# California Regional Water Quality Control Board
## Central Coast Region

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Arnold Schwarzenegger
*Governor*


**ORDER NO. R3-2007-0024**

**NPDES NO. CA0047961**

**WASTE DISCHARGE REQUIREMENTS**
**FOR THE SAN SIMEON COMMUNITY SERVICES DISTRICT**
**SAN LUIS OBISPO COUNTY**

The following Discharger is subject to waste discharge requirements as set forth in this Order.

**Table 1. Discharger Information**

| | |
|---|---|
| **Discharger** | **San Simeon Community Services District** |
| **Name of Facility** | **San Simeon Wastewater Treatment Plant** |
| **Facility Address** | **9245 Balboa Avenue** |
| | **San Simeon, CA 93452** |
| | **San Luis Obispo County** |
| The U.S. Environmental Protection Agency (USEPA) and the Regional Water Quality Control Board have classified this discharge as a minor discharge. | |

The discharge by the San Simeon Community Services District from the discharge point identified below is subject to waste discharge requirements as set forth in this Order.

**Table 2. Discharge Location**

| Discharge Point | Effluent Description | Discharge Point Latitude | Discharge Point Longitude | Receiving Water |
|---|---|---|---|---|
| 001 | Secondary Treated Wastewater | 35 ° 36 ' 32 " N | 121 ° 09 ' 05 " W | Pacific Ocean |

**Table 3. Administrative Information**

| | |
|---|---|
| This Order was adopted by the Regional Water Quality Control Board on: | <Adoption Date> |
| This Order shall become effective on: | **May 30, 2007** |
| This Order shall expire on: | **May 30, 2012** |
| The Discharger shall file a Report of Waste Discharge in accordance with title 23, California Code of Regulations, as application for issuance of new waste discharge requirements no later than: | 180 days prior to the Order expiration date |

IT IS HEREBY ORDERED, that Order No. R3-2002-0046 is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the California Water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 (commencing with section 13000) and regulations adopted thereunder, and the provisions of the federal Clean Water Act (CWA) and regulations

and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order.

Roger W. Briggs, Executive Officer

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# I. FACILITY INFORMATION

The following Discharger is subject to waste discharge requirements as set forth in this Order.

**Table 4. Facility Information**

| | |
|---|---|
| **Discharger** | San Simeon Community Services District |
| **Name of Facility** | San Simeon Wastewater Treatment Plant |
| **Facility Address** | 39245 Balboa Avenue |
| | San Simeon, California 93452 |
| | San Luis Obispo County |
| **Facility Contact, Title, and Phone** | Dan Daniels, Facility Manager for ECO Resources, Inc., 805-927-1484 |
| **Mailing Address** | 111 Pico Avenue, San Simeon, California 93452 |
| **Type of Facility** | Publicly Owned Treatment Works |
| **Facility Design Flow** | 0.20 Million Gallons per Day (MGD) (average dry weather flow)<br>0.45 MGD (peak wet weather flow) |

## II. FINDINGS

The California Water Resources Control Board, Central Coast Region (hereinafter the Central Coast Water Board), finds:

**A. Background.** The San Simeon Community Services District (Discharger) is currently discharging pursuant to Order No R3-2002-0046 and National Pollutant Discharge Elimination System (NPDES) Permit No.CA0047961. The Discharger submitted a Report of Waste Discharge, dated October 25, 2006, and applied to renew its NPDES permit to discharge up to 0.45 MGD of treated wastewater from the San Simeon Community Services District's wastewater treatment plant. The application was deemed complete on December 1, 2006.

For the purposes of this Order, references to the "discharger" or "permittee" in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

**B. Facility Description.** The San Simeon Community Services District owns and operates municipal wastewater collection, treatment, and disposal facilities serving the community of San Simeon. The Hearst San Simeon State Historical Monument (State of California Department of Parks and Recreation) owns, operates, and maintains wastewater collection facilities, which serve the Monument, and which connect by force main to the District's gravity collection system. Through agreement with the State, the District reserves wastewater treatment capacity for 50,000 gallons per day (gpd) of wastewater from the Monument. The wastewater treatment facility is located at 9245 Balboa Avenue, in San Simeon.

The wastewater treatment facility is surrounded by a developed neighborhood, with apartment-type residential units immediately adjacent to the facility on three sides. Influent flow is metered, and wastewater treatment is accomplished with an extended aeration activated sludge process. Four aeration basins with integral clarifiers can be operated in parallel, following initial treatment with an in-stream grinder and bar screen. During peak flow periods, at least three aeration basin/clarifier units are operated, with the fourth unit maintained for reserve capacity. During low flow periods, one unit may be used for aerobic sludge digestion. The facility includes chlorination/dechlorination capability and a 90,000 gallon equalization tank, which allows flow equalization during peak summer flow periods and during high rainfall events. Following aerobic digestion, wastewater solids are hauled for offsite disposal.

Attachment B provides a map of the area around the facility. Attachment C provides a flow schematic of the facility.

**C. Legal Authorities.** This Order is issued pursuant to CWA section 402 and implementing regulations adopted by the USEPA and chapter 5.5, division 7 of the California Water Code (commencing with section 13370). 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 article 4, chapter 4, division 7 of the Water Code (commencing with section 13260).

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 application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for Order requirements, is hereby incorporated into this Order and constitutes part of the Findings for this Order. Attachments A through E are also incorporated into this Order.

E. **California Environmental Quality Act (CEQA).** Pursuant to Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of the CEQA, Public Resources Code sections 21100-21177.

F. **Technology-based Effluent Limitations.** Section 301(b) of the CWA and implementing USEPA permit regulations at section 122.44, title 40 of the Code of Federal Regulations[1] require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards established at 40 CFR Part 133 and Best Professional Judgment (BPJ) in accordance with 40 CFR 125.3. A detailed discussion of development of technology-based effluent limitations is included in the Fact Sheet (Attachment F).

G. **Water Quality-Based Effluent Limitations.** CWA Section 301 (b) and NPDES regulations at 40 CFR 122.44 (d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

Section 122.44 (d) (1) (i) mandates, that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential is established for a pollutant, but there is no numeric criterion or objective for the pollutant, water quality-based effluent limitations (WQBELs) must be established using: (1) USEPA criteria guidance under CWA section 304 (a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information, as provided at 40 CFR 122.44 (d) (1) (vi).

H. **Water Quality Control Plans.** The Central Coast Water Board has 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 receiving waters within the Region. In addition, the Basin Plan implements State Water Resources Control Board (State Water Board) Resolution No. 88-63, which establishes State policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Because total dissolved solids (TDS) levels of marine waters exceed 3,000 mg/L, marine waters meet an exception to Resolution No. 88-63 and are not considered suitable

[1] All further statutory references are to title 40 of the Code of Federal Regulations unless otherwise indicated.

for municipal or domestic supply. Table 5 presents the beneficial uses established by the Basin Plan for coastal waters between Pt. Piedras Blancas and Pt. Estero.

**Table 5. Receiving Water Beneficial Uses Established by the Basin Plan**

| Discharge Point | Receiving Water | Beneficial Uses |
|---|---|---|
| 001 | Coastal Waters between Pt. Piedras Blancas and Pt. Estero | • Water Contact Recreation<br>• Non-Contact Water Recreation<br>• Navigation<br>• Marine Habitat<br>• Commercial and Sport Fishing<br>• Shellfish Harvesting<br>• Rare, Threatened, or endangered Species<br>• Wildlife Habitat |

I. **California Ocean Plan.** The State Water Board adopted the Water Quality Control Plan for Ocean Waters of California, California Ocean Plan (Ocean Plan) in 1972 and amended it in 1978, 1983, 1988, 1990, 1997, 2000, and 2005. The State Water Board adopted the latest amendment on April 21, 2005, and it became effective on February 14, 2006. The Ocean Plan is applicable, in its entirety, to point source discharges to the ocean. The Ocean Plan identifies the following beneficial uses of ocean waters of the State.

**Table 6. Receiving Water Beneficial Uses Established by the Ocean Plan**

| Discharge Point | Receiving Water | Beneficial Uses |
|---|---|---|
| 001 | Pacific Ocean | • Water Contact and Non-Contact Recreation, including Aesthetic Enjoyment<br>• Navigation<br>• Commercial and Sport Fishing<br>• Rare and Endangered Species<br>• Marine Habitat<br>• Shellfish Harvesting<br>• Mariculture<br>• Fish Migration<br>• Fish Spawning<br>• Preservation of Designated Areas of Special Biological Significance |

In order to protect the beneficial uses, the Ocean Plan establishes water quality objectives and a program of implementation. Requirements of this Order implement the Ocean Plan.

J. **Alaska Rule.** On March 30, 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards become effective for CWA purposes. [65 Fed. Reg. 24641 (April 27, 2000), codified at 40 CFR 131.21] Under the revised regulation (also known as the Alaska Rule), new and revised standards submitted to USEPA after May 30, 2000, must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to

USEPA by May 30, 2000, may be used for CWA purposes, whether or not approved by USEPA.

K. **Stringency of Requirements for Individual Pollutants.** This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. As discussed in section IV. B of the Fact Sheet, the Order establishes technology-based effluent limitations for biochemical oxygen demand ($BOD_5$), total suspended solids (TSS), settleable solids, oil and grease, turbidity, and pH for Discharge Point 001. These technology-based limitations implement the minimum, applicable federal technology-based requirements. The Order also contains effluent limitations in addition to the minimum, federal technology-based requirements, necessary to meet applicable water quality standards. These limitations are not more stringent than required by the CWA.

WQBELs 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. For Discharge Point 001, procedures for calculating individual WQBELs are based on the Ocean Plan, which was approved by USEPA on February 14, 2006. All beneficial uses and water quality objectives contained in the Ocean 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 CWA" pursuant to NPDES regulations at 40 CFR 131.21 (c) (1).

Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

L. **Antidegradation Policy.** NPDES regulations at 40 CFR 131.12 require that the State water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16, which incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that the existing quality of waters be maintained unless degradation is justified based on specific findings. The Central Coast Water Board's Basin Plan implements and incorporates by reference both the State and federal antidegradation policies. As discussed in detail in the Fact Sheet, the permitted discharge is consistent with the antidegradation provisions of 40 CFR 131.12 and State Water Board Resolution No. 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. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order.

N. **Endangered Species Act.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act

(Fish and Game Code sections 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the state. The discharger is responsible for meeting all requirements of the applicable Endangered Species Act.

O. **Monitoring and Reporting.** NPDES regulations at 40 CFR 122.48 require that all NPDES permits specify requirements for recording and reporting monitoring results. California Water Code sections 13267 and 13383 authorize the Central Coast Water Board to require technical and monitoring reports. The Monitoring and Reporting Program (Attachment E) establishes monitoring and reporting requirements to implement federal and State requirements.

P. **Standard and Special Provisions.** Standard Provisions, which apply to all NPDES permits in accordance with NPDES regulations at 40 CFR 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR 122.42, are provided in Attachment D. The Central Coast Water Board has also included in this Order special provisions applicable to the Discharger. A rationale for the special provisions contained in this Order is provided in the attached Fact Sheet.

Q. **Provisions and Requirements Implementing State Law.** The provisions/requirements in subsection IV.B, IV.C, and V.B of this Order are included to implement state law only. These provisions/requirements are not required or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.

R. **Notification of Interested Parties.** The Central Coast Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements 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 accompanying this Order.

S. **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 of this Order.

## III. DISCHARGE PROHIBITIONS

A. Discharge to the Pacific Ocean at a location other than as described by this Order at 35° 36′ 32″ N. Latitude, 121° 09′ 05″ W. Longitude is prohibited.

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

C. Discharges of any waste or discharges in any manner other than as described by this Order, excluding storm water regulated by General Permit No. CAS000001 (Waste

Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities), are prohibited.

**D.** The discharge of any radiological, chemical, or biological warfare agent or high level radioactive waste to the Ocean is prohibited.

**E.** Federal law prohibits the discharge of sludge by pipeline to the Ocean. The discharge of municipal or industrial waste sludge directly to the Ocean or into a waste stream that discharges to the Ocean is prohibited. The discharge of sludge digester supernatant, without further treatment, directly to the Ocean or to a waste stream that discharges to the Ocean, is prohibited.

# IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

## A. Effluent Limitations – Discharge Point 001

### 1. Final Effluent Limitations – Discharge Point 001

a. The Discharger shall maintain compliance with the following effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location EFF-001 as described in the attached MRP.

**Table 7. Effluent Limitations**

| Parameter | Units | Average Monthly | Average Weekly | Maximum Daily |
|---|---|---|---|---|
| $BOD_5$ [1] | mg/L | 30 | 45 | 90 |
| | lbs/day | 50 | 75 | 150 |
| | kg/day | 23 | 35 | 70 |
| TSS[2] | mg/L | 30 | 45 | 90 |
| | lbs/day | 50 | 75 | 150 |
| | kg/day | 23 | 35 | 70 |
| Settleable Solids | mL/L/hr | 1.0 | 1.5 | 3.0 |
| Turbidity | NTUs | 75 | 100 | 225 |
| Oil & Grease | mg/L | 25 | 40 | 75 |
| | lbs/day | 42 | 67 | 125 |
| | kg/day | 19 | 31 | 57 |
| pH | pH units | 6.0 – 9.0 at all times | | |
| Acute Toxicity | TUa | --- | --- | 3.8 |
| Chronic Toxicity | TUc | --- | --- | 116 |

[1] 5-Day biochemical Oxygen Demand at 20° C
[2] Total Suspended Solids

b. **Percent Removal:** The average monthly percent removal of $BOD_5$ and TSS shall not be less than 85 percent.

c. **Chlorine:** The Discharger shall maintain compliance with the following effluent limitations for total residual chlorine at Discharge Point 001, with compliance measured at Monitoring Location EFF-001, as described in the attached MRP.

**Table 8. Effluent Limitations for Chlorine**

| Pollutant | Units | 6-Month Median | Daily Maximum | Instantaneous Maximum |
|---|---|---|---|---|
| Chlorine | mg/L | 0.23 | 0.93 | 6.9 |
| | lbs/day | 0.4 | 1.6 | 12 |

d. **Coliform Bacteria:** The 30-day geometric mean of total coliform bacteria in effluent samples shall not exceed 230 per 100 mLs; nor shall the number of coliform bacteria in any single sample exceed 2,400 per 100 mLs.

d. **Rate of Discharge:** The daily dry weather average discharge flow rate shall not exceed a monthly average of 0.2 MGD.

e. **Minimum Initial Dilution:** The minimum initial dilution of treated effluent at the point of discharge to the Pacific Ocean shall not be less than 115 to 1 (seawater to effluent) at any time.

**2. Interim Effluent Limitations**

This section of the standardized permit is not applicable to the San Simeon Community Services District.

**B. Land Discharge Specifications**

This section of the standardized permit is not applicable to the San Simeon Community Services District.

**C. Reclamation Specifications**

This section of the standardized permit is not applicable to the San Simeon Community Services District.

## V. RECEIVING WATER LIMITATIONS

**A. Surface Water Limitations**

The following receiving water limitations are based on water quality objectives contained in the Ocean Plan and are a required part of this Order.

1. Within a zone bounded by the shoreline and a distance of 1,000 feet from the shoreline or the 30-foot depth contour, whichever is further from the shoreline, and in areas outside this zone designated for water contact recreation use by the Central Coast Water Board, the following bacteriological objectives shall be maintained throughout the water column.

   *30-Day Geometric Mean* – The following standards are based on the geometric mean of the five most recent samples from each receiving water monitoring location.

   a. Total coliform density shall not exceed 1,000 per 100 ml;

   b. Fecal coliform density shall not exceed 200 per 100 mL; and

   c. Enterococcus density shall not exceed 35 per 100 mL.

   *Single Sample maximum:*

   a. Total coliform density shall not exceed 10,000 per 100 ml;

   b. Fecal coliform density shall not exceed 400 per 100 mL; and

c. Enterococcus density shall not exceed 104 per 100 mL.

d. Total coliform density shall not exceed 1,000 per 100 mL when the fecal coliform to total coliform ratio exceeds 0.1

2. At all areas where shellfish may be harvested for human consumption, as determined by the Central Coast Water Board, the following bacteriological objectives shall be maintained throughout the water column:

   a. The median total coliform concentration shall not exceed 70 MPN per 100 mL, and not more than 10 percent of samples shall exceed 230 MPN per 100 mL.

3. Floating particulates and grease and oil shall not be visible.

4. The discharge of waste shall not cause aesthetically undesirable discoloration of the ocean surface.

5. Natural light shall not be significantly reduced at any point outside the initial dilution zone as the result of the discharge of waste.

6. The rate of deposition of inert solids and the characteristics of inert solids in ocean sediments shall not be changed such that benthic communities are degraded.

7. The dissolved oxygen concentration shall not at any time be depressed more than 10 percent from that which occurs naturally as a result of the discharge of oxygen demanding waste material.

8. The pH shall not be changed at any time more than 0.2 units from that which occurs naturally.

9. The dissolved sulfide concentration of waters in and near sediments shall not be significantly increased above that present under natural conditions.

10. The concentration of substances set forth in Chapter II, Table B of the Ocean Plan in marine sediments shall not be increased to levels which could degrade indigenous biota.

11. The concentration of organic materials in marine sediments shall not be increased to levels that would degrade marine life.

12. Nutrient levels shall not cause objectionable aquatic growths or degrade indigenous biota.

13. Discharges shall not cause exceedances of water quality objectives for ocean waters of the State established in Table B of the Ocean Plan.

14. Marine communities, including vertebrate, invertebrate and plant species, shall not be degraded.

15. The natural taste, odor, and color of fish, shellfish, or other marine resources used for human consumption shall not be altered.

16. The concentration of organic materials in fish, shellfish, or other marine resources used for human consumption shall not bioaccumulate to levels that are harmful to human health.

17. Discharge of radioactive waste shall not degrade marine life.

**B. Groundwater Limitations**

This section of the standardized permit is not applicable to the Discharger.

## VI. PROVISIONS

### D. Standard Provisions

1. The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.

2. The Discharger shall comply with the following provisions:

   a. Prior to making any change in the point of discharge, place of use, or purpose of use of treated wastewater that results in a decrease of flow in any portion of an inland watercourse, the Discharger must file a petition with the State Water Board, Division of Water Rights, and receive approval for such a change. (Wat. Code § 1211.)

### E. Monitoring and Reporting Program (MRP) 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 Provisions

a. 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 implement any U.S. EPA approved, new, State water quality objective. 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. This provision includes, without limitation, effluent limitations that are necessary because the monitoring establishes that the discharge causes, has the reasonable potential to cause, or contributes to an excursion above a water quality objective in Table B of the California Ocean Plan.

#### 2. Special Studies, Technical Reports and Additional Monitoring Requirements

##### a. Toxicity Reduction Requirements

If the discharge consistently exceeds an effluent limitation for toxicity specified by Section IV of this Order, the Discharger shall conduct a Toxicity Reduction Evaluation (TRE).

A TRE is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data

relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases - characterization, identification, and confirmation using aquatic organism toxicity tests. The TRE shall include all reasonable steps to identify the source of toxicity. The Discharger shall take all reasonable steps to reduce toxicity to the required level once the source of toxicity is identified.

The Discharger shall maintain a Toxicity Reduction Evaluation (TRE) Workplan, which describes steps that the Discharger intends to follow in the event that a toxicity effluent limitation established by 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 acute 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 toxicity in the effluent above the limitation established by this Order, the Discharger shall resample immediately, if the discharge is continuing, and retest for whole effluent 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 |
| 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 |

| Action Step | When Required |
|---|---|
| Implement corrective actions to meet Permit limits and conditions. | To be determined by the EO |

**b. Bacteria Monitoring**

To justify the Discharger's request to establish an effluent monitoring station (for determining compliance with effluent limitations for bacteria) at a location following chlorination but before dechlorination, the Discharger shall prepare and compile and submit the following information to the Central Coast Water Board.

1. All historic bacteria monitoring data to allow comparison of bacteria counts before and after dechlorination.

2. A description of the current disinfection process that provides all relevant information regarding the disinfection process and opportunity for bacterial regrowth. Such information shall include, but not be limited to: the dimensions of treatment components, chlorine contact times at varying flow rates, operating procedures, and a description of the physical system between proposed Monitoring Location EFF-001A (before dechlorination) and Monitoring Location EFF-001 (after dechlorination).

3. Proposed additional study, if necessary, to justify the collection of effluent samples at Monitoring Location 001A for determining compliance with limitations for bacteria established by the Order.

Following submittal of the information required herein, including results of additional study, if necessary, the Executive Officer shall notify the Discharger that Monitoring Location EFF-001A is or is not an acceptable monitoring location for determining compliance with effluent limitations for bacteria established by the Order. Until such approval is granted by the Executive Officer, the Discharger shall collect samples for determining compliance with limitations for bacteria at Monitoring Location EFF-001.

**3. Best Management Practices and Pollution Prevention**

This section of the standardized permit form is not applicable to this Discharger.

**4. Construction, Operation and Maintenance Specifications**

This section of the standardized permit form is not applicable to this Discharger.

**5. Special Provisions for Municipal Facilities (POTWs Only)**

a. **Biosolids Management**. The handling, management, and disposal of sludge and solids derived from wastewater treatment must comply with applicable provisions of U.S. EPA regulations at 40 CFR 257, 258, 501, and 503, including all monitoring, record keeping, and reporting requirements.

Solids and sludge treatment, storage, and disposal or reuse shall not create a nuisance, such as objectionable odors or flies, and shall not result in groundwater or surface water contamination. Sites for solids and sludge treatment and storage shall have adequate facilities to divert surface water runoff from adjacent areas to protect the boundaries of such sites from erosion, and to prevent drainage from treatment and storage sites.

The treatment, storage, disposal, or reuse of sewage sludge and solids 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 into waters of the State. The Discharger is responsible for assuring that all biosolids produced at its facility are used or disposed of in accordance with the above rules, 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, appliers, and disposers of the requirements that they must adhere to under these rules.

**6. Other Special Provisions**

**a. Discharges of Storm Water.** For the control of storm water discharged from the site of the wastewater treatment and disposal facilities, 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.*

**b. Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (State Water Board Order No. 2006-0003-DWQ).** This General Permit, adopted on May 2, 2006, is applicable to all "federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California." The purpose of the General Permit is to promote the proper and efficient management, operation, and maintenance of sanitary sewer systems and to minimize the occurrences and impacts of sanitary sewer overflows. If applicable, the Discharger shall seek coverage under the General Permit and comply with its requirements.

**7. Compliance Schedules**

This section of the standardized permit form is not applicable to this Discharger.

## VII. COMPLIANCE DETERMINATION

Compliance with the effluent limitations contained in Section IV of this Order will be determined as specified below:

**A. General.**

Compliance with effluent limitations for reportable pollutants shall be determined using sample reporting protocols defined in the MRP and Attachment A of this Order. For purposes of reporting and administrative enforcement by the Regional and State Water Boards, the Discharger shall be deemed out of compliance with effluent limitations if the concentration of the reportable pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reported Minimum Level (ML).

**B. Multiple Sample Data.**

When determining compliance with a measure of central tendency (arithmetic mean, geometric mean, median, etc.) of multiple sample analyses and the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND), the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

1. The data set shall be ranked from low to high, ranking the 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 median 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.

## ATTACHMENT A – DEFINITIONS

**Acute Toxicity:**

a. Acute Toxicity (TUa)

Expressed in Toxic Units Acute (TUa)

$$TUa = \frac{100}{\text{96-hr LC}_{50\%}}$$

b. Lethal Concentration 50% (LC 50)

LC 50 (percent waste giving 50% survival of test organisms) shall be determined by static or continuous flow bioassay techniques using standard marine test species as specified in Ocean Plan Appendix III. If specific identifiable substances in wastewater can be demonstrated by the discharger as being rapidly rendered harmless upon discharge to the marine environment, but not as a result of dilution, the LC 50 may be determined after the test samples are adjusted to remove the influence of those substances.

When it is not possible to measure the 96-hour LC 50 due to greater than 50 percent survival of the test species in 100 percent waste, the toxicity concentration shall be calculated by the expression:

$$TUa = \frac{\log (100 - S)}{1.7}$$

where: S = percentage survival in 100% waste. If S > 99, TUa shall be reported as zero.

**Areas of Special Biological Significance (ASBS):** are those areas designated by the State Water Board as ocean areas requiring protection of species or biological communities to the extent that alteration of natural water quality is undesirable. All Areas of Special Biological Significance are also classified as a subset of STATE WATER QUALITY PROTECTION AREAS.

**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.**

**Chlordane** shall mean the sum of chlordane-alpha, chlordane-gamma, chlordene-alpha, chlordene-gamma, nonachlor-alpha, nonachlor-gamma, and oxychlordane.

**Chronic Toxicity:** This parameter shall be used to measure the acceptability of waters for supporting a healthy marine biota until improved methods are developed to evaluate biological response.

a. Chronic Toxicity (TUc)

Expressed as Toxic Units Chronic (TUc)

$$TUc = \frac{100}{NOEL}$$

b. No Observed Effect Level (NOEL)

The NOEL is expressed as the maximum percent effluent or receiving water that causes no observable effect on a test organism, as determined by the result of a critical life stage toxicity test listed in Ocean Plan Appendix II.

**Daily Discharge:** Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that reasonably represents a calendar day for purposes of sampling (as specified in the permit), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.

**DDT** shall mean the sum of 4,4'DDT, 2,4'DDT, 4,4'DDE, 2,4'DDE, 4,4'DDD, and 2,4'DDD.

**Degrade:** Degradation shall be determined by comparison of the waste field and reference site(s) for characteristic species diversity, population density, contamination, growth anomalies, debility, or supplanting of normal species by undesirable plant and animal species. Degradation occurs if there are significant differences in any of three major biotic groups, namely, demersal fish, benthic invertebrates, or attached algae. Other groups may be evaluated where benthic species are not affected, or are not the only ones affected.

**Detected, but Not Quantified (DNQ)** are those sample results less than the reported Minimum Level, but greater than or equal to the laboratory's MDL.

**Dichlorobenzenes** shall mean the sum of 1,2- and 1,3-dichlorobenzene.

**Downstream Ocean Waters** shall mean waters downstream with respect to ocean currents.

**Dredged Material:** Any material excavated or dredged from the navigable waters of the United States, including material otherwise referred to as "spoil".

**Enclosed Bays** are indentations along the coast that enclose an area of oceanic water within distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. This definition includes but is not limited to: Humboldt Bay, Bodega Harbor, Tomales Bay, Drakes Estero, San Francisco Bay, Morro Bay, Los Angeles Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay.

**Endosulfan** shall mean the sum of endosulfan-alpha and -beta and endosulfan sulfate.

**Estuaries and Coastal Lagoons** are waters at the mouths of streams that serve as mixing zones for fresh and ocean waters during a major portion of the year. Mouths of streams that are temporarily separated from the ocean by sandbars shall be considered as estuaries. Estuarine waters will generally be considered to extend from a bay or the open ocean to the upstream limit of tidal action but may be considered to extend seaward if significant mixing of fresh and salt water occurs in the open coastal waters. The waters described by this definition include but are not limited to the Sacramento-San Joaquin Delta as defined by Section 12220 of the California Water Code, Suisun Bay, Carquinez Strait downstream to Carquinez Bridge, and appropriate areas of the Smith, Klamath, Mad, Eel, Noyo, and Russian Rivers.

**Halomethanes** shall mean the sum of bromoform, bromomethane (methyl bromide) and chloromethane (methyl chloride).

**HCH** shall mean the sum of the alpha, beta, gamma (lindane) and delta isomers of hexachlorocyclohexane.

**Initial Dilution** is the process that results in the rapid and irreversible turbulent mixing of wastewater with ocean water around the point of discharge.

For a submerged buoyant discharge, characteristic of most municipal and industrial wastes that are released from the submarine outfalls, the momentum of the discharge and its initial buoyancy act together to produce turbulent mixing. Initial dilution in this case is completed when the diluting wastewater ceases to rise in the water column and first begins to spread horizontally.

For shallow water submerged discharges, surface discharges, and non-buoyant discharges, characteristic of cooling water wastes and some individual discharges, turbulent mixing results primarily from the momentum of discharge. Initial dilution, in these cases, is considered to be completed when the momentum induced velocity of the discharge ceases to produce significant mixing of the waste, or the diluting plume reaches a fixed distance from the discharge to be specified by the Regional Board, whichever results in the lower estimate for initial dilution.

**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).

**Kelp Beds,** for purposes of the bacteriological standards of the Ocean Plan, are significant aggregations of marine algae of the genera Macrocystis and Nereocystis. Kelp beds include the total foliage canopy of Macrocystis and Nereocystis plants throughout the water column.

**Mariculture** is the culture of plants and animals in marine waters independent of any pollution source.

**Material:** (a) In common usage: (1) the substance or substances of which a thing is made or composed (2) substantial; (b) For purposes of the Ocean Plan relating to waste disposal, dredging and the disposal of dredged material and fill, MATERIAL means matter of any kind or description which is subject to regulation as waste, or any material dredged from the navigable waters of the United States. See also, DREDGED MATERIAL.

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

**MDL (Method Detection Limit)** is the minimum concentration of a substance that can be measured and reported with 99% confidence that the analyte concentration is greater than zero, as defined in title 40 of the Code of Federal Regulations, PART 136, Appendix B.

**Minimum Level (ML)** is the concentrations at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method-specified sample weights, volumes and processing steps have been followed.

**Natural Light:** Reduction of natural light may be determined by the Central Coast Water Board by measurement of light transmissivity or total irradiance, or both, according to the monitoring needs of the Central Coast Water Board.

**Not Detected (ND)** are those sample results less than the laboratory's MDL.

**Ocean Waters** are the territorial marine waters of the state as defined by California law to the extent these waters are outside of enclosed bays, estuaries, and coastal lagoons. If a discharge outside the territorial waters of the state could affect the quality of the waters of the state, the discharge may be regulated to assure no violation of the Ocean Plan will occur in ocean waters.

**PAHs (polynuclear aromatic hydrocarbons)** shall mean the sum of acenaphthylene, anthracene, 1,2-benzanthracene, 3,4-benzofluoranthene, benzo[k]fluoranthene, 1,12-benzoperylene, benzo[a]pyrene, chrysene, dibenzo[ah]anthracene, fluorene, indeno[1,2,3-cd]pyrene, phenanthrene and pyrene.

**PCBs (polychlorinated biphenyls)** shall mean the sum of chlorinated biphenyls whose analytical characteristics resemble those of Aroclor-1016, Aroclor-1221, Aroclor-1232, Aroclor-1242, Aroclor-1248, Aroclor-1254 and Aroclor-1260.

**Pollutant Minimization Program (PMP)** means waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of Ocean Plan Table B pollutants through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Central Coast Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to Water Code section 13263.3(d), shall be considered to fulfill the PMP requirements.

**Reported Minimum Level** is the ML (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the MLs included in this Order. The MLs included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Central Coast Water Board either from Appendix II of the Ocean Plan in accordance with section III.C.5.a. of the Ocean Plan or established in accordance with section III.C.5.b. of the Ocean Plan. The ML is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the ML depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the reported ML.

**Satellite Collection System** is the portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility that a sanitary sewer system is tributary to.

**Shellfish** are organisms identified by the California Department of Health Services as shellfish for public health purposes (i.e., mussels, clams and oysters).

**Significant Difference** is defined as a statistically significant difference in the means of two distributions of sampling results at the 95 percent confidence level.

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

**State Water Quality Protection Areas (SWQPAs)** are non-terrestrial marine or estuarine areas designated to protect marine species or biological communities from an undesirable alteration in natural water quality. All AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE (ASBS) that were previously designated by the State Water Board in Resolution No.s 74-28, 74-32, and 75-61 are now also classified as a subset of State Water Quality Protection Areas and require special protections afforded by the Ocean Plan.

**TCDD Equivalents** shall mean the sum of the concentrations of chlorinated dibenzodioxins (2,3,7,8-CDDs) and chlorinated dibenzofurans (2,3,7,8-CDFs) multiplied by their respective toxicity factors, as shown in the table below.

| Isomer Group | Toxicity Equivalence Factor |
|---|---|
| 2,3,7,8-tetra CDD | 1.0 |
| 2,3,7,8-penta CDD | 0.5 |
| 2,3,7,8-hexa CDDs | 0.1 |
| 2,3,7,8-hepta CDD | 0.01 |
| octa CDD | 0.001 |
| 2,3,7,8 tetra CDF | 0.1 |
| 1,2,3,7,8 penta CDF | 0.05 |
| 2,3,4,7,8 penta CDF | 0.5 |
| 2,3,7,8 hexa CDFs | 0.1 |
| 2,3,7,8 hepta CDFs | 0.01 |
| octa CDF | 0.001 |

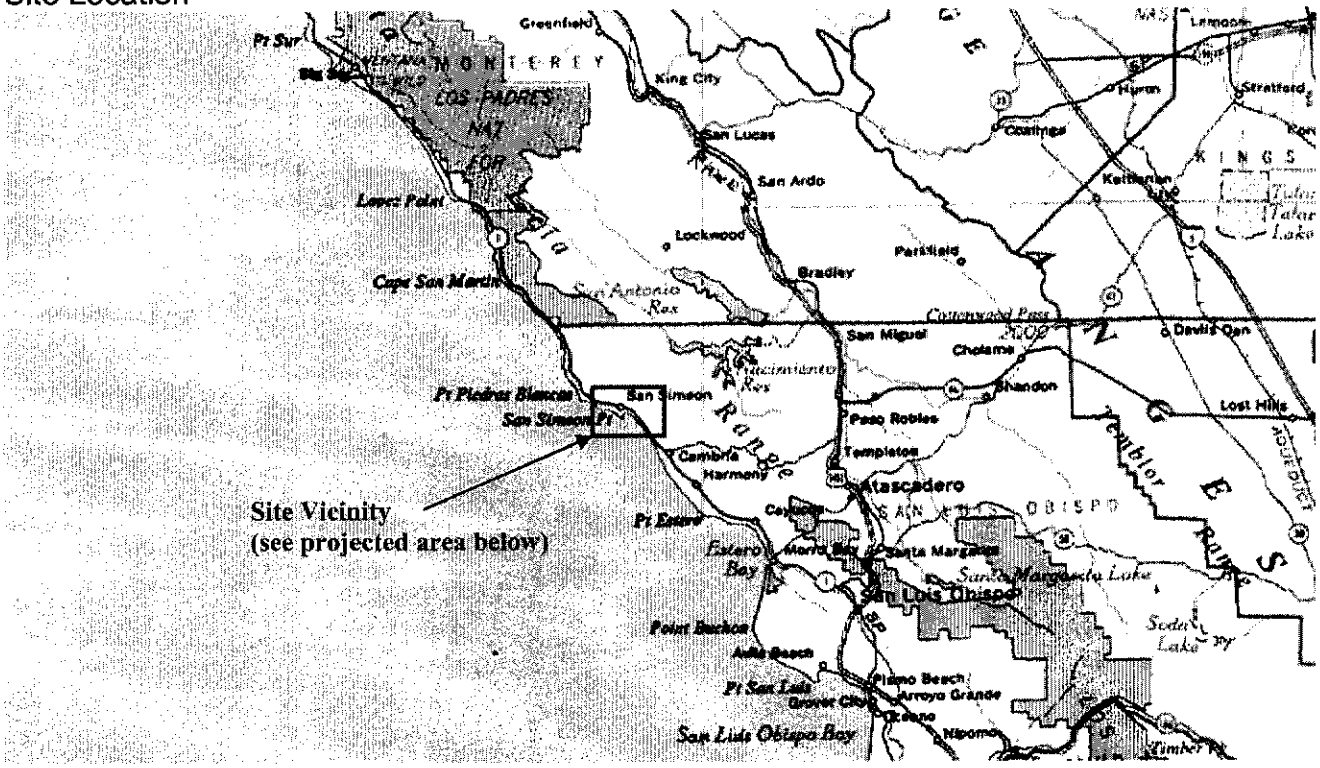
**Toxicity Reduction Evaluation (TRE)** is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity. The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A TOXICITY IDENTIFICATION EVALUATION (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)

**Waste:** As used in the Ocean Plan, waste includes a Discharger's total discharge, of whatever origin, i.e., gross, not net, discharge.

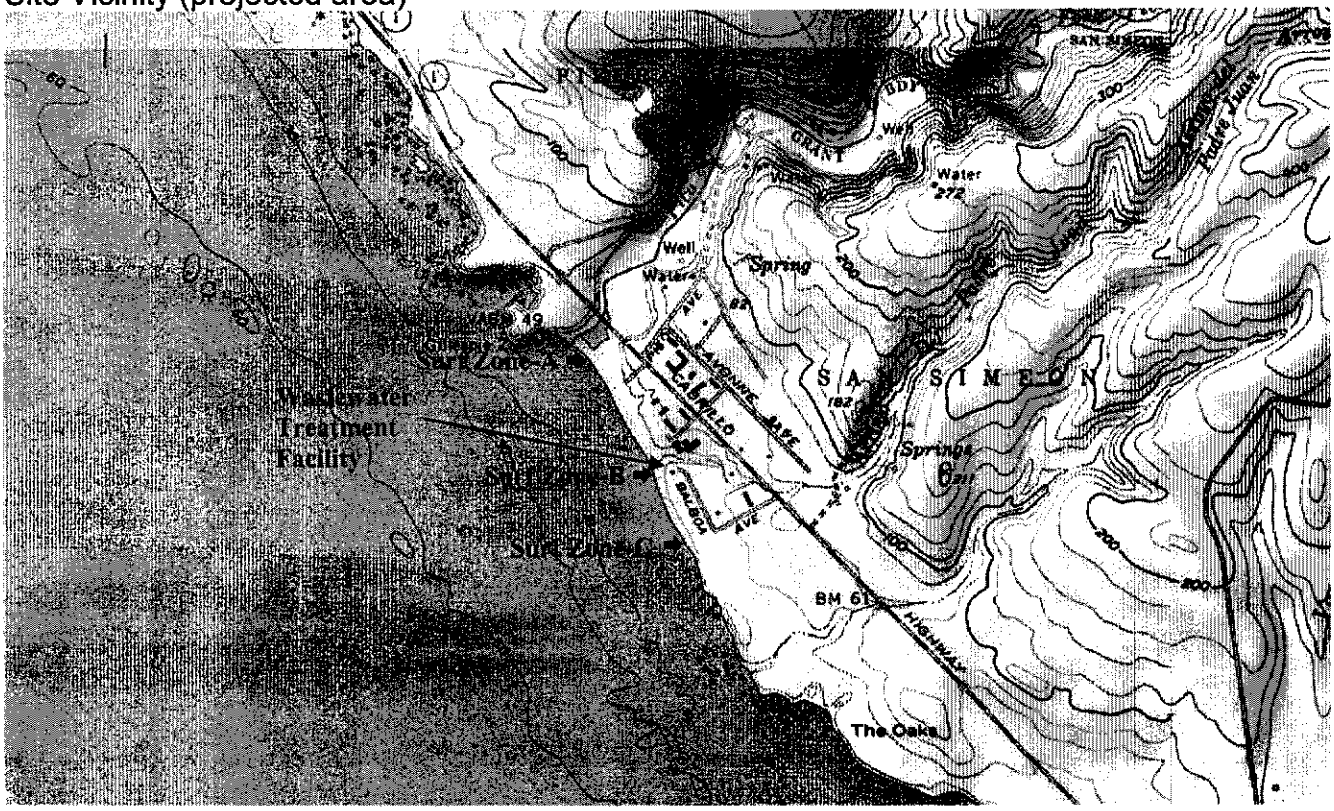
**Water Reclamation:** The treatment of wastewater to render it suitable for reuse, the transportation of treated wastewater to the place of use, and the actual use of treated wastewater for a direct beneficial use or controlled use that would not otherwise occur.

## ATTACHMENT B – SITE LOCATION & VICINITY MAP

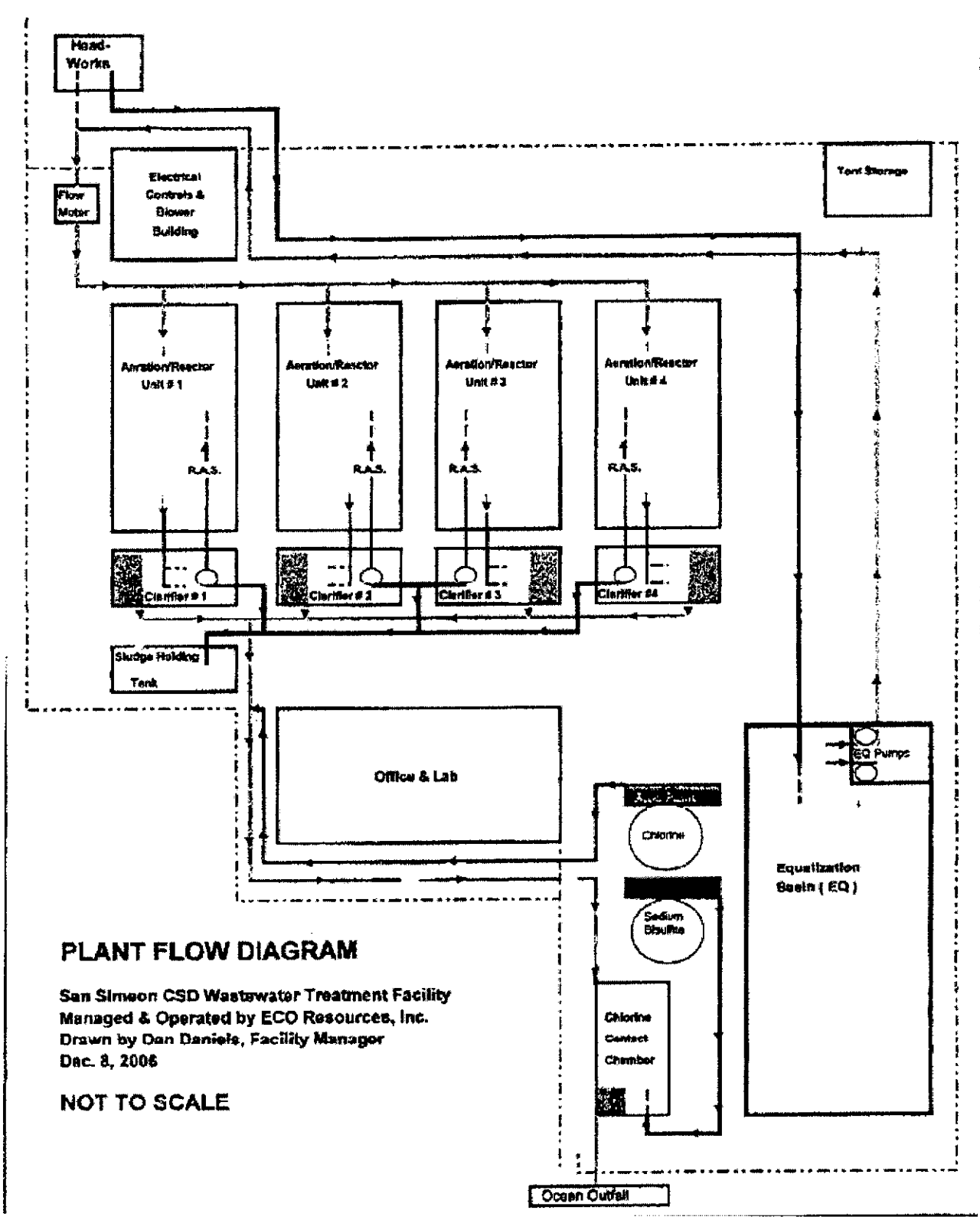
Site Location




Site Vicinity (projected area)



## ATTACHMENT C – 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 and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. (40 C.F.R. § 122.41(a).)

2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA 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 yet been modified to incorporate the requirement. (40 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 122.41(e).)

### E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 C.F.R. § 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 C.F.R. § 122.5(c).)

## F. Inspection and Entry

The Discharger shall allow the Central Coast Water Board, State Water Board, 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 C.F.R. § 122.41(i); Wat. Code, § 13383):

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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 122.41(i)(3)); and

4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location. (40 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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, I.G.4, and I.G.5 below. (40 C.F.R. § 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 C.F.R. § 122.41(m)(4)(i)):

   a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 C.F.R. § 122.41(m)(4)(i)(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 C.F.R. § 122.41(m)(4)(i)(B)); and

   c. The Discharger submitted notice to the Central Coast Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. (40 C.F.R. § 122.41(m)(4)(i)(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 C.F.R. § 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 C.F.R. § 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 (24-hour notice). (40 C.F.R. § 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 Discharger. 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 C.F.R. § 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 Standard Provisions – Permit Compliance I.H.2 below 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 C.F.R. § 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 C.F.R. § 122.41(n)(3)):

   a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 C.F.R. § 122.41(n)(3)(i));

   b. The permitted facility was, at the time, being properly operated (40 C.F.R. § 122.41(n)(3)(ii));

   c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) (40 C.F.R. § 122.41(n)(3)(iii)); and

   d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above. (40 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 Water Code. (40 C.F.R. § 122.41(l)(3); § 122.61.)

## III. STANDARD PROVISIONS – MONITORING

**A.** Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 C.F.R. § 122.41(j)(1).)

**B.** Monitoring results must be conducted according to test procedures under Part 136 or, in the case of sludge use or disposal, approved under Part 136 unless otherwise specified in Part 503 unless other test procedures have been specified in this Order. (40 C.F.R. § 122.41(j)(4); § 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 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 C.F.R. § 122.41(j)(2).)

**B. Records of monitoring information shall include:**

1. The date, exact place, and time of sampling or measurements (40 C.F.R. § 122.41(j)(3)(i));
2. The individual(s) who performed the sampling or measurements (40 C.F.R. § 122.41(j)(3)(ii));
3. The date(s) analyses were performed (40 C.F.R. § 122.41(j)(3)(iii));
4. The individual(s) who performed the analyses (40 C.F.R. § 122.41(j)(3)(iv));
5. The analytical techniques or methods used (40 C.F.R. § 122.41(j)(3)(v)); and
6. The results of such analyses. (40 C.F.R. § 122.41(j)(3)(vi).)

**C. Claims of confidentiality for the following information will be denied (40 C.F.R. § 122.7(b)):**

1. The name and address of any permit applicant or Discharger (40 C.F.R. § 122.7(b)(1)); and
2. Permit applications and attachments, permits and effluent data. (40 C.F.R. § 122.7(b)(2).)

## V. STANDARD PROVISIONS – REPORTING

### A. Duty to Provide Information

The Discharger shall furnish to the Central Coast Water Board, State Water Board, or USEPA within a reasonable time, any information which the Central Coast Water Board, State Water Board, 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, State Water Board, or USEPA copies of records required to be kept by this Order. (40 C.F.R. § 122.41(h); Wat. Code, § 13267.)

### B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Central Coast Water Board, State Water Board, and/or USEPA shall be signed and certified in accordance with Standard Provisions – Reporting V.B.2, V.B.3, V.B.4, and V.B.5 below. (40 C.F.R. § 122.41(k).)

2. All permit applications shall be signed 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 C.F.R. § 122.22(a)(3).)

3. All reports required by this Order and other information requested by the Central Coast Water Board, State Water Board, or USEPA shall be signed by a person described in Standard Provisions – Reporting V.B.2 above, 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 Standard Provisions – Reporting V.B.2 above (40 C.F.R. § 122.22(b)(1));

   b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a 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 C.F.R. § 122.22(b)(2)); and

   c. The written authorization is submitted to the Central Coast Water Board and State Water Board. (40 C.F.R. § 122.22(b)(3).)

4. If an authorization under Standard Provisions – Reporting V.B.3 above 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 Standard Provisions – Reporting V.B.3 above must be submitted to the Central Coast Water

Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 C.F.R. § 122.22(c).)

5. Any person signing a document under Standard Provisions – Reporting V.B.2 or V.B.3 above 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 C.F.R. § 122.22(d).)

## C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. (40 C.F.R. § 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 State Water Board for reporting results of monitoring of sludge use or disposal practices. (40 C.F.R. § 122.41(l)(4)(i).)

3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under Part 136 or, in the case of sludge use or disposal, approved under Part 136 unless otherwise specified in 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 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 C.F.R. § 122.41(l)(6)(i).)

2. The following shall be included as information that must be reported within 24 hours under this paragraph (40 C.F.R. § 122.41(l)(6)(ii)):

   a. Any unanticipated bypass that exceeds any effluent limitation in this Order. (40 C.F.R. § 122.41(l)(6)(ii)(A).)

   b. Any upset that exceeds any effluent limitation in this Order. (40 C.F.R. § 122.41(l)(6)(ii)(B).)

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 C.F.R. § 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 C.F.R. § 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 section 122.29(b) (40 C.F.R. § 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 that are not subject to effluent limitations in this Order. (40 C.F.R. § 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 C.F.R. § 122.41(l)(1)(iii).)

**G. Anticipated Noncompliance**

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

**H. Other Noncompliance**

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting V.C, V.D, and V.E above at the time monitoring reports are

submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E above. (40 C.F.R. § 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, State Water Board, or USEPA, the Discharger shall promptly submit such facts or information. (40 C.F.R. § 122.41(l)(8).)

## VI. STANDARD PROVISIONS – ENFORCEMENT

**A.** The Central Coast Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13385, 13386, and 13387.

## VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

### A. Publicly-Owned Treatment Works (POTWs)

All POTWs shall provide adequate notice to the Central Coast Water Board of the following (40 C.F.R. § 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 C.F.R. § 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 C.F.R. § 122.42(b)(2).)

3. 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 C.F.R. § 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 February 1st 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:

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

   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:

    mass emission rate (lbs/day) = 8.34 x Q x C; and,

    mass emission rate (kg/day) = 3.79 x Q x 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

    Average = $(X_1 + X_2 + ... + X_n) / n$

    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: (l) the Discharger, (2) the local sewering 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):

    $C_{Effluent}$ Removal Efficiency (%) = IOO x (l – $C_{effluent}$ / $C_{influent}$ )

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:

a) Discharge a daily pollutant loading in excess of that allowed by contract with the "Discharger" or by Federal, State, or Local law;

b) Discharge wastewater which substantially differs in nature or constituents from its average discharge;

c) 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

d) 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

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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. Water Code sections 13267 and 13383 also authorize the Central Coast Water Board to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements, which implement the federal and California regulations.

### I. GENERAL MONITORING PROVISIONS

**A. Laboratory Certification.** Laboratories analyzing monitoring samples shall be certified by the Department of Health Services, in accordance with the provision of Water Code section 13176, and must include quality assurance/quality control data with their reports.

**B.** 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.

**C.** 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.)

**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. Analyses for toxics listed in Table B of the California Ocean Plan (2005) shall adhere to guidance and requirements contained in that document.

## II. MONITORING LOCATIONS

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

**Table E-1. Monitoring Station Locations**

| Discharge Point Name | Monitoring Location Name | Monitoring Location Description |
|---|---|---|
| 001 | INF-001 | Influent wastewater, prior to treatment and following all significant inputs to the collection system of untreated wastewater and inflow and infiltration |
| 001 | EFF-001 | Location where representative sample of effluent discharged to the Pacific Ocean can be collected, after treatment and chlorination/dechlorination and before contact with receiving water |
| 001 | EFF-001A | For bacteria monitoring, at a point following chlorination but before dechlorination. This monitoring location may be used for determining compliance with effluent limitations for bacteria pursuant to the requirements of Special Provision VI. C. 2. c of the Order |
| 001 | SURF ZONE-A | Upcoast from outfall diffuser; approximately 1600 ft NNW from SURF ZONE-B sampling location (at outlet of Pico Creek) |
| 001 | SURF ZONE-B | Immediately onshore of outfall diffuser |
| 001 | SURF ZONE-C | Downcoast from outfall diffuser; approximately 1,050 ft SSW from SURF ZONE-B sampling location (at extension of Vista Del Mar St.) |

## III. INFLUENT MONITORING REQUIREMENTS

### A. Monitoring Location INF - 001

1. The Discharger shall monitor influent to the facility at Monitoring Location INF – 001 in accordance with the following schedule.

**Table E-2. Influent Monitoring**

| Parameter | Units | Sample Type | Minimum Sampling Frequency |
|---|---|---|---|
| Daily Flow | MGD | Metered | Daily |
| Maximum Daily Flow | MGD | Metered | Monthly |
| Mean Daily Flow | MGD | Calculated | Monthly |
| $BOD_5$ | mg/L | 8-Hr Composite | Quarterly (Jan, Apr, Jul, Oct) |
| Total Suspended Solids (TSS) | mg/L | 8-Hr Composite | Quarterly (Jan, Apr, Jul, Oct) |

## IV. EFFLUENT MONITORING REQUIREMENTS

### A. Monitoring Location EFF - 001

1. The Discharger shall monitor effluent at Monitoring Location EFF – 001 in accordance with the following schedule.

**Table E-3. Effluent Monitoring at EFF - 001**

| Parameter | Units | Sample Type | Minimum Sampling Frequency |
|---|---|---|---|
| Daily Flow[6] | MGD | Metered | Daily |
| Maximum Daily Flow[6] | MGD | Metered | Monthly |
| Mean Daily Flow[6] | MGD | Calculated | Monthly |
| pH | pH units | Grab | Weekly |
| $BOD_5$ | mg/L | 24-hr composite | Monthly |
| TSS | mg/L | 24-hr composite | Monthly |
| Settleable Solids | mL/L/hr | Grab | Daily |
| Total Coliform Bacteria | MPN/100 mL | Grab [1] | 4X/Weekly[5] |
| Total Chlorine Residual | mg/L | Grab | Daily |
| Turbidity | NTUs | Grab | Weekly |
| Oil and Grease | mg/L | Grab | Twice Annually (Jan and Jul) |
| Acute Toxicity [2] | TUa | Grab | 1X/Permit Term (July) |
| Chronic Toxicity [2] | TUc | Grab | Annually (July) |
| Ocean Plan Table B Metals [3] | µg/L | Grab | 1X/2 Years |
| Ocean Plan Table B Pollutants [4] | µg/L | Grab | 1X/Permit Term |

[1] Samples for bacteria monitoring shall be collected at Monitoring Location EFF-001 or Monitoring Location EFF-001A in accordance with the requirements of Special Provision VI. C. 2. c of the Order.

[2] Whole effluent, acute and chronic toxicity monitoring shall be conducted according to the requirements established in section V. of this Monitoring and Reporting Plan.

[3] The ten metals identified in Table B of the Ocean Plan (arsenic, cadmium, hexavalent chromium, copper, lead, mercury, nickel, selenium, silver, and zinc). Monitoring shall occur every other year during the dry season beginning in 2007.

[4] Those pollutants identified in Table B of the Ocean Plan (2005). Analyses, compliance determination, and reporting for these pollutants shall adhere to applicable provisions of the Ocean Plan, including the Standard Monitoring Procedures presented in Appendix III. The Discharger shall instruct its analytical laboratory to establish calibration standards so that the Minimum Levels (MLs) presented in Appendix II of the Ocean Plan are the lowest calibration standards. The Discharger and its analytical laboratory shall select MLs, which are below applicable water quality criteria of Table B; and when applicable water quality criteria are below all MLs, the Discharger and its analytical laboratory shall select the lowest ML. Monitoring for the ten Table B metals performed every other year satisfies a portion of this requirement to monitor all Table B pollutants one time during the permit term (i.e.,

redundant monitoring for metals is not required). Monitoring for radioactivity (as identified as a Table B pollutant) is not required.

[5] The sampling frequency for effluent total coliform bacteria may be reduced to twice weekly following one consecutive year of compliance with the total coliform bacteria effluent limits established in section IV.A.1.d. of the Order.

[6] Influent flow monitoring per existing facility capability may be used in lieu of effluent flow monitoring and shall be used to verify compliance with the effluent flow limitations per section IV.A.1.d for one year following the issuance date of the permit. After one year following the issuance date of the permit both daily influent and effluent flow shall be reported, and influent flow shall be used to document compliance with the effluent flow limitation (section IV.A.1.d) and effluent flow shall be used to calculate mass loading and document compliance with the mass-based effluent limitations found in Table 7 (section IV.A.1.a) of the permit.

## V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

### A. Acute Toxicity

Acute toxicity testing shall be performed using U.S. EPA Method 2000.0 (e.g., sheepshead minnow, *Cyprinodon variegatus* or inland silverside, *Menidia beryllina*) 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.

If the effluent is to be discharged to a marine or estuarine system (e.g., salinity values in excess of 1,000 mg/L) originates from a freshwater supply, salinity of the effluent must be increased with dry ocean salts (e.g., FORTY FATHOMS®) to match salinity of the receiving water. This modified effluent shall then be tested using marine species.

When toxicity monitoring finds acute toxicity in the effluent above the limitation established by the Order, 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 Table E-4, below. 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 the Order.

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

**Table E-4. Short-Term Methods for Estimating Chronic Toxicity – Salt Water**

| Species | Scientific Name | Effect | Test Duration |
|---|---|---|---|
| Giant kelp | *Macrocysits pyrifera* | Percent germination; germ tube length | 48 hours[1,3] |
| Abalone | *Haliotis rufescens* | Abnormal shell development | 48 hours[1,3] |
| Oyster<br>Mussel | *Crassostrea gigas*<br>*Mytilus edulis* | Abnormal shell development; percent survival | 48 hours[1,3] |
| Urchins | *Strongylocentrotus purpuratus; S. franciscanus;* | Percent fertilization | 1 hour[1,3] |
| Sand dollar | *Dendraster excentricus* | Percent fertilization | 1 hour[1,3] |
| Shrimp | *Mysidopsis bahia* | Percent survival; growth; fecundity | 7 days[2,4] |
| Silversides | *Menidia beryllina* | Larval growth rate; percent survival | 7 days[2,4] |

[1] Chapman, G.A., D.L. Denton, and J.M. Lazorchak. 1995. *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to the West Coast Marine and Estuarine Organisms.* US EPA Report No. EPA-600/R-95/136.

[2] Klemm, D.J., G.E. Morrison, T.J. Norberg-King, W.J. Peltier, and M.A. Heber. 1994. *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms.* US EPA Report No. EPA-600/4-91/003.

[3] California State Water Quality Control Board. 1996. Procedures Manual for Conducting Toxicity Tests Developed by the Marine Bioassay Project. 96-1WQ.

[4] Weber, C.I, W.B. Horning, II, D.J. Klemm, T.W. Neilheisel, P.A. Lewis, E.L. Robinson, J. Menkedlick, and F. Kessler (eds). 1988. *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine Estuarine Organisms.* EPA-600/4-87/028. National Technical Information Service, Springfield, VA.

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 water 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.

C. Toxicity Reporting

1. The Discharger shall include a full report of toxicity test results with the regular monthly monitoring report and include the following information.

   a. toxicity test results,

   b. dates of sample collection and initiation of each toxicity test, and

   c. acute and/or chronic toxicity discharge limitations (or value).

2. Toxicity test results shall be reported according to the appropriate guidance - *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 subsequent editions, or *Short Term Method for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms*, EPA-600/4-87/028.

3. If the initial investigation TRE workplan is used to determine that additional (accelerated) toxicity testing is unnecessary, these results shall be submitted with the monitoring report for the month in which investigations conducted under the TRE workplan occurred.

4. Within 14 days of receipt of test results exceeding an acute or chronic toxicity discharge limitation, the Discharger shall provide written notification to the Executive Officer of:

   a. Findings of the TRE or other investigation to identify the cause(s) of toxicity,

   b. Actions the Discharger has taken/will take, to mitigate the impact of the discharge and to prevent the recurrence of toxicity.

   When corrective actions, including a TRE, have not been completed, a schedule under which corrective actions will be implemented, or the reason for not taking corrective action, if no action has been taken.

## VI. LAND DISCHARGE MONITORING REQUIREMENTS

This section of the standardized permit form is not applicable to this discharger.

## VII. RECLAMATION MONITORING REQUIREMENTS

This section of the standardized permit form is not applicable to this discharger.

## VIII. RECEIVING WATER MONITORING REQUIREMENTS

### A. Visual Receiving Water Monitoring

The Discharger shall record visual observations of the discharge in the daily log, including observations regarding compliance with Receiving Water Limitations V. A. 3, 4, and 5 within the Order.

## B. Surf Zone Monitoring

Surf zone sampling shall occur if effluent total coliform exceeds 2,400 MPN/100mL two or more times in a 30-day period. Latitude and longitude shall be provided for all stations when reporting.

**Table E-5. Shoreline Monitoring Schedule**

| Parameter | Units | Sampling Station[4] | Depth of Sample | Sampling Frequency |
|---|---|---|---|---|
| Total and Fecal Coliform Organisms[1,2] | MPN/100mL | Surf Zone A, B and C | Surf Zone | Weekly (until the Executive Officer agrees that normal sampling can resume) |
| Enterococcus Organisms[3] | MPN/100 mL | Surf Zone A, B and C | Surf Zone | Weekly (until the Executive Officer agrees that normal sampling can resume) |

[1] For all bacterial analyses, sample dilutions shall be performed so the range of values extends from 2 to 16,000 MPN/100ml. The detection methods used for each analysis shall be reported with the results of the analysis.

[2] Detection methods used for total and fecal coliform shall be those presented in the most recent edition of Standard Methods for the Examination of Water and Wastewater or any improved method determined by the Regional Board (and approved by EPA) to be appropriate.

[3] Detection methods used for enterococcus shall be those presented in EPA publication EPA 600/4-85/076, "Test Methods for Escherichia coli and Enterococci in Water by Membrane Filter Procedure," or any improved method determined by the Regional Board (and approved by EPA) to be appropriate.

[4] See Table E-1. Monitoring Station Locations

Monitoring shall include observations of wind (direction and speed), weather (e.g., cloudy, sunny, rainy), antecedent rainfall (7-day), sea state, and tidal conditions (e.g., high, slack, or low tide). Observations of water discoloration, floating oil and grease, turbidity, odor, and material of sewage origin in the water or on the beach shall be recorded and reported.

If a single sample exceeds any of the single sample maximum (SSM) receiving water limitations established in section V.A.1 of the Order, repeat sampling at that location shall be conducted to determine the extent and persistence of the exceedance. Repeat sampling shall be conducted within 24 hours of receiving analytical results and continued until the sample result is less than the SSM receiving water limitation or until a sanitary survey is conducted to determine the source of the high bacterial densities.

When repeat sampling is required because of an exceedance of any one single sample density, values from all samples collected during that 30-day period will be used to determine compliance with the 30-day geometric mean receiving water limitations in section V.A.1 of the Order.

# IX. OTHER MONITORING REQUIREMENTS

## A. Solids/Biosolids Monitoring

1. The following information shall be submitted with the Annual Report required by X. B. 5. d, below (or Standard Provision C.16).

   a. Annual amount of biosolids removed in dry tons and percent solids.

b. A narrative description of biosolids treatment and dewatering, including process parameters (i.e. duration, temperature, etc.), and, if applicable, a detailed description of the pathogen reduction and vector attraction reduction methods implemented to achieve compliance with 40CFR 503.32 and 503.33, respectively, for land application.

c. Representative sample of biosolids removed for disposal and/or reuse shall be analyzed for the following parameters per the frequency specified in CFR40 503.16:

| | | |
|---|---|---|
| Arsenic | Cadmium | Copper |
| Lead | Mercury | Molybdenum |
| Nickel | Selenium | Zinc |
| Total Nitrogen | | |

d. A description of disposal methods, including the following information as applicable related to the disposal methods implemented by the Discharger. If more than one method is used, include the percentage and tonnage of annual biosolids production disposed by each method.

i. For landfill disposal include: the names and locations of the landfill facilities receiving biosolids.

ii. For land application by the Discharger include: 1) the location of the site(s), 2) the Regional Board's WDR numbers that regulate the site(s), 3) the application rate in lbs/acre/year (specify wet or dry), and 4) any additional information required to document compliance with 40CFR 503 or local ordinances.

iii. For offsite treatment and/or land application by a licensed contractor (hauler and/or composter) include: 1) the name, address, and USEPA license number of the contractor, and 2) copies of the contractor's annual biosolids reports to document compliance with 40CFR 503.

e. Copies of analytical data and reports required by other agencies (i.e. USEPA or County Health Department) and licensed disposal facilities (i.e. landfill, land application, or composting facility) for the previous year.

2. If no biosolids are removed from the facility during the reporting period (the year), then the Discharger shall include such statement in the Annual Report required by X.B.5.d, below (or Standard Provision C.16).

## B. Outfall Monitoring

At least one time per year, the Discharger shall inspect the entire outfall structure to observe its structural integrity and whether leaks are occurring. The inspection may include, but not be limited to, subsurface inspection, and dye testing with aerial surveillance or video recording. Observations of each outfall inspection shall be recorded and reported with the Annual report.

# X. REPORTING REQUIREMENTS

## A. General Monitoring and Reporting Requirements

1. The Discharger shall comply with all Standard Provisions (Attachment D) 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 report in the SMR the results for all monitoring specified in this MRP under sections III through IX. The Discharger shall submit monthly SMRs including the results of all required monitoring using USEPA-approved test methods or other test methods specified in this Order. If the Discharger monitors any pollutant more frequently than required by this Order, the results of this monitoring shall be included in the calculations and reporting of the data submitted in the SMR.

3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

**Table E-6. Monitoring Periods and Reporting Schedule**

| Sampling Frequency | Monitoring Period Begins On ... | Monitoring Period | SMR Due Date |
|---|---|---|---|
| Continuous | May 30, 2007 | All | Submit with monthly SMR |
| Hourly | May 30, 2007 | Hourly | Submit with monthly SMR |
| Daily | May 30, 2007 | (Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling. | Submit with monthly SMR |
| Weekly | Sunday following permit effective date or on permit effective date if on a Sunday | Sunday through Saturday | Submit with monthly SMR |
| Monthly | First day of calendar month following permit effective date or on permit effective date if that date is first day of the month | 1st day of calendar month through last day of calendar month | Submit with monthly SMR |
| Quarterly | Closest of January 1, April 1, July 1, or October 1 following (or on) permit effective date | January 1 through March 31<br>April 1 through June 30<br>July 1 through September 30<br>October 1 through December 31 | Submit with next monthly SMR |
| Semiannually | Closest of January 1 or July 1 following | January 1 through June 30 | Submit with next |

| Sampling Frequency | Monitoring Period Begins On ... | Monitoring Period | SMR Due Date |
|---|---|---|---|
| | (or on) permit effective date | July 1 through December 31 | monthly SMR |
| Annually | January 1 following (or on) permit effective date | January 1 through December 31 | Submit with Annual Report |
| <X> / <X> years | <as specified in the monitoring requirement> | <as specified in the monitoring requirement> | Submit with next Annual Report |

4. Reporting Protocols. The Discharger shall report with each sample result the applicable reported Minimum Level (ML) and the current Method Detection Limit (MDL), as determined by the procedure in Part 136.

   The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

   a. Sample results greater than or equal to the reported ML shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).

   b. Sample results less than the reported ML, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration of the sample shall also be reported.

      For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ as well as the words "Estimated Concentration" (may be shortened to "Est. Conc."). The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (± a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

   c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.

   d. Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from *extrapolation* beyond the lowest point of the calibration curve.

5. The Discharger shall submit SMRs in accordance with the following requirements:

   a. 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. The Discharger is not required to duplicate the submittal of data that is entered in a tabular format within CIWQS. When electronic submittal of data is required and CIWQS does not provide for

entry into a tabular format within the system, the Discharger shall electronically submit the data in a tabular format as an attachment.

b. 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.

c. SMRs must be submitted to the Central Coast Water Board, signed and certified as required by the Standard Provisions (Attachment D), to the address listed below:

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

d. An Annual Self Monitoring Report shall be due on February 1 following each calendar year and shall include:

- Tabular and graphical summaries of the monitoring data obtained during the preceding year. Duplicate copies of monthly reports are not necessary and do not fulfill requirements for "summaries".
- A discussion of any incident of non-compliance and corrective actions taken to ensure compliance is restored.
- List of facility staff and corresponding certification levels.
- Summary of biosolids monitoring, as described above.
- Summary of collection system management plans, or reference report submitted under separate cover as required by this or separate sanitary sewer requirements.

## C. Discharge Monitoring Reports (DMRs)

1. As described in Section X.B.1 above, at any time during the term of this permit, the State or Central Coast Water Board may notify the Discharger to electronically submit SMRs that will satisfy federal requirements for submittal of Discharge Monitoring Reports (DMRs). Until such notification is given, the Discharger shall submit 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.

STANDARD MAIL: State Water Resources Control Board
Division Of Water Quality

C/o DMR Processing Center
Po Box 100
Sacramento, CA 95812-1000

FED EX/UPS/OTHER PRIVATE CARRIERS:

State Water Resources Control Board
Division of Water Quality
C/o DMR Processing Center
1001 I Street, 15th Floor
Sacramento, CA 95814

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

**D. Other Reports**

1. In each Annual Report the Discharger shall summarize changes in operating procedures and treatment facility upgrades that have occurred during the previous year of operation and those that are planned during the upcoming year of operation.

2. The Discharger shall immediately notify the Monterey Bay National Marine Sanctuary office at (888) 902-2778 of any spills likely to enter ocean waters.

# ATTACHMENT F – FACT SHEET

## Table of Contents

## List of Tables

# 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.

This Order has been prepared under a standardized format to accommodate a broad range of discharge requirements for dischargers in California. Only those sections or subsections of this Order that are specifically identified as "not applicable" have been determined not to apply to this Discharger. Sections or subsections of this Order not specifically identified as "not applicable" are fully applicable to this Discharger.

## I. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

**Table F-1. Facility Information**

| | |
|---|---|
| **WDID** | 3 400110001 |
| **Discharger** | San Simeon Community Services District |
| **Name of Facility** | San Simeon Community Services District Wastewater Treatment Plant |
| **Facility Address** | 9245 Balboa Road<br>San Simeon, California 93452<br>San Luis Obispo County |
| **Facility Contact, Title and Phone** | Dan Daniels, Facility Manager, (805) 927-0365 |
| **Authorized Person to Sign and Submit Reports** | Dan Daniels, Facility Manager, (805) 927-0365 |
| **Mailing Address** | 111 Pico Avenue, San Simeon, California 93452 |
| **Billing Address** | 111 Pico Avenue, San Simeon, California 93452 |
| **Type of Facility** | POTW |
| **Major or Minor Facility** | Minor |
| **Threat to Water Quality** | 2 |
| **Complexity** | B |
| **Pretreatment Program** | N |
| **Reclamation Requirements** | None |
| **Facility Permitted Flow** | 0.20 MGD (average dry weather flow) |
| **Facility Design Flow** | 0.20 MGD (average dry weather flow) |
| **Watershed** | San Simeon Hydrologic Sub-Area |
| **Receiving Waters** | The Pacific Ocean |
| **Receiving Water Type** | Ocean Waters |

**A.** The San Simeon Community Services District owns and operates municipal wastewater collection, treatment, and disposal facilities serving the community of San Simeon. The Hearst San Simeon State Historical Monument (State of California Department of Parks and Recreation) owns, operates, and maintains wastewater collection facilities, which serve the Monument, and which connect by force main to the District's gravity collection system. Through agreement with the State, the District reserves wastewater treatment capacity for 50,000 gallons per day (gpd) of wastewater from the Monument. The wastewater treatment facility is located at 9245 Balboa Avenue, in San Simeon.

For the purposes of this Order, references to the "discharger" or "permittee" in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

**B.** The facility discharges wastewater to the Pacific Ocean, waters of the United States, and is currently regulated by Order R3-2002-0046, which was adopted on May 31, 2002, and expires on May 31, 2007. The terms and conditions of the current Order will be automatically continued and remain in effect until new Waste Discharge Requirements and a National Pollutant Discharge Elimination System (NPDES) permit are adopted pursuant to this Order.

**C.** The Discharger filed a Report of Waste Discharge and submitted an application for renewal of its Waste Discharge Requirements (WDRs) and NPDES permit on October 25, 2006. Central Coast Water Board staff visited the site on November 11, 2006, to observe operations and collect additional data to develop permit limitations and conditions.

## II. FACILITY DESCRIPTION

### A. Description of Wastewater and Biosolids Treatment or Controls

The District's wastewater treatment facility is surrounded by a developed neighborhood, with apartment-type residential units immediately adjacent to the facility on three sides. Influent flow is metered, and wastewater treatment is accomplished with an extended aeration activated sludge process. Four aeration basins with integral clarifiers can be operated in parallel, following initial treatment with an in-stream grinder and bar screen. During peak flow periods, at least three aeration basin/clarifier units are operated, with the fourth unit maintained for reserve capacity. During low flow periods, one unit may be used for aerobic sludge digestion. The facility includes chlorination/dechlorination capability and a 90,000 gallon equalization tank, which allows flow equalization during peak summer flow periods and during high rainfall events. Following aerobic digestion, wastewater solids are hauled for offsite disposal. Table F-2 shows the flow contributions from San Simeon and the Hearst San Simeon State Historical Monument over a recent 12-month period.

**Table F-2. Wastewater Flow**

| Month | Wastewater Flow (MGD) | | |
|---|---|---|---|
| | Hearst Monument | San Simeon | Total |
| Dec 05 | 0.020 | 0.021 | 0.041 |
| Jan 06 | 0.023 | 0.018 | 0.041 |
| Feb 06 | 0.014 | 0.035 | 0.049 |
| Mar 06 | 0.009 | 0.043 | 0.052 |
| Apr 06 | 0.015 | 0.051 | 0.066 |
| May 06 | 0.010 | 0.037 | 0.047 |
| Jun 06 | 0.011 | 0.040 | 0.051 |
| Jul 06 | 0.014 | 0.044 | 0.058 |
| Aug 06 | 0.013 | 0.047 | 0.060 |
| Sep 06 | 0.010 | 0.034 | 0.044 |
| Oct 06 | 0.008 | 0.032 | 0.040 |
| Nov 06 | 0.007 | 0.024 | 0.031 |

## B. Discharge Points and Receiving Waters

Treated wastewater is discharged at Discharge Point 001 through a 900-foot long outfall/diffuser system that terminates in the Pacific Ocean at 35° 36' 32" N. latitude and 121° 09' 05" W. longitude. The diffuser is located at a depth of approximately 20 feet within the Monterey Bay National Marine Sanctuary, which was designated as a National Marine Sanctuary on September 15, 1992.

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

Effluent limitations contained in the existing Order for discharges from Discharge Point 001 and representative monitoring data from monitoring Location EFF-001, from the term of the previous Order, are presented in the following tables.

**Table F-3. Historic Effluent Limitations, Discharge Point 001**

| Parameter | Units | Effluent Limitations | | |
|---|---|---|---|---|
| | | Average Monthly | Average Weekly | Daily Maximum |
| $BOD_5$ | **mg/L** | **30** | **45** | **90** |
| TSS | mg/L | **30** | **45** | **90** |
| Oil & Grease | mg/L | **25** | **40** | **75** |
| Settleable Solids | **mL/L/hr** | **1.0** | **1.5** | **3.0** |
| Turbidity | **NTUs** | **75** | **100** | **225** |
| pH | **pH Units** | **6.0 – 9.0** | | |

**Table F-4. Summary of Monitoring Data, Monitoring Location EFF-001**

| | Units | 2002 | 2003 | 2004 | 2005 |
|---|---|---|---|---|---|
| **$BOD_5$** | | | | | |
| Avg Monthly | mg/L | 5.5 | 6.1 [1] | 35.9 | 19.4 [1] |
| | kg/day | 4.2 | 4.6 [1] | 27.2 | 14.7 [1] |
| **TSS** | | | | | |
| Avg Monthly | mg/L | 7.7 | 9.6 [1] | 35 | 9.2 |
| | kg/day | 5.8 | 7.3 [1] | 26.5 | 8.4 |
| **Settleable Solids** | | | | | |
| Avg Monthly | mLs/L/Hr | 0.1 [1] | 0.1 [1] | 1.1 [1] | 0.4 |
| **Turbidity** | | | | | |
| Avg Monthly | NTUs | 5.1 | 5.1 | 4.5 | 4.3 |
| **pH** | | | | | |
| Monthly Range | pH Units | 7.1 – 8.0 | 6.7– 7.5 | 6.7 – 7.8 | 6.5 – 8.0 |
| **Oil & Grease** | | | | | |
| Avg Monthly | mg/L | 1.5 [1] | 2.8 [1] | 2.5 [1] | ND |
| | kg/day | 1.1 [1] | 2.1 [1] | 1.9 [1] | ND |
| Max Monthly | mg/L | 1.5 [1] | 3 | 2.5 [1] | ND |
| | kg/day | 1.1 [1] | 2.3 | 1.9 [1] | ND |
| **Acute Toxicity** | | | | | |
| Average | TUa | [2] | [2] | [2] | [2] |

| | Units | 2002 | 2003 | 2004 | 2005 |
|---|---|---|---|---|---|
| Maximum | TUa | [2] | [2] | [2] | [2] |
| **Chronic Toxicity** | | | | | |
| Average | TUc | [2] | [2] | [2] | [2] |
| Maximum | TUc | [2] | [2] | [2] | [2] |

[1] Figures calculated by halving the detection limits of analytical results less than the reported method detection limit.
[2] Data is not available.

The previous permit also included effluent limitations for all Table B Ocean Plan (2001) pollutants. As discussed later in the Fact Sheet, most of these effluent limitations for toxic pollutants have not been retained in the proposed Order, because, in accordance with procedures of the Ocean Plan (2005), there is not a reasonable potential for the discharge to contribute to exceedances of applicable water quality criteria for these pollutants.

## D. Compliance Summary

Table F-5 presents a summary of spills, effluent limitation violations and failures to report required data that occurred during the term of the previous permit.

**Table F-5. Summary of Spills and Violations**

| Date | Parameter | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Spill | Total Coliform | TSS | SS | BOD | Turbidity | pH | DO | Flow | Residual Chlorine |
| August 7, 2006 | | x | | | | | | | | |
| May 19, 2006 | | x | | | | | | | | |
| May 8, 2006 | | x | | | | | | | | |
| May 3, 2006 | | x | | | | | | | | |
| April 11, 2006 | | x | | | | | | | | |
| February 9, 2006 | | x | | | | | | | | |
| January 31, 2006 | | | | | | y | y | y | | |
| January 19, 2006 | | x | | | | | | | | |
| January 4, 2006 | | x | | | | | | | | |
| January 2, 2006 | Broken CDP&R force main causes unknown volume of sewage spill to Pacific Ocean | | | | | | | | | |
| December 22, 2005 | | x | | | | | | | | |
| November 30, 2005 | | | | | | y | y | y | | |
| November 3, 2005 | | x | | | | | | | | |
| October 23, 2005 | | | | | | | | | | x |
| October 22, 2005 | | | | | | | | | | x |
| September 30, 2005 | | | | | | | | | | x |
| September 6, 2005 | | | | | | | | | | x |
| September 2, 2005 | | | | | | | | | | x |
| August 30, 2005 | | | | | | | | | | x |
| August 24, 2005 | | x | | | x | | | | | |

| Date | Parameter | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Spill | Total Coliform | TSS | SS | BOD | Turbidity | pH | DO | Flow | Residual Chlorine |
| July 30, 2005 | | y | | | | | | | | |
| July 27, 2005 | | x | | | | | | | | |
| July 9, 2005 | | x | | | | | | | | |
| June 28, 2005 | | | | x | | | | | | |
| June 21, 2005 | | | | | | y | y | | | |
| June 7, 2005 | | x | | | | | | | | |
| May 13, 2005 | | | | | | | | | | x |
| April 21, 2005 | Broken CDP&R force main causes unknown volume of sewage spill | | | | | | | | | |
| April 15, 2005 | Sewage spill to Little Pico Creek from CDP&R broken force main | | | | | | | | | |
| March 26, 2005 | | | | | | | | | | x |
| March 1, 2005 | | x | | | | | | | | |
| January 25, 2005 | | x | | | | | | | | |
| January 18, 2005 | | x | | | | | | | | |
| January 7, 2005 | | x | | | | | | | | |
| December 29, 2004 | | x | | | | | | | | |
| December 28, 2004 | | y | | | | | | | | |
| December 23, 2004 | | x | | | | | | | | |
| December 21, 2004 | 6,000-gallon sewage spill near Highway 1 from CDP&R broken force main | | | | | | | y | | |
| December 18, 2004 | | x | | | | | | | | |
| December 14, 2004 | | y | | | | y | y | | | |
| December 7, 2004 | | | | x | | | | | | |
| December 3, 2004 | | x | | | | | | | | |
| December 2, 2004 | | | | x | | | | | | |
| December 1, 2004 | | | | x | | | | | | |
| November 30, 2004 | | x | | x | | | | | | |
| November 29, 2004 | | | | x | | | | | | |
| November 28, 2004 | | | | x | | | | | | |
| November 24, 2004 | | x | | x | | | | | | |
| November 23, 2004 | | | | x | | | | | | |
| November 22, 2004 | | x | | | | | | | | |
| November 19, 2004 | | | | x | | | | | | |
| November 14, 2004 | | | | x | | | | | | |
| November 9, 2004 | | | | x | | | | | | x |
| November 8, 2004 | | | | x | | | | | | |
| October 31, 2004 | | y | | x | | y | y | y | y | |
| October 30, 2004 | | | | x | | | | | | |
| October 21, 2004 | | x | | | | | | | | |
| October 20, 2004 | | x | | | | | | | | |
| October 14, 2004 | | y | | | | | | | | |
| October 12, 2004 | | | | | | | | | x | |
| October 7, 2004 | | | | x | | | | | | |

| Date | Parameter | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Spill | Total Coliform | TSS | SS | BOD | Turbidity | pH | DO | Flow | Residual Chlorine |
| October 4, 2004 | | | | x | | | | | | |
| October 3, 2004 | | | | x | | | | | | |
| October 2, 2004 | | | | x | | | | | | |
| October 1, 2004 | | | | x | | | | | | |
| September 30, 2004 | | y | | x | y | | y | | y | |
| September 21, 2004 | | | | x | | | | | | |
| September 20, 2004 | | | | x | | | | | | |
| September 17, 2004 | | x | | | | | | | | |
| September 16, 2004 | | | | x | | | | | | |
| September 15, 2004 | | | | x | | | | | | |
| September 14, 2004 | | | | x | | | | | | |
| September 10, 2004 | | | | x | | | | | | |
| September 7, 2004 | | y | | x | | | | | | |
| September 5, 2004 | | | | x | | | | | | |
| September 4, 2004 | 200 to 300-gallon sewage spill from San Simeon State Park Campground | | | | | | | | | |
| September 2, 2004 | | | | x | | | | | | |
| July 31, 2004 | | | y | | | | | | | |
| July 29, 2004 | | x | | | | | | | | |
| July 20, 2004 | | x | | | | | | | | |
| July 15, 2004 | | x | | x | | | | | | |
| July 9, 2004 | | x | | | | | | | | |
| June 30, 2004 | | | y | | | | | | | |
| June 24, 2004 | | x | | | | | | | | |
| June 22, 2004 | | x | | | | | | | | |
| June 18, 2004 | | x | | | | | | | | |
| April 18, 2004 | 100-gallon sewage spill from Hearst Castle Visitor Center to road | | | | | | | | | |
| March 4, 2004 | | x | | | | | | | | |
| December 30, 2002 | Approximately 1,000-gallon sewage spill from holding tank (CDP&R) | | | | | | | | | |
| November 26, 2002 | Approximately 830-gallon sewage spill from manhole to parking lot in Hearst Castle Visitor Center | | | | | | | | | |
| May 1, 2002 | Sewage spill 100 gallons into parking lot from cleanout | | | | | | | | | |

x = exceedance of effluent limitiation
y = failure to report required parameter

The Central Coast Water Board issued six Notice of Violation letters and the State Water Resources Control Board issued one Notice of Late Reports letter to the Discharger during the previous permit term concerning various violations. A majority of

the above noted total coliform, settleable solids, and chlorine residual effluent limitation violations are subject to mandatory minimum penalties pursuant to California Water Code Section 13385. Consequently, the Central Coast Water Board adopted stipulated orders for mandatory minimum penalties on March 25, 2005, and December 5, 2005 (Order Nos. R3-2005-0032 and R2-2005-0120, respectively), and a third and pending complaint for mandatory minimum penalties was issued on October 13, 2006 (Complaint No. R3-2006-0102), covering applicable violations up to August 7, 2006.

Recent changes in operations staff and efforts by the Discharger to repair and modify the treatment system clarifiers and disinfection system appear to have resulted in improved and more consistent effluent quality based on review of recent self monitoring report data. It should be noted that all of the spill violations occurred within portions of the Hearst San Simeon State Historical Monument portions of the collection system owned and operated by California Department of Parks and Recreation. The most notable spills occurred as a result of an aging force main from the Hearst San Simeon State Monument that conveys wastewater to the treatment facility. A force main replacement project has been funded, designed and is pending contractor bid acceptance and encroachment permitting by Cal Trans. Future oversight of sewer collection system management and overflow reporting for the Discharger and California Department of Parks and Recreation portions of the collection system tributary to wastewater treatment facility will be regulated individually via Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (State Water Board Order No. 2006-0003-DWQ). Central Coast Water Board issued a March 26, 2007 letter to the California Department of Parks and Recreation regarding its enrollment under the State Water Board General Sanitary Sewer System General Order. Sewer system overflow reports will be available on-line via the California Integrated Water Quality System (CIWQS).

## E. Planned Changes

Pursuant to Mandatory Minimum Penalty Order Nos. R3-2005-0032 and R3-2005-0120 the Discharger is required to complete construction of tertiary treatment facilities, as an agreed upon Supplemental Environmental Project (SEP), by September 25, 2007. It is uncertain whether the Discharger will complete the required SEP by September 25th given the Discharger has provided little documentation regarding progress of the tertiary project and has recently requested consideration of directing portions of the assessed liability towards a Compliance Project in lieu of the SEP. In a February 27, 2007 letter the Discharger outlined a Compliance Project summary outlining a variety of treatment system improvements and repairs intended to solve operational problems associated with flow metering between the various treatment system units, and the existing secondary clarifiers and disinfection system. The final outcome regarding the implementation of the required SEP and various portions of the proposed Compliance Project will likely be decided as part of the ongoing enforcement action against the Discharger for mandatory minimum penalties as a result of effluent limit violations.

## 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 (USEPA) and chapter 5.5, division 7 of the California Water Code (commencing with section 13370). 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 article 4, chapter 4, division 7 of the Water Code (commencing with section 13260).

### B. California Environmental Quality Act (CEQA)

Pursuant to Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of CEQA, Public Resources Code sections 21100 - through 21177.

### C. State and Federal Regulations, Policies, and Plans

1. **Water Quality Control Plans.** The Central Coast Water Board has 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 receiving waters within the Region. In addition, the Basin Plan implements State Water Resources Control Board (State Water Board) Resolution No. 88-63, which establishes State policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Because total dissolved solids (TDS) levels of marine waters exceed 3,000 mg/L, marine waters meet an exception to Resolution No. 88-63 and are not considered suitable for municipal or domestic supply. Beneficial uses established by the Basin Plan for coastal waters between Pt. Piedras Blancas and Pt. Estero are described in the Findings, section II. H 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 the following temperature objectives for estuarine and coastal waters.

   *Existing Discharges to Coastal Waters*

   - Elevated temperature wastes shall comply with limitations necessary to assure protection of the beneficial uses and Areas of Special Biological Significance.

   Requirements of this Order implement the Thermal Plan.

3. **Ocean Plan.** The State Water Board adopted the *Water Quality Control Plan for Ocean Waters of California, California Ocean Plan* (Ocean Plan) in 1972 and amended it in 1978, 1983, 1988, 1990, 1997, 2000, and 2005. The State Water Board adopted the latest amendment on April 21, 2005, and it became effective on February 14, 2006. The Ocean Plan is applicable, in its entirety, to point source discharges to the ocean. Beneficial uses identified by the Ocean Plan for all ocean waters of the State are described in the Findings, section II. I of the Order.

4. **Alaska Rule.** On March 30, 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards become effective for CWA purposes. [65 Fed. Reg. 24641 (April 27, 2000), codified at 40 CFR 131.21] Under the revised regulation (also known as the Alaska Rule), new and revised standards submitted to USEPA after May 30, 2000 must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000, may be used for CWA purposes, whether or not approved by USEPA.

5. **Antidegradation Policy.** NPDES regulations at 40 CFR 131.12 require that the State water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16, which incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that the existing quality of waters be maintained unless degradation is justified based on specific findings. The Central Coast Water Board's Basin Plan implements and incorporates by reference both the State and federal antidegradation policies. As discussed in detail in the Fact Sheet, the permitted discharge is consistent with the antidegradation provisions of 40 CFR 131.12 and State Water Board Resolution No. 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. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All provisions of the Order are consistent with applicable anti-backsliding provisions of the CWA and of NPDES regulations.

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

The Pacific Ocean near San Simeon is not identified as impaired pursuant to CWA section 303 (d), which requires states to identify receiving waters which are not meeting applicable water quality standards after imposition of technology-based requirements on point source discharges, as required by CWA sections 301 (b) (1) (A and B).

## E. Other Plans, Polices and Regulations

1. **Discharges of Storm Water.** For the control of storm water discharged from the site of the wastewater treatment and disposal facilities, the Order requires the Discharger to 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.

2. **Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (State Water Board Order No. 2006-0003-DWQ).** This General Permit, adopted on May 2, 2006, is applicable to all "federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California." The purpose of the General Permit is to promote the proper and efficient management, operation, and maintenance of sanitary sewer systems and to minimize the occurrences and impacts of sanitary sewer overflows. The Order requires the Discharger to seek coverage under the General Permit, if applicable, and comply with its requirements. The Central Coast Water Board has also directed California Department of State Parks and Recreation to apply for coverage under the General Permit for the portions of the collection system under its ownership and management as part of the Hearst San Simeon State Historical Monument.

## 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. Discharge Prohibition III. A (No discharge at a location except as described by the Order). The Order authorizes a single, specific point of discharge to the Pacific Ocean; this prohibition reflects CWA section 402's prohibition against discharges of pollutants except in compliance with the Act's permit requirements, effluent limitations, and other enumerated provisions.

2. Discharge Prohibition III. B (Overflows and bypass are 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.

3. Discharge Prohibition III. C (Discharges in a manner, except as described by the Order are prohibited). Because limitations and conditions of the Order have been prepared based on specific information provided by the Discharger and specific wastes described by the Discharger, the limitations and conditions of the Order do not adequately address waste streams not contemplated during drafting of the Order. To prevent the discharge of such waste streams that may be inadequately regulated, the Order prohibits the discharge of any waste that was not described by to the Central Coast Water Board during the process of permit reissuance.

4. Discharge Prohibition III. D (Discharges of radiological, chemical, or biological warfare agent or high level radioactive waste is prohibited). This prohibition is retained from the previous permit and restates a discharge prohibition established in section III. H of the Ocean Plan.

5. Discharge Prohibition III. E (Discharge of sludge and sludge digester supernatant is prohibited). This prohibition is retained from the previous permit and restates a discharge prohibition established in section III. H of the Ocean Plan.

## B. Technology-Based Effluent Limitations

### 1. Scope and Authority

NPDES regulations at 40 CFR 122.44 (a) require that permits include applicable technology-based limitations and standards. This Order includes such limitations based on the minimum level of effluent quality attainable by secondary treatment, as established at 40 CFR 133. This Secondary Treatment Regulation includes requirements for $BOD_5$, suspended solids, and pH. The State Water Board, in Table A of the Ocean Plan, has supplemented these technology based requirements with additional requirements for conventional pollutants (settleable matter, turbidity, and oil and grease), which are applicable to the facility.

Where the USEPA has not yet developed technology based standards for a particular industry or a particular pollutant, CWA Section 402 (a) (1) and USEPA 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

Table F-5 summarizes technology-based effluent limitations established by the Order.

**Table F-6. Technology-Based Effluent Limitations**

| Parameter | Units | Average Monthly | Average Weekly | Maximum Daily |
|---|---|---|---|---|
| $BOD_5$ [1] | mg/L | 30 | 45 | 90 |
| | lbs/day | 50 | 75 | 150 |
| | kg/day | 23 | 35 | 70 |
| TSS [1] | mg/L | 30 | 45 | 90 |
| | lbs/day | 50 | 75 | 150 |
| | kg/day | 23 | 35 | 70 |
| Settleable Solids | mL/L/hr | 1.0 | 1.5 | 3.0 |
| Turbidity | NTUs | 75 | 100 | 225 |
| Oil & Grease | mg/L | 25 | 40 | 75 |
| | lbs/day | 42 | 67 | 125 |
| | kg/day | 19 | 31 | 57 |
| pH | pH units | 6.0 – 9.0 at all times | | |

[1] The average monthly percent removal of $BOD_5$ and TSS as measured at Discharge Point 001, shall not be less than 85 percent.

Concentration-based limitations for $BOD_5$ and TSS and pH limitations, described above, are required pursuant to the Secondary Treatment Regulations at 40 CFR 133. Limitations for settleable solids, turbidity, and oil and grease for Discharge Point 001 are required pursuant to Table A of the Ocean Plan. Mass-based limitations for $BOD_5$, TSS and Oil and Grease for Discharge Point 001 are based on the design, dry weather treatment capacity of the facility of 0.2 MGD.

## C. Water Quality-Based Effluent Limitations (WQBELs)

### 1. Scope and Authority

NPDES regulations at 40 CFR 122.44 (d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards, including numeric and narrative objectives within a standard.

The process for determining "reasonable potential" and calculating WQBELs, when necessary, is intended to protect the designated uses of receiving waters as specified in the Basin and Ocean Plans, and achieve applicable water quality objectives and criteria that are contained in the Basin Plan and in other applicable State and federal rules, plans, and policies, including applicable water quality criteria from the Ocean Plan, the CTR, and the NTR.

Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, WQBELs must be established in accordance with the requirements of 40 CFR 122.44 (d) (1) (vi), using (1) USEPA criteria guidance under CWA section 304 (a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed state criterion or policy interpreting the state's narrative criterion, supplemented with other relevant information.

## 2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

a. Discharge Point 001 – Pacific Ocean

Beneficial uses for ocean waters of the Central Coast Region are established by the Basin and Ocean Plans and are described by Section II. (Findings) H and I of the Order.

Water quality criteria applicable to ocean waters of the Region are established by the Ocean Plan, which includes water quality objectives for bacterial characteristics, physical characteristics, chemical characteristics, biological characteristics, and radioactivity. The water quality objectives from the Ocean Plan are incorporated as receiving water limitations into this Order. In addition, Table B of the Ocean Plan contains numeric water quality objectives for 83 toxic pollutants for the protection of marine aquatic life and human health. Pursuant to NPDES regulations at 40 CFR 122.44 (d) (1), and in accordance with procedures established by the Ocean Plan (2005), the Central Coast Water Board has performed a reasonable potential analysis (RPA) to determine the need for effluent limitations for the Table B toxic pollutants.

## 3. Determining the Need for WQBELs

Procedures for performing a Reasonable Potential Analysis (RPA) for ocean dischargers are described in Section III. C and Appendix VI of the Ocean Plan. In general, the procedure is a statistical method that projects an effluent data set while taking into account the averaging period of water quality objectives, the long term variability of pollutants in the effluent, limitations associated with sparse data sets, and uncertainty associated with censored data sets. The procedure assumes a lognormal distribution of the effluent data set, and compares the 95$^{th}$ percentile concentration at 95 percent confidence of each Table B pollutant, accounting for dilution, to the applicable water quality criterion. The RPA results in one of three following endpoints.

Endpoint 1 – There is "reasonable potential," and a WQBEL and monitoring are required.

Endpoint 2 - There is no "reasonable potential." WQBELs are not required, and monitoring is required at the discretion of the Central Coast Water Board.

Endpoint 3 - The RPA is inconclusive. Existing WQBELs are retained, and monitoring is required.

The State Water Resources Control Board has developed a reasonable potential calculator, which is available at http://www.waterboards.ca.gov/plnspols/docs/oplans/rpcalc.zip. The calculator (RPcalc 2.0) was used in the development of this Order and considers several pathways in the determination of reasonable potential.

a. First Path

If available information about the receiving water or the discharge supports a finding of reasonable potential without analysis of effluent data, the Central Coast Water Board may decide that WQBELs are necessary after a review of such information. Such information may include: the facility or discharge type, solids loading, lack of dilution, history of compliance problems, potential toxic effects, fish tissue data, 303 (d) status of the receiving water, or the presence of threatened or endangered species or their critical habitat, or other information.

b. Second Path

If any pollutant concentration, adjusted to account for dilution, is greater than the most stringent applicable water quality objective, there is reasonable potential for that pollutant.

c. Third Path

If the effluent data contain three or more detected and quantified values (i.e., values that are at or above the ML), and all values in the data set are at or above the ML, a parametric RPA is conducted to project the range of possible effluent values. The $95^{th}$ percentile concentration is determined at 95 percent confidence for each pollutant, and compared to the most stringent applicable water quality objective to determine reasonable potential. A parametric analysis assumes that the range of possible effluent values is distributed lognormally. If the $95^{th}$ percentile value is greater than the most stringent applicable water quality objective, there is reasonable potential for that pollutant.

d. Fourth Path

If the effluent data contain three or more detected and quantified values (i.e., values that are at or above the ML), but at least one value in the data set is less than the ML, a parametric RPA is conducted according to the following steps.

(1) If the number of censored values (those expressed as a "less than" value) accounts for less than 80 percent of the total number of effluent values, calculate the $M_L$ (the mean of the natural log of transformed data) and $S_L$

(the standard deviation of the natural log of transformed data) and conduct a parametric RPA, as described above for the Third Path.

(2) If the number of censored values accounts for 80 percent or more of the total number of effluent values, conduct a non-parametric RPA, as described below for the Fifth Path. (A non-parametric analysis becomes necessary when the effluent data is limited, and no assumptions can be made regarding its possible distribution.)

e. Fifth Path

A non-parametric RPA is conducted when the effluent data set contains less than three detected and quantified values, or when the effluent data set contains three or more detected and quantified values but the number of censored values accounts for 80 percent or more of the total number of effluent values. A non-parametric analysis is conducted by ordering the data, comparing each result to the applicable water quality objective, and accounting for ties. The sample number is reduced by one for each tie, when the dilution-adjusted method detection limit (MDL) is greater than the water quality objective. If the adjusted sample number, after accounting for ties, is greater than 15, the pollutant has no reasonable potential to exceed the water quality objective. If the sample number is 15 or less, the RPA is inconclusive, monitoring is required, and any existing effluent limits in the expiring permit are retained.

The following table presents results of the RPA, performed in accordance with procedures described by the Ocean Plan and summarized above, for the San Simeon Community Services District facility. Here, the RPA was conducted using effluent monitoring data generated in three monitoring events between 2002 and 2005. The RPA endpoint for each Table B pollutant is identified. As shown in the following table, the RPA commonly leads to Endpoint 3, meaning that the RPA is inconclusive, when a majority of the effluent data is reported as ND (not detected). In these circumstances, the Central Coast Water Board views the "inconclusive" result as an indication of no concern for a particular pollutant; however, additional monitoring will be required for those pollutants during the term of the reissued permit.

The RPA did not show "reasonable potential" for any Table B toxic pollutants.

**Table F-7. RPA Results for Discharges to the Pacific Ocean, Dilution at 115 to 1**

| Table B Pollutant | Most Stringent WQO (µg/L) | No. of Samples | No. of Non-Detects | Max Effluent Conc. (µg/L) | RPA Result, Comment |
|---|---|---|---|---|---|
| **Objectives for Protection of Marine Aquatic Life** | | | | | |
| Arsenic | 8 | 3 | 3 | ND | Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND. |
| Cadmium | 1 | 3 | 3 | ND | Endpoint 3 – RPA is inconclusive. Less than 3 |

| Table B Pollutant | Most Stringent WQO (µg/L) | No. of Samples | No. of Non-Detects | Max Effluent Conc. (µg/L) | RPA Result, Comment |
|---|---|---|---|---|---|
| | | | | | detects or greater than 80% ND. |
| Chlorinated Phenolics | 1 | No Effluent data | | | |
| Chromium (VI) | 2 | 1 | 1 | ND | Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND. |
| Copper | 3 | 3 | 1 | 37 | Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND. |
| Cyanide | 1 | No Effluent data | | | |
| Endosulfan (total) | 0.009 | No Effluent data | | | |
| Endrin | 0.002 | No Effluent data | | | |
| HCH | 0.004 | No Effluent data | | | |
| Lead | 2 | 3 | 3 | ND | Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND. |
| Mercury | 0.04 | 3 | 2 | 0.01 | Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND. |
| Nickel | 5 | 3 | 2 | 5 | Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND. |
| Non-chlorinated Phenolics | 30 | 1 | 1 | ND | Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND. |
| Selenium | 15 | 3 | 2 | 1 | Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND. |
| Silver | 0.7 | 3 | 3 | ND | Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND. |
| Zinc | 20 | 3 | 0 | 65.0 | Endpoint 2 – An effluent limitation is not required for this pollutant. Monitoring may be required as appropriate. |
| **Objectives for Protection of Human Health – Noncarcinogens** | | | | | |
| 1,1,1-Trichloroethane | 540000 | No Effluent data | | | |
| 2,4-Dinitrophenol | 4.0 | 1 | 1 | ND | Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND. |
| 2-Methyl-4,6-Dinitrophenol | 220 | 1 | 1 | ND | Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND. |
| Acrolein | 220 | No Effluent data | | | |
| Antimony | 1200 | 1 | 1 | ND | Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND. |
| Bis(2-Chloroethoxy)Methane | 4.4 | No Effluent data | | | |
| Bis(2-Chloroisopropyl)Ether | 1200 | No Effluent data | | | |
| Chlorobenzene | 570 | No Effluent data | | | |
| Chromium (III) | 190000 | 1 | 1 | ND | Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND. |
| Dichlorobenzenes | 5100 | No Effluent data | | | |
| Diethyl Phthalate | 33000 | No Effluent data | | | |

| Table B Pollutant | Most Stringent WQO (µg/L) | No. of Samples | No. of Non-Detects | Max Effluent Conc. (µg/L) | RPA Result, Comment |
|---|---|---|---|---|---|
| Dimethyl Phthalate | 820000 | No Effluent data | | | |
| Di-n-Butyl Phthalate | 3500 | No Effluent data | | | |
| Ethylbenzene | 4100 | No Effluent data | | | |
| Fluoranthene | 15 | No Effluent data | | | |
| Hexachlorocyclopentadiene | 58 | No Effluent data | | | |
| Nitrobenzene | 4.9 | No Effluent data | | | |
| Thallium | 2 | 1 | 1 | ND | Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND. |
| Toluene | 85000 | No Effluent data | | | |
| Tributylin | 0.0088 | No Effluent data | | | |
| Objectives for Protection of Human Health – Carcinogens | | | | | |
| 1,1,2,2-Tetrachloroethane | 2.3 | No Effluent data | | | |
| 1,1,2-Trichloroethane | 9.4 | No Effluent data | | | |
| 1,1-Dichloroethylene | 0.9 | No Effluent data | | | |
| 1,2-Dichloroethane | 28 | No Effluent data | | | |
| 1,2-Diphenylhydrazine | 0.16 | No Effluent data | | | |
| 1,3-Dichloropropylene | 8.9 | No Effluent data | | | |
| 1,4 Dichlorobenzene | 18 | No Effluent data | | | |
| TCDD Equivalents | 3.9E-9 | No Effluent data | | | |
| 2,4,6-Trichlorophenol | 0.29 | 1 | 1 | ND | Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND. |
| 2,4-Dinitrotoluene | 2.6 | No Effluent data | | | |
| 3,3'-Dichlorobenzidine | 0.0081 | No Effluent data | | | |
| Acrylonitrile | 0.10 | No Effluent data | | | |
| Aldrin | 2.2E-5 | No Effluent data | | | |
| Benzene | 5.9 | No Effluent data | | | |
| Benzidine | 6.9E-5 | No Effluent data | | | |
| Beryllium | 0.033 | 1 | 1 | ND | Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND. |
| Bis(2-Chloroethyl)Ether | 0.045 | No Effluent data | | | |
| Bis(2-Ethylhexyl)Phthalate | 3.5 | No Effluent data | | | |
| Carbon Tetrachloride | 0.90 | No Effluent data | | | |
| Chlordane | 2.3E-5 | No Effluent data | | | |
| Chlorodibromomethane | 8.6 | No Effluent data | | | |
| Chloroform | 130 | No Effluent data | | | |
| DDT (total) | 0.00017 | No Effluent data | | | |
| Dichlorobromomethane | 6.2 | No Effluent data | | | |
| Dieldrin | 0.00004 | No Effluent data | | | |
| Halomethanes | 130 | No Effluent data | | | |
| Heptachlor | 0.00005 | No Effluent data | | | |
| Heptachlor Epoxide | 0.00002 | No Effluent data | | | |
| Hexachlorobenzene | 0.00021 | No Effluent data | | | |
| Hexachlorobutadiene | 14 | No Effluent data | | | |
| Hexachloroethane | 2.5 | No Effluent data | | | |
| Isophorone | 730 | No Effluent data | | | |
| Methylene Chloride | 450 | No Effluent data | | | |
| N-Nitrosodimethylamine | 7.3 | No Effluent data | | | |

| Table B Pollutant | Most Stringent WQO (µg/L) | No. of Samples | No. of Non-Detects | Max Effluent Conc. (µg/L) | RPA Result, Comment |
|---|---|---|---|---|---|
| N-Nitrosodi-n-Propylamine | 0.38 | No Effluent data | | | |
| N-Nitrosodiphenylamine | 2.5 | No Effluent data | | | |
| PAHs (total) | 0.0088 | No Effluent data | | | |
| PCBs | 1.9E-5 | No Effluent data | | | |
| Tetrachloroethylene | 2.0 | No Effluent data | | | |
| Toxaphene | 0.00021 | No Effluent data | | | |
| Trichloroethylene | 27 | No Effluent data | | | |
| Vinyl Chloride | 36 | No Effluent data | | | |

NA indicates that effluent data is not available
ND indicates that the pollutant was not detected.
Minimum probable initial dilution for this Discharger is 119 : 1.
Effluent data used for this RPA are from March 2003 to March 2006.
All units are ug/L.

## 4. WQBEL Calculations

Based on results of the RPA, performed in accordance with methods of the Ocean Plan for discharges to the Pacific Ocean, the Central Coast Water Board is not establishing WQBELs for most of the Table B toxic pollutants. Limitations for total residual chlorine and acute and chronic whole effluent toxicity (Table B pollutants), however, are retained from the previous permit. Limitations for these pollutants have been calculated based on a minimum probable initial dilution of 115 to 1.

As described by Section III. C of the Ocean Plan, effluent limits for Table B pollutants are calculated according to the following equation.

$$Ce = Co + Dm (Co - Cs)$$

Where ...

Ce = the effluent limitation (µg/L)

Co = the concentration (the water quality objective) to be met at the completion of initial dilution (µg/L).

Cs = background seawater concentration (µg/L)

Dm = minimum probable initial dilution expressed as parts seawater per part wastewater (here, Dm = 115)

As site-specific water quality data is not available, in accordance with Table B implementing procedures, Cs equals zero for all pollutants, except the following.

**Table F-8. Background Concentrations—Ocean Plan**

| Pollutant | Background Seawater Concentration |
|---|---|
| Arsenic | 3 µg/L |
| Copper | 2 µg/L |
| Mercury | 0.0005 µg/L |
| Silver | 0.16 µg/L |
| Zinc | 8 µg/L |

Applicable water quality objectives from Table B of the Ocean Plan are as follows.

**Table F-9. Water Quality Objectives–Ocean Plan**

| Pollutant | Units | 6-Month Median | Daily Maximum | Instantaneous Maximum | 30 Day Avg |
|---|---|---|---|---|---|
| Chlorine | µg/L | 2.0 | 8.0 | 60 | --- |
| Acute Toxicity | TUa | --- | 0.3 | --- | --- |
| Chronic Toxicity | TUc | --- | 1.0 | --- | --- |

Using the equation, Ce = Co + Dm (Co – Cs), effluent limitations are calculated as follows.

Chlorine

Ce = 2 + 115 (2 – 0) = 232 µg/L (6-Month Median)
Ce = 8 + 115 (8 – 0) = 928 µg/L (Daily Maximum)
Ce = 60 + 115 (60 – 0) = 6,960 µg/L (Instantaneous Maximum)

Chronic Toxicity

Ce = 1 + 115 (1 - 0) = 116 TUc (Daily Maximum)

Acute Toxicity

To determine an effluent limitation for acute toxicity, the Ocean Plan allows a mixing zone that is ten percent of the distance from the edge of the outfall structure to the edge of the chronic mixing zone (the zone of initial dilution); and therefore, the effluent limitation for acute toxicity limitation is determined by the following equation.

Ce = Co + (0.1) (Dm) (Co)

Here, where Dm equals 115, the effluent limitation for acute toxicity is 3.75 TUa.

Implementing provisions at Section III. C of the Ocean Plan requires that in addition to concentration-based limits, effluent limitations for Table B pollutants be expressed in terms of mass. Therefore, the Order includes mass-based limits for chlorine based on a design flow of 0.2 MGD.

### 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.

Acute and chronic toxicity limitations are retained from the existing permit. The limitations have been calculated based on a minimum probable initial dilution of 115 to 1.

The Discharger must maintain a Toxicity Reduction Evaluation (TRE) Workplan, which describes steps that the Discharger intends to follow in the event that acute and/or chronic toxicity limitations are exceeded. 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.

**Table F-10. Summary of Water Quality-Based Effluent Limitations**

| Parameter | Units | Effluent Limitations | | |
|---|---|---|---|---|
| | | 6-Month Median | Daily Maximum | Instantaneous Maximum |
| Chlorine | mg/L | 0.23 | 0.93 | 6.9 |
| Acute Toxicity | TUa | --- | 3.75 | --- |
| Chronic Toxicity | TUc | --- | 116 | --- |

## D. Final Effluent Limitations

Final, technology-based and water quality-based effluent limitations established by the Order are discussed in the preceding sections of the Fact Sheet.

### 1. Satisfaction of Anti-Backsliding Requirements

#### a. Discharge Point 001

The Order retains effluent limitations established by the previous permit for $BOD_5$, TSS, oil and grease, settleable solids, turbidity, and pH. Limitations for chlorine, and whole effluent, acute and chronic toxicity have also been retained.

The total coliform bacteria effluent limitation values were also retained with statistical modifications to be more consistent with the evaluation of the Ocean Plan water quality objectives for bacterial characteristics (i.e., the daily and instantaneous maximums were changed to 30-day geometric mean and single sample maximums, respectively). Other effluent limitations from the previous permit for the Ocean Plan Table B toxic pollutants have not been retained.

The Ocean Plan was amended in 2005 to include a procedure for determining "reasonable potential" by characterization of effluent monitoring data. A reasonable potential analysis, using the updated Ocean Plan procedure, did not highlight "reasonable potential" for any of the Table B pollutants. (chlorine and whole effluent, acute and chronic toxicity are Table B pollutants; however, a conclusion of "reasonable potential" for these pollutants is based on information about the receiving water and/or the discharge instead of characterization of effluent monitoring data.)

Elimination of WQBELs for most Table B toxics is consistent with the exception to the Clean Water Act's anti-backsliding requirements expressed at section 303(d)(4)(B), which allows removal of water-quality based effluent limits in attainment waters, where removal of the effluent limits will not violation anti-degradation requirements. In addition, section 402 (o) (2) (B) (i) of the Act allows a reissued permit to include less stringent limitations when "information is available which was not available at the time of permit issuance (other than revised regulations, guidance, or test methods), and which would have justified the application of a less stringent effluent limitation at the time of permit issuance." In these circumstances, less stringent limitations (here, the elimination of limitations) are based on new data, which were generated during the term of previous permit, and which demonstrate no reasonable potential for discharges from the facility to cause or contribute to exceedances of applicable water quality standards for these pollutants.

**2. Satisfaction of Antidegradation Policy**

Provisions of the Order are consistent with applicable anti-degradation policy expressed by NPDES regulations at 40 CFR 131.12 and by State Water Board Resolution No. 68-16. Limitations and conditions of the Order ensure maintenance of the existing quality of receiving waters.

**3. Stringency of Requirements for Individual Pollutants**

This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. The technology-based effluent limitations consist of restrictions on $BOD_5$; TSS; settleable solids; turbidity; oil and grease; and pH. Restrictions on these pollutants are discussed in section IV. B of the Fact Sheet. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. In addition, this Order contains effluent limitations more stringent than the minimum, federal technology-based requirements that are necessary to meet water quality standards. These limitations are not more stringent than required by the CWA.

Final, technology and water quality based effluent limitations are summarized in sections IV. B and C of this Fact Sheet.

### E. Interim Effluent Limitations

The Order does not establish interim effluent limitations and schedules for compliance with final limitations. Interim limitations are authorized only in certain circumstances, when immediate compliance with newly established final water quality based limitations is not feasible. The draft permit does not include any newly established water quality based limitations; therefore, interim limitations are not applicable.

### F. Land Discharge Specifications

This section of the standardized permit is not applicable to the San Simeon Community Services District.

### G. Reclamation Specifications

This section of the standardized permit is not applicable to the San Simeon Community Services District.

## 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 generally include the receiving water limitations of the previous Order; however these limitations have been supplemented and modified to reflect all applicable and current, general water quality objectives of the Ocean Plan.

### B. Groundwater

The order does not establish receiving water limitations for groundwaters.

## VI. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

Section 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. Water Code sections 13267 and 13383 authorize the Central Coast Water Board to require technical and monitoring reports. The Monitoring and Reporting Program (MRP), Attachment E of this Order, establishes monitoring and reporting requirements to implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this facility.

### A. Influent Monitoring

Influent monitoring for $BOD_5$ and TSS is required to determine compliance with the Order's 85 percent removal requirement for those pollutants.

## B. Effluent Monitoring

Effluent monitoring requirements of the previous permit for Discharge Point 001 are retained in this Order, with the following exceptions/changes.

- Specific requirements to monitor ammonia and phenolics (chlorinated and non-chlorinated) are not retained; however, the Order establishes a requirement to monitor all Ocean Plan Table B toxic pollutants one time during the permit term. Ammonia and phenolic compounds are included in Table B of the Ocean Plan.

- The daily and instantaneous maximum total coliform bacteria effluent limitations were changed to 30-day geometric mean and single sample maximums, respectively, to be more consistent with the Ocean Plan water quality objectives for bacterial characteristics.

- The Order establishes a monitoring requirement for acute toxicity to determine compliance with the effluent limitation for acute toxicity that is retained from the previous permit.

- The Order establishes an effluent monitoring requirement, every other year, for the ten metals (arsenic, cadmium, hexavalent chromium, copper, lead, mercury, nickel, selenium, silver, and zinc) listed in Table B of the Ocean Plan to characterize the discharge and to assess compliance with the requirements of the Ocean Plan for those toxic pollutants that are more likely to be present in discharges from a domestic wastewater treatment facility.

- The Order establishes a monitoring requirement for all Ocean Plan Table B toxic pollutants, one time during the permit term, to provide complete characterization of the discharge in terms of the toxic pollutants with water quality objectives established by the Ocean Plan.

## C. 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 retains effluent imitations for acute and chronic toxicity and monitoring requirements for acute toxicity for Discharge Point 001 from the previous permit. The Order adds also establishes a monitoring requirement for acute toxicity.

## D. Receiving Water Monitoring

Section VIII.B of the Monitoring and Reporting Program (Attachment E) requires weekly surf zone monitoring for total coliform, fecal coliform, and enterococcus if effluent total coliform exceeds 2,400 MPN/100mL two or more times in a 30-day period. The 2,400 MPN/100mL trigger is the single sample maximum total coliform effluent limitation established in section IV.A.1.d of the Order. The surf zone monitoring requirements are

consistent with the Implementation Provisions for Bacterial Characteristic for Water Contact Monitoring found in section III.D of the California Ocean Plan. Cessation of surf zone monitoring is contingent upon Executive Office approval.

### E. Other Monitoring Requirements

Section IX. A. 1 of the permit requires the Discharger to report, in the Annual Report, basic information regarding solids handling and disposal

Section IX. A. 2 of the permit retains from the previous permit a requirement to visually inspect the ocean outfall and report as to its condition.

## VII. RATIONALE FOR PROVISIONS

### A. Standard Provisions

Standard Provisions, which apply to all NPDES permits in accordance with 40 CFR 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 CFR 122.42, are provided in Attachment D to the Order.

NPDES regulations at 40 CFR 122.41 (a) (1) and (b - n) establish conditions that apply to all state-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. 40 CFR 123.25 (a) (12) allows the State to omit or modify conditions to impose more stringent requirements. In accordance with 40 CFR123.25, this Order omits federal conditions that address enforcement authority specified in 40 CFR 122.41 (j) (5) and (k) (2), because the enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387 (e).

### 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. This includes, without limitation, effluent limitations that are necessary because the monitoring establishes that the discharge causes, has the reasonable potential to cause, or contributes to an excursion above a water quality objective in Table B of the California Ocean Plan.

#### 2. Special Studies and Additional Monitoring Requirements

##### a. Toxicity Reduction Requirements

The requirement to maintain a Toxicity Reduction Work Plan is retained from the previous permit. When toxicity monitoring measures acute or chronic toxicity in the effluent above effluent limitations established by the Order, the Discharger is required to resample and retest. 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.

**b. Bacteria Monitoring**

The Discharger has requested to establish an effluent monitoring station (for determining compliance with limitations for bacteria) at a location following chlorination but before dechlorination. For the Central Coast Water Board to act on the request, sufficient justification for an alternative monitoring location (EFF-001A) must be submitted by the Discharger, and therefore, the Order requires submittal of technical information necessary to make such a decision. An alternative effluent monitoring location for determining compliance with effluent limitations for bacteria will not be approved by the Executive Officer until sufficient justification is submitted. Such justification must thoroughly address the variables which affect bacteria regrowth following chlorination and dechlorination.

**3. Best Management Practices and Pollution Prevention**

This section of the standardized permit template is not applicable.

**4. Construction, Operation, and Maintenance Specifications**

This section of the standardized permit template is not applicable.

**5. Special Provisions for Municipal Facilities (POTWs Only)**

**a. Biosolids Management**

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

40 CFR Part 503 sets forth USEPA's final rule for the use and disposal of biosolids, or sewage sludge, and governs the final use or disposal of biosolids. The intent of this federal program is to ensure that sewage sludge is used or disposed of in a way that protects both human health and the environment.

USEPA's regulations require that producers of sewage sludge meet certain reporting, handling, and disposal requirements. As the USEPA has not delegated the authority to implement the sludge program to the State of California, the enforcement of sludge requirements that apply to the Discharger remains under USEPA's jurisdiction at this time. USEPA, not the Central Coast Water Board, will oversee compliance with 40 CFR Part 503.

40 CFR Part 503.4 (Relationship to other regulations) states that the disposal of sewage sludge in a municipal solid waste landfill unit, as defined in 40 CFR 258.2, that complies with the requirements in 40 CFR part 258 constitutes compliance with section 405 (d) of the CWA. Any person who prepares sewage sludge that is disposed in a municipal solid waste landfill unit must ensure that the sewage sludge meets the applicable requirements of 40 CFR Part 503.

This Order requires the Discharger to document the treatment and disposal of sewage sludge and solids via annual reporting to ensure they are disposed of in accordance with applicable regulations.

### 6. Other Special Provisions

#### a. Discharges of Storm Water

The Order does not address discharges of storm water from the treatment and disposal site, except to require coverage by and compliance with applicable provisions of General Permit No. CAS000001 - *Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities.*

### 7. Compliance Schedules

The Order does not establish interim effluent limitations and schedules of compliance with final limitations.

## VIII. PUBLIC PARTICIPATION

The Central Coast Regional Water Quality Control Board is considering the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for the San Simeon Community Services District wastewater treatment facility. As a step in the WDR adoption process, the Central Coast Water Board staff has developed tentative WDRs. The Central Coast Water Board encourages public participation in the WDR adoption process.

### A. Notification of Interested Parties

The Central Coast Water Board notified the Discharger and interested agencies and persons by letter dated February 15, 2007, of its intent to prescribe waste discharge requirements for the discharge and provided them with an opportunity to submit their written comments and recommendations. Notification was also provided by the Discharger via a March 17, 2007, public notice in the Telegram Tribune and March 22, 2007, posting in the San Simeon post office.

### B. Written Comments

***Discharger***

Written comments were provided by the Discharger in a March 22, 2007 letter. The Discharger's letter outlines three relatively minor comments consisting of the following:

Comment:

Recommended removing remaining references to "The Local Sewering Entity of Hearst San Simeon State Historical Monument" from the permit as a co-Discharger.'

Response:

All remaining references to this entity as a named Discharger were removed from the proposed permit and applicable language was modified to note the Hearst San Simeon State Historical Monument portions of the collection system are owned and operated by the California Department of Parks and Recreation.

Comment:

Requested removing references to collection system spills and overflows attributable to portions of the collection system owned and operated by California Department of Parks and Recreation as noted in section III.D (Compliance Summary) of this Fact Sheet.

Response:

References to these violations were not removed given the violations were attributable to the "The Local Sewering Entity of Hearst San Simeon State Historical Monument" as a co-Discharger during the previous permit term. Additional notations in the table and language were added to the Compliance Summary clarifying the violations as being attributable to portions of the collection system not owned by the San Simeon Community Services District. Additional language was also added to sections III.D and III.E.2 clarifying a requirement for the California Department of Parks and Recreation to apply for coverage under the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (State Water Board Order No. 2006-0003-DWQ).

Comment:

Recommended changing the daily flow effluent monitoring requirement found in Table E-3 of Monitoring and Reporting Program (Attachment E) section IV.A to allow for influent flow monitoring as is consistent with the facilities historic flow metering capability.

Response:

Although differences between daily influent and effluent flows are likely to occur as a result of fluctuations in equalization basin management, losses due to evaporation, aerosols, and moisture retention within wasted biosolids, and gains due to significant rainfall events, the use of influent flow to estimate effluent flow is consistent with the Central Coast Water Board's oversight given the reasonable assumption that influent flows are generally more conservative (higher) as compared to effluent flows, and that averaging will smooth out any diurnal fluctuations. However, this comment raises an interesting issue regarding the accurate evaluation of influent flow as it relates to the facility's hydraulic and treatment based capacity (permitted effluent limit of 0.2 MGD is based on the treatment facility average dry weather flow design capacity) and effluent flow as it relates to evaluating the prescribed mass based effluent limitations contained within the permit. The Discharger's

recommendation is appropriate given the effluent flow limit is based on the treatment system design capacity and the effluent flow limit and monitoring requirements of the previous permits have been evaluated using influent flow data. Given the Discharger has stated[1] a need for and intent to install flow metering at the outlet of the chlorine contact chamber to facilitate more precise control of chlorine and sodium hypochlorite dosing, an additional requirement for effluent flow monitoring is appropriate once the capability is available.

Consequently, the Monitoring and Reporting Program has been modified by adding an influent flow monitoring requirements to Table E-2 and a footnote [6] to the effluent monitoring requirements Table E-3 regarding the flow monitoring parameters which reads:

> "Influent flow monitoring per existing facility capability may be used in lieu of effluent flow monitoring and shall be used to verify compliance with the effluent flow limitations per section IV.A.1.d for one year following the issuance date of the permit. After one year following the issuance date of the permit both daily influent and effluent flow shall be reported, and influent flow shall be used to document compliance with the effluent flow limitation (section IV.A.1.d) and effluent flow shall be used to calculate mass loading and document compliance with the mass-based effluent limitations found in Table 7 (section IV.A.1.a) of the permit."

***Monterey Bay National Marine Sanctuary***

Written comments were also submitted by the Monterey Bay National Marine Sanctuary [United States Department of Commerce, National Oceanic and Atmospheric Administration, National Ocean Service] (MBNMS) in a March 22, 2007 letter.

Comments:

The letter primarily expressed concerns over the high number of effluent limit and spill violations over the previous permit term and requested that the Discharger identify and implement upgrades and repairs to ensure the protection of near shore water quality in the MBNMS. The letter also requested that the permit be modified to require the Discharger to immediately notify the MBNMS office of any spills that are likely to enter ocean waters.

Response:

Existing language within section II.D of the Fact Sheet discusses Central Coast Water Board enforcement actions in response to the noted violations and indicates that recent repairs and modifications to the Facility had resulted in improved effluent quality. This section also indicated that a force main replacement project was pending. This section was modified to clarify these points and indicate the force main project is currently out for bid. In addition, language was added to section II.E (Planned Changes) discussing the pending implementation of tertiary treatment by the Discharger as a Supplemental Environmental Project and other potential compliance projects outlined by the Discharger.

[1] February 27, 2007, San Simeon Community Services District letter re: Compliance Projects

In lieu of modifying the section E of the Standard Provision as suggested by the Sanctuary, staff added a MBNMS spill reporting requirement to section X.D of the Monitoring and Reporting Program (Attachment E).

## 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: **May 11, 2007**
Time: **8:30 AM**
Location: **Central Coast Regional 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. 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

## E. Information and Copying

The Report of Waste Discharge (RWD), 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 (805) 549-3147.

## 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.

## G. Additional Information

Requests for additional information or questions regarding this Order should be directed to Matthew Keeling at (805) 549-3685 or MKeeling@waterboards.ca.gov.