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California Regional Water Quality Control Board

Central Coast Region

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Arnold Schwarzenegger
Governor

ORDER NO. R3-2006-0032
NPDES NO. CA0047856

The following Discharger is authorized to discharge in accordance with the conditions set forth in this Order.

Discharger	California Department of Corrections and Rehabilitation
Indirect Dischargers	California Army National Guard, Camp San Luis Obispo Cuesta College San Luis Obispo County Education Center San Luis Obispo County El Chorro Regional Park and Dairy Creek Golf Course San Luis Obispo County Operational Facility
Name of Facility	California Men's Colony Wastewater Treatment Plant (WWTP)
Facility Address	Hwy 1, North of San Luis Obispo, behind Cuesta College San Luis Obispo, California 93409 San Luis Obispo County

The Discharger is authorized to discharge from the following discharge points as set forth below.

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
001	Treated domestic wastewater	35 ° 19 ' 30 " N	120 ° 46 ' 55 " W	Chorro Creek

This Order was adopted by the Central Coast Water Board on:	July 7, 2006
This Order shall become effective on:	August 26, 2006
This Order shall expire on:	August 26, 2011
The U.S. Environmental Protection Agency (U.S. EPA) and the Central Coast Water Board have classified this discharge as a major discharge.	
The Discharger shall file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, <u>not later than 180 days in advance of the Order expiration date</u> as application for issuance of new waste discharge requirements.	

IT IS HEREBY ORDERED, that Order No. 01-001 is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in Division 7 of the California Water Code (CWC) and regulations adopted hereunder, and the provisions of the federal Clean Water Act (CWA), and regulations and guidelines adopted hereunder, the Discharger shall comply with the requirements in this Order.

I, Roger W. Briggs, Executive Officer, do hereby certify the following is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on July 7, 2006.

Roger W. Briggs, Executive Officer

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
REGION 3, CENTRAL COAST REGION**

ORDER NO. R3-2006-0032
NPDES NO. CA0047856

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I. FACILITY INFORMATION

The following Discharger is authorized to discharge in accordance with the conditions set forth in this Order.

Discharger	California Department of Corrections and Rehabilitation
Indirect Dischargers	California Army National Guard, Camp San Luis Obispo Cuesta College San Luis Obispo County Education Center San Luis Obispo County El Chorro Regional Park and Dairy Creek Golf Course San Luis Obispo County Operational Facility
Name of Facility	California Men's Colony WWTP
Facility Address	Hwy 1, North of San Luis Obispo, behind Cuesta College San Luis Obispo, California 93409 San Luis Obispo County
Facility Contact, Title, Phone Number	John Marshall, Warden, 805-547-7901
Mailing Address	P.O. Box 8101, San Luis Obispo, CA 93409
Type of Facility	POTW
Facility Design Flow	Dry weather monthly average of 1.2 million gallons per day (MGD), Peak hour seasonal wet weather flow of 5.2 MGD.

II. FINDINGS

The California Regional Water Quality Control Board, Central Coast Water Board, finds:

- A. Background.** The California Department of Corrections and Rehabilitation (the Discharger) is currently discharging under Order No. 01-001 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0047856. The Discharger submitted a Report of Waste Discharge, dated September 30, 2005, and applied to renew its NPDES permit to discharge up to 1.2 million gallons per day (MGD) of treated wastewater from the California Men's Colony Wastewater Treatment Plant (WWTP).
- B. Facility Description.** The Discharger owns and operates a trunk sewer line and a domestic WWTP located on the grounds of Camp San Luis Obispo, a National Guard training site. In addition to conveying and treating domestic wastewater from the East and West Facilities of the California Men's Colony, a correctional institution, the trunk sewer and WWTP provide wastewater conveyance and treatment for the California Army National Guard (Camp San Luis Obispo), Cuesta College, and several County facilities (including the Education Center, the El Chorro Regional Park and Dairy Creek Golf Course, and the Operational Facility). The California Army National Guard, Cuesta College, San Luis Obispo County Education Center, San Luis Obispo County El Chorro Regional Park and Dairy Creek Golf Course, and San Luis Obispo County Operational Facility own and maintain discrete wastewater collection and transport systems that discharge to the Department of Corrections' trunk sewer system. It is incumbent upon these local sewerage entities (as building permit authorities) to protect the environment to the greatest degree possible and ensure their local collection systems, as well as the receiving sewerage system, are protected and utilized

properly. This responsibility includes preventing overflows and may include restricting or prohibiting the volume, type or concentration of wastes added to the system.

Wastewater treatment facilities include an influent pump station, aerated grit removal, two oxidation ditches, secondary clarification, tertiary filtration, and chlorination/dechlorination capability. The treatment facility has the following design capacity:

Average Dry Weather Flow: 1.2 MGD
Peak Dry Weather Flow: 2.4 MGD
Peak Wet Weather Flow: 5.2 MGD

A diagram of the treatment process is depicted in Attachment C, included as part of this permit.

Treated wastewater is used by the County of San Luis Obispo to irrigate the Dairy Creek Golf Course and discharged to Chorro Creek at a minimum continuous flow rate of 0.75 cubic feet per second (cfs). Outfall No. 001 to Chorro Creek is located within the Chorro Subarea (310.22) of the Estero Bay Hydrologic Unit. The discharge and reclamation locations are shown in Attachment B. Alternative locations and methods of disposal or recycling, including land disposal alternatives, were considered during planning under the Clean Water Grants Program. Wastewater solids are dewatered by centrifuge and hauled from the site for disposal.

- C. Legal Authorities.** This Order is issued pursuant to CWA Section 402 and implementing regulations adopted by the U.S. EPA and CWC Chapter 5.5, Division 7. It shall serve as an NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to CWC Article 4, Chapter 4 for discharges that are not subject to regulation under CWA Section 402.
- D. Background and Rationale for Requirements.** The Central Coast Water Board developed the requirements in this Order based on information submitted as part of the Report of Waste Discharge, through monitoring and reporting programs, through data analysis and studies performed to develop Total Maximum Daily Loads for Nutrients and Dissolved Oxygen in Chorro Creek, and through special studies. Attachments A through H, which contain background information and rationale for Order requirements, are hereby incorporated into this Order and, thus, constitute part of the Findings for this Order.
- E. California Environmental Quality Act (CEQA).** This action to adopt an NPDES permit is exempt from the provisions of CEQA (Public Resources Code Section 21100, et seq.) in accordance with CWC Section 13389.
- F. Technology-Based Effluent Limitations.** NPDES regulations at 40 CFR 122.44 (a) require that permits include applicable technology-based limitations and standards. This Order includes technology-based effluent limitations based on standards for the tertiary treatment of wastewater established at 40 CFR Part 133 and/or based on best professional judgment pursuant to CWA Section 402 (a) (1) (B). The Central Coast Water Board has considered the factors listed at 40 CFR 125.3 (c) and (d) for establishing technology-based limitations

using best professional judgment. Discussion of the development of the technology-based effluent limitations of this Order is included in the Fact Sheet (Attachment F).

G. Water Quality-Based Effluent Limitations. NPDES regulations at 40 CFR 122.44 (d) require permits to include water quality-based effluent limitations (WQBELs) to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of receiving waters. Where numeric water quality objectives have not been established, in accordance with 40 CFR 122.44 (d), WQBELs may be established using calculated numeric water quality criteria; using U.S. EPA water quality criteria established under CWA Section 304 (a); or using an indicator parameter for the pollutant of concern.

H. Water Quality Control Plans. The Central Coast Water Board adopted a *Water Quality Control Plan for the Central Coast Region* (hereinafter, the Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the Basin Plan. Beneficial uses for specific surface waters in the Central Coast Region are presented in Table 2-1 of the Basin Plan. The identified uses of Chorro Creek are listed below.

Outfall	Receiving Water Name	Beneficial Uses
001	Chorro Creek	MUN - Municipal and domestic water supply AGR - Agricultural Supply GWR - Groundwater Recharge REC1 - Water Contact Recreation REC2 - Non-Contact Water Recreation WILD - Wildlife Habitat COLD - Cold fresh Water Habitat WARM - Warm Fresh Water Habitat MIGR - Migration of Aquatic Organisms SPWN - Spawning, Reproduction, and/or Early Development BIOL - Preservation of Biological Habitats of Special Significance RARE - Rare, Threatened, or Endangered Species FRESH - Fresh Water Replenishment COMM - Commercial and Sport Fishing

Groundwater throughout the Central Coast Region is suitable for agricultural water supply, municipal and domestic water supply, and industrial use.

The State Water Board adopted a *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries of California* (the Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. The Thermal Plan contains temperature objectives for inland surface waters.

Requirements of this Order specifically implement the applicable Water Quality Control Plans described above. Requirements of this Order will also implement the Chorro Creek Nutrient and Dissolved Oxygen TMDL, as currently proposed.

- I. National Toxics Rule (NTR) and California Toxics Rule (CTR).** On December 22, 1992, and May 18, 2000, the U.S. EPA adopted the NTR and CTR, respectively. These rules include numeric water quality criteria for priority toxic pollutants and are applicable to this discharge.
- J. State Implementation Policy.** On March 2, 2000, the State Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP establishes procedures to implement water quality criteria of the NTR and CTR as well as water quality objectives contained in the Basin Plan. The SIP requires dischargers to submit sufficient data to determine the need for WQBELs, and it establishes procedures for determining that need and for calculating WQBELs, when necessary. With respect to the priority pollutant criteria promulgated for California by the U.S. EPA through the NTR, the SIP became effective on April 28, 2000; and with respect to the priority pollutant criteria promulgated for California by the U.S. EPA through the CTR, the SIP became effective on May 18, 2000.
- K. Compliance Schedules and Interim Requirements.** Section 2.1 of the SIP provides that, based on a discharger's request and demonstration that it is infeasible for an existing discharger to achieve immediate compliance with an effluent limitation derived from a CTR criterion, compliance schedules may be allowed in an NPDES Order. Unless an exception has been granted under Section 5.3 of the SIP, a compliance schedule may not exceed five years from the date that the Order is issued or reissued, nor may it extend beyond May 18, 2010, to establish and comply with CTR criteria-based effluent limitations. Where a compliance schedule for a final effluent limitation exceeds one year, the Order must include interim numeric limitations for that constituent or parameter. Where allowed by the Basin Plan, compliance schedules and interim effluent limitations or discharge specifications may also be granted to allow time to implement a new or revised water quality objective. This Order includes interim effluent limitations and a schedule for compliance with final limitations for chlorodibromomethane, dichlorobromomethane, and copper. Compliance schedules for chlorodibromomethane, dichlorobromomethane, and copper do allow time for the wastewater treatment facility upgrade to be completed and properly operating. However, the RPA that was conducted for this Order may not be representative of the upgraded facility discharge; therefore, the Discharger will evaluate compliance with the CTR constituent limits based upon the upgraded treatment facility.
- L. Anti-Degradation Policy.** NPDES regulations at 40 CFR 131.12 establish an anti-degradation policy and require State water quality standards to include an anti-degradation policy consistent with that federal policy. The State Board established California's anti-degradation policy in State Board Resolution 68-16, requiring that existing quality of receiving waters be maintained unless degradation is justified based on specific findings. As discussed in the Fact Sheet (Attachment F), the permitted discharge is consistent with the anti-degradation provisions of 40 CFR 131.12 and State Board Resolution 68-16.
- M. Anti-Backsliding Requirements.** CWA Sections 402 (o) (2) and 303 (d) (4) and NPDES regulations at 40 CFR 122.44 (l) prohibit backsliding in NPDES permits; i.e., effluent limitations in a reissued permit must be as stringent as those in the previous permit, with

some exceptions where limitations may be relaxed. Order No. R3-2006-0032 complies with all anti-backsliding requirements, as effluent limitations in this Order are at least as stringent as effluent limitations in Waste Discharge Requirements Order No. 01- 001.

- N. Monitoring and Reporting.** NPDES regulations at 40 CFR 122.48 require that all NPDES permits specify requirements for recording and reporting monitoring results. CWC Sections 13267 and 13383 authorize the Regional Boards to require technical and monitoring reports. The attached Monitoring and Reporting Program (Attachment E) establishes monitoring and reporting requirements to implement federal and State requirements.
- O. Standard and Special Provisions.** Standard NPDES provisions, established at 40 CFR 122.41 and 122.42 and applicable to all discharges, must be included in every NPDES permit and are included in Attachment D. The Central Coast Water Board Standard Provisions are included in this Order as Attachment D-1. Special provisions applicable to the Discharger are included in this Order, with rationale for these special provisions provided in the attached Fact Sheet (Attachment F).
- P. Mandatory Penalties.** Section 13385(h) et seq. of the California Water Code require the Central Coast Water Board to impose mandatory penalties for certain effluent limit violations. Section 13385(h) et seq. applies to effluent discharged to Chorro Creek from this Discharger.
- Q. Privilege to Discharge.** A permit and the privilege to discharge waste into the waters of the State are conditional upon the discharge complying with provisions of Division 7 of the California Water Code and of the Clean Water Act (as amended or as supplemented by implementing guidelines and regulations) and with any more stringent effluent limitations necessary to implement water quality control plans, to protect beneficial uses, and to prevent nuisance. This Order shall serve as a NPDES Permit pursuant to Section 402 of the Clean Water Act. Compliance with this Order should ensure conditions are met and mitigate any potential changes in water quality due to the project.
- R. Clean Water Act Section 303(d).** Section 303(d) of the Clean Water Act requires states to identify and prepare a list of water bodies that do not meet water quality standards and establish a Total Maximum Daily Load (TMDL) for the listed water bodies. A TMDL is the loading capacity of a pollutant that a water body can assimilate while protecting beneficial uses. TMDLs can be expressed in terms of either mass per time, concentration, or other appropriate measure [40 CFR §130.2(i)].
- S. Impairment.** Chorro Creek was identified as impaired by nutrients and included on the 1998 Clean Water Act Section 303(d) list of impaired water bodies. Chorro Creek is identified as impaired due to low dissolved oxygen on the draft 2006 Clean Water Act Section 303(d) list of impaired water bodies. Due to the 303(d) listings, the Water Board is required to adopt a TMDL and associated Implementation Plan (40 CFR 130.6(c)(1), 130.7, Water Code section 13242).
- T. TMDL Project Report.** The Final Project Report for the Chorro Creek Nutrients and Dissolved Oxygen TMDLs contains a Problem Statement, Numeric Targets, Source

Analysis, Total Maximum Load, Linkage Analysis, Load Allocations, Margin of Safety, an Implementation Plan, and a Monitoring Plan. The Final Project Report addresses the nutrient and dissolved oxygen listings through allocations of nitrate-N, total dissolved solids, sodium, temperature, and stream shading. Provisions of this Order are consistent with proposed wasteload allocations in the Final Project Report.

- U. Requirements Necessary to Comply with Federal Law.** This Order contains restrictions on individual pollutants that are no more stringent than required by the CWA. Individual pollutant restrictions consist of technology-based restrictions and water quality-based effluent limitations. The technology-based effluent limitations consist of restrictions on BOD, 5-day and TSS. These restrictions are specified in federal regulations as discussed in Fact Sheet, Section IV.B. and the technology-based pollutant restrictions are no more stringent than required by the CWA. Water quality-based effluent limitations have been scientifically derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant water quality-based effluent limitations were derived from the California Toxics Rule, the California Toxics Rule is the applicable standard pursuant to 40 C.F.R. 131.38. The scientific procedures for calculating the individual water quality-based effluent limitations are based on the CTR-SIP, which was approved by USEPA on May 1, 2001. All beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by USEPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to USEPA prior to May 30, 2000, but not approved by USEPA before that date, are nonetheless "applicable water quality standards for purposes of the [Clean Water] Act" pursuant to 40 C.F.R. 131.21(c)(1). Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the technology-based requirements of the CWA and the applicable water quality standards for purposes of the CWA.
- V. California Water Code (CWC) Section 13241.** This Order contains groundwater limitations, which are not required by the CWA. In accordance with Section 13241 of the CWC, the Central Coast Water Board has established water quality objectives for groundwater in the Basin Plan. The groundwater limitations listed in Section V.B. of this Order are consistent with the Basin Plan and are for the protection of past, present and potential groundwater beneficial uses. In establishing these limitations, the Central Coast Water Board has considered the factors listed in Section 13241 of the CWC. The California Department of Corrections and Rehabilitation and other interested parties have not submitted any information regarding economic considerations or the other factors set forth in Section 13241. The groundwater limitations in the permit are consistent with other similar permits throughout the Central Coast region. Other dischargers have successfully implemented similar requirements. Beneficial uses and environmental characteristics of the area are discussed in attachment F. The requirements are reasonably necessary to protect beneficial uses identified in the Basin Plan, and there are no economic information related to costs of compliance sufficient, in the Board's determination, to justify failing to protect beneficial uses. Coordinated control of water

quality throughout the region will not eliminate the need for this Discharger to prevent adverse water quality impacts from its discharge.

- W. Notification of Interested Parties.** The Central Coast Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of notification are provided in the Fact Sheet (Attachment F) of this Order.
- X. Consideration of Public Comment.** The Central Coast Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the public hearing are provided in the Fact Sheet (Attachment F) of this Order.

III. DISCHARGE PROHIBITIONS

- A. The discharge of any waste not specifically regulated by this Order, excluding storm water regulated by General Permit No. CAS000001 (Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities) is prohibited.
- B. Discharge of treated wastewater at a location other than Discharge Point 001 (35°, 19', 30" N Latitude and 120°, 46', 55" W Longitude), as described by this Order, is prohibited, unless the discharge is regulated by General Permit No. CAS000001 or another discharge permit.
- C. The overflow or bypass of wastewater from the Discharger's collection, treatment, or disposal facilities and the subsequent discharge of untreated wastewater, except as provided for in Attachment D, Standard Provision I. G (Bypass), is prohibited.
- D. Creation of a condition of pollution, contamination, or nuisance, as defined by CWC Section 13050, is prohibited.
- E. The discharge shall not cause or contribute to adverse impacts to beneficial uses of water or to threatened or endangered species and their habitat.

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations – Discharge Point 001

1. Final Effluent Limitations – Discharge Point 001

- a. The discharge of treated wastewater shall maintain compliance with the following effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location M-001, as described in the attached Monitoring and Reporting Program (Attachment E).

Parameter	Units	Effluent Limitation		
		Average Monthly	Average Weekly	Maximum Daily
Acute Toxicity	% survival	-	-	see below ^a
BOD, 5-day ^b	mg/L	10	30	50
	lbs/day	100	300	500
	kg/day	45	136	227
Chlorine Residual	mg/L	-	-	ND ^c
Chlorodibromomethane ^d	µg/L	0.4	-	0.81
Chronic Toxicity	TUc	-	-	1
Copper ^e	µg/L	8.5	-	17
Dichlorobromomethane ^d	µg/L	0.56	-	1.1
Dissolved Oxygen	mg/L	> 2.0 mg/L at all times		
Flow	MGD	1.2 ^f	-	-
Oil and Grease	mg/L	5	-	10
	lbs/day	50	-	100
	kg/day	23	-	45
pH	stnd units	6.5 – 8.3 at all times		
Settleable Solids	mL/L	0.1	-	0.3
Sulfate	mg/L	-	-	125
	lbs/day	-	-	1,251
	kg/day	-	-	568
Total Suspended Solids	mg/L	10	30	50
	lbs/day	100	300	500
	kg/day	45	136	227
Total Nitrogen (as N)	mg/L	-	-	10
	lbs/day	-	-	100
	kg/day	-	-	45
Turbidity	NTU	10	-	20

^a Survival of test organisms exposed to 100 percent effluent shall not be significantly reduced when compared, using a t-test, to the survival of control organisms.

^b 5-day biochemical oxygen demand at 20° C

^c ND = less than 0.1 mg/L. Compliance determination for total chlorine residual shall be based on 99% compliance. To determine 99% compliance with the effluent limitation specified above for total chlorine residual, the following conditions shall be satisfied: (1) the total time during which the total chlorine residual values are above 0.1 mg/L (instantaneous maximum value) shall not exceed 7 hours and 26 minutes in any calendar month; (2) no individual excursion from 0.1 mg/L shall exceed 30 minutes; and (3) no individual excursion shall exceed 2 mg/L.

^d Final effluent limitations for the trihalomethanes shall become effective on May 19, 2010, pending results of the Trihalomethane Study required by Section VI. C. 5 of this Order. If the Trihalomethane Study shows levels of trihalomethanes in effluent above applicable water quality criteria from the CTR, compliance with these final effluent limitations shall be achieved according to the compliance schedule established by Section VI. C. 6 of this Order.

^e Final effluent limitations for copper will become effective on May 19, 2010, in accordance with the compliance schedule established by Section VI. C. 6 of this Order.

^f Average monthly dry weather flow.

- b. The average monthly percent removal of Biochemical Oxygen Demand (BOD), 5-day and Total Suspended Solids (TSS) by the wastewater treatment facility shall not be less than 85 percent.
- c. The median concentration of total coliform bacteria measured in treated effluent at Discharge Point 001 shall not exceed a most probable number (MPN) of 2.2 organisms per 100 milliliters (mL), as determined from the last seven days for which analyses have been completed. The number of total coliform bacteria shall not exceed a MPN of 23 per 100 mL in more than one sample in any 30-day period. No sample shall exceed an MPN of 240 total coliform bacteria per 100 mL.
- d. Discharges of treated wastewater through Discharge Point 001 shall be essentially free of substances that:
 - i. Float or become floatable upon discharge,
 - ii. May form sediments that degrade benthic communities or other aquatic life,
 - iii. Accumulate to toxic levels in surface waters, sediments, or biota,
 - iv. Significantly decrease the natural light to benthic communities and other aquatic life, or
 - v. Result in aesthetically undesirable discoloration of the water surface.

2. Interim Effluent Limitations – Discharge Point 001

The discharge of treated wastewater at Discharge Point 001 shall comply with the following interim effluent limitations for chlorodibromomethane, dichlorobromomethane, and copper until final effluent limitations become effective on May 18, 2010.

Pollutant	Units	Average Monthly Effluent Limitation
Chlorodibromomethane	µg/L	3.5
Dichlorobromomethane	µg/L	13
Copper	µg/L	12

Violations of interim effluent limitations are subject to the enforcement provisions of the California Water Code and Clean Water Act.

B. Reclamation Specifications

- 1. Treated effluent shall meet all applicable requirements for “disinfected tertiary recycled water” established by the Department of Health Services at Title 22 of the California Code of Regulations Chapter 3 (Water Recycling Criteria).

2. Wastewater shall be disinfected by either:
 - a. 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 the peak dry weather design flow, **or**
 - b. A disinfection 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, or a virus that is at least as resistant to disinfection as the polio virus.
3. Wastewater to be reclaimed/recycled shall be filtered to meet the criteria of a **or** b, immediately below.
 - a. Wastewater shall be coagulated and passed through natural undisturbed soils or a bed of filter media:
 - i. At a rate that does not exceed 5 gallons per minute (gpm) per square foot of surface area in mono, dual, or mixed media gravity, upflow, or pressure filtration systems, or does not exceed 2 gpm per square foot of surface area in traveling bridge automatic backwash filters; **and**
 - ii. Turbidity of the filtered wastewater shall 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.
 - b. Wastewater to be reclaimed/recycled shall be passed through a microfiltration, ultrafiltration, nanofiltration, or reverse osmosis membrane so that turbidity of the filtered wastewater does not exceed any of the following.
 - i. 0.2 NTU more than 5 percent of the time within a 24-hour period; **and**
 - ii. 0.5 NTU at any time.
4. When treated effluent is being reclaimed/recycled for irrigation, it shall be sampled and analyzed daily for total coliform bacteria.
5. When treated effluent is being reclaimed/recycled for irrigation, it shall be continuously monitored for turbidity following filtration. Compliance with performance criteria of IV. C. 3. a or b, above, shall be determined using the levels of recorded turbidity taken at intervals of no more than 1.2 hours over a 24-hour period. If the continuous turbidity meter and/or recorder fail, grab sampling at a minimum frequency of 1.2 hours may be substituted for a period of up to 24 hours.

6. No irrigation use with treated effluent shall take place within 50 feet of any domestic water supply well.
7. No impoundment of treated effluent shall occur within 100 feet of any domestic water supply well.
8. Reclaimed water shall be confined to areas of authorized use without discharge to surface waters or drainageways.
9. Personnel involved in producing, transporting, or using reclaimed water shall be informed of possible health hazards that may result from contact and use of reclaimed water.
10. Spray irrigation of reclaimed water shall be accomplished at a time and in a manner to minimize ponding and contact with the public.
11. Delivery of reclaimed water shall be discontinued when these Reclamation Specifications cannot be met.
12. All reclamation reservoirs and other areas with public access shall be posted, in English and Spanish, to warn the public that reclaimed wastewater is being stored or used.
13. Reclaimed water systems shall be properly labeled and regularly inspected to ensure proper operation, absence of leaks, and absence of illegal connections.

V. RECEIVING WATER LIMITATIONS

A. Surface Water Limitations

Receiving water limitations are based on water quality objectives contained in the Basin Plan and are a required part of this Order.

1. The discharge shall not cause a violation of the following receiving water limitations in Chorro Creek.

Constituent	Units	Maximum
Boron	mg/L	0.2
Cadmium	mg/L	0.003 ^a
Chloride	mg/L	50
Cobalt	mg/L	0.05
Copper	mg/L	0.03 ^b
Fluoride	mg/L	1.0
Iron	mg/L	5.0
Lead	mg/L	0.03
Lithium	mg/L	2.5
Manganese	mg/L	0.2
Methylene Blue Activated Substances	mg/L	0.2
Molybdenum	mg/L	0.01
PCBs	µg/L	0.3

Constituent	Units	Maximum
Phthalate Esters	µg/L	0.002
Selenium	mg/L	0.01
Silver	mg/L	0.05
Sodium	mg/L	50
Sulfate	mg/L	50
Total Dissolved Solids	mg/L	500
Unionized ammonia (as N)	mg/L	0.025
Vanadium	mg/L	0.1
Zinc	mg/L	0.2 ^c

^a Cadmium shall not exceed 0.003 mg/L, when hardness in receiving waters is greater than 100 mg/L as CaCO₃, nor shall cadmium exceed 0.0004 mg/L when hardness in receiving waters is equal to or less than 100 mg/L as CaCO₃.

^b Copper shall not exceed 0.03 mg/L, when hardness in receiving waters is greater than 100 mg/L as CaCO₃, nor shall copper exceed 0.01 mg/L when hardness in receiving waters is equal to or less than 100 mg/L as CaCO₃.

^c Zinc shall not exceed 0.2 mg/L, when hardness in receiving waters is greater than 100 mg/L as CaCO₃, nor shall zinc exceed 0.004 mg/L when hardness in receiving waters is equal to or less than 100 mg/L as CaCO₃.

2. Waters shall be free of coloration that causes nuisance or adversely affects beneficial uses. Coloration attributable to materials of waste origin shall not be greater than 15 units or 10 percent above natural background color, whichever is greater.
3. Waters shall not contain taste or odor-producing substances in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin that cause nuisance, or that adversely affect beneficial uses.
4. Waters shall not contain floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect beneficial uses.
5. Waters shall not contain suspended material in concentrations that causes nuisance or adversely affects beneficial uses.
6. Waters shall not contain settleable material in concentrations that result in deposition of material that causes nuisance or adversely affects beneficial uses.
7. Waters shall not contain oils, greases, waxes, or other similar materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect beneficial uses.
8. Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses.
9. The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses.

10. Waters shall be free of changes in turbidity that cause nuisance or adversely affect beneficial uses. Increase in turbidity attributable to controllable water quality factors shall not exceed the following limits.
 - a. Five NTU, where natural turbidity is less than 25 NTU
 - b. Twenty percent, where natural turbidity is between 25 and 50 NTU
 - c. Ten NTU, where natural turbidity is between 50 and 100 NTU
 - d. Ten percent, where natural turbidity is greater than 100 NTU
11. The pH value shall not be depressed below 7.0 nor raised above 8.3, nor shall changes in ambient pH levels exceed 0.5 pH units.
12. Dissolved oxygen concentrations in receiving waters shall not be reduced below 7 mg/L at any time. Median values should not fall below 85 percent saturation as a result of controllable water quality conditions.
13. Natural temperature of receiving waters shall not be altered unless it can be demonstrated to the satisfaction of the Central Coast Water Board that such alteration in temperature does not adversely affect beneficial uses. In no circumstances shall temperature be increased by more than 5° F above the natural receiving water temperature.
14. All waters shall be maintained free of toxic substances in concentrations which are toxic to, or which produce detrimental physiological responses in, human, plant, animal, or aquatic life. Survival of aquatic life in surface waters subjected to a waste discharge or other controllable water quality conditions, shall not be less than that for the same water body in areas unaffected by the waste discharge.
15. No individual pesticide or combination of pesticides shall reach concentrations that adversely affect the beneficial uses of the receiving water. There shall be no increase in pesticide concentrations found in bottom sediments or aquatic life. For waters where existing concentrations are presently nondetectable or where beneficial uses would be impaired by concentrations in excess of nondetectable levels, total identifiable chlorinated hydrocarbon pesticides shall not be present at concentrations detectable within the accuracy of analytical methods as prescribed in *Standard Methods for the Examination of Water and Wastewater*, latest edition, or other equivalent methods approved by the Executive Officer.
16. Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life; or result in the accumulation of radionuclides in the food web to an extent, which presents a hazard to human, plant, animal, or aquatic life. In no circumstance shall receiving waters contain concentrations of radionuclides in excess of the maximum contaminant levels (MCLs) for radioactivity

presented in Table 4 of the most current version of Title 22 California Code of Regulations, Division 4, Chapter 15, Article 5.

17. Receiving waters shall not contain concentrations of fecal coliform bacteria (based on a minimum of not less than 5 samples for any 30-day period) that exceed a log mean of 200 MPN/100 mL, nor shall more than 10 percent of total samples during any 30-day period exceed 400 MPN/100 mL.
18. Receiving waters shall not contain concentrations of chemical constituents in excess of the primary maximum contaminant levels (MCLs) specified for drinking water in Table 64431-A (Primary MCLs for Inorganic Chemicals) and Table 64444-A (Primary MCLs for Organic Chemicals) of the most current version of Title 22 California Code of Regulations, Division 4, Chapter 15.

B. Groundwater Limitations

Discharges from and activities at the wastewater treatment facility shall not cause exceedance/deviation from the following water quality objectives for groundwater established by the Basin Plan.

1. Groundwaters shall not contain taste or odor producing substances in concentrations that adversely affect beneficial uses.
2. Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life; or result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life. In no circumstances shall ground waters contain concentrations of radionuclides in excess of the maximum contaminant levels (MCLs) for radioactivity presented in Table 4 of the most current version of Title 22 California Code of Regulations, Division 4, Chapter 15, Article 5.
3. The median concentration of total coliform organisms over any seven day period shall be less than a log mean of 2.2 MPN/100 mL.
4. Groundwaters shall not contain concentrations of chemical constituents in excess of the primary maximum contaminant levels (MCLs) specified for drinking water in Table 64431-A (Primary MCLs for Inorganic Chemicals) and Table 64444-A (Primary MCLs for Organic Chemicals) of the most current version of Title 22 California Code of Regulations, Division 4, Chapter 15.
5. Groundwaters shall not contain concentrations of chemical constituents in amounts that adversely affect the agricultural beneficial use. (Interpretation of adverse effect shall be derived from guidelines of the University of California Agricultural Extension Service presented in Section III, Table 3-3 of the Basin Plan.)

6. Groundwaters used for irrigation and livestock watering shall not exceed concentrations of chemical constituents in excess of those levels specified for irrigation and livestock watering in Section III, Table 3-4 of the Basin Plan.
7. Groundwaters shall not contain constituents greater than the following concentrations established in Table 3-8 of the Basin Plan for groundwaters within the Chorro Subarea of the Estero Bay groundwater unit.

TDS	Chloride	Sulfate	Boron	Sodium	Nitrogen
1000 mg/L	250 mg/L Cl	100 mg/L SO ₄	0.2 mg/L B	50 mg/L Na	5.0 mg/L N

VI. PROVISIONS

A. Standard Provisions

Federal Standard Provisions. The Discharger shall comply with all Standard Provisions included as Attachment D of this Order.

Central Coast Water Board Standard Provisions. The Discharger shall comply with all Central Coast Water Board Standard Provisions included as Attachment D-1 of this Order.

B. Monitoring and Reporting Program Requirements

The Discharger shall comply with the Monitoring and Reporting Program, and future revisions thereto, in Attachment E of this Order. All monitoring shall be conducted according to 40 CFR Part 136, *Guidelines Establishing Test Procedures for Analysis of Pollutants*.

C. Special Provisions

1. Reopener Provision.

This permit may be reopened and modified in accordance with NPDES regulations at 40 CFR 122 and 124, as necessary, to include additional conditions or limitations based on newly available information or to comply with TMDLs for Nutrients and Dissolved Oxygen in Chorro Creek or due to compliance evaluations, or to implement any U.S. EPA approved, new, State water quality objective.

2. Noncompliance reporting

The Discharger shall comply with Section V.E of Standard Provisions (Attachment D), following procedures described in a February 17, 1981, tri-agency memo from the Department of Health Services and any amendments thereto, and shall notify the following:

Department of Health Services
Jill Baltan

(510) 412-4633

Office of Emergency Services	(800) 852-7550
Department of Fish and Game	(707) 944-5523
Mike Hill	(805) 489-7355
County Board of Supervisors	(805) 781-5450
County Ag Commission	(805) 781-1035
Williams Shellfish	(805) 782-0502
Tomales Bay Oyster Company	
Drew Aldeen	(415) 250-9905
Neal Naloney	(805) 234-7102
Morro Bay Estuary	(805) 772-3834
Y. Hayashi & Sons	(805) 489-2595

3. Toxicity Reduction Evaluation Workplan.

The Discharger shall maintain a Toxicity Reduction Evaluation (TRE) Workplan, which describes steps that the Discharger intends to follow in the event that either the acute or chronic toxicity effluent limitation of this Order is exceeded in the discharge. The workplan shall be prepared in accordance with current technical guidance and reference material, including EPA/600/2-88-070 (for industrial discharges) or EPA/600/2-88/062 (for municipal discharges), and shall include, at a minimum:

- a. Actions that will be taken to investigate/identify the causes/sources of toxicity,
- b. Actions that will be evaluated to mitigate the impact of the discharge, to correct the non-compliance, and/or to prevent the recurrence of toxicity (this list of action steps may be expanded, if a TRE is undertaken), and
- c. A schedule under which these actions will be implemented.

When monitoring measures acute or chronic toxicity in the effluent above the limitations established by this Order, the Discharger shall resample immediately, if the discharge is continuing, and retest for toxicity. Results of an initial failed test and results of subsequent monitoring shall be reported to the Executive Officer (EO) as soon as possible following receipt of monitoring results. The EO will determine whether to initiate enforcement action, whether to require the Discharger to implement a Toxicity Reduction Evaluation, or to implement other measures. The Discharger shall conduct a TRE giving due consideration to guidance provided by the U.S. EPA's Toxicity Reduction Evaluation Procedures, Phases 1, 2, and 3 (EPA document nos. EPA 600/3-88/034, 600/3-88/035, and 600/3-88/036, respectively). A TRE, if necessary, shall be conducted in accordance with the following schedule.

Action Step	When Required
Take all reasonable measures necessary to immediately reduce toxicity, where the source is known.	Within 24 hours of identification of noncompliance.
Initiate the TRE in accordance to the Workplan.	Within 7 days of notification by the EO

Action Step	When Required
Conduct the TRE following the procedures in the Workplan.	One year period or as specified in the plan
Submit the results of the TRE, including summary of findings, required corrective action, and all results and data.	Within 60 days of completion of the TRE
Implement corrective actions to meet Permit limits and conditions.	To be determined by the EO

4. Discharges of Storm Water

For the control of storm water discharged from the site of the wastewater treatment facility, if applicable, the Discharger shall seek authorization to discharge under and meet the requirements of the State Water Resources Control Board's Water Quality Order 97-03-DWQ, NPDES General Permit No. CAS000001, *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities Excluding Construction Activities*.

5. Biosolids Handling and Disposal

Language in this section was provided by the U.S. EPA Region IX Biosolids Coordinator as standard language for use in NPDES permits. "Biosolids" refers to non-hazardous sewage sludge as defined in 40 CFR 503.9. Sewage sludge that is hazardous as defined in 40 CFR 261 must be disposed in accordance with the Resource Conservation and Recovery Act (RCRA). Sludge with PCB levels greater than 50 mg/kg must be disposed of in accordance with 40 CFR 761.

- a. Management of all solids and sludge must comply with all requirements of CFR Parts 257, 258, 501, and 503, including all monitoring, record-keeping, and reporting requirements. Since the State of California, hence the Regional and State Boards, has not been delegated the authority by the U.S. EPA to implement the biosolids program, enforcement of biosolids requirements of CFR Part 503 will occur under U.S. EPA's jurisdiction at this time.
- b. All biosolids generated by the Discharger shall be used or disposed of in compliance with the applicable portions of:
 - i. 40 CFR 503: for biosolids, which are land applied (placed on the land for the purpose of providing nutrients or conditioning the soil for crops or vegetation), placed in surface disposal sites (placed on the land at dedicated land disposal sites or monofills for the purpose of disposal), stored, or incinerated;
 - ii. 40 CFR 258: for biosolids disposed in municipal solid waste landfills; and,
 - iii. 40 CFR 257: for all biosolids use and disposal practices not covered under 40 CFR 258 or 503.

40 CFR 503 Subpart B (land application) applies to biosolids applied for the purpose of enhancing plant growth or for land reclamation. 40 CFR 503 Subpart C (surface disposal) applies to biosolids placed on the land for the purpose of disposal.

The Discharger is responsible for ensuring that all biosolids produced at its facility are used or disposed of in compliance with these regulations, whether the Discharger uses or disposes of the biosolids itself or transfers them to another party for further treatment, use, or disposal. The Discharger is responsible for informing subsequent preparers, applicers, and disposers of the requirements that they must meet under 40 CFR 257, 258, and 503.

- c. Duty to mitigate: The Discharger shall take all reasonable steps to prevent or minimize any biosolids use or disposal in violation of applicable regulations and/or which has a likelihood of adversely affecting human health or the environment.
- d. No biosolids shall be allowed to enter wetlands or other waters of the United States.
- e. Biosolids treatment, storage, use, or disposal shall not contaminate groundwater.
- f. Biosolids treatment, storage, use, or disposal shall not create a nuisance such as objectionable odors or flies.
- g. The Discharger shall assure that haulers transporting biosolids off site for treatment, storage, use, or disposal take all necessary measures to keep the biosolids contained.
- h. If biosolids are stored for over two years from the time they are generated, the Discharger must ensure compliance with all the requirements for surface disposal under 40 CFR 503 Subpart C, or must submit a written notification to U.S. EPA with the information in Section 503.20(b), demonstrating the need for longer temporary storage.
- i. Any biosolids treatment, disposal, or storage site shall have facilities adequate to divert surface runoff from adjacent areas, to protect the site boundaries from erosion, and to prevent any conditions that would cause drainage from the materials at the site to escape from the site. Adequate protection is defined as protection from at least a 100-year storm and from the highest tidal stage that may occur.
- j. The discharge of biosolids shall not cause waste material to be in a position where it is, or can be, conveyed from the treatment and storage sites and deposited in the waters of the State.

- k. The Discharger shall design its pretreatment program local discharge limitations to achieve the metals concentration limits in 40 CFR 503.13 Table 3.
- l. Inspection and Entry: The U.S. EPA, Central Coast Water Board, or an authorized representative thereof, upon the presentation of credentials, shall be allowed by the Discharger, directly or through contractual arrangements with their biosolids management contractors, to:
 - i. Enter upon all premises where biosolids produced by the Discharger are treated, stored, used, or disposed, either by the Discharger or by another party to whom the Discharger transfers the biosolids for treatment, storage, use, or disposal;
 - ii. Have access to and copy any records that must be kept under the conditions of this permit or of 40 CFR 503, by the Discharger or by another party to whom the Discharger transfers the biosolids for further treatment, storage, use, or disposal, and;
 - iii. Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations used in the biosolids treatment, storage, use, or disposal by the Discharger or by another party to whom the Discharger transfers the biosolids for treatment, storage, use, or disposal.
- m. Monitoring shall be conducted in accordance with the Monitoring and Reporting Program (MRP) of this Order (see Attachment E, MRP Section VI.B, *Biosolids Monitoring, Reporting, and Notification*):
- n. All the requirements of 40 CFR 503 and 23 CCR, Division 3, Chapter 15, and 27 CCR, Division 2 are enforceable by the U.S. EPA and this Central Coast Water Board whether or not the requirements are stated in an NPDES permit or any other permit issued to the Discharger.

6. Trihalomethane Study

Within four months following adoption of this Order, the Discharger shall initiate quarterly effluent sampling and analysis for the common trihalomethanes - bromoform, dichlorobromomethane, chlorodibromomethane, and chloroform.

The Discharger shall collect grab samples of effluent for quarterly monitoring and otherwise adhere to U.S. EPA approved methods for sampling and analysis from *Guidelines Establishing Test Procedures for the Analysis of Pollutants* (40 CFR 136).

Following quarterly monitoring for the trihalomethanes over one year (i.e., four monitoring events), and immediately following receipt of analytical data for the 4th quarter of monitoring, the Discharger shall submit to the Regional Board a summary

of analytical data for trihalomethanes. The summary report shall include the most stringent applicable water quality criterion for each pollutant from the CTR and the Minimum Level (ML) of detection from the SIP

Trihalomethanes	Minimum Level (µg/L)	Most Stringent Water Quality Criterion (µg/L)
Bromoform	0.5	4.3
Chlorodibromomethane	0.5	0.401
Dichlorobromomethane	0.5	0.56
Chloroform	0.5	-

The summary report shall also include, for each monitoring event: date sampled, date analyzed, analytical method, method detection limit (MDL) for each constituent, and reporting limit (RL) for each constituent as reported by the analytical lab.

If all results of quarterly trihalomethane monitoring are below the applicable water quality criteria, above, final effluent limitations for the trihalomethanes, as stated in Section IV. A. 1. a of this Order, will not become effective. If results show an exceedance for any single trihalomethane, final effluent limitations for the trihalomethanes, as stated in Section IV. A. 1. a of this Order, shall become effective on May 19, 2010, in accordance with the compliance schedule described in Section VI. C. 6, below.

7. Compliance Schedules

If results of the Trihalomethane Study, required by Section VI. C. 5 of this Order, show an exceedance of an applicable water quality criterion for bromoform, chlorodibromomethane, or dichlorobromomethane, the Discharger shall adhere to the following schedule for compliance with final effluent limitations for the trihalomethanes established by Section IV. A. 1. a of this Order.

Schedule for Compliance with Final Effluent Limitations for Chlorodibromomethane and Dichlorobromomethane

Interim Requirement	Completion Date
1. Complete the Trihalomethane Study required by Section VI. C. 5 of this Order.	November 7, 2007
2. Evaluate modification of chlorination practices, alternative methods of disinfection, and THM reduction/removal alternatives to allow compliance with final effluent limitations for trihalomethanes.	January 19, 2008
3. Send request for environmental and consulting engineering proposals.	February 19, 2008
4. Initiate design of facility improvements.	May 19, 2008
5. Complete CEQA process and obtain any necessary permits.	December 19, 2008
6. Complete design of facility improvements.	May 19, 2009
7. Issue Notice to Proceed to contractor.	June 19, 2009
8. Submit construction progress reports.	Quarterly (submitted with self monitoring reports)

Interim Requirement	Completion Date
9. Complete construction and commence debugging and startup.	April 19, 2010
10. Final trihalomethanes effluent limitations become effective.	May 19, 2010

The Discharger shall adhere to the following schedule for compliance with final effluent limitations for copper.

Schedule for Compliance with Final Effluent Limitations for Copper

Interim Requirement	Completion Date
1. Identify potential sources by collection system evaluation, sampling and analysis, and by audits of dischargers to the collection system. Evaluate wastewater treatment operational practices to identify potential sources.	July 7, 2007
2. Complete Source Control Plan and/or a Pollutant Minimization Plan.	January 7, 2008
3. Implement source control and/or pollutant minimization measures and evaluate treatment upgrades necessary to achieve compliance with final limitations.	July 7, 2008
4. Submit letter report to the Central Coast Water Board, which summarizes the effectiveness of source control and/or pollutant minimization measures. Describe final action plan, if necessary, to be implemented in Step 5, below.	July 7, 2009
5. Implement selected WWTP operational measures and/or treatment upgrades.	February 19, 2010
6. Final effluent limitations become effective.	May 19, 2010

The Discharger must notify the Central Coast Water Board, in writing, no later than 14 days following each interim completion date, of its compliance or noncompliance with the interim requirements.

8. Salt Management Study

The Discharger shall complete a Salt Management Study with the goal of controlling levels of salts in discharges from the wastewater treatment facility to Chorro Creek and attainment of applicable water quality objectives for salts in Chorro Creek, as presented in Table 3-7 of the Basin Plan and in Section V. A. 25 of this Order.

The Salt Management Study shall be submitted to the Central Coast Water Board with its Report of Waste Discharge, **not later than 180 days prior to the expiration date of this Order**, and shall include, but not be limited to, the following components.

a. Characterization of Source Water Supply(s) and Wastewater Quality

The Discharger shall fully characterize source water supplies and wastewater quality in terms of salt concentrations.

b. Evaluation of Alternative Control Strategies

The Discharger shall evaluate means of controlling source water quality as well as residential, commercial, and industrial control strategies.

c. Development of a Salt Management Plan

The Discharger shall develop a Salt Management Plan to ensure that discharges from the wastewater treatment facility do not interfere with attainment of applicable, concentration-based water quality objectives for salts in Chorro Creek. The Plan shall include a schedule of not more than five years for full implementation.

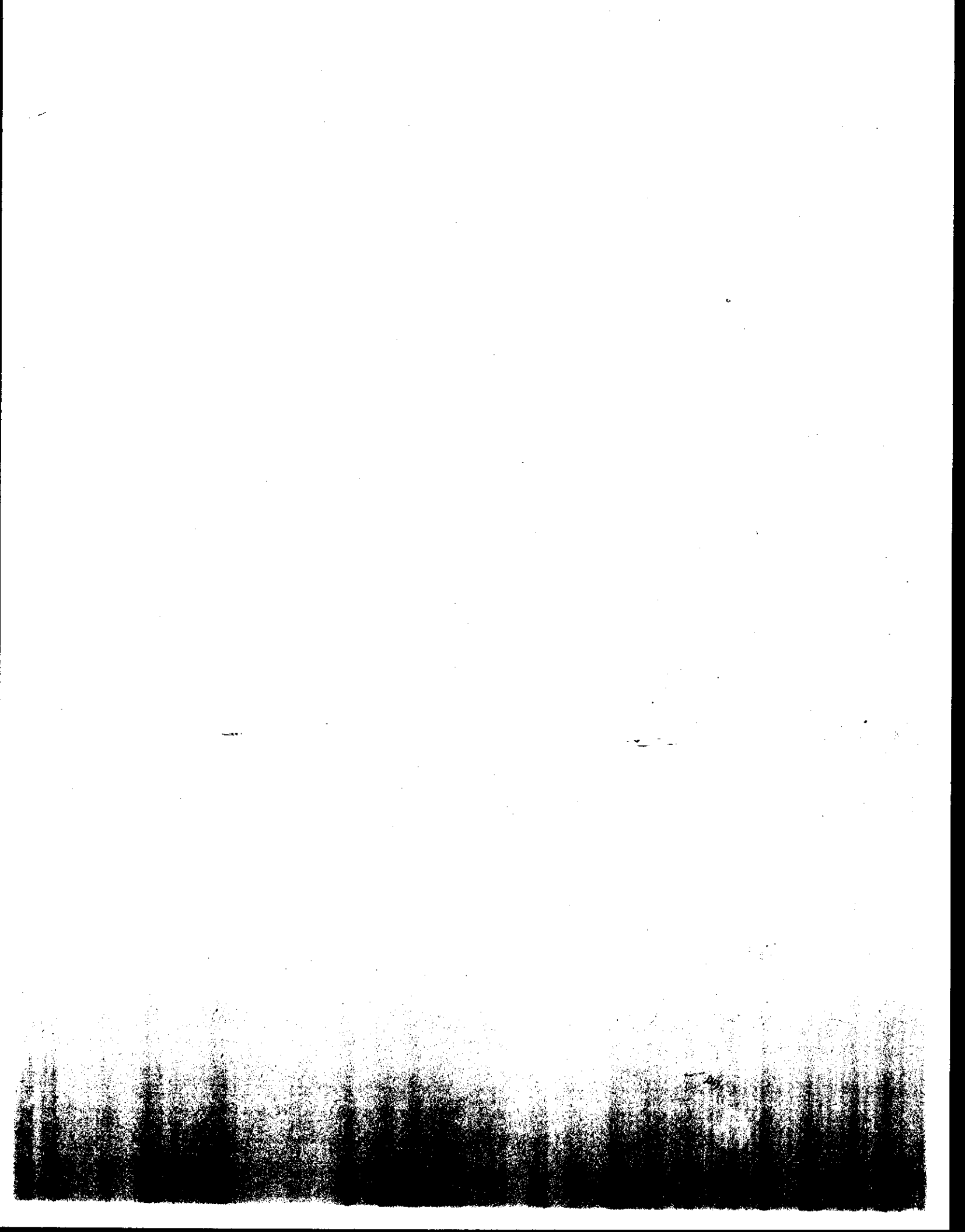
VII. COMPLIANCE DETERMINATION

For purposes of reporting and administrative enforcement, compliance with effluent limitations or discharge specifications shall be determined as follows:

- A. For purposes of reporting and administrative enforcement by the Water Boards, dischargers shall be deemed out of compliance with an effluent limitation, if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the Reporting Level.
- B. When determining compliance with an average monthly effluent limitation or discharge specification or a four-day average effluent limitation, and more than one sample result is available for the averaging period, the arithmetic mean of the data set shall be computed unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In such cases, the median shall be computed in place of the arithmetic mean in accordance with the following procedure.
 1. The data set shall be ranked from low to high, reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
 2. The media value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.
- C. If only one sample is collected during the time period associated with the effluent limitations (e.g., 30-day average or four-day average), the single measurement shall be used to determine compliance with the effluent limitation for the entire time period.
- D. All analytical data shall be reported uncensored with detection limits and quantitation limits identified. For any effluent limitation, compliance shall be determined using appropriate

statistical methods to evaluate multiple samples. Sufficient sampling and analyses shall be conducted to determine compliance.

- E. Minimum Levels (MLs) represent the lowest quantifiable concentrations of a pollutant in water quality samples based on proper application of method-specific analytical procedures and the absence of matrix interferences. MLs also represent the lowest standard concentrations in the calibration curves for specific analytical techniques after the application of method specific factors. For reporting and compliance determinations for toxic pollutants the discharger shall use analytical methods identified in the corresponding ML is below the applicable effluent limitation. If the effluent limitation is below all the MLs identified for the pollutant, the discharger shall select the lowest ML (and corresponding analytical method).
- F. When determining compliance based on a single sample, and a single effluent limitation applies to a group of chemicals (e.g. PCBs), concentrations of individual members of the group may be considered to be zero if the analytical response for individual chemicals falls below the MDL for that parameter.
- G. As defined by the U.S. EPA at 40 CFR 122.2, average monthly discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
- H. Dischargers shall be deemed out of compliance with an effluent limitation or discharge specification if the concentration of the constituent in the monitoring sample is greater than the effluent limitation or discharge specification and greater than or equal to the Minimum Level (ML).



ATTACHMENT A – DEFINITIONS

Average Monthly Effluent Limitation (AMEL): the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Effluent Limitation (AWEL): the highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

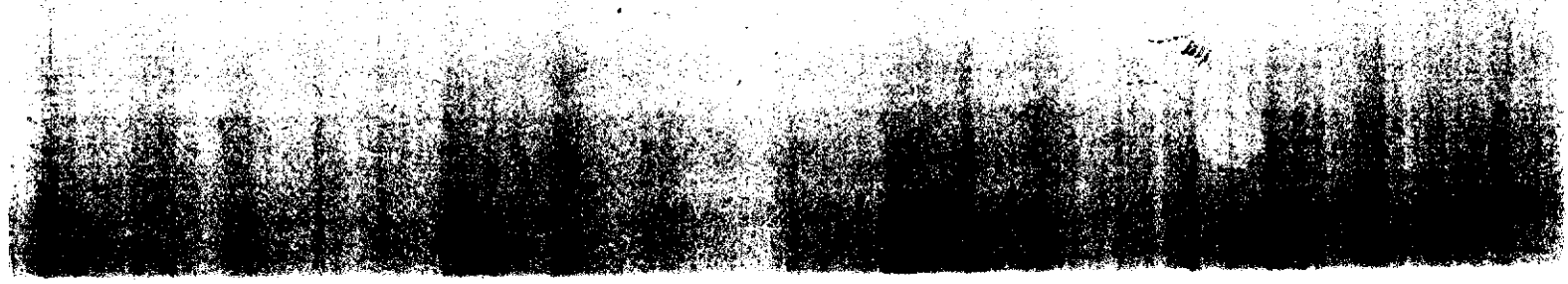
Daily Discharge: the total mass of the constituent discharged over the day for a constituent with limitations expressed in units of mass or the arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

Instantaneous Maximum Effluent Limitation: the highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

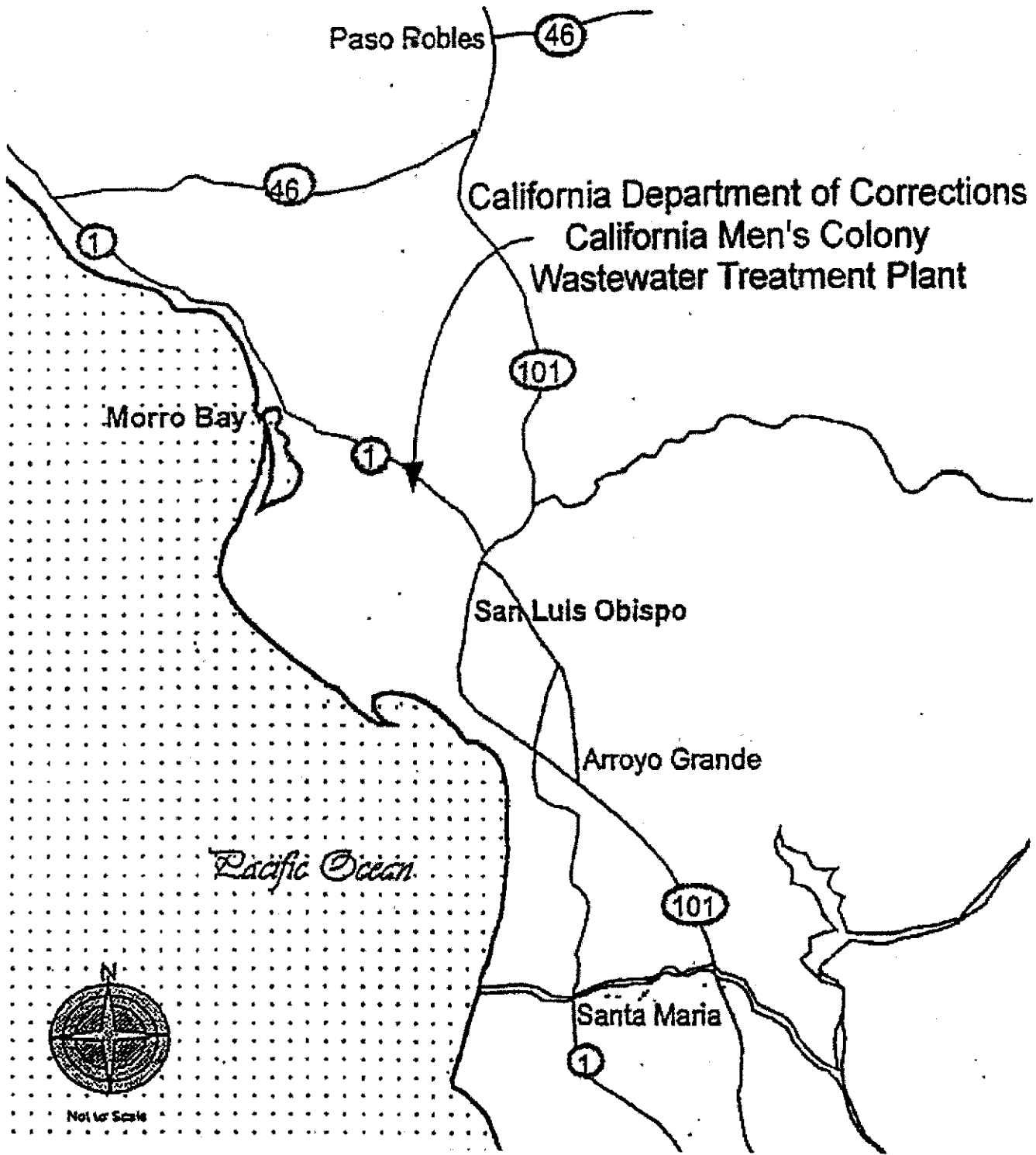
Instantaneous Minimum Effluent Limitation: the lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

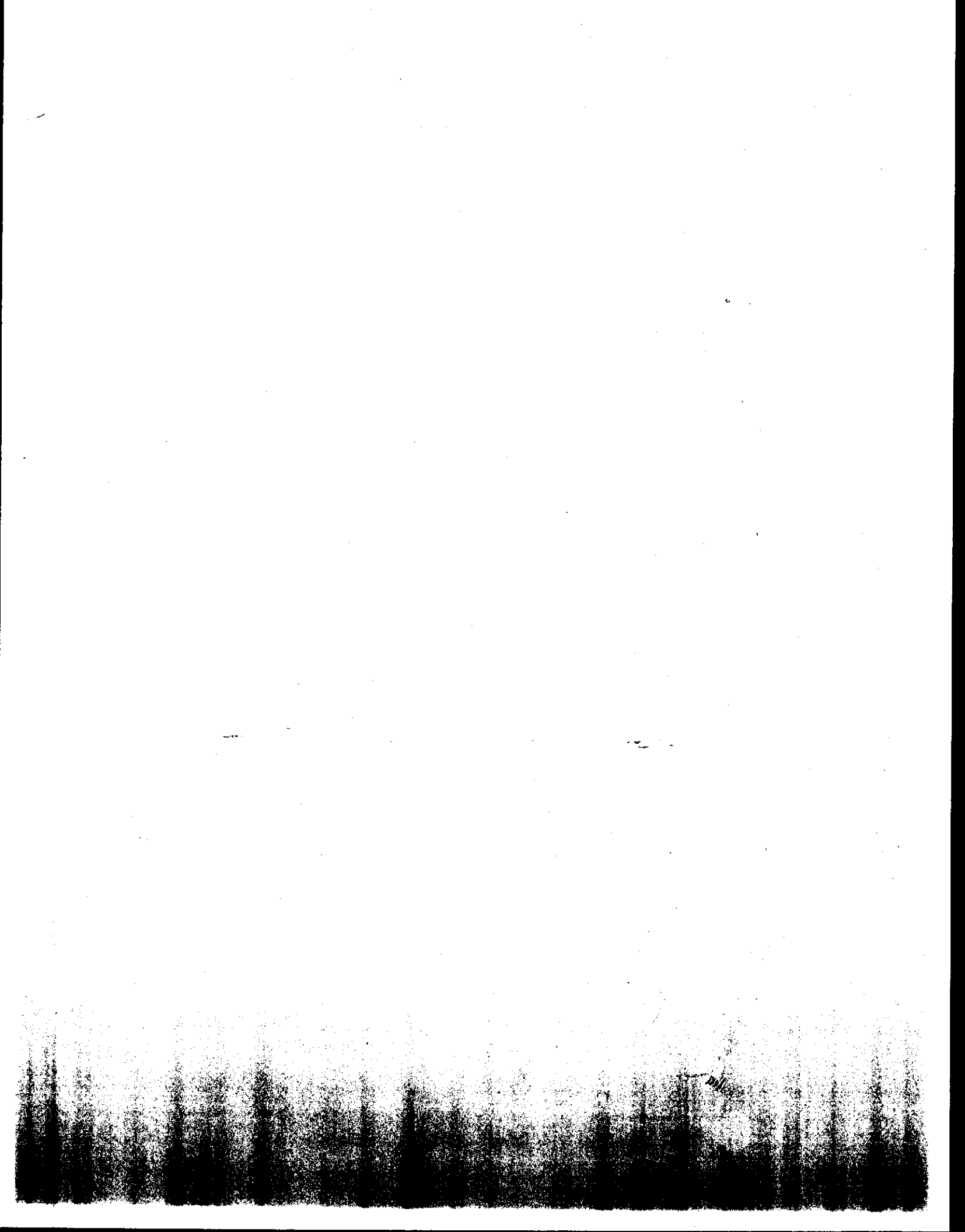
Maximum Daily Effluent Limitation (MDEL): the highest allowable daily discharge of a pollutant over a calendar day.

Six-month Median Effluent Limitation: the highest allowable moving median of all daily discharges for any 180-day period.

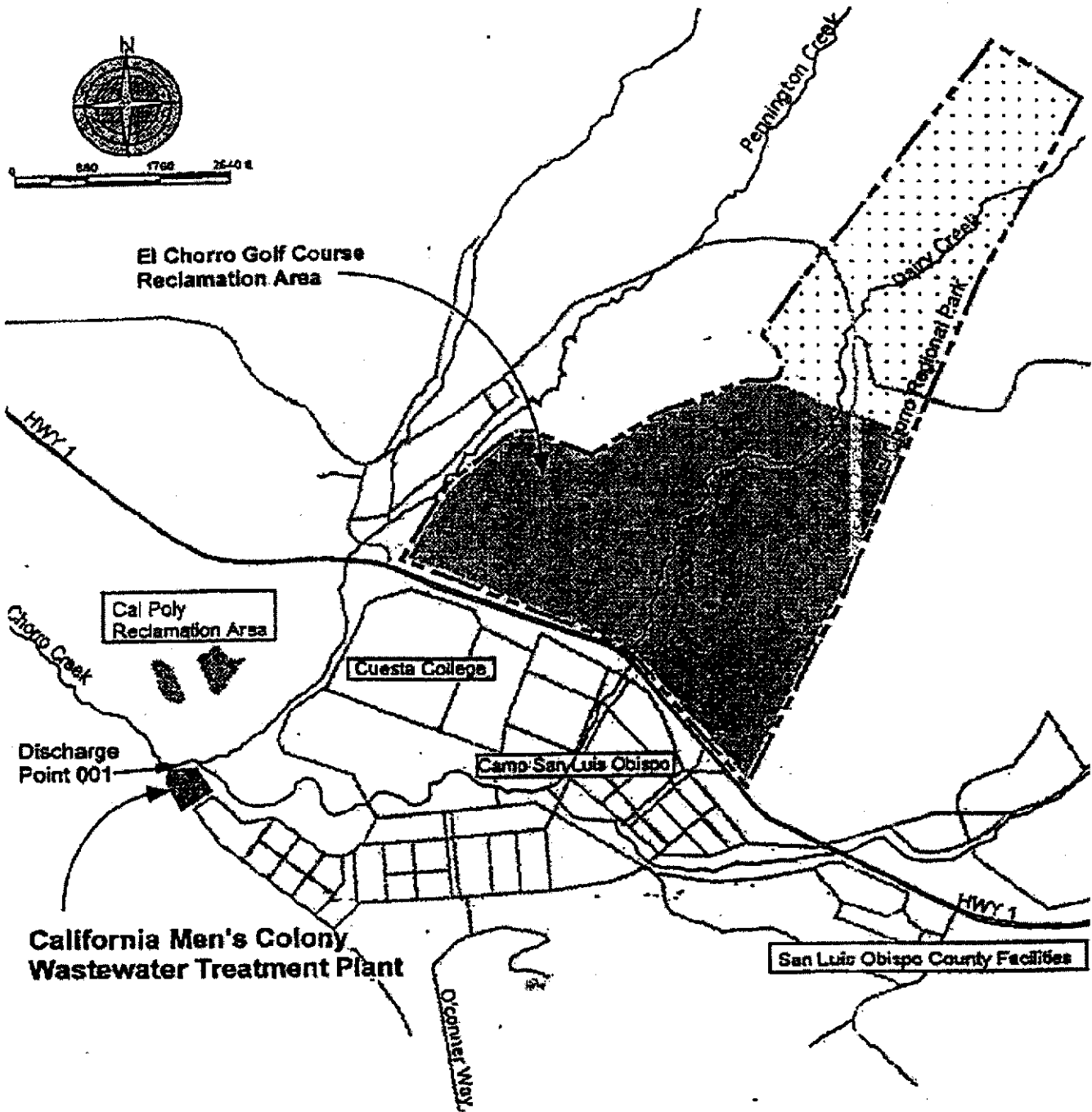


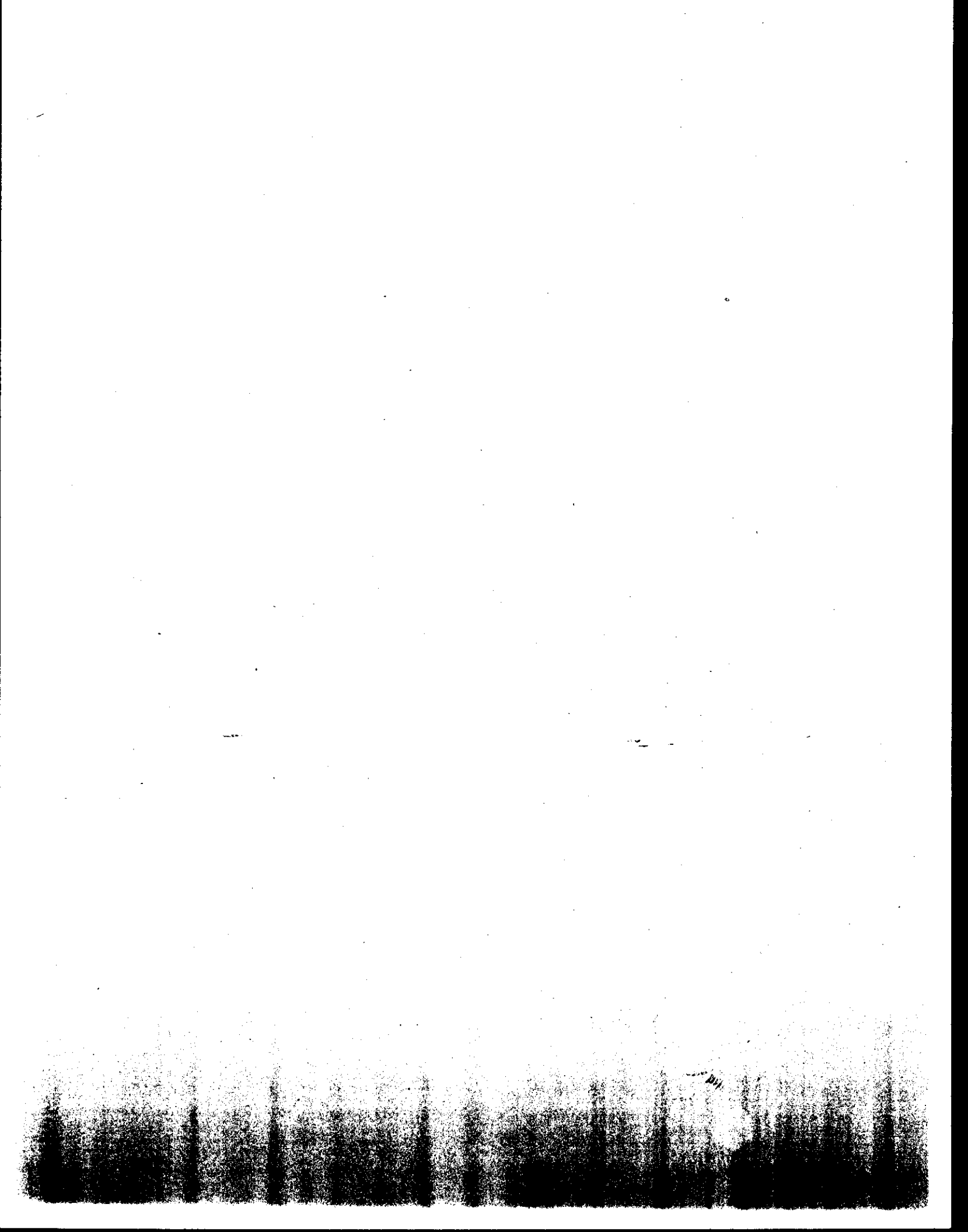
ATTACHMENT B – FACILITY LOCATION



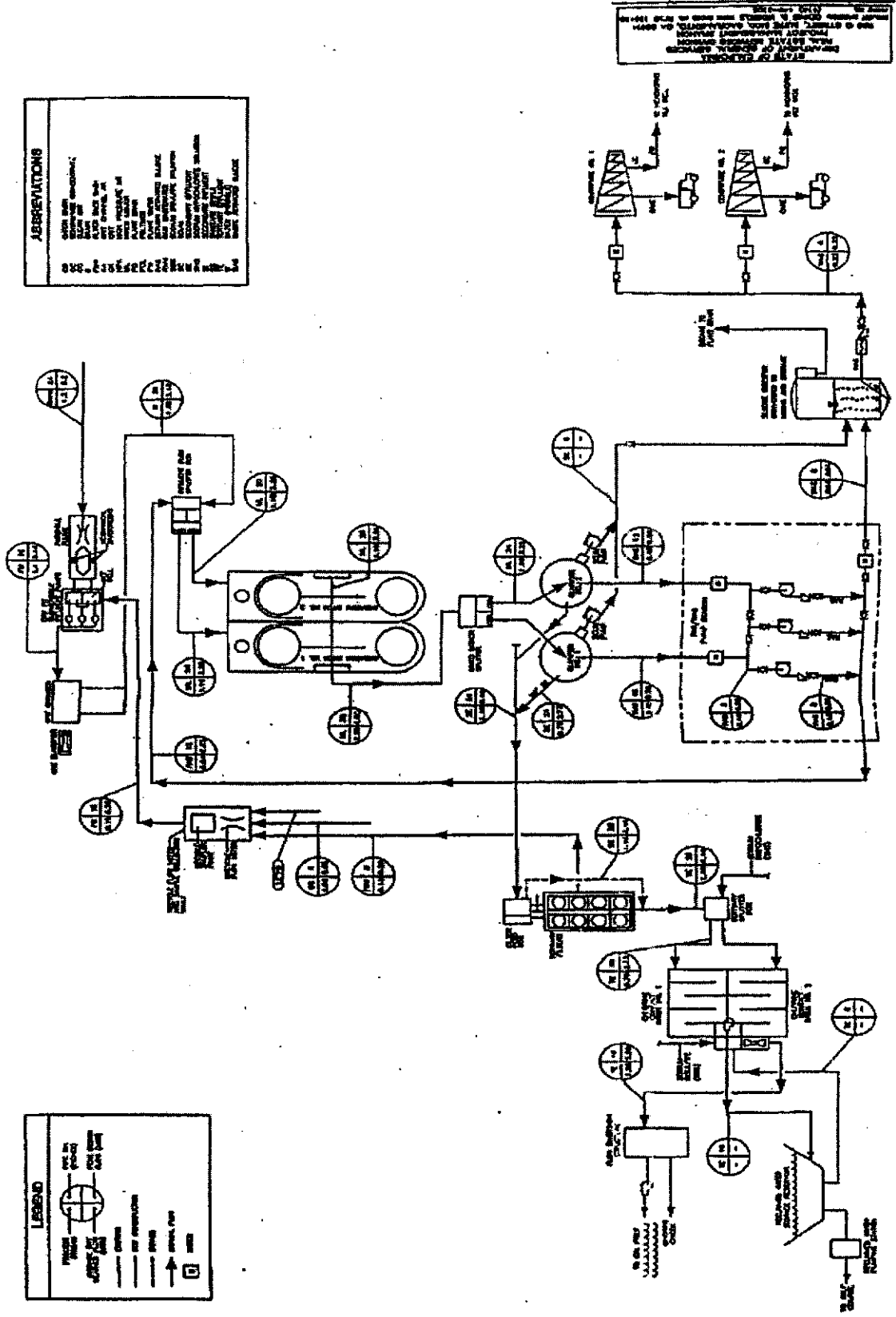


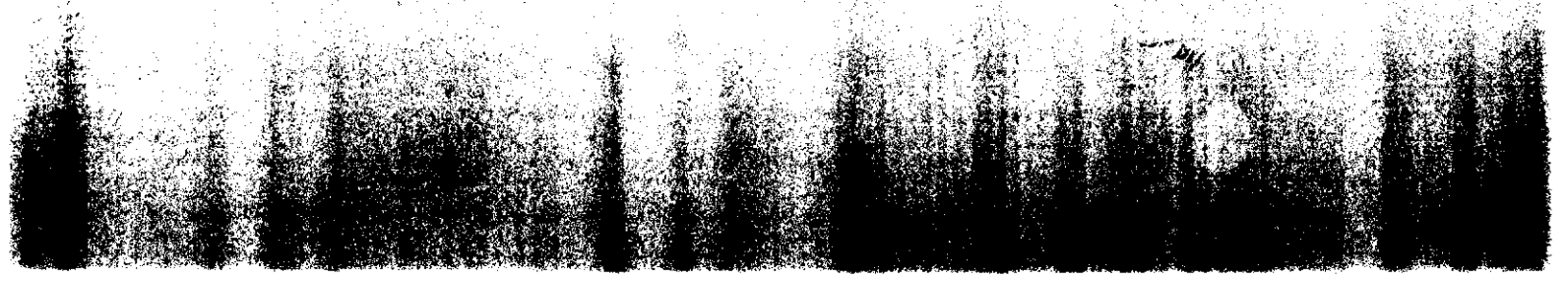
ATTACHMENT B-1 – SITE MAP





ATTACHMENT C – WASTEWATER FLOW SCHEMATIC





ATTACHMENT D – FEDERAL STANDARD PROVISIONS

I. STANDARD PROVISIONS – PERMIT COMPLIANCE

A. Duty to Comply

1. The Discharger must comply with all of the conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code (CWC) and is grounds for enforcement action, for permit termination, revocation and reissuance, or denial of a permit renewal application [40 CFR §122.41(a)].
2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not been modified to incorporate the requirement [40 CFR §122.41(a)(1)].

B. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order [40 CFR §122.41(c)].

C. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment [40 CFR §122.41(d)].

D. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order [40 CFR §122.41(e)].

E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges [40 CFR §122.41(g)].

2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of State or local law or regulations [40 CFR §122.5(c)].

F. Inspection and Entry

The Discharger shall allow the Regional Water Quality Control Board (RWQCB), State Water Resources Control Board (SWRCB), United States Environmental Protection Agency (USEPA), and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to [40 CFR §122.41(i)] [CWC 13383(c)]:

1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order [40 CFR §122.41(i)(1)];
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order [40 CFR §122.41(i)(2)];
3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order [40 CFR §122.41(i)(3)];
4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the CWC, any substances or parameters at any location [40 CFR §122.41(i)(4)].

G. Bypass

1. Definitions
 - a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility [40 CFR §122.41(m)(1)(i)].
 - b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production [40 CFR §122.41(m)(1)(ii)].
2. Bypass not exceeding limitations – The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3 and I.G.5 below [40 CFR §122.41(m)(2)].

3. Prohibition of bypass – Bypass is prohibited, and the Central Coast Water Board may take enforcement action against a Discharger for bypass, unless [40 CFR §122.41(m)(4)(i)]:
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage [40 CFR §122.41(m)(4)(A)];
 - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance [40 CFR §122.41(m)(4)(B)]; and
 - c. The Discharger submitted notice to the Central Coast Water Board as required under Standard Provision – Permit Compliance I.G.5 below [40 CFR §122.41(m)(4)(C)].
4. The Central Coast Water Board may approve an anticipated bypass, after considering its adverse effects, if the Central Coast Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above [40 CFR §122.41(m)(4)(ii)].
5. Notice
 - a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a notice, if possible at least 10 days before the date of the bypass [40 CFR §122.41(m)(3)(i)].
 - b. Unanticipated bypass. The Discharger shall submit notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below [40 CFR §122.41(m)(3)(ii)].

H. Upset

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation [40 CFR §122.41(n)(1)].

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph H.2 of this section are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before

- an action for noncompliance, is final administrative action subject to judicial review [40 CFR §122.41(n)(2)].
2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that [40 CFR §122.41(n)(3)]:
 - a. An upset occurred and that the Discharger can identify the cause(s) of the upset [40 CFR §122.41(n)(3)(i)];
 - b. The permitted facility was, at the time, being properly operated [40 CFR §122.41(n)(3)(i)];
 - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b [40 CFR §122.41(n)(3)(iii)]; and
 - d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above [40 CFR §122.41(n)(3)(iv)].
 3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof [40 CFR §122.41(n)(4)].

II. STANDARD PROVISIONS – PERMIT ACTION

A. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition [40 CFR §122.41(f)].

B. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit [40 CFR §122.41(b)].

C. Transfers

This Order is not transferable to any person except after notice to the Central Coast Water Board. The Central Coast Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the CWC [40 CFR §122.41(l)(3)] [40 CFR §122.61].

III. STANDARD PROVISIONS – MONITORING

- A. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity [40 CFR §122.41(j)(1)].
- B. Monitoring results must be conducted according to test procedures under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503 unless other test procedures have been specified in this Order [40 CFR §122.41(j)(4)] [40 CFR §122.44(i)(1)(iv)].

IV. STANDARD PROVISIONS – RECORDS

- A. Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), the Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Central Coast Water Board Executive Officer at any time [40 CFR §122.41(j)(2)].
- B. Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements [40 CFR §122.41(j)(3)(i)];
 - 2. The individual(s) who performed the sampling or measurements [40 CFR §122.41(j)(3)(ii)];
 - 3. The date(s) analyses were performed [40 CFR §122.41(j)(3)(iii)];
 - 4. The individual(s) who performed the analyses [40 CFR §122.41(j)(3)(iv)];
 - 5. The analytical techniques or methods used [40 CFR §122.41(j)(3)(v)]; and
 - 6. The results of such analyses [40 CFR §122.41(j)(3)(vi)].
- C. Claims of confidentiality for the following information will be denied [40 CFR §122.7(b)]:
 - 1. The name and address of any permit applicant or Discharger [40 CFR §122.7(b)(1)]; and
 - 2. Permit applications and attachments, permits and effluent data [40 CFR §122.7(b)(2)].

V. STANDARD PROVISIONS – REPORTING

A. Duty to Provide Information

The Discharger shall furnish to the Central Coast Water Board, SWRCB, or USEPA within a reasonable time, any information which the Central Coast Water Board, SWRCB, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Central Coast Water Board, SWRCB, or USEPA copies of records required to be kept by this Order [40 CFR §122.41(h)] [CWC 13267].

B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Central Coast Water Board, SWRCB, and/or USEPA shall be signed and certified in accordance with paragraph (2.) and (3.) of this provision [40 CFR §122.41(k)].
2. All permit applications shall be signed as follows:
 - a. For a corporation: By a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures [40 CFR §122.22(a)(1)];
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively [40 CFR §122.22(a)(2)]; or
 - c. For a municipality, State, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of USEPA) [40 CFR §122.22(a)(3)].

3. All reports required by this Order and other information requested by the Central Coast Water Board, SWRCB, or USEPA shall be signed by a person described in paragraph (b) of this provision, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in paragraph (2.) of this provision [40 CFR §122.22(b)(1)];
 - b. The authorization specified 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 well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company (a duly authorized representative may thus be either a named individual or any individual occupying a named position) [40 CFR §122.22(b)(2)]; and
 - c. The written authorization is submitted to the Central Coast Water Board, SWRCB, or USEPA [40 CFR §122.22(b)(3)].
4. If an authorization under paragraph (3.) of this provision is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (3.) of this provision must be submitted to the Central Coast Water Board, SWRCB or USEPA prior to or together with any reports, information, or applications, to be signed by an authorized representative [40 CFR §122.22(c)].
5. Any person signing a document under paragraph (2.) or (3.) of this provision shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations" [40 CFR §122.22(d)].

C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program in this Order [40 CFR §122.41(l)(4)].
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Central Coast Water Board or SWRCB for reporting results of monitoring of sludge use or disposal practices [40 CFR §122.41(l)(4)(i)].

3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, or as specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Central Coast Water Board [40 CFR §122.41(l)(4)(ii)].
4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order [40 CFR §122.41(l)(4)(iii)].

D. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date [40 CFR §122.41(l)(5)].

E. Twenty-Four Hour Reporting

1. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance [40 CFR §122.41(l)(6)(i)].
2. The following shall be included as information that must be reported within 24 hours under this paragraph [40 CFR §122.41(l)(6)(ii)]:
 - a. Any unanticipated bypass that exceeds any effluent limitation in this Order [40 CFR §122.41(l)(6)(ii)(A)].
 - b. Any upset that exceeds any effluent limitation in this Order [40 CFR §122.41(l)(6)(ii)(B)].
 - c. Violation of a maximum daily discharge limitation for any of the pollutants listed in this Order to be reported within 24 hours [40 CFR §122.41(l)(6)(ii)(C)].
3. The Central Coast Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours [40 CFR §122.41(l)(6)(iii)].

F. Planned Changes

The Discharger shall give notice to the Central Coast Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when [40 CFR §122.41(l)(1)]:

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR §122.29(b) [40 CFR §122.41(l)(1)(i)]; or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in this Order nor to notification requirements under 40 CFR Part 122.42(a)(1) (see Additional Provisions—Notification Levels VII.A.1) [40 CFR §122.41(l)(1)(ii)].
3. The alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan [40 CFR §122.41(l)(1)(iii)].

G. Anticipated Noncompliance

The Discharger shall give advance notice to the Central Coast Water Board or SWRCB of any planned changes in the permitted facility or activity that may result in noncompliance with General Order requirements [40 CFR §122.41(l)(2)].

H. Other Noncompliance

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting E.3, E.4, and E.5 at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E [40 CFR §122.41(l)(7)].

I. Other Information

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Central Coast Water Board, SWRCB, or USEPA, the Discharger shall promptly submit such facts or information [40 CFR §122.41(l)(8)].

VI. STANDARD PROVISIONS – ENFORCEMENT

- A. The CWA provides that any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program

approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed \$25,000 per day for each violation. The CWA provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than one (1) year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than two (2) years, or both. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than three (3) years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than six (6) years, or both. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the Clean Water Act, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions [*40 CFR §122.41(a)(2)*] [*CWC 13385 and 13387*].

- B. Any person may be assessed an administrative penalty by the Central Coast Water Board for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Administrative penalties for Class I violations are not to exceed \$10,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$25,000. Penalties for Class II violations are not to exceed \$10,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$125,000 [*40 CFR §122.41(a)(3)*].
- C. The CWA provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both [*40 CFR §122.41(j)(5)*].
- D. The CWA provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this Order, including monitoring reports or reports of compliance or

noncompliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both [40 CFR §122.41(k)(2)].

VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

A. Non-Municipal Facilities

Existing manufacturing, commercial, mining, and silviculture dischargers shall notify the Central Coast Water Board as soon as they know or have reason to believe [40 CFR §122.42(a)]:

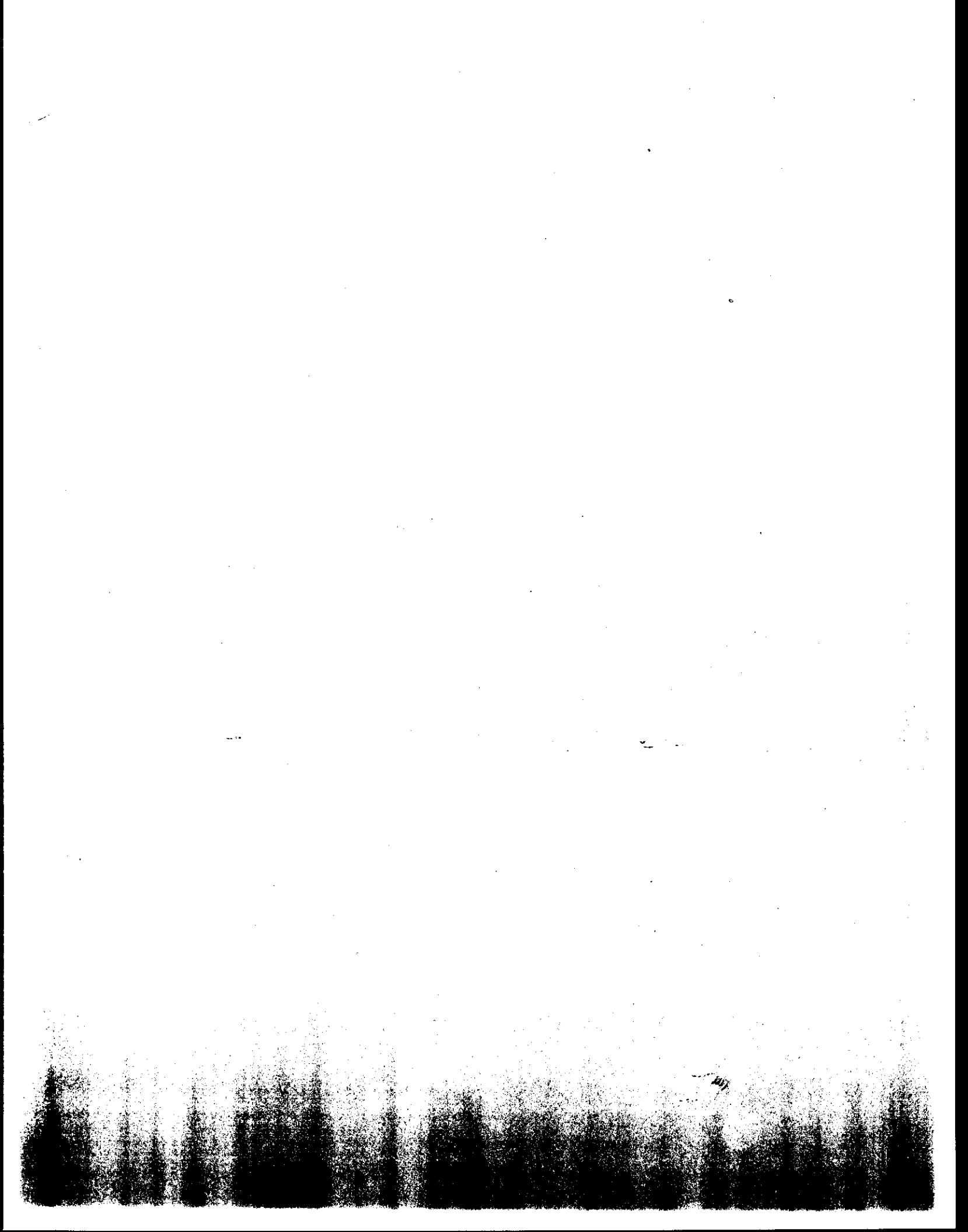
1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" [40 CFR §122.42(a)(1)]:
 - a. 100 micrograms per liter ($\mu\text{g/L}$) [40 CFR §122.42(a)(1)(i)];
 - b. 200 $\mu\text{g/L}$ for acrolein and acrylonitrile; 500 $\mu\text{g/L}$ for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and 1 milligram per liter (mg/L) for antimony [40 CFR §122.42(a)(1)(ii)];
 - c. Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [40 CFR §122.42(a)(1)(iii)]; or
 - d. The level established by the Central Coast Water Board in accordance with 40 CFR §122.44(f) [40 CFR §122.42(a)(1)(iv)].
2. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" [40 CFR §122.42(a)(2)]:
 - a. 500 micrograms per liter ($\mu\text{g/L}$) [40 CFR §122.42(a)(2)(i)];
 - b. 1 milligram per liter (mg/L) for antimony [40 CFR §122.42(a)(2)(ii)];
 - c. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [40 CFR §122.42(a)(2)(iii)]; or
 - d. The level established by the Central Coast Water Board in accordance with 40 CFR §122.44(f) [40 CFR §122.42(a)(2)(iv)].

B. Publicly-Owned Treatment Works (POTWs)

All POTWs shall provide adequate notice to the Central Coast Water Board of the following [40 CFR §122.42(b)]:

1. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to Sections 301 or 306 of the CWA if it were directly discharging those pollutants [*40 CFR §122.42(b)(1)*]; and
2. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of the Order [*40 CFR §122.42(b)(2)*].

Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW [*40 CFR §122.42(b)(3)*].



**ATTACHMENT D-1 – CENTRAL COAST WATER BOARD STANDARD PROVISIONS
(JANUARY 1985)**

A. General Permit Conditions:

Prohibitions:

1. Introduction of "incompatible wastes" to the treatment system is prohibited.
2. Discharge of high-level radiological waste and of radiological, chemical, and biological warfare agents is prohibited.
3. Discharge of "toxic pollutants" in violation of effluent standards and prohibitions established under Section 307(a) of the Clean Water Act is prohibited.
4. "Bypass" and "overflow" of untreated and partially treated waste is prohibited.
5. Discharge of sludge, sludge digester or thickener supernatant, and sludge drying bed leachate to drainageways, surface waters, or the ocean is prohibited.
6. Introduction of pollutants into the collection, treatment, or disposal system by an "indirect discharger" that:
 - a) inhibit or disrupt the treatment process, system operation, or the eventual use or disposal of sludge; or,
 - b) flow through the system to the receiving water untreated; and,
 - c) cause or "significantly contribute" to a violation of any requirement of this Order, is prohibited.
7. Introduction of "pollutant free" wastewater to the collection, treatment, and disposal system in amounts that threaten compliance with this order is prohibited.

Provisions:

8. Collection, treatment, and discharge of waste shall not create a nuisance or pollution, as defined by Section 13050 of the California Water Code.
9. All facilities used for transport or treatment of wastes shall be adequately protected from inundation and washout as the result of a 100-year frequency flood.
10. Operation of collection, treatment, and disposal systems shall be in a manner that precludes public contact with wastewater.

11. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed in a manner approved by the Executive Officer.
12. Publicly owned wastewater treatment plants shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Title 23 of the California Administrative Code.
13. After notice and opportunity for a hearing, this order may be terminated for cause, including, but not limited to:
 - a) violation of any term or condition contained in this order;
 - b) obtaining this order by misrepresentation, or by failure to disclose fully all relevant facts;
 - c) a change in any condition or endangerment to human health or environment that requires a temporary or permanent reduction or elimination of the authorized discharge; and,
 - d) a substantial change in character, location, or volume of the discharge.
14. Provisions of this permit are severable. If any provision of the permit is found invalid, the remainder of the permit shall not be affected.
15. After notice and opportunity for hearing, this order may be modified or revoked and reissued for cause, including:
 - a) Promulgation of a new or revised effluent standard or limitation;
 - b) A material change in character, location, or volume of the discharge;
 - c) Access to new information that affects the terms of the permit, including applicable schedules;
 - d) Correction of technical mistakes or mistaken interpretations of law; and,
 - e) Other causes set forth under Sub-part D of 40 CFR Part 122.
16. Safeguards shall be provided to assure maximal compliance with all terms and conditions of this permit. Safeguards shall include preventative and contingency plans and may also include alternative power sources, stand-by generators, retention capacity, operating procedures, or other precautions. Preventative and contingency plans for controlling and minimizing the affect of accidental discharges shall:
 - a) identify possible situations that could cause "upset", "overflow" or "bypass", or other noncompliance. (Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks and pipes should be considered.)

- b) evaluate the effectiveness of present facilities and procedures and describe procedures and steps to minimize or correct any adverse environmental impact resulting from noncompliance with the permit.
17. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Clean Water Act, or amendments thereto, the Board will revise and modify this Order in accordance with such more stringent standards.
18. Physical Facilities shall be designed and constructed according to accepted engineering practice and shall be capable of full compliance with this order when properly operated and maintained. Proper operation and maintenance shall be described in an Operation and Maintenance Manual. Facilities shall be accessible during the wet-weather season.
19. Production and use of reclaimed water is subject to the approval of the Board. Production and use of reclaimed water shall be in conformance with reclamation criteria established in Chapter 3, Title 22, of the California Administrative Code and Chapter 7, Division 7, of the California Water Code. An engineering report pursuant to section 60323, Title 22, of the California Administrative Code is required and a waiver or water reclamation requirements from the Board is required before reclaimed water is supplied for any use, or to any user, not specifically identified and approved either in this Order or another order issued by this Board.

B. General Monitoring Requirements:

1. Monitoring location, minimum sampling frequency, and sampling method for each parameter shall comply with the Monitoring and Reporting Program of this Order.
2. If results of monitoring a pollutant appear to violate effluent limitations based on a weekly, monthly, 30-day, or six-month period, but compliance or non-compliance cannot be validated because sampling is too infrequent, the frequency of sampling shall be increased to validate the test within the next monitoring period. The increased frequency shall be maintained until the Executive Officer agrees the original monitoring frequency may be resumed.

For example, if copper is monitored annually and results exceed the six-month median numerical effluent limitation in the permit, monitoring of copper must be increased to a frequency of at least once every two months (ref. paragraph F.13.). If suspended solids are monitored weekly and results exceed the weekly average numerical limit in the permit, monitoring of suspended solids must be increased to at least four (4) samples every week (ref. paragraph F.14.).

3. Water quality analyses performed in order to monitor compliance with this permit shall be by a laboratory certified by the State Department of Health Services for the constituent(s) being analyzed. Bioassay(s) performed in order to monitor compliance with this permit shall be in accord with guidelines approved by the State Water Resources Control Board and the State Department of Fish and Game. If the laboratory used or proposed for use by the discharger is not certified by the California Department of Health Services or, where appropriate, the

Department of Fish and Game due to restrictions in the State's laboratory certification program, the discharger shall be considered in compliance with this provision provided:

- a) Data results remain consistent with results of samples analyzed by the Central Coast Water Board;
 - b) A quality assurance program is used at the laboratory, including a manual containing steps followed in this program that is available for inspections by the staff of the Central Coast Water Board; and,
 - c) Certification is pursued in good faith and obtained as soon as possible after the program is reinstated.
4. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Samples shall be taken during periods of peak loading conditions. Influent samples shall be samples collected from the combined flows of all incoming wastes, excluding recycled wastes. Effluent samples shall be samples collected downstream of the last treatment unit and tributary flow and upstream of any mixing with receiving waters.
5. All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.

C. General Reporting Requirements:

1. Reports of marine monitoring surveys conducted to meet receiving water monitoring requirements of the Monitoring and Reporting Program shall include at least the following information:
 - a) A description of climatic and receiving water characteristics at the time of sampling (weather observations, floating debris, discoloration, wind speed and direction, swell or wave action, time of sampling, tide height, etc.).
 - b) A description of sampling stations, including differences unique to each station (e.g., station location, grain size, rocks, shell litter, calcareous worm tubes, evident life, etc.).
 - c) A description of the sampling procedures and preservation sequence used in the survey.
 - d) A description of the exact method used for laboratory analysis. In general, analysis shall be conducted according to paragraph B.1 above, and Attachment D, Federal Standard Provision III.B. However, variations in procedure are acceptable to accommodate the special requirements of sediment analysis. All such variations must be reported with the test results.

- e) A brief discussion of the results of the survey. The discussion shall compare data from the control station with data from the outfall stations. All tabulations and computations shall be explained.
2. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule shall be submitted within 14 days following each scheduled date unless otherwise specified within the permit. If reporting noncompliance, the report shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance. A second report shall be submitted within 14 days of full compliance.
3. The "Discharger" shall file a report of waste discharge or secure a waiver from the Executive Officer at least 180 days before making any material change or proposed change in the character, location, or plume of the discharge.
4. Within 120 days after the discharger discovers, or is notified by the Central Coast Water Board, that monthly average daily flow will or may reach design capacity of waste treatment and/or disposal facilities within four (4) years, the discharger shall file a written report with the Central Coast Water Board. The report shall include:
 - a) the best estimate of when the monthly average daily dry weather flow rate will equal or exceed design capacity; and,
 - b) a schedule for studies, design, and other steps needed to provide additional capacity for waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units.

In addition to complying with Attachment D, Federal Standard Provision V.B, the required technical report shall be prepared with public participation and reviewed, approved and jointly submitted by all planning and building departments having jurisdiction in the area served by the waste collection, treatment, or disposal facilities.

5. All "Dischargers" shall submit reports to the:

California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

In addition, "Dischargers" with designated major discharges shall submit a copy of each document to:

Regional Administrator
US Environmental Protection Agency, Region 9
Attention: CWA Standards and Permits Office (WTR-5)
75 Hawthorne Street

San Francisco, California 94105

6. Transfer of control or ownership of a waste discharge facility must be preceded by a notice to the Central Coast 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 a permit may be transferred without modification or revocation and reissuance is at the discretion of the Board. If permit modification or revocation and reissuance is necessary, transfer may be delayed 180 days after the Central Coast Water Board's receipt of a complete permit application. Please also see Attachment D, Federal Standard Provision II.C.
7. Except for data determined to be confidential under Section 308 of the Clean Water Act (excludes effluent data and permit applications), all reports prepared in accordance with this permit shall be available for public inspection at the office of the Central Coast Water Board or Regional Administrator of EPA. Please also see Attachment D, Federal Standard Provision IV.C.
8. By January 30th of each year, the discharger shall submit an annual report to the Central Coast Water Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. The discharger shall discuss the compliance record and corrective actions taken, or which may be needed, to bring the discharge into full compliance. The report shall address operator certification and provide a list of current operating personnel and their grade of certification. The report shall inform the Board of the date of the Facility's Operation and Maintenance Manual (including contingency plans as described in Provision A.16.), of the date the manual was last reviewed, and whether the manual is complete and valid for the current facility. The report shall restate, for the record, the laboratories used by the discharger to monitor compliance with effluent limits and provide a summary of performance relative to Section B above, *General Monitoring Requirements*.

If the facility treats industrial or domestic wastewater and there is no provision for periodic sludge monitoring in the Monitoring and Reporting Program, the report shall include a summary of sludge quantities, analyses of its chemical and moisture content, and its ultimate destination.

If applicable, the report shall also evaluate the effectiveness of the local source control or pretreatment program using the State Water Resources Control Board's "Guidelines for Determining the Effectiveness of Local Pretreatment Programs."

D. General Pretreatment Provisions

1. Discharge of pollutants by "indirect dischargers" in specific industrial sub-categories (appendix C, 40 CFR Part 403), where categorical pretreatment standards have been

established, or are to be established, (according to 40 CFR Chapter 1, Subchapter N), shall comply with the appropriate pretreatment standards:

- a) By the date specified therein;
- b) Within three (3) years of the effective date specified therein, but in no case later than July 1, 1984; or,
- c) If a new indirect discharger, upon commencement of discharge.

E. Enforcement:

1. Any person failing to file a report of waste discharge or other report as required by this permit shall be subject to a civil penalty not to exceed \$5,000 per day.
2. Upon reduction, loss, or failure of the treatment facility, the "Discharger" shall, to the extent necessary to maintain compliance with this permit, control production or all discharges, or both, until the facility is restored or an alternative method of treatment is provided.

F. Definitions [Not otherwise included in Attachment A to this Order]:

1. "Bypass" means the diversion of waste streams from any portion of a treatment facility.
2. A "composite sample" is a combination of no fewer than eight (8) individual samples obtained at equal time intervals (usually hourly) over the specified sampling (composite) period. The volume of each individual sample is proportional to the flow rate at the time of sampling. The period shall be specified in the Monitoring and Reporting Program ordered by the Executive Officer.
3. "Daily Maximum" limit means the maximum acceptable concentration or mass emission rate of a pollutant measured during a calendar day or during any 24-hour period reasonably representative of the calendar day for purposes of sampling. It is normally compared with results based on "composite samples" except for ammonia, total chlorine, phenolic compounds, and toxicity concentration. For all exceptions, comparisons will be made with results from a "grab sample".
4. "Duly Authorized Representative" is one where:
 - a) the authorization is made in writing by a person described in the signatory paragraph of Attachment D, Federal Standard Provision V.B;
 - b) the authorization specifies either an individual or the occupant of a position having either responsibility for the overall operation of the regulated facility, such as the plant manager, or overall responsibility for environmental matters of the company; and,
 - c) the written authorization was submitted to the Central Coast Water Board.

5. A "grab sample" is defined as any individual sample collected in less than 15 minutes. "Grab samples" shall be collected during peak loading conditions, which may or may not be during hydraulic peaks. It is used primarily in determining compliance with the daily maximum limits identified in paragraph F.4 and instantaneous maximum limits.
6. "Hazardous substance" means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act.
7. "Incompatible wastes" are:
 - a) Wastes which create a fire or explosion hazard in the treatment works;
 - b) Wastes which will cause corrosive structural damage to treatment works, but in no case wastes with a pH lower than 5.0 unless the works is specifically designed to accommodate such wastes;
 - c) Solid or viscous wastes in amounts which cause obstruction to flow in sewers, or which cause other interference with proper operation of treatment works;
 - d) 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 loss of treatment efficiency; and,
 - e) Heat in amounts that inhibit or disrupt biological activity in the treatment works or that raise influent temperatures above 40°C (104°F) unless the treatment works is designed to accommodate such heat.
8. "Indirect Discharger" means a non-domestic discharger introducing pollutants into a publicly owned treatment and disposal system.
9. "Log Mean" is the geometric mean. Used for determining compliance of fecal or total coliform populations, it is calculated with the following equation:

$$\text{Log Mean} = (C_1 \times C_2 \times \dots \times C_n)^{1/n}$$

in which "n" is the number of days samples were analyzed during the period and any "C" is the concentration of bacteria (MPN/100 ml) found on each day of sampling. "n" should be five or more.

10. "Mass emission rate" is a daily rate defined by the following equations:

$$\text{mass emission rate (lbs/day)} = 8.34 \times Q \times C; \text{ and,}$$

$$\text{mass emission rate (kg/day)} = 3.79 \times Q \times C,$$

where "C" (in mg/l) is the measured daily constituent concentration or the average of measured daily constituent concentrations and "Q" (in MGD) is the measured daily flow rate or the average of measured daily flow rates over the period of interest.

11. The "Maximum Allowable Mass Emission Rate," whether for a month, week, day, or six-month period, is a daily rate determined with the formulas in paragraph F.10, above, using the effluent concentration limit specified in the permit for the period and the average of measured daily flows (up to the allowable flow) over the period.
12. "Maximum Allowable Six-Month Median Mass Emission Rate" is a daily rate determined with the formulas in paragraph F.10, above, using the "six-month Median" effluent limit specified in the permit, and the average of measured daily flows (up to the allowable flow) over a 180-day period.
13. "Median" is the value below which half the samples (ranked progressively by increasing value) fall. It may be considered the middle value, or the average of two middle values.
14. "Monthly Average" (or "Weekly Average", as the case may be) is the arithmetic mean of daily concentrations or of daily mass emission rates over the specified 30-day (or 7-day) period

$$\text{Average} = (X_1 + X_2 + \dots + X_n) / n$$

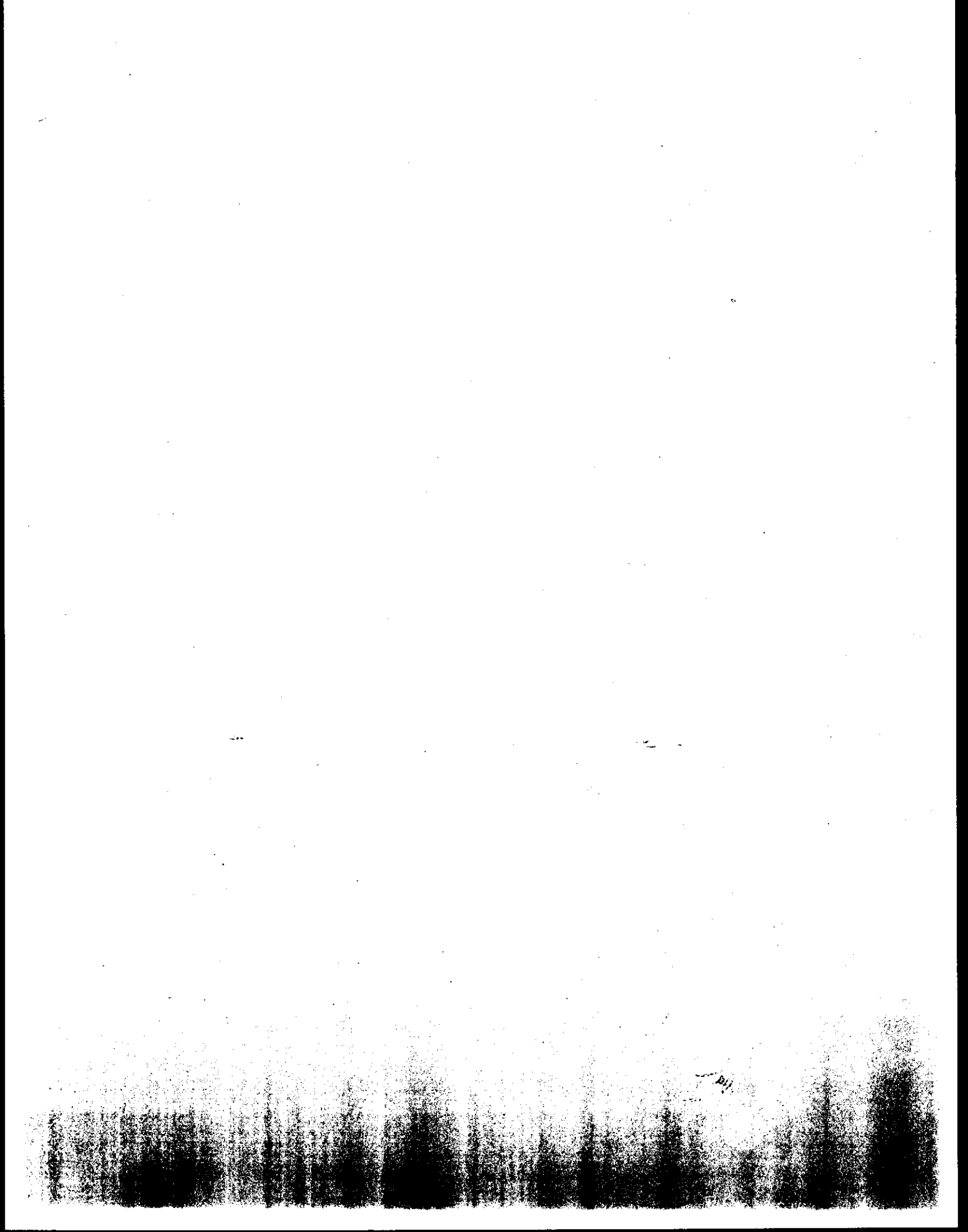
in which "n" is the number of days samples were analyzed during the period and "X" is either the constituent concentration (mg/l) or mass emission rate (kg/day or lbs/day) for each sampled day. "n" should be four or greater.

15. "Municipality" means a city, town, borough, county, district, association, or other public body created by or under state law and having jurisdiction over disposal of sewage, industrial waste, or other waste.
16. "Overflow" means the intentional or unintentional diversion of flow from the collection and transport systems, including pumping facilities.
17. "Discharger", as used herein, means, as appropriate: (1) the Discharger, (2) the local sewerage entity (when the collection system is not owned and operated by the Discharger), or (3) "indirect discharger" (where "Discharger" appears in the same paragraph as "indirect discharger", it refers to the discharger.)
18. "Pollutant-free wastewater" means inflow and infiltration, storm waters, and cooling waters and condensates which are essentially free of pollutants.
19. "Primary Industry Category" means any industry category listed in 40 CFR Part 122, Appendix A.

20. "Removal Efficiency" is the ratio of pollutants removed by the treatment unit to pollutants entering the treatment unit. Removal efficiencies of a treatment plant shall be determined using "Monthly averages" of pollutant concentrations (C, in mg/l) of influent and effluent samples collected about the same time and the following equation (or its equivalent):

$$C_{\text{Effluent}} \text{ Removal Efficiency (\%)} = 100 \times (1 - C_{\text{effluent}} / C_{\text{influent}})$$

21. "Severe property damage" means substantial physical damage to property, damage to treatment facilities which causes them to become inoperable, or substantial and permanent loss to natural resources which can reasonably be expected to occur in the absence of a "bypass". It does not mean economic loss caused by delays in production.
22. "Sludge" means the solids, residues, and precipitates separated from, or created in, wastewater by the unit processes of a treatment system.
23. To "significantly contribute" to a permit violation means an "indirect discharger" must:
- Discharge a daily pollutant loading in excess of that allowed by contract with the "Discharger" or by Federal, State, or Local law;
 - Discharge wastewater which substantially differs in nature or constituents from its average discharge;
 - Discharge pollutants, either alone or in conjunction with discharges from other sources, which results in a permit violation or prevents sewage sludge use or disposal; or
 - Discharge pollutants, either alone or in conjunction with pollutants from other sources, that increase the magnitude or duration of permit violations.
24. "Toxic Pollutant" means any pollutant listed as toxic under Section 307 (a) (1) of the Clean Water Act or under 40 CFR Part 122, Appendix D. Violation of maximum daily discharge limitations are subject to 24-hour reporting (Attachment D, Federal Standard Provision V.E.).
25. "Upset" means an exceptional incident causing noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Discharger. It does not include noncompliance caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.
26. "Zone of Initial Dilution" means the region surrounding or adjacent to the end of an outfall pipe or diffuser ports whose boundaries are defined through calculation of a plume model verified by the State Water Resources Control Board.



ATTACHMENT E – MONITORING AND REPORTING PROGRAM – TABLE OF CONTENTS

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

NPDES regulations at 40 CFR 122.48 require that all NPDES permits specify monitoring and reporting requirements. CWC Sections 13267 and 13383 also authorize the Central Coast Water Board to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements to implement the federal and California regulations.

I. GENERAL MONITORING PROVISIONS

- A. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring locations specified below and, unless otherwise specified, before the monitored flow joins or is diluted by any other waste stream, body of water, or substance. Monitoring locations shall not be changed without notification to and approval of the Regional Board.
- B. 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 devices shall be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of 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. Guidance in selection, installation, calibration, and operation of acceptable flow measurement devices can be obtained from the following references.
1. *A Guide to Methods and Standards for the Measurement of Water Flow*, U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 421, May 1975, 96 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by SD Catalog No. C13.10:421.)
 2. *Water Measurement Manual*, U.S. Department of Interior, Bureau of Reclamation, Second Edition, Revised Reprint, 1974, 327 pp. (Available from the U.S. Government Printing Office, Washington D.C. 20402. Order by Catalog No. 172.19/2:W29/2, Stock No. S/N 24003-0027.)
 3. *Flow Measurement in Open Channels and Closed Conduits*, U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 484, October 1977, 982 pp. (Available in paper copy or microfiche from National Technical Information Services (NTIS) Springfield, VA 22151. Order by NTIS No. PB-273 535/5ST.)
 4. *NPDES Compliance Sampling Manual*, U.S. Environmental Protection Agency, Office of Water Enforcement, Publication MCD-51, 1977, 140 pp. (Available from the General Services Administration (8FFS), Centralized Mailing Lists Services, Building 41, Denver Federal Center, CO 80225.)

- C. All analyses shall be performed in a laboratory certified to perform such analyses by the California Department of Health Services.
- D. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices.
- E. Monitoring results, including noncompliance, shall be reported at intervals and in a manner specified in this MRP.
- F. Unless otherwise specified by this MRP, all monitoring shall be conducted according to test procedures established at 40 CFR 136, *Guidelines Establishing Test Procedures for Analysis of Pollutants*. All analyses shall be conducted using the lowest practical quantitation limit achievable using the specified methodology. Where effluent limitations are set below the lowest achievable quantitation limits, pollutants not detected at the lowest practical quantitation limits will be considered in compliance with effluent limitations. Analysis for toxics listed by the California Toxics Rule shall also adhere to guidance and requirements contained in the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (2005).

II. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order.

Discharge Point Name	Monitoring Location Name	Monitoring Location Description (Include Latitude and Longitude when available)
Influent	M-INF	Influent wastewater, prior to discharge to the oxidation ditches, and following all significant inputs to the collection system of untreated wastewater inflow and infiltration.
001	M-001	Outfall to the unnamed drainage way, prior to contact with receiving water flow, 35°, 19', 30" N Lat. and 120°, 46', 55" W Long.
Receiving Water	R-001	At the discharge from Chorro Reservoir, immediately below the dam
Receiving Water	R-002	Upstream and within 100 feet of Discharge Point 001 where stream flow is representative of background conditions in Chorro Creek.
Receiving Water	R-003	Downstream and within 100 feet of Discharge Point 001 where stream flow is representative of conditions within Chorro Creek after contact and mixing with the discharge.
Receiving Water	R-004	Approximately 0.6 miles downstream of the point of discharge, at the site of a washed out concrete diversion dam.
Receiving Water	R-005	Twin-Bridges at the bridge crossing with Chorro Creek and South Bay Boulevard.
Ground Water	GW-001	Upgradient of the WWTP, as approved by the Central Coast Water Board.
Ground Water	GW-002	Downgradient of the WWTP, as approved by the Central Coast Water Board.

III. INFLUENT MONITORING REQUIREMENTS

A. Monitoring Location M-INF

1. The Discharger shall monitor influent to the wastewater treatment facility at Monitoring Location M-INF as follows.

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow Volume	MGD	continuous	daily
Max Daily Flow	MGD	calculated	monthly
Mean Daily Flow	MGD	calculated	monthly
BOD, 5-day ^a	mg/L	24-hr composite	2x/month
Total suspended solids	mg/L	24-hr composite	2x/month

^a 5-day biochemical oxygen demand at 20° C

IV. EFFLUENT MONITORING REQUIREMENTS

A. Monitoring Location M-001

1. The Discharger shall monitor treated wastewater at Monitoring Location M-001 as follows.

Parameter	Units	Sample Type	Minimum Sampling Frequency
Chlorine Used	lbs/day	calculated	daily
pH ^a	stdn units	grab	daily
Residual Chlorine ^b	mg/L	continuous	daily
Settleable Solids	mL/L	grab	daily
Turbidity	NTU	grab	daily
Total Coliform Bacteria	MPN/100 mL	grab	5 days/week ^c
Dissolved Oxygen	mg/L	grab	5 days/week
Biochemical Oxygen Demand, 5-day	mg/L	24-hr composite	weekly
Biochemical Oxygen Demand, 5-day	% removal	calculated	weekly
Nitrate (as N)	mg/L	grab	weekly
Nitrite (as N)	mg/L	grab	weekly
Temperature ^a	°F	instantaneous	weekly
Total Ammonia (as N)	mg/L	grab	weekly
Total Kjeldahl Nitrogen (as N)	mg/L	grab	weekly
Total Nitrogen (as N)	mg/L	grab	weekly
Total Suspended Solids	mg/L	24-hr composite	weekly
Total Suspended Solids	% removal	calculated	weekly
Chloride	mg/L	grab	monthly
Dissolved Orthophosphate (as P)	mg/L	grab	monthly
Hardness (as CaCO ₃)	mg/L	grab	monthly
Oil and Grease	mg/L	grab	monthly
Sodium	mg/L	grab	monthly
Total Dissolved Solids	mg/L	grab	monthly
Total Phosphate (as P)	mg/L	grab	monthly

Parameter	Units	Sample Type	Minimum Sampling Frequency
Acute Toxicity ^d	% survival	grab	quarterly
Boron	mg/L	grab	quarterly
Chlorodibromomethane ^c	µg/L	grab	quarterly
Copper	µg/L	grab	quarterly
Dichlorobromomethane ^c	µg/L	grab	quarterly
Sulfate	mg/L	grab	quarterly
Chronic Toxicity ^d	TUc	grab	annually
Cobalt	mg/L	grab	annually
CTR Pollutants ^{e, f}	µg/L	grab	annually
Iron	mg/L	grab	annually
Lithium	mg/L	grab	annually
Manganese	mg/L	grab	annually
Methylene Blue Activated Substances	mg/L	grab	annually
Molybdenum	mg/L	grab	annually
Phthalate Esters	µg/L	grab	annually
Title 22 Pollutants ^{e, g}	µg/L	grab	annually
Vanadium	mg/L	grab	annually

- ^a Temperature and pH shall be measured simultaneously with the sample taken for measurement of total ammonia. Results shall be used to calculate un-ionized ammonia concentration.
- ^b Compliance determinations for total residual chlorine (TRC) shall be based on 99 percent compliance. To determine 99 percent compliance with the effluent limitation for TRC, the following conditions shall be met: (1) the total time during which TRC exceeds 0.1 mg/L (instantaneous maximum value) shall not exceed 7 hours and 26 minutes in any calendar month; (2) no excursion above 0.1 mg/L shall exceed 30 minutes; and (3) no excursion shall exceed 2.0 mg/L. Verification of excursion length shall be submitted with monthly monitoring report.
- ^c Total coliform bacteria should be analyzed daily when wastewater is being reclaimed/recycled for irrigation.
- ^d Acute and chronic toxicity monitoring shall be conducted according to methods described in Section V of this MRP, below.
- ^e Quarterly monitoring for chlorodibromomethane and dichlorobromomethane, performed for the Trihalomethane Study required by Section VI. C. 5 of the Order, may substitute for routine quarterly monitoring. Quarterly monitoring shall be discontinued on May 19, 2010, if final limitations for the trihalomethanes do not become effective.
- ^f Those pollutants listed as Compound Nos. 1 – 126 by the California Toxics Rule at 40 CFR 131.38. Monitoring for the CTR pollutants in effluent shall occur simultaneously with monitoring required for the CTR pollutants in receiving water.
- ^g Those pollutants with primary maximum contaminant levels (MCLs) specified by the Department of Health Services in Tables 64431-A (Primary MCLs for Inorganic Chemicals) and 64444-A (Primary MCLs for Organic Chemicals) of Title 22 California Code of Regulations, Division 4, Chapter 15. Monitoring for the Title 22 pollutants in effluent shall occur simultaneously with monitoring required for the Title 22 pollutants in receiving water.

V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

A. Acute Toxicity

Acute toxicity testing shall be performed using U.S. EPA Method 2001.0 (fathead minnow) in accordance with procedures described by *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, Fifth Edition, U.S. EPA Office of Water, EPA-821-R-02-012 (2002) or the latest edition.

The presence of acute toxicity is identified by significantly reduced survival, as determined by a t-test, of test organisms in 100 percent effluent compared to a control sample.

When toxicity monitoring finds acute toxicity in the effluent above the limitation established by Order No. R3-2006-0032, the Discharger shall immediately resample the effluent, if the discharge is continuing, and retest for acute toxicity. Results of the initial failed test and any toxicity monitoring results subsequent to the failed test shall be reported as soon as reasonable to the Executive Officer (EO). The EO will determine whether to initiate enforcement action, whether to require the Discharger to implement toxicity reduction evaluation (TRE) requirements, or to implement other measures.

B. Chronic Toxicity

The presence of chronic toxicity shall be estimated as specified in *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, Fourth Edition (2002), EPA-821-R-02-013 or subsequent editions.

Chronic toxicity measures a sub-lethal effect (e.g., reduced growth) to experimental test organisms exposed to an effluent compared to that of the control organisms. The no observed effect concentration (NOEC) is the maximum tested concentration in a medium which does not cause known adverse effects upon chronic exposure in the species in question (i.e. the highest effluent concentration to which organisms are exposed in a chronic test that causes no observable adverse effects on the test organisms; e.g., the highest concentration of a toxicant to which the values for the observed responses are not statistically significantly different from the controls). Examples of chronic toxicity include but are not limited to measurements of toxicant effects on reproduction, growth, and sublethal effects that can include behavioral, physiological, and biochemical effects. Test results shall be reported in TUC, where TUC = 100/NOEC. For this discharge, the presence of chronic toxicity at more than 1 TUC shall trigger the Toxicity Reduction Evaluation requirements of Order No. R3-2006-0032.

Test species shall include a vertebrate, an invertebrate, and an aquatic plant. After a screening period, monitoring may be reduced to the most sensitive species. Screening phase chronic toxicity monitoring shall be conducted with the following three species with approved test protocols.

Short-Term Methods for Estimating Chronic Toxicity – Fresh Waters

Species	Scientific Name	Effect	Test Duration
fathead minnow	<i>Pimephales promelas</i>	larval survival; growth	7 days
water flea	<i>Ceriodaphnia dubia</i>	survival; number of young	6 to 8 days
alga	<i>Selenastrum capricornutum</i>	growth rate	4 days

Authorized dischargers shall conduct toxicity tests using effluent dilutions of 100%, 85%, 70%, 50%, and 25%. Dilution and control waters shall be obtained from an area of the receiving waters, typically upstream, which is unaffected by the discharge. Standard dilution water can be used, if the receiving water itself exhibits toxicity or if approved by the Central

Coast Water Board. If the dilution water used in testing is different from the water in which the test organisms were cultured, a second control sample using culture water shall be tested.

The sensitivity of test organisms to a reference toxicant shall be determined concurrently with each bioassay and reported with the test results.

VI. RECLAMATION MONITORING REQUIREMENTS

The Discharger shall maintain records of the volumes of water delivered to each reclamation site. For each location of reclamation/reuse, the following information shall be maintained and reported.

- Total volume and maximum daily volume of water reclaimed during the reporting period.
- Percent of total wastewater influent flow that is reclaimed.
- Uses of reclaimed water.

Reclaimed water shall be monitored for turbidity, total coliform bacteria, and total residual chlorine at the appropriate frequency to demonstrate compliance with Section IV. B (Reclamation Specifications) of Order No. R3-2006-0032.

VII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

A. Monitoring Locations R-001, R-002, R-003, R-004, and R-005

1. The Discharger shall monitor receiving water at Monitoring Locations R-001, R-002, R-003, R-004, and R-005 as follows. However, samples shall be obtained only when safe to do so.

Parameter	Units	Sample Type	Monitoring Location	Monitoring Sampling Frequency
Ammonia (as N)	mg/L	grab	R-001 ^a R-002 ^a R-003 R-004	monthly
Chloride	mg/L	grab		monthly
Chlorophyll a	mg/m ³	grab		monthly
Color	CU	grab		monthly
Dissolved Oxygen	mg/L	grab		monthly
Dissolved Oxygen Saturation	%	grab		monthly
Hardness (as CaCO ₃)	mg/L	grab		monthly
Nitrate (as N)	mg/L	grab		monthly
Orthophosphate (as P)	mg/L	grab		monthly
pH ^b	std units	grab		monthly
Sodium	mg/L	grab		monthly
Temperature ^b	°F	instantaneous		monthly
Total Dissolved Solids	mg/L	grab		monthly
Total Nitrogen (as N)	mg/L	grab		monthly
Total Phosphate (as P)	mg/L	grab		monthly
Turbidity	NTU	grab		monthly
Unionized Ammonia (as N)	mg/L	calculated		monthly

Parameter	Units	Sample Type	Monitoring Location	Monitoring Sampling Frequency
Dissolved Oxygen	mg/L	grab	R-005	monthly (May-Sept)
Dissolved Oxygen Saturation	%	grab		monthly (May-Sept)
Nitrate (as N)	mg/L	grab		monthly (May-Sept)
Orthophosphate (as P)	mg/L	grab		monthly (May-Sept)
Boron	mg/L	grab	R-002 R-003	annually
Cobalt	mg/L	grab		annually
CTR Pollutants ^c	µg/L	grab		annually
Iron	mg/L	grab		annually
Lithium	mg/L	grab		annually
Manganese	mg/L	grab		annually
Methylene Blue Activated Substances	mg/L	grab		annually
Molybdenum	mg/L	grab		annually
Phthalate Esters	µg/L	grab		annually
Sulfate	mg/L	grab		annually
Title 22 Pollutants ^d	µg/L	grab		annually
Vanadium	mg/L	grab		annually

- ^a When continuous surface flow exists between Chorro Reservoir and the point of discharge, upstream samples shall be collected at R-002. When stream flow is subsurface upstream of the point of discharge, upstream samples shall be collected at R-001. When there is no surface flow below the dam, upstream data shall be calculated from an average of the last three samples.
- ^b Temperature and pH shall be measured simultaneously with total ammonia. Results shall be used to calculate unionized ammonia concentration.
- ^c Those pollutants listed as Compound Nos. 1 - 126 by the California Toxics Rule at 40 CFR 131.38. Monitoring of receiving water for the CTR pollutants shall occur simultaneously with effluent monitoring for the CTR pollutants.
- ^d Those pollutants with primary maximum contaminant levels (MCLs) specified by the Department of Health Services in Tables 64431-A (Primary MCLs for Inorganic Chemicals) and 64444-A (Primary MCLs for Organic Chemicals) of the most current version of Title 22 California Code of Regulations, Division 4, Chapter 15. Monitoring of receiving water for the Title 22 pollutants shall occur simultaneously with effluent monitoring for the Title 22 pollutants.

B. Monitoring Locations GW-001 and GW-002

1. The Discharger shall monitor ground water at GW-001 and GW-002 as follows.

Parameter	Units	Sample Type	Minimum Sampling Frequency
Boron	mg/L	grab	quarterly
Chemical Oxygen Demand	mg/L	grab	quarterly
Chloride	mg/L	grab	quarterly
Depth to Ground Water	feet	measurement	quarterly
Nitrate (as N)	mg/L	grab	quarterly
Sodium	mg/L	grab	quarterly
Specific Conductivity	µmhos/cm	grab	quarterly
Sulfate	mg/L	grab	quarterly
Total Dissolved Solids	mg/L	grab	quarterly

VIII. OTHER MONITORING REQUIREMENTS

A. Biosolids Monitoring

1. Representative sludge samples shall be sampled from the last point in the handling process and analyzed in accordance with the following schedule. Analytical results for all constituents shall be reported as "total concentrations" for comparison with TTLC criteria. The Waste Extraction Test shall be performed on any constituent when the total concentration exceeds ten times the STLC limit for that constituent.

Pollutant	Units	Sample Type	Minimum Sampling Frequency
Quantity	tons or yds ³ , disposal location	measured	during removal
Ammonia (as N)	mg/kg	grab	annually
Antimony	mg/kg	grab	annually
Arsenic	mg/kg	grab	annually
Barium	mg/kg	grab	annually
Beryllium	mg/kg	grab	annually
Boron	mg/kg	grab	annually
Cadmium	mg/kg	grab	annually
Chromium (Hex)	mg/kg	grab	annually
Cobalt	mg/kg	grab	annually
Copper	mg/kg	grab	annually
Flouride	mg/kg	grab	annually
Lead	mg/kg	grab	annually
Mercury	mg/kg	grab	annually
Moisture Content	percent	grab	annually
Nickel	mg/kg	grab	annually
Nitrate (as N)	mg/kg	grab	annually
Oil & Grease	mg/kg	grab	annually
Organic Lead	mg/kg	grab	annually
PCBs	µg/kg	grab	annually
Pesticides ^a	mg/kg	grab	annually
pH	std units	grab	annually
Selenium	mg/kg	grab	annually
Silver	mg/kg	grab	annually
Thallium	mg/kg	grab	annually
Tin	mg/kg	grab	annually
Total Chromium	mg/kg	grab	annually
Total Nitrogen (as N)	mg/kg	grab	annually
Total Phosphorus (as P)	mg/kg	grab	annually
Trichloroethylene	mg/kg	grab	annually
Vanadium	mg/kg	grab	annually
Vinyl Chloride	mg/kg	grab	annually
Zinc	mg/kg	grab	annually

^a Standard U.S. EPA method 8080 list and standard U.S. EPA method 8150 list

2. In addition to the analytical results required by the table, immediately above, the Discharger shall report the following information in its Annual Report.

- a. Annual production of biosolids in dry tons.
- b. Percent solids content of biosolids that leave the site.
- c. A schematic diagram showing solids handling facilities, including temporary and final storage areas. Include a narrative description of solids treatment and performance.
- d. A description of disposal methods, including
 - i. For landfill disposal: tons placed in the landfill; the Central Coast Water Board's WDR numbers that regulate the landfill; the present classification of the landfill; and the names and locations of the landfills receiving biosolids.
 - ii. For land application: tons land applied; location of the land application sites; the Central Coast Water Board's WDR numbers that regulate the land application sites; the application rates in lbs/acre/year (specify the weight basis – e.g., dry weight or percent solids); and the subsequent uses of the land.

IX. REPORTING REQUIREMENTS

A. General Monitoring and Reporting Requirements

The Discharger shall comply with all Standard Provisions (Attachment D) and Central Coast Water Board Standard Provisions (Attachment D-1) related to monitoring, reporting, and recordkeeping.

B. Self Monitoring Reports (SMRs)

1. At any time during the term of this permit, the State or Central Coast Water Board may notify the Discharger to electronically submit Self-Monitoring Reports (SMRs) using the State Water Board's California Integrated Water Quality System (CIWQS) Program Web site (<http://www.waterboards.ca.gov/ciwqs/index.html>). Until such notification is given, the Discharger shall submit hard copy SMRs. The CIWQS Web site will provide additional directions for SMR submittal in the event there will be service interruption for electronic submittal.
2. The Discharger shall submit monthly SMRs, which include the results of all required monitoring using U.S. EPA-approved test methods or other test methods specified in this Order. Monthly reports shall be submitted by the last day of the month following the month of sampling.
3. An Annual SMR shall be due by January 31st following each calendar year and shall include:
 - All data required by this MRP for the corresponding monitoring period, including appropriate calculations to verify compliance with effluent limitations.

- A discussion of any incident of non-compliance and corrective actions taken.
 - As specified below, a summary of any sewage spills or overflows from the collection system.
4. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule.

Sampling Frequency	Monitoring Period Begins	Monitoring Period	SMR Due Date
Continuous	August 26, 2006	All	Last day of calendar month following month of sampling
Daily	August 26, 2006	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	Last day of calendar month following month of sampling
Weekly	August 27, 2006	Sunday through Saturday	Last day of calendar month following month of sampling
Monthly	September 1, 2006	First day of calendar month through last day of calendar month	Last day of calendar month following month of sampling
Quarterly	October 1, 2006	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	April 30 July 31 October 31 January 31
Semi-Annually	January 1, 2007	January 1 through June 30 July 1 through December 31	July 31 January 31
Annually	October 1, 2007	October 1 through September 30	October 31

5. The Discharger shall report with each sample result the applicable Minimum Level (ML) and the current Method Detection Limit (MDL), as determined by the procedure in 40 CFR Part 136.
6. The Discharger shall arrange all reported data in a tabular format. The data shall be summarized to clearly illustrate whether the facility is operating in compliance with interim and/or final effluent limitations.
7. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the WDRs; 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.
8. Monitoring reports shall be reported to the Central Coast Water Board, signed and certified as required by the Standard Provisions (Attachment D), shall be submitted to the address listed below.

California Regional Water Quality Control Board
Central Coast Region
Attn: Monitoring Report Review Section
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

9. Monitoring requirements of this MRP will be continuously evaluated, and this MRP may be revised at any time during the permit term, as necessary, following collection and review of monitoring data.

C. Discharge Monitoring Reports (DMRs)

1. As described in Section IX.B.1 above, at any time during the term of this permit, the State or Regional Water Board may notify the Dischargers to electronically submit self-monitoring reports. Until such notification is given, the Dischargers shall submit discharge-monitoring reports (DMRs) in accordance with the requirements described below.
2. DMRs must be signed and certified as required by the standard provisions (Attachment D). The Discharge shall submit the original DMR and one copy of the DMR to the address listed below:

State Water Resources Control Board
Discharge Monitoring Report Processing Center
Post Office Box 671
Sacramento, CA 95812

3. All discharge monitoring results must be reported on the official U.S. EPA pre-printed DMR forms (EPA Form 3320-1). Forms that are self-generated or modified cannot be accepted.

D. Sewage Spill Reporting

1. Sewage spills greater than 1,000 gallons and/or all sewage spills that enter a water body of the State, or occur where public contact is likely, regardless of the size, shall be reported to the Central Coast Water Board by telephone as soon as notification is possible and can be provided without substantially impeding cleanup or other emergency measures, and no later than 24 hours from the time that the Dischargers have knowledge of the overflow.
2. Unless fully contained, sewage spills to storm drains tributary to Waters of the United States shall be reported as discharges to surface waters.
3. A written report of all relevant information shall be submitted to the Central Coast Water Board within five days of the spill, and shall include no less information than is required on the current Sewage Spill Report Form (see Attachment H), or equivalent, as

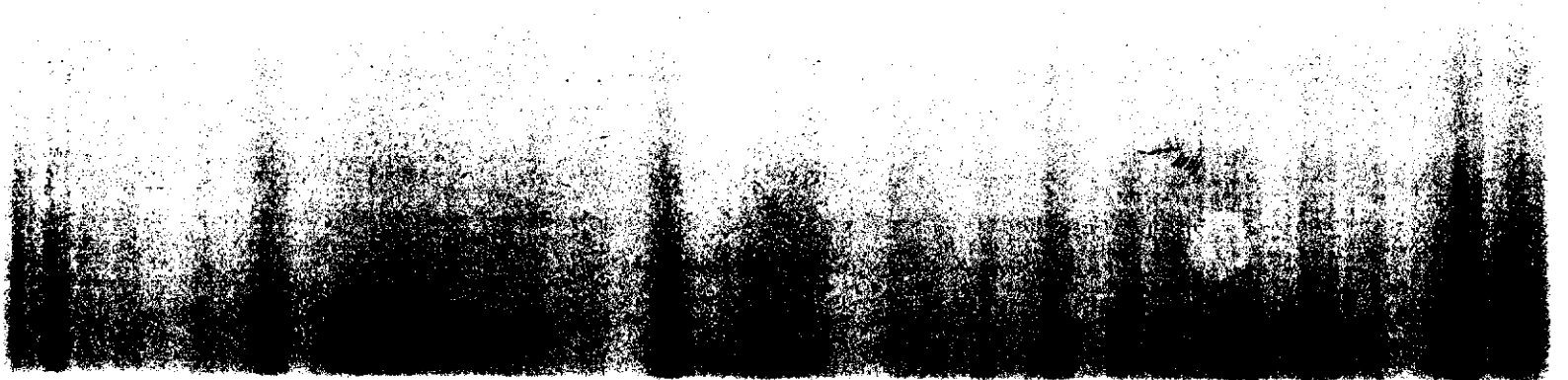
approved by the Central Coast Water Board Executive Officer. Attachments to the report should be used as appropriate, and incidents requiring more time than the five-day period must be followed by periodic written status reports until issue closure. Photographs taken during the sewage spill incident and cleanup shall be submitted to the Central Coast Water Board in hard copy and electronic format.

4. The Dischargers shall sample all spills to surface waters to determine their effects on surface waters and submit the data to the Executive Officer in the next monthly monitoring report. Samples shall, at minimum, be analyzed for total and fecal coliform bacteria and enterococcus bacteria for spills to marine water, and fecal coliform bacteria for spills to fresh water. Sampling shall be conducted in the affected receiving water body upstream, at, and downstream of the spill's point of entry, and as necessary to characterize the spill's impact and to ensure adequate clean-up. Upstream monitoring is only required when the discharge is to a creek, stream, or similar open, accessible channel with continuous background flow.
5. Spills under 1,000 gallons that do not enter a water body shall be reported to the Central Coast Water Board in writing and electronically (Excel spreadsheet preferred) within the next monthly monitoring report. Such reports shall include, at a minimum, a tabular summary of spill dates, locations, volumes, whether the spill discharged to surface waters (including conveyances thereto) or land, whether cleanup and/or disinfection was performed, the spill's cause, the number of spills at the location in the last three years, and weather conditions.
6. The Dischargers shall submit to the Central Coast Water Board with the annual report required above, a summary of all spills between January 1 and December 31 of the previous year. The summary shall include the following information for each spill:
 - a. Information requested in the Sewage Spill Report Form (Attachment H);
 - b. How the spill volume was estimated and/or calculated;
 - c. Photograph(s) of spill, if taken;
 - d. Where the spill entered any storm drain inlet or surface waters;
 - e. Steps taken or planned to reduce, eliminate, and prevent recurrence of the spill, and a schedule of major milestones for those steps;
 - f. Steps taken or planned to mitigate the impact(s) of the spill, and a schedule of major milestones for those steps;
 - g. Any additional correspondence and follow-up reports, as necessary, to supplement the Sewage Spill Report Form and to provide detailed information on cause, response, adverse effects, corrective actions, preventative measures, or other information.

The annual summary shall include detailed evaluations of repetitive or chronically occurring circumstances, such as problematic collection system areas or common spill causes, and the corrective actions taken to address such systematic problems.

If no sewage spills occurred in the last calendar year, a statement certifying that no sewage spills occurred may be submitted in lieu of the annual summary.

7. In accordance with the Governor's Office of Emergency Services (OES) 2002 Fact Sheet regarding the reporting of sewage releases, the California Water Code, commencing with Section 13271, requires that a discharge of sewage to State waters must be reported to OES.
8. To report sewage releases of 1,000 gallons or more (currently the federal reportable quantity) to OES, verbally notify the OES Warning Center at: (800) 852-7550, or (916) 845-8911. The following fax number should be used for follow-up information only: (916) 262-1677. The reportable quantity is subject to revision by the State of California. OES reporting requirements for sewage releases and hazardous materials can be located on the OES Website at www.oes.ca.gov in the California Hazardous Material Spill/Release Notification Guidance. The OES Hazardous Materials Unit staff is available for questions at (916) 845-8741.
9. OES Reporting Exceptions: Notification to OES of an unauthorized discharge of sewage or hazardous substances is not required if: 1) the discharge to State waters is a result of a cleanup or emergency response by a public agency; 2) the discharge occurs on land only and does not affect State waters; or 3) the discharge is in compliance with applicable waste discharge requirements. These exceptions apply only to the Dischargers' responsibility to report to OES, and do not alter the Central Coast Water Board's reporting policies or waste discharge requirements.



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ATTACHMENT F – FACT SHEET

As described in Section II of this Order, this Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

I. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

WDID	No. 3400108001
Discharger	California Department of Corrections and Rehabilitation
Indirect Dischargers	California Army National Guard, Camp San Luis Obispo Cuesta College San Luis Obispo County Education Center San Luis Obispo County El Chorro Regional Park and Dairy Creek Golf Course San Luis Obispo County Operational Facility
Name of Facility	California Men's Colony Wastewater Treatment Facility
Facility Address	Hwy 1, North of San Luis Obispo, behind Cuesta College San Luis Obispo, California 93409 San Luis Obispo County
Facility Contact, Title and Phone	John Marshall, Warden, (805) 547-7901
Authorized Person to Sign and Submit Reports	M.A. Vela, Correctional Plant Manager II, (805) 547-7926
Mailing Address	P.O. Box 8101, San Luis Obispo, California 93409
Billing Address	P.O. Box 8101, San Luis Obispo, California 93409
Type of Facility	POTW
Major or Minor Facility	Major
Threat to Water Quality	1
Complexity	A
Pretreatment Program	No
Reclamation Requirements	Yes, Department of Health Services regulations at Title 22 of the California Code of Regulations Chapter 3 (Water Recycling Criteria).
Facility Permitted Flow	1.2 million gallons per day (MGD), dry weather monthly average
Facility Design Flow	1.2 million gallons per day (MGD), average dry weather
Watershed	Estero Bay Hydrologic Unit
Receiving Water	Chorro Creek
Receiving Water Type	Inland, freshwater

- A. The California Department of Corrections and Rehabilitation (hereinafter the Discharger) owns and operates a trunk sewer line and wastewater treatment facility located on the grounds of Camp San Luis Obispo, a National Guard training site. In addition to conveying and treating domestic wastewater from the East and West Facilities of the California Men's Colony, a correctional institution, the trunk sewer and treatment plant provide wastewater conveyance and treatment for the California National Guard's Camp San Luis Obispo,

Cuesta College, and several County facilities, including a jail, an education center, and an operations facility.

- B. The wastewater treatment facility discharges treated effluent to Chorro Creek, waters of the United States, and is currently regulated by Order No. 01-001, which was adopted on February 2, 2001.
- D. The Discharger filed a Report of Waste Discharge and submitted an application for renewal of its Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) permit on September 30, 2005.

II. FACILITY DESCRIPTION

A. Description of Wastewater and Biosolids Treatment or Controls

The California Men's Colony Wastewater Treatment Plant was originally constructed in 1940 by the Army Corps of Engineers, which operated the facility until the early 1960s, when the Department of Corrections assumed responsibility for its operation. Treatment modifications and upgrades occurred in 1979 and 1985; and in the fall of 2006, major modifications and upgrades were completed.

In addition to treating domestic wastewater from the East and West Facilities of the California Men's Colony, the facility provides wastewater treatment for the California National Guard's Camp San Luis Obispo, Cuesta College, and several County facilities, including the County Jail, Education Center, and an operations facility. The California National Guard, San Luis Obispo County, and Cuesta College own and maintain discrete wastewater collection and transport systems that discharge to the Department of Corrections' trunk sewer system. The entire service area includes approximately 13,000 acres with an estimated population of 16,000. Approximately 11,700 acres of the service area are public lands.

The Discharger reports the following design flows for the recently upgraded (2006) wastewater treatment facility.

Average Dry Weather Flow	1.2 MGD
Average Annual Flow	1.3 MGD
Average Day Maximum Monthly Flow	1.8 MGD
Peak Hour Dry Weather Flow	2.4 MGD
Peak Hour Wet Weather Flow	5.2 MGD

The headworks of the new facility include a parshall flume with a capacity of 5.73 MGD, barscreens, and an aerated grit chamber. Two oxidation ditches with mechanical mixers, each having a volume of 1.76 million gallons, provide a hydraulic residence time of 41 hours at the average daily maximum monthly flow rate. Tertiary treatment is accomplished by sand filtration, using eight filter cells with surface areas of 50 square feet each. The facility disinfects with sodium hypochlorite and dechlorinates using sodium bisulfite before

discharging to Chorro Creek. Two centrifuges are used to dewater sludge, generating up to 2.2 dry tons of solids per day. Treated wastewater is used by the County to irrigate the Dairy Creek Golf Course and discharged to Chorro Creek at a minimum continuous flow rate of 0.75 cubic feet per second. Wastewater solids are dewatered by centrifuge and hauled from the site for disposal.

B. Discharge Points and Receiving Waters

Effluent from the California Men's Colony Wastewater Treatment Plant is discharged to Chorro Creek, within the Chorro Subarea of the Estero Bay Hydrologic Unit. Chorro Creek is a drinking water source for the City of Morro Bay, as well as a fresh water source for the Morro Bay Estuary.

C. Summary of Existing Requirements and Self-Monitoring Report (SMR) Data

Effluent limitations from Order No. 01-001 and representative effluent data (Discharge Point 001) provided by the Discharger in its Report of Waste Discharge of September 30, 2005 are summarized in the following tables.

Order No. 01-001 Effluent Limitations				
Constituent	Units	30-Day Avg	7-Day Avg	Daily Max
Acute Toxicity	TUa	-	-	0.3
BOD, 5-day	mg/L	10	30	50
	lbs/day	100	300	500
	kg/day	45	136	227
Chlorine Residual	mg/L	≤ 0.1 at all times		
Chronic Toxicity	TUc	-	-	1
Total Coliform Bacteria	MPN		median < 2.2	< 240
Flow	MGD	1.2	-	-
Oil and Grease	mg/L	5	-	10
	lbs/day	50	-	100
	kg/day	23	-	45
pH	stnd units	6.5 – 8.3 at all times		
Removal Efficiency	percent	not be less than 85 % for BOD, 5-day and TSS		
Settleable Solids	mL/L	0.1	-	0.3
Sulfate	mg/L	-	-	125
	lbs/day	-	-	1251
	kg/day	-	-	568
Suspended Solids	mg/L	10	30	50
	lbs/day	100	300	500
	kg/day	45	136	227
Turbidity	NTU	10	-	20

Effluent Characterization			
Constituent	Units	Daily Avg	Daily Max
Ammonia (as N)	mg/L	< 1.0	0.4
BOD ₅	mg/L	7.2	10.3
Coliform Bacteria	MPN	< 2	23
Dissolved Oxygen	mg/L	6	2.0 - 9.0
Flow	mgd	1.2	3.1
Nitrate + Nitrite (as N)	mg/L	10	12
Oil & Grease	mg/L	< 10	10
pH	std units	6.5 - 8.3	
Suspended Solids	mg/L	3.2	10
Temperature (summer)	°F	73 - 79	
Temperature (winter)	°F	64 - 67	
Total Dissolved Solids	mg/L	600	680
Total Phosphorous (as P)	mg/L	3	5
Total Residual Chlorine	mg/L	< 0.1	< 0.2

Between January 2002 and July 2005, in 17 acute toxicity tests, test organisms showed 90 to 100 percent survival; and in 6 chronic toxicity tests, test organisms showed no observed effect in 100 percent effluent.

D. Compliance Summary

The Discharger, with the former wastewater treatment plant, has maintained compliance with most existing effluent limitations. However, the Discharger experienced chronic exceedances of the effluent 30-day average dry weather flow rate, dissolved oxygen, pH, biochemical oxygen demand, total coliform, and effluent chlorine residual limitations. The Discharger also experienced serious exceedances of the effluent 30-day average dry weather flow rate and effluent chlorine residual, which all resulted in issuance of two mandatory minimum penalty orders amounting to \$48,000. The proposed Order includes equally protective effluent limitations for each pollutant and the new treatment plant should address these treatment performance problems.

The Discharger, with the former wastewater treatment plant, has experienced repeated receiving water (Chorro Creek) violations. The Discharger experienced multiple exceedances of receiving water temperature, unionized ammonia, pH, sodium, chloride, total dissolved solids, and color limitations. The proposed Order includes protective receiving water limitations that are as or more stringent than Order No. 01-001 and requires the preparation of a Salts Management Plan. The upgraded treatment plant should reduce effluent salinity and improve compliance with receiving water limitations.

The Discharger has had several occurrences of excessive stormwater inflow to the wastewater collection system causing raw and partially treated waste to overflow from the wastewater treatment plant into Chorro Creek. The Discharger has also experienced excessive stormwater inflow, which caused raw sewage to overflow from a trunk sewer line into Chorro Creek. Administrative civil liability amounting to \$600,000 was

assessed for these violations in 2005. The Discharger completed installation of a new trunk sewer line in May 2005, which has greatly reduced the number of sewage spills, but excessive inflow and infiltration is an ongoing problem. As required by Cleanup or Abatement Order No. R3-2005-0036, the Discharger is currently assessing and correcting sources of inflow and infiltration in the collection system.

- The Discharger submitted Inflow Assessment Plans to the Executive Officer on April 27, 2005, and September 23, 2005.
- Implementation of the Inflow Assessment Plan was completed by March 1, 2006.
- An Inflow Action Plan shall be submitted to the Executive Officer by May 1, 2006.
- All sources of excessive inflow, according to the Action Plan, shall be eliminated by October 1, 2006. Written verification of completion of the Action Plan is due to the Executive Officer by November 1, 2006.

The proposed Permit also requires the Dischargers to develop and implement a Sewer System Management Plan by August 1, 2010. The goal of the Sewer System Management Plan is to decrease and prevent sewage spills.

III. APPLICABLE PLANS, POLICIES, AND REGULATIONS

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

A. Legal Authorities

This Order is issued pursuant to Section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (U.S. EPA) and Chapter 5.5, Division 7 of the California Water Code (CWC). It shall serve as an NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to CWC Article 4, Chapter 4 for discharges that are not subject to regulation under CWA Section 402.

B. California Environmental Quality Act (CEQA)

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

C. State and Federal Regulations, Policies, and Plans

1. **Water Quality Control Plans.** The Central Coast Water Board adopted a *Water Quality Control Plan for the Central Coast Region* (the Basin Plan) that 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, State Water Resources Control Board (State Water Board) Resolution No. 88-63 requires that, with certain exceptions, the Central Coast Water Board assign the municipal and domestic supply use to water bodies that do not have beneficial uses listed in the Basin Plan.

Beneficial uses applicable to Chorro Creek and local groundwater are described in Section II. H (Findings) of the Order.

2. **Thermal Plan.** The State Water Board adopted a *Water Quality Control Plan for Control of Temperature in the Coastal and Interstate Water and Enclosed Bays and Estuaries of California* (Thermal Plan) on May 18, 1972, and amended this plan on September 18, 1975. This plan contains temperature objectives for inland surface waters.
3. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** U.S. EPA adopted the NTR on December 22, 1992, and amended it on May 4, 1995, and November 9, 1999. The CTR was adopted on May 18, 2000, and amended on February 13, 2001. These rules include water quality criteria for priority pollutants and are applicable to this discharge.
4. **State Implementation Policy.** On March 2, 2000, the State Board adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy or SIP). The SIP applies to discharges of toxic pollutants into the inland surface waters, enclosed bays, and estuaries of California subject to regulation under the State's Porter-Cologne Water Quality Control Act (CWC Division 7) and CWA. The SIP establishes: (1) implementation provisions for priority pollutant criteria promulgated by the U.S. EPA through the NTR and the CTR, and for priority pollutant objectives established by the Regional Water Boards in their basin plans, (2) monitoring requirements for 2,3,7,8-TCDD equivalents; and (3) chronic toxicity control provisions. The SIP became effective on April 28, 2000, with respect to the priority pollutant criteria promulgated through the NTR and to the priority pollutant objectives established by the Regional Boards in their basin plans, with the exception of the provision on alternate test procedures for individual discharges that has been approved by U.S. EPA Regional Administrator. The alternate test procedures provision was effective on May 22, 2000. The SIP became effective on May 18, 2000. The SIP includes procedures for determining the need for and calculating WQBELs, and requires Dischargers to submit data sufficient to do so.
5. **Anti-Degradation Policy.** NPDES regulations at 40 CFR 131.12 require that State water quality standards include an anti-degradation policy consistent with the federal policy. The State Board established California's antidegradation policy in State Board Resolution 68-16, which incorporates the requirements of the federal antidegradation policy. Resolution 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. As discussed in detail in this Fact Sheet, the permitted discharge is consistent with the antidegradation provision of 40 CFR 131.12 and State Board Resolution 68-16.
6. **Anti-Backsliding Requirements.** CWA Sections 402 (o) (2) and 303 (d) (4) and NPDES regulations at 40 CFR 122.44 (l) prohibit backsliding in NPDES permits; i.e., effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. Order No. R3-2006-

0032 complies with all anti-backsliding requirements, as all effluent limitations in this Order are at least as stringent as the effluent limitations in Order No. 01-001.

7. **Monitoring and Reporting Requirements.** NPDES regulations at 40 CFR 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. CWC Sections 13267 and 13383 authorize the Regional Boards to require technical and monitoring reports. The monitoring and reporting program (MRP) establishes monitoring and reporting requirements to implement federal and State requirements. This MRP is provided in Attachment E.
8. **Mandatory Penalties.** Section 13385(h) et seq. of the California Water Code requires the Central Coast Water Board to impose mandatory penalties for certain effluent limit violations. Section 13385(h) et seq. applies to effluent discharged to Chorro Creek from this Discharger.

D. Impaired Water Bodies on CWA 303 (d) List

On June 5 and July 25, 2003, the U.S. EPA approved the list of impaired water bodies, prepared by the State Water Resources Control Board pursuant to CWA Section 303 (d) – water bodies which are not expected to meet applicable water quality standards after implementation of technology-based effluent limitations for point sources. This current 303 (d) list includes Chorro Creek as impaired by fecal coliform bacteria, nutrients, and sedimentation/siltation. In addition, Chorro Creek is identified as impaired on the draft 2006 303(d) list due to low dissolved oxygen.

303 (d) impaired waters are assigned a priority ranking, based on such factors as the severity of the impairment, the potential to restore beneficial uses, and the availability of water quality data, for development of total maximum daily loads (TMDLs) – the determination of the maximum amounts of impairing pollutants which can be discharged from all sources (point and non-point) while maintaining water quality standards. TMDLs must be developed for all 303 (d) listed water bodies.

A TMDL addressing pathogens (e.g., fecal coliform bacteria) in Morro Bay (including Chorro and Los Osos Creeks) has been completed and approved by the Regional and State Water Boards (State Water Resources Control Board Resolution No. 2003-0060) and by U.S. EPA. The TMDL states that elevated levels of fecal coliform bacteria in Morro Bay and Los Osos and Chorro Creeks are impairing the beneficial uses of water contact recreation and shellfish harvesting in Morro Bay. The principal sources of fecal coliform bacteria in Morro Bay and Los Osos and Chorro Creeks, identified using a DNA fingerprinting technique, are birds, humans, livestock, and domestic animals, in that order. The TMDL establishes the following numeric targets for pathogens in Chorro Creek.

Fecal coliform bacteria concentration shall not exceed 200 most probable number (MPN) per 100 milliliters (mL) based on not less than 5 samples in any 30-day period; and no more than 10 percent of the samples may exceed 400 MPN per 100 mLs in any 30-day period.

A TMDL addressing sediment in Chorro and Los Osos Creeks and the Morro Bay Estuary has been completed and approved by the Regional and State Water Boards (State Water Resources Control Board Resolution No. 2003-0062) and by U.S. EPA. The TMDL states that the Basin Plan's narrative water quality objective for sediment has been exceeded, resulting in adverse impacts to several beneficial uses of these water bodies. The Chorro Creek subwatershed, an area of steep slopes and high rainfall intensity, is estimated to contribute 86 percent of the total sediment produced in the Morro Bay watershed. The TMDL establishes that "virtually all" sediment loading comes from non-point sources and relies on the State Water Resource Control Board's *Plan for California's Nonpoint Source Pollution Control Program* (Resolution 99-114, adopted December 14, 1999) to implement the TMDL.

The Central Coast Water Board has determined that Order No. R3-2006-0032 adequately addresses nutrient and dissolved oxygen impairments to Chorro Creek. The Order includes effluent limitations for settleable and suspended solids, which reflect performance expected of secondary treatment facilities, and it establishes effluent limitations for total nitrogen and unionized ammonia to control discharges of nitrate-N. The Order includes receiving water limitations for sodium, total dissolved solids, and temperature, all of which are based on applicable water quality objectives, but which also satisfy the requirements of the Chorro Creek Nutrient and Dissolved Oxygen TMDLs, as proposed in the Final Project Report. The Order also includes the following stringent effluent limitation for total coliform bacteria.

The median concentration of total coliform bacteria measured in treated effluent at Discharge Point 001 shall not exceed a most probable number (MPN) of 2.2 organisms per 100 milliliters (mL), as determined from the last seven days for which analyses have been completed. The number of total coliform bacteria shall not exceed an MPN of 23 per 100 mls in more than one sample in any 30 day period. No sample shall exceed an MPN of 240 total coliform bacteria per 100 mL.

IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

The CWA requires point source dischargers to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. NPDES regulations establish two principal bases for effluent limitations. At 40 CFR 122.44 (a) permits are required to include applicable technology-based limitations and standards; and at 40 CFR 122.44 (d) permits are required to include water quality-based effluent limitations (WQBELs) to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water. When numeric water quality objectives have not been established, but a discharge has the reasonable potential to cause or contribute to an excursion above a narrative criterion, WQBELs may be established using one or more of three methods described at 40 CFR 122.44 (d) - 1) WQBELs may be established using a calculated water quality criterion derived from a proposed State criterion or an explicit State policy or regulation interpreting its narrative criterion; 2) WQBELs may be established on a case-by-case basis using U.S.

EPA criteria guidance published under CWA Section 304 (a); or 3) WQBELs may be established using an indicator parameter for the pollutant of concern.

A. Discharge Prohibitions

1. Prohibition III. A. The discharge of any waste not specifically regulated by the Permit, excluding storm water regulated by General Permit No. CAS000001 (Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities) is prohibited.

Because limitations and conditions of this Order have been prepared based on specific information provided by the Discharger and specific wastes described by the Discharger, the limitations and conditions of this Order may not adequately address waste streams not contemplated during the process of writing the Order. To prevent the discharge of such waste streams that may be inadequately regulated, Order No. R3-2006-0032 prohibits the discharge of any waste that was not described to the Central Coast Water Board during the process of permit reissuance.

2. Prohibition III. B. Discharge of treated wastewater at a location other than Discharge Point 001 (35 ° 19 ' 30 " N Latitude and 120 ° 46 ' 55 " W Longitude), as described by this Order, is prohibited, unless the discharge is regulated by General Permit No. CAS000001 or another discharge permit.

Order No. R3-2006-0032 recognizes and authorizes a single point of discharge to waters of the State and the United States. This prohibition reflects the CWA Section 402 prohibition against discharges of pollutants except in compliance with the Act's permit requirements, effluent limitations, and other enumerated provisions.

3. Prohibition III. C. The overflow or bypass of wastewater from the Discharger's collection, treatment, or disposal facilities and the subsequent discharge of untreated wastewater, except as provided for in Attachment D, Standard Provision I. G (Bypass), is prohibited.

The discharge of untreated or partially treated wastewater from the Discharger's collection, treatment, or disposal facilities represents an unauthorized bypass pursuant to 40 CFR 122.41 (m) or an unauthorized discharge, which poses a threat to human health and/or aquatic life, and therefore, is explicitly prohibited by the Order.

4. Prohibition III. D. Creation of pollution, contamination, or nuisance, as defined by CWC Section 13050 is prohibited.

This prohibition is a restatement of the Central Coast Water Board's objective to prevent pollution, contamination, and nuisance, as those terms are defined by Section 13050 of the California Water Code.

5. Prohibition III. E. The discharge shall not cause or contribute to adverse impacts to beneficial uses of water or to threatened or endangered species and their habitat.

This prohibition is a restatement of the Basin Plan's intent to protect beneficial uses of receiving waters throughout the Central Coast Region, including the maintenance and protection of endangered and threatened species.

B. Technology-Based Effluent Limitations

1. Scope and Authority

The CWA requires that technology-based effluent limitations be established based on several levels of controls.

- Best practicable treatment control technology (BPT) represents the average of the best performance by plants within an industrial category or subcategory. BPT standards apply to toxic, conventional, and nonconventional pollutants.
- Best available technology economically achievable (BAT) represents the best existing performance of treatment technologies that are economically achievable within an industrial point source category. BAT standards apply to toxic and nonconventional pollutants.
- Best conventional pollutant control technology (BCT) represents the level of control from existing industrial point sources of conventional pollutants, including BOD, TSS, fecal coliform, pH, and oil and grease. The BCT standard is established after considering the cost reasonableness of the relationship between the cost of attaining a reduction in effluent discharge and the benefits that would result, and also the cost effectiveness of additional industrial treatment beyond BPT.
- New source performance standards (NSPS) represent the best available demonstrated control technology standards. The intent of NSPS guidelines is to set limitations that represent state-of-the-art treatment technology for new sources.

The CWA requires U.S. EPA to develop effluent limitations, guidelines and standards (ELGs) representing application of BPT, BAT, BCT, and NSPS for specific industrial categories. Where the U.S. EPA has not yet developed ELGs for a particular industry or a particular pollutant, CWA Section 402 (a) (1) and U.S. EPA regulations at 40 CFR 125.3 authorize the use of best professional judgment (BPJ) to derive technology-based effluent limitations on a case-by-case basis. When BPJ is used, the permit writer must consider specific factors outlined at 40 CFR 125.3.

2. Applicable Technology-Based Effluent Limitations

At 40 CFR Part 133, the U.S. EPA has established the level of effluent quality attainable by secondary or equivalent wastewater treatment. The following standards from 40 CFR Part 133 are applicable to the California Men's Colony Wastewater

Treatment Facility and are included in Order No. R3-2006-0032 as effluent limitations.

Summary of Technology-Based Effluent Limitations - Discharge Point 001

Parameter	Units	Effluent Limitation		
		Avg Monthly	Avg Weekly	Percent Removal
BOD, 5-day	mg/L	30	45	85 ^a
TSS	mg/L	30	45	85 ^a

^a The 30-day average percent removal shall not be less than 85 percent.

The inclusion of mass-based effluent limitations for BOD, 5-day and TSS in the Order reflect the preference for such limitations expressed by NPDES regulations at 40 CFR 122.45 (f). The intent of mass-based effluent limitations in NPDES permits is to prevent the use of dilution as a means to meet concentration-based limitations.

Effluent limitations for BOD, 5-day and TSS have been retained from Order No. 01-001 and are more stringent than typical standards of performance for secondary treatment facilities. Effluent limitations for settleable solids, turbidity, and oil and grease have also been retained from Order No. 01-001. These limitations are typical standards of performance for secondary treatment facilities and are included as limitations for the Discharger's facility based on the best professional judgment of Central Coast Water Board staff.

The monthly average dry season flow limitation of 1.2 MGD is based on design figures for the upgraded wastewater treatment facility and is intended to ensure that wastewater flows do not exceed the treatment facility's dry weather design capacity.

C. Water Quality-Based Effluent Limitations (WQBELs)

1. Scope and Authority

NPDES regulations at 40 CFR 122.44 (d) (1) (i) require permits to include WQBELs for pollutants (including toxicity) that are or may be discharged at levels that cause, have reasonable potential to cause, or contribute to an excursion above any state water quality standard.

2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

The Basin Plan identifies present and potential beneficial uses for Chorro Creek. Water quality criteria applicable to this receiving water are included in the NTR and the CTR, which contain numeric criteria for 126 priority, toxic pollutants, and in the Basin Plan, which contains narrative and numeric criteria for several pollutants and pollutant parameters.

The State Implementation Policy (SIP) required all major and minor POTW dischargers to conduct effluent monitoring for 2,3,7,8-TCDD equivalents for a three year period. This monitoring was conducted under Order No. 01-001 and further

monitoring for 2,3,7,8-TCDD equivalents, as determined by the Central Coast Water Board staff, is no longer necessary.

3. Determining the Need for WQBELs

NPDES regulations at 40 CFR 122.44 (d) require effluent limitations to control all pollutants which are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard.

The SIP, statewide policy that became effective on May 22, 2000, establishes procedures to implement water quality criteria from the NTR and CTR and for priority, toxic pollutant objectives established in the Basin Plan. The implementation procedures of the SIP include methods to determine reasonable potential (for pollutants to cause or contribute to excursions above State water quality standards) and to establish numeric effluent limitations, if necessary, for those pollutants which show reasonable potential.

The SIP Section 1.3 requires the Regional Board to use all available, valid, relevant, and representative receiving water and effluent data and information to conduct a reasonable potential analysis. With its Report of Waste Discharge, the Discharger indicates that effluent has been sampled and analyzed eight times for the CTR pollutants. A summary of this effluent data was included in the Report of Waste Discharge and has been used to perform a reasonable potential analysis. Receiving water data for the CTR pollutants showed non detectable concentrations.

Some freshwater water quality criteria for metals are hardness dependent; i.e., as hardness decreases, the toxicity of certain metals increases, and the applicable water quality criteria become correspondingly more stringent. For this reasonable potential analysis, Central Coast Water Board staff has used a receiving water hardness concentration of 120 mg/L CaCO₃, based on data generated by the Central Coast Water Board's Central Coast Ambient Monitoring Program (CCAMP) (<http://www.ccamp.org/>). Sixteen samples collected between January 2002 and March 2003 showed hardness concentrations between 120 and 420 mg/L CaCO₃ in Chorro Creek at Canet Road, which is approximately 3.5 miles downstream of the point of discharge. CCAMP data shows higher hardness levels in Chorro Creek further downstream, at South Bay Boulevard (396 – 555 mg/L CaCO₃ in 30 samples collected between April 2001 and October 2004). Use of the lowest observed hardness concentration ensures that water quality criteria for hardness dependent metals will be protective of all conditions in receiving waters.

To conduct the reasonable potential analysis, the Central Coast Water Board identified the maximum observed effluent (MEC) and background (B) concentrations for each priority, toxic pollutant from receiving water and effluent data provided by the Discharger and compared this data to the most stringent applicable water quality criterion (C) for each pollutant from the NTR, CTR, and the Basin Plan. Section 1.3 of the SIP establishes three triggers for a finding of reasonable potential.

Trigger 1. If the MEC is greater than C, there is reasonable potential, and an effluent limitation is required.

Trigger 2. If B is greater than C, and the pollutant is detected in effluent (MEC > ND), there is reasonable potential, and an effluent limitation is required.

Trigger 3. After review other available and relevant information, a permit writer may decide that a WQBEL is required. Such additional information may include, but is not limited to: the facility type, the discharge type, solids loading analyses, lack of dilution, history of compliance problems, potential toxic impact of the discharge, fish tissue residue data, water quality and beneficial uses of the receiving water, CWA 303 (d) listing for the pollutant, and the presence of endangered or threatened species or their critical habitat.

The reasonable potential analysis for the California Men's Colony demonstrated reasonable potential for discharges from Outfall No. 001 to cause or contribute to exceedances of applicable water quality criteria for chlorodibromomethane, dichlorobromomethane, and copper. The following table summarizes the reasonable potential analysis for each priority, toxic pollutant that has been measured in effluent based on the Discharger's Report of Waste Discharge. No other pollutants with applicable, numeric water quality criteria from the NTR, CTR, and the Basin Plan were measured above detectable concentrations.

Pollutant	C	MEC	B	RPA Result
Copper	11 and 17 µg/L, freshwater aquatic life, chronic and acute criteria from the CTR based on receiving water hardness of 120 mg/L CaCO ₃	12 µg/L	ND	Yes (MEC >C)
Silver	5.6 µg/L, freshwater aquatic life, acute criterion from the CTR based on receiving water hardness of 120 mg/L CaCO ₃	0.3 µg/L	ND	No
Zinc	140 µg/L, freshwater aquatic life, chronic and acute criterion from the CTR based on receiving water hardness of 120 mg/L CaCO ₃	27 µg/L	ND	No
Chloroform	No applicable criteria	23 µg/L	ND	Undetermined
Chlorodibromomethane	0.401, human health criterion for consumption of water and organisms from the CTR	3.5 µg/L	ND	Yes (MEC >C)
Dichlorobromomethane	0.56 µg/L, human health criterion for consumption of water and organisms from the CTR	13 µg/L	ND	Yes (MEC >C)

4. WQBEL Calculations

Final WQBELs for chlorodibromomethane, dichlorobromomethane, and copper have been determined using the methods described in Section 1.4 of the SIP.

Step 1: For each water quality criterion/objective, an effluent concentration allowance (ECA) is calculated from the following equation to account for dilution and background levels of each pollutant.

$$ECA = C + D (C - B), \text{ where}$$

- C = the applicable water quality criterion (adjusted for receiving water hardness and expressed as total recoverable metal, if necessary)
- D = the dilution credit
- B = the background concentration

Because no credit is being allowed for dilution, $D = 0$, and therefore, $ECA = C$.

Step 2: For each ECA based on aquatic life criterion/objective (copper), the long-term average discharge condition (LTA) is determined by multiplying the ECA times a factor (multiplier), which adjusts the ECA to account for effluent variability. The multiplier varies depending on the coefficient of variation (CV) of the data set and whether it is an acute or chronic criterion/objective. Table 1 of the SIP provides pre-calculated values for the multipliers based on the value of the CV. When the data set contains less than 10 sample results (as for the California Men's Colony), or 80 percent or more of the data are reported as non-detect (ND), the CV is set equal to 0.6. Derivation of the multipliers is presented in Section 1.4 of the SIP.

From Table 1 of the SIP, multipliers for calculating LTAs at the 99th percentile occurrence probability are 0.321 (acute multiplier) and 0.527 (chronic multiplier). LTAs are determined as follows.

Pollutant	ECA		ECA Multiplier		LTA (µg/L)	
	Acute	Chronic	Acute	Chronic	Acute	Chronic
Copper	17	11	0.321	0.527	5.5	5.8

Step 3: WQBELs, including an average monthly effluent limitation (AMEL) and a maximum daily effluent limitation (MDEL) are calculated using the most limiting (the lowest) LTA. The LTA is multiplied times a factor that accounts for averaging periods and exceedance frequencies of the effluent limitations, and for the AMEL, the effluent monitoring frequency. Here, the CV is set equal to 0.6, and the sampling frequency is set equal to 4 ($n = 4$). The 99th percentile occurrence probability was used to determine the MDEL multiplier and a 95th percentile occurrence probability was used to determine the AMEL multiplier. From Table 2 of the SIP the MDEL multiplier is 3.11 and the AMEL multiplier is 1.55. Final WQBELs for copper are calculated as follows.

Pollutant	LTA	MDEL Multiplier	AMEL Multiplier	MDEL (µg/L)	AMEL (µg/L)
Copper	5.5	3.11	1.55	17	8.5

Step 4: When the most stringent water quality criterion/objective is a human health criterion/objective (chlorodibromomethane and dichlorobromomethane), the AMEL is set equal to the ECA, and the MDEL is calculated by multiplying the ECA times the ratio of the MDEL multiplier to the AMEL multiplier.

From Table 2 of the SIP, when CV = 0.6 and n = 4, the MDEL multiplier at the 99th percentile occurrence probability equals 3.11, and the AMEL multiplier at the 95th percentile occurrence probability equals 1.55. Final WQBELs for chlorodibromomethane and dichlorobromomethane are determined as follows.

Pollutant	ECA	MDEL/AMEL Multiplier	AMEL (µg/L)	MDEL (µg/L)
chlorodibromomethane	0.401	2.01 (3.11/1.55)	0.40	0.81
dichlorobromomethane	0.56	2.01	0.56	1.1

Order No. R3-2006-0032 retains, from Order No. 01-001, WQBELs for pH, sulfate, chlorine, dissolved oxygen, and acute and chronic toxicity. These limitations are based on water quality objectives established by the Basin Plan. WQBELs for copper and the trihalomethanes (chlorodibromomethane and dichlorobromomethane) are established by this Order.

5. Whole Effluent Toxicity (WET)

Whole effluent toxicity (WET) limitations protect receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. WET tests measure the degree of response of exposed aquatic test organisms to an effluent. The WET approach allows for protection of the narrative "no toxics in toxic amounts" criterion while implementing numeric criteria for toxicity. There are two types of WET tests - acute and chronic. An acute toxicity test is conducted over a short time period and measures mortality. A chronic toxicity test is conducted over a longer period of time and may measure mortality, reproduction, and growth.

The Basin Plan specifies a narrative objective for (acute) toxicity, requiring that all waters be maintained free of toxic substances in concentrations that are toxic to, or which produce detrimental physiological responses in human, plant, animal, or aquatic life. Survival of aquatic organisms in surface waters subjected to a waste discharge or other controllable water quality conditions shall not be less than that for the same water body in areas unaffected by the waste discharge or for another control water. Section 4.0 of the Basin Plan also requires a chronic toxicity limitation for all discharges that will cause, have the reasonable potential to cause, or contribute to chronic toxicity in receiving waters.

Order No. R3-2006-0032 retains the WET limitations from Order No. 01-001.

The Discharger must maintain a Toxicity Reduction Evaluation (TRE) Workplan, which describes steps that the Discharger intends to follow in the event that either WET limitation is exceeded in discharges from the wastewater treatment facility.

When monitoring measures WET in the effluent above the limitations established by the Order, the Discharger must resample, if the discharge is continuing, and retest. The Executive Officer will then determine whether to initiate enforcement action, whether to require the Discharger to implement a Toxicity Reduction Evaluation, or to implement other measures.

D. Final Effluent Limitations

Final effluent limitations for Discharge Point 001 are summarized below in the table and the bulleted text.

Parameter	Units	Effluent Limitation		
		Average Monthly	Average Weekly	Maximum Daily
Acute Toxicity	% survival	-	-	See below ^a
BOD, 5-day ^b	mg/L	10	30	50
	lbs/day	100	300	500
	kg/day	45	136	227
Chlorine Residual	mg/L	-	-	ND ^c
Chlorodibromomethane ^d	µg/L	0.4	-	0.81
Chronic Toxicity	TUc	-	-	1
Copper ^e	µg/L	8.5	-	17
Dichlorobromomethane ^d	µg/L	0.56	-	1.1
Dissolved Oxygen	mg/L	> 2.0 mg/L at all times		
Flow	MGD	1.2 ^f	-	-
Oil and Grease	mg/L	5	-	10
	lbs/day	50	-	100
	kg/day	23	-	45
pH	stdn units	6.5 – 8.3 at all times		
Settleable Solids	mL/L	0.1	-	0.3
Sulfate	mg/L	-	-	125
	lbs/day	-	-	1,251
	kg/day	-	-	568
Total Suspended Solids	mg/L	10	30	50
	lbs/day	100	300	500
	kg/day	45	136	227
Total Nitrogen (as N)	mg/L	-	-	10
	lbs/day	-	-	100
	kg/day	-	-	45
Turbidity	NTU	10	-	20

^a Survival of test organisms exposed to 100 percent effluent shall not be significantly reduced when compared, using a t-test, to the survival of control organisms.

^b 5-day biochemical oxygen demand at 20° C

^c ND = less than 0.1 mg/L. Compliance determination for total chlorine residual shall be based on 99% compliance. To determine 99% compliance with the effluent limitation specified above for total chlorine residual, the following conditions shall be satisfied: (1) the total time during which the total chlorine residual values are above 0.1 mg/L (instantaneous maximum value) shall not exceed 7 hours and 26 minutes in any calendar month; (2) no individual excursion from 0.1 mg/L shall exceed 30 minutes; and (3) no individual excursion shall exceed 2 mg/L.

- d Final effluent limitations for the trihalomethanes shall become on May 19, 2010 pending results of the Trihalomethane Study required by Section VI. C. 5 of this Order. If the Trihalomethane Study shows levels of trihalomethanes in effluent above applicable water quality criteria from the CTR, compliance with these final effluent limitations shall be achieved according to the compliance schedule established by Section VI. C. 6 of this Order.
 - e Final effluent limitations for copper will become effective on May 19, 2010 in accordance with the compliance schedule established by Section VI. C. 6 of this Order.
 - f Average monthly dry weather flow.
- The average monthly percent removal of BOD, 5-day and TSS through the wastewater treatment facility shall not be less than 85 percent.
 - The median concentration of total coliform bacteria measured in treated effluent at Discharge Point 001 shall not exceed a most probable number (MPN) of 2.2 organisms per 100 milliliters (mL), as determined from the last seven days for which analyses have been completed. The number of total coliform bacteria shall not exceed an MPN of 23 per 100 mL in more than one sample in any 30 day period. No sample shall exceed an MPN of 240 total coliform bacteria per 100 mL.
 - Discharges of treated wastewater through Discharge Point 001 shall be essentially free of substances that:
 - Float or become floatable upon discharge,
 - May form sediments that degrade benthic communities or other aquatic life,
 - Accumulate to toxic levels in surface waters, sediments, or biota,
 - Significantly decrease the natural light to benthic communities and other aquatic life, or
 - Result in aesthetically undesirable discoloration of the water surface.

E. Interim Effluent Limitations

Pursuant to NPDES regulations at 40 CFR 122.47 and Section 2.1 of the SIP, Order No. R3-2006-0032 includes interim effluent limitations and schedules for compliance with final effluent limitations for trihalomethanes (chlorodibromomethane and dichlorobromomethane) and copper. Interim limits and compliance schedules are included following the Discharger's request and demonstration that it is infeasible to achieve immediate compliance with final effluent limitations based on water quality criteria of the CTR for these pollutants.

Interim numeric limitations for pollutants must be based on current treatment facility performance or on existing permit limitations, whichever are more stringent. In these circumstances, the trihalomethanes and copper were not previously controlled by effluent

limitations, and therefore, interim limits are based on current plant performance; i.e., interim limits mirror the highest observed concentrations measured in plant effluent.

Interim effluent limitations are effective and enforceable through May 18, 2010.

F. Total Nitrogen Effluent Limitation

Clean Water Act Section 122.44 requires effluent limits for all pollutants with reasonable potential to exceed a water quality standard. The subject discharge has reasonable potential to exceed the drinking water standard for nitrate. Total nitrogen is the most appropriate method of limiting all forms of nitrogen. A total nitrogen daily maximum of 10 mg/L is added to protect the municipal drinking water supply beneficial use.

The new wastewater treatment facility should consistently comply with this limitation.

G. Reclamation Specifications

Requirements for reclaimed water reflect the applicable requirements established by the State Department of Health Services for reclaimed water at Title 22 of the California Code of Regulations, Chapter 3 (Water Recycling Criteria).

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

Receiving water quality is a result of many factors, some unrelated to the discharge. This Order considers these factors and is designed to minimize the influence of the discharge on the receiving water. Receiving water limitations within the proposed Order include the receiving water limitations of the previous Order. These limitations reflect all applicable, water quality objectives of the Basin Plan for inland surface waters, the protection of municipal and domestic water supplies, agricultural water supplies, water contact and non-contact water recreation activities, cold and warm freshwater and fish spawning habitats, and specific water quality objectives for Chorro Creek.

Order No. 01-001 listed numeric receiving water limitations for the California Code of Regulations, Title 22, pollutants from the Basin Plan. Although the numeric limitations are not listed, Order No. R3-2006-0032 includes these receiving water limitations by reference to the most current version of the California Code of Regulations, Title 22. Basin Plan constituent limitations that are not included in California Code of Regulations, Title 22, or if the Basin Plan limitations were more stringent, were retained in the Order.

B. Groundwater

Groundwater limitations established by the Order include general objectives for groundwaters and specific objectives for groundwaters used for municipal and domestic supply and agricultural supply from the Basin Plan. Order No. R3-2006-0032 also includes the following groundwater objectives established by the Basin Plan for the Chorro Sub Area of the Estero Bay Ground Water Basin.

TDS	Chloride	Sulfate	Boron	Sodium	Nitrogen
1000 mg/L	250 mg/L Cl	100 mg/L SO ₄	0.2 mg/L B	50 mg/L Na	5.0 mg/L N

VI. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

40 CFR 122.48 requires all NPDES permits to specify recording and reporting of monitoring results. CWC Sections 13267 and 13383 authorize the Regional Boards to require technical and monitoring reports. The Monitoring and Reporting Program, Attachment E of this Order, establishes monitoring and reporting requirements to implement federal and State requirements. The following text provides the rationale for the monitoring and reporting requirements contained in the Monitoring and Reporting Program for this facility.

A. Water Supply Monitoring

Water supply annual monitoring is no longer required. Order No. R3-2006-0032 establishes a requirement to perform a Salt Management Study, which will provide data on the characterization of the local water supply.

B. Influent Monitoring

All influent monitoring requirements of Order No. 01-001 are retained in Order No. R3-2006-0032. Influent monitoring for BOD, 5-day and TSS allows a determination of compliance with the Order's 85 percent removal requirement for these pollutants.

C. Effluent Monitoring

All effluent monitoring requirements from Order No. 01-001 are retained in Order No. R3-2006-0032, with the following exceptions/changes.

- The reporting/recording frequency for temperature has been increased from "monthly" to "weekly" to correspond to the required monitoring frequency for ammonia.
- The monitoring frequency for BOD, 5-day and TSS has been changed from "once every five days" to "weekly."
- Applicable receiving water criteria for this discharge include the fresh water aquatic life criteria from the CTR and the drinking water primary maximum contaminant levels (MCLs) established by the Department of Health Services at Title 22 of the California Code of Regulations, Division 4, Chapter 15. Order No. R3-2006-0032 establishes monitoring requirements for the CTR and Title 22 pollutants in effluent, annually, to ensure compliance with applicable water quality criteria and to determine the need for effluent limitations for these pollutants.
- To determine compliance with new interim effluent limitations established by the Order, Order No. R3-2006-0032 establishes routine (quarterly) monitoring requirements for chlorodibromomethane, dichlorobromomethane, and copper.

- To determine compliance with the new monthly average and daily maximum total nitrogen effluent limitations established by the Order, Order No. R3-2006-0032 establishes weekly monitoring requirements for total nitrogen.
- To characterize the origin of methylene blue activated substances, phthalate esters, cobalt, iron, lithium, manganese, molybdenum, and vanadium in the receiving water, annual effluent monitoring is required.
- The effluent triggered receiving water monitoring for sodium, chloride, and total dissolved solids has been replaced with monthly receiving water monitoring for these constituents.

D. Whole Effluent Toxicity Testing Requirements

Whole effluent toxicity (WET) limitations protect receiving water quality from the aggregate toxic effect of a mixture of pollutants in the effluent. Acute toxicity testing measures mortality in 100 percent effluent over a short test period, and chronic toxicity testing is conducted over a longer period of time and may measure mortality, reproduction, and/or growth. This Order includes effluent limitations and monitoring requirements for both acute and chronic toxicity.

E. Receiving Water Monitoring

1. Surface Water

Most monitoring requirements for receiving water have been retained from Order No. 01-001 with the following exceptions/changes.

- Order No. 01-001 required receiving water monitoring two times per year at three monitoring locations, for a list of 66 toxic constituents. Order No. R3-2006-0032 does not retain the specific list of 66 constituents but requires monitoring for the CTR pollutants and the Title 22 pollutants. This monitoring will be done annually, 100 feet upstream and 100 feet downstream of the discharge point to assess concentrations for these pollutants in Chorro Creek.
- This decrease in receiving water monitoring locations and frequency is due to the rationale for receiving water CTR and Title 22 pollutants monitoring. The basis for receiving water monitoring is to establish water quality-based effluent limitations for priority pollutants. The SIP requires both effluent and ambient background receiving water data to calculate these water quality-based effluent limitations for priority pollutants; therefore, receiving water monitoring data collected annually and 100 feet upstream of the discharge point are adequate to satisfy this requirement. Receiving water monitoring 100 feet downstream of the discharge point will aid in assessment of wastewater discharge impacts on Chorro Creek.

- Receiving water monitoring location R-005, Twin-Bridges at the bridge crossing with Chorro Creek and South Bay Boulevard, was added. Monitoring location R-004 is only about 0.6 miles downstream of the point of discharge; therefore, not allowing for adequate time for the potential suppression of dissolved oxygen due to BOD concentrations. For that reason, the addition of monitoring location R-005 to the monitoring and reporting program is needed to aid in compliance determination for potential impacts of BOD concentrations to Chorro Creek downstream of the discharge. Monitoring for dissolved oxygen, orthophosphate, and nitrate (as N) is required at monitoring location R-005 to assess the downstream impact of the biostimulatory substances in the discharge on Chorro Creek.
- To determine compliance with the receiving water limitations for methylene blue activated substances, phthalate esters, boron, cobalt, iron, lithium, manganese, molybdenum, and vanadium, established in the Basin Plan, annual monitoring is required.
- Monitoring for sodium, chloride, and total dissolved solids has been modified from effluent triggered monitoring to monthly receiving water monitoring for these constituents.

2. Groundwater

Order No. R3-2006-0032 retains all monitoring requirements for groundwater from Order No. 01-001.

F. Other Monitoring Requirements

Order No. R3-2006-0032 retains monitoring requirements for biosolids from Order No. 01-001; however "water supply monitoring requirements" from Order No. 01-001 have not been retained. The Central Coast Water Board has determined that water supplies will be fully characterized in terms of salt concentrations, when the Discharger conducts a Salt Management Study pursuant to Section VI. C. 7 of the Order.

Sewage spill reporting specifications have been added to the MRP. These specifications are intended to provide clear instructions that will lead to more consistent and accurate spill reporting.

VII. RATIONALE FOR PROVISIONS

A. Standard Provisions

Standard Provisions, which, in accordance with 40 CFR §§122.41 and 122.42, apply to all NPDES discharges and must be included in every NPDES permit, are provided in Attachment D and D-1 to the Order.

B. Special Provisions

1. Reopener Provisions

The Order may be modified in accordance with the requirements set forth at 40 CFR 122 and 124, to include appropriate conditions or limits based on newly available information, or to implement any, new State water quality objectives that are approved by the U.S. EPA. As effluent is further characterized through additional monitoring, and if a need for additional effluent limitations becomes apparent after additional effluent characterization, the Order will be reopened to incorporate such limitations. The Order may also be reopened due to TMDL for Nutrients and Dissolved Oxygen in Chorro Creek compliance evaluation.

2. Noncompliance reporting

The requirement to notify appropriate persons when an instance of noncompliance occurs is retained from Order No. 01-001.

3. Toxicity Reduction Evaluation Workplan

The requirement to maintain a Toxicity Reduction Work Plan is retained from Order No. 01-001. When toxicity monitoring measures acute or chronic toxicity in the effluent above the limitation established by the Order, the Discharger is required to resample and retest, if the discharge is continuing. When all monitoring results are available, the Executive Officer can determine whether to initiate enforcement action, whether to require the Discharger to implement toxicity reduction evaluation (TRE) requirements, or whether other measures are warranted.

4. Discharges of Storm Water

Order No. R3-2006-0012 does not cover discharges of storm water from the treatment and disposal sites. Such discharges can be discharged only in accordance with applicable requirements of General Permit No. CAS000001 - Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities.

5. Biosolids Handling and Disposal

Provisions regarding sludge handling and disposal ensure that such activity will comply with all applicable regulations.

6. Trihalomethane Study

The reasonable potential analysis (RPA) performed while drafting Order No. R3-2006-0032 was based on effluent data generated during the term of Order No. 01-001 and before plant upgrades were completed in 2006. The RPA showed that two of the common trihalomethanes (chlorodibromomethane and dichlorobromomethane) were intermittently discharged at levels that exceed applicable water quality criteria. Although some trihalomethanes are likely present in influent to the wastewater treatment plant, the trihalomethanes are formed primarily during chlorine disinfection of effluent. Order No. R3-2006-0032 is requiring a Trihalomethane Study to allow the Discharger to demonstrate any beneficial effect of recent plant upgrades on trihalomethane formation. In particular, tertiary filters, which will remove trihalomethane precursor material, and increased control over the disinfection process should result in decreased formation of the trihalomethanes. If the Trihalomethane Study demonstrates satisfactory reduction in trihalomethanes, pursuant to Section VI. C. 5 of the Order, final effluent limitation for these pollutants will not become effective.

7. Compliance Schedules

Pursuant to NPDES regulations at 40 CFR 122.47, Order No. R3-2006-0032 includes a schedule for compliance with final effluent limitations for the trihalomethanes (chlorodibromomethane and dichlorobromomethane) and copper. Interim limits and compliance schedules are included following the Discharger's request and demonstration that it is infeasible to achieve immediate compliance with final effluent limitations based on water quality criteria of the CTR for these pollutants.

Section 2.1 of the SIP, which addresses the discharge of toxics with water quality criteria established by the CTR, provides that, based on a discharger's request and demonstration that it is infeasible to achieve immediate compliance with effluent limitations, compliance schedules may be allowed in an NPDES permit. Unless an exception is granted pursuant to Section 5.3 of the SIP, a compliance schedule may not exceed 5 years from the date that a permit is issued or reissued, and in no case may it extend beyond 10 years from the effective date of the SIP (or beyond May 18, 2010) to attain compliance with final effluent limitations. When a compliance schedule for an effluent limitation exceeds one year, the Order must include interim numeric limitations for that pollutant.

8. Salt Management Study

Applicable water quality criteria from Table 3-7 of the Basin Plan for Chorro Creek include the following criteria for the common salts.

TDS	Chloride	Sulfate	Boron	Sodium
500 mg/L	50 mg/L Cl	50 mg/L SO ₄	0.2 mg/L B	50 mg/L Na

Because the Discharger reports that TDS levels in effluent average 600 mg/L, Order No. R3-2006-0032 is establishing a requirement to perform a Salt Management Study with the ultimate goal of controlling concentrations of salts in discharges from the wastewater treatment facility and attainment of the applicable surface water quality objectives for salts in Chorro Creek from the Basin Plan.

The Salt Management Study must include characterization of source water supplies and wastewater quality, an evaluation of alternative control strategies, and development of a Salt Management Plan. The Plan shall include a schedule of not more than 5 years for full implementation.

VIII. PUBLIC PARTICIPATION

The California Regional Water Quality Control Board, Central Coast Water Board, is considering the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for the California Department of Corrections and Rehabilitation, California Men's Colony Wastewater Treatment Plant.

A. Notification of Interested Parties

The Central Coast Water Board has notified the Discharger and interested parties of its intent to reissue waste discharge requirements for the discharge. The Central Coast Water Board has provided the Discharger and interested parties an opportunity to submit their written comments and recommendations during a comment period. Notification of the comment period and means of access to the Draft NPDES permit and proposed WDR was provided through the following: 1) publication in the San Luis Obispo County Tribune on April 12, 2006, 2) direct mailing of the Draft NPDES permit to the Discharger, and 3) direct mailing to interested parties notifying them of the comment period and 4) web access to the Draft NPDES permit.

B. Written Comments

The California Department of Corrections and Rehabilitation submitted written comments on May 10, 2006, regarding the tentative NPDES Permit renewal.

Comment 1: The discharger should be identified as "California Department of Corrections and Rehabilitation."

Staff Response 1: The Discharger's name was changed throughout the permit from California Department of Corrections to California Department of Corrections and Rehabilitation, as requested.

Comment 2: The effective date of the order should be "upon completion and acceptance of the WWTP construction project by the California Department of General Services."

Staff Response 2: The Memorandum of Understanding between USEPA and the State Water Board states that permits shall become effective 50 days after issuance, if they are controversial or if substantive changes have been made since EPA's review. In other cases, the permit may become effective immediately upon issuance, or on another date the Water Board specifies. Staff determined that due to the unknown date of the WWTP upgrade completion date, extending the date to be an unspecified date cannot be justified. In addition, the California Men's Colony is in violation of Cleanup or Abatement Order No. 99-38, which required completion of the wastewater treatment plant upgrade by December 1, 2002. Therefore, Staff recommends that the effective date of the permit remain as August 26, 2006.

Comment 3: The facility contact should be "John Marshall, Warden, (805) 547-7901."

Staff Response 3: The facility contact was changed from M.A. Vela, Correctional Plant Manager II, (805) 547-7926 to John Marshall, Warden, (805) 547-7901, as requested.

Comment 4: Effluent Limitations Table: The average monthly flow number of 1.2 MGD should have a footnote indicating this is "Average Dry Weather Flow."

Staff Response 4: Average monthly flow of 1.2 MGD was changed throughout the permit to indicate that it is a monthly average dry weather flow of 1.2 MGD.

Comment 5: Effluent limitations Table: The Total Nitrogen as (N) concentration number of 7 mg/L monthly average should be changed to 10 mg/L based on the design criteria used for the WWTP. Additionally, the proposed TMDL for nutrients in Chorro Creek allocates a monthly maximum effluent concentration of 10 mg/L nitrate-N to the CMC WWTP, which translates to a total N concentration much higher than 7 mg/L. A daily maximum for total N concentration is not required.

Staff Response 5: Beneficial uses for Chorro Creek, from Table 2-1 of the Basin Plan, include municipal and domestic water supply (MUN). The EPA maximum contaminant level (MCL) for nitrate (the greatest percentage of the Discharger's total nitrogen species) in drinking water is 10 mg/L. Staff determined that an average monthly effluent limitation of 7 mg/L was not necessary to ensure the protection of the beneficial use and subsequently removed it from the proposed permit. However, the daily maximum of 10 mg/L total nitrogen will remain in the proposed permit due to the upgraded plant's ability to routinely achieve this level of nitrogen removal. Following the Discharger's recommendation of a monthly average total nitrogen limit of 10 mg/L would allow the Discharger to exceed 10 mg/L, which could potentially adversely impact the beneficial use.

Comment 6: Section No. 8 and Attachment G should be removed because the State Water Board adopted new WDR requirements for sewer collection systems that will regulate these activities.

Staff Response 6: Order Section VI.C.8, Fact Sheet (Attachment F) Section VII.8, and Elements of Wastewater Collection System Management Plan (Attachment G) were removed from the draft permit due to the adoption of Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (Order No. 2006-0003-DWQ) on May 2, 2006. CMC must enroll in and comply with the statewide order as well as any collection system requirements previously required by the Central Coast Water Code (e.g., Cleanup or Abatement Order No. 99-38).

Comment 7: Monitoring Location M-001 Table: Footnotes for pH and temperature should be (a) not (b), and footnote for Residual Chlorine should be (b), and not (a).

Staff Response 7: Footnotes in the Monitoring and Reporting Program (Attachment E) for Section IV.A.1. Table were corrected to reflect the appropriate description. Footnote for pH and temperature were correct to be noted as (a) and footnote for Residual Chloride was correct to be noted as (b).

Comment 8: Monitoring Location M-001 Table: Minimum sampling frequency for nitrate-N and nitrite-N should be weekly in order to determine weekly total N concentration.

Staff Response 8: Staff increased the sampling frequency in the Monitoring and Reporting Program (Attachment E) for nitrate-N and nitrite-N at monitoring location M-001 from monthly to weekly.

The California Men's Colony WWTP operator, Robert Barlogio, provided a comment in a meeting on January 18, 2006, and in a phone conversation on April 18, 2006, regarding the tentative NPDES Permit renewal.

Comment 9: Change ground water monitoring for sulfide to sulfate.

Staff Response 9: Staff changed the required sampling in the Monitoring and Reporting Program to reflect the requested change.

Staff changes/additions:

Order Section VI.C.2. Noncompliance and spill reporting requirements were not retained from the previous Order No.01-001 in the draft permit. Staff has added the requirement to the proposed permit to notify interested persons and agencies of instances of none compliance and included these names and phone numbers. This requirement is retained from Order No. 01-001.

Monitoring and Reporting Program (Attachment E) Section IV.D. Final Effluent Limitations Table—Footnote c states the State Board total chlorine residual policy. Staff added the requirement of the Discharger to supply verification of the length of time of any chlorine residual excursion in their monthly submitted self-monitoring reports.

Fact Sheet Section VI.C. Stated that the effluent monitoring for methylene blue activated substances, phthalate esters, cobalt, iron, lithium, manganese, molybdenum, and vanadium was to determine compliance with receiving water limitations. Staff changed this to state that annual effluent monitoring is required to characterize the origin of methylene blue activated substances, phthalate esters, cobalt, iron, lithium, manganese, molybdenum, and vanadium in the receiving water.

C. Public Hearing

The Central Coast Water Board will hold a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: **July 7, 2006**
Time: **8:30 a.m.**
Location: **Central Coast Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401**

Interested persons are invited to attend. At the public hearing, the Central Coast Water Board will hear testimony, if any, pertinent to the discharge, WDRs and permit. In a separate item at the same meeting, the Central Coast Water Board will hear testimony, if any, pertinent to the TMDL for Nutrients and Dissolved Oxygen in Chorro Creek. Oral testimony will be heard; however, for accuracy of the record, important testimony should be in writing.

Please be aware that dates and venues may change. Our web address is <http://www.waterboards.ca.gov/centralcoast>, where you can access the current agenda for changes in dates and locations.

D. Waste Discharge Requirements Petitions

Any aggrieved person may petition the State Water Resources Control Board to review the decision of the Central Coast Water Board regarding the final WDRs. The petition must be submitted within 30 days of the Central Coast 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

Persons may find additional instructions for filing petitions at <http://www.waterboards.ca.gov/html/petitions.html>, or may request them from the Central Coast Water Board staff shown below in Fact Sheet Section VIII.G.

E. Information and Copying

The Report of Waste Discharge (ROWD), related documents, tentative effluent limitations and special provisions, comments received, and other information are on file and may be inspected at the address above at any time between 8:00 a.m. and 5:00 p.m., Monday through Friday. Copying of documents may be arranged through the Central Coast Water Board by calling or faxing Sue Gerdson at (805) 549-3465 (phone) or (805) 788-3521 (fax).

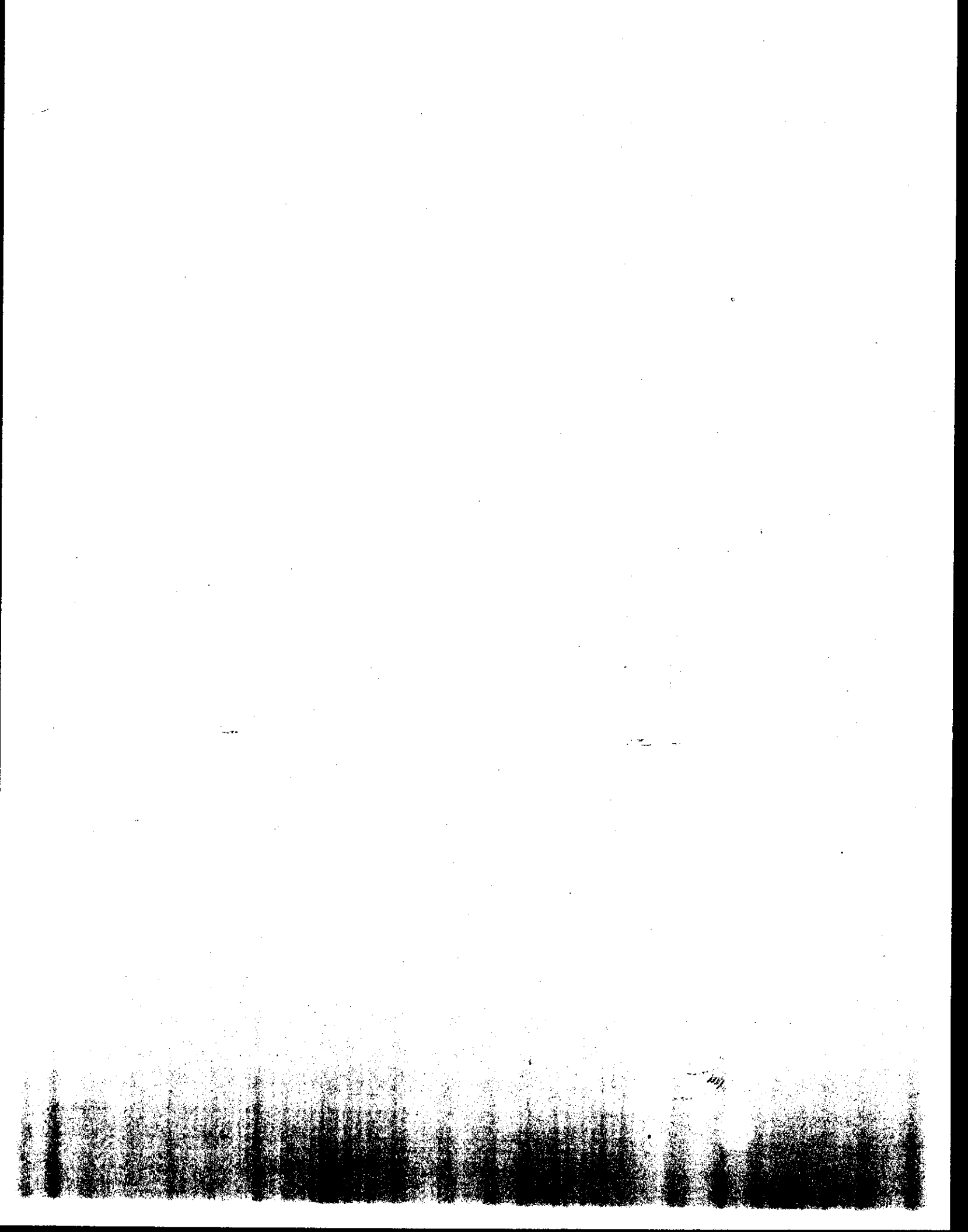
F. Register of Interested Persons

Any person interested in being placed on the mailing list for information regarding the WDRs and NPDES permit should contact the Central Coast Water Board, reference this facility, and provide a name, address, and phone number. Any person interested in being placed on the mailing list for information regarding the TMDL for Nutrients and Dissolved Oxygen in Chorro Creeks should contact the Central Coast Water Board, reference the TMDL for Nutrients and Dissolved Oxygen in Chorro Creeks, and provide a name, address, and phone number.

G. Additional Information

Requests for additional information or questions regarding this order should be directed to **Allison Millhollen** at (805) 549-3882 or amillhollen@waterboards.ca.gov, or Harvey Packard at (805) 542-4639 or hpackard@waterboards.ca.gov. Specific questions on the TMDL for Nutrients or Dissolved Oxygen in Chorro Creek should be directed to Chris Rose at (805) 542-4770 or crose@waterboards.ca.gov.

S:\NPDES\NPDES Facilities\San Luis Obispo Co\CMC WWTP\WDR R3-2006-0032\Draft WDR\CMC WDR Draft_final.doc



Date _____

California Regional Water Quality Control Board
Central Coast Region
Attn: Monitoring and Reporting Review Section
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401

Dear Mr. Briggs:

Facility Name: _____

Address: _____

Contact Person: _____

Job Title: _____

Phone Number: _____

WDR/NPDES Order Number: _____

Types of Report (circle all):

Monthly Quarterly Semi-Annual Annual

Month(s) (circle applicable months*):

JAN FEB MAR APR MAY JUN
JUL AUG SEP OCT NOV DEC

*Annual Reports (circle the first month of the reporting period)

Year: _____

Violation(s) (Place an X by the appropriate choice):

_____ No (there are no violations to report) _____ Yes

If Yes is marked (complete a-g):

a) Parameter(s) in Violation: _____

b) Section(s) of WDR/NPDES Violated: _____

c) Reported Value(s) _____

d) WDR/NPDES

Limit/Condition:

e) Dates of Violation(s)

(reference page of report/data sheet):

f) Explanation of Cause(s):

(attach additional information as needed)

g) Corrective Action(s):

(attach additional information as needed)

In accordance with the Standard Provisions and Reporting Requirements, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision following a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my knowledge of the person(s) who manage the system, or those directly responsible for data gathering, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

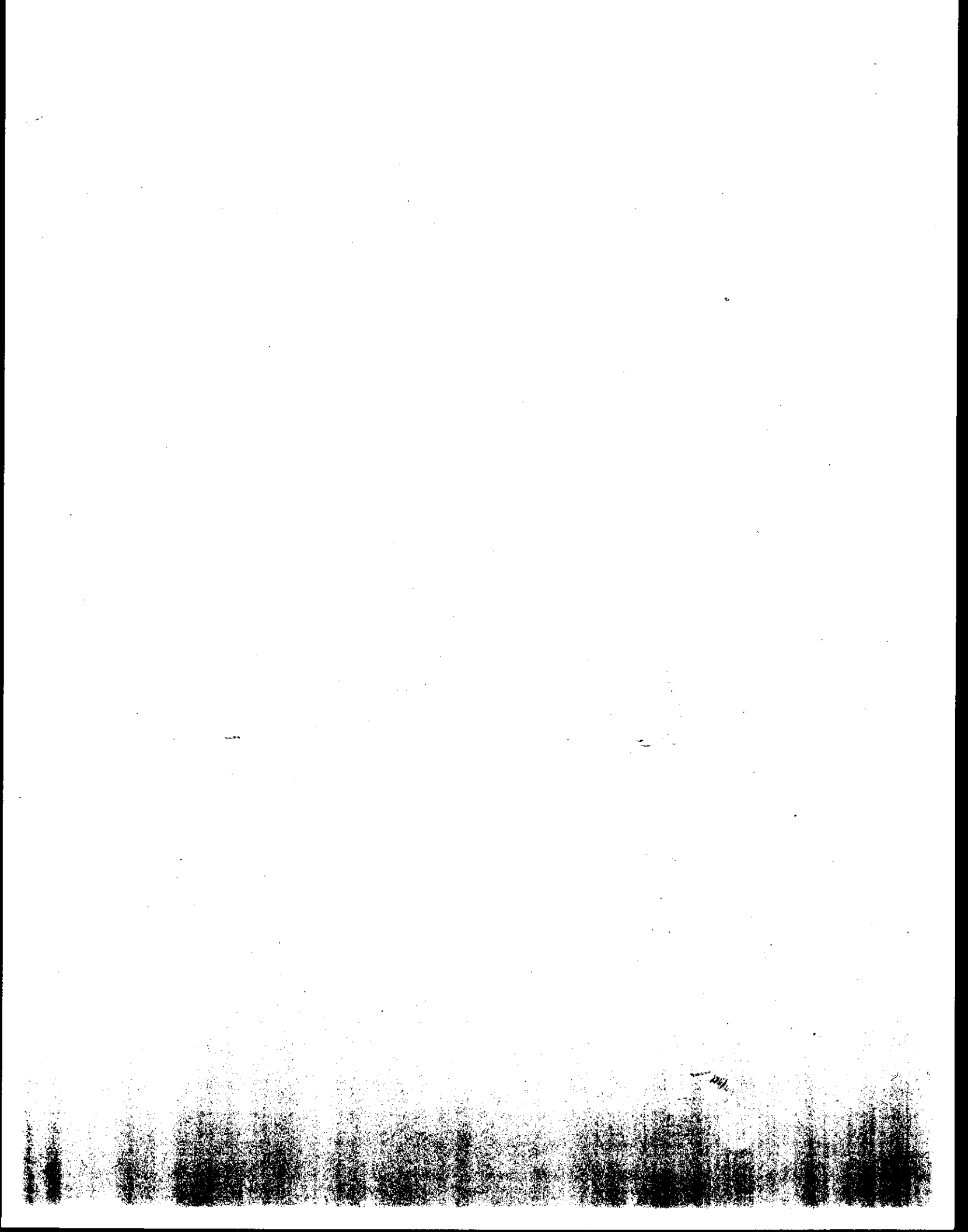
If you have any questions or require additional information, please contact me at the number provided above.

Sincerely,

Signature

Printed Name

Title



**California Regional Water Quality Control Board, Central Coast Region
SEWAGE OVERFLOW REPORT**

(Include all available details (use attachments as needed) – submit follow-up written reports as necessary)

Reporting Party		Phone / FAX	
Discharger		Phone / FAX	
Disch. Address		City	
Overflow Date	Time Reported to Responding Agency	Time Overflow Began	Time Overflow Ended
Location/Address of Overflow Origin (or nearest cross streets)			
Volume Of Overflow (Gallons)	Path Of Overflow to Termination		
Waterbodies Affected (incl. storm drain terminus), and note whether samples and observations were taken upstream and downstream of discharge point			
Cause Of Overflow (e.g., grease, roots, vandalism, pump station failure, etc.)			

Action Taken To Stop Overflow (e.g., blockage clearing, impounding, etc.)	
Time Cleanup Began	Time Cleanup Complete
Discussion Of Cleanup (e.g., hydro-vac., disinfection, etc.)	
Were Public Health Warnings Posted, and if so, where?	Number of overflows in same location in last three years
If other overflows occurred at this location in last three years, provide the last two dates that insp. or maint. was conducted, and describe the actions taken	
Discussion of action taken to prevent overflows at this location (e.g., increased insp./maint. frequency, public outreach, enforcement, line upgrades or related repairs, etc)	

Agencies Notified (Please Check)	County Env. Health	Office of Emergency Services	Fish and Game	County Board Of Supervisors	Others (List)
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Is information pending that will be provided in a supplemental report?	Were pictures taken (during initial response, cleanup, and/or in observing the discharge to the waterbody)?
Signature / Printed Name / Title	Date