquid and solid.
    - A detailed discussion of the actions completed or planned to remove any remaining sludge or waste from the identified areas. This should include proposed methods for data collection (e.g., soil sampling, photographic documentation, or other relevant evidence) to demonstrate that the areas have been adequately cleaned and no longer contain waste that could pose a risk to underlying groundwater quality.
    - A timeline for implementing the proposed actions
    - A discussion of the intended use of the facilities or areas once the closure is complete.

**V. ENFORCEMENT**

If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of administrative civil liability of up to \$10,000 per violation per day pursuant to the Water Code, including sections 13268, 13350, and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

**VI. ADMINISTRATIVE REVIEW**

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board for administrative review in accordance with Water

Code section 13320, and California Code of Regulations, title 23, section 2050 et seq. To be timely, the State Water Board must receive the petition by 5:00 pm on the 30th day after the date of this Order, except that if the 30th day falls on a Saturday, Sunday or State Holiday, the petition must be received by the State Water Board by 5:00 pm on the next business day. The law and regulations applicable to filing petitions are available on the internet at the State Water Boards' Public Notices [Petitions for Water Quality webpage](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) ([http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)). Copies will be provided upon request.