

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

**TENTATIVE ORDER NO. R9-2016-0117**

**WATER RECLAMATION REQUIREMENTS  
FOR THE CITY OF POWAY, SAN DIEGO COUNTY**

The City of Poway is subject to these water reclamation requirements for the reuse of recycled water within its jurisdiction as set forth in this Order:

**Table 1. Discharger Information**

<b>Discharger</b>	City of Poway
<b>Name of Facility</b>	City of Poway Recycled Water Distribution System

The discharge by the City of Poway from the discharge points identified in Table 2 is subject to water reclamation requirements as set forth in this Order.

**Table 2. Discharge Location**

<b>Discharge Point</b>	<b>Effluent Description</b>	<b>Hydrologic Area of Discharge</b>
Recycled Water Service Areas within the City of Poway	Disinfected Tertiary Recycled Water	Poway Hydrologic Area (Poway HA 906.20)

**Table 3. Effective Date**

This Order was adopted by the California Regional Water Quality Control Board, San Diego Region and is effective on:	August 10, 2016
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I, David W. Gibson, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on August 10, 2016.

**TENTATIVE**  

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**David W. Gibson, Executive Officer**

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## I. ADMINISTRATIVE INFORMATION

Administrative information on the City of Poway's recycled water distribution system (Facility) is summarized in Table 4. More detailed information on the Facility can be found in Section II of the Information Sheet (Attachment C).

**Table 4. Facility Information**

<b>Discharger</b>	City of Poway
<b>Name of Facility</b>	City of Poway Recycled Water Distribution System
<b>Facility Contact, Title and Phone</b>	Mr. Terry Zaragoza, Interim Public Works Utilities Manager, 858-668-4750
<b>Mailing Address</b>	P.O Box 789, Poway, CA 92074-0789
<b>Type of Facility</b>	Recycled water distribution system

## II. FINDINGS

The California Regional Water Quality Control Board, San Diego Region (hereinafter San Diego Water Board), finds that:

- A. **Background.** Order No. 97-62, Master Reclamation Permit for the City of Poway established requirements for the purveyance and distribution of recycled water by the City of Poway (City) within the Poway Hydrologic Area No. 906.20 (Poway HA). The City of San Diego's North City Water Reclamation Plant (NCWRP) provides recycled water which the City distributes within the Poway HA. Effluent discharge specifications for recycled water from the NCWRP are established in Order No. R9-2015-0091, *Master Recycling Permit for the City of San Diego, North City Water Reclamation Plant, San Diego County*.
- B. **Legal Authorities.** Pursuant to Water Code section 13523, the San Diego Water Board may issue Water Reclamation Requirements to the person recycling water, the user, or both.
- C. **Background and Rationale for Requirements.** The San Diego Water Board developed the requirements in this Order based on information submitted in the Report of Waste Discharge, self-monitoring reports, water quality control plans and policies,<sup>1</sup> and other available information. An Information Sheet (Attachment B) was prepared for this Order, which contains background information and rationale for Order requirements. The Information Sheet is hereby incorporated into and constitutes Findings for this Order.
- D. **Antidegradation Policy.** The State Water Resources Control Board (State Water Board) established California's Antidegradation Policy in Resolution No. 68-16, the *Statement of Policy with Respect to Maintaining High Quality of Waters in California*. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The San Diego Water Board's Basin Plan implements and incorporates by reference both the State and federal antidegradation policies. As

<sup>1</sup> Including the State Water Board's Recycled Water Policy (2009, as modified in 2013):  
[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2013/rs2013\\_0003\\_a.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2013/rs2013_0003_a.pdf)

discussed in the Information Sheet, the discharge described in the Order is consistent with the Antidegradation Policy. Although the use of this recycled water for irrigation purposes has the potential to cause TDS concentrations in groundwater to exceed the water quality objective for portions of the Poway HA; Water Code section 13523.5 states that a regional water board may not deny issuance of water reclamation requirements to a project which violates only a salinity standard in the Basin Plan.

- E. **Standard and Special Provisions.** Standard Provisions apply to all Water Reclamation Requirements. The standard provisions contain language the San Diego Water Board finds necessary to ensure the Order is enforced, records are maintained, and changes are reported. The City must comply with all standard provisions to the extent permitted by federal law.
- F. **Notification of Interested Persons.** The San Diego Water Board has notified the City and known interested agencies and persons of its intent to prescribe these Water Reclamation Requirements for the discharge. The San Diego Water Board also provided stakeholders with an opportunity to submit their written comments and recommendations. Details of the notification are provided in the Information Sheet (Attachment B).
- G. **Consideration of Public Comment.** The San Diego Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Information Sheet (Attachment B).
- H. **California Environmental Quality Act.** The San Diego Water Board is the lead agency under the California Environmental Quality Act (CEQA; Public Resources Code section 21000, et seq.). Adoption of this Order will not involve expansion or modification of existing facilities and will not have any significant impact on the environment. As such, the adoption of Order No. R9-2016-0117 is exempt from requirements of the CEQA pursuant to title 14, California Code of Regulations (Cal. Code Regs.), chapter 3, article 19, section 15301.
- I. **Rescission of Outdated Water Reclamation Requirements.** Order No. R9-2016-0117 supersedes Order No. 97-62 except for enforcement purposes.

**THEREFORE, IT IS HEREBY ORDERED**, that this Order supersedes Order No. 97-62 upon the effective date of this Order except for enforcement purposes. In order to meet the provisions for Water Reclamation Requirements contained in Division 7 of the Water Code (commencing with section 13000) and applicable regulations, it is further ordered that the City comply with the requirements in this Order. If any part of this Order is subject to a temporary stay of enforcement, unless otherwise specified in the order granting stay, the City shall comply with the analogous portions of the previous Order. This action does not prevent the San Diego Water Board from taking enforcement actions for past violations of the previous Order.

### III. DISCHARGE PROHIBITIONS

- A. Discharge of waste, other than incidental runoff, to lands which have not been specifically described in this Order or in the Report of Waste Discharge, and for which valid waste discharge requirements are not in force are prohibited.
- B. Discharges of treated or untreated solid or liquid waste to waters of the United States are prohibited unless as authorized by a National Pollutant Discharge Elimination System permit issued by the San Diego Water Board.
- C. Discharges of treated or untreated solid or liquid waste directly or indirectly to any surface waters of the State (including ephemeral streams and vernal pools) are prohibited.
- D. The treatment, storage, or disposal of waste in a manner that creates pollution, contamination, or nuisance, as defined by Water Code section 13050, is prohibited.

### IV. RECYCLED WATER PURVEYANCE REQUIREMENTS

- A. The City must maintain and submit the following to the San Diego Water Board, State Water Board Division of Drinking Water (DDW), and County of San Diego Department of Environmental Health (County DEH) upon request.
  - 1. *Rules and Regulations for Recycled Water Users* governing the design and construction of recycled water use facilities and the use of recycled water. The rules and regulations shall, at a minimum, include the requirements which are contained in Attachment A to this Order.
  - 2. A program to conduct compliance inspections of recycled water use sites. Inspections shall determine the status of compliance with the City's approved rules and regulations for recycled water users.
  - 3. A report containing the information listed below. The City may submit a report that covers more than one reuse site. The report shall include a detailed description of each reuse site identifying all of the following information:
    - a. A copy of the long-term recycled water agreement between the producer of recycled water and the City.
    - b. The number, location, and type of facilities within the use area proposing to use domestic and recycled water. "Facility" means any type of building or structure, or defined area of specific public use that utilizes or proposes to utilize a dual plumbed system.
    - c. The specific boundaries of the proposed use site area including a map showing the location of each facility, drinking water fountain, and impoundment to be served.

- d. The specific use to be made of the recycled water at each use area.
  - e. The person or persons responsible for operation of the recycled water system at each use area.
  - f. The methods to be used by the City to assure that the installation and operation of the recycled system will not result in cross connections between the recycled water piping system and the potable water piping system. This shall include a description of pressure, dye, or other test methods to be used to test the system.
  - g. Plans and specifications which include the following information:
    - i. Proposed piping system to be used.
    - ii. Pipe locations of both the recycled and potable systems.
    - iii. Type and location of the outlets and plumbing fixtures that will be accessible to the public.
    - iv. The methods and devices to be used to prevent backflow of recycled water into the public water system.
    - v. Plan notes relating to recycled water specific installation and use requirements.
- B. Prior to providing recycled water to a new use site, the City shall do the following.
1. Submit for review and approval a letter certifying that the project conforms to all criteria described in Recycled Water Purveyance Requirements IV.A.3. The letter shall document that all criteria described in Recycled Water Purveyance Requirements IV.A.3 have been submitted to and approved by the appropriate regulatory agency. Information submitted as a supplement to this report shall document compliance with any criteria, as described by Recycled Water Purveyance Requirements IV.A.3, not met through submittal of the initial report.
  2. Prior to the initial operation of a dual-plumbed recycled water system and annually thereafter, ensure that the dual plumbed system within each facility and use area is inspected for possible cross connections with the potable water system. The recycled water system shall also be tested for possible cross connections at least once every four years. The testing shall be conducted in accordance with the method described in the report submitted pursuant to title 22, Cal Code of Regs., section 60314. The inspections and the testing shall be performed by a cross connection control specialist certified by the California-Nevada section of the American Water Works Association or an organization with equivalent certification requirements. The County DEH shall be notified at least 30 days prior to any cross connection test. A written report documenting the result of the inspection or testing for the prior year shall be submitted to the

County DEH within 30 days following completion of the inspection or testing.

- C. The City shall ensure the following requirements are met for all reuse sites:
1. Enforce recycled water rules and regulations.
  2. Conduct recycled water reuse site compliance inspections in accordance with the program submitted in compliance with Recycled Water Purveyance Requirements IV.A.2 of this Order.
  3. Notify the DDW and the County DEH of any incidence of recycled water backflow into the potable water system as soon as possible, but in no case later than 24 hours after finding the incident.
  4. Maintain a current list of all on-site recycled water supervisors.

## **V. STANDARD PROVISIONS**

- A. The City shall, at all times, properly operate and maintain all facilities and systems of control (and related appurtenances) which are installed or used by the City to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order.
- B. The City shall conduct monitoring and submit monitoring reports in compliance with Monitoring and Reporting Program No. R9-2016-0117 and future revisions thereto as specified by the San Diego Water Board. Monitoring results shall be reported at the frequency specified in Monitoring and Reporting Program No. R9-2016-0117.
- C. The San Diego Water Board may initiate enforcement action against the City, which may result in the termination of the recycled water supply, if any person uses, transports, or stores such water in a manner which creates, or threatens to create conditions of pollution, contamination, or nuisance, as defined in Water Code section 13050.
- D. The City must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the Water Code and is grounds for (a) enforcement action; (b) termination, revocation and reissuance, or modification of this Order; or (c) denial of a report of waste discharge in application for new or revised Water Reclamation Requirements.
- E. The City shall allow the San Diego Water Board, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to do the following:

1. Enter upon the City's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this Order.
  2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this Order.
  3. Sample or monitor, at reasonable times for the purposes of assuring compliance with this Order or as otherwise authorized by the Water Code, any substances or parameters at any location.
- F. The Water Code provides that any person who intentionally or negligently violates any waste discharge requirements issued, reissued, or amended by the San Diego Water Board is subject to a civil liability of up to 20 dollars per gallon of waste discharged or, if a cleanup and abatement order is issued, up to 15,000 dollars per day of violation or some combination thereof.
- G. Water Code section 13268 provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or falsifying any information provided in the monitoring reports is guilty of a misdemeanor and is subject to a civil liability of up to 5,000 dollars for each day in which the violation occurs.
- H. The City shall report any noncompliance which may endanger health or the environment. Any such information shall be provided orally to the San Diego Water Board within 24 hours from the time the City becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the City becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The San Diego Water Board, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence(s) must be reported to the San Diego Water Board, the DDW, and the County DEH within 24 hours of occurrence:



1. Any unauthorized discharge<sup>2</sup> of 50,000 gallons or more of recycled water that has been treated to at least disinfected tertiary recycled water or 1,000 gallons or more of recycled water that is treated at a level less than disinfected tertiary recycled water<sup>3</sup> in or on any waters of the State or probably will be discharged in or on any waters of the State.
2. Any known direct cross-connection between recycled and potable water systems.
  - I. The incidental discharge of recycled water to waters of the State is not a violation of these requirements if the incidental discharge does not unreasonably affect the beneficial uses of the water, and does not result in the receiving water exceeding an applicable water quality objective.
  - J. The City shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.
  - K. A copy of this Order shall be maintained at the City's facility and shall be available to operating personnel at all times.
  - L. The City shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of five years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the San Diego Water Board.
  - M. The City shall furnish to the San Diego Water Board, within a reasonable time, any information which the San Diego Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The City shall also furnish to the San Diego Water Board, upon request, copies of records required to be kept by this Order.
  - N. This Order may be modified, revoked and reissued, or terminated for cause including, but not limited to, the following:
    1. Violation of any terms or conditions of this Order.
    2. Obtaining this Order by misrepresentation or failure to disclose fully all relevant facts.

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<sup>2</sup> An unauthorized discharge is defined in Water Code section 135292.2 as any discharge not authorized by waste discharge requirements pursuant to Article 4 of the Water Code (Commencing with section 13260), water reclamation requirements pursuant to Water Code section 13523, or a master recycling permit pursuant to Water Code section 13523.1.

<sup>3</sup> Disinfected tertiary recycled water is defined in title 22, Cal Code Regs., chapter 3, section 60301.230.

3. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

The filing of a request by the City for the modification, revocation and reissuance, or termination of this Order, or notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

- O. This Order is not transferrable to any person except after notice to the San Diego Water Board. The City shall submit this notice in writing at least 30 days in advance of any proposed transfer. The notice must include a written agreement between the City and the new purveyor of recycled water containing a specific date for the transfer of this Order's responsibility and coverage between the City and the new purveyor of recycled water. This agreement shall include an acknowledgement that the City is liable for violations up to the transfer date and that the new purveyor of recycled water is liable from the transfer date on. The San Diego Water Board may require modification or revocation and reissuance of this Order to change the name of the City and incorporate such other requirements as may be necessary under the Water Code.
- P. The City shall file a new Report of Waste Discharge, stamped or signed by a licensed professional,<sup>4</sup> at least 120 days prior to the following:
  1. Other circumstances that result in a material change in character, amount, or location of the waste discharge.
  2. Any planned change in the regulated facility or activity which may result in noncompliance with this Order.
- Q. All applications, reports, or information submitted to the San Diego Water Board, including Reports of Waste Discharge, shall be signed and certified by a public executive officer or ranking elected official, or their duly authorized representative. An individual is a duly authorized representative only if all of the following are true:
  1. The authorization is made in writing by the public executive officer or ranking elected official.
  2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity.
  3. The written authorization is submitted to the San Diego Water Board.

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<sup>4</sup> All reports, plans, and documents required under this Order must be prepared under the direction of appropriately qualified professionals. California Business and Professions Code sections 6735, 7835, and 7831.1 require that engineering and geologic evaluations and judgments be performed by or under the direction of licensed professionals. The lead professional shall sign and affix their license stamp to the report, plan, or document.

Any person signing a document under this provision 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 a fine and imprisonment."

- R. Where the City becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the San Diego Water Board, it shall promptly submit such facts or information.
- S. Self-Monitoring Reports must be submitted in text searchable PDF format to the San Diego Water Board via email. The email submittals must include a signed transmittal letter with the facility name, facility contact information, and reference code; and unless directed otherwise by the Executive Officer must be sent via email to [sandiego@waterboards.ca.gov](mailto:sandiego@waterboards.ca.gov).

## VI. SPECIAL PROVISIONS

- A. The City must submit a workplan within 180 days of adoption of this Order, which will identify proposed tasks and measures it will implement as the lead agency in developing the Salt and Nutrient Management Plan (SNMP) for the Poway groundwater basin. Proposed tasks and measures to be implemented by the City must be based on the Guidelines for Salinity/Nutrient Management Planning in the San Diego Region.<sup>5</sup> The SNMP for the Poway groundwater basin shall be submitted to the San Diego Water Board by **August 17, 2018**. Once completed, the City must implement the plan.
- B. The City must implement the following measures to ensure that recycled water and fertilizer are applied in use sites at agronomic rates:<sup>6</sup>
  - 1. Monitor nutrient levels in recycled water supplies and notify end users of the nutrient value of recycled water.
  - 2. Educate and train site supervisors on how to minimize the potential for runoff or over irrigation and take into account the nutrient value of the recycled water.
  - 3. Conduct periodic inspections of end use sites.

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<sup>5</sup> Recommended tasks for development of SNMPs can be found in Chapter 5 and Appendix B of the guidelines.

<sup>6</sup> Agronomic rates refers to the rates of application of recycled water to plants necessary to satisfy the plants' evapotranspiration requirements, considering allowances for supplemental water (e.g., effective precipitation), irrigation distribution uniformity, and leaching requirement, thus minimizing the movement of nutrients below the plants' root zone.

## VII. NOTIFICATIONS

- A. The San Diego Water Board may initiate enforcement action against the City, which may result in the termination of the recycled water discharge, if any person uses, transports, or stores such water in a manner which creates, or threatens to create conditions of pollution, contamination, or nuisance, as defined in Water Code section 13050.
- B. This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the City from liability under federal, State, or local laws, nor create a vested right for the City to continue the waste discharge.
- C. These requirements have not been officially reviewed by the U.S. Environmental Protection Agency and are not issued pursuant to section 402 of the Clean Water Act.
- D. Any person aggrieved by this action of the San Diego Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and title 23, Cal. Code Regs., sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or State holiday, then the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:  
  
[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)
- E. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.
- F. This Order becomes effective on the date of adoption by the San Diego Water Board.
- G. This Order does not expire until rescinded by the San Diego Water Board.

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## **ATTACHMENT A - RULES AND REGULATIONS FOR RECYCLED WATER USE**

Pursuant to Water Code section 13523(b), this Order requires the City to establish and to enforce rules and regulations governing the design, construction and use of recycled water distribution and disposal systems by its customers. The rules and regulations shall be consistent with the following criteria:

- Title 22, Cal. Code Regs., division 4, chapter 3, Wastewater Reclamation Criteria.
- Title 17, Cal. Code Regs., division 1, chapter 5, group 4, article 1 & 2.
- The State Water Board, Division of Drinking Water (DDW) *Guidelines For Use of Recycled Water, Guidelines for Use of Recycled Water for Construction*.
- Any measures that are deemed necessary for protection of public health, such as the *American Water Works Association (AWWA) California/Nevada Section, Guidelines for the Distribution of Non-Potable Water and Guidelines for Retrofitting to Recycled Water* or alternate measures that are acceptable to the DDW.

### **I. Standard Rules and Regulations**

At a minimum, the rules and regulations shall notify the users that:

- A. The use of recycled water shall not cause a pollution, contamination, or nuisance as defined in Water Code section 13050.
- B. The City, San Diego Water Board, DDW and County DEH, or an authorized representative of these parties, upon presentation of proper credentials, shall have the right to enter upon the recycled water use site during reasonable hours, to verify that the user is complying with the City's rules and regulations.
- C. The recycled water user shall provide written notification, in a timely manner, to the City of any material change or proposed change in the character of the use of recycled water.
- D. Prior to the initiation of recycled water service, the recycled water user shall submit plans and specifications for recycled water distribution facilities to the City.
- E. The recycled water user shall designate a recycled water supervisor who is responsible for the recycled water system at each use area under the user's control. Specific responsibilities of the recycled water supervisor include: the proper installation, operation, and maintenance of the irrigation system; compliance of the project with the City's rules and regulations; prevention of potential hazards; and preservation of the recycled water distribution system plans in "as built" form. Designated recycled water supervisors shall obtain instruction in the use of recycled water from an institution approved by the DDW and County DEH, as required.

Attachment A  
Rules and Regulations for Recycled Water Use

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- F. The City may terminate service to a recycled water user who uses, transports, or stores such water in violation of the City's rules and regulations.
- G. All recycled water storage facilities owned and/or operated by recycled water users shall be protected against erosion, overland runoff, and other impacts resulting from a 100-year, 24 hour frequency storm, unless the San Diego Water Board approves alternative storm protection measures for the facility.
- H. The San Diego Water Board may initiate enforcement action against any recycled water user who discharges recycled water in violation of any applicable discharge requirement prescribed by the San Diego Water Board or in a manner which creates or threatens to create conditions of pollution, contamination, or nuisance, as defined in Water Code section 13050.
- I. A copy of the recycled water rules and regulations, irrigation system layout map, and a recycled water system operations manual shall be maintained at the use area. These documents shall be available to operating personnel at all times.
- J. Irrigation with disinfected tertiary recycled water shall not take place within 50 feet of any domestic water supply well unless all of the following conditions have been met:
  - 1. A geological investigation demonstrates that an aquitard exists at the well location between the uppermost aquifer being drawn from and the ground surface.
  - 2. The well contains an annular seal that extends from the surface into the aquitard.
  - 3. The well is housed to prevent any recycled water spray from coming into contact with the wellhead facilities.
  - 4. The ground surface immediately around the wellhead is contoured to allow surface water to drain away from the well.
  - 5. The owner of the well approves of the elimination of the buffer zone requirement.
- K. Impoundment of disinfected tertiary recycled water shall not occur within 100 feet of any domestic water supply well.
- L. Irrigation with, or impoundment of, disinfected secondary-2.2<sup>1</sup> or disinfected secondary - 23<sup>2</sup> recycled water shall not take place within 100 feet of any domestic water supply well.
- M. Irrigation with, or impoundment of, undisinfected secondary recycled water shall not take place within 150 feet of any domestic water supply well.
- N. Recycled water facilities shall be operated in accordance with best management practices

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<sup>1</sup> Disinfected secondary-2.2 recycled water is defined in title 22, Cal. Code Regs., chapter 3, section 60301.220

<sup>2</sup> Disinfected secondary-23 recycled water is defined in title 22, Cal. Code Regs., chapter 3, section 60301.225

Attachment A  
Rules and Regulations for Recycled Water use

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(BMPs) to prevent direct human consumption of reclaimed water and to minimize misting, ponding, and runoff. BMPs shall minimize both public contact and discharge onto areas not under customer control.

- O. Irrigation with recycled water shall be during periods of minimal human use of the service area. Consideration shall be given to allow a maximum dry-out time before the irrigated area will be used by the public.
- P. All drinking fountains located within the approved use area shall be protected by location and/or structure from contact with recycled water spray, mist, or runoff. Protection shall be by design, construction practice, or system operation.
- Q. Facilities that may be used by the public within the approved use areas, including but not limited to eating surfaces and playground equipment, shall be protected to the maximum extent possible by siting and/or structure from contact by irrigation with recycled water spray, mist, or runoff. Protection shall be by design, construction practice or system operation.
- R. Spray irrigation with recycled water, other than disinfected tertiary recycled water, shall not take place within 100 feet of the property line of a residence or a place where public exposure could be similar to that of a park, playground, or school yard.
- S. All publically accessible use areas where recycled water is utilized shall be posted with conspicuous signs, in a size no less than 4 inches by 8 inches with text size that is easily readable, that include the following wording: "RECYCLED WATER - DO NOT DRINK."
- T. No physical connection shall be made or allowed to exist between any recycled water system and any separate system conveying potable water.
- U. The recycled water piping system shall not include any hose bibs. Quick couplers that are different from that used on the potable water system may be used.
- V. The public water supply shall not be used as a backup or supplemental source of water for a recycled water system unless the connection between the two systems is protected by an air gap separation which complies with the requirements of title 17, Cal. Code Regs., sections 7602(a) and 7603(a), and the approval of the public water system has been obtained. If a "Swivel-ell" type connection is used it must be used in accordance with the provisions of the CDPH Policy Memo 95-004. Approved backflow prevention devices shall be provided, installed, tested, and maintained by the recycled water user in accordance with the applicable provisions of title 17, Cal. Code Regs., Division 1, Chapter 5, Group 4, Article 2.
- W. No person other than the City shall deliver recycled water to a facility. Connection to the irrigation system by an individual residence is prohibited.
- X. All recycled water piping and appurtenances in new installations and appurtenances in retrofit installations shall be colored purple or distinctively wrapped with purple tape in



Attachment A  
Rules and Regulations for Recycled Water use

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accordance with Health and Safety Code, chapter 7.9, section 4049.54.

- Y. Reuse site shut down tests and inspections shall be monitored by the DDW.
- Z. Customer complaints concerning recycled water use that may involve public illness shall be reported to the County DEH, the DDW and to the City who shall maintain a log of all customer complaints regarding recycled water.
- AA. Any backflow prevention device installed to protect the public water system shall be inspected and maintained in accordance with title 17, Cal. Code Regs., section 7605.
- CC. Recycled water and fertilizer shall be applied to the landscape at agronomic rates.
- DD. Overwatering of landscapes and runoff shall be avoided.
- EE. Recycled water supervisors shall be responsible for determining onsite fertilizer needs to ensure that recycled water is applied to landscapes at agronomic rates, and shall complete training and education in compliance with recycled water agency rules and regulations to: (1) Minimize the potential for runoff or over-irrigation and, (2) Determine the fertilizer needs of the landscape taking into account the nutrient value of recycled water.

## II. General Requirements for Hauling or Transportation of Recycled Water

If the City decides to establish recycled water fill stations, then the City must submit updated Draft Rules and Regulations for Recycled Water Use to the San Diego Water Board, DDW, and County DEH at least **two months prior** to initiating operation of a fill station and updated Final Rules and Regulations for Recycled Water Use at least **six months** prior to initiating operation of a recycled water fill station. In addition, the City must submit its draft program for training customers, haulers, and fill station staff on proper handling of recycled water to the DDW and County DEH at least **two months prior** to initiating operation of a fill station. The final training program must be submitted to the DDW and County DEH at least **six months** prior to initiating operation of a fill station.

The City's updated Rules and Regulations for Recycled Water Use must include requirements that will be implemented to ensure use and transport of recycled water from the fill stations will be protective of public health and the environment. At a minimum the Rules and Regulations must include the requirements below.

The City or hauler must comply with the following requirements in sections II-IV of Attachment B to this Order, unless the DDW or County DEH determine that alternative criteria provide equivalent or better protection of public health and the environment:

- A. Haulers interested in participating in this program must apply for a Recycled Water Use Permit issued by the City.
- B. Use areas receiving hauled recycled water must follow the same requirements of titles 17 and 22, Cal. Code Regs. as a similar use area receiving traditionally piped recycled

water. These requirements must be addressed in the City's permitting process.

- C. Before trucks or containers can be filled for the first time, all haulers are required to attend a brief on-site orientation or training in order to learn about using the filling station and the proper handling and safe use of recycled water. Annual refresher training must be required. The City must maintain records which document when each hauler completed the required training.
- D. Once the hauler completes the on-site orientation or training and a Recycled Water Program inspector verifies the tanker truck or containers meet the recycled water use requirements, the inspector will issue a signed Recycled Water Use Permit. The Recycled Water Use Permit must be available for inspection at all times. The hauler must carry a copy in the vehicle at all times while hauling recycled water.
- E. Recycled water must not be introduced into any potable water piping system and no connection shall be made between the tank and any part of a potable water system.
- F. If the hauler requests to supply recycled water to a use area that uses any plumbed potable or recycled water distribution systems, the City must ensure that the end use complies with all applicable requirements of titles 17 and 22, Cal. Code Regs., including cross connection control testing and backflow prevention device installation, prior to allowing pick up of recycled water. Dual plumbed use areas can only receive recycled water from a recycled water agency that has been granted approval under title 22, Cal. Code Regs., section 60313(a).
- G. The hauler must keep a log book for each vehicle, tank, or container used to transport recycled water. The log book must be available for inspection at all times. The hauler must carry a copy in the vehicle at all times while hauling recycled water. At a minimum, the log book must include:
  - 1. The date of delivery and use.
  - 2. The volume of water delivered and used.
  - 3. The intended use of water.
  - 4. The name and address of the recipient or customer.
- H. The hauler or Recycled Water Site Supervisor must notify workers and the public when recycled water is applied at a use site and inform workers and the public not to drink recycled water or use it for food preparation.
- I. Precautions must be taken to avoid food coming in contact with recycled water while the use site is wet.

Attachment A  
Rules and Regulations for Recycled Water use

August 10, 2016

- J. No irrigation or impoundment of recycled water is allowed within a minimum of 50 feet of any domestic drinking water well.
- K. The hauler shall take adequate measures to prevent overspray, ponding, or run off of recycled water from the authorized recycled water use area.
- L. The Recycled Water Use Permit issued by the City must be available for inspection at all times.
- M. Recycled water shall not be applied where it could spray on external drinking water fountains, passing vehicles, buildings, or areas where food is handled or eaten.
- N. Tank trucks, containers, and appurtenances must be clearly identified as “non-potable,” equipped with a legally sized air gap, and must not be used to provide potable water. Containers and hoses associated with hauling recycled water must not be used for potable water. Commercial hauling trucks that may be filled with potable water for non-potable uses must have two separate filling systems, one dedicated to potable water and one dedicated to recycled water. When the truck is filled from a potable water source, there must be a water agency or municipality provided meter and backflow device between the truck fill line and the potable source.
- O. Vehicles, tanks, and containers must have water-tight valves and fittings, must not leak or spill contents during transport, and must be cleaned of contaminants. This must be checked by the hauler before each use. Water-containing vessels that are open to the atmosphere during hauling are not acceptable for use.
- P. Haulers must not overfill containers or trucks.
- Q. Hoses used for the application of recycled water shall be removable and shall be stored in a disconnected condition during transport. Hoses should be inspected prior to filling to ensure that they are in serviceable condition and free from leaks.
- R. In the event of an emergency concerning the recycled water hydrant, meter, fill pipe or hose (spillage, leaks, etc.), the hauler should call the emergency contact number listed on the filling station sign for further instructions.
- S. The City may conduct use area visits to ensure proper use of recycled water according to all applicable requirements of titles 17 and 22, Cal. Code Regs. and Recycled Water Use Permit conditions. This may include follow up phone calls or surveys of end users about completion of the hauling process and recycled water application.
- T. Conditions under which haulers may lose their permits must be clearly communicated by the City. Those conditions should specify that failure to follow program requirements, including adhering to applicable State, County or local codes, will result in suspension of the hauler’s permit. Violations of such codes may also result in agencies levying fines and applicable administrative fees.

Attachment A  
Rules and Regulations for Recycled Water use

August 10, 2016

- U. Residential hauling programs shall have fill stations staffed at all times by a representative from the City. This is to ensure implementation of proper handling and filling procedures at the fill stations.
- V. Residential hauling programs must limit one-time hauls to 300 gallons.
- W. The permitted hauler shall notify the City prior to using recycled water for a use not approved by the City.
- X. The City, San Diego Water Board, DDW, and County DEH have the right to enter any recycled water use site during reasonable hours to ensure the user is complying with these requirements and the City's Rules and Regulations for Recycled Water Use.

**III. Rules and Regulations for Hauling or Transportation of Recycled Water From Commercial Vehicle Fill Stations**

- A. Trucks hauling recycled water that may also be filled with potable supplies for non-potable purposes shall have a dedicated potable use fill line through an air gap separation. The fill lines shall be properly labeled as potable or recycled water. As an alternative, the water supplier may install a reduced pressure principle backflow device on the potable system for filling trucks with potable water. Vehicles used to transport recycled water shall not be used to carry water for potable purposes.
- B. The risers, hoses, and fittings for each supply shall be color coded or painted blue for potable and purple for recycled water.
- C. The hoses, hydrants, and risers for each supply shall have separate and unique fittings (e.g., 2-1/2 inch diameter on the potable system and 2 inch diameter on the recycled water system) such that the potable system cannot accidentally be used on the recycled system and vice versa.
- D. All vehicles used in transporting recycled water must be clearly marked with signage that reads: "CAUTION: RECYCLED WATER - DO NOT DRINK" in English and Spanish. The City shall conduct annual inspections of the trucks to ensure that all requirements in this Order are being met and that recycled water is being used in compliance with the requirements of this Order.
- E. Vehicles used for transportation or distribution of recycled water, or for street sweeping must be equipped with an air gap to ensure backflow protection.
- F. The use of recycled water for street sweeping or construction shall comply with the appropriate local storm water ordinance. Typical compliance measures include preventing overspray, ponding, or runoff of recycled water from the use area.
- G. Haulers shall be required to enter the date, amount of recycled water collected, location(s) the recycled water will be used, and approximate amounts used at each use area on the fill station log sheet during each visit.

- H. For Hydrant Meter Filling Stations, ensure the meter is shut off before disconnecting the fill line and make sure no water is leaking from the meter or hydrant.
- I. For Gate Access Filling Stations, ensure no water is leaking from the fill pipe or hose and securely re-lock the gate after leaving the filling station.
- J. A truck or tank that has contained material from a septic tank or cesspool shall not be used to distribute recycled water.

**IV. Rules and Regulations for Use of Recycled Water for Fire Fighting**

- A. Unused recycled water must not be released into streams, rivers, or waterways.
- B. Fire hydrants supplied with recycled water must be clearly identified by purple paints, signs, tags, stencils or other such labeling, in order to notify firefighters that the fire hydrants are supplied with recycled water.
- C. Fire truck tanks must be disinfected following the use of recycled water for firefighting, since fire trucks could be used to distribute drinking water during civil emergencies.
- D. Firefighting personnel must be adequately trained in safe use of recycled water. New and current firefighting personnel must receive periodic refresher courses regarding proper handling and use of recycled water.

**ATTACHMENT B**  
**INFORMATION SHEET**  
**ORDER NO. R9-2016-0117**  
**WATER RECLAMATION REQUIREMENTS**  
**FOR THE CITY OF POWAY, SAN DIEGO COUNTY**

1. This Information Sheet includes the legal requirements and technical rationale that serve as the basis for the water reclamation requirements (WRRs) prescribed in Order No. R9-2016-0117 (Order).

**I. ADMINISTRATIVE INFORMATION**

The following table summarizes administrative information related to the facility.

**Table 1. Facility Information**

<b>WDID</b>	9 000000840
<b>Discharger</b>	City of Poway
<b>Name of Facility</b>	Poway Recycled Water Distribution System
<b>Facility Contact, Title and Phone</b>	Mr. Terry Zaragoza, Interim Public Works Utilities Manager, 858-668-4750
<b>Mailing Address</b>	P.O Box 789, Poway, CA 92074-0789
<b>Billing Address</b>	P.O Box 789, Poway, CA 92074-0789
<b>Type of Facility</b>	Recycled Water Distribution System
<b>Threat to Water Quality</b>	3
<b>Complexity</b>	C
<b>Reclamation Requirements</b>	Distributor
<b>Receiving Water</b>	Poway Hydrologic Area (Poway HA 906.20)
<b>Receiving Water Type</b>	Groundwater

- A. Order No. 97-62, Master Reclamation Permit for the City of Poway established requirements for the purveyance and distribution of recycled water by the City of Poway (City) within the Poway Hydrologic Area (Poway HA). This Order replaces and supersedes Order No. 97-62.
- B. The City of San Diego's North City Water Reclamation Plant (NCWRP) provides recycled water to the City of Poway for distribution within the Poway HA. Effluent discharge specifications for recycled water from the North City Water Reclamation Plant are established in Order No. R9-2015-0091, *Master Recycling Permit for the City of San Diego, North City Water Reclamation Plant, San Diego County*.
- C. On January 17, 2014, California's Governor proclaimed a [Drought State of Emergency](#) and directed state officials to take all necessary actions to prepare for drought conditions. The California Legislature has declared that a substantial portion of the

future water requirements of the state may be economically met by beneficial use of recycled water (California Water Code, section 13511.) The Legislature also expressed its intent that the State under take all possible steps to encourage development of water recycling facilities so that recycled water may be made available to help meet the growing water requirements of the State. (Water Code, section 13512). This Order is consistent with the legislature's declaration because it facilitates the increased use of recycled water in place of potable water supplies.

- D. The State Water Resources Control Board's (State Water Board) Recycled Water Policy, as modified January 22, 2013 and effective April 25, 2013),<sup>1</sup> promotes the use of recycled water to achieve sustainable local water supplies and reduce greenhouse gas emissions. This Order requires the City to implement nutrient management measures and develop a salt and nutrient management plan in accordance with the Recycled Water Policy.

Recycled water use can help to reduce the scarcity of local water supplies. While it is not the only option for bringing supply and demand into a better balance, it is a viable cost effective solution that is appropriate in many cases. The feasibility of recycled water use depends on local circumstances, which affect the balance of costs and benefits. In drought conditions, recycled water can be particularly valuable given the scarcity of alternative potable water supplies. Additionally, in normal precipitation years recycled water use may reduce groundwater extraction. Broader and more effective uses of recycled water are consistent with the goals and objectives of the Recycled Water Policy and the San Diego Water Board's Practical Vision strategy for achieving a sustainable local water supply.<sup>2</sup>

- C. This Order adds new provisions for the safe transport and use of recycled water from future recycled water fill stations. If the City chooses to establish recycled water fill stations, then the City must amend its *Rules and Regulations for Recycled Water Use* and implement measures to ensure that the use and transport of recycled water from the fill stations complies with the Uniform Statewide Recycling Criteria, and is protective of public health and the environment.

## II. FACILITY DESCRIPTION

- A. **Recycled Water Use and Discharge.** Recycled water produced by the NCWRP is distributed by the City within the Poway HA. Recycled water distributed by the City is primarily used by commercial and industrial establishments for landscape irrigation. This Order allows the City to distribute recycled water for additional future uses such as: fire suppression, industrial processes (including cooling towers), street sweeping, agricultural irrigation, landscape and/or recreational impoundments, construction use (including soil compaction, dust control, concrete mixing, etc.), commercial uses (including toilet and urinal flushing), and all other approved uses of recycled water in

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<sup>1</sup> [http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2013/rs2013\\_0003\\_a.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2013/rs2013_0003_a.pdf)

<sup>2</sup> See Practical Vision for "Strategy for Achieving a Sustainable Local Water Supply"  
[http://www.waterboards.ca.gov/sandiego/water\\_issues/Practical\\_Vision/index.shtml](http://www.waterboards.ca.gov/sandiego/water_issues/Practical_Vision/index.shtml)

title 22 of the California Code of Regulations (Cal. Code Regs.), upon approval from the State Water Board, Division of Drinking Water (DDW).

**B. Recycled Water Fill Stations.** This Order also includes requirements for the transport and use of water from recycled water fill stations. The City currently does not operate recycled water fill stations but may do so pursuant to this Order. Customers may transport recycled water from future fill stations to use sites for the following uses:

1. Street sweeping and cleaning of sidewalks and outdoor work areas.
2. Dust control, soil compaction, and construction.
3. Sewer flushing and pressure testing of newly constructed tertiary recycled water pipelines, sewer force main pipelines, and gas pipelines.
4. Irrigation of commercial and residential landscapes, crops, and nursery stock.
5. Fire protection.
6. Other uses approved in title 22, Cal. Code of Regs., upon receiving approval from the State Water Board Division of Drinking Water (DDW).

**C. Recycled Water Quality.** Table 2 lists the average concentrations of selected chemical constituents in recycled water from the NCWRP analyzed between 2010 and 2014.

**Table 2. Recycled Water Quality (units in milligrams per liter)**

Year	TDS	BOD	TSS	Fe	Mn	B	Cl <sup>-</sup>	F <sup>-</sup>	NO <sub>3</sub> <sup>-</sup>	SO <sub>4</sub>	MBAS	%Na
2010	890	ND	ND	0.090	0.061	0.343	233	0.45	48.0	216	0.19	57
2011	830	ND	ND	0.078	0.071	0.313	236	0.64	48.8	165	0.14	57
2012	805	ND	ND	0.097	0.081	0.330	245	0.69	52.9	144	0.16	58
2013	828	ND	ND	0.066	0.077	0.314	237	0.61	54.7	172	0.06	56
2014	1,130	ND	ND	0.053	0.062	0.370	239	0.56	52.9	192	0.10	56

**Endnotes for Table 2**

TDS = Total Dissolved Solids, ND = Non Detect, BOD = Biological Oxygen Demand, TSS = Total Suspended Solids, Fe = Iron, Mn = Manganese, B = Boron, Cl<sup>-</sup> = Chloride, F<sup>-</sup> = Fluoride, NO<sub>3</sub><sup>-</sup> = Nitrate, SO<sub>4</sub> = Sulfate, MBAS = Methylene Blue Activated Substances, % Na = Percent Sodium

**D. Proposed Changes in Water Reclamation Requirements.** This Order requires the City to implement nutrient management measures and develop a salt and nutrient management plan for the Poway groundwater basin in accordance with the Recycled Water Policy. This Order also requires the City to amend its Rules and Regulations for Recycled Water Use if it chooses to develop recycled water fill stations.



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

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

- A. **Legal Authorities.** This Order is issued pursuant to California Water Code (Water Code) section 13523 and serves as WRRs.
- B. **California Environmental Quality Act.** The San Diego Water Board is the lead agency under the California Environmental Quality Act (CEQA; Public Resources Code section 21000, et seq.). Adoption of this Order is exempt from requirements of the California Environmental Quality Act (CEQA; Public Resources Code section 21000, et seq.). Pursuant to the title 14, Cal. Code Regs., chapter 3, article 19, section 15301, the project is exempt because adoption of the Order will not involve expansion or modification of existing facilities and will not have any significant impact on the environment.
- C. **Water Quality Control Plans.** The *Water Quality Control Plan for the San Diego Basin* (hereinafter Basin Plan) designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. In addition, the Basin Plan implements State Water Board Resolution No. 88-63, which established State policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. The beneficial uses of groundwater designated for the Poway HA are municipal and domestic supply, agricultural supply, and industrial service supply.<sup>3</sup> The Basin Plan establishes the water quality objectives needed to support these beneficial uses. In addition, there are specific groundwater quality objectives for the Poway HA listed in Table 3 (from Table 3-3 of the Basin Plan).

**Table 3. Poway HA Groundwater Water Quality Objectives**

HYDROLOGIC AREA	CONSTITUENT (mg/L or as noted)												
	(Concentrations not to be exceeded more than 10% of the time during any one year period)												
	TDS	Cl	SO <sub>4</sub>	%Na	NO <sub>3</sub> <sup>-</sup>	Fe	Mn	MBAS	B	ODOR	TURB (NTU)	COLOR (UNITS)	F
Poway HA	750 <sup>a</sup>	300	300	60	45	0.3	0.05	0.5	0.75	none	5	15	1.0

<sup>3</sup> Basin Plan Chapter 2, Beneficial uses:  
[http://www.waterboards.ca.gov/sandiego/water\\_issues/programs/basin\\_plan/index.shtml](http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/index.shtml)

**Endnotes for Table 3**

mg/L = milligrams per liter, TDS = Total Dissolved Solids, Cl- = Chloride, SO4 = Sulfate, % Na = Percent Sodium, NO3 = Nitrate, Fe = Iron, Mn = Manganese, MBAS = Methylene Blue Activated Substances, B = Boron, TURB = Turbidity, NTU = Nephelometric Turbidity Units, F- = Fluoride

- a. These objectives apply to ground waters of the Poway Hydrologic Subarea that lie east of the San Diego County Water Authority's (SDCWA) First Aqueduct. Ground water quality objectives west of the SDCWA First Aqueduct are 1,000 mg/L.

With the exception of TDS, this Order implements the Basin Plan by prescribing requirements for the reuse of recycled water that will not adversely impact water quality, beneficial uses, human health, or the environment. The groundwater quality objective for TDS in the portion of the Poway HA that is located east of the San Diego County Water Authority (SDCWA) First Aqueduct is 750 mg/L and it is 1,000 mg/L for the portion of the Poway HA located west of the SDCWA First Aqueduct. The TDS discharge specification for the recycled water supplied to the City is 1,000 mg/L. Use of this recycled water for irrigation purposes has the potential to cause receiving groundwater to violate the TDS water quality objective in portions of the Poway HA where the objective is 750 mg/L. Water Code section 13523.5 states, however, that a regional water board may not deny issuance of water reclamation requirements to a project which violates only a salinity standard in the Basin Plan.

- D. **Recycled Water Policy.** The Recycled Water Policy establishes criteria for recycled water projects, WRRs, and Waste Discharge Requirements. The intent of the Policy is to protect designated beneficial uses and protect water quality while increasing recycled water use, allowing for streamlined permitting for appropriate landscape irrigation projects, and allowing basin-wide management of salts and nutrients. The Recycled Water Policy states that the appropriate way to address salts and nutrients is through development of regional and sub-regional Salt and Nutrient Management Plans (SNMP). This Order requires the City to complete a SNMP for the Poway groundwater basin by **August 17, 2018**.
- E. **Antidegradation Policy.** The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings.

**IV. COMPLIANCE WITH THE ANTIDEGRADATION POLICY**

State Water Board Resolution No. 68-16, the *Statement of Policy with Respect to Maintaining High Quality of Waters in California* (the Antidegradation Policy) requires that disposal of waste into the waters of the State be regulated to achieve the highest water quality consistent with the maximum benefit to the people of the State. The quality of some waters is higher than established by adopted policies and that higher quality water must be maintained to the maximum extent possible consistent with the Antidegradation Policy. The Antidegradation Policy requires the following.

- A. Higher quality water will be maintained until it has been demonstrated to the State that any change will be consistent with the maximum benefit to the people of the State, will not unreasonably affect present and anticipated beneficial use of the water, and will not result in water quality less than that prescribed in the Basin Plan.
- B. Any activity that produces waste or may produce waste or increased volume or concentration of waste, and discharges to existing high quality waters will be required to meet waste discharge requirements that will result in the best practicable treatment or control the discharge necessary to assure pollution or nuisance will not occur, and the highest water quality consistent with the maximum benefit of the people of the State will be maintained.

This Order does not establish discharge specifications for the quality of recycled water because the City does not produce the recycled water used in its service area. Rather, the City of San Diego provides the City of Poway with recycled water produced from the NCWRP. Discharge specifications for the quality of recycled water produced from the NCWRP are established in Order No. R9-2015-0091. An antidegradation analysis for the use of recycled water produced from the NCWRP is included in Order No. R9-2015-0091 (see section V of Attachment C - Information Sheet of Order No. R9-2015-0091).<sup>4</sup> This antidegradation analysis is applicable to the Poway HA with the exception of the areas of the HA where the TDS groundwater quality objective is 750 mg/L. This is because the discharge specification for recycled water from the NCWRP is 1,000 mg/L. Irrigation with this recycled water has the potential to cause receiving groundwater to violate the TDS water quality objective in those areas. Water Code section 13523.5, however, does not allow a regional water board to deny issuance of water reclamation requirements to a project which violates only a salinity standard in the Basin Plan. Degradation of the receiving groundwater due to TDS loading will be lessened by the requirement in the *Rules and Regulations for Recycled Water Use* (Attachment B) to apply recycled water at agronomic rates, and to avoid overwatering and runoff.

Additionally, this Order requires the City to develop a Salt and Nutrient Management Plan for the groundwater basin in the Poway HA as discussed in Section VI.B of this Order. The Plan will need to evaluate the potential for irrigation with recycled water to cause a violation of the TDS groundwater quality objective, and if so, propose management measures, a basin plan amendment, or both, to address the loading.

## V. RATIONALE FOR WATER RECLAMATION REQUIREMENTS

This Order serves as WRRs issued pursuant to Water Code section 13523. In accordance with title 22, Cal. Code Regs., the DDW reviews engineering reports for the production, distribution, and use of recycled water. The San Diego Water Board relies on the expertise of the DDW and includes recommendations from DDW in these WRRs to ensure recycled water is treated and used in a manner that protects human health. The Order requires the City to maintain Rules and Regulations for Recycled Water Use (Rules and Regulations),

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<sup>4</sup> Order No. R9-2015-0091 available on-line at:  
[http://www.waterboards.ca.gov/sandiego/board\\_decisions/adopted\\_orders/2015/R9-2015-0091.pdf](http://www.waterboards.ca.gov/sandiego/board_decisions/adopted_orders/2015/R9-2015-0091.pdf)

and to maintain an inspection and cross-connection testing program. The Order also requires the City to update its Rules and Regulations to include requirements to ensure use and transport of recycled water from recycled water fill stations will be protective of public health and the environment, if in the future, the City operates recycled water fill stations.

## VI. RATIONALE FOR STANDARD PROVISIONS, SPECIAL PROVISIONS, AND NOTIFICATIONS

- A. **Standard Provisions.** The standard provisions contain language that allows the San Diego Water Board to enforce this Order. Provisions include need for inspection, spill and emergency reporting, records maintenance, and reporting of changes. Standard provisions apply to all Water Reclamation Requirements and are consistent with San Diego Water Board findings.
- B. **Special Provisions.** The Special Provisions in the Order require the City to implement management measures to ensure that recycled water is applied at agronomic rates in end use areas. Application of recycled water at agronomic rates considers fertilizer application and the nutrient and water demand of the landscape. Along with the *Rules and Regulations for Recycled Water Use* (Attachment B), which require recycled water supervisors to ensure that recycled water and fertilizer are applied to landscapes at agronomic rates in end use areas, these management measures will prevent the use of recycled water from causing the nitrate concentration in receiving groundwater to exceed the groundwater quality objective.

The Order also requires that the City to develop and submit a salt and nutrient management plan (SNMP) for the Poway groundwater basin by **August 17, 2018**. The State Recycled Water Policy requires local water and wastewater entities and local salt/nutrient contributing stakeholders to develop regional or sub-regional SNMPs for all groundwater basins within the State. The Poway basin is one of the few groundwater basins within the NCWRP's service area for which a SNMP has yet to be developed.

The SNMP must include measures to ensure that salt and nutrient inputs to the basin from use of recycled water and from other discharges will not adversely affect groundwater quality. Proposed tasks and measures to be implemented by the City may be based on the Guidelines for Salinity/Nutrient Management Planning in the San Diego Region (Guidelines). The SNMP must address the potential for the use of recycled water for landscape irrigation to cause the TDS groundwater quality objective to be exceeded in receiving groundwater due to the higher TDS concentration of the recycled water. Once completed, the City must implement the plan.

- C. **Notifications.** Notifications are included in the Order to inform the City of administrative issues regarding this Order.

## VII. RATIONALE FOR MONITORING AND REPORTING PROGRAM REQUIREMENTS

The purpose of Monitoring and Reporting Program (MRP) No. R9-2016-0117 is to determine and ensure compliance with requirements established in this Order. The MRP

also specifies requirements concerning the proper use, maintenance, and installation of monitoring equipment and methods, and the monitoring intervals and frequency necessary to provide data that are representative of the activities and discharges regulated under this Order.

The MRP is issued pursuant to Water Code section 13267, which authorizes the San Diego Water Board to require dischargers to furnish technical and monitoring reports.

Consistent with the *Framework for Monitoring and Assessment in the San Diego Region*,<sup>5</sup> the monitoring required by this Order answers the following monitoring questions:

- Will the conveyance and end use of recycled water regulated by this Order protect public health and the environment?
- Will the groundwater designated for municipal and domestic use be safe to drink in irrigation end use areas regulated by this Order?

The MRP focuses primarily on evaluating and tracking the use and distribution of recycled water in the San Diego Region. Collection and analysis of recycled water production and use site data will help answer the following questions:

- Where are the recycled water use sites?
- What is the volume of recycled water delivered to each use site?
- What is the level of compliance with Rules and Regulations at recycled water reuse sites?

## VIII. PUBLIC PARTICIPATION

Two of the four values of the San Diego Water Board espoused in its Practical Vision are communication and transparency. Participation of the public in the decision making process of the Board is a hallmark of the board governmental structure in California and essential to this Board's success. The San Diego Water Board has taken steps to encourage public participation in the adoption process for this Order.

### A. Notification of Interested Parties

Consistent with Water Code section 13167.5, the San Diego Water Board has notified the City and interested agencies and persons of its intent to adopt Water Reclamation Requirements for the discharge and made this Order available on its website. Furthermore, the San Diego Water Board has provided the public with an opportunity to submit written comments and recommendations. Notification was provided through the San Diego Water Board website and in the *Notice of Meeting and Agenda* publication.

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<sup>5</sup> Resolution No. R9-2012-0069 and San Diego Water Board Staff Report, November 2012.  
[http://www.waterboards.ca.gov/sandiego/board\\_decisions/adopted\\_orders/2012/R9-2012-0069.pdf](http://www.waterboards.ca.gov/sandiego/board_decisions/adopted_orders/2012/R9-2012-0069.pdf)

## **B. Written Comments**

The staff determinations are tentative. Interested persons are invited to submit written comments concerning this tentative Water Reclamation Requirements. Written comments must be submitted in text searchable Portable Document Format (PDF) or Microsoft Word format via email to [sandiego@waterboards.ca.gov](mailto:sandiego@waterboards.ca.gov) by **5:00 p.m. on June 20, 2016**. Written comments must include a signed cover/transmittal letter. Comments should be addressed to the attention of Mr. Fisayo Osibodu.

To be fully responded to by staff and considered by the San Diego Water Board, written comments must be received at the San Diego Water Board office **by 5:00 p.m. on June 20, 2016**.

## **C. Public Hearing**

The San Diego Water Board will hold a public hearing on the tentative Water Reclamation Requirements during its regular Board meeting on **August 10, 2016 beginning at 9:00 am** at the following location:

**City of Mission Viejo  
Council Chambers  
200 Civic Center Drive, Mission Viejo, CA**

## **D. Petitions**

Any aggrieved person may petition the State Water Resources Control Board to review the decision of the Board regarding the final Water Reclamation Requirements. The petition must be submitted within 30 days of the San Diego Water Board's action to the following address:

State Water Resources Control Board  
Office of Chief Counsel  
P.O. Box 100, 1001 I Street  
Sacramento, CA 95812-0100

## **E. Information and Copying**

The Water Reclamation Requirements, written comments received, and other related documents are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the San Diego Water Board by calling 619-516-1990.

## **F. Register of Interested Persons**

Any person interested in being placed on the mailing list for information regarding the Order should contact the San Diego Water Board, reference this facility, and provide a name, address, phone number, and email address.

**G. Additional Information**

Requests for additional information or questions regarding this Order should be directed to Mr. Fisayo Osibodu by phone at 619-521-8036 or by email at [Olufisayo.Osibodu@waterboards.ca.gov](mailto:Olufisayo.Osibodu@waterboards.ca.gov).

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## **ATTACHMENT C**

### **TENTATIVE MONITORING AND REPORTING PROGRAM NO. R9-2016-0117**

#### **WATER RECLAMATION REQUIREMENTS, FOR THE CITY OF POWAY, SAN DIEGO COUNTY**

This monitoring and reporting program (MRP) is issued to the City of Poway (City) pursuant to Water Code Section 13267, which authorizes the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) to require technical and monitoring program reports.

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

- A. Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The flow devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of the device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes.
- B. All monitoring instruments and devices that are used by the City to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.
- C. The City shall report any noncompliance which may endanger health or the environment. Any such information shall be provided orally to the San Diego Water Board within 24 hours from the time the City becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the City becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The San Diego Water Board, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence(s) must be reported to the San Diego Water Board within 24 hours:
  1. Any unauthorized discharge of 50,000 gallons or more of recycled water that has been treated to at least disinfected tertiary recycled water or 1,000 gallons or more of recycled water that is treated at a level less than disinfected tertiary recycled water in or on any waters of the State or probably will be discharged in or on any waters of the State.

2. Any known direct cross-connection between recycled and potable water systems.

These City must also report these occurrences orally to the DDW and the County DEH within 24 hours of the occurrence.

- D. If the City or end user, without regard to intent or negligence, causes or permits an unauthorized discharge of 50,000 gallons or more of recycled water that has been treated to at least disinfected tertiary recycled water,<sup>14</sup> or 1,000 gallons or more of recycled water that is treated at a level less than disinfected tertiary recycled water in or on any waters of the State, or causes or permits such unauthorized discharge to be discharged where it is, or probably will be, discharged in or on any waters of the State, they shall, as soon as (1) that person has knowledge of the discharge, (2) notification is possible, and (3) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the San Diego Water Board in accordance with Provision V.H of Order No. R9-2016-0117.
- E. All reports or information submitted to the San Diego Water Board shall be signed and certified as follows:
  1. All reports required by this MRP, and any other information required by the San Diego Water Board, shall be signed by either a principal executive officer or ranking elected official, or by a duly authorized representative of that person. An individual is a duly authorized representative only if all of the following are true:
    - a. The authorization is made in writing by a principal executive officer or ranking elected official.
    - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity.
    - c. And, the written authorization is submitted to the San Diego Water Board.
  2. 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."

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<sup>14</sup> Disinfected tertiary recycled water is defined in California Code of Regulations, Title 22, Chapter 3, section 60301.230.

- F. The City shall identify all missing or non-valid information in monitoring reports submitted. All instances of missing or non-valid information must include an explanation of their root cause and the steps the City has or will take to prevent future instances. Missing or non-valid information may be considered violations of this Order that could result in enforcement action depending on the frequency of such instances and efforts by the City to prevent such failures.

## II. RECYCLED WATER USERS SUMMARY REPORT

- A. **Quarterly Report.** The City shall submit a quarterly recycled water users' summary reports containing the following information:
1. Total volume of recycled water supplied to all recycled water users for each month of the reporting period.
  2. Total number of recycled water use sites.
  3. Address of each recycled water use site.
  4. Name and number, as defined in the Basin Plan, of the hydrologic subarea underlying each recycled water use site.
- B. **Annual Report.** The City shall submit an annual recycled water users' compliance reports containing the following information:
1. Recycled water use site summary report including
    - a. Name of each recycled water reuse site.
    - b. Owner of each recycled water use facility.
    - c. Address of each reuse site.
    - d. Name of the on-site recycled water supervisor.
    - e. Phone number of the on-site recycled water supervisor.
    - f. Mailing address of the recycled water supervisor, if different from the site address.
    - g. Volume of recycled water delivered to each reuse site for each of the 12 months in a calendar year.
    - h. Total area (in acres) of each landscape irrigation site.

- i. The estimated amount of nitrogen<sup>15</sup> (in pounds per acre per year) applied in recycled water on each landscape irrigation site.
  - j. The amount of nitrogen (in pounds per acre) applied as fertilizer on each landscape irrigation site.
2. **Recycled water user site inspections.** The City shall report the number of reclaimed water reuse site inspections conducted by the District's staff and identify the sites inspected for the reporting period.
  3. **Recycled water user violations of the City's rules and regulations.** The City shall identify all recycled water users known to be in violation of the City's rules and regulations for recycled water users. The report shall include a description of the noncompliance and its cause, including the period of noncompliance, and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- C. **Monitoring Report Submittal.** The City shall submit Monitoring Reports in accordance with the following requirements:
1. The City shall arrange all reported data in a tabular format.
  2. The City shall attach a cover letter to the monitoring report. The information contained in the cover letter shall clearly identify violations of the Water Reclamation Requirements; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.
  3. Monitoring reports must be submitted in text searchable PDF format to the San Diego Water Board via email. The email submittals must include a signed transmittal letter (with the facility name, facility contact information, and reference code), and, unless directed otherwise by the Executive Officer, be sent via email to sandiego@waterboards.ca.gov.
- D. **Report Schedule.** Monitoring reports must be received by the San Diego Water Board in accordance with the following schedule:

**Table 1. Monitoring and Reporting Schedule**

Reporting Frequency	Monitoring Period	Report Due Date
Quarterly	January 1 through March 31	5:00 PM by May 1
	April 1 through June 30	5:00 PM by August 1
	July 1 through September 30	5:00 PM by November 1
	October 1 through December 31	5:00 PM by February 1
Annually	January 1 through December 31	5:00 PM by March 1

<sup>15</sup> Concentration of nitrogen in recycled water can be obtained from the recycled water producer.

I, David W. Gibson, Executive Officer, do hereby certify that this Monitoring and Reporting Program Order is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Diego Region, on August 10, 2016.

Ordered by: **TENTATIVE** \_\_\_\_\_  
David W. Gibson, Executive Officer