



# California Regional Water Quality Control Board

## Central Coast Region



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Arnold Schwarzenegger  
Governor

**ORDER NO. R3-2008-0009**  
**NPDES NO. CA0048054**

### WASTE DISCHARGE REQUIREMENTS FOR THE SUMMERLAND SANITARY DISTRICT

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

**Table 1. Discharger Information**

Discharger	Summerland Sanitary District
Name of Facility	Summerland Sanitary District Wastewater Treatment Plant
Facility Address	2435 Wallace Avenue
	Summerland, CA 93067
	Santa Barbara County
The U.S. Environmental Protection Agency (USEPA) and the Regional Water Quality Control Board have classified this discharge as a minor discharge.	

Discharge by the Summerland Sanitary District Wastewater Treatment Plant (WWTP) 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	Treated Domestic Wastewater	34 ° 25 ' 00 " N	119 ° 35 ' 48 " W	Pacific Ocean (Santa Barbara Channel)

**Table 3. Administrative Information**

This Order was adopted by the Regional Water Quality Control Board on:	<b>May 9, 2008</b>
This Order shall become effective on:	<b>May 9, 2008</b>
This Order shall expire on:	<b>May 9, 2013</b>
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:	<u>180 days prior to the Order expiration date</u>

IT IS HEREBY ORDERED, that Order No. R3-2003-0012 is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the California Water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.

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Roger W. Briggs, Executive Officer

Item No. 16 Attachment No. 1  
May 9, 2008 Meeting  
Summerland WWTP

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

**ORDER NO. R3-2007-0009  
 NPDES NO. CA0048054**

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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**

<b>Discharger</b>	Summerland Sanitary District
<b>Name of Facility</b>	Summerland Sanitary District Wastewater Treatment Plant
<b>Facility Address</b>	2435 Wallace Avenue
	Summerland, CA 93067
	Santa Barbara County
<b>Facility Contact, Title, and Phone</b>	James A. McManus, General Manager, (805) 969-4344
<b>Mailing Address</b>	P.O. Box 417
	Summerland, CA 93067
<b>Type of Facility</b>	Publicly Owned Treatment Works (POTW)
<b>Facility Design Flow</b>	0.3 million gallons per day (MGD)

## II. FINDINGS

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

**A. Background.** The Summerland Sanitary District (hereinafter the Discharger) is currently discharging pursuant to Order No. R3-2003-0012 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0048054. The Discharger submitted a Report of Waste Discharge, dated September 19, 2007, and applied for an NPDES permit renewal to discharge up to 0.3 MGD of treated wastewater from the WWTP to the Santa Barbara Channel, Pacific Ocean. The application was deemed complete in writing on November 8, 2007.

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 Discharger owns and operates a wastewater collection and treatment system, which currently serves a population ranging from 2,000 to 2,500 people. The treatment plant has a design capacity of 0.3 MGD, and currently treats an average daily wet weather flow of 0.2 MGD and an average daily dry weather flow of 0.15 MGD. Wastewater treatment at the facility includes primary clarifier, activated sludge aeration basin, secondary clarifier, chlorination contact chamber, tertiary sand filter, and dechlorination basin. Treated wastewater is discharged to the Santa Barbara Channel of the Pacific Ocean through a diffuser, 740 feet offshore at a depth of 20 feet, which provides a minimum initial dilution of 60:1.

Sludge is aerobically digested and dewatered by a sludge belt press. The dewatered biosolids are stockpiled in a holding bin. Approximately 80 tons per year of biosolids are composted off site.

Storm water from the treatment facility site is collected and diverted to the headworks of the facility.

**C. Legal Authorities.** This Order is issued pursuant to CWA section 402 and implementing regulations adopted by the U.S. Environmental Protection Agency (EPA) and Chapter 5.5, Division 7 of the California Water Code (CWC), 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 CWC, commencing with section 13260.

**D. Background and Rationale for Requirements.** The Central Coast Water Board developed 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. This action regulates an existing facility and involves negligible or no expansion of use, and is also exempt from the provisions of the CEQA in accordance with Section 15301, Title 14 of the California Code of Regulations.
- F. Technology-Based Effluent Limitations.** CWA Section 301 (b) and U.S. EPA's NPDES regulations at Title 40 of the Code of Federal Regulations (40 CFR) 122.44 require that permits include, at a minimum, conditions meeting applicable technology-based requirements and any more stringent effluent limitations necessary to meet applicable water quality standards. Discharges 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.

NPDES regulations at 40 CFR 122.44 (d)(1)(i) mandate 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) U.S. EPA 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. To address ocean waters, the Basin Plan incorporates by reference the *Water Quality Control Plan for Ocean Waters of California* (the Ocean Plan). The Ocean Plan is discussed in further detail in Section I of this Order.

The Basin Plan implements 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 (MUN). Because Total Dissolved Solids (TDS) levels of marine waters exceed 3,000 mg/L, such waters are not considered suitable for municipal or domestic supply and therefore meet an exception to Resolution No. 88-63. Beneficial uses established by the Basin Plan for coastal waters from Coal Oil Point to Rincon Point are presented in Table 5, below.

**Table 5. Basin Plan Beneficial Uses for the Pacific Ocean**

Discharge Point	Receiving Water	Beneficial Use(s)
001	Pacific Ocean (Santa Barbara Channel)	<ul style="list-style-type: none"> <li>• Water Contact (REC-1),</li> <li>• Non-Contact Recreation (REC-2),</li> <li>• Navigation (NAV),</li> <li>• Commercial and Sport Fishing (COMM),</li> <li>• Marine Habitat (MAR),</li> <li>• Rare, Threatened, or Endangered Species (RARE), and</li> <li>• Wildlife Habitat (WILD)</li> </ul>

**I. California Ocean Plan**

The State Water Board adopted the 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. Ocean Plan Beneficial Uses**

Discharge Point	Receiving Water	Beneficial Uses
001	Pacific Ocean (Santa Barbara Channel)	<ul style="list-style-type: none"> <li>• Industrial Water Supply (IND)</li> <li>• Water Contact and Non-Contact Recreation, including Aesthetic Enjoyment (REC)</li> <li>• Navigation (NAV)</li> <li>• Commercial and Sport Fishing (COMM)</li> <li>• Mariculture (MARI)</li> <li>• Preservation and Enhancement of Designated Areas of Special Biological Significance (ASBS)</li> <li>• Rare and Endangered Species (RARE)</li> <li>• Marine Habitat (MAR)</li> <li>• Fish Migration (MIGR)</li> <li>• Fish Spawning and Shellfish Harvesting (SPWN)</li> </ul>

In order to protect beneficial uses, the Ocean Plan establishes water quality objectives and programs of implementation to achieve and maintain those objectives. Requirements of this Order implement the Ocean Plan.

**J. Alaska Rule.** On March 30, 2000, U.S. EPA 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 U.S. EPA after May 30, 2000 must be approved by U.S. EPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to U.S. EPA by May 30, 2000, may be used for CWA purposes, whether or not approved by U.S. EPA.

**K. 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 for biochemical oxygen demand (BOD<sub>5</sub>), TSS, settleable solids, oil and grease, turbidity, and pH at Discharge

Point 001. These restrictions are discussed in Section IV.B. of the Fact Sheet. This Order's technology-based pollutant restrictions implement at the minimum, applicable federal technology-based requirements.

Water quality-based effluent limitations have been scientifically derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. The scientific procedures for calculating the individual water quality-based effluent limitations are based on the Ocean Plan, which was approved by U.S. EPA on February 14, 2006.

All beneficial uses and water quality objectives contained in the Basin Plan were approved under State law and submitted to and approved by the U.S. EPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to U.S. EPA prior to May 30, 2000, but not approved by U.S. EPA before that date, are nonetheless "applicable water quality standards for purposes of the [Clean Water] Act" pursuant to 40 CFR. 131.21 (c) (1). Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the technology-based requirements of the CWA and the applicable water quality standards for purposes of the CWA.

- L. Antidegradation Policy.** NPDES regulations at 40 CFR 131.12 require that 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 Section III.C.5 of 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. As discussed in Section III.C.6. of the Fact Sheet, effluent limitations and other requirements established by this Order satisfy applicable anti-backsliding provisions of the CWA and NPDES regulations.
- 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 State and federal law regarding threatened and endangered species.



- 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 authorizes 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 subsections IV.B 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 Section VIII.A. of 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 Section VIII.C. of this Orders' Fact Sheet.
- T. Privilege to Discharge.** A permit and the privilege to discharge waste into waters of the State are conditional upon the discharge complying with provisions of division 7 of the CWC and of the CWA (as amended or as supplemented by implementing guidelines and regulations); and with any more stringent effluent limitations necessary to implement water quality control plans, to protect beneficial uses, and to prevent nuisances.
- U California Water Code Section 13241.** This Order contains restrictions on individual pollutants that are no more stringent than required by the federal CWA. Individual pollutant restrictions consist of technology-based restrictions and water quality-based effluent limitations. The technology-based effluent limitations are specified in federal regulations as discussed in Attachment F, Section IV.B, and the permit's technology-based pollutant restrictions are no more stringent than required by the CWA. Water quality-based effluent limitations have been scientifically derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant water quality-based effluent limitations were derived from the California Toxics Rule, the California Toxics Rule is the applicable standard pursuant to 40 C.F.R. 131.38. The scientific procedures for calculating the individual water quality-based effluent limitations are based on the

California Ocean Plan, which U.S. EPA approved January 20, 2005. All beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by U.S. EPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to U.S. EPA prior to May 30, 2000, but not approved by U.S. EPA before that date, are nonetheless "applicable water quality standards for purposes of the [Clean Water] Act" pursuant to 40 C.F.R. 131.21(c)(1). As stated in Attachment F, certain water quality objectives and beneficial uses implemented by this Order are contained in the 2005 Ocean Plan which was approved by U.S. EPA, and are applicable water quality standards pursuant to 40 C.F.R. 131.21(c)(2). Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the technology-based requirements of the CWA and the applicable water quality standards for purposes of the CWA.

- V. Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (General WDRs).** The General WDRs, Order No. 2006-0003-DWQ, adopted May 2, 2006, applies to publicly owned sanitary sewer systems (collection systems) that are one mile or greater in length. The General WDRs requires collection system entities to develop a Sanitary Sewer Management Plan (SSMP). SSMPs are required to include goals, organization, legal authority, operations and maintenance program, design and performance provisions, overflow emergency response plan, fats, oils, and greases control program, systems evaluations and capacity assurance program, monitoring, measures, and program modifications, and SSMP Program audit. Additionally, the General WDRs requires the collection system entities to report sanitary sewer overflows (SSOs). Collection system entities are required to report SSOs that are greater than 1,000 gallons. Furthermore, some entities must also report SSOs less than 1,000 gallons discharging to surface waters or storm drains or that threaten public health. Reporting provisions are set forth in the General WDRs. Reporting shall occur through the Statewide Online SSO database. Reporting times vary depending on discharge amount and destination.

The discharger enrolled for General WDR coverage on September 5, 2006. The discharger is currently developing and implementing a sanitary sewer management program.

### III. DISCHARGE PROHIBITIONS

- A. Discharge of treated wastewater to the Pacific Ocean at a location other than as described by this Order at 34° 25' 00" N. Latitude, 119° 35' 48" W. Longitude is prohibited.
- B. Discharges of any waste in any manner other than as described by this Order are prohibited.
- C. The discharge of any radiological, chemical, or biological warfare agent or high level radioactive waste to the Ocean is prohibited.
- D. 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.

- E. 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.a. (Bypass), is prohibited.

#### IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

##### A. Effluent Limitations – Discharge Point 001

[NOTE: throughout this Order, staff used the following reference to indicate the general origin of various requirements. Please refer to the Fact Sheet (Attachment F) for detailed information.

- CFR – Title 40, Code of Federal Regulations
- OP – California Ocean Plan (2005)
- BP – Central Coast Water Quality Control Plan (Basin Plan)
- CCR – California Code of Regulations, Title 17, Sections 7957 and 7958

The definitions of terms in quotation marks throughout this Order are located in the attached Central Coast water Board Standard provisions (Attachment D-1), or the 2005 Ocean Plan.]

##### 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 for Conventional Pollutants**

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	6-Month Median	Instantaneous Maximum
BOD <sub>5</sub>	mg/L	30	45	90	---	---
	lbs/day <sup>(1)</sup>	75	113	225	---	---
TSS	mg/L	30	45	90	---	---
	lbs/day <sup>(1)</sup>	75	113	225	---	---
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 <sup>(1)</sup>	63	100	188	---	---
pH	pH units	6.0 – 9.0 at all times				
Total Chlorine Residual	mg/L	---	---	0.5	0.1	3.7
Chronic Toxicity	TUc	---	---	61	---	---

<sup>(1)</sup> For flows less than 0.3 mgd, mass emission rates shall not exceed these maximum allowable emission rates.

**Table 8. Effluent Limitations for The Protection of Marine Aquatic Life**

Pollutant	Unit	6-Month Median	Daily Maximum	Instantaneous Maximum
Arsenic	ug/L	310	1800	4700
	lb/day	0.77	4.4	12
Cadmium	ug/L	61	240	610
	lb/day	0.20	0.61	1.5
Chromium (+6) <sup>1</sup>	ug/L	120	490	1200
	lb/day	0.30	1.2	3.1
Copper	ug/L	63	610	1700
	lb/day	0.20	1.5	4.3
Lead	ug/L	120	490	1200
	lb/day	0.30	1.2	3.1
Nickel	ug/L	310	1200	3100
	lb/day	0.80	3.1	7.6
Selenium	ug/L	920	3700	9200
	lb/day	2.3	9.2	23
Silver	ug/L	33	160	420
	lb/day	0.10	0.40	1.0
Cyanide <sup>2</sup>	ug/L	61	240	610
	lb/day	0.20	0.60	1.5
Total Residual Chlorine <sup>3</sup>	ug/L	120	490	3700
	lb/day	0.30	1.2	9.2
Ammonia (as N)	ug/L	37000	150000	370000
	lb/day	92	370	920
Chronic <sup>4</sup> Toxicity	TUc	---	61	---
Phenolic Compounds (non-chlorinated)	ug/L	1800	7300	18000
	lb/day	4.6	18	46
Chlorinated Phenolics	ug/L	61	240	610
	lb/day	0.20	0.60	1.5
Endosulfan	ug/L	0.55	1.1	1.7
	lb/day	0.0014	0.0027	0.0041
Endrin	ug/L	0.12	0.24	0.37
	lb/day	0.00031	0.00061	0.00092
HCH <sup>5</sup>	ug/L	0.24	0.49	0.73
	lb/day	0.00061	0.0012	0.0018
Radioactivity	Not to exceed limits specified in Title 17, Division 1, Chapter 5, Subchapter 4, Group 3, Article 3, Section 30253 of the California Code of Regulations. Reference to Section 30253 is prospective, including future changes to any incorporated provisions of federal law, as the changes take effect.			

1 - Discharges may, at their option, meet this limitation as a total chromium limitation.

2 - If a Discharger can demonstrate to the satisfaction of the Regional Board (subject to USEPA approval) that an analytical method is available to reliably distinguish between strongly and weakly complexed cyanide, effluent limitations for cyanide may be met by the combined measurement of free cyanide, simple alkali metal cyanides, and weakly complexed organometallic cyanide complexes. In order for the

analytical method to be acceptable, the recovery of free cyanide from metal complexes must be comparable to that achieved by the approved method in 40 CFR PART 136, as revised May 14, 1999.

- 3 – Water quality objectives for total chlorine residual applying to intermittent discharges not exceeding two hours shall be determined using the following equation:

$$\log y = -0.43(\log x) + 1.8$$

where: y = the water quality objective (in ug/L) to apply when chlorine is being discharged; and x = the duration of uninterrupted chlorine discharge in minutes. The applicable effluent limitation must then be determined using Equation No. 1 from the Ocean Plan.

- 4 – 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.

Chronic Toxicity - Expressed as Toxic Units Chronic (TUc)

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

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 Appendix II.

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

**Table 9. Effluent Limitations for the Protection of Human Health - (Non-Carcinogens)**

Pollutant	Unit	30-day Average
Acrolein	ug/L	13000
	lb/day	34
Antimony	ug/L	73000
	lb/day	180
Bis(2-Chloroethoxy)Methane	ug/L	270
	lb/day	0.70
Bis(2-Chloroisopropyl)Ether	ug/L	73000
	lb/day	180
Chlorobenzene	ug/L	35000
	lb/day	87
Chromium (III)	ug/L	1.2x10 <sup>7</sup>
	lb/day	2.9x10 <sup>4</sup>
Di-n-Butyl Phthalate	ug/L	210000
	lb/day	530
Dichlorobenzenes <sup>1</sup>	ug/L	310000
	lb/day	780
Diethyl Phthalate	ug/L	2.0x10 <sup>6</sup>
	lb/day	5.0x10 <sup>3</sup>
Dimethyl Phthalate	ug/L	5.0x10 <sup>7</sup>
	lb/day	1.3x10 <sup>5</sup>
4,6-Dinitro-2-methylphenol	ug/L	13000
	lb/day	34

Pollutant	Unit	30-day Average
2,4-Dinitrophenol	ug/L	240
	lb/day	0.60
Ethylbenzene	ug/L	250000
	lb/day	630
Fluoranthene	ug/L	920
	lb/day	2.3
Hexachlorocyclopentadiene	ug/L	3500
	lb/day	8.9
Nitrobenzene	ug/L	300
	lb/day	0.70
Thallium	ug/L	100
	lb/day	0.31
Toluene	ug/L	$5.2 \times 10^6$
	lb/day	$1.3 \times 10^4$
Tributyltin	ug/L	0.085
	lb/day	0.00021
1,1,1-Trichloroethane	ug/L	$3.3 \times 10^7$
	lb/day	$8.2 \times 10^4$

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

**Table 10. Effluent Limitations for the Protection of Human Health - (Carcinogens)**

Pollutant	Unit	30-day Average
Acrylonitrile	ug/L	6.1
	lb/day	0.015
Aldrin	ug/L	$1.3 \times 10^{-3}$
	lb/day	$3.4 \times 10^{-6}$
Benzene	ug/L	360
	lb/day	0.90
Benzidine	ug/L	$4.2 \times 10^{-3}$
	lb/day	$1.1 \times 10^{-5}$
Beryllium	ug/L	2.0
	lb/day	0.0050
Bis(2-chloroethyl) ether	ug/L	2.7
	lb/day	0.0069
Bis(2-ethylhexyl) phthalate	ug/L	214
	lb/day	0.53
Carbon Tetrachloride	ug/L	55
	lb/day	0.14
Chlordane <sup>1</sup>	ug/L	$1.4 \times 10^{-3}$
	lb/day	$3.5 \times 10^{-6}$
DDT <sup>2</sup>	ug/L	$1.0 \times 10^{-2}$
	lb/day	$2.6 \times 10^{-5}$
1,4-Dichlorobenzene	ug/L	1100

Pollutant	Unit	30-day Average
	lb/day	2.7
3,3-Dichlorobenzidine	ug/L	0.49
	lb/day	0.0012
1,2-Dichloroethane	ug/L	1700
	lb/day	4.3
1,1-Dichloroethylene	ug/L	55
	lb/day	0.14
Dichlorobromomethane	ug/L	380
	lb/day	0.95
Dichloromethane	ug/L	27000
	lb/day	69
1,3-Dichloropropene	ug/L	540
	lb/day	1.4
Dieldrin	ug/L	$2.4 \times 10^{-3}$
	lb/day	$6.1 \times 10^{-6}$
2,4-Dinitrotoluene	ug/L	160
	lb/day	0.40
1,2-Diphenylhydrazine	ug/L	9.8
	lb/day	0.024
Halomethanes <sup>3</sup>	ug/L	7900
	lb/day	20
Heptachlor	ug/L	$3.1 \times 10^{-3}$
	lb/day	$7.6 \times 10^{-6}$
Heptachlor Epoxide	ug/L	$1.2 \times 10^{-3}$
	lb/day	$3.1 \times 10^{-6}$
Hexachlorobenzene	ug/L	$1.3 \times 10^{-2}$
	lb/day	$3.2 \times 10^{-5}$
Hexachlorobutadiene	ug/L	850
	lb/day	2.1
Hexachloroethane	ug/L	150
	lb/day	0.38
Isophorone	ug/L	45000
	lb/day	110
N-nitrosodimethylamine	ug/L	450
	lb/day	1.1
N-nitrosdi-N-propylamine	ug/L	23
	lb/day	0.058
N-nitrosodiphenylamine	ug/L	150
	lb/day	0.38
PAHs <sup>4</sup>	ug/L	0.54
	lb/day	0.0013
PCBs <sup>5</sup>	ug/L	$1.2 \times 10^{-3}$
	lb/day	$2.9 \times 10^{-6}$
TCDD Equivalents <sup>6</sup>	ug/L	$2.4 \times 10^{-7}$

Pollutant	Unit	30-day Average
	lb/day	6.0x10 <sup>-10</sup>
1,1,2,2-Tetrachloroethane	ug/L	140
	lb/day	0.35
Tetrachloroethylene	ug/L	120
	lb/day	0.31
Toxaphene	ug/L	1.3x10 <sup>-2</sup>
	lb/day	3.2x10 <sup>-5</sup>
Trichloroethylene	ug/L	1600
	lb/day	4.1
1,1,2-Trichloroethane	ug/L	570
	lb/day	1.4
2,4,6-Trichlorophenol	ug/L	18
	lb/day	0.044
Vinyl Chloride	ug/L	2200
	lb/day	5.5

- 1 - Chlordane shall mean the sum of chlordane-alpha, chlordane-gamma, chlordene-alpha, chlordene-gamma, nonachlor-alpha, nonachlor-gamma, and oxychlordane.
- 2 - 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.
- 3 - Halomethanes shall mean the sum of bromoform, bromomethane (methyl bromide) and chloromethane (methyl chloride).
- 4 - 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.
- 5 - 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.
- 6 - 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



- b. The effluent daily dry weather flow shall not exceed a monthly average of 0.3 MGD.
- c. The average monthly percent removal of BOD<sub>5</sub> and TSS shall not be less than 85 percent.
- e. The median number of total coliform organisms in effluent shall not exceed 23 per 100 milliliters, as determined from the bacteriological results of the last seven samples for which analysis has been completed. Any single sample shall not exceed 2300 coliform organisms per 100 milliliters in any sample.
- f. No effluent mass emission rate (lbs/day) shall exceed the "Maximum Allowable Mass Emission Rate," as defined in Attachment D, Section II.F.2.
- g. Effluent shall be essentially free of materials and substances that <sup>OP</sup>:
  - i. Float or become floatable upon discharge.
  - ii. May form sediments which degrade benthic communities or other aquatic life.
  - iii. Accumulate to toxic levels in marine waters, sediments or biota.
  - iv. Decrease the natural light to benthic communities and other marine life.
  - v. Result in aesthetically undesirable discoloration of the ocean surface.
- h. Effluent limitations derived from the 2005 Ocean Plan Tables A and B (provided in the tables in Section A.1.a, above) shall apply to the Discharger's total effluent, of whatever origin (i.e., gross, not net, discharge), except where otherwise specified in the 2005 Ocean Plan <sup>OP</sup>.
- i. The discharge of waste shall not cause water quality objectives established in the 2005 Ocean Plan, Table B, to be exceeded in the receiving water upon completion of initial dilution, except that objectives indicated for radioactivity shall apply directly to the undiluted waste effluent <sup>OP</sup>.
- d. The minimum initial dilution of treated wastewater at the point of discharge to the Pacific Ocean shall not be less than 60 to 1 (seawater to effluent) at any time.
- j. The effluent limitations of this Order are based on the 2005 Ocean Plan criteria and equations as applicable therein, using a minimum initial dilution of 60:1. If the actual dilution ratio is found to be different, then the ratio will be recalculated and this Order revised when and as appropriate.
- k. The minimum initial dilution is the lowest average initial dilution within any single month of the year. Dilution estimates shall be based on observed waste flow characteristics, observed receiving water density structure, and the assumption

that no currents (of sufficient strength to influence the initial dilution process) flow across the discharge structure.<sup>OP</sup>

- I. The State Water Board shall identify standard dilution models for use in determining the minimum initial dilution, and shall assist the Central Coast Water Board in its evaluation for specific waste discharges. Dischargers may propose alternative methods of calculating minimum initial dilution, and the Central Coast Water Board may accept such methods upon verification of their accuracy and applicability.<sup>OP</sup>
- m. If only one sample is collected during the time period associated with an effluent limitation or water quality objective (e.g., 30-day average or 6-month median), the single measurement shall be used to determine compliance with the effluent limitation for the entire time period.<sup>OP</sup>
- n. Any significant change in waste flow shall be cause for reevaluating effluent limitations.<sup>OP</sup>

## **B. Reclamation Specifications**

1. For the proper use of treated wastewater the Discharger shall comply with applicable requirements of CWC sections 13500 – 13577 (Water Reclamation) and of California Code of Regulations (CCR) title 22, sections 60301 – 60357 (Water Recycling Criteria).
2. Pursuant to CWC section 13523, the Discharger shall develop and submit to the Executive Officer for approval a Preconstruction Report to demonstrate compliance of the proposed reclamation project with applicable water reclamation and recycling criteria established in the CWC and CCR. The Preconstruction Report shall be equivalent to an Engineering Report as required by CCR title 22, section 60323. It shall be prepared by a properly qualified engineer registered in California and experienced in the field of wastewater treatment. The Preconstruction / Engineering Report shall contain a description of the design of the proposed reclamation system and shall demonstrate the means for compliance with applicable water reclamation and recycling criteria established in the CWC and CCR. It shall include a Contingency Plan to ensure that untreated or inadequately treated wastewater will not be delivered to the use area(s). The Discharger shall receive written notice of approval of the Preconstruction/Engineering Report from the Executive Officer prior to any reuse of treated wastewater.

## **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. Compliance shall be determined from samples collected at stations representative of the area within the waste field where initial dilution is completed. The Central Coast water Board may require the Discharger to investigate the cause of exceedance in the receiving water

before determining whether the Discharger caused a violation of the receiving water limitation.

#### 1. Bacteria Characteristics

a. 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, but including all kelp beds, the following bacteriological objectives shall be maintained throughout the water column.

1) 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.

2) 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

b. Department of Health and Safety (DHS) Standards

DHS has established minimum protective bacteriological standards for coastal waters adjacent to public beaches and for public water-contact sports areas in ocean waters. These standards are found in the CCR, Title 17, Section 7958, and they are identical to the objectives contained in subsection a. above. When a public beach or public water-contact sports area fails to meet these standards, DHS or the local public health officer may post with warning signs or otherwise restrict use of the public beach or public water-contact sports area until the standards are met. The DHS regulations impose more frequent monitoring and more stringent posting and closure requirements on certain high-use public beaches that are located adjacent to a storm drain that flows in the summer.

For beaches not covered under AB 411 regulations, DHS imposes the same standards as contained in Title 17 and requires weekly sampling but allows the county health officer more discretion in making posting and closure decisions.

c. Shellfish Harvesting Standards

1) At all areas where shellfish may be harvested for human consumption, as determined by the Regional Board, the following bacterial objectives shall be maintained throughout the water column:

- i. The median total coliform density shall not exceed 70 per 100 mL, and not more than 10 percent of the samples shall exceed 230 per 100 mL.

## 2. Implementation Provisions for Bacterial Characteristics

### a. Water-Contact Monitoring

- 1) Samples should be collected at least weekly from each site during each 30-day period, with sampling intervals evenly spaced. The geometric mean shall be calculated using the five most recent sample results.
- 2) If a single sample exceeds any of the following densities, repeat sampling at that location will be conducted daily to determine the extent and persistence of the exceedance. Repeat sampling will be conducted until the sample result is less than the Section V.A.1.a (2) densities, 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 calculate the geometric mean.

- 3) For monitoring stations outside of the defined water-contact recreation zone but in areas determined by the Regional Board to be used for water-contact recreation, samples will be analyzed for total coliform.

## 3. Physical Characteristics

- a. Floating particulates and grease and oil shall not be visible on ocean surface.
- b. The discharge of "waste" shall not cause aesthetically undesirable discoloration of the ocean surface.
- c. "Natural light" shall not be "significantly" reduced at any point outside the "zone of initial dilution" as the result of the discharge of "waste."
- d. 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.

## 4. Chemical Characteristics

- a. The dissolved oxygen concentration shall not at any time be depressed more than 10 percent from that which occurs naturally <sup>OP</sup>, or fall below 5.0 mg/L <sup>BP</sup>, as the result of the discharge of oxygen demanding "waste" materials.

- b. The pH shall not be changed at any time more than 0.2 units from that which occurs naturally, and shall be within the range of 7.0 to 8.5 at all times.
- c. The dissolved sulfide concentrations of waters in and near sediments shall not be "significantly" increased above that present under natural conditions.
- d. The concentrations of substances set forth in Chapter II, Table B of the 2005 Ocean Plan shall not be increased in marine sediments to levels which would "degrade" indigenous biota.
- e. The concentration of organic materials in marine sediments shall not be increased to levels which would "degrade" marine life.
- f. Nutrient materials shall not cause objectionable aquatic growth or "degrade" indigenous biota.
- g. Numeric Water Quality Objectives
  - i. Table B water quality objectives apply to all dischargers within the jurisdiction of this Plan.
  - ii. Table B Water Quality Objectives listed in Chapter II, Table B of the 2005 Ocean Plan.

## 5. Biological Characteristics

- a. Marine communities, including vertebrate, invertebrate, and plant species, shall not be "degraded."
- b. The natural taste, odor, and color of fish, "shellfish," or other marine resources used for human consumption shall not be altered.
- c. 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.

## 6. Radioactivity

- a. Discharge of radioactive "waste" shall not "degrade" marine life.<sup>OP</sup>
- b. Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life; or result in the accumulation of radionuclides in the food web to an extent which presents a hazard to human, plant, animal, or aquatic life.<sup>BP</sup>

## 7. General Standards

- a. Waste management systems that discharge to the ocean must be designed and operated in a manner that will maintain the indigenous marine life and a healthy and diverse marine community.<sup>OP</sup>
- b. Waste discharged to the ocean must be essentially free of:
  - i. Material that is floatable or will become floatable upon discharge.
  - ii. Settleable material or substances that may form sediments which will degrade benthic communities or other aquatic life.
  - iii. Substances which will accumulate to toxic levels in marine waters, sediments or biota.
  - ix. Substances that significantly decrease the natural light to benthic communities and other marine life.
  - x. Materials that result in aesthetically undesirable discoloration of the ocean surface.
- c. Waste effluents shall be discharged in a manner which provides sufficient initial dilution to minimize the concentrations of substances not removed in the treatment.
- d. Location of waste discharges must be determined after a detailed assessment of the oceanographic characteristics and current patterns to ensure that:
  - i. Pathogenic organisms and viruses are not present in areas where shellfish are harvested for human consumption or in areas used for swimming or other body-contact sports.
  - ii. Natural water quality conditions are not altered in areas designated as being of special biological significance or areas that existing marine laboratories use as a source of seawater.
  - iii. Maximum protection is provided to the marine environment.
- e. Waste that contains pathogenic organisms or viruses should be discharged a sufficient distance from shellfishing and water-contact sports areas to maintain applicable bacterial standards without disinfection. Where conditions are such that an adequate distance cannot be attained, reliable disinfection in conjunction with a reasonable separation of the discharge point from the area of use must be provided. Disinfection procedures that do not increase effluent toxicity and that constitute the least environmental and human hazard should be used.

## **B. Groundwater Limitations**

Activities at the facility shall not cause exceedance/deviation from the following water quality objectives for groundwater established by the Basin Plan.

1. Groundwater shall not contain taste or odor producing substances in concentrations that adversely affect beneficial uses.
2. Radionuclides shall not be present in concentrations that are deleterious to human, plant, animal, or aquatic life; or result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life.

## **VI. PROVISIONS**

### **A. Standard Provisions**

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

### **B. 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**

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, federal or state water quality objective.

#### **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) in accordance with the Discharger's TRE Workplan.

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 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 or chronic 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 TRE, 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.

**Table 11. Toxicity Reduction Evaluation—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.	Within the period specified in the Workplan (not to exceed one year, without an approved Workplan)
Submit the results of the TRE, including summary of findings, required corrective action, and all results and data.	Within 60 days of completion of the TRE
Implement corrective actions to meet Permit	To be determined by the EO



Action Step	When Required
limits and conditions.	

### b. Receiving Water Monitoring for Bacteria.

If/when effluent limitations for total coliform bacteria are exceeded in consecutive monitoring events, the Discharger shall conduct near shore and surf zone monitoring for bacteria in accordance with Section VIII.A. of the Monitoring and Reporting Program (Attachment E). Results of the increased monitoring for bacteria shall be summarized and submitted in a report to the Executive Officer.

## 3. Best Management Practices and Pollution Prevention

### a. Pollutant Minimization Program

The 2005 California Ocean Plan establishes guidelines for the Pollutant Minimization Program (PMP). At the time of the proposed adoption of this Order, no known evidence was available that would require the Discharger to immediately develop and conduct a PMP. The Central Coast Water Board will notify the Discharger in writing if such a program becomes necessary. The 2005 Ocean Plan PMP language is included herein to provide guidance in the event that a PMP must be developed and implemented by the Discharger.

### b. Determining the Need for a Pollutant Minimization Program

- (1) The Discharger shall develop and implement a Pollutant Minimization Program if:
  - (a) A calculated effluent limitation is less than the reported Minimum Level,
  - (b) The concentration of the pollutant is reported as Detected but Not Qualified (DNQ), and
  - (c) There is evidence showing that the pollutant is present in the effluent above the calculated effluent limitation. Such evidence may include: health advisories for fish consumption; presence of whole effluent toxicity; results of benthic or aquatic organism tissue sampling; sample results from analytical methods more sensitive than methods included in the permit; and the concentration of the pollutant is reported as DNQ and the effluent limitation is less than the Method Detection Limit (MDL).
- (2) Alternatively, the Discharger shall develop and implement a Pollutant Minimization Program if:
  - (a) A calculated effluent limitation is less than the MDL,
  - (b) The concentration of the pollutant is reported as Non-Detect (ND), and
  - (c) There is evidence showing that the pollutant is present in the effluent above the calculated effluent limitation. Such evidence may include:

health advisories for fish consumption; presence of whole effluent toxicity; results of benthic or aquatic organism tissue sampling; sample results from analytical methods more sensitive than methods included in the permit; and the concentration of the pollutant is reported as DNQ and the effluent limitation is less than the MDL.

**c. Elements of a Pollutant Minimization Program**

A Pollutant Minimization Program shall include actions and submittals acceptable to the Regional Water Board including, but not limited to, the following.

- (1) An annual review and semiannual monitoring of potential sources of the reportable pollutant, which may include fish tissue monitoring and other bio-uptake sampling;
- (2) Quarterly monitoring for the reportable pollutant in influent to the wastewater treatment system;
- (3) Submittal of a control strategy designed to proceed toward the goal of maintaining concentrations of the reportable priority pollutant in the effluent at or below the calculated effluent limitation;
- (4) Implementation of appropriate cost-effective control measures for the pollutant, consistent with the control strategy;
- (5) An annual status report that shall be sent to the Executive Officer that includes:
  - (i) All Pollutant Minimization Program monitoring results for the previous year;
  - (ii) A list of potential sources of the reportable pollutant;
  - (iii) A summary of all actions taken in accordance with the control strategy; and
  - (iv) A description of actions to be taken in the following year.

**4. 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 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 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. The Discharger shall take all reasonable steps to prevent or minimize any biosolids use or disposal in violation of applicable regulations and/or which has a likelihood of adversely affecting human health or the environment.

If biosolids are stored for over two years from the time they are generated, the Discharger must ensure compliance with all the requirements for surface disposal under 40 CFR 503 Subpart C, or must submit a written notification to U.S. EPA with the information required at 40 CFR 503.20(b), demonstrating the need for longer temporary storage.

Biosolids monitoring shall be conducted in accordance with the Monitoring and Reporting Program (MRP) of this Order (Attachment E).

The U.S. EPA, and the Central Coast Water Board, or an authorized representative thereof, upon the presentation of credentials, shall be allowed by the Discharger, directly or through contractual arrangements with their biosolids management contractors to (1) enter all premises where biosolids produced by the Discharger are treated, stored, used, or disposed, either by the Discharger or by another party to whom the Discharger transfers the biosolids for treatment, storage, use or disposal; (2) have access to and copy any records that must be kept under the conditions of the permit or of 40 CFR 503, by the Discharger or by another party to whom the Discharger transfers the biosolids for further treatment, storage, use or disposal; and (3) inspect any facilities, equipment (including monitoring and control equipment), practices or operations used in biosolids treatment, storage, use or disposal by the Discharger or by another party to whom the Discharger transfers the biosolids for treatment, storage, use or disposal.

All requirements of 40 CFR 503; 23 CCR, Division 3, Chapter 15; and 27 CCR, Division 2 are enforceable by USEPA and the Central Coast Water Board whether or not the requirements are stated in an NPDES permit or any other permit issued to the Discharger.

- b. The Discharger's collection system is part of the system that is subject to this Order. As such, the Discharger must properly operate and maintain its collection system [40 C.F.R. 122.41(e)]. The Discharger must report any non-compliance

[40 C.F.R. 122.41(l)(6) and (7)] and mitigate any discharge from the collection system in violation of this Order [40 C.F.R. 122.41(d)].

**c. Collection System Maintenance and Renovation Program**

The Discharger shall develop and implement a sanitary sewer management plan consistent with the statewide General WDR for sanitary sewer systems (2006-0003-DWQ). The Discharger obtained official enrollment notification on September 5, 2006.

- d. Pretreatment.** Pretreatment requirements for POTWs are contained within 40 CFR Part 403. Per 40 CFR Part 403.8, any POTW (or combination of POTWs operated by the same authority) with a total design flow greater than 5 MGD and receiving from industrial users pollutants which pass through or interfere with the operation of the POTW or are otherwise subject to pretreatment standards will be required to establish a POTW pretreatment program unless the NPDES State exercises its option to assume local responsibilities as provided for in §403.10(e). The Executive Officer may require that a POTW with a design flow of 5 MGD or less develop a POTW pretreatment program if he or she finds that the nature or volume of the industrial influent, treatment process upsets, violations of POTW effluent limitations, contamination of municipal sludge, or other circumstances warrant in order to prevent interference with the POTW or pass through as defined in 40 CFR Part 403.3.

The Order does not contain pretreatment requirements as the Facility does not meet any of the above criteria.

**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.

- c. Loss of Disinfection.** As soon as possible after learning of a significant loss of disinfection, the Discharger shall notify the DHS Preharvest Shellfish Sanitation Unit (510/540-3423), the Santa Barbara County Environmental Health Services Department, the Central Coast Water Board (805/549-3147), and any shellfish leaseholders with active shellfish growing operations in the area of the discharge, as set forth in a list to be provided and updated by DHS. The Discharger shall determine at its discretion if a loss of disinfection has occurred, and provide notification by fax within four hours of an occurrence during weekday hours of 6:00 am to 5:00 pm. Notification shall be given by 10:00 am on the following business day, if a loss of disinfection occurs after 5 pm during the week or on a weekend. If a loss of disinfection has occurred, the Discharger shall also conduct monitoring for bacteria in the receiving water in accordance with Section VIII.A.2 of the Monitoring and Reporting Program (Attachment E.)

**ATTACHMENT A – DEFINITIONS****Acute Toxicity:**

## a. Acute Toxicity (TUa)

Expressed in Toxic Units Acute (TUa)

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

## 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)

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

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 Regional Water Board by measurement of light transmissivity or total irradiance, or both, according to the monitoring needs of the Regional 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

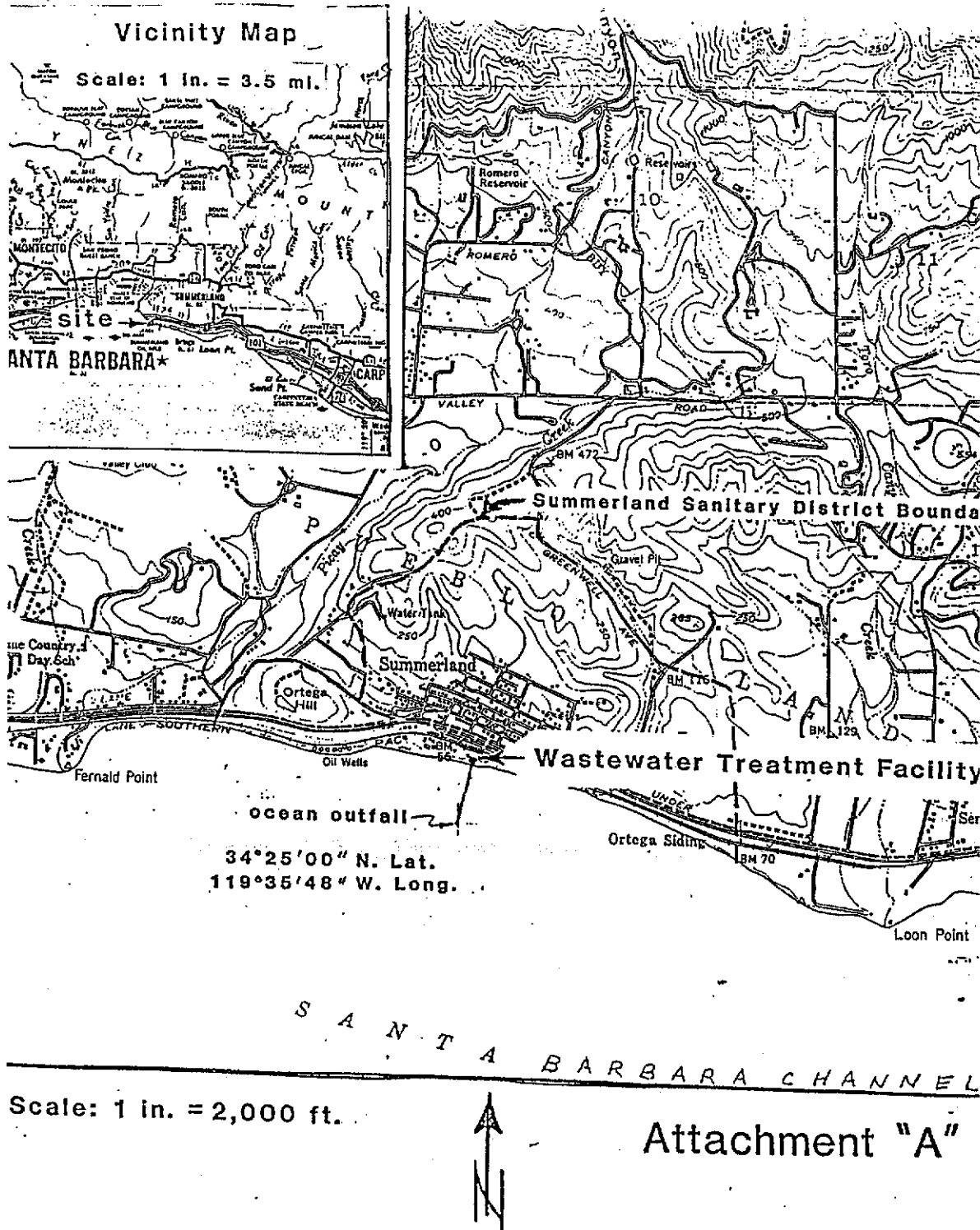
**Toxicity Reduction Evaluation (TRE)** is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity.

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.)

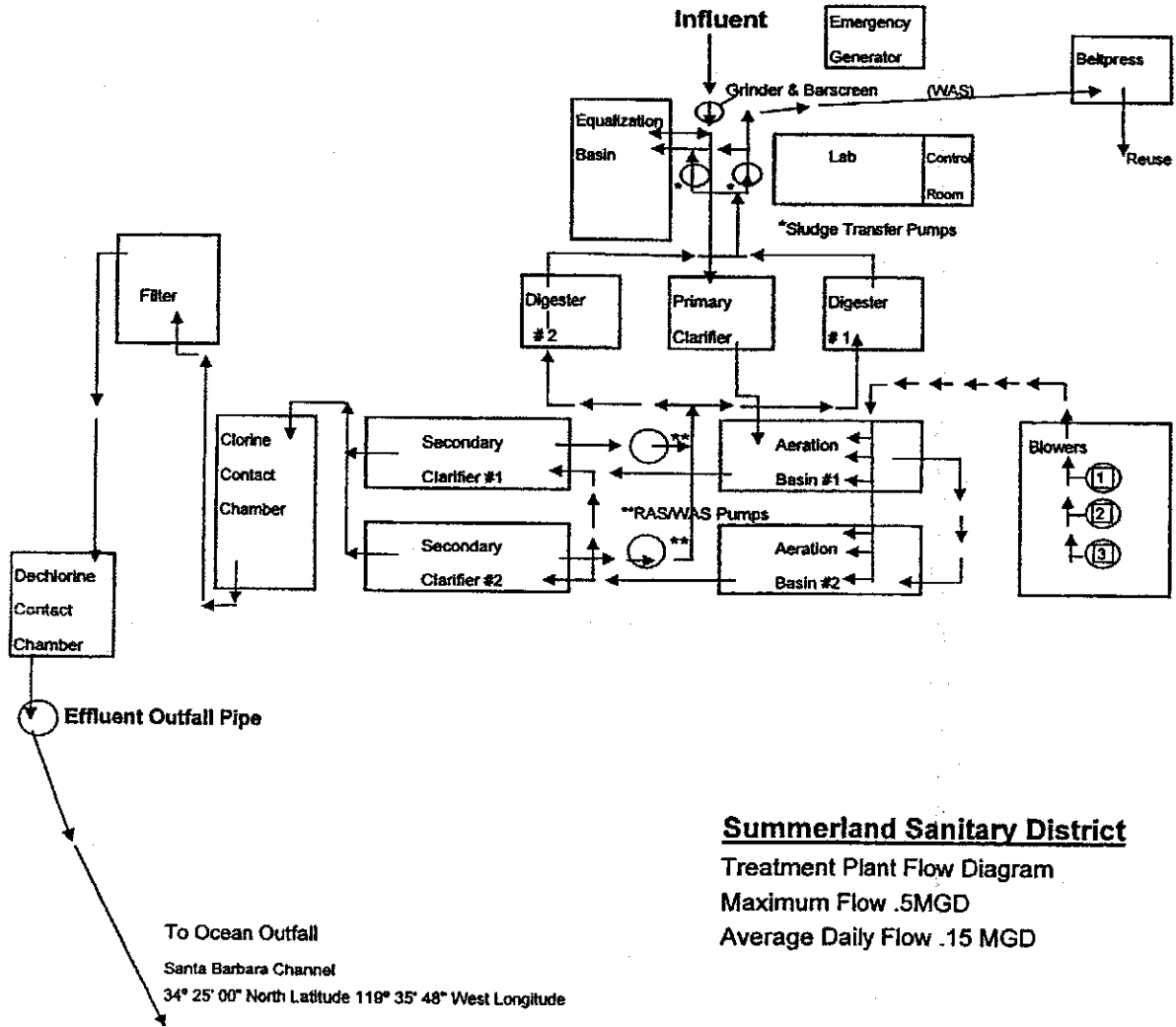
**Waste:** As used in the Ocean Plan, waste includes a Discharger's total discharge, of whatever origin, i.e., gross, not net, discharge.

**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 – MAP



ATTACHMENT C – FLOW SCHEMATIC



## ATTACHMENT D –STANDARD PROVISIONS

### I. FEDERAL STANDARD PROVISIONS

#### A. Federal Standard Provisions – Permit Compliance

##### 1. Duty to Comply

- a. 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, permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. [40 CFR §122.41(a)].
- b. 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 CFR §122.41(a)(1)].

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

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

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

##### 5. Property Rights

- a. This Order does not convey any property rights of any sort or any exclusive privileges [40 CFR § 122.41(g)].
- b. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations [40 CFR §122.5(c)].

- 6. 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 CFR §122.41(i); Wat. Code, §13383]:
- a. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order [40 CFR §122.41(i)(1)];
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order [40 CFR §122.41(i)(2)];
  - c. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order [40 CFR §122.41(i)(3)]; and
  - d. 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 CFR §122.41(i)(4)].

## **7. Bypass**

- a. Definitions
  - i. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility [40 CFR §122.41(m)(1)(i)].
  - ii. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production [40 CFR §122.41(m)(1)(ii)].
- b. 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 Federal Standard Provisions – Permit Compliance I.A.7.c, I.A.7.d, and I.A.7.e below [40 CFR §122.41(m)(2)].
- c. Prohibition of bypass. Bypass is prohibited, and the Central Coast Water Board may take enforcement action against a Discharger for bypass, unless [40 CFR §122.41(m)(4)(i)]:
  - i. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage [40 CFR §122.41(m)(4)(i)(A)];

- ii. There were no feasible alternatives to the bypass, such as use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance [40 CFR §122.41(m)(4)(i)(B)]; and
  - iii. The Discharger submitted notice to the Central Coast Water Board as required under Federal Standard Provisions – Permit Compliance I.A.7.e below [40 CFR §122.41(m)(4)(i)(C)].
  - d. 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 Federal Standard Provisions – Permit Compliance I.A.7.c above [40 CFR §122.41(m)(4)(ii)].
  - e. Notice
    - i. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a notice, if possible at least 10 days before the date of the bypass [40 CFR §122.41(m)(3)(i)].
    - ii. Unanticipated bypass. The Discharger shall submit notice of an unanticipated bypass as required in Federal Standard Provisions - Reporting I.E.5 below (24-hour notice) [40 CFR §122.41(m)(3)(ii)].
- 8. 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 CFR §122.41(n)(1)].
- a. 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 Federal Standard Provisions – Permit Compliance I.A.8.b 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 CFR §122.41(n)(2)].
  - b. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that [40 CFR §122.41(n)(3)]:



- i. An upset occurred and that the Discharger can identify the cause(s) of the upset [40 CFR §122.41(n)(3)(i)];
  - ii. The permitted facility was, at the time, being properly operated [40 CFR §122.41(n)(3)(ii)];
  - iii. The Discharger submitted notice of the upset as required in Federal Standard Provisions – Reporting I.E.5.b.ii below (24-hour notice) [40 CFR §122.41(n)(3)(iii)]; and
  - iv. The Discharger complied with any remedial measures required under Federal Standard Provisions – Permit Compliance I.A.3 above [40 CFR §122.41(n)(3)(iv)].
- c. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof [40 CFR §122.41(n)(4)].

**B. Federal Standard Provisions – Permit Action**

1. **General.** This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition [40 CFR §122.41(f)].
2. **Duty to Reapply.** If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit [40 CFR §122.41(b)].
3. **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 CFR §122.41(l)(3); §122.61].

**C. Federal Standard Provisions – Monitoring**

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity [40 CFR §122.41(j)(1)].
2. 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 CFR §122.41(j)(4); §122.44(i)(1)(iv)].

**D. Federal Standard Provisions – Records**

1. **Records Retention.** 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 CFR §122.41(j)(2).)
2. **Records of monitoring information shall include:**
  - a. The date, exact place, and time of sampling or measurements [40 CFR §122.41(j)(3)(i)];
  - b. The individual(s) who performed the sampling or measurements [40 CFR §122.41(j)(3)(ii)];

- c. The date(s) analyses were performed [40 CFR §122.41(j)(3)(iii)];
- d. The individual(s) who performed the analyses [40 CFR §122.41(j)(3)(iv)];
- e. The analytical techniques or methods used [40 CFR §122.41(j)(3)(v)]; and
- f. The results of such analyses [40 CFR §122.41(j)(3)(vi)].

**3. Claims of confidentiality for the following information will be denied [40 CFR §122.7(b)]:**

- a. The name and address of any permit applicant or Discharger [40 CFR §122.7(b)(1)]; and
- b. Permit applications and attachments, permits and effluent data [40 CFR §122.7(b)(2)].

**E. Federal Standard Provisions – Reporting**

**1. 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 CFR §122.41(h); Water Code, §13267].

**2. Signatory and Certification Requirements**

- a. 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 Federal Standard Provisions – Reporting I.E.2.b, I.E.2.c, I.E.2.d and I.E.2.e below [40 CFR §122.41(k)].
- b. All permit applications shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate

information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures [40 CFR §122.22(a)(1)].

- c. 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 Federal Standard Provisions – Reporting I.E.2.b above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- i. The authorization is made in writing by a person described in Federal Standard Provisions – Reporting I.E.2.b above [40 CFR §122.22(b)(1)];
  - ii. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) [40 CFR §122.22(b)(2)]; and
  - iii. The written authorization is submitted to the Central Coast Water Board and State Water Board [40 CFR §122.22(b)(3)].
- d. If an authorization under Federal Standard Provisions – Reporting I.E.2.c 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 CFR §122.22(c)].
- e. Any person signing a document under Federal Standard Provisions – Reporting I.E.2.b or I.E.2.c 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 CFR §122.22(d)].

### 3. Monitoring Reports

- a. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order [40 CFR §122.41(l)(4)].
- b. 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 CFR §122.41(l)(4)(i)].
- c. 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 CFR §122.41(l)(4)(ii)].
- d. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order [40 CFR §122.41(l)(4)(iii)].

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

### 5. Twenty-Four Hour Reporting

- a. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance [40 CFR §122.41(l)(6)(i)].
- b. The following shall be included as information that must be reported within 24 hours under this paragraph [40 CFR §122.41(l)(6)(ii)]:
  - i. Any unanticipated bypass that exceeds any effluent limitation in this Order [40 CFR §122.41(l)(6)(ii)(A)].
  - ii. Any upset that exceeds any effluent limitation in this Order [40 CFR §122.41(l)(6)(ii)(B)].

- c. The Central Coast Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours [40 CFR §122.41(l)(6)(iii)].

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

- a. 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 CFR §122.41(l)(1)(i)]; or
- b. 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 CFR §122.41(l)(1)(ii)].
- c. The alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan [40 CFR §122.41(l)(1)(iii)].

**7. 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 CFR §122.41(l)(2)].

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

**9. 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 CFR §122.41(l)(8)]

**F. Federal Standard Provisions – Enforcement**

1. 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.

**G. Additional Federal Provisions – Notification Levels**

1. **Non-Municipal Facilities.** Existing manufacturing, commercial, mining, and silvicultural Dischargers shall notify the Central Coast Water Board as soon as they know or have reason to believe [40 CFR §122.42(a)]:

a. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" [40 CFR §122.42(a)(1)]:

i. 100 micrograms per liter ( $\mu\text{g/L}$ ) [40 CFR §122.42(a)(1)(i)];

ii. 200  $\mu\text{g/L}$  for acrolein and acrylonitrile; 500  $\mu\text{g/L}$  for 2,4-dinitrophenol and 2-methyl-4, 6-dinitrophenol; and 1 milligram per liter (mg/L) for antimony [40 CFR §122.42(a)(1)(ii)];

iii. Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [40 CFR §122.42(a)(1)(iii)]; or

iv. The level established by the Central Coast Water Board in accordance with 40 CFR Section 122.44(f) [40 CFR §122.42(a)(1)(iv)].

b. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" [40 CFR §122.42(a)(2)]:

i. 500 micrograms per liter ( $\mu\text{g/L}$ ) [40 CFR §122.42(a)(2)(i)];

ii. 1 milligram per liter (mg/L) for antimony [40 CFR §122.42(a)(2)(ii)];

iii. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge [40 CFR §122.42(a)(2)(iii)]; or

iv. The level established by the Central Coast Water Board in accordance with 40 CFR Section 122.44(f) [40 CFR §122.42(a)(2)(iv)].

2. **Publicly-Owned Treatment Works (POTWs).** All POTWs shall provide adequate notice to the Central Coast Water Board of the following [40 CFR § 122.42(b)]:

- a. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to sections 301 or 306 of the CWA if it were directly discharging those pollutants [40 CFR § 122.42(b)(1)]; and
- b. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of adoption of the Order. [40 CFR § 122.42(b)(2)]
- c. Adequate notice shall include information on the quality and quantity of effluent introduced into the POTW as well as any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW. [40 CFR § 122.42(b)(3)]

## II. CENTRAL COAST REGION'S STANDARD PROVISIONS (JANUARY 1985)

### A. Central Coast General Permit Conditions

#### 1. Central Coast Standard Provisions – Prohibitions

- a. Introduction of "incompatible wastes" to the treatment system is prohibited.
- b. Discharge of high-level radiological waste and of radiological, chemical, and biological warfare agents is prohibited.
- c. Discharge of "toxic pollutants" in violation of effluent standards and prohibitions established under Section 307(a) of the Clean Water Act is prohibited.
- d. Discharge of sludge, sludge digester or thickener supernatant, and sludge drying bed leachate to drainageways, surface waters, or the ocean is prohibited.
- e. Introduction of pollutants into the collection, treatment, or disposal system by an "indirect discharger" that:
  - i. Inhibit or disrupt the treatment process, system operation, or the eventual use or disposal of sludge; or,
  - ii. Flow through the system to the receiving water untreated; and,
  - iii. Cause or "significantly contribute" to a violation of any requirement of this Order, is prohibited.
- f. Introduction of "pollutant free" wastewater to the collection, treatment, and disposal system in amounts that threaten compliance with this order is prohibited.



## 2. Central Coast Standard Provisions – Provisions

- a. Collection, treatment, and discharge of waste shall not create a nuisance or pollution, as defined by Section 13050 of the California Water Code.
- b. 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.
- c. Operation of collection, treatment, and disposal systems shall be in a manner that precludes public contact with wastewater.
- d. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed in a manner approved by the Executive Officer.
- e. 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.
- f. After notice and opportunity for a hearing, this order may be terminated for cause, including, but not limited to:
  - i. violation of any term or condition contained in this order;
  - ii. obtaining this order by misrepresentation, or by failure to disclose fully all relevant facts;
  - iii. 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,
  - iv. a substantial change in character, location, or volume of the discharge.
- g. Provisions of this permit are severable. If any provision of the permit is found invalid, the remainder of the permit shall not be affected.
- h. After notice and opportunity for hearing, this order may be modified or revoked and reissued for cause, including:
  - i. Promulgation of a new or revised effluent standard or limitation;
  - ii. A material change in character, location, or volume of the discharge;
  - iii. Access to new information that affects the terms of the permit, including applicable schedules;
  - iv. Correction of technical mistakes or mistaken interpretations of law; and,

- v. Other causes set forth under Sub-part D of 40 CFR Part 122.
- i. 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:
- i. 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.)
  - ii. 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.
- j. 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.
- k. 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. Central Coast Standard Provisions – General Monitoring Requirements**

1. 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 (Central Coast Standard Provisions – Definitions II.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 (Central Coast Standard Provisions – Definitions II.F.14.).

2. 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.
3. 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.
4. 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. Central Coast Standard Provisions – 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 (Central Coast Standard Provisions – Definitions II.B.1 above, and Federal Standard Provision – Monitoring I.C.1. 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 Federal Standard Provision – Reporting I.E.2, 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 Federal Standard Provision – Permit Action IB.3.
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 Federal Standard Provision – Records I.D.3.
8. By March 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 Central Coast Standard Provision – Provision II.A.2.i), 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. Central Coast Standard Provisions – 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. Central Coast Standard Provisions – 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. Central Coast Standard Provisions – Definitions  
(Not otherwise included in Attachment A to this Order)**

1. 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.
2. "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".
3. "Discharger", as used herein, means, as appropriate: (1) the Discharger, (2) the local sewerage entity (when the collection system is not owned and operated by the Discharger), or (3) "indirect discharger" (where "Discharger" appears in the same paragraph as "indirect discharger", it refers to the discharger.)
4. "Duly Authorized Representative" is one where:
  - a. the authorization is made in writing by a person described in the signatory paragraph of Federal Standard Provision I.E.2;
  - 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 Central Coast Standard Provision – Provision II.F.2 and instantaneous maximum limits.
6. "Hazardous substance" means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act.
7. "Incompatible wastes" are:
  - a. Wastes which create a fire or explosion hazard in the treatment works;
  - b. Wastes which will cause corrosive structural damage to treatment works, but in no case wastes with a pH lower than 5.0 unless the works is specifically designed to accommodate such wastes;
  - c. Solid or viscous wastes in amounts which cause obstruction to flow in sewers, or which cause other interference with proper operation of treatment works;
  - d. Any waste, including oxygen demanding pollutants (BOD, etc), released in such volume or strength as to cause inhibition or disruption in the treatment works and subsequent treatment process upset and loss of treatment efficiency; and,
  - e. Heat in amounts that inhibit or disrupt biological activity in the treatment works or that raise influent temperatures above 40°C (104°F) unless the treatment works is designed to accommodate such heat.
8. "Indirect Discharger" means a non-domestic discharger introducing pollutants into a publicly owned treatment and disposal system.
9. "Log Mean" is the geometric mean. Used for determining compliance of fecal or total coliform populations, it is calculated with the following equation:

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

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

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

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

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

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



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

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

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

15. "Municipality" means a city, town, borough, county, district, association, or other public body created by or under state law and having jurisdiction over disposal of sewage, industrial waste, or other waste.
16. "Overflow" means the intentional or unintentional diversion of flow from the collection and transport systems, including pumping facilities.
17. "Pollutant-free wastewater" means inflow and infiltration, storm waters, and cooling waters and condensates which are essentially free of pollutants.
18. "Primary Industry Category" means any industry category listed in 40 CFR Part 122, Appendix A.
19. "Removal Efficiency" is the ratio of pollutants removed by the treatment unit to pollutants entering the treatment unit. Removal efficiencies of a treatment plant shall be determined using "Monthly averages" of pollutant concentrations (C, in mg/l) of influent and effluent samples collected about the same time and the following equation (or its equivalent):

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

20. "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.

21. "Sludge" means the solids, residues, and precipitates separated from, or created in, wastewater by the unit processes of a treatment system.
22. 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.
23. "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 (Federal Standard Provisions I.E.5.).
24. "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. CWC sections 13267 and 13383 also authorize the Central Coast Water Board to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements, which implement the federal and California regulations.

### I. GENERAL MONITORING PROVISIONS

- A. Laboratories analyzing monitoring samples shall be certified by the DHS, in accordance with CWC 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 Central Coast Water 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  $\pm 10$  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. Analysis for toxics listed by the California Toxics Rule shall also adhere to guidance and requirements contained in the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (2005)*. Analyses for toxics listed in Table B of the California Ocean Plan (2005) shall adhere to guidance and requirements contained in that document. The Minimum Levels identified in the 2005 Ocean Plan represent the lowest concentration of a pollutant that can be quantitatively measured in a sample given the current state of performance in analytical chemistry methods in California.

## II. MONITORING LOCATIONS

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

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

Discharge Point	Monitoring Location Name	Monitoring Location Description
---	INF-001	Influent wastewater prior to treatment and following all significant input of wastewater to the treatment system.
001	EFF-001	Location where representative sample of effluent, to be discharged through the ocean outfall, can be collected after treatment and chlorination/dechlorination and before contact with the receiving water.
---	RSW-001U	A receiving water station directly upcoast from the point of discharge.
---	RSW-002D	A receiving water station directly downcoast from the point of discharge.
---	SRF-A	A receiving water station in the surf zone, approved by the EO.
---	SRF-B	A receiving water station in the surf zone, approved by the EO.
---	SRF-C	A receiving water station in the surf zone, approved by the EO.
---	BIO-001	The last point in the biosolids handling process where representative samples of residual solids from the treatment process can be obtained.

**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 Frequency	Sampling
BOD <sub>5</sub>	mg/L	24 Hr Composite <sup>1</sup>	Monthly <sup>2</sup>	
TSS	mg/L	24 Hr Composite <sup>1</sup>	Monthly <sup>2</sup>	

- 1 - Composite samples may be taken by a proportional sampling device approved by the Executive Officer or by grab samples composited in proportion to flow. In compositing grab samples, the sampling interval shall not exceed one hour.
- 2 - Sampling shall coincide with effluent monitoring for the same pollutant parameter.

**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 Frequency	Sampling
Total Daily Flow	mgd	Metered	Daily	
Instantaneous Daily Flow	mgd	Metered	Daily	
Maximum Daily Flow	mgd	Metered	Monthly	
Mean Daily Flow	mgd	Calculated	Monthly	
pH	pH units	Grab	Daily	
Chlorine Used	lbs/day	Recorded	Daily	
Total Chlorine Residual	mg/L	Metered	Continuous	
Settleable Solids	mL/L/hr	Grab	Daily	
Temperature	° F	Grab	weekly	
BOD <sub>5</sub>	mg/L	24-hr composite	weekly	
TSS	mg/L	24-hr composite	weekly	
Total Coliform Organisms	MPN/100 mL	Grab	Three times per week <sup>[1]</sup>	
Turbidity	NTUs	Grab	weekly	
Oil and Grease	mg/L	Grab	Monthly	
Ammonia (as N)	mg/L	Grab	Monthly	
Chronic Toxicity <sup>[2]</sup>	TUc	Grab	Annually (August)	
Ocean Plan Table B Pollutants <sup>[3]</sup>	µg/L	24-hr composite	Annually (August)	

- 1 - One sampling event shall coincide with BOD<sub>5</sub> sampling.
- 2 - Whole effluent chronic toxicity monitoring shall be conducted according to the requirements established in section V. of this Monitoring and Reporting Program.

- 3 - Those pollutants identified in Table B of the Ocean Plan (2005), except for acute toxicity. Monitoring for acute toxicity is not required for this Discharger. 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 of the Ocean Plan. 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.

## V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

### A. Acute Toxicity

Acute toxicity monitoring is not required.

### B. Chronic Toxicity

The presence of chronic toxicity shall be estimated as specified in Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to West Coast Marine and Estuarine Organisms, EPA-821/600/R-95/136; Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, EPA-600-4-91-003; Procedures Manual for Conducting Toxicity Tests developed by the Marine Bioassay Project, SWRCB 1996, 96-1WQ; and/or Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, EPA/600/4-87-028 or subsequent editions.

Chronic toxicity measures a sublethal effect (e.g., reduced growth or reproduction) to experimental test organisms exposed to an effluent compared to that of the control organisms.

Chronic Toxicity (TU<sub>c</sub>) = 100/NOEL.

The no observed effect level (NOEL) 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.

In accordance with the 2005 Ocean Plan, Appendix III, *Standard Monitoring Procedures*, the Discharger shall use the critical life stage toxicity tests specified in the table below to measure TU<sub>c</sub>. Other species or protocols will be added to the list after State Water Board review and approval.

A minimum of three test species with approved test protocols shall be used to measure compliance with the toxicity objective. If possible, the test species shall include a fish, an invertebrate, and an aquatic plant. After a screening period of no fewer than three

tests, monitoring can be reduced to the most sensitive species. Dilution and control water should be obtained from an unaffected area of the receiving waters. The sensitivity of the test organisms to a reference toxicant shall be determined concurrently with each bioassay test and reported with the test results.

**Table E-4. Approved Tests—Chronic Toxicity**

Species	Test	Tier <sup>[1]</sup>	Reference <sup>[2]</sup>
Giant kelp, <i>Macrocystis pyrifera</i>	percent germination; germ tube length	1	a, c
Red abalone, <i>Haliotis rufescens</i>	abnormal shell development	1	a, c
Oyster, <i>Crassostrea gigas</i> ; mussels, <i>Mytilus spp.</i>	abnormal shell development; percent survival	1	a, c
Urchin, <i>Strongylocentrotus purpuratus</i> ; sand dollar, <i>Dendraster excentricus</i>	percent normal development	1	a, c
Urchin, <i>Strongylocentrotus purpuratus</i> ; sand dollar, <i>Dendraster excentricus</i>	percent fertilization	1	a, c
Shrimp, <i>Homesimysis costata</i>	percent survival; growth	1	a, c
Shrimp, <i>Mysidopsis bahia</i>	percent survival; fecundity	2	b, d
Topsmelt, <i>Atherinops affinis</i>	larval growth rate; percent survival	1	a, c
Silverside, <i>Menidia beryllina</i>	larval growth rate; percent survival	2	b, d

1 - First tier methods are preferred for compliance monitoring. If first tier organisms are not available, the Discharger can use a second tier test method following approval by the Regional Water Board.

2 - Protocol References:

- a. 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 West Coast Marine and Estuarine Organisms. U.S. EPA Report No. EPA/600/R-95/136.
- b. 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 Water to Marine and Estuarine Organisms. U.S. EPA Report No. EPA-600-4-91-003.
- c. SWRCB 1996. Procedures Manual for Conducting Toxicity Tests Developed by the Marine Bioassay Project. 96-1WQ.
- d. Weber, C.I., W.B. Horning, I.I., D.J. Klemm, T.W. Nieheisel, P.A. Lewis, E.L. Robinson, J. Menkedick and F. Kessler (eds). 1998. Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms. EPA/600/4-87/028. National Information Service, Springfield, VA.

Dilution and control waters shall be obtained from an area of the receiving waters, typically upstream, which is unaffected by the discharge. Standard dilution water can be used, if the receiving water itself exhibits toxicity or if approved by the Central Coast Water Board. If the dilution water used in testing is different from the water in which the test organisms were cultured, a second control sample using culture water shall be tested.

A minimum of three test species with approved test protocols with approved test protocols shall be used to measure compliance with the toxicity objective. If possible, the test species shall include a vertebrate, an invertebrate, and an aquatic plant. The sensitivity of test organisms to a reference toxicant shall be determined concurrently



with each bioassay and reported with the test results. After a screening period of no less than three tests, monitoring may be reduced to the most sensitive species.

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).

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 the latest edition, or Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, EPA-821-R-02-012 (2002) or subsequent editions.

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.

Within 14 days of receipt of test results exceeding a 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**

Not applicable.

## **VII. RECLAMATION MONITORING REQUIREMENTS**

The Discharger shall comply with applicable State and local monitoring requirements regarding the production and use of reclaimed wastewater, including requirements established by the DHS at title 22, sections 60301 - 60357 of the CCR, Water Recycling Criteria.

**VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER**

**A. Surf Zone Bacteria Monitoring (Triggered)– Monitoring Locations RSW-001U and D, SRF-A, B, and C**

1. If the total coliform limitations specified in Section IV.A.1.e of the Order are exceeded in three consecutive monitoring events, the Discharger shall monitor for total and fecal coliform and enterococcus bacteria in receiving water at one station directly upcoast and one station directly downcoast of the point of discharge in addition to three surf zone stations approved by the Executive Officer. The Discharger shall monitor these stations daily for seven days. Bacteria monitoring shall be conducted as indicated by Table E-5. A report summarizing the results of monitoring, and comparing the results to Ocean Plan water quality objectives for bacteria shall be submitted to the Executive Officer with the next Self Monitoring Report to be submitted to the Central Coast Water Board.
2. In the event of a malfunction of the Discharger’s wastewater treatment facility’s disinfection process, which results in a potential or actual discharge of inadequately disinfected effluent into the Santa Barbara Channel, the Discharger shall monitor receiving water for bacteria as indicated in Table E-5, and provide notice in accordance with requirements established by Section VI.C.6.c. of the Order.

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

Parameter	Units	Sampling Station	Sampling Frequency
Total Coliform Bacteria Fecal Coliform Bacteria Enterococcus Bacteria	MPN/100ml	RSW-001U and D, SRF -A, B, C	Daily for 7 days

Note: 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. 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. 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.

**IX. OTHER MONITORING REQUIREMENTS**

**A. Ocean Outfall Inspection**

At least once per year, a diver shall visually inspect the outfall pipe and diffusers ports. All findings and actions shall also be reported to the Central Coast Water Board. Any observed cracks, breaks, or malfunctions shall be documented and reported to the Central Coast Water Board.

**B. Solids/Biosolids Monitoring, Reporting, and Notification**

1. A representative sample of residual solids (biosolids) shall be obtained from the last point in the handling process (i.e., in the drying beds just prior to removal). All constituents shall be analyzed annually for total concentrations for comparison with TTLC criteria. The Waste Extraction Test shall be performed on any constituent when the total concentration of the waste exceeds ten times the STLC limit for that substance. Twelve (12) discrete representative samples shall be collected at separate locations in the biosolids ready for disposal. These 12 samples shall be composited to form one (1) sample for constituent analysis. For accumulated, previously untested biosolids, the Discharger shall develop a representative sampling plan including number and location of sampling points, and collect representative samples. The analysis shall test for the metals required in 40 CFR 503.16 (for land application) or 503.26 (for surface disposal), using the methods in *Test Methods for Evaluating Solid Waste, Physical/Chemical Methods* (EPA Publication SW-846, all applicable editions and updates), as required in 503.8(b)(4), at the minimum frequencies established therein, provided in the table below.

**Table E-6. Amount of Biosolids and Frequency for Analysis**

Amount <sup>[1]</sup> (dry metric tons/ 365-day period)	Frequency <sup>[2]</sup>
Greater than zero, but less than 290	Once per year.
Equal to or greater than 290 but less than 1500	Once per quarter (four times per year)
Equal to or greater than 1500 but less than 15,000	Once per sixty days (six times per year)
Greater than 15,000	Once per month (twelve times per year)

- 1 - For land application, either the amount of bulk biosolids applied to the land or the amount prepared for sale or give-away in a bag or other container for application to the land (dry weight basis). If the Discharger's biosolids are directly land applied without further treatment by another preparer, biosolids shall also be tested for organic-N, ammonium-N, and nitrate-N at the frequencies required. For surface disposal, the amount of biosolids placed on an active sludge unit (dry weight basis).
- 2 - Test results shall be expressed in mg pollutant per kg biosolids on a 100% dry weight basis.

Biosolids shall be analyzed annually for the constituents in the following table.

**Table E-7. Biosolids Monitoring**

Constituent	Units	Type of Sample	Sampling/Analysis Frequency
Quantity Removed	Tons or yds <sup>3</sup>	Measured	Continual
Location of Reuse/Disposal	General Public or Specific Site		
Moisture Content	%	Grab	Annually (August)
pH	Standard Units	Grab	Annually (August)
Total Kjeldahl Nitrogen	mg/kg (dry) <sup>[1]</sup>	Grab	Annually (August)
Ammonia(N)	mg/kg	Grab	Annually (August)
Nitrate(N)	mg/kg	Grab	Annually (August)
Total Phosphorus	mg/kg	Grab	Annually (August)
Grease and Oil	mg/kg	Grab	Annually (August)
Boron	mg/kg	Grab	Annually (August)
Cadmium	mg/kg	Grab	Annually (August)
Copper	mg/kg	Grab	Annually (August)
Chromium (total)	mg/kg	Grab	Annually (August)

Lead	mg/kg	Grab	Annually (August)
Mercury	mg/kg	Grab	Annually (August)
Nickel	mg/kg	Grab	Annually (August)
Silver	mg/kg	Grab	Annually (August)
Zinc	mg/kg	Grab	Annually (August)

1 - Total sample (including solids and any liquid portion) to be analyzed and results reported as mg/kg based on the dry weight of the sample.

2. Prior to land application, the Discharger shall demonstrate that the biosolids meet Class A or Class B pathogen reduction levels by one of the methods listed in 40 CFR 503.32 (unless transferred to another preparer who demonstrates pathogen reduction.) Prior to disposal in a surface disposal site, the Discharger shall demonstrate that the biosolids meet Class B levels or shall ensure that the site is covered at the end of each operating day. If pathogen reduction is demonstrated using a "Process to Significantly/Further Reduce Pathogens "(PFRP), the Discharger shall maintain daily records of the operating parameters to achieve this reduction.

The following applies when biosolids from the Discharger are directly land applied as Class B, without further treatment by a second preparer. If the Discharger demonstrates pathogen reduction by direct testing for fecal coliforms and/or pathogens, samples must be drawn at the frequency in the Amount/Frequency table above. If the Discharger demonstrates Class B pathogen reduction by testing for fecal coliform, at least seven grab samples must be drawn and analyzed during each monitoring event, and a geometric mean calculated from these seven samples. If the Discharger demonstrates Class A pathogen reduction by testing for fecal coliform and/or salmonella, plus one of the PFRP processes or testing for enteric viruses and helminth ova at least four samples of fecal coliform or salmonella must be drawn during each monitoring event. All four samples must meet the limits specified in 40 CFR 503.32(a).

3. For biosolids that are land applied or placed in a surface disposal site, the Discharger shall track and keep records of the operational parameters used to achieve Vector Attraction Reduction requirements in 40 CFR 503.33(b).
4. Class 1 facilities (facilities with pretreatment programs or others designated as Class 1 by the regional Administrator) and Federal facilities with greater than five MGD influent flow shall sample biosolids for pollutants listed under Section 307(a) of the CWA (as required in the pretreatment section of the permit for POTWs with pretreatment programs). Class 1 facilities and Federal facilities greater than 5 MGD shall test dioxins/dibenzofurans using a detection limit of less than one pg/g at the time of their next priority pollutant scan if they have not done so within the past five years, and once per five years thereafter.
5. The biosolids shall be tested annually, or more frequently if necessary, to determine hazardousness. All constituents regulated under CCR Title 22, division 5, chapter 11, article 3 shall be analyzed for comparison with Total Threshold Limit Concentration (TTLC) criteria. The Waste Extraction Test shall be performed on any

constituent when the total concentration of the waste exceeds ten times the Soluble Threshold Limit Concentration (STLC) limit for that substance.

6. If biosolids are placed in a surface disposal site (dedicated land disposal site or monofill), a qualified groundwater scientist shall develop a groundwater monitoring program for the site, or shall certify that the placement of biosolids on the site will not contaminate an aquifer.
7. Biosolids placed in a municipal landfill shall be tested by the Paint Filter Liquids Test (EPA Method 9095) at the frequency determined by Table E-8, or more often if necessary to demonstrate that there are no free liquids.
8. The Discharger, either directly or through contractual agreements with their biosolids management contractors, shall comply with the following notification requirements:
  - a. *Notification of non-compliance.* The Discharger shall notify EPA Region 9, the Central Coast Water Board, and the Regional Board located in the region where the biosolids are used or disposed, of any non-compliance within 24 hours if the non-compliance may seriously endanger health or the environment. For other instances of non-compliance, the Discharger shall notify EPA Region 9 and the affected Regional Water Quality Boards of any non-compliance in writing within five working days of becoming aware of the non-compliance. The Discharger shall require their biosolids management contractors to notify EPA Region 9 and the affected Regional Water Quality Boards of any non-compliance within the same time frames.
  - b. If biosolids are shipped to another State or Indian lands, the Discharger must send notice at least 60 days prior to the shipment to the permitting authorities in the receiving State or Indian land (the EPA Regional Office for that area and the State/Indian authorities).
  - c. *For land application (in cases where Class B biosolids are directly applied without further treatment):* Prior to reuse of any biosolids from the Discharger's facility to a new or previously unreported site, the Discharger shall notify EPA, the Central Coast Water Board, and any other affected Regional Water Quality Board. The notification shall include description of the crops or vegetation to be grown, proposed loading rates and determination of agronomic rates.

If any biosolids within a given monitoring period do not meet 40 CFR 503.13 metals concentrations limits, the Discharger (or its contractor) must pre-notify EPA, and determine the cumulative metals loading to that site to date, as required in 40 CFR 503.12. The Discharger shall notify the applier of all the applier's requirements under 40 CFR 503, including the requirement that the applier certify that the management practices, site restrictions, and any applicable vector attraction reduction requirements have been met. The Discharger shall require the applier to certify at the end of 38 months following application of Class B biosolids that the harvesting restrictions in effect for up to 38 months have been met.

- d. *For surface disposal:* Prior to disposal to a new or previously unreported site, the Discharger shall notify EPA and the Central Coast Water Board. The notice shall include a description and a topographic map of the proposed site, depth to groundwater, whether the site is lined or unlined, site operator, site owner, and any State or local permits. The notice shall describe procedures for ensuring public access and grazing restrictions for three years following site closure. The notice shall include a groundwater monitoring plan or description of why groundwater monitoring is not required.
9. The Discharger shall submit an annual biosolids report to the EPA Region 9 Biosolids Coordinator and Central Coast Water Board by February 19<sup>th</sup> of each year (per U.S. EPA guidance and 40 C.F.R. 503) for the period covering the previous calendar year. This report shall include:
- a. Annual biosolids removed in dry tons and percent solids.
  - b. If appropriate, a narrative description of biosolids dewatering and other treatment processes, including process parameters, including a schematic diagram showing biosolids handling facilities. For example, if drying beds are used, report depth of application and drying time. If composting is used, report the temperature achieved and duration.
  - c. A description of disposal methods, including the following information as applicable related to the disposal methods used at the facility. If more than one method is used, include the percentage and tonnage of annual biosolids production disposed by each method.
    - (1) For landfill disposal include: 1) the Central Coast Water Board WDR numbers that regulate the landfills used, 2) the present classifications of the landfills used, 3) the results of any groundwater monitoring, 4) certifications of management practices, and 5) the names and locations of the facilities receiving biosolids.
    - (2) For land application include: 1) the location of the site(s), 2) the Central Coast Water Board's WDR numbers that regulate the site(s), 3) the application rate in lbs/acre/year (specify wet or dry), 4) certifications of management practices and site restrictions, and 5) subsequent uses of the land.
    - (3) For offsite application by a licensed hauler and composter include: 1) the name, address and U.S. EPA license number of the hauler and composter.
  - d. Copies of analytical data required by other agencies (i.e. U.S. EPA or County Health Department) and licensed disposal facilities (i.e. landfill, land application, or composting facility) for the previous year.

- e. Descriptions of pathogen reduction methods and vector attraction reduction methods. Including supporting time and temperature data, and certifications, as required in 40 CFR 503.17 and 503.27.
- f. Names, mailing address, and street addresses of persons who received biosolids for storage, further treatment, disposal in a municipal waste landfill, or for other use or disposal methods not covered above, and amounts delivered to each.
- g. For all biosolids used or disposed at the Discharger's facility, the site and management practice information and certification required in 40 CFR 503.17 and 503.27.
- h. For all biosolids temporarily stored, the information required in 40 CFR 503.20 is required to demonstrate temporary storage.
- i. Reports shall be submitted to:

Regional Biosolids Coordinator  
U.S. EPA (WTR-7)  
75 Hawthorne St.  
San Francisco, CA 94105-3901

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

## **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. The Discharger is currently submitting 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>). At any time during the term of this permit, the State or Central Coast Water Board 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-8. Monitoring Periods and Reporting Schedule**

Sampling Frequency	Monitoring Period Begins On ...	Monitoring Period	SMR Due Date
Continuous	May 9, 2008	All	First day of second calendar month following month of sampling
Daily	May 9, 2008	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	First day of second calendar month following month of sampling
X/Week	Sunday following permit effective date or on permit effective date if on a Sunday	Sunday through Saturday	First day of second calendar month following month of sampling
Monthly	First day of calendar month following permit effective date or on permit effective date if that date is first day of the month	1 <sup>st</sup> day of calendar month through last day of calendar month	First day of second calendar month following month of sampling
Annually	January 1 following (or on) permit effective date	January 1 through December 31	March 1st

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 40 CFR 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 ( $\pm$  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 CIWQS Program Web Site and certified as required by the Standard Provisions (Attachment D), to the web address listed below:  
  
<http://www.waterboards.ca.gov/ciwqs/index.html>
  - d. An Annual Self Monitoring Report Summary shall be due on February 1 following each calendar year and shall include:
    - I. All data required by this MRP for the corresponding monitoring period, including appropriate calculations to verify compliance with effluent limitations.
    - II. A discussion of any incident of non-compliance and corrective actions taken.

### **C. Discharge Monitoring Reports (DMRs)**

1. As described in Section X.B.1 above, 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.

State Water Resources Control Board  
Division of Water Quality  
c/o DMR Processing Center  
PO Box 100  
Sacramento, CA 95812-1000

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. The Discharger shall report the results of any special monitoring, TREs, or other data or information that results from the Special Provisions, section VI. C, of the Order. The Discharger shall submit such reports with the first monthly SMR scheduled to be submitted on or immediately following the report due date.

**ATTACHMENT F – FACT SHEET**

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**ATTACHMENT F – FACT SHEET**

As described in section II of the 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**

<b>WDID</b>	3 420111001
<b>Discharger</b>	Summerland Sanitary District
<b>Name of Facility</b>	Summerland Sanitary District Wastewater Treatment Plant
<b>Facility Address</b>	2435 Wallace Avenue
	Summerland, CA 93067
	Santa Barbara County
<b>Facility Contact, Title and Phone</b>	James A. McManus, General Manager (805) 969-4344
<b>Authorized Person to Sign and Submit Reports</b>	James A. McManus, General Manager (805) 969-4344
<b>Mailing Address</b>	P.O. Box 417, Summerland, CA 93067
<b>Billing Address</b>	P.O. Box 417, Summerland, CA 93067
<b>Type of Facility</b>	POTW
<b>Major or Minor Facility</b>	Minor
<b>Threat to Water Quality</b>	2
<b>Complexity</b>	B
<b>Pretreatment Program</b>	Y
<b>Reclamation Requirements</b>	Title 22, only when recycled water is being used
<b>Facility Permitted Flow</b>	0.3 mgd
<b>Facility Design Flow</b>	0.3 mgd
<b>Watershed</b>	Carpinteria HSA
<b>Receiving Waters</b>	Pacific Ocean
<b>Receiving Water Type</b>	Ocean Water

- A.** The Summerland Sanitary District (hereinafter, the Discharger) is the owner and operator of the Summerland Sanitary District sanitary sewer collection system and wastewater treatment plant (WWTP), a publicly owned treatment works (POTW). The facility serves a population ranging from 2,000 to 2,500.

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 R3-2003-012, which was adopted on March 21, 2003 and expires on March 21, 2008. 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 September 19, 2007. A site visit was conducted on September 27, 2007 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 Summerland Sanitary District WWTP currently serves a population ranging from 2,000 to 2,500. The collection system is a separate sanitary sewer system. Wastewater treatment processes at the facility include primary sedimentation, activated sludge aeration, secondary sedimentation, chlorination, tertiary filtration with an anthracite bed filter, and dechlorination. The treatment plant has a design capacity of 0.3 mgd. Treated wastewater is discharged to the Pacific Ocean through a diffuser, which provides a minimum initial dilution of 60:1 (seawater:effluent). Sludge is aerobically digested and dewatered before drying and hauled offsite.

Storm water from the treatment facility site is captured and directed to the headworks of the treatment plant. The Discharger is exempt from the requirements of General Permit No. CAS000001 (Waste Discharge Requirements for Discharges of Storm Water Associated with Industrial Activities), as the treatment plant's design flow is less than 1.0 mgd.

### B. Discharge Points and Receiving Waters

Discharge of tertiary treated wastewater from the WWTP at Discharge Point 001 occurs through an 740-foot outfall/diffuser system that terminates at a depth of 20 feet in the Santa Barbara Channel of the Pacific Ocean at 34° 25' 00" N latitude and 119° 35' 48" W longitude.

The minimum probable initial dilution for Discharge Point 001 is 60 to 1, a figure that has been used by Central Coast Water Board staff to determine the need for water quality based effluent limitations and, if necessary, to calculate those limitations.

**C. Summary of Existing Requirements and Effluent Characterization**

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

**Table F-2. Historic Effluent Limitations, Discharge Point 001**

Parameter	Units	Effluent Limitations		
		Average Monthly	Average Weekly	Daily Maximum
Flow	MGD	0.3	---	---
BOD <sub>5</sub>	mg/L	30	45	90
	lbs/day	75	113	225
TSS	mg/L	30	45	90
	lbs/day	75	113	225
BOD <sub>5</sub> and TSS	%	Removal by treatment shall not be less than 85 percent		
Oil & Grease	mg/L	25	40	75
	lbs/day	63	100	188
Settleable Solids	mL/L	1.0	1.5	3.0
Turbidity	NTUs	75	100	225
pH	pH Units	6.0 – 9.0		
Coliform Bacteria	MPN/100 mL	23	---	2300
Ocean Plan Table B Pollutants	µg/L	Effluent limitations were established for all Table B pollutants based upon water quality objectives established in the Ocean Plan and a minimum initial dilution of 60:1.		

**Table F-3. Effluent Characterization, M-001 (April 2005 – May 2007)**

	Units	Maximum Average Monthly	Maximum Daily
Effluent Flow	mgd	0.355	0.556
BOD <sub>5</sub>	mg/L	14.9	53
TSS	mg/L	0.1	13
Oil & Grease	mg/L	21.1	21.1
pH (range)	pH units	5.4 – 8.0	
Coliform Bacteria	MPN/100 mL	8.5	50
Turbidity	NTUs	1.01	2.02
Settleable Solids	mL/L	0.1	0.1

**D. Compliance Summary**

Central Coast Water Board records indicate there were no violations for exceedances of effluent limitations during the term of the previous permit. Incidents of sanitary sewer overflows are summarized in the table below.

**Table F-4. Incidents of Sanitary Sewer Overflows**

Date	Volume (gallons)	Discharge Waterbody	to	Reported Cause
7/17/2005	500	N		Malfunctioning valve
4/16/2007	500	Y		Root blockage

**E. Planned Changes**

The Summerland Sanitary District is undertaking initial planning steps to supply recycled water for local landscape irrigation uses. The order requires the Discharger to comply with applicable requirements of CWC sections 13500 through 13577 (Water Reclamation) and of CCR title 22, sections 60301 through 60357 (Water Recycling Criteria).

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

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

**A. Legal Authorities**

This Order is issued pursuant to section 402 of the federal CWA and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the CWC (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 WDRs pursuant to article 4, chapter 4, division 7 of the CWC (commencing with section 13260).

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

Pursuant to CWC 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. To address ocean waters, the Basin Plan incorporates by reference the *Water Quality Control Plan for Ocean Waters of California* (the Ocean Plan), which was adopted in 1972 and amended in 1978, 1983, 1988, 1990, 1997, 2000, and 2005. The most recent amendment to the Ocean Plan was adopted by the State Water Resources Control Board (the State Water Board) on April 21, 2005 and became effective on February 14, 2006.

The Basin Plan implements 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 (MUN). Because of very high levels of TDS in the Pacific Ocean, the receiving waters for



discharges from the Summerland Sanitary District WWTP meet an exception to Resolution No. 88-63, which precludes waters with TDS levels greater than 3,000 mg/L from the MUN designation. Beneficial uses established by the Basin Plan and the Ocean Plan for the Pacific Ocean are as follows:

**Table F-5. Basin Plan Beneficial Uses for the Pacific Ocean**

Discharge Point	Receiving Water	Beneficial Use(s)
M-001	Pacific Ocean (Santa Barbara Channel)	<ul style="list-style-type: none"> <li>• Water Contact (REC-1)</li> <li>• Non-Contact Recreation (REC-2)</li> <li>• Navigation (NAV)</li> <li>• Commercial and Sport Fishing (COMM)</li> <li>• Marine Habitat (MAR)</li> <li>• Rare, Threatened, or Endangered Species (RARE)</li> <li>• Wildlife Habitat (WILD)</li> </ul>

**Table F-6. Ocean Plan Beneficial Uses**

Discharge Point	Receiving Water	Beneficial Uses
M-001	Pacific Ocean (Santa Barbara Channel)	<ul style="list-style-type: none"> <li>• Industrial Water Supply (IND)</li> <li>• Water Contact and Non-Contact Recreation, including Aesthetic Enjoyment (REC)</li> <li>• Navigation (NAV)</li> <li>• Commercial and Sport Fishing (COMM)</li> <li>• Mariculture (MARI)</li> <li>• Preservation and Enhancement of Designated Areas of Special Biological Significance (ASBS)</li> <li>• Rare and Endangered Species (RARE)</li> <li>• Marine Habitat (MAR)</li> <li>• Fish Migration (MIGR)</li> <li>• Fish Spawning and Shellfish Harvesting (SPWN)</li> </ul>

Requirements of this Order implement the Basin Plan and the Ocean Plan.

**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. As a discharger to coastal waters, the Discharger shall comply with all applicable provisions of the Thermal Plan.

3. **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 Pacific Ocean.
4. **Alaska Rule.** On March 30, 2000, U.S. EPA 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 U.S. EPA after May 30, 2000 must be approved by U.S. EPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to U.S. EPA by May 30, 2000, may be used for CWA purposes, whether or not approved by U.S. EPA.

5. **Antidegradation Policy.** NPDES regulations at 40 CFR 131.12 require that 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 Basin Plan implements and incorporates by reference both the State and federal antidegradation policies. The permitted discharge must be 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.

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

CWA section 303 (d) requires states to identify specific water bodies where water quality standards are not expected to be met after implementation of technology-based effluent limitations on point sources. For all 303 (d) listed water bodies and pollutants, the Central Coast Water Board must develop and implement TMDLs (Total Maximum Daily Loads) that will specify WLAs (Waste Load Allocations) for point sources and Load Allocations for non-point sources.

The State's 2002 303 (d) list of impaired water bodies, which was approved by U.S. EPA in July 2003, does not identify the coast of the Pacific Ocean at Lookout Park in the vicinity of the point of discharge as being impaired.

#### E. Other Plans, Policies and Regulations

1. **Discharges of Storm Water.** With a design flow less than 1.0 mgd, the Discharger is exempt from requirements 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*.

#### 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 to the Pacific Ocean at a location other than as described by the Order). The Order authorizes a single, specific point of discharge to the Pacific Ocean; and 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. This prohibition is also retained from the previous permit.
2. Discharge Prohibition III. B (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.
3. Discharge Prohibition III. C (Discharges of radiological, chemical, or biological warfare agent or high level radioactive waste to the Ocean is prohibited). This prohibition restates a discharge prohibition established in section III. H of the Ocean Plan.
4. Discharge Prohibition III. D (Discharge of sludge and sludge digester supernatant to the Ocean is prohibited). This prohibition restates a discharge prohibition established in section III. H of the Ocean Plan.
5. Discharge Prohibition III. E (Overflows and bypasses 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. This provision is also retained from the previous Order.

**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. Where the U.S. EPA has not yet developed technology based standards for a particular industry or a particular pollutant, CWA Section 402 (a) (1) and U.S. EPA regulations at 40 CFR 125.3 authorize the use of 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.

This Order includes limitations based on the minimum level of effluent quality attainable by secondary treatment, as established at 40 CFR 133. The Secondary Treatment Regulation includes the following limitations applicable to all POTWs.

**Table F-7. Secondary Treatment Requirements**

Parameter	Effluent Limitation		
	30-Day Avg	7-Day Avg	Percent Removal <sup>[1]</sup>
BOD <sub>5</sub>	30 mg/L	45 mg/L	85
CBOD <sub>5</sub> <sup>[2]</sup>	25 mg/L	40 mg/L	85
TSS	30 mg/L	45 mg/L	85
pH	6.0 – 9.0		---

<sup>[1]</sup> 30-day average

<sup>[2]</sup> At the option of the permitting authority, effluent limitations for CBOD<sub>5</sub> may be substituted for those limitations specified for BOD<sub>5</sub>.

In addition, the State Water Board, in Table A of the Ocean Plan, has established technology-based requirements, applicable to all POTWs, for oil and grease, suspended and settleable solids, turbidity, and pH.

**2. Applicable Technology-Based Effluent Limitations**

The following table summarizes technology-based effluent limitations established by the Order.

**Table F-8. Summary of Technology-Based Effluent Limitations**

Parameter	Units	Effluent Limitations		
		Average Monthly	Average Weekly	Maximum Daily
BOD <sub>5</sub> <sup>[1]</sup>	mg/L	30	45	90
	lbs/day <sup>[2]</sup>	75	113	225

Parameter	Units	Effluent Limitations		
		Average Monthly	Average Weekly	Maximum Daily
TSS <sup>[1]</sup>	mg/L	30	45	90
	lbs/day <sup>[2]</sup>	75	113	225
Settleable Solids	mL/L	1.0	1.5	3.0
Turbidity	NTUs	75	100	225
Oil & Grease	mg/L	25	40	75
	lbs/day <sup>[2]</sup>	63	100	188
pH	pH units	6.0 – 9.0 at all times		

<sup>[1]</sup> The average monthly percent removal of BOD<sub>5</sub> and TSS shall not be less than 85 percent.

<sup>[2]</sup> For flows less than 0.3 mgd, the mass emission rate shall not exceed the mass emission limitation.

All technology-based limitations are retained from the previous permit and are required by NPDES regulations at 40 CFR 133 and/or Table A of the Ocean Plan. Mass-based limitations for BOD<sub>5</sub>, TSS, and oil and grease are based on a discharge rate of 0.3 mgd, the design treatment capacity of the Summerland Sanitary District WWTP.

## 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.

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) U.S. EPA 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

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

Water quality criteria applicable to ocean waters of the Central Coast 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 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<sup>th</sup> 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 Regional 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 Regional 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<sup>th</sup> 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<sup>th</sup> 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) account 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 account 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 3 detected and quantified values, or when the effluent data set contains 3 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 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.

Here, an RPA was conducted using effluent monitoring data generated in five monitoring events between June 2003 and May 2007. Results from the RPA have been used to determine the need for effluent limitations for Table B pollutants.

The following table presents the results of the RPA, performed in accordance with procedures described by the Ocean Plan, for the Summerland Sanitary District WWTP. The RPA endpoint is identified for each Table B pollutant with available monitoring data, as shown in the following table. In summary, the RPA indicates Endpoint 3 for most of the pollutants analyzed, or Endpoint 2. An Endpoint 3 RPA is inconclusive, resulting when a majority of the effluent data are reported as ND (not detected). In these circumstances, the Central Coast Water Board retains the existing WQBELs in accordance with Appendix VI of the 2005 Ocean Plan and monitoring will be required for those pollutants during the term of the reissued permit. An Endpoint 2 indicates there is no reasonable potential for the pollutant.

The RPA, conducted for the Summerland Sanitary District WWTP using effluent data from June 2003 through may 2007 did not show "reasonable potential" for any of the Ocean Plan Table B pollutants, as described in the table, below.

**Table F-9. RPA Results**

Table B Pollutant	Most Stringent WQO (µg/L)	No. of Samples	No. of Non-Detects	Max Effluent Conc. (µg/L)	RPA Result, Comment
<b>Objectives for Protection of Marine Aquatic Life</b>					
Arsenic	8	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Cadmium	1	5	4	0.64	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Chlorinated Phenolics	1	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Chromium (VI)	2	5	4	0.96	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.



Table B Pollutant	Most Stringent WQO (µg/L)	No. of Samples	No. of Non-Detects	Max Effluent Conc. (µg/L)	RPA Result, Comment
Copper	3	5	3	28.4	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Cyanide	1	5	3	10	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Endosulfan (total)	0.009				No data.
Endrin	0.002				No data.
HCH	0.004				No data.
Lead	2	5	3	2.6	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Mercury	0.04	5	2	0.0267	Endpoint 2 – Effluent limitation not required.
Nickel	5	5	3	25.8	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Non-chlorinated Phenolics	30	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Selenium	15				No data.
Silver	0.7	5	4	0.87	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Zinc	20	5	0	237	Endpoint 2 – Effluent limitation not required.
<b>Objectives for Protection of Human Health – Non-Carcinogens</b>					
1,1,1-Trichloroethane	540000	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
2,4-Dinitrophenol	4.0	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
2-Methyl-4,6-Dinitrophenol	220	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Acrolein	220	4	4	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Antimony	1200	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Bis(2-Chloroethoxy)Methane	4.4	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Bis(2-Chloroisopropyl)Ether	1200	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Chlorobenzene	570	4	4	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Chromium (III)	190000	5	3	2.72	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Dichlorobenzenes	5100	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Diethyl Phthalate	33000	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Dimethyl Phthalate	820000	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Di-n-Butyl Phthalate	3500	5	4	1.39	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Ethylbenzene	4100	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Fluoranthene	15	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Hexachlorocyclopentadiene	58	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.

Table B Pollutant	Most Stringent WQO (µg/L)	No. of Samples	No. of Non-Detects	Max Effluent Conc. (µg/L)	RPA Result, Comment
Nitrobenzene	4.9	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Thallium	2	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Toluene	85000	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Tributyltin	0.0014	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
<b>Objectives for Protection of Human Health – Carcinogens</b>					
1,1,2,2-Tetrachloroethane	2.3	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
1,1,2-Trichloroethane	9.4	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
1,1-Dichloroethylene	0.9	4	4	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
1,2-Dichloroethane	28	4	4	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
1,2-Diphenylhydrazine	0.16	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
1,3-Dichloropropylene	8.9	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
1,4 Dichlorobenzene	18	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
TCDD Equivalentents	3.9 x 10 <sup>-9</sup>	4	4	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
2,4,6-Trichlorophenol	0.29	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
2,4-Dinitrotoluene	2.6	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
3,3'-Dichlorobenzidine	0.0081	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Acrylonitrile	0.10	4	4	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Aldrin	2.2E-5				No data.
Benzene	5.9	4	4	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Benzidine	6.9E-5	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Beryllium	0.033	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Bis(2-Chloroethyl)Ether	0.045	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Bis(2-Ethylhexyl)Phthalate	3.5	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Carbon Tetrachloride	0.90	4	4	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Chlordane	2.3E-5				No data.
Chlorodibromomethane	8.6	4	0	13	Endpoint 2 – Effluent limitation not required.
Chloroform	130	4	0	75	Endpoint 2 – Effluent limitation not required.
DDT (total)	0.00017				No data.

Table B Pollutant	Most Stringent WQO (µg/L)	No. of Samples	No. of Non-Detects	Max Effluent Conc. (µg/L)	RPA Result, Comment
Dichlorobromomethane	6.2	4	4	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Dieldrin	0.00004				No data.
Halomethanes	130	4	4	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Heptachlor	0.00005				No data.
Heptachlor Epoxide	0.00002				No data.
Hexachlorobenzene	0.00021	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Hexachlorobutadiene	14	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Hexachloroethane	2.5	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Isophorone	730	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Methylene Chloride	450	5	4	0.6	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
N-Nitrosodimethylamine	7.3	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
N-Nitrosodi-n-Propylamine	0.38	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
N-Nitrosodiphenylamine	2.5	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
PAHs (total)	0.0088	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
PCBs	1.9E-5				No data.
Tetrachloroethylene	2.0	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Toxaphene	0.00021				No data.
Trichloroethylene	27	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.
Vinyl Chloride	36	5	5	ND	Endpoint 3 – RPA is inconclusive. Less than 3 detects or greater than 80% ND.

NA indicates that effluent data is not available

ND indicates that the pollutant was not detected.

Minimum probable initial dilution for this Discharger is 60 : 1.

Secondary effluent data used for this RPA are from 5 monitoring events between June 2003 to May 2007.

All units are ug/L.

Although monitoring data for chlorine and whole effluent chronic toxicity from the term of the previous permit do not indicate “reasonable potential,” based on statistical methods of analysis established by the 2005 Ocean Plan, the Central Coast Water Board is retaining effluent limitations for the pollutants (or pollutant parameters). In accordance with 2005 Ocean Plan procedures described in Section IV. C. 3 of this Fact Sheet, the Central Coast Water Board staff have made a finding of “reasonable potential” for chlorine and whole effluent chronic toxicity because such a conclusion can be supported even without consideration of effluent data. Like most WWTPs, the Discharger’s facility applies chlorine for disinfection on a continuous basis, and opportunities for mechanical and/or operational lapses with chlorination/dechlorination systems cannot be entirely

eliminated. Due to the significant toxicity of chlorine to aquatic life and some opportunity for mechanical and/or operational lapses with chlorination/dechlorination equipment, Central Coast Water Board staff have determined that there is "reasonable potential" for the discharge to cause or contribute to exceedances of applicable water quality criteria for chlorine that are established by the Ocean Plan; and therefore, WQBELs for chlorine are retained from the previous permit.

The Central Coast Water Board has also made a finding of "reasonable potential" for whole effluent chronic toxicity, because such a conclusion can be supported even without consideration of effluent data. For many POTWs, like the Summerland Wastewater Treatment Facility, an analysis of effluent data does not highlight any toxic pollutants of concern; however, the cumulative impacts of various pollutants present at low levels are unknown. Central Coast Water Board staff view whole effluent chronic toxicity as a direct indicator or measure of the cumulative effect of toxic pollutants that may be present at low concentrations, and therefore conclude that the discharge show "reasonable potential" to cause or contribute to exceedances of applicable water quality criteria for chronic toxicity that are established by the Ocean Plan.

WQBELs for total coliform bacteria are also retained from the previous permit. Even without analysis of effluent data, the potential presence of pathogens in treated domestic wastewater is well documented, and in these circumstances, Central Coast Water Board staff conclude that there is "reasonable potential" for discharges to cause or contribute to exceedances of applicable water quality objectives established by the 2005 Ocean Plan for protection of shellfish harvesting and recreational areas.

#### 4. WQBEL Calculations

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

$$C_e = C_o + D_m (C_o - C_s)$$

Where ...

$C_e$  = the effluent limitation ( $\mu\text{g/L}$ )

$C_o$  = the concentration (the water quality objective) to be met at the completion of initial dilution ( $\mu\text{g/L}$ ).

$C_s$  = background seawater concentration ( $\mu\text{g/L}$ )

$D_m$  = minimum probable initial dilution expressed as parts seawater per part wastewater (here,  $D_m = 60$ )

Initial dilution is the process that results in the rapid and irreversible turbulent mixing of wastewater with ocean water around the point of discharge. As site-specific water

quality data not available, in accordance with Table B implementing procedures, Cs equals zero for all pollutants, except the following.

**Table F-10. Background Concentrations—Ocean Plan**

Pollutant	Background Seawater Concentration
Arsenic	3 $\mu\text{g/L}$
Copper	2 $\mu\text{g/L}$
Mercury	0.0005 $\mu\text{g/L}$
Silver	0.16 $\mu\text{g/L}$
Zinc	8 $\mu\text{g/L}$

Calculation of effluent limitations for total chlorine and chronic toxicity are shown below.

#### Total Chlorine

$$C_e = 0.002 \text{ mg/L} + 60 (0.002 \text{ mg/L} - 0) = 0.12 \text{ mg/L (6-Month Median)}$$

$$C_e = 0.008 \text{ mg/L} + 60 (0.008 \text{ mg/L} - 0) = 0.49 \text{ mg/L (Daily Maximum)}$$

$$C_e = 0.060 \text{ mg/L} + 60 (0.060 \text{ mg/L} - 0) = 3.66 \text{ mg/L (Instantaneous Maximum)}$$

#### Chronic Toxicity

$$C_e = 1 \text{ TUc} + 60 (1 \text{ TUc} - 0) = 61 \text{ TUc (Daily Maximum)}$$

WQBELs for total coliform bacteria are retained from the previous permit.

### 5. Whole Effluent Toxicity (WET)

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

The 2005 Ocean Plan includes daily maximum water quality objectives for acute and chronic toxicity. In Section III.C. 4, the Ocean Plan states that "Dischargers shall conduct chronic toxicity testing if the minimum initial dilution of the effluent falls below 100:1 at the edge of the mixing zone." Because the Discharger's minimum initial dilution is 60:1, and the Ocean Plan expresses a preference for whole effluent chronic toxicity limitations when the minimum initial dilution is less than 100 to 1, only chronic, not acute toxicity limitations are established by the Order.

## **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**

The Order retains effluent limitations established by the previous permit for BOD<sub>5</sub>, TSS, oil and grease, settleable solids, turbidity, coliform bacteria, and pH. All 2005 Ocean Plan Table B effluent limitations are included in accordance with Appendix VI (Endpoint 3 definition). Seven parameters had no data to calculate reasonable potential (Endosulfan, Endrin, HCH, Chlordane, DDT (total), Heptachlor, and Heptachlor Epoxide). In accordance with Appendix VI of the 2005 Ocean Plan, unavailable or insufficient data results in an Endpoint 3. In this circumstance, the aforementioned parameters have retained effluent limitations.

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 indicate there was "reasonable potential" from the Summerland Sanitary District WWTP effluent to exceed the Ocean Plan Table B water quality objectives for four priority pollutants (Mercury, Zinc, Chlorodibromomethane, and Chloroform).

Elimination of WQBELs for four Table B toxics is consistent with the exception to the Clean Water Act's anti-backsliding requirements expressed at section 402 (o) (2) (B) (i) of the Act, which 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 demonstrates 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. The Order does not authorize increases in discharge rates or pollutant loadings, and its limitations and conditions otherwise assure maintenance of the existing quality of receiving waters.

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

This Order contains technology-based effluent limitations for individual pollutants. The technology-based effluent limitations consist of restrictions on BOD<sub>5</sub>, 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. These limitations are not more stringent than required by the CWA. This Order's water-quality based effluent limitations have been retained from the previous permit, except for mercury, zinc, chlorodibromomethane, and chloroform.

Final, technology-based and water quality-based effluent limitations are summarized in section 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.

#### **F. Land Discharge Specifications**

Not applicable.

#### **G. Reclamation Specifications**

California Water Code section 13523 provides authority for the Regional Water Quality Board to prescribe water reclamation requirements for a facility producing reclaimed water, the user, or both. This Order includes a requirement to comply with applicable State and local requirements regarding the production and use of reclaimed wastewater, including those requirements established by the Department of Health Services at title 22, sections 60301 - 60357 of the California Code of Regulations (Water Recycling Criteria.)

An Engineering Report must be submitted to and approved by the Executive Officer prior to any application of reclaimed water. The Engineering Report must describe specifically how the project complies with Title 22 requirements, regarding the production, distribution, and uses of the recycled water. A Contingency Plan must be included in the Engineering Report to assure that untreated or inadequately treated wastewater will not be delivered to a use area.

The Discharger indicates the consideration of recycled water use for future landscape irrigation.

### **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, general water

quality objectives of the Ocean Plan (2005). In particular, receiving water limitations for bacteria have been modified to accurately reflect the updated Ocean Plan. With incorporation of fecal coliform objectives, in addition to objectives for total coliform and enterococcus bacteria, Central Coast Water Board staff view receiving water limits in the Order to be more comprehensive and equivalent to the receiving water limitations of the previous permit.

## **B. Groundwater**

Groundwater limitations established by the Order include general objectives for groundwater established by the Basin Plan.

## **VI. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS**

NPDES regulations at 40 CFR 122.48 require that all NPDES permits specify requirements for recording and reporting monitoring results. CWC sections 13267 and 13383 also authorize the Central Coast Water Board to require technical and monitoring reports. Rationale for the monitoring and reporting requirements contained in the Monitoring and Reporting Program (MRP), which is presented as Attachment E of this Order, is presented below.

### **A. Influent Monitoring**

In addition to influent flow monitoring, monitoring for BOD<sub>5</sub> and TSS is required to determine compliance with the Order's 85 percent removal requirement for those pollutants (Section III.A.1 of the MRP).

### **B. Effluent Monitoring**

Effluent monitoring requirements of the previous permit for Discharge Point 001 are retained by this Order (Section IV.A1 of the MRP).

### **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 monitoring requirements for chronic toxicity for Discharge Point 001 from the previous permit. Acute toxicity is not required in accordance with Section C.4.c of the 2005 Ocean Plan.

### **D. Receiving Water Monitoring**

#### **1. Surface Water**

Surface water monitoring requirements for total and fecal coliform and enterococcus bacteria are retained from the previous permit. Receiving water monitoring is triggered only if effluent limits for bacteria are exceeded in three consecutive



monitoring events or if the facility experiences a loss of chlorination capability (Section VIII.A of the MRP).

## **2. Groundwater**

Groundwater monitoring requirements are not established by the Order.

## **E. Other Monitoring Requirements**

### **1. Biosolids/Sludge Monitoring.**

Management of all biosolids and sludge must comply with all requirements of 40 CFR 257, 258, 501, and 503. 40 CFR Part 503 sets forth U.S. EPA's final rule for the use and disposal of biosolids, or sewage sludge, and governs the final use or disposal of biosolids. U.S. EPA's regulations require that producers of sewage sludge meet certain reporting, handling, and disposal requirements. As the U.S. EPA 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 U.S. EPA's jurisdiction. However, WDRs issued by the Regional Water Quality Boards also serve as federal NPDES permits, under full authorization from U.S. EPA. While the Central Coast Water Board has not been delegated the authority to enforce the biosolids program, WDRs include State and federal regulatory language applicable to a waste discharge.

The biosolids requirements in the Order place conditions for specific use or disposal practices, which become effective should the Discharger change use or disposal practices during the term of the permit. The provision also elucidates the responsibility of the Discharger through the final use or disposal of biosolids.

### **2. Pretreatment Monitoring.**

Not applicable.

### **3. Outfall Inspection.**

The Order retains the requirement of the previous permit to conduct annual, visual inspections of the outfall structure and report to the Central Coast Water Board regarding its physical integrity.

### **4. Reclamation Monitoring Requirements**

The Discharger shall comply with all applicable monitoring requirements of DHS regulations at title 22 of the CCR, Water Recycling Criteria.

## 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 CFR 123.25, 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 CWC is more stringent. In lieu of these conditions, this Order incorporates by reference CWC 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.

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

##### a. Toxicity Reduction Requirements

The requirement to maintain a Toxicity Reduction Work Plan is retained from Order No. R3-2002-012. When toxicity monitoring measures chronic toxicity in the effluent above the effluent limitation water, the Discharger is required to resample and retest, if the discharge is continuing. When all monitoring results are available, the Executive Officer can determine whether to initiate enforcement action, whether to require the Discharger to implement TRE requirements, or whether other measures are warranted.

##### b. Receiving Water Monitoring for Bacteria

Requirements to monitor the receiving water for bacteria when effluent limitations for total coliform bacteria are exceeded or when chlorination capability is lost are retained from the previous permit.

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

Pollution minimization requirements are based on Section III. C. 9 of the Ocean Plan. The Discharger is required to develop a Pollutant Minimization Program only if required to do so in writing by the Executive Officer.

### **4. 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 U.S. EPA'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.

U.S. EPA's regulations require that producers of sewage sludge meet certain reporting, handling, and disposal requirements. As the U.S. EPA 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 U.S. EPA's jurisdiction at this time. U.S. EPA, 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.

#### **b. Collection System Maintenance and Renovation Program.**

Requirements to implement a Collection System Maintenance and Renovation program are not retained from the previous permit. The discharger obtained formal enrollment status under the statewide General WDR for sanitary sewer systems.

### **5. Other Special Provisions**

- a. 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.

- b. Loss of Disinfection.** Notice requirements and requirements to conduct receiving water monitoring for bacteria upon a loss of disinfection capability are retained from the previous permit.

## **6. Compliance Schedules**

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

## **VIII. PUBLIC PARTICIPATION**

The Central Coast Water Board is considering the issuance of WDRs that will serve as a NPDES permit for the Summerland Sanitary District Wastewater Treatment Plant. 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 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. Notification was provided through posting and publishing in the Santa Barbara News Press on March 7, 2008, and through direct mailing to the following known interested parties. Written comments were due no later than March 14, 2008.

- Mr. Jim McManus and Mr. Mike Sullivan, Summerland Sanitary District
- Mr. Rick Merrifield, Santa Barbara County Environmental Health Department
- Ms. Hillary Hauser, Heal The Ocean
- Ms. Kira Redmond, Channel Keepers
- Montecito Water District

### **B. Written Comments**

Mr. Jim McManus, Summerland Sanitary District, submitted written comments March 13, 2008. Prior to the submittal of the written comments, a conference call between Central Coast Water Board staff and the Discharger was conducted on March 13, 2008. The purpose of the conference call was to provide further clarification and guidance on the proposed Order. Significant comments and concerns that arose through the conference call were included as part of the written comments. Typographical errors and minor revisions that do not alter the intent of the Order are not discussed below.

**Comment 1: Sampling Requirements Schedule**

"As part of the sampling requirement schedule, there are certain constituents that we are required to sample on a 'once every 6-days' basis. This creates a hardship for us as we contract these samples out to a certified laboratory. The sample pickup rotation is MON-WED-FRI as the laboratory contracts with several agencies up and down the coast and this rotation seems to work the best for all involved."

"Since we are on this three day a week rotation, a once every 6-day sampling requirement would mean one of three things: 1) we would have to set up our laboratory to be able to conduct the analysis of these samples which would be a very costly undertaking, especially for a small agency such as ours, as well as hire more staff to perform the analysis; 2) we would have to hand deliver the samples to the laboratory, about a 1 ½ - 2 hour round trip; or 3) pay the laboratory to send up a person to pick up the samples- another costly undertaking."

"Past sampling history shows that our influent and effluent does not change in make up on a daily basis and stays relatively the same throughout the year. In short, we are requesting a change in sampling of these constituents to 'once per week' (preferably Monday), or something similar to better suit our day-to-day operation."

**Staff Response 1:** Staff has reviewed the Discharger's comment regarding sampling temperature, BOD5, TSS, suspended solids, and turbidity once every six days. Staff reviewed historical data in order to identify fluctuations in concentrations and flow throughout the week. Upon review, staff determined that there was very little weekly variation. In addition, the facility consistently produces a high-quality, tertiary effluent. Therefore weekly sampling would yield samples representative of the facility's treatment characteristics. Section IV.A.1, Table E-3 of the Monitoring and Reporting Program has been modified to reflect weekly sampling for Temperature, BOD5, TSS, and Turbidity.

**Comment 2: Annual Report Summary**

"We are requesting a change of due date for our annual summary report. The new NPDES report will reflect that it will be due by the last day in January or February 1<sup>st</sup>. What would be ideal is to have an additional month to prepare the report. It is our understanding that it is common to have these reports due by end of January or February 1<sup>st</sup> but that puts a tremendous amount of pressure on meeting deadlines in not only preparation but also in making sure we have all the information in from contract labs, etc. By giving us additional time, we can take time making sure the data is not only entered correctly but that it makes sense to all who will review it. The annual summary report is an extremely important document and reflects the overall operation of a facility. It would seem like additional time in preparation would be beneficial to all involved. We are requesting that the annual summary report due date be pushed back to February 28<sup>th</sup> or March 1<sup>st</sup> of each year."

**Staff Response 2:** Staff has reviewed the Discharger's comment regarding annual summary report. The Discharger's date change request is consistent with the Discharger's monthly self-monitoring reports submittal dates. Staff also believes that the

date change would not be significant. Staff has modified Section C.8. of Attachment D and Section X.B.5,d of the Monitoring and Reporting Program to require the Discharger to submit annual summary reports on March 1<sup>st</sup> of each year.

### **Comment 3: Self-Monitoring Report Due Dates**

"We would also like to see the due date of our monthly reports changed to 'the first day of the second calendar month, following the month of sampling'. Currently we have to send in the monthly reports by the '20<sup>th</sup> of each month following the month of sampling'."

**Staff Response 3:** Staffed reviewed the comment regarding the change in language for monthly self-monitoring report submittals. The Discharger's proposed language change would be consistent with other NPDES Permit in the Central Coast region. As a result, staff modified Section X.B.3, Table E-8 requiring the Discharger to submit continuous, daily, weekly, and monthly sampling data on the first day of the second calendar month following the month of sampling.

## **C. Public Hearing**

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

Date: **May 9, 2008**  
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 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, related documents, tentative effluent limitations and special provisions, comments received, and other information are on file and may be inspected at the Central Coast Water Board office at any time between 8:00 a.m. and 5:00 p.m., Monday through Friday. Copying of documents may be arranged through the Regional 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 David LaCaro at (805) 549-3892 or [dlacaro@waterboards.ca.gov](mailto:dlacaro@waterboards.ca.gov).