

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CA0079081
 ORDER R5-2022-XXXX**

**WASTE DISCHARGE REQUIREMENTS
 FOR THE CITY OF CHICO, CHICO WATER POLLUTION CONTROL PLANT, BUTTE COUNTY**

The following Discharger is subject to waste discharge requirements (WDR's) set forth in this Order:

Table 1. Discharger Information

Discharger:	City of Chico
Name of Facility:	Chico Water Pollution Control Plant
Facility Street Address:	4827 Chico River Road
Facility City, State, Zip:	Chico, CA 95927
Facility County:	Butte County

Table 2. Discharge Location

Discharge Point	Effluent Description	Discharge Point Latitude (North)	Discharge Point Longitude (West)	Receiving Water
D-001	Secondary treated wastewater	39° 41' 28.55"N	121° 56' 26.76"W	Sacramento River
D-002	Secondary treated wastewater	39° 41' 42.85"N	121° 54' 43.12"W	Underlying Groundwater

Table 3. Administrative Information

This Order was Adopted on:	<Enter Adoption Date>
This Order shall become effective on:	<Enter Effective Date-->
This Order shall expire on:	<Enter Expiration Date >
The Discharger shall file a Report of Waste Discharge (ROWD) as an application for reissuance of WDRs in accordance with title 23, California Code of Regulations, and an application for reissuance of a NPDES permit no later than: 1-year prior to Order expiration date	
The United States Environmental Protection Agency (U.S. EPA) and the California Regional Water Quality Control Board, Central Valley Region have classified this discharge as follows: Major	

I, Patrick Pulupa, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on **< DATE >**.

PATRICK PULUPA, Executive Officer

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I. FACILITY INFORMATION

Information describing the Chico Water Pollution Control Plant (Facility) is summarized in Table 1 and in sections I and II of the Fact Sheet (Attachment F). Section I of the Fact Sheet also includes information regarding the Facility's permit application.

II. FINDINGS

The California Regional Water Quality Control Board, Central Valley Region (hereinafter Central Valley Water Board), finds:

- A. Legal Authorities.** This Order serves as waste discharge requirements (WDR's) pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as a National Pollutant Discharge Elimination System (NPDES) permit authorizing the Discharger to discharge into waters of the United States at the discharge location described in Table 2 subject to the WDR's in this Order.
- B. California Environmental Quality Act (CEQA).** Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of Chapter 3 of CEQA, (commencing with section 21100) of Division 13 of Public Resources Code.
- C. Background and Rationale for Requirements.** The Central Valley Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for the requirements in this Order, is hereby incorporated into and constitutes Findings for this Order. Attachments A through E and G and H are also incorporated into this Order.
- D. Provisions and Requirements Implementing State Law.** The provisions/requirements in subsections **IV.B, V.B, portions of VI.C.4., and VI.C.7** 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.
- E. Monitoring and Reporting.** 40 C.F.R. section 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. Water Code sections 13267 and 13383 authorize the Central Valley Water Board to require technical and monitoring reports. The Monitoring and Reporting Program establishes monitoring and reporting requirements to implement federal and State requirements. The Monitoring and Reporting Program is provided in Attachment E.

The technical and monitoring reports in this Order are required in accordance with Water Code section 13267, which states the following in subsection (b)(1), "In

conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports and shall identify the evidence that supports requiring that person to provide the reports.”

The Discharger owns and operates the Facility subject to this Order. The monitoring reports required by this Order are necessary to determine compliance with this Order. The need for the monitoring reports is discussed in the Fact Sheet.

- F. Notification of Interested Persons.** The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDR’s for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of the notification are provided in the Fact Sheet.
- G. Consideration of Public Comment.** The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet.

THEREFORE, IT IS HEREBY ORDERED that Order R5-2016-0023 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 Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the CWA and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order. This action in no way prevents the Central Valley Water Board from taking enforcement action for violations of the previous Order.

III. DISCHARGE PROHIBITIONS

- A.** Discharge of wastewater from the Facility, as the Facility is specifically described in the Fact Sheet in section II.B, in a manner different from that described in this Order is prohibited.
- B.** The by-pass or overflow of wastes to surface waters is prohibited, except as allowed by Federal Standard Provisions I.G. and I.H. (Attachment D).
- C.** Neither the discharge nor its treatment shall create a nuisance as defined in section 13050 of the Water Code.

- D. Discharge of waste classified as ‘hazardous’, as defined in the California Code of Regulations, title 22, section 66261.1 et seq., is prohibited.
- E. **Average Dry Weather Flow.** Discharges exceeding an average dry weather flow of 8.4 million gallons per day (MGD) are prohibited.

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations – Discharge Point D-001 (Discharges to the Sacramento River)

1. Final Effluent Limitations – Discharge Point D-001

The Discharger shall maintain compliance with the following effluent limitations at Discharge Point D-001. Unless otherwise specified compliance shall be measured at Monitoring Location EFF-001, as described in the Monitoring and Reporting Program, Attachment E:

- a. The Discharger shall maintain compliance with the effluent limitations specified in Table 4:

Table 4. Effluent Limitations

Parameters	Units	Average Monthly	Average Weekly	Maximum Daily
Biochemical Oxygen Demand (BOD), 5-day @ 20°Celsius	milligrams per liter (mg/L)	30	45	--
Total Suspended Solids (TSS)	mg/L	30	45	--
Ammonia Nitrogen, Total (as N)	mg/L	8.2	17.6	--
Copper, Total Recoverable	micrograms per liter (µg/L)	15	--	20
Chlorodibromomethane	µg/L	17.2	--	34
Dichlorobromomethane	µg/L	31.7	--	52.4
Chloroform	µg/L	155		310
Nitrate plus Nitrite (as N)	mg/L	60	80	--

- b. **pH:**
 - i. 6.5 Standard Units (SU) as an instantaneous minimum.
 - ii. 8.5 SU as an instantaneous maximum.
- c. **Percent Removal:** The average monthly percent removal of 5-day biochemical oxygen demand (BOD₅) and total suspended solids (TSS) shall not be less than 85 percent.

- d. **Acute Whole Effluent Toxicity.** Survival of aquatic organisms in 96-hour bioassays of undiluted waste shall be no less than:
 - i. 70%, minimum for any one bioassay; and
 - ii. 90%, median for any three consecutive bioassays.
- e. **Total Residual Chlorine.** Effluent total residual chlorine shall not exceed:
 - i. 0.011 mg/L, as a 4-day average; and
 - ii. 0.019 mg/L, as a 1-hour average.
- f. **Total Coliform Organisms.** Effluent total coliform organisms shall not exceed the following with compliance measured at Monitoring Location Discharge Point D-001
 - i. 23 most probable number per 100 milliliter (MPN/100 mL, as a 7-day median, and
 - ii. 240 MPN/100mL, more than once in any 30-day period.
- g. **Diazinon and Chlorpyrifos.** Effluent diazinon and chlorpyrifos concentrations shall not exceed the sum of one (1.0) as identified below:
 - i. Average Monthly Effluent Limitation (AMEL)
$$\text{SAMEL} = \text{CD M-avg}/0.079 + \text{CC M-avg}/0.012 \leq 1.0$$

CD M-AVG = average monthly diazinon effluent concentration in $\mu\text{g/L}$.

CC M-AVG = average monthly chlorpyrifos effluent concentration in $\mu\text{g/L}$
 - ii. Average Weekly Effluent Limitation (AWEL)
$$\text{SAWEL} = \text{CD W-avg}/0.14 + \text{CC W-avg}/0.021 \leq 1.0$$

CD W-AVG = average weekly diazinon effluent concentration in $\mu\text{g/L}$.

CC W-AVG = average weekly chlorpyrifos effluent concentration in $\mu\text{g/L}$.

B. Land Discharge Specifications – Discharge Point D-002

- 1. Land Discharge Specifications – Discharge Point D-002 (Discharges to the M&T Pond)

- a. The Discharger shall maintain compliance with the following discharge specifications at Discharge Point D-002 specified in Table 5, with compliance measured at Monitoring Location LND-001 as described in the Monitoring and Reporting Program, Attachment E.

Table 5. Land Discharge Specifications

Parameter	Units	Average Monthly	Average Weekly	Maximum Daily
BOD (5-day @ 20°C)	mg/L	30	45	--
TSS	mg/L	30	45	--
Total Coliform Organisms	MPN/100 mL	--	23 (see Table Note 1)	240 (see Table Note 2)
Total Nitrogen	mg/L	10 (see Table Note 3)	--	--

Table Notes:

- 1. Based upon a 7-day median concentration.
- 2. Shall not be exceeded more than once in any 30-day period.
- 3. Total Nitrogen specification shall be effective 10 years from effective date of this Order.

- b. Discharge flow shall not exceed the average monthly flow limitation of 2.5 MGD. As determined by the total flow during the calendar month divided by the number of days in that month.
- c. No waste constituent shall be released, discharged, or placed where it will cause a violation of the Groundwater Limitations of this Order.
- d. The Discharger shall operate all systems and equipment to optimize the quality of the discharge.

V. RECEIVING WATER LIMITATIONS

A. Surface Water Limitations

The discharge shall not cause the following in Sacramento River:

- 1. **Bacteria.** The six-week rolling geometric mean of Escherichia coli (E. coli) shall not exceed 100 colony forming units (cfu) per 100 milliliters (mL), calculated weekly, and a statistical threshold value (STV) of 320 cfu/100 mL not to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner.
- 3. **Biostimulatory Substances.** Water to contain biostimulatory substances which promote aquatic growths in concentrations that cause nuisance or adversely affect beneficial uses.
- 4. **Chemical Constituents.** Chemical constituents to be present in concentrations that adversely affect beneficial uses.

5. **Color.** Discoloration that causes nuisance or adversely affects beneficial uses.
6. **Dissolved Oxygen:**
 - a. The monthly median of the mean daily dissolved oxygen concentration to fall below 85 percent of saturation in the main water mass;
 - b. The 95-percentile dissolved oxygen concentration to fall below 75 percent of saturation; nor
 - c. The dissolved oxygen concentration to be reduced below 7.0 mg/L at any time.
7. **Floating Material.** Floating material to be present in amounts that cause nuisance or adversely affect beneficial uses.
8. **Oil and Grease.** Oils, greases, waxes, or other materials to be present in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.
9. **pH.** The pH to be depressed below 6.5 nor raised above 8.5
10. **Pesticides:**
 - a. Pesticides to be present, individually or in combination, in concentrations that adversely affect beneficial uses;
 - b. Pesticides to be present in bottom sediments or aquatic life in concentrations that adversely affect beneficial uses;
 - c. Total identifiable persistent chlorinated hydrocarbon pesticides to be present in the water column at concentrations detectable within the accuracy of analytical methods approved by U.S. EPA or the Executive Officer;
 - d. Pesticide concentrations to exceed those allowable by applicable antidegradation policies (see State Water Board Resolution No. 68-16 and 40 CFR section 131.12.);
 - e. Pesticide concentrations to exceed the lowest levels technically and economically achievable;
 - f. Pesticides to be present in concentration in excess of the maximum contaminant levels (MCL's) set forth in CCR, Title 22, division 4, chapter 15; nor
 - g. Thiobencarb to be present in excess of 1.0 µg/L.

11. Radioactivity:

- a. Radionuclides to be present in concentrations that are harmful to human, plant, animal, or aquatic life nor that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life.
- b. Radionuclides to be present in excess of the MCL's specified in Table 64442 of section 64442 and Table 64443 of section 64443 of Title 22 of the California Code of Regulations.

12. Salinity. Electrical conductivity (at 25 °C) shall not exceed 230 micromhos/cm (50 percentile) or 235 micromhos/cm (90 percentile) at Knights Landing above Colusa Basin Drain or 240 micromhos/cm (50 percentile) or 340 micromhos/cm (90 percentile) at I Street Bridge, based upon previous 10 years of record.

13. Suspended Sediments. The suspended sediment load and suspended sediment discharge rate of surface waters to be altered in such a manner as to cause nuisance or adversely affect beneficial uses.

14. Settleable Substances. Substances to be present in concentrations that result in the deposition of material that causes nuisance or adversely affects beneficial uses.

15. Suspended Material. Suspended material to be present in concentrations that cause nuisance or adversely affect beneficial uses.

16. Taste and Odors. Taste- or odor-producing substances to be present in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, or that cause nuisance, or otherwise adversely affect beneficial uses.

17. Temperature. The natural temperature to be increased by more than 5° Fahrenheit. Compliance to be determined based on the difference in temperature at Monitoring Locations RSW-001 and RSW-002. Temperature changes due to controllable factors shall not cause the temperature to be elevated above 68°F in the reach from Hamilton City to the I Street Bridge during periods when temperature increases will be detrimental to the fishery.

18. Toxicity. Toxic substances to be present, individually or in combination, in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.

19. Turbidity.

- a. Shall not exceed 2 Nephelometric Turbidity Units (NTU) where natural turbidity is less than 1 NTU;

- b. Shall not increase more than 1 NTU where natural turbidity is between 1 and 5 NTUs;
- c. Shall not increase more than 20 percent where natural turbidity is between 5 and 50 NTUs;
- d. Shall not increase more than 10 NTU where natural turbidity is between 50 and 100 NTUs; nor
- e. Shall not increase more than 10 percent where natural turbidity is greater than 100 NTUs.

B. Groundwater Limitations

- 1. Release of waste constituents from any portion of the Facility shall not cause groundwater to:
 - a. Exceed a total coliform organism level of 2.2 MPN/100 mL over any seven-day period.
 - b. Contain constituents in concentrations that exceed either the Primary or Secondary MCLs established in Title 22 of the California Code of Regulations, or natural background water quality, whichever is greater.
 - c. Contain taste or odor-producing constituents, toxic substances, or any other constituents in concentrations that cause nuisance or adversely affect beneficial uses.

VI. PROVISIONS

A. Standard Provisions

- 1. The Discharger shall comply with all Standard Provisions included in Attachment D.
- 2. The Discharger shall comply with the following provisions. In the event that there is any conflict, duplication, or overlap between provisions specified by this Order, the more stringent provision shall apply:
 - a. If the Discharger's wastewater treatment plant is publicly owned or subject to regulation by California Public Utilities Commission, it shall be supervised and operated by persons possessing certificates of appropriate grade according to Title 23, CCR, division 3, chapter 26.
 - b. After notice and opportunity for a hearing, this Order may be terminated or modified 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 failing to disclose fully all relevant facts;
- iii. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; and
- iv. a material change in the character, location, or volume of discharge. The causes for modification include:
 - (a) New regulations. New regulations have been promulgated under section 405(d) of the CWA, or the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued.
 - (b) Land application plans. When required by a permit condition to incorporate a land application plan for beneficial reuse of sewage sludge, to revise an existing land application plan, or to add a land application plan.
 - (c) Change in sludge use or disposal practice. Under 40 CFR section 122.62(a)(1), a change in the Discharger's sludge use or disposal practice is a cause for modification of the permit. It is cause for revocation and reissuance if the Discharger requests or agrees.

The Central Valley Water Board may review and revise this Order at any time upon application of any affected person or the Central Valley Water Board's own motion.

- c. If a toxic effluent standard or prohibition (including any scheduled compliance specified in such effluent standard or prohibition) is established under section 307(a) of the CWA, or amendments thereto, for a toxic pollutant that is present in the discharge authorized herein, and such standard or prohibition is more stringent than any limitation upon such pollutant in this Order, the Central Valley Water Board will revise or modify this Order in accordance with such toxic effluent standard or prohibition.

The Discharger shall comply with effluent standards and prohibitions within the time provided in the regulations that establish those standards or prohibitions, even if this Order has not yet been modified.

- d. This Order shall be modified, or alternately revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the CWA, if the effluent standard or limitation so issued or approved:

- i. Contains different conditions or is otherwise more stringent than any effluent limitation in the Order; or
- ii. Controls any pollutant limited in the Order.

The Order, as modified or reissued under this paragraph, shall also contain any other requirements of the CWA then applicable.

- e. The provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.
- f. The Discharger shall take all reasonable steps to minimize any adverse effects to waters of the State or users of those waters resulting from any discharge or sludge use or disposal in violation of this Order. Reasonable steps shall include such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge or sludge use or disposal.
- g. The Discharger shall ensure compliance with any existing or future pretreatment standard promulgated by U.S. EPA under section 307 of the CWA, or amendment thereto, for any discharge to the municipal system.
- h. A copy of this Order shall be maintained at the discharge facility and be available at all times to operating personnel. Key operating personnel shall be familiar with its content.
- i. Safeguard to electric power failure:
 - i. The Discharger shall provide safeguards to assure that, should there be reduction, loss, or failure of electric power, the discharge shall comply with the terms and conditions of this Order.
 - ii. Upon written request by the Central Valley Water Board, the Discharger shall submit a written description of safeguards. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means. A description of the safeguards provided shall include an analysis of the frequency, duration, and impact of power failures experienced over the past 5 years on effluent quality and on the capability of the Discharger to comply with the terms and conditions of the Order. The adequacy of the safeguards is subject to the approval of the Central Valley Water Board.
 - iii. Should the treatment works not include safeguards against reduction, loss, or failure of electric power, or should the Central Valley Water Board not approve the existing safeguards, the Discharger shall, within 90 days of having been advised in writing by the Central Valley Water Board that the existing safeguards are inadequate, provide to the

Central Valley Water Board and U.S. EPA a schedule of compliance for providing safeguards such that in the event of reduction, loss, or failure of electric power, the Discharger shall comply with the terms and conditions of this Order. The schedule of compliance shall, upon approval of the Central Valley Water Board, become a condition of this Order.

- j. The Discharger, upon written request of the Central Valley Water Board, shall file with the Board a technical report on its preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events. This report may be combined with that required under the Central Valley Water Board Standard Provision contained in section VI.A.2.i of this Order.

The technical report shall:

- i. Identify the possible sources of spills, leaks, untreated waste by-pass, and contaminated drainage. 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 state when they became operational.
- iii. Predict the effectiveness of the proposed facilities and procedures and provide an implementation schedule containing interim and final dates when they will be constructed, implemented, or operational.

The Central Valley Water Board, after review of the technical report, may establish conditions which it deems necessary to control accidental discharges and to minimize the effects of such events. Such conditions shall be incorporated as part of this Order, upon notice to the Discharger.

- k. A publicly owned treatment works whose waste flow has been increasing, or is projected to increase, shall estimate when flows will reach hydraulic and treatment capacities of its treatment and disposal facilities. The projections shall be made in January, based on the last 3 years' average dry weather flows, peak wet weather flows and total annual flows, as appropriate. When any projection shows that capacity of any part of the facilities may be exceeded in 4 years, the Discharger shall notify the Central Valley Water Board by 31 January. A copy of the notification shall be sent to appropriate local elected officials, local permitting agencies and the press. Within 120 days of the notification, the Discharger shall submit a technical report showing how it will prevent flow volumes from exceeding capacity or how it will increase capacity to handle the larger flows. The Central Valley Water Board may extend the time for submitting the report.

- i. The Discharger shall submit technical reports as directed by the Executive Officer. All technical reports required herein that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, sections 6735, 7835, and 7835.1. To demonstrate compliance with Title 16, CCR, sections 415 and 3065, all technical reports must contain a statement of the qualifications of the responsible registered professional(s). As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.
- m. The Central Valley 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.
- n. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Central Valley Water Board.
- o. This Order may be reopened to transfer ownership of control of this Order. The succeeding owner or operator must apply in writing requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, address and telephone number of the persons responsible for contact with the Central Valley Water Board and a statement. The statement shall comply with the signatory and certification requirements in the federal Standard Provisions (Attachment D, section V.B) and state that the new owner or operator assumes full responsibility for compliance with this Order.
- p. If the Discharger submits a timely and complete Report of Waste Discharge for permit reissuance, this permit shall continue in force and effect until the permit is reissued or the Regional Water Board rescinds the permit.
- q. Failure to comply with provisions or requirements of this Order, or violation of other applicable laws or regulations governing discharges from this facility, may subject the Discharger to administrative or civil liabilities, criminal penalties, and/or other enforcement remedies to ensure compliance. Additionally, certain violations may subject the Discharger to civil or criminal enforcement from appropriate local, state, or federal law enforcement entities.

- r. In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition, effluent limitation, discharge specification, receiving water limitation, or groundwater limitation of this Order, the Discharger shall notify the Central Valley Water Board by telephone (530) 224-4845 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Central Valley Water Board waives confirmation. The written notification shall state the nature, time, duration, and cause of noncompliance, and shall describe the measures being taken to remedy the current noncompliance and prevent recurrence including, where applicable, a schedule of implementation. Other noncompliance requires written notification as above at the time of the normal monitoring report.

B. Monitoring and Reporting Program (MRP) Requirements

The Discharger shall comply with the MRP, and future revisions thereto, in Attachment E.

C. Special Provisions

1. Reopener Provisions

- a. Conditions that necessitate a major modification of a permit are described in 40 CFR section 122.62, including, but not limited to:
 - i. If new or amended applicable water quality standards are promulgated or approved pursuant to section 303 of the CWA, or amendments thereto, this permit may be reopened and modified in accordance with the new or amended standards.
 - ii. When new information, that was not available at the time of permit issuance, would have justified different permit conditions at the time of issuance.
- b. This Order may be reopened for modification, or revocation and reissuance, as a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special conditions may be, but are not limited to, fish tissue sampling, whole effluent toxicity, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in this Order as a result of the special condition monitoring data.
- c. **Mercury.** If mercury is found to be causing toxicity based on acute or chronic toxicity test results, or if a TMDL program is adopted, this Order shall be reopened, and the mass effluent limitation modified (higher or lower) or an effluent concentration limitation imposed. If the Central Valley Water Board determines that a mercury offset program is feasible for Dischargers subject to a NPDES permit, then this Order may be reopened

to reevaluate the mercury mass loading limitation(s) and the need for a mercury offset program for the Discharger.

- d. **Whole Effluent Toxicity.** As a result of a Toxicity Reduction Evaluation (TRE), this Order may be reopened to include a chronic toxicity effluent limitation, a revised acute toxicity effluent limitation, and/or an effluent limitation for a specific toxicant identified in a TRE. Additionally, if the State Water Board revises the SIP's toxicity control provisions, this Order may be reopened to implement the new provisions.
- e. **Water Effects Ratios (WER) and Metal Translators.** A default WER of 1.0 has been used in this Order for calculating criteria for applicable inorganic constituents. In addition, default dissolved-to-total metal translators have been used to convert water quality objectives from dissolved to total when developing effluent limitations for copper. If the Discharger performs studies to determine site-specific WERs and/or site-specific dissolved-to-total metal translators, this Order may be reopened to modify the effluent limitations for the applicable inorganic constituents.
- f. **Cyanide.** There are indications that the discharge may contain constituents (i.e., cyanide) that may have reasonable potential to cause or contribute to an exceedance of water quality objectives. This Order requires the Discharger to conduct monitoring for these constituents as outlined in the Monitoring and Reporting Program (Attachment E). This reopener provision allows the Central Valley Water Board to reopen this Order for additional effluent limitations and requirements for these constituents if review of monitoring results determines that the discharge has reasonable potential to cause or contribute to an exceedance of a water quality objective.
- g. **Effluent Limits Based on Facility Performance.** This Order may be reopened to revise interim and/or final effluent limitations where Facility performance was considered in the development of the limitations (e.g., performance-based effluent limitations for copper, nitrate plus nitrite, ammonia, chloroform, disinfection byproducts) should the Discharger provide new information demonstrating the increase in discharge concentrations have been caused by water conservation efforts, drought conditions, and/or the change in disinfection chemicals.
- h. **M&T Irrigation Canal Outfall.** Discharges to the M&T Irrigation Canal is not authorized by this Order. If the Discharger provides information necessary to determine appropriate waste discharge requirements in order to protect public health and water quality this Order may be reopened and modified as necessary to reinstate the M&T Irrigation Canal Outfall as a permitted discharge location subject to limitations and other applicable regulatory requirements for waste discharge, or as a delivery of recycled water.

- i. **Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS).** On 17 January 2020, certain Basin Plan Amendments to incorporate new strategies for addressing ongoing salt and nitrate accumulation in the Central Valley became effective. Other provisions subject to U.S. EPA approval became effective on 2 November 2020, when approved by U.S. EPA. As the Central Valley Water Board moves forward to implement those provisions that are now in effect, this Order may be amended or modified to incorporate new or modified requirements necessary for implementation of the Basin Plan Amendments. More information regarding these Amendments can be found on the [Central Valley Salinity Alternatives for Long-Term Sustainability \(CV-SALTS\)](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/) web page: (https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/).
- j. **Average Dry Weather Flow Prohibition.** The Facility was previously authorized to discharge up to 12 MGD, consistent with the Antidegradation Policies. This Order may be reopened to revise the average dry weather flow discharge prohibition (Discharge Prohibition III.E.) from 8.4 MGD upward to the original 12 MGD Facility design capacity should the Discharger provide new information to the Central Valley Water Board demonstrating the Facility is designed and operational to adequately treat average dry weather flows greater than 8.4 MGD.

2. Special Studies, Technical Reports and Additional Monitoring Requirements

- a. **Toxicity Reduction Evaluation Requirements.** This Provision requires the Discharger to investigate the causes of, and identify corrective actions to reduce or eliminate, effluent toxicity. If the discharge exceeds the chronic toxicity thresholds defined in this Provision, the Discharger is required to initiate a Toxicity Reduction Evaluation (TRE) in accordance with an approved TRE Work Plan and take actions to mitigate the impact of the discharge and prevent recurrence of toxicity. A TRE is a site-specific study conducted in a stepwise process to identify the source(s) of toxicity and the effective control measures for effluent toxicity. TREs are designed to identify the causative agents and sources of whole effluent toxicity, evaluate the effectiveness of the toxicity control options, and confirm the reduction in effluent toxicity.
 - i. **Numeric Toxicity Monitoring Trigger.** The numeric Toxicity Unit (TU_c) monitoring trigger is 10 TU_c (where TU_c = 100/EC₂₅). The monitoring trigger is not an effluent limitation; it is the toxicity threshold above which the Discharger is required to initiate additional actions to evaluate effluent toxicity as specified in subsection iii, below.
 - ii. **Chronic Toxicity Monitoring Trigger Exceeded.** When a chronic whole effluent toxicity result during routine monitoring exceeds the

chronic toxicity monitoring trigger, the Discharger shall proceed as follows:

- (a) **Initial Toxicity Check.** If the percent effect is less than 25 percent at 10 percent effluent, check for any operation or sample collection issues and return to routine chronic toxicity monitoring. Otherwise, proceed to step (b).
 - (b) **Evaluate 6-week Median.** The Discharger may take two additional samples within 6 weeks of the initial routine sampling event exceeding the chronic toxicity monitoring trigger to evaluate compliance using a 6-week median. If the 6-week median is greater than 10 TUc (as 100/EC25) and the percent effect is greater than 25 percent at 10 percent effluent, proceed with subsection (c). Otherwise, the Discharger shall check for any operation or sample collection issues and return to routine chronic toxicity monitoring. See Compliance Determination Section VII.G for procedures for calculating 6-week median.
 - (c) **Toxicity Source Easily Identified.** If the source(s) of the toxicity is easily identified (e.g., temporary plant upset), the Discharger shall make necessary corrections to the facility and shall resume routine chronic toxicity monitoring; If the source of toxicity is not easily identified the Discharger shall conduct a site-specific TRE described in the following subsections.
 - (d) **Toxicity Reduction Evaluation.** The Discharger shall initiate a TRE as follows:
 - (i) **Within thirty (30) days** of exceeding the chronic toxicity monitoring trigger, the Discharger shall submit a TRE Action Plan to the Central Valley Water Board including, at minimum:
 - Specific actions the Discharger will take to investigate and identify the cause(s) of toxicity, including a TRE WET monitoring schedule;
 - Specific actions the Discharger will take to mitigate the impact of the discharge and prevent the recurrence of toxicity; and
 - A schedule for these actions.
- b. **Groundwater Monitoring Well Network Evaluation.** To determine compliance with the groundwater limitations contained in section V.B. of this Order, the Discharger is required to evaluate the adequacy of its groundwater monitoring network. This provision requires the Discharger to

evaluate its groundwater monitoring network to ensure there are one or more background monitoring wells and a sufficient number of designated monitoring wells downgradient of every treatment, storage, and disposal unit that does or may release waste constituents to groundwater. The evaluation of the adequacy of the monitoring well network is due within **6 months following effective date of this Order.**

- c. **Groundwater Monitoring Well Installation Work Plan.** After evaluation of the monitoring well network and determination of the need for additional groundwater monitoring wells or replacement wells, the Discharger shall submit a Groundwater Monitoring Well Installation Work Plan within **12 months following effective date of this Order.** The Work Plan shall be prepared in accordance with, and include the items listed in, Attachment I, "Requirements for Monitoring Well Installation Work Plans and Monitoring Well Installation Reports". All monitoring wells shall comply with the appropriate standards as described in California Well Standards Bulletin 74-90 (June 1991) and Water Well Standards: State of California Bulletin 74-81 (December 1981), and any more stringent standards adopted by the Discharger or County pursuant to Water Code section 13801. **Well installation shall be complete no later than 18 months following Work Plan approval by the Executive Officer.**
- d. **Groundwater Quality Characterization and BPTC Analysis.** The Discharger shall install new groundwater monitoring wells, if necessary, collect monitoring data, and submit a report evaluating the underlying groundwater by **3 years from the effective date of this Order.** The report shall also include an evaluation of the unsaturated soil thickness between the bottom of the ponds and highest groundwater. If the monitoring shows that any constituent concentrations are increased above background water quality, by **4 years from the effective date of this Order,** the Discharger shall submit a technical report describing the groundwater evaluation report results and critiquing each evaluated facility component with respect to Best Practicable Treatment and Control (BPTC) and minimizing the discharge's impact on groundwater quality.
- e. **Antidegradation Re-evaluation.** As part of an iterative evaluation of compliance with State Water Board Resolution 68-16, the Statement of Policy with Respect to Maintaining High Quality of Waters in California (State Anti-Degradation Policy), the Discharger shall **submit an Antidegradation Reevaluation with its Report of Waste Discharge.** The Antidegradation Reevaluation must use information obtained from the groundwater monitoring and characterization required in section VI.C.2.d, in addition to results of the land discharge and groundwater monitoring, to confirm that any groundwater degradation that has occurred as a result of Facility operations has not resulted in any exceedances of applicable groundwater water quality objectives or in any impacts to beneficial uses.

If the data indicate that exceedances of applicable groundwater water quality objectives or impacts to beneficial uses have occurred, **the Discharger shall include a work plan (with an implementation schedule)** to implement additional treatment or control measures to further limit any impacts from discharges. Determination of background groundwater quality for use in the analysis shall be made using the methods described in Title 27 California Code of Regulations Section 20415(e)(10) or other method approved by the Executive Officer.

3. Best Management Practices and Pollution Prevention

- a. **Pollutant Minimization Program.** The Discharger shall develop and conduct a Pollutant Minimization Program (PMP) as further described below when there is evidence (e.g., sample results reported as DNQ when the effluent limitation is less than the MDL, sample results from analytical methods more sensitive than those methods required by this Order, presence of whole effluent toxicity, health advisories for fish consumption, results of benthic or aquatic organism tissue sampling) that a priority pollutant is present in the effluent above an effluent limitation and either:
- i. A sample result is reported as DNQ and the effluent limitation is less than the RL; or
 - ii. A sample result is reported as ND and the effluent limitation is less than the MDL, using definitions described in Attachment A and reporting protocols described in MRP Section IX.B.4.

The PMP shall include, but not be limited to, the following actions and submittals acceptable to the Central Valley Water Board:

- i. An annual review and semi-annual monitoring of potential sources of the reportable priority pollutant(s), which may include fish tissue monitoring and other bio-uptake sampling;
- ii. Quarterly monitoring for the reportable priority pollutant(s) in the influent to the wastewater treatment system;
- iii. Submittal of a control strategy designed to proceed toward the goal of maintaining concentrations of the reportable priority pollutant(s) in the effluent at or below the effluent limitation;
- iv. Implementation of appropriate cost-effective control measures for the reportable priority pollutant(s), consistent with the control strategy; and
- v. An annual status report that shall be sent to the Central Valley Water Board including:
 - (a) All PMP monitoring results for the previous year;

- (b) A list of potential sources of the reportable priority pollutant(s);
 - (c) A summary of all actions undertaken pursuant to the control strategy; and
 - (d) A description of actions to be taken in the following year.
- b. **Salinity Evaluation and Minimization Plan.** The Discharger shall continue to implement a salinity evaluation and minimization plan to identify and address sources of salinity discharged from the Facility.

The Discharger submitted a Notice of Intent to comply with the Salt Control Program and selected the Alternative Permitting Approach. Accordingly, the Discharger shall participate in the CV-SALTS Prioritization and Optimization (P&O) Study. Furthermore, an evaluation of the effectiveness of the salinity evaluation and minimization plan shall be submitted with the ROWD. The evaluation shall include, at minimum, the calendar annual average concentrations of effluent electrical conductivity during the term of the Order. If the average electrical conductivity concentration for any calendar year exceeds a performance-based **trigger of 930 µmhos/cm**, the Discharger shall evaluate possible sources of salinity contributing to the exceedance of the trigger and update the salinity evaluation and minimization plan to include a plan of action to control salinity.

4. Construction, Operation and Maintenance Specifications

- a. **Evaporation/Percolation Disposal Ponds and Emergency Storage Pond Operating Requirements** (M&T Pond, Southeast Pond, and Southwest Pond and the Northeast Pond operating requirements).
- i. No waste constituent shall be released, discharged, or placed where it will cause a violation of the Groundwater Limitations of this Order
 - ii. Wastewater treatment, storage, and disposal shall not cause pollution or a nuisance as defined by Water Code section 13050.
 - iii. Public contact with wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.
 - iv. Ponds shall be managed to prevent breeding of mosquitos. In particular,
 - (a) An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface.
 - (b) Weeds shall be minimized.

- (c) Dead algae, vegetation, and debris shall not accumulate on the water surface.
- v. Ponds shall have sufficient capacity to accommodate allowable wastewater flow, design seasonal precipitation, and ancillary inflow and infiltration during the non-irrigation season. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical precipitation patterns.
- vi. Objectionable odors originating at the Facility shall not be perceivable beyond property owned by the Discharger.
- vii. As a means of discerning compliance with Provision VI.C.4, the dissolved oxygen (DO) content in the upper one foot of the ponds shall not be less than 1.0 mg/L for three consecutive weekly sampling events. If the DO in any single pond is below 1.0 mg/L for three consecutive sampling events, the Discharger shall report the findings to the Central Valley Water Board in writing within 10 days and shall include a specific plan to resolve the low DO results within 30 days.
- viii. Wastewater contained in any unlined pond shall not have a pH less than 6.0 or greater than 9.0.
- ix. The Discharger shall operate and maintain all ponds sufficiently to protect the integrity of containment dams and berms and prevent overtopping and/or structural failure. Unless a California-registered civil engineer certifies (based on design, construction, and conditions of operation and maintenance) that less freeboard is adequate, the operating freeboard in any pond shall never be less than two feet (measured vertically from the lowest possible point of overflow). As a means of management and to discern compliance with this requirement, the Discharger shall install and maintain in each pond a permanent staff gauge with calibration marks that clearly show the water level at design capacity and enable determination of available operational freeboard.
- x. The discharge of waste classified as “hazardous”, as defined in the California Code of Regulations (CCR), title 23, section 2510 et seq., to the evaporation/percolation and emergency storage ponds is prohibited.

5. Special Provisions for Publicly-Owned Treatment Works (POTWs)

a. Pretreatment Requirements

- i. The Discharger shall be responsible and liable for the performance of all Control Authority pretreatment requirements contained in 40 C.F.R.

Part 403, including any subsequent regulatory revisions to 40 C.F.R. Part 403. Where 40 C.F.R. Part 403 or subsequent revision places mandatory actions upon the Discharger as Control Authority but does not specify a timetable for completion of the actions, the Discharger shall complete the required actions within 6 months from the issuance date of this permit or the effective date of the 40 CFR Part 403 revisions, whichever comes later. For violations of pretreatment requirements, the Discharger shall be subject to enforcement actions, penalties, fines, and other remedies by U.S. EPA or other appropriate parties, as provided in the CWA. U.S. EPA may initiate enforcement action against a nondomestic user for noncompliance with applicable standards and requirements as provided in the CWA.

- ii. The Discharger shall enforce the requirements promulgated under sections 307(b), 307(c), 307(d), and 402(b) of the CWA with timely, appropriate and effective enforcement actions. The Discharger shall cause all nondomestic users subject to federal categorical standards to achieve compliance no later than the date specified in those requirements or, in the case of a new nondomestic user, upon commencement of the discharge.
- iii. The Discharger shall perform the pretreatment functions as required in 40 C.F.R. Part 403 including, but not limited to:
 - (a) Implement the necessary legal authorities as provided in 40 CFR Part 403.8(f)(1);
 - (b) Enforce the pretreatment requirements under 40 C.F.R. sections 403.5 and 403.6;
 - (c) Implement the programmatic functions as provided in 40 C.F.R. section 403.8(f)(2); and
 - (d) Provide the requisite funding and personnel to implement the pretreatment program as provided in 40 C.F.R. section 403.8(f)(3).
- iv. **Pretreatment Reporting Requirements.** Pretreatment reporting requirements are included in the Monitoring and Reporting Program, section X.D.5 of Attachment E.
- v. **Local Limits Evaluation.** In accordance with 40 C.F.R. section 122.44(j)(2)(ii) the Discharger shall provide a written technical evaluation of the need to revise the local limits under 40 C.F.R. section 403.5(c)(1), by the due date in the Technical Reports Table of this Order.

- b. **Sludge/Biosolids Treatment or Discharge Specifications.** Sludge in this document means the solid, semisolid, and liquid residues removed during primary, secondary, or advanced wastewater treatment processes. Solid waste refers to grit and screening material generated during preliminary treatment. Residual sludge means sludge that will not be subject to further treatment at the wastewater treatment plant. Biosolids refer to sludge that has been treated and tested and shown to be capable of being beneficially and legally used pursuant to federal and state regulations as a soil amendment for agricultural, silvicultural, horticultural, and land reclamation activities as specified under 40 C.F.R. Part 503.
- i. Collected screenings, residual sludge, biosolids, and other solids removed from liquid wastes shall be disposed of in a manner consistent with Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste, as set forth in Title 27, CCR, division 2, subdivision 1, section 20005, et seq. Removal for further treatment, storage, disposal, or reuse at sites (e.g., landfill, composting sites, soil amendment sites) that are operated in accordance with valid waste discharge requirements issued by a Regional Water Board will satisfy these specifications.

Sludge and solid waste shall be removed from screens, sumps, ponds, clarifiers, etc. as needed to ensure optimal plant performance.

The treatment of sludge generated at the Facility shall be confined to the Facility property and conducted in a manner that precludes infiltration of waste constituents into soils in a mass or concentration that will violate groundwater limitations in section V.B. of this Order. In addition, the storage of residual sludge, solid waste, and biosolids on Facility property shall be temporary and controlled, and contained in a manner that minimizes leachate formation and precludes infiltration of waste constituents into soils in a mass or concentration that will violate groundwater limitations included in section V.B. of this Order.

- ii. The use, disposal, storage, and transportation of biosolids shall comply with existing federal and state laws and regulations, including permitting requirements and technical standards included in 40 C.F.R. Part 503. If the State Water Board and the Central Valley Water Board are given the authority to implement regulations contained in 40 C.F.R. Part 503, this Order may be reopened to incorporate appropriate time schedules and technical standards. The Discharger must comply with the standards and time schedules contained in 40 C.F.R. Part 503 whether or not they have been incorporated into this Order.
- iii. The Discharger shall comply with section VIII.A. Biosolids of the Monitoring and Reporting Program, Attachment E.

- iv. The Discharger shall implement onsite sludge/biosolids treatment, processing, and storage for the Facility as described in the Fact Sheet (Attachment F, section II.A). This Order may be reopened to address any proposed change in the onsite treatment, processing, or storage of sludge/biosolids.
- c. **Resource Recovery from Anaerobically Digestible Material.** If the Discharger will receive hauled-in anaerobically digestible material for injection into an anaerobic digester, the Discharger shall notify the Central Valley Water Board and develop and implement Standard Operating Procedures for this activity. The Standard Operating Procedures shall be developed prior to receiving hauled-in anaerobically digestible material. The Standard Operating Procedures shall address material handling, including unloading, screening, or other processing prior to anaerobic digestion; transportation; spill prevention; and spill response. In addition, the Standard Operating Procedures shall address avoidance of the introduction of materials that could cause interference, pass-through, or upset of the treatment processes; avoidance of prohibited material; vector control; odor control; operation and maintenance; and the disposition of any solid waste segregated from introduction to the digester. The Discharger shall train its staff on the Standard Operating Procedures and shall maintain records for a minimum of five years for each load received, describing the hauler, waste type, and quantity received. In addition, the Discharger shall maintain records for a minimum of five years for the disposition, location, and quantity of cumulative pre-digestion-segregated solid waste hauled off-site.

6. Other Special Provisions – Not Applicable

7. Compliance Schedules

- a. **Compliance Schedule for Land Discharge Specifications at Discharge Point D-002.** This Order requires compliance with Land Discharge Specifications for total nitrogen. The Discharger shall comply with the following time schedule to ensure compliance with the Land Discharge Specification for total nitrogen in section IV.B.

Task	Due Date
i. Submit Method of Compliance Workplan/Schedule	Within 6 months after effective date of this Order
ii. Progress Reports	1 February , annually, after approval of work plan until final compliance
iii. Submit Method of Compliance Project Report (e.g., Preliminary Engineering Report)	1 August 2025

Task	Due Date
iv. Submit Financing Plan	Within 4 years after effective date of this Order
v. Begin environmental review and/or permitting process for Compliance Project	Within 6 years after effective date of this Order
vi. Begin construction of Compliance Project	Within 8 years after effective date of this Order
vii. Achieve Full Compliance and submit project completion report	Within 10 years after effective date of this Order
<p>Notes: The progress reports shall detail what steps have been implemented towards achieving compliance with waste discharge requirements, including studies, construction progress, evaluation of measures implemented, and recommendations for additional measures as necessary to achieve full compliance by the final compliance date.</p>	

VII. COMPLIANCE DETERMINATION

- A. BOD₅ and TSS Effluent Limitations (Section IV.A.1.a).** Compliance with the final effluent limitations for BOD₅ and TSS required in Waste Discharge Requirements section IV.A.1.a shall be ascertained by 24-hour composite samples. Compliance with effluent limitations required in Waste Discharge Requirements section IV.A.1.c for percent removal shall be calculated using the arithmetic mean of BOD₅ and TSS in effluent samples collected over a monthly period as a percentage of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.
- B. Average Dry Weather Flow Prohibition (Section III.E).** The average dry weather discharge flow represents the daily average flow when groundwater is at or near normal and runoff is not occurring. Compliance with the average dry weather flow discharge prohibition will be determined annually based on the average daily flow over three consecutive dry weather months (e.g., July, August, and September).
- C. Total Coliform Organisms Effluent Limitations (Section IV.A.1.f).** For each day that an effluent sample is collected and analyzed for total coliform organisms, the 7-day median shall be determined by calculating the median concentration of total coliform bacteria in the effluent utilizing the bacteriological results of the last 7 days. For example, if a sample is collected on a Wednesday, the result from that sampling event and all results from the previous 6 days (i.e., Tuesday, Monday, Sunday, Saturday, Friday, and Thursday) are used to calculate the 7-day median. If the 7-day

median of total coliform organisms exceeds a most probable number (MPN) of 23 per 100 milliliters, the Discharger will be considered out of compliance.

- D. Total Residual Chlorine Effluent Limitations (Section IV.A.1.e).** Continuous monitoring analyzers for chlorine residual or for dechlorination agent residual in the effluent are appropriate methods for compliance determination. A positive residual dechlorination agent in the effluent indicates that chlorine is not present in the discharge, which demonstrates compliance with the effluent limitations. This type of monitoring can also be used to prove that some chlorine residual exceedances are false positives. Continuous monitoring data showing either a positive dechlorination agent residual or a chlorine residual at or below the prescribed limit are sufficient to show compliance with the total residual chlorine effluent limitations, as long as the instruments are maintained and calibrated in accordance with the manufacturer's recommendations.

Any excursion above the 1-hour average or 4-day average total residual chlorine effluent limitations is a violation. If the Discharger conducts continuous monitoring and the Discharger can demonstrate, through data collected from a back-up monitoring system, that a chlorine spike recorded by the continuous monitor was not actually due to chlorine, then any excursion resulting from the recorded spike will not be considered an exceedance, but rather reported as a false positive. Records supporting validation of false positives shall be maintained in accordance with Section IV Standard Provisions (Attachment D).

- E. Priority Pollutant Effluent Limitations.** Compliance with effluent limitations for priority pollutants shall be determined in accordance with section 2.4.5 of the SIP, as follows:
1. Dischargers shall be deemed out of compliance with an effluent limitation, if the concentration of the priority pollutant in the monitoring sample is greater than the effluent limitation and greater than or equal to the reporting level (RL).
 2. Dischargers shall be required to conduct a Pollutant Minimization Program (PMP) in accordance with section 2.4.5.1 of the SIP when there is evidence that the priority pollutant is present in the effluent above an effluent limitation and either:
 - a. sample result is reported as detected, but not quantified (DNQ) and the effluent limitation is less than the RL; or
 - b. sample result is reported as non-detect (ND) and the effluent limitation is less than the method detection limit (MDL).
 3. When determining compliance with an average monthly effluent limitation (AMEL) and more than one sample result is available in a month, the discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of DNQ or ND. In those cases, the discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

- a. The data set shall be ranked from low to high, reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
 - b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.
4. If a sample result, or the arithmetic mean or median of multiple sample results, is below the RL, and there is evidence that the priority pollutant is present in the effluent above an effluent limitation and the discharger conducts a PMP (as described in section 2.4.5.1), the discharger shall **not** be deemed out of compliance.

F. Dissolved Oxygen Receiving Water Limitation (Section V.A.6.a-c). Monthly receiving water monitoring is required in the Monitoring and Reporting Program (Attachment E) and is sufficient to evaluate the impacts of the discharge and compliance with this Order. Monthly receiving water monitoring data, measured at monitoring locations RSW-001 and RSW-002, will be used to determine compliance with part “c” of the dissolved oxygen receiving water limitation to ensure the discharge does not cause the dissolved oxygen concentrations in the Sacramento River to be reduced below 7.0 mg/L at any time. However, should more frequent dissolved oxygen and temperature receiving water monitoring be conducted, Central Valley Water Board staff may evaluate compliance with parts “a” and “b”.

G. Chronic Whole Effluent Toxicity Effluent Trigger (Section VI.C.2.a). To evaluate compliance with the chronic whole effluent toxicity effluent trigger, the median chronic toxicity units (TUc) shall be the median of up to three consecutive chronic toxicity bioassays during a six- week period. This includes a routine chronic toxicity monitoring event and two subsequent optional compliance monitoring events. If additional compliance monitoring events are not conducted, the median is equal to the result for routine chronic toxicity monitoring event. If only one additional compliance monitoring event is conducted, the median will be established as the arithmetic mean of the routine monitoring event and compliance monitoring event.

Where the median chronic toxicity units exceed 10 TUc (as 100/EC25) for any endpoint, the Discharger will be deemed out of compliance with the chronic toxicity effluent trigger if the median percent effect at 10 percent effluent for the same endpoint also exceeds 25 percent. The percent effect used to evaluate compliance with the chronic toxicity effluent trigger shall be based on the chronic toxicity bioassay result(s) from the sample(s) used to establish the median TUc result. If the median TUc is based on two equal chronic toxicity bioassay results, the percent

effect of the sample with the greatest percent effect shall be used to evaluate compliance with the chronic toxicity effluent trigger.

ATTACHMENT A – DEFINITIONS

1Q10

The lowest one-day flow with an average reoccurrence frequency of once in ten years.

7Q10

The lowest average seven consecutive day flow with an average reoccurrence frequency of once in ten years

Acute Aquatic Toxicity Test

A test to determine an adverse effect (usually lethality) on a group of aquatic test organisms during a short-term exposure (e.g., 24, 48, or 96 hours).

Alternative Hypothesis

A statement used to propose a statistically significant relationship in a set of given observations. Under the TST approach, when the Null Hypothesis is rejected, the Alternative Hypothesis is accepted in its place, indicating a relationship between variables and an acceptable level of toxicity.

Arithmetic Mean (μ)

Also called the average, is the sum of measured values divided by the number of samples. For ambient water concentrations, the arithmetic mean is calculated as follows:

$$\text{Arithmetic mean} = \mu = \Sigma x / n$$

where: Σx is the sum of the measured ambient water concentrations, and n is the number of samples.

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.

Bioaccumulative

Those substances taken up by an organism from its surrounding medium through gill membranes, epithelial tissue, or from food and subsequently concentrated and retained in the body of the organism.

Calendar Month(s).

A period of time from a day of one month to the day before the corresponding day of the next month if the corresponding day exists, or if not to the last day of the next month (e.g., from January 1 to January 31, from June 15 to July 14, or from January 31 to February 28).

Calendar Quarter

A period of time defined as three consecutive calendar months.

Calendar Year

A period of time defined as twelve consecutive calendar months.

Chronic Aquatic Toxicity Test

A test to determine an adverse effect (sub-lethal or lethal) on a group of aquatic test organisms during an exposure of duration long enough to assess sub-lethal effects.

Carcinogenic

Pollutants are substances that are known to cause cancer in living organisms.

Coefficient of Variation (CV)

CV is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

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.

Detected, but Not Quantified (DNQ)

DNQ are those sample results less than the RL, but greater than or equal to the laboratory's MDL. Sample results reported as DNQ are estimated concentrations.

Dilution Credit

Dilution Credit is the amount of dilution granted to a discharge in the calculation of a water quality-based effluent limitation, based on the allowance of a specified mixing zone. It is calculated from the dilution ratio or determined through conducting a mixing zone study or modeling of the discharge and receiving water.

Effluent Concentration Allowance (ECA)

ECA is a value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the coefficient of variation for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The ECA has the same meaning as waste load allocation (WLA) as used in U.S. EPA guidance (Technical Support Document For Water Quality-based Toxics Control, March 1991, second printing, EPA/505/2-90-001).

Enclosed Bays

Enclosed Bays means 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 the headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. Enclosed bays include, but are not limited to, Humboldt Bay, Bodega Harbor, Tomales Bay, Drake's Estero, San Francisco Bay, Morro Bay, Los Angeles-Long Beach Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay. Enclosed bays do not include inland surface waters or ocean waters.

Endpoint

An effect that is measured in a toxicity study. Endpoints in toxicity tests may include, but are not limited to survival, reproduction, and growth.

Estimated Chemical Concentration

The estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

Estuaries

Estuaries means waters, including coastal lagoons, located at the mouths of streams that serve as areas of mixing for fresh and ocean waters. Coastal lagoons and mouths of streams that are temporarily separated from the ocean by sandbars shall be considered estuaries. Estuarine waters shall be considered to extend from a bay or the open ocean to a point upstream where there is no significant mixing of fresh water and seawater. Estuarine waters included, but are not limited to, the Sacramento-San Joaquin Delta, as defined in Water Code section 12220, Suisun Bay, Carquinez Strait downstream to the Carquinez Bridge, and appropriate areas of the Smith, Mad, Eel, Noyo, Russian, Klamath, San Diego, and Otay rivers. Estuaries do not include inland surface waters or ocean waters.

Inhibition Concentration

Inhibition Concentration (IC) is a point estimate of the toxicant concentration that would cause a given percent reduction in a non-lethal biological measurement (e.g., reproduction or growth), calculated from a continuous model (i.e., Interpolation Method). IC25 is a point estimate of the toxic concentration that would cause a 25-percent reduction in a non-lethal biological measurement.

Inland Surface Waters

All surface waters of the state that do not include the ocean, enclosed bays, or estuaries.

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).

Instream Waste Concentration (IWC)

The concentration of effluent in the receiving water after mixing.

Maximum Daily Effluent Limitation (MDEL)

The highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day.

Median

The middle measurement in a set of data. The median of a set of data is found by first arranging the measurements in order of magnitude (either increasing or decreasing order). If the number of measurements (n) is odd, then the median = $X_{(n+1)/2}$. If n is even, then the median = $(X_{n/2} + X_{(n/2)+1})/2$ (i.e., the midpoint between the n/2 and n/2+1).

Method Detection Limit (MDL)

MDL is the minimum measured concentration of a substance that can be reported with 99 percent confidence that the measured concentration is distinguishable from method blank results, as defined in 40 C.F.R. Part 136, Attachment B.

Minimum Level (ML)

ML is the concentration 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.

Mixing Zone

Mixing Zone is a limited volume of receiving water that is allocated for mixing with a wastewater discharge where water quality criteria can be exceeded without causing adverse effects to the overall water body.

No-Observed-Effect-Concentration (NOEC)

The highest concentration of toxicant to which organisms are exposed in a full life-cycle or partial life-cycle (short-term) test, that causes no observable adverse effects on the test organisms (i.e., the highest concentration of toxicant in which the values for the observed responses are not statistically significantly different from the controls).

Not Detected (ND)

Sample results which are less than the laboratory's MDL.

Null Hypothesis

A statement used in statistical testing that has been put forward either because it is believed to be true or because it is to be used as a basis for argument, but has not been proved.

Ocean Waters

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. Discharges to ocean waters are regulated in accordance with the State Water Board's California Ocean Plan.

Percent Effect

The percent effect at the instream waste concentration (IWC) shall be calculated using untransformed data and the following equation:

$$\text{Percent Effect of the Sample} = \frac{\text{Mean Control Response} - \text{Mean Sample Response}}{\text{Mean Control Response}} \cdot 100$$

Persistent Pollutants

Persistent pollutants are substances for which degradation or decomposition in the environment is nonexistent or very slow.

Pollutant Minimization Program (PMP)

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 a priority pollutant(s) 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 Valley 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.

Pollution Prevention

Pollution Prevention means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is not limited to, input change, operational improvement, production process change, and product reformulation (as defined in Water Code section 13263.3). Pollution prevention does not include actions that merely shift a pollutant in wastewater from one environmental medium to another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State Water Resources Control Board (State Water Board) or Central Valley Water Board.

Source of Drinking Water

Any water designated as municipal or domestic supply (MUN) in a Central Valley Water Board Basin Plan.

Species Sensitivity Screening

An analysis to determine the single most sensitive species from an array of test species to be used in a single species laboratory test series.

Standard Deviation (σ)

Standard Deviation is a measure of variability that is calculated as follows:

$$\sigma = (\sum [(x - \mu)^2] / (n - 1))^{0.5}$$

where:

- x is the observed value;
- μ is the arithmetic mean of the observed values; and
- n is the number of samples.

Statistical Threshold Value (STV):

The STV for the bacteria receiving water limitation is a set value that approximates the 90th percentile of the water quality distribution of a bacterial population.

Toxicity Reduction Evaluation (TRE)

TRE is a study conducted in a stepwise 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.)

ATTACHMENT B – MAP

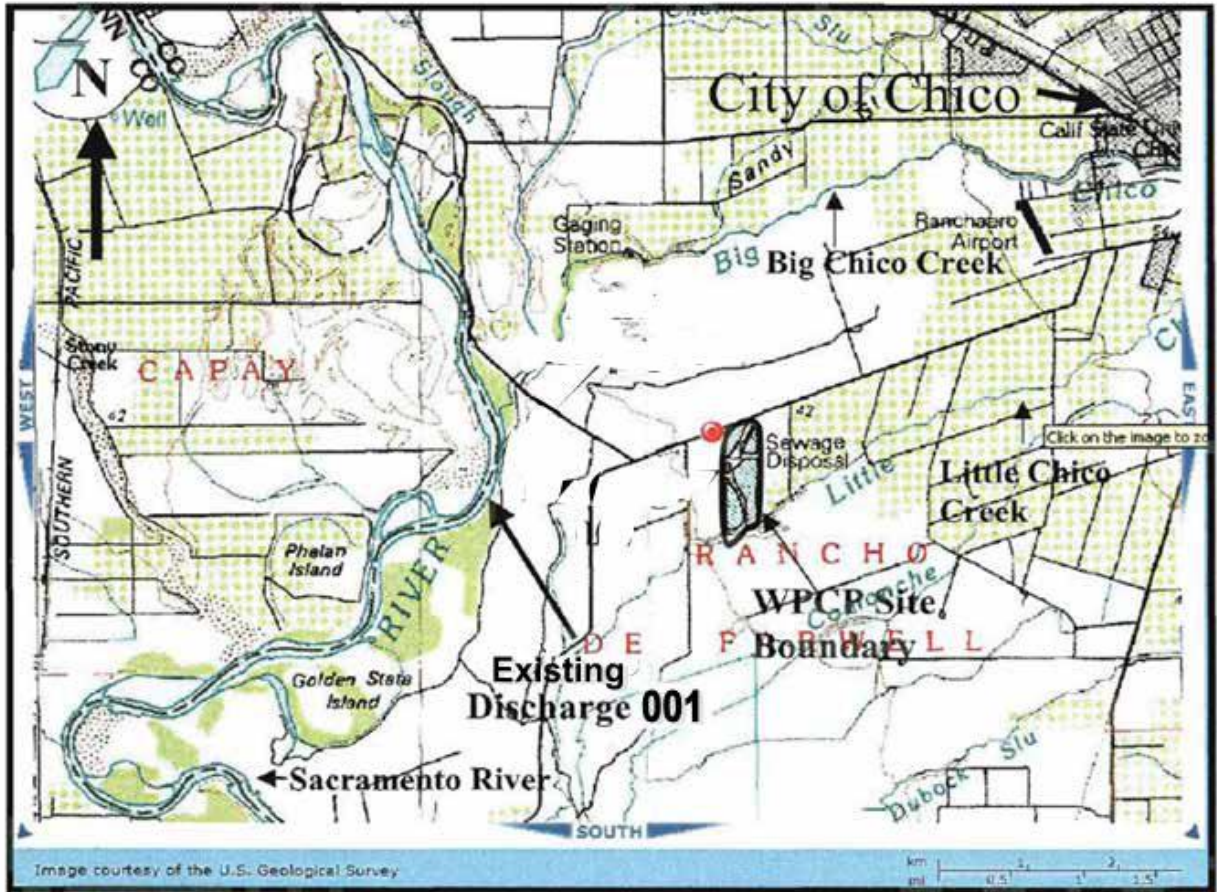




Image courtesy of the U.S. Geological Survey

 CITY OF CHICO INC 1872	<p>City of Chico Water Pollution Control Plant</p> <hr/> <p>General Location and Topographic Map</p>	
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Drawing Reference: ORD FERRY U.S.G.S TOPOGRAPHIC MAP 7.5 MINUTE QUADRANGLE <i>Not to scale</i>	<p>SITE LOCATION MAP</p> <p>CITY OF CHICO CHICO WATER POLLUTION CONTROL PLANT BUTTE COUNTY</p>	
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ATTACHMENT D – STANDARD PROVISIONS

I. STANDARD PROVISIONS – PERMIT COMPLIANCE

A. Duty to Comply:

1. The Discharger must comply with all of the terms, requirements, and 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; denial of a permit renewal application; or a combination thereof. (40 C.F.R. section 122.41(a); Wat. Code, sections 13261, 13263, 13265, 13268, 13000, 13001, 13304, 13350, 13385.)
2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. (40 C.F.R. section 122.41(a)(1).)

B. Need to Halt or Reduce Activity Not a Defense

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

C. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 C.F.R. section 122.41(d).)

D. Proper Operation and Maintenance

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

E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 C.F.R. section 122.41(g).)

2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations. (40 C.F.R. section 122.5(c).)

F. Inspection and Entry

The Discharger shall allow the Central Valley Water Board, State Water Board, U.S. EPA, 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 (33 U.S.C. section 1318(a)(4)(B); 40 C.F.R. section 122.41(i); Wat. Code, section 13267, 13383):

1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order (33 U.S.C section 1318(a)(4)(B)(ii); 40 C.F.R. section 122.41(i)(1); Wat. Code, sections 13267, 13383);
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order (33 U.S.C. section 1318(a)(4)(B)(ii); 40 C.F.R. section 122.41(i)(2); Wat. Code, sections 13267, 13383);
3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order (33 U.S.C section 1318(a)(4)(B)(ii); 40 C.F.R. section 122.41(i)(3); Wat. Code, section 13267, 13383); and
4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location. (33 U.S.C section 1318(a)(4)(B); 40 C.F.R. section 122.41(i)(4); Wat. Code, sections 13267, 13383.)

G. Bypass

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

subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3, I.G.4, and I.G.5 below. (40 C.F.R. section 122.41(m)(2).)

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

5. **Notice**

- a. **Anticipated bypass.** If the Discharger knows in advance of the need for a bypass, it shall submit prior notice if possible, at least 10 days before the date of the bypass. The notice shall be sent to the Central Valley Water Board. As of 21 December 2023, all notices shall be submitted electronically to the initial recipient (State Water Board’s [California Integrated Water Quality System \(CIWQS\) Program website](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/) (http://www.waterboards.ca.gov/water_issues/programs/ciwqs/), defined in Standard Provisions – Reporting V.J below. Notices shall comply with 40 C.F.R. Part 3, section 122.22, and 40 C.F.R. Part 127. (40 C.F.R. section 122.41(m)(3)(i).)
- b. **Unanticipated bypass.** The Discharger shall submit a notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below (24-hour notice). The notice shall be sent to the Central Valley Water Board. As of 21 December 2023, all notices shall be submitted electronically to the initial recipient (State Water Board’s [California Integrated Water Quality System \(CIWQS\) Program website](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/) (http://www.waterboards.ca.gov/water_issues/programs/ciwqs/), defined in Standard Provisions – Reporting V.J below. Notices shall comply with

40 C.F.R. Part 3, section 122.22, and 40 C.F.R. Part 127.
(40 C.F.R. section 122.41(m)(3)(ii).)

H. Upset

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

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance I.H.2 below are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. (40 C.F.R. section 122.41(n)(2).)
2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that (40 C.F.R. section 122.41(n)(3)):
 - a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 C.F.R. section 122.41(n)(3)(i));
 - b. The permitted facility was, at the time, being properly operated (40 C.F.R. section 122.41(n)(3)(ii));
 - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) (40 C.F.R. section 122.41(n)(3)(iii)); and
 - d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above. (40 C.F.R. section 122.41(n)(3)(iv).)
3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof. (40 C.F.R. section 122.41(n)(4).)

II. STANDARD PROVISIONS – PERMIT ACTION

A. General

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

B. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit. (40 C.F.R. section 122.41(b).)

C. Transfers

This Order is not transferable to any person except after notice to the Central Valley Water Board. The Central Valley Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the Water Code. (40 C.F.R. section 122.41(l)(3); 122.61.)

III. STANDARD PROVISIONS – MONITORING

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

B. Monitoring must be conducted according to test procedures approved under 40 C.F.R. Part 136 for the analyses of pollutants unless another method is required under 40 C.F.R. subchapters N or O. Monitoring must be conducted according to sufficiently sensitive test methods approved under 40 C.F.R. Part 136 for the analysis of pollutants or pollutant parameters or as required under 40 C.F.R. chapter 1, subchapter N or O. For the purposes of this paragraph, a method is sufficiently sensitive when the method has the lowest ML of the analytical methods approved under 40 C.F.R. Part 136 or required under 40 C.F.R. chapter 1, subchapter N or O for the measured pollutant or pollutant parameter, or when:

1. The method minimum level (ML) is at or below the level of the most stringent effluent limitation established in the permit for the measured pollutant or pollutant parameter, and:
 - a. The method ML is at or below the level of the most stringent applicable water quality criterion for the measured pollutant or pollutant parameter, or;
 - b. The method ML is above the applicable water quality criterion but the amount of the pollutant or pollutant parameter in the facility's discharge is

high enough that the method detects and quantifies the level of the pollutant or pollutant parameter in the discharge;

In the case of pollutants or pollutant parameters for which there are no approved methods under 40 C.F.R. Part 136 or otherwise required under 40 C.F.R. chapter 1, subchapters N or O, monitoring must be conducted according to a test procedure specified in this Order for such pollutants or pollutant parameters. (40 C.F.R. sections 122.21(e)(3), 122.41(j)(4); 122.44(i)(1)(iv).)

IV. STANDARD PROVISIONS – RECORDS

- A.** Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 C.F.R. 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 Valley Water Board Executive Officer at any time. (40 C.F.R. section 122.41(j)(2).)
- B.** Records of monitoring information shall include:
1. The date, exact place, and time of sampling or measurements (40 C.F.R. section 122.41(j)(3)(i));
 2. The individual(s) who performed the sampling or measurements (40 C.F.R. section 122.41(j)(3)(ii));
 3. The date(s) analyses were performed (40 C.F.R. section 122.41(j)(3)(iii));
 4. The individual(s) who performed the analyses (40 C.F.R. section 122.41(j)(3)(iv));
 5. The analytical techniques or methods used (40 C.F.R. section 122.41(j)(3)(v)); and
 6. The results of such analyses. (40 C.F.R. section 122.41(j)(3)(vi).)
- C.** Claims of confidentiality for the following information will be denied (40 C.F.R. section 122.7(b)):
1. The name and address of any permit applicant or Discharger (40 C.F.R. section 122.7(b)(1)); and
 2. Permit applications and attachments, permits and effluent data. (40 C.F.R. section 122.7(b)(2).)

V. STANDARD PROVISIONS – REPORTING

A. Duty to Provide Information

The Discharger shall furnish to the Central Valley Water Board, State Water Board, or U.S. EPA within a reasonable time, any information which the Central Valley Water Board, State Water Board, or U.S. EPA 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 Valley Water Board, State Water Board, or U.S. EPA copies of records required to be kept by this Order. (40 C.F.R. section 122.41(h); Wat. Code, sections 13267, 13383.)

B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Central Valley Water Board, State Water Board, and/or U.S. EPA shall be signed and certified in accordance with Standard Provisions – Reporting V.B.2, V.B.3, V.B.4, V.B.5, and V.B.6 below. (40 C.F.R. section 122.41(k).)
2. All permit applications shall be signed by either a principal executive officer or ranking elected official. For purposes of this provision, a principal executive officer of a federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of U.S. EPA). (40 C.F.R. section 122.22(a)(3).)
3. All reports required by this Order and other information requested by the Central Valley Water Board, State Water Board, or U.S. EPA shall be signed by a person described in Standard Provisions – Reporting V.B.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Standard Provisions – Reporting V.B.2 above (40 C.F.R. section 122.22(b)(1));
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) (40 C.F.R. section 122.22(b)(2)); and
 - c. The written authorization is submitted to the Central Valley Water Board and State Water Board. (40 C.F.R. section 122.22(b)(3).)

4. If an authorization under Standard Provisions – Reporting V.B.3 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Standard Provisions – Reporting V.B.3 above must be submitted to the Central Valley Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 C.F.R. section 122.22(c).)
5. Any person signing a document under Standard Provisions – Reporting V.B.2 or V.B.3 above shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.” (40 C.F.R. section 122.22(d).)
6. Any person providing the electronic signature for such documents described in Standard Provision – V.B.1, V.B.2, or V.B.3 that are submitted electronically shall meet all relevant requirements of Standard Provisions – Reporting V.B, and shall ensure that all of the relevant requirements of 40 C.F.R. part 3 (Cross-Media Electronic Reporting) and 40 C.F.R. part 127 (NPDES Electronic Reporting Requirements) are met for that submission. (40 C.F.R section 122.22(e).)

C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. (40 C.F.R. section 122.41(l)(4).)
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Central Valley Water Board or State Water Board for reporting the results of monitoring, sludge use, or disposal practices. As of 21 December 2016, all reports and forms must be submitted electronically to the initial recipient, defined in Standard Provisions – Reporting V.J, and comply with 40 C.F.R. part 3, section 122.22, and 40 C.F.R. part 127. (40 C.F.R. section 122.41(l)(4)(i).)
3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under 40 C.F.R. part 136, or another method required for an industry-specific waste stream under 40 C.F.R. subchapters N or O, the results of such monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting

form specified by the Central Valley Water Board. (40 C.F.R. section 122.41(l)(4)(ii).)

4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order. (40 C.F.R. section 122.41(l)(4)(iii).)

D. Compliance Schedules

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

E. Twenty-Four Hour Reporting

1. The Discharger shall report any noncompliance which 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 report shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The report 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.

For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (combined sewer overflows, sanitary sewer overflows, or bypass events), type of sewer overflow structure (e.g., manhole, combined sewer overflow outfall), discharge volumes untreated by the treatment works treating domestic sewage, types of human health and environmental impacts of the sewer overflow event, and whether the noncompliance was related to wet weather.

As of 21 December 2020 all reports related to combined sewer overflows, sanitary sewer overflows, or bypass events must be submitted electronically to the initial recipient (State Water Board) defined in Standard Provisions – Reporting V.J. The reports shall comply with 40 C.F.R. part 3. They may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 C.F.R. section 122.41(l)(6)(i).)

F. Planned Changes

The Discharger shall give notice to the Central Valley Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when (40 C.F.R. section 122.41(l)(1)):

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in section 122.29(b) (40 C.F.R. section 122.41(l)(1)(i)); or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this Order. (40 C.F.R. section 122.41(l)(1)(ii).)

The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in this Order nor to notification requirements under section 122.42(a)(1) (see Additional Provisions— Notification Levels VII.A.1). (40 C.F.R. section 122.41(l)(1)(ii).)

G. Anticipated Noncompliance

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

H. Other Noncompliance

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting V.C, V.D, and V.E above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E above. For noncompliance events related to combined sewer overflows, sanitary sewer overflows, or bypass events, these reports shall contain the information described in Standard Provision – Reporting V.E and the applicable required data in appendix A to 40 C.F.R. part 127. The Central Valley Water Board may also require the Discharger to electronically submit reports not related to combined sewer overflows, sanitary sewer overflows, or bypass events under this section. (40 C.F.R. section 122.41(l)(7).)

I. Other Information

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Central Valley Water Board, State Water Board, or U.S. EPA, the Discharger shall promptly submit such facts or information. (40 C.F.R. section 122.41(l)(8).)

J. Initial Recipient for Electronic Reporting Data

The owner, operator, or the duly authorized representative is required to electronically submit NPDES information specified in appendix A to 40 C.F.R. part 127 to the appropriate initial recipient, as determined by U.S. EPA, and as defined in 40 C.F.R. section 127.2(b). U.S. EPA will identify and publish the list of initial recipients on its website and in the Federal Register, by state and by NPDES data

group [see 40 C.F.R. section 127.2(c)]. U.S. EPA will update and maintain this listing. (40 C.F.R. section 122.41(l)(9).)

VI. STANDARD PROVISIONS – ENFORCEMENT

- A.** The Central Valley Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13350, 13385, 13386, and 13387.

VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

A. Publicly-Owned Treatment Works (POTW's)

All POTW's shall provide adequate notice to the Central Valley Water Board of the following (40 C.F.R. section 122.42(b)):

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

ATTACHMENT E – MONITORING AND REPORTING PROGRAM

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ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

The Code of Federal Regulations (40 C.F.R. section 122.48) requires that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Central Valley Water Board to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements that implement federal and California regulations.

I. GENERAL MONITORING PROVISIONS

- A.** Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring locations specified below and, unless otherwise specified, before the monitored flow joins or is diluted by any other waste stream, body of water, or substance. Monitoring locations shall not be changed without notification to and the approval of the Central Valley Water Board.
- B.** Final effluent samples shall be taken downstream of the last addition of wastes to the treatment or discharge works where a representative sample may be obtained prior to mixing with the receiving waters. Samples shall be collected at such a point and in such a manner to ensure a representative sample of the discharge.
- C.** Chemical, bacteriological, and bioassay analyses of any material required by this Order shall be conducted by a laboratory accredited for such analyses by the State Water Resources Control Board (State Water Board), Division of Drinking Water (DDW; formerly the Department of Public Health), in accordance with the provision of Water Code section 13176. Laboratories that perform sample analyses must be identified in all monitoring reports submitted to the Central Valley Water Board. In the event an accredited laboratory is not available to the Discharger for any onsite field measurements such as pH, dissolved oxygen (DO), turbidity, temperature, and residual chlorine, such analyses performed by a non-accredited laboratory will be accepted provided a Quality Assurance-Quality Control Program is instituted by the laboratory. A manual containing the steps followed in this program for any onsite field measurements such as pH, DO, turbidity, temperature, and residual chlorine must be kept onsite in the treatment facility laboratory and shall be available for inspection by Central Valley Water Board staff. The Discharger must demonstrate sufficient capability (qualified and trained employees, properly calibrated and maintained field instruments, etc.) to adequately perform these field measurements. The Quality Assurance-Quality Control Program must conform to U.S. EPA guidelines or to procedures approved by the Central Valley Water Board.
- D.** 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. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary, at least yearly, 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 Monitoring and Reporting Program.
- F.** Laboratory analytical methods shall be sufficiently sensitive in accordance with the Sufficiently Sensitive Methods Rule (SSM Rule) specified under 40 C.F.R. 122.21(e)(3) and 122.44(i)(1)(iv). A U.S. EPA-approved analytical method is sufficiently sensitive for a pollutant/parameter where:
 - 1. The method minimum level (ML) is at or below the applicable water quality objective for the receiving water, or;
 - 2. The method ML is above the applicable water quality objective for the receiving water but the amount of the pollutant/parameter in the discharge is high enough that the method detects and quantifies the level of the pollutant/parameter, or;
 - 3. the method ML is above the applicable water quality objective for the receiving water, but the ML is the lowest of the 40 C.F.R. 136 U.S. EPA-approved analytical methods for the pollutant/parameter.
- G.** The Discharger shall ensure that the results of the Discharge Monitoring Report-Quality Assurance (DMR-QA) Study or the most recent Water Pollution Performance Evaluation Study are submitted annually to the State Water Resources Control Board at the following address or electronically via email to the DMR-QA Coordinator:

State Water Resources Control Board
Quality Assurance Program Officer
Office of Information Management and Analysis
1001 I Street, Sacramento, CA 95814
- H.** The Discharger shall file with the Central Valley Water Board technical reports on self-monitoring performed according to the detailed specifications contained in this Monitoring and Reporting Program.
- I.** The results of all monitoring required by this Order shall be reported to the Central Valley Water Board, and shall be submitted in such a format as to allow direct comparison with the limitations and requirements of this Order. Unless otherwise specified, discharge flows shall be reported in terms of the monthly average and the daily maximum discharge flows.

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 Name	Monitoring Location Name	Monitoring Location Description
--	INF-001	Influent monitoring location, at headworks
D-001	EFF-001	Downstream from the last connection through which wastes can be admitted to the outfall before being discharged to the Sacramento River Latitude: 121° 57' N Longitude: 39° 42'W
D-002	LND-001	Land discharge monitoring location downstream from last connection through which wastes can be admitted before being discharged to the M&T Pond. (Note: The M&T Pond discharges to the Southeast Pond and Southwest Pond)
--	RSW-001	Surface water monitoring location, 500 feet upstream from D-001 Latitude: 121° 57' N Longitude: 39° 42'W
--	RSW-002	Surface water monitoring location, 500 feet downstream from D-001 Latitude: 121° 57' N Longitude: 39° 42'W
--	PND-001	The M&T Pond, evaporation/percolation final disposal pond
--	PND-002	The Southeast Pond, evaporation/percolation final disposal pond
--	PND-003	The Southwest Pond, evaporation/percolation final disposal pond
--	PND-004	Northeast Pond, emergency storage pond
--	SPL-001	Municipal water supply
--	BIO-001	A location where a representative sample of biosolids can be collected
--	GW-1 through GW-7	Groundwater monitoring wells

The North latitude and West longitude information in Table E-1 are approximate for administrative purposes.

III. INFLUENT MONITORING REQUIREMENTS

A. Monitoring Location INF-001

1. The Discharger shall monitor secondary treated effluent at INF-001 in accordance with Table E-2 and the testing requirements described in section III.A.2 below:

Table E-2. Influent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow	MGD	Meter	Continuous
pH	standard units	Grab	1/Week
Biochemical Oxygen Demand (5-day @ 20°Celcius)	mg/L	24-hour Composite	1/Week
Total Suspended Solids	mg/L	24-hour Composite	1/Week
Temperature	°F	Grab	1/Week

2. **Table E-2 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-2:
 - a. **Applicable to all parameters.** Parameters shall be analyzed using the analytical methods described in 40 CFR part 136; or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.
 - b. **Grab Samples.** All grab samples shall not be collected at the same time each day to get a complete representation of variations in the influent.
 - c. **24-Hour Composite Samples.** All composite samples shall be collected from a 24-hour flow proportional composite.

IV. EFFLUENT MONITORING REQUIREMENTS

A. Monitoring Location EFF-001

1. The Discharger shall monitor secondary treated effluent at EFF-001 in accordance with Table E-3 and the testing requirements described in section IV.A.2 below:

Table E-3. Effluent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow	MGD	Meter	Continuous
Biochemical Oxygen Demand (BOD) 5-day @ 20°Celcius	mg/L	24-hour Composite	1/Week
BOD	% removal	Calculate	1/Month
Total Suspended Solids (TSS)	mg/L	24-hour Composite	1/Week
TSS	% removal	Calculate	1/Month
pH	standard units	Meter	Continuous
Priority Pollutants and Other Constituents of Concern	(see Section IX.D)	(see Section IX.D)	(see Section IX.D)
Ammonia Nitrogen, Total (as N)	mg/L	Grab	1/Week
Chlorine, Total Residual	mg/L	Meter	Continuous
Chlorpyrifos	µg/L	Grab	1/Year
Copper, Total Recoverable	mg/L	24-hour Composite	1/Month
Chlorodibromomethane	µg/L	Grab	1/Month
Chloroform	µg/L	Grab	1/Month
Cyanide	µg/L	Grab	1/Quarter
Diazinon	µg/L	Grab	1/Year
Dichlorobromomethane	µg/L	Grab	1/Month
Dissolved Organic Carbon	mg/L	24-hour Composite	1/Quarter
Electrical Conductivity @ 25°Celcius	µmhos/cm	Grab	1/Week
Hardness, Total (as CaCO3)	mg/L	24-hour Composite	1/Month
Mercury, Total	ng/L	Grab	1/Year
Mercury (methyl)	ng/L	Grab	1/Year
Nitrate Nitrogen, Total (as N)	mg/L	Grab	1/Month
Nitrite Nitrogen, Total (as N)	mg/L	Grab	1/Month
Nitrate plus Nitrite, Total (as N)	mg/L	Calculate	1/Month
Temperature	°F	Grab	1/Week
Total Coliform Organisms	MPN/100 mL	Grab	1/Week

2. **Table E-3 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-3:

- a. **Applicable to all parameters.** Parameters shall be analyzed using the analytical methods described in 40 CFR part 136 or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.
- b. **24-hour composite samples** shall be collected from a 24-hour flow proportional composite.
- c. **Handheld Field Meter.** A handheld field meter may be used for **temperature** and **pH**, provided the meter utilizes a U.S. EPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.
- d. **Temperature** and **pH** shall be recorded at the time of **ammonia** sample collection.
- e. **Whole Effluent Toxicity.** Ammonia samples shall be collected concurrently with whole effluent toxicity monitoring.
- f. **Total Residual Chlorine** must be monitored using an analytical method that is sufficiently sensitive to measure at the permitted level of 0.01 mg/L.
- g. **Hardness** samples shall be collected concurrently with metals samples.
- h. **Total Coliform Organisms.** Samples for total coliform organisms may be collected at any point following disinfection.
- i. **Priority Pollutants.** For priority pollutant constituents the reporting level shall be consistent with sections 2.4.2 and 2.4.3 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy or SIP) and the SSM Rule specified under 40 C.F.R. sections 122.21(e)(3) and 122.44(i)(1)(iv).
- j. **Chlorpyrifos and Diazinon** shall be sampled using U.S. EPA Method 625M, Method 8141, or equivalent GC/MS method with a lower Reporting Limit than the Basin Plan Water Quality Objectives of 0.015 µg/L and 0.1 µg/L for chlorpyrifos and diazinon, respectively.
- k. **Total Mercury.** Total mercury samples shall be taken using **clean hands/dirty hands procedures**, as described in U.S. EPA method 1669: Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels, for collection of equipment blanks (section 9.4.4.2). The analysis of total mercury shall be by U.S. EPA method 1630 and 1631

(Revision E), respectively, with a **reporting limit of 0.5 ng/L for total mercury**.

- I. **Dissolved Organic Carbon monitoring** shall be conducted concurrently with pH and hardness sampling.

V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

A. **Acute Toxicity Testing.** The Discharger shall meet the following acute toxicity testing requirements:

1. **Monitoring Frequency** – The Discharger shall perform **quarterly** acute toxicity testing, concurrent with effluent ammonia sampling.
2. **Sample Types** – The Discharger may use flow-through or static renewal testing. For static renewal testing, the samples shall be flow proportional 24-hour composites and shall be representative of the volume and quality of the discharge. The effluent samples shall be taken at Monitoring Location EFF-001.
3. **Test Species** – Test species shall be Rainbow Trout (*Oncorhynchus mykiss*).
4. **Methods** – The acute toxicity testing samples shall be analyzed using EPA-821-R-02-012, Fifth Edition. Temperature, total residual chlorine, and pH shall be recorded at the time of sample collection. No pH adjustment may be made unless approved by the Executive Officer.
5. **Test Failure** – If an acute toxicity test does not meet all test acceptability criteria, as specified in the test method, the Discharger must re-sample and re-test as soon as possible, not to exceed 7 days following notification of test failure.

B. **Chronic Toxicity Testing.** The Discharger shall meet the following chronic toxicity testing requirements:

1. **Monitoring Frequency** – The Discharger shall perform routine **annual** chronic toxicity testing. If the result of the routine chronic toxicity testing event exhibits toxicity, demonstrated by a result greater than 10 TUc (as 100/EC25) AND a percent effect greater than 25 percent at 10 percent effluent, the Discharger has the option of conducting two additional compliance monitoring events and perform chronic toxicity testing using the species that exhibited toxicity in order to calculate a median. The optional compliance monitoring events shall occur at least one week apart, and the final monitoring event shall be initiated no later than 6 weeks from the routine monitoring event that exhibited toxicity. See Compliance Determination section VII.G for procedures for calculating 6-week median.
2. **Sample Types** – Effluent samples shall be flow proportional 24-hour composites and shall be representative of the volume and quality of the discharge. The effluent samples shall be taken at Monitoring Location EFF-001. The receiving

water control shall be a grab sample obtained from Monitoring Location RSW-001, as identified in this Monitoring and Reporting Program.

3. **Sample Volumes** – Adequate sample volumes shall be collected to provide renewal water to complete the test in the event that the discharge is intermittent.
4. **Test Species** – Test Species – Chronic toxicity testing measures sublethal (e.g., reduced growth, reproduction) and/or lethal effects to test organisms exposed to an effluent compared to that of the control organisms. The Discharger shall conduct chronic toxicity tests with:
 - i. The cladoceran, water flea, *Ceriodaphnia dubia* (survival and reproduction test);
 - ii. The fathead minnow, *Pimephales promelas* (larval survival and growth test); and
 - iii. The green alga, *Selenastrum capricornutum* (growth test).
5. **Methods** - The presence of chronic toxicity shall be estimated as specified in Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition, EPA/821-R-02-013, October 2002.
6. **Reference Toxicant** – As required by the SIP, all chronic toxicity tests shall be conducted with concurrent testing with a reference toxicant and shall be reported with the chronic toxicity test results.
7. **Dilutions** – For routine and compliance chronic toxicity monitoring, the chronic toxicity testing shall be performed using the dilution series identified in Table E-4, below. For TRE monitoring, the chronic toxicity testing shall be performed using the dilution series identified in Table E-4, below, unless an alternative dilution series is detailed in the submitted TRE Action Plan. A receiving water control or laboratory water control may be used as the diluent.

Table E-4. Chronic Toxicity Testing Dilution Series

Samples	Dilution %	Dilution %	Dilution %	Dilution %	Dilution %	Controls
% Effluent	40	20	10	5	2.5	0
% Control Water	60	80	90	95	97.5	100

8. **Test Failure** – The Discharger must re-sample and re-test as soon as possible, but no later than fourteen (14) days after receiving notification of a test failure. A test failure is defined as follows:
 - a. The reference toxicant test or the effluent test does not meet all test acceptability criteria as specified in the Short-term Methods for Estimating

the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition, EPA/821-R-02-013, October 2002 (Method Manual), and its subsequent amendments or revisions; or

- b. The percent minimum significant difference (PMSD) measured for the test exceeds the upper PMSD bound variability criterion in the Method Manual.
- C. WET Testing Notification Requirements.** The Discharger shall notify the Central Valley Water Board within 24-hours after the receipt of test results exceeding the chronic toxicity monitoring trigger, or an exceedance of the acute toxicity effluent limitation.
- D. WET Testing Reporting Requirements.** All toxicity test reports shall include the contracting laboratory's complete report provided to the Discharger and shall be in accordance with the appropriate "Report Preparation and Test Review" sections of the method manuals. At a minimum, whole effluent toxicity monitoring shall be reported as follows:
1. **Test of Significance Toxicity (TST).** For both acute and chronic toxicity testing, the toxicity monitoring results shall be reported to the Central Valley Water Board with the **quarterly and annual self-monitoring report**, respectively, and shall contain, at minimum:
 - a. The valid toxicity test results for the Test of Significance Toxicity (TST) statistical approach, reported as "Pass" or "Fail" and "Percent Effect" at the Instream Waste Concentration (IWC) for the discharge at 100% effluent for acute WET and 10% for chronic WET.
 - b. The statistical analysis used in *National Pollutant Discharge Elimination System Test of Significant Toxicity Implementation Document* (EPA 833-R-10-003, 2010) Appendix A, Figure A-1 and Table A-1, and Appendix B, Table B-1.
 - c. Statistical program (e.g., TST calculator, CETIS, etc.) output results, including graphical plots, for each toxicity test.
 2. **Chronic WET Reporting.** Routine and compliance chronic toxicity monitoring results shall be reported to the Central Valley Water Board with the **annual self-monitoring report**, and shall contain, at minimum:
 - a. The results expressed in TUC, measured as 100/NOEC, and also measured as 100/LC50, 100/EC25, 100/IC25, and 100/IC50, as appropriate.
 - b. The percent effect for each endpoint at the IWC.
 - c. The statistical methods used to calculate endpoints;

- d. The statistical output page, which includes the calculation of the percent minimum significant difference (PMSD);
- e. The dates of sample collection and initiation of each toxicity test; and
- f. The results compared to the numeric toxicity monitoring trigger.
- g. The progress on any ongoing TRE investigation.

Additionally, the quarterly self-monitoring reports shall contain an updated chronology of chronic toxicity test results expressed in TUC, and organized by test species, type of test (survival, growth or reproduction), and monitoring type, i.e., routine, compliance, or TRE monitoring.

2. **Acute WET Reporting.** Acute toxicity test results shall be submitted with the quarterly discharger self-monitoring reports and reported as percent survival and at minimum:
 - a. The percent effect for each endpoint at the IWC.
 - b. The dates of sample collection and initiation of each toxicity test; and
 - c. The results compared to the numeric percent survival effluent limitation.
3. **TRE Reporting.** Reports for TREs shall be submitted in accordance with the schedule contained in the Discharger's approved TRE Workplan, or as amended by the Discharger's TRE Action Plan.
4. **Quality Assurance (QA).** The Discharger must provide the following information for QA purposes:
 - a. Results of the applicable reference toxicant data with the statistical output page giving the species, NOEC, LOEC, type of toxicant, dilution water used, concentrations used, PMSD, and dates tested.
 - b. The reference toxicant control charts for each endpoint, which include summaries of reference toxicant tests performed by the contracting laboratory.
 - c. Any information on deviations or problems encountered and how they were dealt with.

E. Most Sensitive Species Screening. The Discharger shall perform most sensitive species screening. The species sensitivity screening shall be conducted as follows and the results submitted with the Report of Waste Discharge.

1. **Frequency of Testing for Species Sensitivity Screening.** Species sensitivity screening for chronic toxicity shall include, at a minimum, chronic WET testing **four consecutive calendar quarters** using the water flea (*Ceriodaphnia dubia*),

fathead minnow (*Pimephales promelas*), and green alga (*Pseudokirchneriella subcapitata*). The tests shall be performed at an IWC of no less than **10 percent effluent**. An effluent concentration greater than the IWC may be used for the species sensitivity screening.

2. **Determination of Most Sensitive Species.** If a single test in the species sensitivity screening testing results in a “Fail” using the TST statistical approach, then the species used in that test shall be established as the most sensitive species. If there is more than a single test that results in a “Fail”, then of the species with results of a “Fail”, the species that exhibits the highest percent effect shall be established as the most sensitive species. If none of the tests in the species sensitivity screening results in a “Fail”, but at least one of the species exhibits a percent effect greater than 25 percent, then the single species that exhibits the highest percent effect shall be established as the most sensitive species. In all other circumstances, the Executive Officer shall have discretion to determine which single species is the most sensitive considering the test results from the species sensitivity screening.

VI. LAND DISCHARGE MONITORING REQUIREMENTS

A. Monitoring Location Monitoring Location LND-001

1. The Discharger shall monitor treated effluent (D-002) at LND-001 in accordance with Table E-5 and the testing requirements described in section VI.A.2 below:

Table E-5. Land Discharge Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency
Flow	MGD	Meter	Continuous
Biochemical Oxygen Demand (BOD) 5-day @ 20° C)	mg/L	24-hour Composite	1/Week
Total Suspended Solids (TSS)	mg/L	24-hour Composite	1/Week
pH	standard units	Grab	1/Day
Total Coliform Organisms	MPN/100 mL	Grab	1/Week
Electrical Conductivity @ 25°Celcius	µmhos/cm	Grab	1/Week
Total Nitrogen	mg/L	Grab	1/Week
Total Dissolved Solids	mg/L	Grab	1/Month
Standard Minerals	mg/L	Grab	1/Year

2. **Table E-5 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-5:

- a. **Applicable to all parameters.** Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136 or by methods approved by the Central Valley Water Board or the State Water Board.
- b. **24-hour flow proportional composite.** If existing equipment cannot provide a flow proportional composite sample based upon real-time continuous flow metering, then a time-weighted composite sampling procedure that uses continuous flow measurements to achieve a comparable result may be utilized. (Note: Any new composite sampling equipment to be installed at the Facility to demonstrate compliance with regulatory requirements must be capable of providing 24-hour flow proportional composite samples). Intermittent discharges (discharges less than 24-hour flow) may be collected as a grab sample in lieu of the 24-hour composite samples.
- c. **Handheld Field Meter.** A hand-held field meter may be used for pH, provided the meter utilizes a USEPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.
- d. **Total Coliform.** Samples for total coliform organisms may be collected at any point following disinfection.
- e. **Standard minerals** shall include the following: boron, calcium, iron, magnesium, potassium, sodium, chloride, manganese, phosphorus, total alkalinity (including alkalinity series), and hardness, and include verification that the analysis is complete (i.e., cation/anion balance). Monitoring requirement may be satisfied with EFF-001 sample provided it is representative of the discharge to LND-001.

B. Monitoring Location PND-001, PND-002, PND-003, and PND-004

- 1. The Discharger shall monitor the M&T Pond (PND-001), Southeast Pond (PND-002), Southwest Pond (PND-003), and the Northeast Pond (PND-004) in accordance with Table E-6 and the testing requirements described in section VI.B.2 below:

Table E-6. Pond Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency
Freeboard	Feet, inches	Observation	1/Week
Odors	--	Observation	1/Week
Other field parameters	--	Observation	1/Week

2. **Table E-6 Monitoring Requirements.** The Discharger shall comply with the following requirements when monitoring for the parameters described in Table E-6:
 - a. The Discharger shall keep a log of pond conditions. Attention shall be given to the presence or absence of odors. Notes regarding observation of odors shall be summarized in the self-monitoring report.
 - b. The Discharger shall keep a log of pond conditions. Attention shall be given to the presences or absence of dead algae, vegetation, weeds, debris, and erosion or other structural failures. Notes regarding pond conditions shall be summarized in the self-monitoring report.

VII. RECEIVING WATER MONITORING REQUIREMENTS

A. Monitoring Location RSW-001 and RSW-002

1. The Discharger shall monitor the Sacramento River at RSW-001 and RSW-002 in accordance with Table E-7 and the testing requirements described in section VII.A.2 below:

Table E-7. Receiving Water Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency
pH	Standard units	Grab	2/Month
Turbidity	NTU	Grab	1/Month
Dissolved Oxygen	mg/L	Grab	1/Month
Temperature	°F	Grab	2/Month
Electrical Conductivity @ 25 °C	µmhos/cm	Grab	1/Month
Copper, Total Recoverable	µg/L	Grab (see Table Note 1)	1/Month
Priority Pollutants and Other Constituents of Concern	See Section VIII.D	See Section VIII.D	See Section VIII.D
Copper, Dissolved	µg/L	Grab (see Table Note 1)	1/Month
Dissolved Organic Carbon	mg/L	Grab (see Table Note 1)	1/Quarter
Hardness, Total (as CaCO ₃)	mg/L	Grab (see Table Note 1)	1/Month
Ammonia Nitrogen, Total (as N)	mg/L	Grab (see Table Note 1)	1/Quarter
Nitrate plus nitrite	mg/L	Grab (see Table Note 1)	1/Quarter

Table Notes:

1. RSW-001 only.

2. **Table E-7 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-7:
 - a. **Applicable to all parameters.** Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136 or by methods approved by the Central Valley Water Board or the State Water Board.
 - b. **Handheld Field Meter.** A hand-held field meter may be used for **turbidity, dissolved oxygen, electrical conductivity, temperature** and **pH**, provided the meter utilizes a USEPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.
 - c. **Priority Pollutants.** For priority pollutant constituents the reporting level shall be consistent with Sections 2.4.2 and 2.4.3 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (See Attachment E, section VIII.D) and the SSM Rule specified under 40 C.F.R. sections 122.21(e)(3) and 122.44(i)(1)(iv).
 - d. **Hardness** samples shall be collected concurrently with metals samples.
 - e. **Temperature** and **pH** shall be recorded at the time of **ammonia** sample collection.
 - f. **Dissolved Organic Carbon monitoring** shall be conducted concurrently with pH and hardness sampling.
 - g. The receiving water access location may, at times, become restricted due to weather or receiving water flows conditions. During these periods, the Discharger may select an alternate location or access point for the sample location; however, sampling shall be conducted in accordance with the general location description provided in Table E-1.
3. In conducting the receiving water sampling, a log shall be kept of the receiving water conditions throughout the reach bounded by Monitoring Locations RSW-001 and RSW 002. Attention shall be given to the presence or absence of:
 - a. Floating or suspended matter;
 - b. Discoloration;
 - c. Bottom deposits;
 - d. Aquatic life;

- e. Visible films, sheens, or coatings;
- f. Fungi, slimes, or objectionable growths; and
- g. Potential nuisance conditions.

Notes on receiving water conditions shall be summarized in the monitoring report.

B. Monitoring Locations GW-1 through GW-7

1. The Discharger shall conduct groundwater monitoring at GW-1, GW-2, GW-3, GW-4, GW-5, GW-6, and GW-7 and any new groundwater monitoring wells in accordance with Table E-8 and the testing requirements described in section VII.B.2 below:

Table E-8. Groundwater Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency
Depth to Groundwater	±0.01 feet	Measurement	1/Quarter
Groundwater Elevation	±0.01 feet	Calculated	1/Quarter
Gradient	feet/feet	Calculated	1/Quarter
Gradient Direction	degrees	Calculated	1/Quarter
Electrical Conductivity @ 25°C	µmhos/cm	Grab	1/Quarter
Total Dissolved Solids	mg/L	Grab	1/Quarter
Fixed Dissolved Solids	mg/L	Grab	1/Quarter
pH	standard units	Grab	1/Quarter
Total Coliform Organisms	MPN/100 mL	Grab	1/Quarter
Total Nitrogen	mg/L	Grab	1/Quarter
Nitrate Nitrogen, Total (as N)	mg/L	Grab	1/Quarter
Ammonia (as NH4)	mg/L	Grab	1/Quarter
Total Kjeldahl Nitrogen	mg/L	Grab	1/Quarter
Total Organic Carbon	mg/L	Grab	1/Quarter
Iron, Dissolved	µg/L	Grab	1/Quarter
Manganese, Dissolved	µg/L	Grab	1/Quarter
Arsenic, Dissolved	µg/L	Grab	1/Quarter
Hardness as CaCO ₃	mg/L	Grab	1/Quarter
Alkalinity as CaCO ₃	mg/L	Grab	1/Quarter
Standard Minerals	µg/L	Grab	1/Year
Trihalomethanes	µg/L	Grab	1/Quarter

2. **Table E-8 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-8:

- a. **Prior to construction and/or beginning a sampling program** of any new groundwater monitoring wells, the Discharger shall submit plans and specifications to the Central Valley Water Board for approval. Once installed, all new wells shall be added to the monitoring network (which currently consists of Monitoring Wells GW-1 through GW-7) and shall be sampled and analyzed in accordance with Table E-8. Newly installed wells shall be designated with a new number unless wells are removed from the network and properly abandoned. All samples shall be collected using approved EPA methods.
- b. **Prior to sampling**, the groundwater elevations shall be measured, and the wells shall be purged of at least three well volumes until temperature, pH, and electrical conductivity have stabilized. Depth to groundwater shall be measured to the nearest 0.01 feet.
- c. **Groundwater elevation** shall be determined based on depth-to-water measurements from a surveyed measuring point elevation on the well. The groundwater elevation shall be used to calculate the direction and gradient of groundwater flow, which must be reported.
- d. **Applicable to all parameters.** Parameters shall be analyzed using the analytical methods described in 40 CFR part 136 or by methods approved by the Central Valley Water Board or the State Water Board. In addition, if requested by the Discharger, the sample type may be modified by the Executive Officer to another 40 CFR part 136 allowed sample type.
- e. **Standard minerals** shall include the following: boron, calcium, iron, magnesium, potassium, sodium, chloride, manganese, phosphorus, total alkalinity (including alkalinity series), and hardness, and include verification that the analysis is complete (i.e., cation/anion balance).
- f. **Trihalomethanes** shall include the following: chloroform, bromoform, chlorodibromomethane, and dichlorobromomethane.

VIII. OTHER MONITORING REQUIREMENTS

A. Biosolids

1. Monitoring Location BIO-001

- a. A **composite** sample of sludge shall be collected **annually** at Monitoring Location BIO-001 in accordance with EPA's POTW Sludge Sampling and Analysis Guidance Document, August 1989, and tested for priority pollutants (excluding asbestos).

- b. Biosolids monitoring shall be conducted using the methods in Test Methods for Evaluating Solid Waste, Physical/Chemical methods (EPA publication SW-846), as required in 40 C.F.R. section 503.8(b)(4). All results must be reported on a 100% dry weight basis. Records of all analyses must state on each page of the laboratory report whether the results are expressed in “100% dry weight” or “as is.”
- c. Sampling records shall be retained for a minimum of 5 years. A log shall be maintained of sludge quantities generated and of handling and disposal activities. The frequency of entries is discretionary; however, the log must be complete enough to serve as a basis for part of the annual report.

B. Municipal Water Supply – Not Applicable

C. Pyrethroid Pesticides Monitoring

- 1. **Water Column Chemistry Monitoring Requirements.** The Discharger shall conduct effluent and receiving water Sacramento River baseline monitoring in accordance with Table E-9. Quarterly monitoring shall be conducted for **one year beginning with the third quarter of 2023** concurrent with the Effluent and Receiving Water Characterization Monitoring. The discharger shall also submit a minimum of one quality assurance/quality control (QA/QC) sample during the year to be analyzed for the constituents listed in Table E-9.

The monitoring shall be conducted in the effluent at monitoring location EFF-001 and downstream receiving water at monitoring location RSW-002 and the results of such monitoring be submitted to the Central Valley Water Board with the quarterly self-monitoring reports. The Discharger shall use Environmental Laboratory Accreditation Program (ELAP)-accredited laboratories and methods for pyrethroid pesticides water column chemistry monitoring. ELAP-accredited methods are acceptable for pyrethroid chemical analysis provided that the method meets the analytical capability described in Table E-9. A current list of ELAP approved laboratories and points of contact can be found on the [Central Valley Water Board’s Pyrethroid Pesticides TMDL and Basin Plan Amendment Webpage](https://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/central_valley_pesticides/pyrethroid_tmdl_bpa/index.html), (https://www.waterboards.ca.gov/centralvalley/water_issues/tmdl/central_valley_projects/central_valley_pesticides/pyrethroid_tmdl_bpa/index.html.)

Monitoring can either be conducted by the Discharger or can be done as part of a group monitoring effort. If the Discharger chooses to participate in a group monitoring effort, the timing and the other study requirements of the monitoring can be modified by the Executive Officer.

Table E-9. Pyrethroid Pesticides Monitoring

Parameter	CAS Number	Sample Units	Sample Type	Analytical Method	Reporting Level
Total Bifenthrin	82657-04-3	ng/L	Grab	To be determined	1.3
Total Cyfluthrin	68359-37-5	ng/L	Grab	To be determined	1.3
Total Cypermethrin	52315-07-8	ng/L	Grab	To be determined	1.7
Total Esfenvalerate	51630-58-1	ng/L	Grab	To be determined	3.3
Total Lambda-cyhalothrin	91465-08-6	ng/L	Grab	To be determined	1.2
Total Permethrin	52645-53-1	ng/L	Grab	To be determined	10
Freely Dissolved Bifenthrin	82657-04-3	ng/L	Calculated	Calculated from total concentration	
Freely Dissolved Cyfluthrin	68359-37-5	ng/L	Calculated	Calculated from total concentration	
Freely Dissolved Cypermethrin	52315-07-8	ng/L	Calculated	Calculated from total concentration	
Freely Dissolved Esfenvalerate	51630-58-1	ng/L	Calculated	Calculated from total concentration	
Freely Dissolved Lambda-cyhalothrin	91465-08-6	ng/L	Calculated	Calculated from total concentration	
Freely Dissolved Permethrin	52645-53-1	ng/L	Calculated	Calculated from total concentration	
Dissolved Organic Carbon (DOC)		mg/L	Grab		
Total Organic Carbon (TOC)		mg/L	Grab		

The freely dissolved concentration of each quantified pyrethroid pesticide in a sample may be directly measured or estimated using partition coefficients. Methods for direct measurement must be approved by the Executive Officer before they are used to determine the freely dissolved pyrethroid concentrations that are used for determining exceedances of the pyrethroid pesticides numeric triggers.

To estimate the freely dissolved concentration of a pyrethroid pesticide with partition coefficients, the following equation shall be used:

$$C_{dissolved} = \frac{C_{total}}{1 + (K_{OC} \times [POC]) + (K_{DOC} \times [DOC])}$$

Where:

C dissolved = concentration of a an individual pyrethroid pesticide that is in the freely dissolved phase (ng/L),

C total = total concentration of an individual pyrethroid pesticide in water (ng/L),

KOC = organic carbon-water partition coefficient for the individual pyrethroid pesticide (L/kg),

[POC] = concentration of particulate organic carbon in the water sample (kg/L), which can be calculated as [POC]=[TOC]-[DOC],

[TOC] = total organic carbon in the sample (kg/L)

KDOC = dissolved organic carbon-water partition coefficient (L/kg),

[DOC] = concentration of dissolved organic carbon in the sample (kg/L).

Site-specific or alternative study-based partition coefficients approved by the Executive Officer may be used for KOC and KDOC in the above equation. If site-specific or alternative study-based partition coefficients are not available or have not been approved, the following partition coefficients shall be used for KOC and KDOC in the above equation:

Table E-10. Pyrethroid Pesticide Partition Coefficients

Pyrethroid Pesticide	Receiving water KOC (L/kg)	Receiving water KDOC (L/kg)	Effluent KOC (L/kg)	Effluent KDOC (L/kg)
Bifenthrin	4,228,000	1,737,127	15,848,932	800,000
Cyfluthrin	3,870,000	2,432,071	3,870,000	2,432,071
Cypermethrin	3,105,000	762,765	6,309,573	200,000
Esfenvalerate	7,220,000	1,733,158	7,220,000	1,733,158
Lambda-cyhalothrin	2,056,000	952,809	7,126,428	200,000
Permethrin	6,074,000	957,703	10,000,000	200,000

- Water Column Toxicity Monitoring Requirements.** When discharging to the Sacramento River, the Discharger shall monitor the toxicity of the downstream receiving water using EPA method EPA-821-R-02-012 (Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition, USEPA, October 2002, or most recent edition). Except as specified in this order, water column toxicity testing shall follow the measurement quality objectives provided in the Surface Water Ambient Monitoring Program (SWAMP) Quality Assurance Program Plan (SWRCB,

2018). When feasible, the Discharger shall use the Southern California Coastal Water Research Project (SCCWRP) guidance (Schiff and Greenstein, 2016) on test organism age and size for *Hyalella azteca*.

For consistency with EPA Method EPA-821-R-02-012 and ELAP accreditation, *Hyalella Azteca* water column toxicity testing for baseline monitoring must be performed at 20 degrees Celsius (68 degrees Fahrenheit).

Quarterly monitoring shall be conducted for one year concurrent with the Pyrethroid Pesticides Water Column Chemistry Monitoring during Effluent and Receiving Water Characterization Monitoring (see section VIII.D. of this MRP for specific dates). Downstream receiving water monitoring shall be conducted at monitoring location RSW-002 when discharging to the Sacramento River and the results of such monitoring be submitted to the Central Valley Water Board with the quarterly self-monitoring reports. Monitoring can either be conducted by the Discharger or can be done as part of a group monitoring effort. If the Discharger chooses to participate in a group monitoring effort, the timing of the monitoring can be modified by the Executive Officer.

D. Effluent and Receiving Water Characterization

1. Monitoring Frequency

- a. **Effluent Sampling.** Samples shall be collected from the effluent (Monitoring Location EFF-001) quarterly between **1 July 2023 and 30 June 2024**.
- b. **Receiving Water Sampling.** Samples shall be collected from the upstream receiving water (Monitoring Location RSW-001) quarterly between **1 July 2023 and 30 June 2024**.

Constituents shall be collected and analyzed consistent with the Discharger's Analytical Methods Report (MRP, IX.D.1) using sufficiently sensitive analytical methods and Reporting Levels (RLs) per the SSM Rule specified in 40 C.F.R. 122.21(e)(3) and 122.44(i)(1)(iv). The "Reporting Level" is synonymous with the "Method Minimum Level" described in the SSM Rule. The results of the monitoring shall be submitted to the Central Valley Water Board with the quarterly self-monitoring reports. Each individual monitoring event shall provide representative sample results for the effluent and upstream receiving water.

2. **Analytical Methods Report Certification.** Prior to beginning the Effluent and Receiving Water Characterization monitoring, the Discharger shall provide a certification acknowledging the scheduled start date of the Effluent and Receiving Water Characterization monitoring and confirming that samples will be collected and analyzed as described in the previously submitted Analytical Methods Report. If there are changes to the previously submitted Analytical Methods

Report, the Discharger shall outline those changes. A one-page certification form will be provided by Central Valley Water Board staff with the permit's Notice of Adoption that the Discharger can use to satisfy this requirement. The certification form shall be submitted electronically via CIWQS submittal by the due date in the Technical Reports Table.

3. The Discharger shall conduct effluent and receiving water characterization monitoring in accordance with Table E-11 and the testing requirements described in section VIII.D.4 below.

Table E-11. Effluent and Receiving Water Characterization Monitoring

VOLATILE ORGANICS

CTR Number	Volatile Organic Parameters	CAS Number	Units	Effluent Sample Type
25	2-Chloroethyl vinyl Ether	110-75-8	µg/L	Grab
17	Acrolein	107-02-8	µg/L	Grab
18	Acrylonitrile	107-13-1	µg/L	Grab
19	Benzene	71-43-2	µg/L	Grab
20	Bromoform	75-25-2	µg/L	Grab
21	Carbon Tetrachloride	56-23-5	µg/L	Grab
22	Chlorobenzene	108-90-7	µg/L	Grab
24	Chloroethane	75-00-3	µg/L	Grab
26	Chloroform	67-66-3	µg/L	Grab
35	Methyl Chloride	74-87-3	µg/L	Grab
23	Dibromochloromethane	124-48-1	µg/L	Grab
27	Dichlorobromomethane	75-27-4	µg/L	Grab
36	Methylene Chloride	75-09-2	µg/L	Grab
33	Ethylbenzene	100-41-4	µg/L	Grab
89	Hexachlorobutadiene	87-68-3	µg/L	Grab
34	Methyl Bromide (Bromomethane)	74-83-9	µg/L	Grab
94	Naphthalene	91-20-3	µg/L	Grab
38	Tetrachloroethylene (PCE)	127-18-4	µg/L	Grab
39	Toluene	108-88-3	µg/L	Grab
40	trans-1,2-Dichloroethylene	156-60-5	µg/L	Grab
43	Trichloroethylene (TCE)	79-01-6	µg/L	Grab
44	Vinyl Chloride	75-01-4	µg/L	Grab
21	Methyl-tert-butyl ether (MTBE)	1634-04-4	µg/L	Grab
41	1,1,1-Trichloroethane	71-55-6	µg/L	Grab
42	1,1,2-Trichloroethane	79-00-5	µg/L	Grab
28	1,1-Dichloroethane	75-34-3	µg/L	Grab
30	1,1-Dichloroethylene (DCE)	75-35-4	µg/L	Grab
31	1,2-Dichloropropane	78-87-5	µg/L	Grab
32	1,3-Dichloropropylene	542-75-6	µg/L	Grab
37	1,1,2,2-Tetrachloroethane	79-34-5	µg/L	Grab

CTR Number	Volatile Organic Parameters	CAS Number	Units	Effluent Sample Type
101	1,2,4-Trichlorobenzene	120-82-1	µg/L	Grab
29	1,2-Dichloroethane	107-06-2	µg/L	Grab
75	1,2-Dichlorobenzene	95-50-1	µg/L	Grab
76	1,3-Dichlorobenzene	541-73-1	µg/L	Grab
77	1,4-Dichlorobenzene	106-46-7	µg/L	Grab

SEMI-VOLATILE ORGANICS

CTR Number	Semi-Organic Volatile Parameters	CAS Number	Units	Effluent Sample Type
60	Benzo(a)Anthracene	56-55-3	µg/L	Grab
85	1,2-Diphenylhydrazine	122-66-7	µg/L	Grab
45	2-Chlorophenol	95-57-8	µg/L	Grab
46	2,4-Dichlorophenol	120-83-2	µg/L	Grab
47	2,4-Dimethylphenol	105-67-9	µg/L	Grab
49	2,4-Dinitrophenol	51-28-5	µg/L	Grab
82	2,4-Dinitrotoluene	121-14-2	µg/L	Grab
55	2,4,6-Trichlorophenol	88-06-2	µg/L	Grab
83	2,6-Dinitrotoluene	606-20-2	µg/L	Grab
50	2-Nitrophenol	88-75-5	µg/L	Grab
71	2-Chloronaphthalene	91-58-7	µg/L	Grab
78	3,3-Dichlorobenzidine	91-94-1	µg/L	Grab
62	Benzo(b)Fluoranthene	205-99-2	µg/L	Grab
52	4-Chloro-3-methylphenol	59-50-7	µg/L	Grab
48	2-Methyl-4,6-Dinitrophenol	534-52-1	µg/L	Grab
51	4-Nitrophenol	100-02-7	µg/L	Grab
69	4-Bromophenyl Phenyl Ether	101-55-3	µg/L	Grab
72	4-Chlorophenyl Phenyl Ether	7005-72-3	µg/L	Grab
56	Acenaphthene	83-32-9	µg/L	Grab
57	Acenaphthylene	208-96-8	µg/L	Grab
58	Anthracene	120-12-7	µg/L	Grab
59	Benzidine	92-87-5	µg/L	Grab
61	Benzo(a)Pyrene	50-32-8	µg/L	Grab
63	Benzo(ghi)Perylene	191-24-2	µg/L	Grab
64	Benzo(k)Fluoranthene	207-08-9	µg/L	Grab
65	Bis (2-Chloroethoxy) Methane	111-91-1	µg/L	Grab
66	Bis (2-Chloroethyl) Ether	111-44-4	µg/L	Grab
67	Bis (2-Chloroisopropyl) Ether	108-60-1	µg/L	Grab
68	Bis(2-Ethylhexyl) Phthalate	117-81-7	µg/L	Grab
70	Butylbenzyl Phthalate	85-68-7	µg/L	Grab
73	Chrysene	218-01-9	µg/L	Grab
81	Di-n-butyl Phthalate	84-74-2	µg/L	Grab
84	Di-n-Octyl Phthalate	117-84-0	µg/L	Grab

CTR Number	Semi-Organic Volatile Parameters	CAS Number	Units	Effluent Sample Type
74	Dibenzo(a,h)anthracene	53-70-3	µg/L	Grab
79	Diethyl Phthalate	84-66-2	µg/L	Grab
80	Dimethyl Phthalate	131-11-3	µg/L	Grab
86	Fluoranthene	206-44-0	µg/L	Grab
87	Fluorene	86-73-7	µg/L	Grab
88	Hexachlorobenzene	118-74-1	µg/L	Grab
90	Hexachlorocyclopentadiene	77-47-4	µg/L	Grab
91	Hexachloroethane	67-72-1	µg/L	Grab
92	Indeno(1,2,3-cd) Pyrene	193-39-5	µg/L	Grab
93	Isophorone	78-59-1	µg/L	Grab
98	N-Nitrosodiphenylamine	86-30-6	µg/L	Grab
96	N-Nitrosodimethylamine	62-75-9	µg/L	Grab
97	N-Nitrosodi-n-Propylamine	621-64-7	µg/L	Grab
95	Nitrobenzene	98-95-3	µg/L	Grab
53	Pentachlorophenol (PCP)	87-86-5	µg/L	Grab
99	Phenanthrene	85-01-8	µg/L	Grab
54	Phenol	108-95-2	µg/L	Grab
100	Pyrene	129-00-0	µg/L	Grab

INORGANICS

CTR Number	Inorganic Parameters	CAS Number	Units	Effluent Sample Type
NL	Aluminum	7429-90-5	µg/L	24-hour Composite
1	Antimony, Total	7440-36-0	µg/L	24-hour Composite
2	Arsenic, Total	7440-38-2	µg/L	24-hour Composite
15	Asbestos	1332-21-4	µg/L	24-hour Composite
3	Beryllium, Total	7440-41-7	µg/L	24-hour Composite
4	Cadmium, Total	7440-43-9	µg/L	24-hour Composite
5a (III)	Chromium, Total	7440-47-3	µg/L	24-hour Composite
6	Copper, Total	7440-50-8	µg/L	24-hour Composite
14	Iron, Total	7439-89-6	µg/L	24-hour Composite
7	Lead, Total	7439-92-1	µg/L	24-hour Composite
8	Mercury, Total	7439-97-6	µg/L	Grab
NL	Mercury, Methyl	22967-92-6	µg/L	Grab
NL	Manganese, Total	7439-96-5	µg/L	24-hour Composite
9	Nickel, Total	7440-02-0	µg/L	24-hour Composite
10	Selenium, Total	7782-49-2	µg/L	24-hour Composite
11	Silver, Total	7440-22-4	µg/L	24-hour Composite
12	Thallium, Total	7440-28-0	µg/L	24-hour Composite
13	Zinc, Total	7440-66-6	µg/L	24-hour Composite

NON-METALS/MINERALS

CTR Number	Non-Metal/Mineral Parameters	CAS Number	Units	Effluent Sample Type
NL	Boron	7440-42-8	µg/L	24-hour Composite
NL	Chloride	16887-00-6	mg/L	24-hour Composite
14	Cyanide, Total (as CN)	57-12-5	µg/L	Grab
NL	Phosphorus, Total (as P)	7723-14-0	mg/L	24-hour Composite
NL	Sulfate	14808-79-8	mg/L	24-hour Composite
NL	Sulfide (as S)	5651-88-7	mg/L	24-hour Composite

PESTICIDES/PCBs/DIOXINS

CTR Number	Pesticide/PCB/Dioxin Parameters	CAS Number	Units	Effluent Sample Type
110	4,4-DDD	72-54-8	µg/L	24-hour Composite
109	4,4-DDE	72-55-9	µg/L	24-hour Composite
108	4,4-DDT	50-29-3	µg/L	24-hour Composite
112	alpha-Endosulfan	959-98-8	µg/L	24-hour Composite
103	alpha-BHC (Benzene hexachloride)	319-84-6	µg/L	24-hour Composite
102	Aldrin	309-00-2	µg/L	24-hour Composite
113	beta-Endosulfan	33213-65-9	µg/L	24-hour Composite
104	beta-BHC (Benzene hexachloride)	319-85-7	µg/L	24-hour Composite

CTR Number	Pesticide/PCB/Dioxin Parameters	CAS Number	Units	Effluent Sample Type
107	Chlordane	57-74-9	µg/L	24-hour Composite
106	delta-BHC (Benzene hexachloride)	319-86-8	µg/L	24-hour Composite
111	Dieldrin	60-57-1	µg/L	24-hour Composite
114	Endosulfan Sulfate	1031-07-8	µg/L	24-hour Composite
115	Endrin	72-20-8	µg/L	24-hour Composite
116	Endrin Aldehyde	7421-93-4	µg/L	24-hour Composite
117	Heptachlor	76-44-8	µg/L	24-hour Composite
118	Heptachlor Epoxide	1024-57-3	µg/L	24-hour Composite
105	gamma-BHC (Benzene hexachloride or Lindane)	58-89-9	µg/L	24-hour Composite
119	Polychlorinated Biphenyl (PCB) 1016	12674-11-2	µg/L	24-hour Composite
120	PCB 1221	11104-28-2	µg/L	24-hour Composite
121	PCB 1232	11141-16-5	µg/L	24-hour Composite
122	PCB 1242	53469-21-9	µg/L	24-hour Composite
123	PCB 1248	12672-29-6	µg/L	24-hour Composite
124	PCB 1254	11097-69-1	µg/L	24-hour Composite
125	PCB 1260	11096-82-5	µg/L	24-hour Composite
126	Toxaphene	8001-35-2	µg/L	24-hour Composite
16	2,3,7,8-TCDD (Dioxin)	1746-01-6	mg/L	24-hour Composite

CONVENTIONAL PARAMETERS

CTR Number	Conventional Parameters	CAS Number	Units	Effluent Sample Type
NL	pH	--	SU	Grab
NL	Temperature	--	°F	Grab

NON-CONVENTIONAL PARAMETERS

CTR Number	Nonconventional Parameters	CAS Number	Units	Effluent Sample Type
NL	Foaming Agents (MBAS)	MBAS	mg/L	24-hour Composite
NL	Hardness (as CaCO ₃)	471-34-1	mg/L	Grab
NL	Specific Conductance (Electrical Conductivity or EC)	EC	µmhos/cm	Grab
NL	Total Dissolved Solids (TDS)	TDS	mg/L	24-hour Composite
NL	Dissolved Organic Carbon (DOC)	DOC	mg/L	24-hour Composite

NUTRIENTS

CTR Number	Nutrient Parameters	CAS Number	Units	Effluent Sample Type
7	Ammonia (as N)	7664-41-7	mg/L	24-hour Composite
8	Nitrate (as N)	14797-55-8	mg/L	24-hour Composite
9	Nitrite (as N)	14797-65-0	mg/L	24-hour Composite

OTHER CONSTITUENTS OF CONCERN

CTR Number	Other Constituents of Concern	CAS Number	Units	Effluent Sample Type
NL	1,2,3-Trichloropropane (TCP)	96-18-4	ug/L	Grab
NL	Trichlorofluoromethane	75-69-4	µg/L	Grab
NL	1,1,2-Trichloro-1,2,2-Trifluoroethane	76-13-1	µg/L	Grab
NL	Styrene	100-42-5	µg/L	Grab
NL	Xylenes	1330-20-7	µg/L	Grab
NL	Barium	7440-39-3	µg/L	24-hour Composite
NL	Fluoride	16984-48-8	mg/L	24-hour Composite
NL	Molybdenum	7439-98-7	µg/L	24-hour Composite
NL	Tributyltin	688-73-3	µg/L	24-hour Composite
NL	Alachlor	15972-60-8	µg/L	24-hour Composite
NL	Atrazine	1912-24-9	µg/L	24-hour Composite
NL	Bentazon	25057-89-0	µg/L	24-hour Composite
NL	Carbofuran	1563-66-2	µg/L	24-hour Composite
NL	2,4-D	94-75-7	µg/L	24-hour Composite
NL	Dalapon	75-99-0	µg/L	24-hour Composite
NL	1,2-Dibromo-3-chloropropane (DBCP)	96-12-8	µg/L	24-hour Composite
NL	Di(2-ethylhexyl)adipate	103-23-1	µg/L	24-hour Composite
NL	Dinoseb	88-85-7	µg/L	24-hour Composite
NL	Diquat	85-00-7	µg/L	24-hour Composite
NL	Endothal	145-73-3	µg/L	24-hour Composite
NL	Ethylene Dibromide (EDB)	106-93-4	µg/L	24-hour Composite
NL	Methoxychlor	72-43-5	µg/L	24-hour Composite
NL	Molinate (Ordram)	2212-67-1	µg/L	24-hour Composite
NL	Oxamyl	23135-22-0	µg/L	24-hour Composite
NL	Picloram	1918-02-1	µg/L	24-hour Composite
NL	Simazine (Princep)	122-34-9	µg/L	24-hour Composite
NL	Thiobencarb	28249-77-6	µg/L	24-hour Composite
NL	2,4,5-TP (Silvex)	93-72-1	µg/L	24-hour Composite
NL	Chlorpyrifos	2921-88-2	µg/L	24-hour Composite
NL	Diazinon	333-41-5	µg/L	24-hour Composite

4. **Table E-11 Testing Requirements.** The Discharger shall comply with the following testing requirements when monitoring for the parameters described in Table E-11:
- a. **Applicable to All Parameters.** Pollutants shall be analyzed using the analytical methods described in 40 C.F.R. Part 136 or by methods approved by the Central Valley Water Board or the State Water Board.
 - b. **Grab Samples.** A grab sample is defined as an individual discrete sample collected over a period of time not exceeding 15 minutes. It can be taken manually, using a pump, scoop, vacuum, or other suitable device.

- c. **24-hour Composite Samples.** All 24-hour composite samples shall be collected from a 24-hour flow proportional composite.
- d. **Redundant Sampling.** The Discharger is not required to conduct effluent monitoring for constituents that have already been sampled in a given month, as required in Table E-3.
- e. **Concurrent Sampling.** Effluent and receiving water sampling shall be performed at approximately the same time, on the same date.
- f. **Sample Type.** All receiving water samples shall be taken as grab samples. Effluent samples shall be taken as described in Table E-11.
- g. **Bis (2-ethylhexyl) phthalate.** In order to verify if bis (2-ethylhexyl) phthalate is truly present, the Discharger shall take steps to assure that sample containers, sampling apparatus, and analytical equipment are not sources of the detected contaminant.

IX. 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.
2. Upon written request of the Central Valley Water Board, the Discharger shall submit a summary monitoring report. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year(s).
3. **Compliance Time Schedules.** For compliance time schedules included in the Order, the Discharger shall submit to the Central Valley Water Board, on or before each compliance due date, the specified document or a written report detailing compliance or noncompliance with the specific date and task. If noncompliance is reported, the Discharger shall state the reasons for noncompliance and include an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Central Valley Water Board by letter when it returns to compliance with the compliance time schedule.
4. The Discharger shall report to the Central Valley Water Board any toxic chemical release data it reports to the State Emergency Response Commission within 15 days of reporting the data to the Commission pursuant to section 313 of the "Emergency Planning and Community Right to Know Act" of 1986.

B. Self-Monitoring Reports (SMRs)

1. The Discharger shall electronically submit SMRs using the State Water Board's [California Integrated Water Quality System \(CIWQS\) Program website](http://www.waterboards.ca.gov/water_issues/programs/ciwqs/) (http://www.waterboards.ca.gov/water_issues/programs/ciwqs/). The CIWQS

website will provide additional information for SMR submittal in the event there will be a planned 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, quarterly, semiannual, annual SMRs including the results of all required monitoring using U.S. EPA-approved test methods or other test methods specified in this Order. SMRs are to include all new monitoring results obtained since the last SMR was submitted. 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. Monthly SMRs are required even if there is no discharge. If no discharge occurs during the month, the monitoring report must be submitted stating that there has been no discharge.
3. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Table E-12. Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On	Monitoring Period	SMR Due Date
Continuous	Permit effective date	All	Submit with monthly SMR
1/Hour	Permit effective date	Hourly	Submit with monthly SMR
1/Day	Permit effective date	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	Submit with monthly SMR
1/Week	Permit effective date	Sunday through Saturday	Submit with monthly SMR
1/Month	Permit effective date	1st day of calendar month through last day of calendar month	First day of second calendar month following month of sampling
1/Quarter	Permit effective date	1 January through 31 March 1 April through 30 June 1 July through 30 September 1 October through 31 December	1 May 1 August 1 November 1 February of following year
2/Year	Permit effective date	1 January through 30 June 1 July through 31 December	1 August 1 February of following year
1/Year	Permit effective date	1 January through 31 December	1 February of following year

Sampling Frequency	Monitoring Period Begins On	Monitoring Period	SMR Due Date
1/Quarter, second year of permit	Permit effective date	1 January through 31 December	Quarterly in year 2 of permit only

4. **Reporting Protocols.** The Discharger shall report with each sample result the applicable Reporting Level (RL) and the current laboratory’s Method Detection Limit (MDL), as determined by the procedure in 40 C.F.R. 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 RL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).
- b. Sample results less than the RL, 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. 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 Minimum Level (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. **Multiple Sample Data.** When determining compliance with an AMEL, AWEL, or MDEL for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of “Detected, but Not Quantified” (DNQ) or “Not Detected” (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

- a. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
 - b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.
6. **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 waste discharge requirements; discuss corrective actions taken or planned; and the proposed time schedule for corrective actions. Identified violations must include a description of the requirement that was violated and a description of the violation.
 - c. The Discharger shall attach all final laboratory reports from all contracted commercial laboratories, including quality assurance/quality control information, with all its SMRs for which sample analyses were performed.
7. The Discharger shall submit in the SMRs calculations and reports in accordance with the following requirements:
- a. **Removal Efficiency (BOD₅ and TSS).** The Discharger shall calculate and report the percent removal of BOD₅ and TSS in the SMRs. The percent removal shall be calculated as specified in section VII.A. of the Limitations and Discharge Requirements.
 - b. **Total Coliform Organisms Effluent Limitations.** The Discharger shall calculate and report the 7-day median of total coliform organisms for the effluent. The 7-day median of total coliform organisms shall be calculated as specified in Section VII.C. of the Waste Discharge Requirements.

- c. **Dissolved Oxygen Receiving Water Limitations.** The Discharger shall report monthly in the self-monitoring report the dissolved oxygen concentrations in the receiving water RSW-001 and RSW-002.
- d. **Turbidity Receiving Water Limitations.** The Discharger shall calculate and report the turbidity increase in the receiving water applicable to the natural turbidity condition specified in section V.A.17.a-e. of the Waste Discharge Requirements.
- e. **Temperature Receiving Water Limitations.** The Discharger shall calculate and report the temperature increase in the receiving water based on the difference in temperature at Monitoring Locations RSW-001 and RSW-002.

C. Discharge Monitoring Reports (DMR's)

- 1. DMRs are U.S. EPA reporting requirements. The Discharger shall electronically certify and submit DMR's together with SMR's using Electronic Self-Monitoring Reports module eSMR 2.5 or any upgraded version. Electronic DMR submittal will be in addition to electronic SMR submittal.
[Information about electronic DMR submittal](http://www.waterboards.ca.gov/water_issues/programs/discharge_monitoring/)
(http://www.waterboards.ca.gov/water_issues/programs/discharge_monitoring/) is available on the Internet.

D. Other Reports

- 1. **Analytical Methods Report.** The Discharger shall complete and submit an Analytical Methods Report, electronically via CIWQS submittal, by the due date shown in the Technical Reports Table. The Analytical Methods Report shall include the following for each constituent to be monitored in accordance with this Order: 1) applicable water quality objective, 2) reporting level (RL), 3) method detection limit (MDL), and 4) analytical method. The analytical methods shall be sufficiently sensitive with RLs consistent with the SSM Rule per 40 C.F.R. 122.21(e)(3) and 122.44(i)(1)(iv), and with the Minimum Levels (MLs) in the SIP, Appendix 4. The "Reporting Level or RL" is synonymous with the "Method Minimum Level" described in the SSM Rule. If an RL is not less than or equal to the applicable water quality objective for a constituent, the Discharger shall explain how the proposed analytical method complies with the SSM Rule as outlined above in Attachment E, Section I.F. Central Valley Water Board staff will provide a tool with the permit's Notice of Adoption to assist the Discharger in completing this requirement. The tool will include the constituents and associated applicable water quality objectives to be included in the Analytical Methods Report.
- 2. **Annual Operations Report.** The Discharger shall submit a written report to the Central Valley Water Board, electronically via CIWQS submittal, containing the following by the due date in the Technical Reports Table:

- a. The names, certificate grades, and general responsibilities of all persons employed at the Facility.
 - b. The names and telephone numbers of persons to contact regarding the plant for emergency and routine situations.
 - c. A statement certifying when the flow meter(s) and other monitoring instruments and devices were last calibrated, including identification of who performed the calibration.
 - d. A statement certifying whether the current operation and maintenance manual, and contingency plan, reflect the wastewater treatment plant as currently constructed and operated, and the dates when these documents were last revised and last reviewed for adequacy.
 - e. The Discharger may also be requested to submit an annual report to the Central Valley Water Board with both tabular and graphical summaries of the monitoring data obtained during the previous year. Any such request shall be made in writing. The report shall discuss the compliance record. If violations have occurred, the report shall also discuss the corrective actions taken and planned to bring the discharge into full compliance with the waste discharge requirements.
3. **Recycled Water Policy Annual Reports.** In accordance with Section 3 of the Water Quality Control Policy for Recycled Water (Recycled Water Policy), the Discharger shall electronically submit an annual report of monthly data to the State Water Board by 30 April annually covering the previous calendar year using the State Water Board's [GeoTracker website](https://geotracker.waterboards.ca.gov/) (<https://geotracker.waterboards.ca.gov/>). Information for setting up and using the GeoTracker system can be found in the *ESI Guide for Responsible Parties* document on the State Water Board's website for [Electronic Submittal of Information](https://www.waterboards.ca.gov/ust/electronic_submittal/index.html) (https://www.waterboards.ca.gov/ust/electronic_submittal/index.html).

The annual report to GeoTracker must include volumetric reporting of the items listed in [Section 3.2 of the Recycled Water Policy](https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2018/121118_7_final_amendment_oal.pdf) (https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2018/121118_7_final_amendment_oal.pdf). A pdf of the upload confirmation from GeoTracker for the Recycled Water Policy Annual Report shall be uploaded into CIWQS annually as a technical report per Table E-15, to demonstrate compliance with this reporting requirement.

4. **Report of Waste Discharge (ROWD).** For the 5-year permit renewal, the Discharger shall submit a written report to the Central Valley Water Board, electronically via CIWQS submittal, containing, at minimum, the following by the due date in the Technical Reports Table:

- a. **Report of Waste Discharge (Form 200);**
 - b. **NPDES Form 1 (not needed if submitting Form 2A);**
 - c. **NPDES Form 2S;**
 - d. **Salinity Evaluation and Minimization Plan.** The Discharger shall evaluate the effectiveness of the salinity evaluation and minimization plan and provide a summary with the Report of Waste Discharge; and
 - e. **Mixing Zone Requests.** A mixing zone analysis for constituents the Discharger is requesting the continuation of dilution credits and mixing zones in the calculation of water quality-based effluent limits (e.g., ammonia, copper, nitrate plus nitrite, chloroform, chlorodibromomethane and dichlorobromomethane). The request shall include updated critical river flow information, specifically, 1Q10, 7Q10, harmonic mean values (see section IV.C.2.c. of the Fact Sheet); and identify any new impacts the mixing zones may have on biological resources in the receiving water.
 - f. **Pretreatment Program Local Limits Evaluation.** Section VI.C.5.a.v. of this Order requires the Discharger to provide a written technical evaluation of the need to revise the local limits under 40 C.F.R. section 403.5(c)(1).
5. **Annual Pretreatment Reporting Requirements.** The Discharger shall submit annually a report to the Central Valley Water Board, with copies to U.S. EPA Region 9 and the State Water Board, describing the Discharger's pretreatment activities over the previous 12 months (1 January through 31 December). In the event that the Discharger is not in compliance with any conditions or requirements of this Order, including noncompliance with pretreatment audit/compliance inspection requirements, then the Discharger shall also include the reasons for noncompliance and state how and when the Discharger shall comply with such conditions and requirements.

An annual report shall be submitted by the due date shown in the Technical Reports Table and include at least the following items:

- a. A summary of analytical results from representative sampling of the POTW's influent and effluent for those pollutants U.S. EPA has identified under section 307(a) of the CWA which are known or suspected to be discharged by nondomestic users. This will consist of an annual full priority pollutant scan. The sample types for each priority pollutant constituent shall be consistent with the sample types specified in Table E-3 (Effluent and Receiving Water Characterization Monitoring). The Discharger is not required to sample and analyze for asbestos. The Discharger shall submit the results of the annual priority pollutant scan electronically to the Central Valley Water Board using the State Water Board's CIWQS Program Website.

Sludge shall be sampled during the same 24-hour period and analyzed for the same pollutants as the influent and effluent sampling and analysis. The sludge analyzed shall be a **composite sample of a minimum of 12 discrete samples taken at equal time intervals over the 24-hour period**. Wastewater and sludge sampling and analysis shall be performed at least annually. The Discharger shall also provide any influent, effluent or sludge monitoring data for nonpriority pollutants which may be causing or contributing to Interference, Pass-Through or adversely impacting sludge quality. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 C.F.R. part 136 and amendments thereto.

- b. A discussion of Upset, Interference, or Pass-Through incidents, if any, at the treatment plant, which the Discharger knows, or suspects were caused by nondomestic users of the POTW. The discussion shall include the reasons why the incidents occurred, the corrective actions taken and, if known, the name and address of, the nondomestic user(s) responsible. The discussion shall also include a review of the applicable pollutant limitations to determine whether any additional limitations, or changes to existing requirements, may be necessary to prevent Pass-Through, Interference, or noncompliance with sludge disposal requirements.
- c. The cumulative number of nondomestic users that the Discharger has notified regarding Baseline Monitoring Reports and the cumulative number of nondomestic user responses.
- d. An updated list of the Discharger's significant industrial users (SIUs) including their names and addresses, or a list of deletions, additions and SIU name changes keyed to a previously submitted list. The Discharger shall provide a brief explanation for each change. The list shall identify the SIUs subject to federal categorical standards by specifying which set(s) of standards are applicable to each SIU. The list shall indicate which SIUs, or specific pollutants from each industry, are subject to local limitations. Local limitations that are more stringent than the federal categorical standards shall also be identified.
- e. The Discharger shall characterize the compliance status through the year of record of each SIU by employing the following descriptions:
 - i. complied with baseline monitoring report requirements (where applicable);
 - ii. consistently achieved compliance;
 - iii. inconsistently achieved compliance;
 - iv. significantly violated applicable pretreatment requirements as defined by 40 C.F.R. section 403.8(f)(2)(vii);

- v. complied with schedule to achieve compliance (include the date final compliance is required);
 - vi. did not achieve compliance and not on a compliance schedule; and
 - vii. compliance status unknown.
- f. A summary of the inspection and sampling activities conducted by the Discharger during the past year to gather information and data regarding the SIUs. The summary shall include:
- i. The names and addresses of the SIUs subjected to surveillance and an explanation of whether they were inspected, sampled, or both and the frequency of these activities at each user; and
 - ii. The conclusions or results from the inspection or sampling of each industrial user.
- g. The Discharger shall characterize the compliance status of each SIU by providing a list or table which includes the following information:
- i. Name of SIU;
 - ii. Category, if subject to federal categorical standards;
 - iii. The type of wastewater treatment or control processes in place;
 - iv. The number of samples taken by the POTW during the year;
 - v. The number of samples taken by the SIU during the year;
 - vi. For a SIU subject to discharge requirements for total toxic organics, whether all required certifications were provided;
 - vii. A list of the standards violated during the year. Identify whether the violations were for categorical standards or local limits.
 - viii. Whether the facility is in significant noncompliance (SNC) as defined at 40 C.F.R. section 403.8(f)(2)(viii) at any time during the year; and
 - ix. A summary of enforcement or other actions taken during the year to return the SIU to compliance. Describe the type of action (e.g., warning letters or notices of violation, administrative orders, civil actions, and criminal actions), final compliance date, and the amount of fines and penalties collected, if any. Describe any proposed actions for bringing the SIU into compliance;
 - x. Restriction of flow to the POTW.

- xi. Disconnection from discharge to the POTW.
- h. A brief description of any programs the POTW implements to reduce pollutants from nondomestic users that are not classified as SIUs;
- i. A brief description of any significant changes in operating the pretreatment program which differ from the previous year including, but not limited to, changes concerning: the program's administrative structure, local limits, monitoring program or monitoring frequencies, legal-authority, enforcement policy, funding levels, or staffing levels;
- j. A summary of the annual pretreatment budget, including the cost of pretreatment program functions and equipment purchases; and
- k. A summary of activities to involve and inform the public of the program including a copy of the newspaper notice, if any, required under 40 C.F.R. section 403.8(f)(2)(viii).

Pretreatment Program reports shall be submitted electronically to the Central Valley Water Board via CIWQS submittal and the:

State Water Resources Control Board
NPDES Wastewater@waterboards.ca.gov
and the
U.S. EPA Region 9 Pretreatment Coordinator
R9Pretreatment@epa.gov

6. **Technical Report Submittals.** This Order includes requirements to submit a Report of Waste Discharge (ROWD), special study technical reports, progress reports, and other reports identified in the MRP (hereafter referred to collectively as “technical reports”). The Technical Reports Table and subsequent table notes below summarize all technical reports required by this Order and the due dates for submittal. All technical reports shall be submitted electronically via CIWQS submittal. Technical reports should be uploaded as a PDF, Microsoft Word, or Microsoft Excel file attachment.

Table E-13. Technical Reports

Report #	Technical Report	Due Date	CIWQS Report Name
Intentionally left blank	Standard Reporting Requirements	Intentionally left blank	Intentionally left blank
1	Report of Waste Discharge	1 YEAR PRIOR TO PERMIT EXPIRATION DATE	ROWD
2	Analytical Methods Report	WITHIN 60 DAYS OF PERMIT ADOPTION DATE	MRP IX.D.1
3	Analytical Methods Report Certification	3 MONTHS PRIOR TO START OF CHARACTERIZATION MONITORING	MRP VIII.D.2.
4	Annual Operations Report	1 February 2023	MRP IX.D.2
5	Annual Operations Report	1 February 2024	MRP IX.D.2
6	Annual Operations Report	1 February 2025	MRP IX.D.2
7	Annual Operations Report	1 February 2026	MRP IX.D.2
8	Annual Operations Report	1 February 2027	MRP IX.D.2
9	Recycled Water Policy Annual Report Submittal Confirmation	30 April 2023	MRP IX.D.3
10	Recycled Water Policy Annual Report Submittal Confirmation	30 April 2024	MRP IX.D.3
11	Recycled Water Policy Annual Report Submittal Confirmation	30 April 2025	MRP IX.D.3
12	Recycled Water Policy Annual Report Submittal Confirmation	30 April 2026	MRP IX.D.3
13	Recycled Water Policy Annual Report Submittal Confirmation	30 April 2027	MRP IX.D.3
14	Annual Pretreatment Report	1 February 2023	MRP IX.D.5
15	Annual Pretreatment Report	1 February 2024	MRP IX.D.5
16	Annual Pretreatment Report	1 February 2025	MRP IX.D.5

Report #	Technical Report	Due Date	CIWQS Report Name
17	Annual Pretreatment Report	1 February 2026	MRP IX.D.5
18	Annual Pretreatment Report	1 February 2027	MRP IX.D.5
19	Pretreatment Program Local Limits Evaluation	1 YEAR PRIOR TO PERMIT EXPIRATION DATE (with Report of Waste Discharge)	MRP IX.D.4.f.
20	Toxicity Reduction Evaluation (TRE) Workplan	Within 30 days of exceeding toxicity monitoring trigger	WDR VI.C.2.a
21	EC Evaluation and Salinity Evaluation and Minimization Plan update (if trigger exceeded)	1 YEAR PRIOR TO PERMIT EXPIRATION DATE (with Report of Waste Discharge)	WDR VI.C.3.b
22	Groundwater Monitoring Well Network Evaluation	Within 6 months following effective date of Order.	Specials Provisions section VI.C.2.b
23	Groundwater Monitoring Well Installation, Work Plan	Within 12 months following effective date of Order.	Specials Provisions section VI.C.2.c
24	Groundwater Quality Characterization, Evaluation Final Report	Within 36 months following effective date of Order	Specials Provisions section VI.C.2.d
25	Groundwater Technical Report/BPTC	Within 48 months following effective date of Order	Specials Provisions section VI.C.2.d
26	Antidegradation Reevaluation, Final Report	1 YEAR PRIOR TO PERMIT EXPIRATION DATE (with Report of Waste Discharge)	Special Provisions section VI.C.2.e
27	Method of Compliance Workplan/Schedule	Within 6 months following effective date of Order	WDR VI.C.7
28	Annual Compliance Schedule Progress Report	1 February 2023	WDR VI.C.7
29	Annual Compliance Schedule Progress Report	1 February 2024	WDR VI.C.7

Report #	Technical Report	Due Date	CIWQS Report Name
30	Annual Compliance Schedule Progress Report	1 February 2025	WDR VI.C.7
31	Annual Compliance Schedule Progress Report	1 February 2026	WDR VI.C.7
32	Annual Compliance Schedule Progress Report	1 February 2027	WDR VI.C.7
33	Annual Compliance Schedule Progress Report	1 February 2028	WDR VI.C.7
34	Annual Compliance Schedule Progress Report	1 February 2029	WDR VI.C.7
35	Annual Compliance Schedule Progress Report	1 February 2030	WDR VI.C.7
36	Annual Compliance Schedule Progress Report	1 February 2031	WDR VI.C.7
37	Annual Compliance Schedule Progress Report	1 February 2032	WDR VI.C.7
38	Method of Compliance Project Report	1 August 2025	WDR VI.C.7
39	Compliance Project Financing Plan	Within 4 years following effective date of Order	WDR VI.C.7
40	Documentation of Environmental Review and/or Permitting Process Commencement	Within 6 years following effective date of Order	WDR VI.C.7
41	Documentation of Commencement of Compliance Project	Within 8 years following effective date of Order	WDR VI.C.7
42	Subject Compliance Project Completion Report	Within 10 years following effective date of Order	WDR VI.C.7

ATTACHMENT F – FACT SHEET

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ATTACHMENT F – FACT SHEET

As described in section II.C of this Order, the Central Valley Water Board incorporates this Fact Sheet as findings of the Central Valley Water Board supporting the issuance of this Order. This Fact Sheet discusses 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

Waste Discharge ID:	5A040102001
CIWQS Facility Place ID:	271805
Discharger:	City of Chico
Name of Facility:	Chico Water Pollution Control Plant
Facility Address:	4827 Chico River Road
Facility City, State Zip:	Chico, CA 95927
Facility County:	Butte County
Facility Contact, Title and Phone Number:	James Carr, Wastewater Treatment Manager, (530) 894-4300
Authorized Person to Sign and Submit Reports:	James Carr, Wastewater Treatment Manager, (530) 894-4300
Mailing Address:	SAME
Billing Address:	SAME
Type of Facility:	POTW
Major or Minor Facility:	Major
Threat to Water Quality:	1
Complexity:	A
Pretreatment Program:	Yes
Recycling Requirements:	N/A
Facility Permitted Flow:	8.4 million gallons per day
Facility Design Flow:	8.4 million gallons per day
Watershed:	Sacramento
Receiving Water:	Sacramento River
Receiving Water Type:	Inland surface water

- A.** The City of Chico (hereinafter Discharger) is the owner and operator of Chico Water Pollution Control Plant (hereinafter Facility), a Publicly-Owned Treatment Works (POTW). The City of Chico owns the property at 4827 Chico River Road, Chico California on which the Facility is located.

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 treated wastewater to the Sacramento River, a water of the United States and to on-site evaporation/percolation final disposal ponds immediately south of the constructed treatment system. The Discharger was previously regulated by Order R5-2016-0023 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0079081, adopted on 21 April 2016 and expired on 31 May 2021. Attachment B provides a map of the area around the Facility. Attachment C provides a flow schematic of the Facility.
- C.** When applicable, state law requires dischargers to file a petition with the State Water Board, Division of Water Rights and receive approval for any change in the point of discharge, place of use, or purpose of use of treated wastewater that decreases the flow in any portion of a watercourse. The State Water Board retains separate jurisdictional authority to enforce any applicable requirements under Water Code section 1211. This is not an NPDES permit requirement.
- D.** The Discharger filed a report of waste discharge (ROWD) and submitted an application for reissuance of its waste discharge requirements (WDR’s) and NPDES permit on 2 July 2020. Supplemental information was received on 4 August 2020. The application was deemed complete on 17 August 2020. A site visit was conducted on 17 March 2021, to observe operations and collect additional data to develop permit limitations and requirements for waste discharge.
- E.** Regulations at 40 C.F.R. section 122.46 limit the duration of NPDES permits to a fixed term not to exceed five years. Accordingly, Table 3 of this Order limits the duration of the discharge authorization. Under 40 C.F.R. section 122.6(d), States authorized to administer the NPDES program may administratively continue State-issued permits beyond their expiration dates until the effective date of the new permits, if State law allows it. Pursuant to California Code of Regulations, title 23, section 2235.4, the terms and conditions of an expired permit are automatically continued pending reissuance of the permit if the Discharger complies with all federal NPDES requirements for continuation of expired permits.

II. FACILITY DESCRIPTION

The Discharger provides sewerage service for the community of Chico and serves a population of approximately 121,000, a population increase of approximately 35,000 from the Order R5-2016-0023. The design daily average flow capacity of the Facility is 12 million gallons per day (MGD) based on the design average day average month

(ADAM) flow. However, the Facility design daily average flow capacity is currently limited to 8.4 MGD as a result of the Discharger's current reliance on Plant 2 facilities.

A. Description of Wastewater and Biosolids Treatment and Controls

The Facility consists of screening for removal of large solids, grit removal, primary clarification, activated sludge treatment with secondary clarification, and chlorination/dechlorination. Sludge is anaerobically digested and dewatered using a centrifuge and are hauled directly from the centrifuge building, identified in Attachment C, for land application in unincorporated Sacramento County, California (Silva Ranch). Sludge digester supernatant (centrate) is routed back to the secondary treatment works. Since October 2018, the Discharger does not store or dry any sludge or biosolids on-site at the Facility. The Discharger has a three-year agreement with Synagro to haul the biosolids for disposal. Drying beds are still used as necessary during facility maintenance. The facility produces approximately 1,130 dry metric tons of dried biosolids annually. Transportation and disposal/reuse of the biosolids is regulated by U.S. EPA under 40 C.F.R. part 503.

1. Treatment Train Configuration. Influent wastewater flows through the headworks and primary treatment processes by gravity. Following primary treatment, primary effluent is split between two parallel treatment trains that each consist of secondary treatment and disinfection (Plant 1 and Plant 2) processes. The current total plant capacity rating relies on the combined secondary & disinfection capacities of Plants 1 and 2, which have the following design capacities: Plant 1: Average daily flow capacity: 3.6 MGD, peak hydraulic flow capacity: 9 MGD. Plant 2: Average daily flow capacity: 8.4 MGD, peak hydraulic flow capacity: 21 MGD. The northeast pond, PND-004 can be utilized as an influent diversion, and emergency storage pond.

- a. Plant 1 has not been operated regularly since the commissioning of Plant 2, with the most recent operation of Plant 1 having occurred in early 2003. The Plant 1 facilities would require extensive rehabilitation and/or replacement for reliable future use.
- b. Plant 2 provides secondary treatment and disinfection for all current influent Facility flows, with the following total design capacities for each of the existing treatment processes:
 - i. Aeration Basins No. 3-6: 11.4 MGD (ADAM)
 - ii. Secondary Clarifiers No. 3-5: 9.1 MGD (ADAM)
 - iii. Chlorine Contact Basins No. 3-4: 1.47 hours contact time at ADAM

B. Discharge Points and Receiving Waters

- 1. The Facility is located in section 2, T21N, R1E, MDB&M, as shown in Attachment B, a part of this Order.

2. Treated municipal wastewater is discharged at Discharge Point No. D-001 to the Sacramento River, a water of the United States at a point latitude 39° 41' 28.55" N and longitude 121° 56' 26.76" W.
3. Treated municipal wastewater is discharged at Discharge Point No. D-002 to evaporation/percolation final disposal ponds at a point latitude 39° 41' 42.85"N and longitude 121° 54' 43.12"W. Discharge Point No.D-002 discharges to the M&T Pond. The M&T Pond is hydraulically connected to the Southeast Pond and Southwest Pond. The disposal ponds are located immediately south of, and adjacent to, the constructed treatment system at the Facility.

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

Effluent limitations/Discharge Specifications contained in Order R5-2016-0023 for discharges from Discharge Point 001 (Monitoring Location EFF-001) and representative monitoring data from the term of Order R5-2016-0023 are provided in Table F-2. The date range for the representative monitoring data is 1 January 2018 to 1 January 2021.

Table F-2. Historic Effluent Limitations

Parameter	Units	Historic Effluent Limitations	Highest Average Monthly Discharge	Highest Average Weekly Discharge	Highest Daily Discharge
Flow	MGD	Annual average: 6.07	--	--	20.49
Biochemical Oxygen Demand (BOD) (5-day @ 20°C)	mg/L	AMEL 30 AWEL 45 MDEL 90	6.61	8.16	8.89
BOD (5-day @ 20°C)	lbs/day	AWEL 939	--	392	392
Total Suspended Solids (TSS)	mg/L	AMEL 30 AWEL 45 MDEL 90	8.41	9.52	9.96
TSS	lbs/day	AWEL	--	449	449
Total Residual Chlorine	mg/L	0.011 mg/L, as a 4-day average; and. 0.019 mg/L, as a 1-hour average.	ND	ND	ND
Total Coliform Organisms	MPN/ 100 mL	7-day median: 23 30-day period: 240	30-day: 130	7-day: 70	70
pH	standard units	Instantaneous Minimum: 6.0 Instantaneous Maximum: 8.5	--	--	Max: 8.13 Min: 7.90

Parameter	Units	Historic Effluent Limitations	Highest Average Monthly Discharge	Highest Average Weekly Discharge	Highest Daily Discharge
Ammonia, Total (as N)	mg/L	AMEL 8.2 AWEL 17.6	6.14	6.14	6.14
Ammonia, Total (as N)	lbs/day	AMEL AWEL	312.36	303.15	312.36
Copper, Total Recoverable	µg/L	AMEL 15 MDEL 20	9.35	--	9.35
Chlorodibromo methane	µg/L	AMEL 17.2 MDEL 34	4.52		4.52
Dichlorobromo methane	µg/L	AMEL 25.2 MDEL 43	23.86	--	23.86
Nitrate + Nitrite, Total (as N)	mg/L	AMEL 60 AWEL 104	22.90	22.90	22.90

D. Compliance Summary

The Discharger committed one violation of effluent limitations for total coliform 7-day median during the permit term. No formal enforcement action was taken by the Central Valley Water Board and no specific cause for the violations was identified.

E. Planned Changes

The Discharger is currently in discussions with the Town of Paradise (Paradise) regarding a wastewater regionalization project, whereby the Discharger would accept and treat sewage from a planned Paradise sewer collection system. Planning efforts have just concluded to identify Facility needs to accommodate the Discharger’s projected flows along with anticipated sewerage contributions from Paradise, and the agencies are in the process of negotiating a Principles of Agreement for future connection from Paradise. The City is also currently pursuing Facility stress testing which will establish the actual treatment capacity limitation of existing Plant 2 facilities (which is anticipated to be higher than the design capacity), prior to initiation of design of facilities needed for increased capacity.

The Discharger is also evaluating Facility emergency effluent diversion, storage, and return improvements. The improvements are aimed, in part, at addressing the Facility’s emergency storage needs for wastewater that does not meet water quality specifications prior to discharge to surface water or to land (i.e., M&T Pond, Southwest Pond, Southeast Pond). Return flow capabilities to the existing emergency storage pond (Northeast Pond, PND-001) or a newly designed waste pond are being considered. Further, a Modified Ludzack-Ettinger (MLE) activated sludge process improvement project is under consideration to facilitate nutrient removal at the Facility.

In addition, the Discharger has initiated a project to procure and construct a pre-engineered and fabricated metal storage building and initiated a project to add a new blower (or replace Blower No. 7) to increase the range of operation that the system can operate under.

As longer-term projects, the Discharger has identified tertiary filtration, and alternative disinfection processes as potentially necessary for water quality improvement and compliance with future NPDES permit requirements.

III. APPLICABLE PLANS, POLICIES, AND REGULATIONS

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

A. Legal Authorities

This Order serves as WDR's pursuant to article 4, chapter 4, division 7 of the California Water Code (commencing with section 13260). This Order is also issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. EPA and chapter 5.5, division 7 of the Water Code (commencing with section 13370). It shall serve as an NPDES permit for point source discharges from this Facility to surface waters.

B. California Environmental Quality Act (CEQA)

Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of Chapter 3 of CEQA, (commencing with section 21100) of Division 13 of the Public Resources Code.

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

1. **Water Quality Control Plan.** Requirements of this Order specifically implement the applicable Water Quality Control Plans.

- a. Basin Plan. The Central Valley Water Board adopted a Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fifth Edition, May 2018 (hereinafter Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. Requirements in this Order implement the Basin Plan. In addition, the Basin Plan implements State Water Board Resolution 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Beneficial uses applicable to the Sacramento River are as follows:

Table F-3 Basin Plan Beneficial Uses

Discharge Point	Receiving Water Name	Beneficial Use(s)
D-001	Sacramento River (Shasta Dam to Colusa Basin Drain)	Existing: Municipal and domestic water supply (MUN); agricultural supply, including irrigation and stock watering (AGR); industrial service supply (IND); hydropower generation (POW); water contact recreation (REC-1); non-contact water recreation (REC-2); warm freshwater habitat (WARM); cold freshwater habitat (COLD); warm and cold migration of aquatic organisms (MIGR); warm spawning, reproduction, and/or early development (SPWN); and wildlife habitat (WILD); navigation (NAV)
D-002	Underlying Groundwater	Existing: Municipal and domestic supply (MUN); agricultural supply, including irrigation and stock watering (AGR); industrial service supply (IND); and industrial process supply (PRO).

b. **Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California.** The Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (ISWEBE Plan) was adopted by the State Water Resources Control Board (State Water Board) on 1 December 2020, under authority provided by Water Code sections 13140 and 13170. Except as otherwise indicated, this ISWEBE Plan establishes provisions for water quality and sediment quality that apply to all inland surface waters, enclosed bays, and estuaries and coastal lagoons of the state, including both waters of the United States and surface waters of the state.

2. **National Toxics Rule (NTR) and California Toxics Rule (CTR).** U.S. EPA adopted the NTR on 22 December 1992, and later amended it on 4 May 1995 and 9 November 1999. About forty criteria in the NTR applied in California. On 18 May 2000, U.S. EPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on 13 February 2001. These rules contain federal water quality criteria for priority pollutants.
3. **State Implementation Policy.** On 2 March 2000, the State Water Board adopted the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy or SIP). The SIP became effective on 28 April 2000, with respect to the priority pollutant criteria promulgated for California by the U.S. EPA through the NTR and to the priority pollutant objectives established by the Central Valley Water Board in the

Basin Plan. The SIP became effective on 18 May 2000, with respect to the priority pollutant criteria promulgated by the U.S. EPA through the CTR. The State Water Board adopted amendments to the SIP on 24 February 2005, that became effective on 13 July 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.

4. **Antidegradation Policy.** Federal regulation 40 C.F.R. section 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution 68-16 ("Statement of Policy with Respect to Maintaining High Quality of Waters in California") (State Anti-Degradation Policy). The State Anti-Degradation Policy is deemed to incorporate the federal antidegradation policy where the federal policy applies under federal law. The State Anti-Degradation Policy requires that existing water quality be maintained unless degradation is justified based on specific findings. The Central Valley Water Board's Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. The permitted discharge must be consistent with the antidegradation provision of 40 C.F.R. section 131.12 and the State Anti-Degradation Policy. The Board finds this order is consistent with the Federal and State Water Board antidegradation regulations and policy.
5. **Anti-Backsliding Requirements.** Sections 402(o) and 303(d)(4) of the CWA and federal regulations at 40 C.F.R. section 122.44(l) restrict backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed.
6. **Domestic Water Quality.** In compliance with Water Code section 106.3, it is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring discharges to meet maximum contaminant levels designed to protect human health and ensure that water is safe for domestic use.
7. **Endangered Species Act Requirements.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code, sections 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the state. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.

8. **Emergency Planning and Community Right to Know Act.** Section 13263.6(a) of the Water Code, requires that “the Regional Water Board shall prescribe effluent limitations as part of the waste discharge requirements of a POTW for all substances that the most recent toxic chemical release data reported to the state emergency response commission pursuant to section 313 of the Emergency Planning and Community Right to Know Act of 1986 (42 U.S.C. Sec. 11023) (EPCRA) indicate as discharged into the POTW, for which the State Water Board or the Regional Water Board has established numeric water quality objectives, and has determined that the discharge is or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to, an excursion above any numeric water quality objective”.

The most recent toxic chemical data report does not indicate any reportable off-site releases or discharges to the collection system for this Facility. Therefore, a reasonable potential analysis based on information from EPCRA cannot be conducted. Based on information from EPCRA, there is no reasonable potential to cause or contribute to an excursion above any numeric water quality objectives included within the Basin Plan or in any State Water Board plan, so no effluent limitations are included in this permit pursuant to Water Code section 13263.6(a).

However, as detailed elsewhere in this Order, available effluent data indicate that there are constituents present in the effluent that have a reasonable potential to cause or contribute to exceedances of water quality standards and require inclusion of effluent limitations based on federal and state laws and regulations.

9. **Storm Water Requirements.** U.S. EPA promulgated federal regulations for storm water on 16 November 1990 in 40 C.F.R. parts 122, 123, and 124. The NPDES Industrial Storm Water Program regulates storm water discharges from wastewater treatment facilities. Wastewater treatment plants are applicable industries under the storm water program and are obligated to comply with the federal regulations. The State Water Resources Control Board Water Quality Order 2014-0057-DWQ, General Permit for Storm Water Discharges Associated with Industrial Activities (NPDES General Permit No. CAS000001), does not require facilities to obtain coverage if discharges of storm water are regulated under another individual or general NPDES permit adopted by the State Water Board or Regional Water Board (Finding I.B.20).

Stormwater collected at the Facility headworks area and the sludge storage pad (northern most side of the Facility) is collected through a series of storm drains to Plant Drain Pump Station No. 2, where collected flow is sent to the influent flow junction box and then to the headworks for treatment and disposal under this Order. Stormwater from the remainder of the Facility is collected through a series of storm drains and catch basins into a gravity collection system and is routed to the Stormwater Pump Station (which originally served as the plant effluent pump station but is now dedicated solely to stormwater). Three pumps are used to lift stormwater to Effluent Box No. 1, where it then flows by gravity to

Effluent Junction Box No. 1 and is directed to the southern storage ponds for disposal under this Order. Therefore, coverage under the General Storm Water Permit is not required.

- 10. Statewide General Waste Discharge Requirements for Sanitary Sewer Systems.** The State Water Board issued General Waste Discharge Requirements for Sanitary Sewer Systems, Water Quality Order 2006-0003-DWQ (General Order) on 2 May 2006. The State Water Board amended the MRP for the General Order through Order WQ 2013-0058-EXEC on 6 August 2013. The General Order requires public agencies that own or operate sanitary sewer systems with greater than 1 mile of pipes or sewer lines to enroll for coverage under the General Order. The General Order requires agencies to develop sanitary sewer management plans (SSMP's) and report all sanitary sewer overflows (SSO's), among other requirements and prohibitions.

The Discharger is subject to the requirements of, and must comply with, State Water Board Order 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, as amended by State Water Board Order WQ 2013-0058-EXEC and any subsequent order.

- 11. Sewage Sludge and Biosolids.** This Order does not authorize any act that results in violation of requirements administered by U.S. EPA to implement 40 C.F.R. Part 503, Standards for the Use or Disposal of Sewage Sludge. These standards regulate the final use or disposal of sewage sludge that is generated during the treatment of domestic sewage in a municipal wastewater treatment facility. The Discharger is responsible for meeting all applicable requirements of 40 C.F.R. Part 503 that are under U.S. EPA's enforcement authority.

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

1. Under section 303(d) of the 1972 CWA, states, territories and authorized tribes are required to develop lists of water quality limited segments. The waters on these lists do not meet water quality standards, even after point sources of pollution have installed the minimum required levels of pollution control technology. On 6 April 2018 U.S. EPA gave final approval to California's 2014 – 2016 section 303(d) List of Water Quality Limited Segments. The Basin Plan references this list of Water Quality Limited Segments (WQLSs), which are defined as "...those sections of lakes, streams, rivers or other fresh water bodies where water quality does not meet (or is not expected to meet) water quality standards even after the application of appropriate limitations for point sources (40 C.F.R. part 130, et seq.)." The Basin Plan also states, "Additional treatment beyond minimum federal standards will be imposed on dischargers to [WQLSs]. Dischargers will be assigned or allocated a maximum allowable load of critical pollutants so that water quality objectives can be met in the segment." The listing for the Sacramento River (Red Bluff to Knights Landing) includes: includes dichlorodiphenyltrichloroethane (DDT), dieldrin, mercury, polychlorinated biphenyls (PCBs), and toxicity.

2. Total Maximum Daily Loads (TMDL's). Table F-4, below, identifies the 303(d) listings and any applicable TMDLs. At the time of this permit renewal, there are no approved TMDL's with waste load allocations that apply to this Facility.

Table F-4. 303 (d) List for the Sacramento River

Pollutant	Potential Sources	TMDL Status
DDT	Source Unknown	2027
Dieldrin	Source Unknown	2027
Mercury	Source Unknown	2027
PCBs	Source Unknown	2027
Toxicity	Source Unknown	2027

In 2007, the Central Valley Water Board adopted an amendment to the Basin Plan that addressed impairments within the Sacramento River and Feather River Basins by promulgating a water quality objective for diazinon and chlorpyrifos as well as an implementation program designed to ensure compliance with the new water quality objective. Per this implementation program, all NPDES permits for discharges (both direct and indirect) to the Sacramento or Feather Rivers must contain an effluent limit equivalent to the diazinon and chlorpyrifos water quality objective. This Order requires the Discharger to monitor the effluent for diazinon and chlorpyrifos and includes effluent limitations for diazinon and chlorpyrifos.

3. The 303(d) listings and TMDL’s have been considered in the development of the Order.

E. Other Plans, Polices and Regulations

1. **Title 27.** The discharge authorized herein and the treatment and storage facilities associated with the discharge of treated municipal wastewater, except for discharges of residual sludge and solid waste, are exempt from the requirements of Title 27, California Code of Regulations (CCR), section 20005 et seq (hereafter Title 27). The exemption, pursuant to Title 27 CCR section 20090(a), is based on the following:
 - a. The waste consists primarily of domestic sewage and treated effluent;
 - b. The waste discharge requirements are consistent with water quality objectives; and
 - c. The treatment and storage facilities described herein are associated with a municipal wastewater treatment plant.

IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

Effluent limitations and toxic and pretreatment effluent standards established pursuant to sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 304 (Information and Guidelines), and 307 (Toxic and Pretreatment Effluent Standards) of the CWA and amendments thereto are applicable to the discharge.

The CWA mandates the implementation of effluent limitations that are as stringent as necessary to meet water quality standards established pursuant to state or federal law

[33 U.S.C., section 1311(b)(1)(C); 40 C.F.R. section 122.44(d)(1)]. NPDES permits must incorporate discharge limits necessary to ensure that water quality standards are met. This requirement applies to narrative criteria as well as to criteria specifying maximum amounts of particular pollutants. Pursuant to federal regulations, 40 C.F.R. section 122.44(d)(1)(i), NPDES permits must contain limits that control all pollutants that “are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any state water quality standard, including state narrative criteria for water quality.” Federal regulations, 40 C.F.R. section 122.44(d)(1)(vi), further provide that “[w]here a state has not established a water quality criterion for a specific chemical pollutant that is present in an effluent at a concentration that causes, has the reasonable potential to cause, or contributes to an excursion above a narrative criterion within an applicable State water quality standard, the permitting authority must establish effluent limits.”

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. There are two principal bases for effluent limitations in the Code of Federal Regulations: 40 C.F.R. section 122.44(a) requires that permits include applicable technology-based limitations and standards; and 40 C.F.R. section 122.44(d) requires that permits include WQBEL’s to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water where numeric water quality objectives have not been established. The Basin Plan at page 4-27, contains an implementation policy, “Policy for Application of Water Quality Objectives” that specifies that the Central Valley Water Board “will, on a case-by-case basis, adopt numerical limitations in orders which will implement the narrative objectives.” This Policy complies with 40 C.F.R. section 122.44(d)(1). With respect to narrative objectives, the Central Valley Water Board must establish effluent limitations using one or more of three specified sources, including: (1) U.S. EPA’s published water quality criteria, (2) a proposed state criterion (i.e., water quality objective) or an explicit state policy interpreting its narrative water quality criteria (i.e., the Central Valley Water Board’s “Policy for Application of Water Quality Objectives”)(40 C.F.R. section 122.44(d)(1)(vi)(A), (B) or (C)), or (3) an indicator parameter.

The Basin Plan includes numeric site-specific water quality objectives and narrative objectives for toxicity, chemical constituents, discoloration, radionuclides, and tastes and odors. The narrative toxicity objective states: “All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.” (Basin Plan at section 3.1.20) The Basin Plan states that material and relevant information, including numeric criteria, and recommendations from other agencies and scientific literature will be utilized in evaluating compliance with the narrative toxicity objective. The narrative chemical constituents’ objective states that waters shall not contain chemical constituents in concentrations that adversely affect beneficial uses. At minimum, “...water designated for use as domestic or municipal supply (MUN) shall not contain concentrations of chemical constituents in excess of the maximum contaminant levels (MCLs)” in Title 22 of CCR. The Basin Plan further states that, to protect all beneficial uses, the Central Valley Water Board may apply limits more

stringent than MCLs. The narrative tastes and odors objective states: “Water shall not contain taste- or odor-producing substances in concentrations that impart undesirable tastes or odors to domestic or municipal water supplies or to fish flesh or other edible products of aquatic origin, or that cause nuisance, or otherwise adversely affect beneficial uses.”

A. Discharge Prohibitions

1. **Prohibition III.A (No discharge or application of waste other than that described in this Order).** This prohibition is based on Water Code section 13260 that requires filing of a ROWD before discharges can occur. The Discharger submitted a ROWD for the discharges described in this Order; therefore, discharges not described in this Order are prohibited.
2. **Prohibition III.B (No bypasses or overflow of untreated wastewater, except under the conditions at CFR section 122.41(m)(4)).** As stated in section I.G of Attachment D, Standard Provisions, this Order prohibits bypass from any portion of the treatment facility. Federal regulations, 40 C.F.R. section 122.41(m), define “bypass” as the intentional diversion of waste streams from any portion of a treatment facility. This section of the federal regulations, 40 C.F.R. section 122.41(m)(4), prohibits bypass unless it is unavoidable to prevent loss of life, personal injury, or severe property damage. In considering the Regional Water Board’s prohibition of bypasses, the State Water Board adopted a precedential decision, Order No. WQO 2002-0015, which cites the federal regulations, 40 C.F.R. section 122.41(m), as allowing bypass only for essential maintenance to assure efficient operation.
3. **Prohibition III.C (No controllable condition shall create a nuisance).** This prohibition is based on Water Code section 13050 that requires water quality objectives established for the prevention of nuisance within a specific area. The Basin Plan prohibits conditions that create a nuisance.
4. **Prohibition III.D (No discharge of hazardous waste).** This prohibition is based on California Code of Regulations, title 22, section 66261.1 et seq, that prohibits discharge of hazardous waste.
5. **Prohibition III.E (Average Dry Weather Flow).** This prohibition is based on the design average dry weather flow treatment capacity rating for the Facility and ensures the Facility is operated within its treatment capacity. Previous Order R5-2016-0023 included flow as an effluent limit based on the Facility design flow. Flow is not a pollutant and therefore has been changed from an effluent limit to a discharge prohibition in this Order, which is an equivalent level of regulation. This Order is not less stringent because compliance with flow as a discharge prohibition will be calculated the same way as the previous Order.

B. Technology-Based Effluent Limitations

1. Scope and Authority

Section 301(b) of the CWA and implementing U.S. EPA permit regulations at 40 C.F.R. section 122.44 require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Secondary Treatment Standards at 40 C.F.R. part 133.

Regulations promulgated in 40 C.F.R. section 125.3(a)(1) require technology-based effluent limitations for municipal Dischargers to be placed in NPDES permits based on Secondary Treatment Standards or Equivalent to Secondary Treatment Standards.

The Federal Water Pollution Control Act Amendments of 1972 (PL 92-500) established the minimum performance requirements for POTW's [defined in section 304(d)(1)]. Section 301(b)(1)(B) of that Act requires that such treatment works must, as a minimum, meet effluent limitations based on secondary treatment as defined by the U.S. EPA Administrator.

Based on this statutory requirement, U.S. EPA developed secondary treatment regulations, which are specified in 40 C.F.R. part 133. These technology-based regulations apply to all municipal wastewater treatment plants and identify the minimum level of effluent quality attainable by secondary treatment in terms of biochemical oxygen demand (BOD₅), total suspended solids (TSS), and pH.

2. Applicable Technology-Based Effluent Limitations

- a. **BOD₅ and TSS.** Federal regulations at 40 C.F.R. part 133, establish the minimum weekly and monthly average level of effluent quality attainable by secondary treatment for BOD₅ and TSS. A daily maximum effluent limitation for BOD₅ and TSS is also included in the Order to ensure that the treatment works are not organically overloaded and operate in accordance with design capabilities. In addition, 40 C.F.R. section 133.102, in describing the minimum level of effluent quality attainable by secondary treatment, states that the 30-day average percent removal shall not be less than 85 percent. This Order contains a limitation requiring an average of 85 percent removal of BOD₅ and TSS over each calendar month.
- b. **pH.** The secondary treatment regulations at 40 C.F.R. part 133 also require that pH be maintained between 6.0 and 9.0 standard units. This Order, however, requires more stringent WQBEL's for pH to comply with the Basin Plan's water quality objectives for pH.

**Summary of Technology-based Effluent Limitations
 Discharge Point D-001**

Table F-5. Summary of Technology-based Effluent Limitations

Parameter	Units	Effluent Limitations
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	AMEL 30 AWEL 45
Total Suspended Solids	mg/L	AMEL 30 AWEL 45
pH	Standard Units	Instantaneous Max 9.0 Instantaneous Min 6.0

Table F-5 Notes:

- Note that more stringent WQBEL's for pH, are applicable and are established as final effluent limitations in this Order (see section IV.C.3.d of this Fact Sheet).

C. Water Quality-Based Effluent Limitations (WQBEL's)

1. Scope and Authority

CWA section 301(b) and 40 C.F.R. section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

Section 122.44(d)(1)(i) of 40 C.F.R. requires 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 has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, WQBEL's 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 in section 122.44(d)(1)(vi).

The process for determining reasonable potential and calculating WQBEL's when necessary is intended to protect the designated uses of the receiving water as specified in the Basin Plan, and achieve applicable water quality objectives and criteria that are contained in other state plans and policies, or any applicable water quality criteria contained in the CTR and NTR.

Finally, 40 C.F.R. section 122(d)(1)(vii) requires effluent limits to be developed consistent with any available waste load allocations developed and approved for the discharge.

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

The Basin Plan designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. In addition, the Basin Plan implements State Water Board Resolution No. 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply.

The Basin Plan on page 2-1 states: “Protection and enhancement of existing and potential beneficial uses are primary goals of water quality planning...” and with respect to disposal of wastewaters states that “...disposal of wastewaters is [not] a prohibited use of waters of the State; it is merely a use which cannot be satisfied to the detriment of beneficial uses.”

The federal CWA section 101(a)(2), states: “it is the national goal that wherever attainable, an interim goal of water quality which provides for the protection and propagation of fish, shellfish, and wildlife, and for recreation in and on the water be achieved by July 1, 1983.” Federal Regulations, developed to implement the requirements of the CWA, create a rebuttable presumption that all waters be designated as fishable and swimmable. Federal Regulations, 40 CFR sections 131.2 and 131.10, require that all waters of the State regulated to protect the beneficial uses of public water supply, protection and propagation of fish, shellfish and wildlife, recreation in and on the water, agricultural, industrial and other purposes including navigation. 40 C.F.R. section 131.3(e) defines existing beneficial uses as those uses actually attained after 28 November 1975, whether or not they are included in the water quality standards. Federal Regulation, 40 C.F.R. section 131.10 requires that uses be obtained by implementing effluent limitations, requires that all downstream uses be protected and states that in no case shall a state adopt waste transport or waste assimilation as a beneficial use for any waters of the United States.

- a. **Receiving Water and Beneficial Uses.** Refer to III.C.1. above for a complete description of the receiving water and beneficial uses.
- b. **Effluent and Ambient Background Data.** The reasonable potential analysis (RPA), as described in section IV.C.3 of this Fact Sheet, was based on data from 1 January 2018 through 1 January 2021, which includes effluent and ambient background data submitted in SMRs, and the Report of Waste Discharge (ROWD).

c. **Assimilative Capacity/Mixing Zone.**

- i. **Regulatory Guidance for Dilution Credits and Mixing Zones.** The CWA directs the states to adopt water quality standards to protect the quality of its waters. U.S. EPA's current water quality standards regulation authorizes states to adopt general policies, such as mixing zones, to implement state water quality standards (40 CFR parts 122.44 and 122.45). The U.S. EPA allows states to have broad flexibility in designing its mixing zone policies. Primary policy and guidance on determining mixing zone and dilution credits is provided by the SIP and the Basin Plan. If no procedure applies in the SIP or the Basin Plan, then the Central Valley Water Board may use the U.S. EPA Technical Support Document for Water Quality-Based Toxics Control (EPA/505/2-90-001) (TSD).

For non-Priority Pollutant constituents the allowance of mixing zones by the Central Valley Water Board is discussed in the Basin Plan, *Policy for Application of Water Quality Objectives, which states in part, "In conjunction with the issuance of NPDES and storm water permits, the Regional Board may designate mixing zones within which water quality objectives will not apply provided the discharger has demonstrated to the satisfaction of the Regional Board that the mixing zone will not adversely impact beneficial uses. If allowed, different mixing zones may be designated for different types of objectives, including, but not limited to, acute aquatic life objectives, chronic aquatic life objectives, human health objectives, and acute and chronic whole effluent toxicity objectives, depending in part on the averaging period over which the objectives apply. In determining the size of such mixing zones, the Regional Board will consider the applicable procedures and guidelines in the EPA's Water Quality Standards Handbook and the [TSD]. Pursuant to EPA guidelines, mixing zones designated for acute aquatic life objectives will generally be limited to a small zone of initial dilution in the immediate vicinity of the discharge."*

For Priority Pollutants, the SIP supersedes the Basin Plan mixing zone provisions. Section 1.4.2 of the SIP states, in part, "...with the exception of effluent limitations derived from TMDL's, in establishing and determining compliance with effluent limitations for applicable human health, acute aquatic life, or chronic aquatic life priority pollutant criteria/objectives or the toxicity objective for aquatic life protection in a basin plan, the Regional Board may grant mixing zones and dilution credits to dischargers...The applicable priority pollutant criteria and objectives are to be met through a water body except within any mixing zone granted by the Regional Board. ***The allowance of mixing zones is discretionary and shall be determined on a discharge-by-discharge basis.*** The Regional Board may consider allowing mixing zones and dilution credits only for discharges with a physically

identifiable point of discharge that is regulated through an NPDES permit issued by the Regional Board.” [emphasis added]

For incompletely mixed discharges, the Discharger must complete an independent mixing zone study to demonstrate to the Central Valley Water Board that a dilution credit is appropriate. In granting a mixing zone, section 1.4.2.2 of the SIP requires the following to be met:

“A mixing zone shall be as small as practicable. The following conditions must be met in allowing a mixing zone:

A mixing zone shall not:

1. compromise the integrity of the entire water body;
2. cause acutely toxic conditions to aquatic life passing through the mixing zone;
3. restrict the passage of aquatic life;
4. adversely impact biologically sensitive or critical habitats, including, but not limited to, habitat of species listed under federal or State endangered species laws;
5. produce undesirable or nuisance aquatic life;
6. result in floating debris, oil, or scum;
7. produce objectionable color, odor, taste, or turbidity;
8. cause objectionable bottom deposits;
9. cause nuisance;
10. dominate the receiving water body or overlap a mixing zone from different outfalls; or
11. be allowed at or near any drinking water intake. A mixing zone is not a source of drinking water. To the extent of any conflict between this determination and the Sources of Drinking Water Policy (Resolution No. 88-63), this SIP supersedes the provisions of that policy.”

Section 1.4.2.1 of the SIP establishes the authority for the Central Valley Water Board to consider dilution credits based on the mixing zone conditions in a receiving water. Section 1.4.2.1 in part states:

*“The dilution credit, D, is a numerical value associated with the mixing zone that accounts for the receiving water entrained into the discharge. The dilution credit is a value used in the calculation of effluent limitations (described in section 1.4). **Dilution credits may be limited or denied on a pollutant-by-pollutant basis, which may result in a dilution credit for all, some, or no priority pollutants in the discharge.**”*

- ii. **Receiving Water Characteristics.** The Sacramento River in the vicinity of the discharge is a large river with sufficient flows for dilution. The Sacramento watershed is a heavily managed system of reservoirs and diversions. Receiving water flow data was collected from United States Geological Survey (USGS) Monitoring Station No. 11388700 (at Ord Ferry, CA), located approximately five miles downstream of the discharge. Flows in the Sacramento River are influenced by precipitation (rainfall and snowpack/snowmelt) but are also influenced by several reservoirs on the tributaries and main stem, which are managed for flood control, water supply, and hydroelectric power generation. Irrigation diversions and agricultural return flows also affect the river regime. Winter and spring flows in the Sacramento River often exceed 50,000 cubic feet per second (cfs). While summer flows average 10,000 cfs, flows may also fall below 4,000 cfs. Applicable critical flows are shown in Table F-6, where:

Table F-6. Critical Effluent and Receiving Water Flows.

Criteria/Objective	Critical Receiving Water Flow	Discharge Effluent Flow
Acute aquatic life	2,800 cfs (1Q10)	22.7 MGD (maximum daily)
Chronic aquatic life	3,300 cfs (7Q10)	20.4 MGD (maximum 4-day average)
Human Health	7,500 cfs (harmonic mean)	12 MGD (long-term mean)

Table F-6 Notes:

1. Data from table F-6 are summarized from information presented in the “Diffusion Analysis for the City of Chico Water Pollution Control Plant River Outfall, “Flow Science Inc. (2004).
2. 1Q10: The lowest river discharge that occurs for one day with a statistical frequency of once every ten years.
3. 7Q10: The average low river discharge that occurs for seven consecutive days with a statistical frequency of once every ten years.

As defined within the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Policy [SIP]), the critical low river discharge periods defined by the 1Q10 and 7Q10 flows are applicable to acute

and chronic aquatic life water quality standards, respectively. The harmonic mean flow is applicable to human health water quality standards. The SIP also defines effluent flows to be used in assessing compliance with California Toxics Rule (CTR). Critical effluent flow rates should be as follows:

- (a) Acute toxicity: Maximum daily flow during the discharge period.
- (b) Chronic toxicity: Four-day average of maximum daily flows during discharge.
- (c) Human Health: Long term arithmetic mean during period of discharge.

iii. Dilution/Mixing Zone Study Results.

The Discharger submitted a mixing zone and dilution study to the Central Valley Water Board on 25 January 2012; the study was prepared by Carollo Engineers. The 2012 study analyzed mixing zones and available dilution for the Facility's recently installed 32-port outfall diffuser (approximately 93 feet in length). The study found that there was significantly less dilution available compared to a prior mixing zone study conducted by the Discharger. The 2012 study found that at 250 feet downstream of the diffuser, dilution factors of 15.8, 19.9, and 46.5 for acute aquatic life, chronic aquatic life, and human health criteria, respectively, were present.

The 2012 study results indicated that the maximum plume width generated by the Discharger's 32-port diffuser is 125 feet wide at 250 feet downstream of the diffuser. The plume width is less than 25% of the actual width of the river, indicating adequate zone of passage for aquatic life. In addition, the results of the study indicate a human health dilution factor of 66.01 located at approximately 5,580 feet downstream of the diffuser.

iv. Evaluation of Available Dilution for Acute and Chronic Aquatic Life Criteria. U.S. EPA Region VIII, in its "EPA Region VIII Mixing Zones and Dilution Policy", recommends no dilution for acute aquatic life criteria, stating the following, "In incomplete mix situations, discharge limitations to implement acute chemical-specific aquatic life criteria and narrative (no acute toxicity) criteria shall be based on achieving such acute criteria at the end-of-pipe (i.e., without an allowance for dilution). This approach is intended to implement the narrative requirement prohibiting acutely toxic conditions in the mixing zone."

The Discharger has evaluated acute and chronic aquatic life mixing zones to comply with acute and chronic water quality criteria. Based on

the mixing zone studies and applicable dilution credits, the acute and chronic aquatic life mixing zones extend up to 250 feet downstream of the outfall.

The acute and chronic aquatic life mixing zones extending up to 250 feet downstream of the outfall meet the requirements of the SIP as follows:

- (a) Shall not compromise the integrity of the entire water body – The TSD states that, “If the total area affected by elevated concentrations within all mixing zones combined is small compared to the total area of a water body (such as a river segment), then mixing zones are likely to have little effect on the integrity of the water body as a whole, provided that the mixing zone does not impinge on unique or critical habitats.” The width of the Sacramento River at the outfall is approximately 550 feet. The 2012 study results indicated that the maximum plume width generated by the Discharger’s diffuser is 125 feet wide at 250 feet downstream of the diffuser. Therefore, plume width is less than 25% of the actual width of the river, indicating adequate zone of passage for aquatic life. Furthermore, the Sacramento River is a large river spanning over 100 miles in length downstream of the outfall. The mixing zones are small relative to the large size of the receiving water; therefore, the aquatic life mixing zones do not compromise the integrity of the entire water body.
- (b) Shall not cause acutely toxic conditions to aquatic life passing through the mixing zone – The SIP requires that the acute mixing zone be appropriately sized to prevent lethality to organisms passing through the mixing zone. This Order includes acute toxicity effluent limitations that require compliance to be determined based on acute bioassays using 100 percent effluent. Compliance with these requirements ensures that acutely toxic conditions to aquatic life passing through the acute and chronic mixing zones do not occur.
- (c) Shall not restrict the passage of aquatic life – The acute and chronic mixing zones are small relative to the large size of the receiving water; therefore, there is an adequate zone of passage for aquatic life in the Sacramento River.
- (d) Shall not adversely impact biologically sensitive or critical habitats, including, but not limited to, habitat of species listed under federal or state endangered species laws – The acute and chronic mixing zones will not cause acutely toxic conditions, will allow adequate zones of passage, and are sized

appropriately to ensure that there will be no adverse impacts to biologically sensitive or critical habitats.

- (e) Shall not produce undesirable or nuisance aquatic life; result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits; cause nuisance – The allowance of acute and chronic aquatic life mixing zones will not produce undesirable or nuisance aquatic life, result in floating debris, oil, or scum; produce objectionable color during daylight hours, odor, taste, or turbidity; cause objectionable bottom deposits, or cause nuisance, because the proposed Order establishes end-of-pipe effluent limitations (e.g., for BOD₅ and TSS) and discharge prohibitions to prevent these conditions from occurring.
- (f) Shall not dominate the receiving water body or overlap a mixing zone from different outfalls – The acute and chronic aquatic life mixing zones are small relative to the water body, so they will not dominate the water body. There are no other outfalls or mixing zones in the vicinity of the discharge.
- (g) Shall not be allowed at or near any drinking water intake – The acute and chronic aquatic life mixing zones are not near a drinking water intake.

The acute and chronic aquatic life mixing zones, therefore, comply with the SIP. The mixing zones also comply with the Basin Plan, which requires that the mixing zones not adversely impact beneficial uses. Beneficial uses will not be adversely affected for the same reasons discussed above. In determining the size of the mixing zones, the Central Valley Water Board considered the procedures and guidelines in U.S. EPA's Water Quality Standards Handbook, 2nd Edition (updated July 2007), section 5.1, and section 2.2.2 of the TSD. The SIP incorporates the same guidelines.

- v. **Evaluation of Available Dilution for Human Health Criteria.** U.S. Section 1.4.2.2 of the SIP provides that mixing zones should not be allowed at or near drinking water intakes. Furthermore, regarding the application of a mixing zone for the protection of human health, the TSD states that, "...the presence of mixing zones should not result in significant health risks, when evaluated using reasonable assumptions about exposure pathways. Thus, where drinking water contaminants are a concern, mixing zones should not encroach on drinking water intakes." There are no drinking water intakes in the human health mixing zone.

Based on the mixing zone studies and applicable dilution credits, the human health mixing zone extends up to 5,580 feet downstream of the outfall. The human health mixing zone meets the requirements of the SIP as follows:

- (a) Shall not compromise the integrity of the entire water body – The TSD states that, “If the total area affected by elevated concentrations within all mixing zones combined is small compared to the total area of a water body (such as a river segment), then mixing zones are likely to have little effect on the integrity of the water body as a whole, provided that the mixing zone does not impinge on unique or critical habitats.” The width of the Sacramento River at the outfall is approximately 550 feet. The Sacramento River is a large river spanning over 100 miles in length downstream of the outfall. The mixing zones are small relative to the large size of the receiving water; therefore, the human health mixing zone does not compromise the integrity of the entire water body.
- (b) Shall not cause acutely toxic conditions to aquatic life passing through the mixing zone – The human health mixing zone is not applicable to aquatic life criteria. Therefore, acutely toxic conditions will not occur in the mixing zone.
- (c) Shall not restrict the passage of aquatic life – The human health mixing zone is not applicable to aquatic life criteria. Therefore, acutely toxic conditions will not occur in the mixing zone.
- (d) Shall not adversely impact biologically sensitive or critical habitats, including, but not limited to, habitat of species listed under federal or state endangered species laws – The human health mixing zone is not applicable to aquatic life criteria. Therefore, acutely toxic conditions will not occur in the mixing zone.
- (e) Shall not produce undesirable or nuisance aquatic life; result in floating debris, oil, or scum; produce objectionable color, odor, taste, or turbidity; cause objectionable bottom deposits; cause nuisance – The allowance of a human health mixing zone will not produce undesirable or nuisance aquatic life, result in floating debris, oil, or scum; produce objectionable color during daylight hours, odor, taste, or turbidity; cause objectionable bottom deposits, or cause nuisance, because the proposed Order establishes end-of-pipe effluent limitations (e.g., for BOD₅ and TSS) and discharge prohibitions to prevent these conditions from occurring

- (f) Shall not dominate the receiving water body or overlap a mixing zone from different outfalls – The human health mixing zone is small relative to the water body, so will not dominate the water body. There are no other outfalls or mixing zones in the vicinity of the discharge.
- (g) Shall not be allowed at or near any drinking water intake – The human health mixing zone is not near a drinking water intake.

A pollutant-by-pollutant evaluation is provided in the subsection below to evaluate whether the mixing zones for each pollutant are as small as practicable and comply with the State and federal antidegradation requirements.

vi. Evaluation of Available Dilution for Specific Constituents (Pollutant-by-Pollutant Evaluation). When determining to allow dilution credits for a specific pollutant several factors must be considered, such as, available assimilative capacity, facility performance, and best practicable treatment or control. The receiving water contains assimilative capacity for ammonia, dichlorobromomethane (DCBM), nitrate plus nitrite, copper, and chronic WET, and the human health criteria, acute aquatic life criteria, and chronic aquatic life criteria mixing zones meet the mixing zone prohibitions of the SIP section 1.4.2.2.A. Section 1.4.2.2 of the SIP requires that, “A mixing zone shall be as small as practicable.”, and Section 1.4.2.2.B requires, “The RWQCB shall deny or significantly limit a mixing zone and dilution credits as necessary to protect beneficial uses, meet the conditions of this Policy, or comply with other regulatory requirements.” A pollutant-by-pollutant evaluation is provided below:

- (a) **Ammonia.** Based on the estimated effluent quality, the Facility may not be able to meet end-of-pipe effluent limitations for ammonia. Assimilative capacity is available in the receiving water, and, as discussed above, the acute and chronic aquatic life mixing zones meet the requirements of the SIP and Basin Plan. Therefore, the WQBELs for ammonia have been developed considering the allowance of dilution credits. Based on the estimated effluent quality, the Central Valley Water Board has determined a 7.35:1 dilution credit for acute aquatic life criteria and a 6.20:1 chronic aquatic life criteria is needed for ammonia. This represents mixing zones that are as small as practicable for this Facility and that fully comply with the SIP.
- (b) **Copper.** Based on the estimated effluent quality, the Facility will not be able to meet end-of-pipe effluent limitations for copper. The CTR criteria and site-specific Basin Plan objective for

copper vary based on hardness, as discussed in Section IV.C.2.e, below, for Hardness-Dependent CTR Metals Criteria. When developing WQBELs for copper considering dilution and use of assimilative capacity, the hardness representing the reasonable worst-case ambient conditions in the upstream receiving water was used to establish the hardness-dependent criteria. Review of the Discharger's upstream receiving water total recoverable copper concentrations data shows that total recoverable criteria was exceeded eight times in the last 3 years, however, the Discharger's upstream receiving water copper dissolved concentrations have not exceeded copper dissolved criteria.

Utilizing the minimum upstream receiving water hardness value of 48 mg/L, the acute and chronic criteria are 4.8 µg/L and 6.7 µg/L, respectively. The Discharger's maximum background dissolved copper concentration was 2.93 µg/L; therefore, assimilative capacity for copper is available in the receiving water. As discussed above, the acute and chronic aquatic life mixing zones meet the requirements of the SIP and Basin Plan, and the WQBELs for copper have been developed considering the allowance of dilution credits. Based on the estimated effluent quality, the Central Valley Water Board has determined a 8:1 dilution credit for acute aquatic life criteria and a 2.25:1 dilution credit for chronic aquatic life criteria is needed for copper. This represents mixing zones that are as small as practicable for this Facility and that fully comply with the SIP.

- (c) **Chloroform.** Based on historical effluent quality during the previous permit term, the Facility will not be able to meet end-of-pipe effluent limitations for chloroform. Assimilative capacity is available in the receiving water, and, as discussed above, the human health mixing zone meets the requirements of the SIP and Basin Plan. Therefore, the WQBELs for chloroform have been developed considering the allowance of dilution credits. Based on the estimated effluent quality, the Central Valley Water Board has determined a 1.58:1 dilution credit for human health criteria is needed for chloroform. This represents mixing zones that are as small as practicable for this Facility and that fully comply with the SIP.
- (d) **Chlorodibromomethane.** Considering existing Facility performance and the factors in section 1.4.2.2.A of the SIP, a dilution credit of 41:1 results in a mixing zone length under 250 feet. This represents a mixing zone that is as small as practicable for this Facility and that fully complies with the SIP.

The allowance of a mixing zone and dilution credits are a discretionary act by the Central Valley Water Board. The mixing zone and dilution credit for dichlorobromomethane permitted in this Order will result in a minor increase in the discharge (i.e., use 0.1 percent of the available assimilative capacity in the receiving water). According to U.S. EPA's memorandum on Tier 2 Antidegradation Reviews and Significance Thresholds, any individual decision to lower water quality for nonbioaccumulative chemicals that is limited to 10 percent of the available assimilative capacity represents minimal risk to the receiving water and is fully consistent with the objectives and goals of the Clean Water Act. The mixing zone is as small as practicable for this Facility and the increased loading complies with the state and federal antidegradation requirements.

- (e) **Dichlorobromomethane.** Based on historical effluent quality during the previous permit term, the Facility will not be able to meet end-of-pipe effluent limitations for dichlorobromomethane. Assimilative capacity is available in the receiving water, and, as discussed above, the human health mixing zone meets the requirements of the SIP and Basin Plan. Therefore, the WQBELs for dichlorobromomethane have been developed considering the allowance of dilution credits. Based on the estimated effluent quality, the Central Valley Water Board has determined a 66.01:1 dilution credit for human health criteria is needed for dichlorobromomethane. This represents mixing zones that are as small as practicable for this Facility and that fully comply with the SIP.

- (f) **Nitrate plus Nitrite.** Based on historical effluent quality during the previous permit term, the Facility will not be able to meet end-of-pipe effluent limitations for nitrate plus nitrite. Assimilative capacity is available in the receiving water, and, as discussed above, the human health mixing zone meets the requirements of the SIP and Basin Plan. Therefore, the WQBELs for nitrate plus nitrite have been developed considering the allowance of dilution credits. Based on the estimated effluent quality, the Central Valley Water Board has determined a 5.2:1 dilution credit for human health criteria is needed for nitrate plus nitrite. This represents mixing zones that are as small as practicable for this Facility and that fully comply with the SIP.

Table F-7. Dilution Credits Associated with Performance-based Effluent Limitations

Constituent	Units	ECA	Criterion	Dilution Credit
Ammonia, Total (as N)	µg/L	0.09	3.21 acute 1.01 chronic	7.35 acute 6.2 chronic
Copper, Dissolved	µg/L	0.58 (acute) 0.75 (chronic)	4.8 acute 6.7 chronic	8.0 acute 2.25 chronic
Copper, Total Recoverable	µg/L	--	7.0 acute 5.0 chronic	--
Dichlorobromomethane	µg/L	31.7	0.56	66.01
Chlorodibromomethane	µg/L	17.2	0.41	41
Chloroform	µg/L	155	60	1.58
Nitrate plus Nitrite, Total (as N)	mg/L	60	10	5.2

To fully comply with all applicable laws, regulations and policies of the State, Central Valley Water Board approved a mixing zone and the associated dilution credits shown in Table F-8 based on the following:

- (i) Mixing zones are allowed under the SIP provided all elements contained in section 1.4.2.2 are met. Based on the mixing zone study conducted by the Discharger the Central Valley Water Board has determined that these factors are met.
- (ii) section 1.4.2.2. of the SIP requires mixing zones to be as small as practicable. Based on the mixing zone study conducted by the Discharger the Central Valley Water Board has determined the mixing zone is as small as practicable.
- (iii) In accordance with section 1.4.2.2 of the SIP, the Board has determined the mixing zone is as small as practicable, will not compromise the integrity of the entire water body, restrict the passage of aquatic life, dominate the water body or overlap existing mixing zones from different outfalls. The mixing zone is extends approximately 250-5,580 feet and is not at or near a drinking water intake, and does not overlap a mixing zone from a different outfall.
- (iv) The Central Valley Water Board is allowing a mixing zone for aquatic life and human health and aquatic life constituents and have determined allowing such mixing zone will not cause acutely toxic conditions to aquatic life passing through the mixing zone.
- (v) The Central Valley Water Board has determined the discharge will not adversely impact biologically sensitive or

critical habitats, including, but not limited to, habitat of species listed under the federal or State endangered species laws and acutely toxic conditions will not occur in the mixing zone. The discharge will not produce undesirable or nuisance aquatic life, result in floating debris, oil, or scum, produce objectionable odor, taste, or turbidity, cause objectionable bottom deposits, or cause nuisance, because the proposed Order establishes end-of-pipe effluent limitations (e.g., for BOD₅ and TSS) and discharge prohibitions to prevent these conditions from occurring.

- (vi) As required by the SIP, in determining the extent of or whether to allow a mixing zone and dilution credit, the Central Valley Water Board has considered the presence of pollutants in the discharge that are carcinogenic, mutagenic, teratogenic, persistent, bioaccumulative, or attractive to aquatic organisms, and concluded that the allowance of the mixing zone and dilution credit is adequately protective of the beneficial uses of the receiving water.
- (vii) The Central Valley Water Board has determined mixing zone complies with the SIP for priority pollutants.
- (viii) The 2012 Dilution and Mixing Zone Study the recommended maximum dilution factor to be 46.5 for human health constituents, however the study indicates the maximum allowed dilution factor to be 66.01. Section 1.4.2.2B of the SIP, in part states, “The RWQCB shall deny or significantly limit a mixing zone and dilution credits as necessary to protect beneficial uses, meet the conditions of this Policy, or comply with other regulatory requirements.”
- (ix) The Central Valley Water Board has determined the mixing zone complies with the Basin Plan for non-priority pollutants. The Basin Plan requires a mixing zone not adversely impact beneficial uses. Beneficial uses will not be adversely affected for the same reasons discussed above. In determining the size of the mixing zone, the Central Valley Water Board has considered the procedures and guidelines in section 5.1 of U.S. EPA’s Water Quality Standards Handbook, 2nd Edition (updated July 2007) and section 2.2.2 of the TSD. The SIP incorporates the same guidelines.

- (x) The Central Valley Water Board has determined that allowing dilution factors that exceed those proposed by this Order would not comply with the State Anti-degradation Policy for receiving waters outside the allowable mixing zones. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16 (State Anti-Degradation Policy). The State Anti-Degradation Policy incorporates the federal antidegradation policy and requires that existing quality of waters be maintained unless degradation is justified based on specific findings. Item 2 of the State Anti-Degradation Policy states:

"Any activity which produces or may produce a waste or increased volume or concentration of waste and which dischargers or proposed to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in the best practicable treatment or control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained."

The effluent limitations established in the Order for ammonia, copper, chlorodibromomethane, dichlorobromomethane, chloroform and nitrate plus nitrite, that have been adjusted for dilution credits provided in Table F-7 were developed based on performance of the Discharger's current wastewater treatment capabilities. Therefore, the Central Valley Water Board determined the effluent limitations required by this Order will result in the Discharger implementing best practicable treatment or control of the discharge necessary to assure that pollution or nuisance will not occur and the highest water quality consistent with maximum benefit to the people of the State will be maintained. The Central Valley Water Board also determined the Discharger will be in immediate compliance with the effluent limitations.

The Central Valley Water Board also determined establishing effluent limitations for ammonia, copper, chlorodibromomethane, dichlorobromomethane, Chloroform and nitrate plus nitrite that have been adjusted for dilution credits provided in Table F-7 is consistent with section 1.4.2.2B of the SIP that requires the Central Valley Water Board to shall deny or significantly limit a mixing

zone and dilution credits as necessary to comply with other regulatory requirements.

- (xi) Therefore, the Central Valley Water Board has determined the effluent limitations established in the Order for ammonia, copper, chlorodibromomethane, dichlorobromomethane, chloroform and nitrate plus nitrite that have been adjusted for dilution credits provided in Table F-7 are appropriate and necessary to comply with the Basin Plan, SIP, Federal anti-degradation regulations and the State Anti-Degradation Policy.
- d. **Conversion Factors.** The CTR contains aquatic life criteria for arsenic, cadmium, chromium III, chromium VI, copper, lead, nickel, silver, and zinc which are presented in dissolved concentrations. U.S. EPA recommends conversion factors to translate dissolved concentrations to total concentrations. The default U.S. EPA conversion factors contained in Appendix 3 of the SIP were used to convert the applicable dissolved criteria to total criteria.
- e. **Hardness-Dependent CTR Metals Criteria.** The CTR and the NTR contain water quality criteria for seven metals that vary as a function of hardness. The lower the hardness the lower the water quality criteria. The metals with hardness-dependent criteria include cadmium, copper, chromium III, lead, nickel, silver, and zinc.

This Order has established the criteria for hardness-dependent metals based on the hardness of the receiving water (actual ambient hardness) as required by the SIP and the CTR. The SIP does not address how to determine the hardness for application to the equations for the protection of aquatic life when using hardness-dependent metals criteria. It simply states, in section 1.2, that the criteria shall be properly adjusted for hardness using the hardness of the receiving water. The CTR requires that, for waters with a hardness of 400 mg/L (as CaCO₃), or less, the actual ambient hardness of the surface water must be used (40 C.F.R. section 131.38(c)(4)). The CTR requires that the hardness values used shall be consistent with the design discharge conditions for design flows and mixing zones (40 C.F.R. section 131.3(c)(4)(ii)). Where design flows for aquatic life criteria include the lowest one-day flow with an average reoccurrence frequency of once in ten years (1Q10) and the lowest average seven consecutive day flow with an average reoccurrence frequency of once in ten years (7Q10) (40 C.F.R. section 131.38(c)(2)(iii) Table 4). This section of the CTR also indicates that the design conditions should be established such that the appropriate criteria are not exceeded more than once in a three year period on average (40 C.F.R. section 131.38(c)(2)(iii) Table 4, notes 1 and 2). The CTR requires that when mixing zones are allowed the CTR criteria apply at the edge of the mixing

zone, otherwise the criteria apply throughout the water body including at the point of discharge (40 C.F.R. section 131.38(c)(2)(i)). The CTR does not define the term “ambient,” as applied in the regulations. Therefore, the Central Valley Water Board has considerable discretion to consider upstream and downstream ambient conditions when establishing the appropriate water quality criteria that fully complies with the CTR and SIP.

Summary findings

The ambient hardness for the Sacramento River is represented by the data in Figure F-1, below, which shows ambient hardness ranging from 43.6 mg/L to 59.0 mg/L based on collected ambient data from January 2017 through January 2021. Given the high variability in ambient hardness values, there is no single hardness value that describes the ambient receiving water for all possible scenarios (e.g., minimum, maximum). Because of this variability, staff has determined that based on the ambient hardness concentrations measured in the receiving water, the Central Valley Water Board has discretion to select ambient hardness values within the range of 43.6 mg/L (minimum) up to 59.0 mg/L (maximum). Staff recommends that the Board use the ambient hardness values shown in Table F-8 for the following reasons.

- i. Using the ambient receiving water hardness values shown in Table F-9 will result in criteria and effluent limitations that ensure protection of beneficial uses under all ambient receiving water conditions.
- ii. The Water Code mandates that the Central Valley Water Board establish permit terms that will ensure the reasonable protection of beneficial uses. In this case, using the lowest measured ambient hardness to calculate effluent limitations is not required to protect beneficial uses. Calculating effluent limitations based on the lowest measured ambient hardness is not required by the CTR or SIP and is not reasonable as it would result in overly conservative limits that will impart substantial costs to the Discharger and ratepayers without providing any additional protection of beneficial uses. In compliance with applicable state and federal regulatory requirements, after considering the entire range of ambient hardness values, Board staff has used the ambient hardness values shown in Table F-8 to calculate the proposed effluent limitations for hardness-dependent metals. The proposed effluent limitations are protective of beneficial uses under all flow conditions.
- iii. Using an ambient hardness that is higher than the minimum of 43.6 mg/L will result in limits that may allow increased metals to be discharged to the river, but such discharge is allowed under the State Antidegradation Policy (State Water Board Resolution 68-16). The Central Valley Water Board finds that this degradation is consistent with the antidegradation policy (see antidegradation findings in section

IV.D.4 of the Fact Sheet). The Antidegradation policy requires the Discharger to meet waste discharge requirements which will result in the best practicable treatment or control of the discharge necessary to assure that: a) a pollution or nuisance will not occur, and b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.

- iv. Using the ambient hardness values shown in Table F-8 is consistent with the CTR and SIP’s requirements for developing metals criteria.

Table F-8. Summary of CTR Criteria for Hardness-dependent Metals

CTR Metals	Ambient Hardness (mg/L)	CTR Criteria (µg/L, total) (Acute)	CTR Criteria (µg/L, total) (Chronic)
Copper, Total	59	7.0	5.0
Copper, Dissolved	43.6 (upstream minimum hardness)	4.8	6.7
Chromium III	59	1127.2	134.4
Cadmium	59 (acute) 59 (chronic)	2.49	1.6
Lead	59	41.7	1.63
Nickel	59	300.2	33.4
Silver	59	1.64	--
Zinc	59	76.6	76.6

Table F-8 Notes:

1. **CTR Criteria (ug/L total).** Acute and chronic numbers were rounded to two significant figures in accordance with the CTR (40 C.F.R. section 131.38(b)(2)).
2. **Ambient hardness (mg/L).** Values in Table F-8 represent actual observed receiving water hardness measurements from the dataset shown in Figure F-1. Development of hardness dependent criteria for use in ECA development where mixing zones are being utilized is the upstream minimum hardness, 43.6 mg/L (e.g., copper limits).
3. **The CTR’s hardness dependent metals criteria** equations vary differently depending on the metal, which results in differences in the range of ambient hardness values that may be used to develop effluent limitations that are protective of beneficial uses and comply with CTR criteria for all ambient flow conditions.

Background

The State Water Board provided direction regarding the selection of hardness in two precedential water quality orders; WQO 2008-0008 for the City of Davis Wastewater Treatment Plant (Davis Order) and WQO 2004-0013 for the Yuba City Wastewater Treatment Plant (Yuba City Order). The State Water Board recognized that the SIP and the CTR do not discuss the manner in which hardness is to be ascertained, thus regional water boards have considerable discretion in determining ambient hardness so long as the selected value is protective of water quality

criteria under the given flow conditions. (Davis Order, p.10). The State Water Board explained that it is necessary that, “The [hardness] value selected should provide protection for all times of discharge under varying hardness conditions.” (Yuba City Order, p. 8). The Davis Order also provides that, “Regardless of the hardness used, the resulting limits must always be protective of water quality criteria under all flow conditions.” (Davis Order, p. 11)

For this discussion, all hardness values are expressed in mg/L as CaCO₃. The equation describing the total regulatory criterion, as established in the CTR, is as follows:

$$\text{CTR Criterion} = \text{WER} \times (e^{m[\ln(H)]+b}) \text{ (Equation 1)}$$

Where:

H = ambient hardness (as CaCO₃)

WER = water-effect ratio

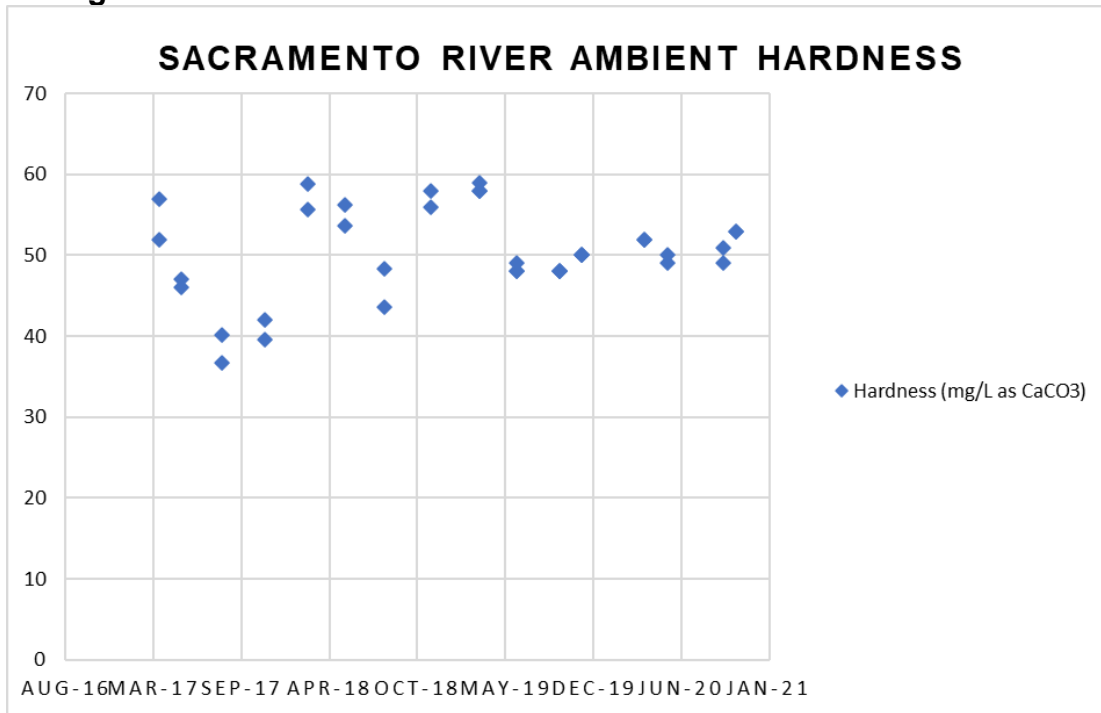
m, b = metal- and criterion-specific constants

The direction in the CTR regarding hardness selection is that it must be based on ambient hardness and consistent with design discharge conditions for design flows and mixing zones. Consistent with design discharge conditions and design flows means that the selected “design” hardness must result in effluent limitations under design discharge conditions that do not result in more than one exceedance of the applicable criteria in a three year period (40 C.F.R. section 131.38(c)(2)(iii) Table 4, notes 1 and 2). Where design flows for aquatic life criteria include the lowest one-day flow with an average reoccurrence frequency of once in ten years (1Q10) and the lowest average seven consecutive day flow with an average reoccurrence frequency of once in ten years (7Q10). The 1Q10 and 7Q10 Sacramento River flows are 2800 cfs and 3300 cfs, respectively.

Ambient conditions

The ambient receiving water hardness varied from 43.6 mg/L to 59.0 mg/L, based on 26 samples from January 2017 through January 2021 (see Figure F-1).

Figure F-1. Observed Ambient Hardness Concentrations 43.6-59.0



In this analysis, the entire range of ambient hardness concentrations shown in Figure F-1 were considered to determine the appropriate ambient hardness to calculate the CTR criteria and effluent limitations that are protective under all discharge conditions.

Approach to derivation of criteria

As shown above, ambient hardness varies substantially. Because of the variation, there is no single hardness value that describes the ambient receiving water for all possible scenarios (e.g., minimum, maximum, mid-point). While the hardness selected must be hardness of the ambient receiving water, selection of an ambient receiving water hardness that is too high would result in effluent limitations that do not protect beneficial uses. Also, the use of minimum ambient hardness would result in criteria that are protective of beneficial uses, but such criteria may not be representative considering the wide range of ambient conditions.

Reasonable worst-case ambient conditions.

To determine whether a selected ambient hardness value results in effluent limitations that are fully protective while complying with federal regulations and state policy, staff have conducted an analysis considering varying ambient hardness and flow conditions. To do this, the Central Valley Water Board has ensured that the receiving water hardness and criteria selected for effluent limitations are protective under “reasonable-worst case ambient conditions.” These conditions represent the receiving water conditions under which derived effluent limitations

would ensure protection of beneficial uses under all ambient flow and hardness conditions.

Reasonable worst-case ambient conditions:

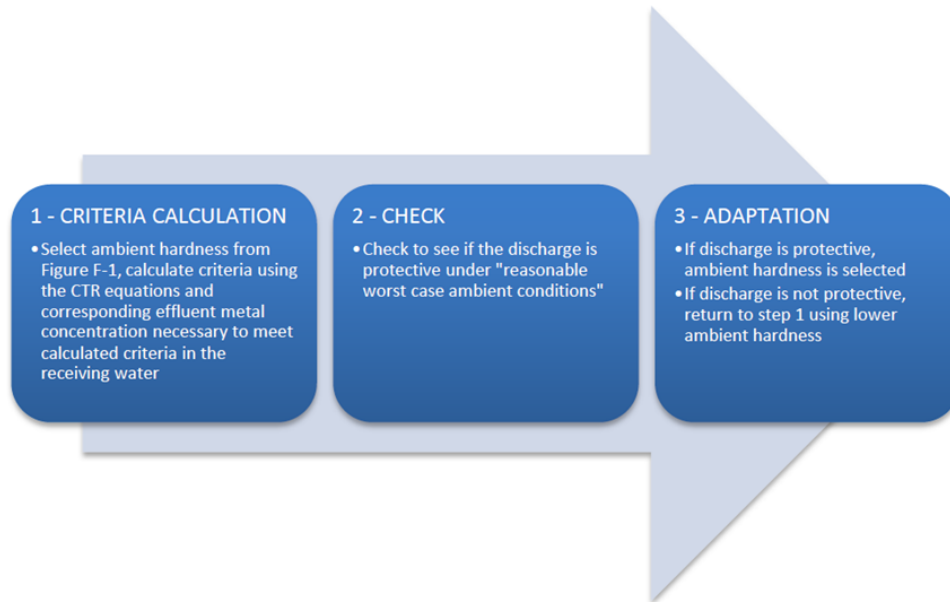
- “Low receiving water flow.” CTR design discharge conditions (1Q10 and 7Q10) have been selected to represent reasonable worst-case receiving water flow conditions.
- “High receiving water flow (maximum receiving water flow).” This additional flow condition has been selected consistent with the Davis Order, which required that the hardness selected be protective of water quality criteria under all flow conditions.
- “Low receiving water hardness.” The minimum receiving water hardness condition of 43.6 mg/L was selected to represent the reasonable worst-case receiving water hardness.
- “Background ambient metal concentration at criteria.” This condition assumes that the metal concentration in the background receiving water is equal to CTR criteria (upstream of the facility’s discharge). Based on data in the record, this is a design condition that has not occurred in the receiving water and is used in this analysis to ensure that limits are protective of beneficial uses even in the situation where there is no assimilative capacity.

Iterative approach.

An iterative analysis has been used to select the ambient hardness to calculate the criteria that will result in effluent limitations that protect beneficial uses under all flow conditions.

The iterative approach is summarized in the following algorithm and described below in more detail.

Figure F-2. Criteria Calculation CTR



1. **CRITERIA CALCULATION.** CTR criteria are calculated using the CTR equations based on actual measured ambient hardness sample results, starting with the maximum observed ambient hardness of 59.0 mg/L. (The minimum receiving water observed hardness of 43.6 mg/L was used in the development of CTR criteria for copper for determination of the copper Effluent Concentration Allowance because a mixing zone was utilized in the development of copper effluent limits). Effluent metal concentrations necessary to meet the above calculated CTR criteria in the receiving water are calculated in accordance with section 1.4.B, Step 2, of the SIP, which provides direction for calculating the Effluent Concentration Allowance. This should not be confused with an effluent limit. Rather, it is the Effluent Concentration Allowance (ECA), which is synonymous with the wasteload allocation defined by U.S. EPA on page 96 of the TSD as "a definition of effluent water quality that is necessary to meet the water quality standards in the receiving water." If effluent limits are found to be needed, the limits are calculated to enforce the ECA considering effluent variability and the probability basis of the limit.
2. **CHECK.** U.S. EPA's simple mass balance equation, as found in the "U.S. EPA NPDES Permit Writers' Handbook" (EPA 833-K-10-001 September 2010, pg. 6-24), is used to evaluate if discharge at the computed ECA is protective. Resultant downstream metal concentrations are compared with downstream calculated CTR criteria under reasonable worst-case ambient conditions.

3. ADAPT. If step 2 results in:
 - (A) receiving water metal concentration that complies with CTR criteria under reasonable worst-case ambient conditions, then the hardness value is selected.
 - (B) receiving water metal concentration greater than CTR criteria, then return to bullet 1, selecting a lower ambient hardness value.

The CTR's hardness dependent metals criteria equations contain metal-specific constants, so the criteria vary depending on the metal. Therefore, steps 1 through 3 above must be repeated separately for each metal until ambient hardness values are determined that will result in criteria and effluent limitations that comply with the CTR and protect beneficial uses for all metals.

Results of iterative analysis (where dilution is not allowed)

The iterative analysis for each CTR hardness-dependent metal results in the selected ambient hardness values are shown in Table F-8, above. Using these actual receiving water sample hardness values to calculate criteria will result in effluent limitations that are protective under all ambient flow conditions. Ambient hardness values are used in the CTR equations to derive criteria and effluent limitations. As an example of the three-step iterative process, Table F-9 below summarizes the numeric results for copper based on an ambient hardness of 59 mg/L and a calculated ECA of 15 µg/L. Table F-10 below summarizes the numeric results for silver based on an ambient hardness of 59 mg/L and a calculated ECA of 1.64 µg/L. The analysis evaluated all flow conditions, and the numeric values for the critical flow conditions are summarized in Tables F-10 and F-11, below. Ambient concentrations for copper and silver are calculated using the worst-case downstream ambient conditions, which allows for a conservative assumption that will ensure the receiving water complies with CTR criteria. Under the "check" step, worst-case ambient receiving water conditions are used to test whether the effluent discharge results in compliance with CTR criteria and protection of beneficial uses.

The results of the iterative analyses show that the ambient hardness values selected using the three-step iterative process results in protective effluent limitations that achieve CTR criteria under all flow conditions. Tables F-9 and F-10 below, summarize the critical flow conditions. This Order includes average monthly and maximum daily effluent limits for copper of 15 µg/L and 20 µg/L, respectively. The effluent limits were calculated per section 1.4 of the SIP, which ensures compliance with the ECA considering effluent variability and the probability basis of each effluent limit.

Table F-9. Verification of CTR Compliance for Copper
 Downstream Worst-Case Ambient Receiving Water Conditions

Critical Flow Conditions	Hardness (mg/L)	CTR Criteria (µg/L)	Ambient Copper Concentration (µg/L)	Complies with CTR?
1Q10	48.4	5.016	4.989	Yes
7Q10	48.3	5.011	4.988	Yes
Max receiving water flow	48.0	4.984	4.983	Yes

Table F-10. Verification of CTR Compliance for Silver
 Downstream Worst-Case Ambient Receiving Water Conditions

Critical Flow Conditions	Hardness	CTR Criteria (µg/L)	Ambient Silver Concentration (µg/L)	Complies with CTR?
1Q10	48.4	1.164	1.152	Yes
7Q10	48.3	1.162	1.151	Yes
Max receiving water flow	48.0	1.149	1.149	Yes

3. Determining the Need for WQBEL's

Clean Water Act section 301(b)(1)(C) requires effluent limitations necessary to meet water quality standards, and 40 C.F.R. section 122.44(d) requires NPDES permits to include conditions that are necessary to achieve water quality standards established under section 303 of the CWA, including State narrative criteria for water quality. Federal regulations at 40 C.F.R 122.44(d)(1)(i) state, "Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines are or may be discharged at a level that will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality." Additionally, 40 C.F.R. section 122(d)(1)(vii) requires effluent limits to be developed consistent with any available wasteload allocations developed and approved for the discharge. The process to determine whether a WQBEL is required as described in 40 C.F.R. section 122.44(d)(1)(i) is referred to as a reasonable potential analysis or RPA. Central Valley Water Board staff conducted RPA's for nearly 200 constituents, including the 126 U.S. EPA priority toxic pollutants. This section includes details of the RPA's for constituents of concern for the Facility. The entire RPA is included in the administrative record and a summary of the constituents of concern is provided in Attachment G. For priority pollutants, the SIP dictates the procedures for conducting the RPA. For non-priority pollutants the Central Valley Water Board is not restricted to one particular RPA method, therefore, the RPA's have been

conducted based on EPA guidance considering multiple lines of evidence and the site-specific conditions of the discharge.

a. **Constituents with Total Maximum Daily Load (TMDL).**

40 C.F.R. section 122.44(d)(1)(vii) provides: “When developing water quality-based effluent limits under [section 122.44(d)(1)], the permitting authority shall ensure that: (A) The level of water quality to be achieved by limits on point sources established under this paragraph is derived from, and complies with all applicable water quality standards; and (B) Effluent limits developed to protect a narrative water quality criterion, a numeric water quality criterion, or both, are consistent with the assumptions and requirements of any available wasteload allocation for the discharge prepared by the State and approved by EPA pursuant to [Total Maximum Daily Loads regulations].” U.S. EPA construes 40 C.F.R. section 122.44(d)(1)(vii)(B) to mean that “when WLAs are available, they must be used to translate water quality standards into NPDES permit limits.” 54 Fed. Reg. 23868, 23879 (June 2, 1989).

The Sacramento River is subject to TMDLs for diazinon and chlorpyrifos and wasteload allocations under those TMDLs are available. The Central Valley Water Board developed WQBEL’s for these pollutants pursuant to 40 C.F.R. section 122.44(d)(1)(vii), which does not require or contemplate a reasonable potential analysis.

i. **Diazinon and Chlorpyrifos.**

- (a) **WQO.** The Central Valley Water Board recently completed a TMDL for diazinon and chlorpyrifos in the Sacramento and Feather Rivers and amended the Basin Plan to include diazinon and chlorpyrifos waste load allocations and water quality objectives. The Basin Plan Amendment for the Control of Diazinon and Chlorpyrifos Runoff into the Sacramento and Feather Rivers was adopted by the Central Valley Water Board on 3 May 2007 and became effective on 11 August 2008.

The amendment modifies the Basin Plan Chapter III (Water Quality Objectives) to establish site specific numeric objectives for chlorpyrifos and diazinon in the Sacramento and Feather Rivers. The amendment also “...identifies the requirements to meet the additive formula already in Basin Plan Chapter IV (implementation), for the additive toxicity of diazinon and chlorpyrifos.”

The amendment provides that: “The Waste Load Allocations (WLA) for all NPDES-permitted dischargers... shall not exceed the sum (S) of one (1) as defined below.

$$S = C_d/WQO_d + C_c/WQO_c \leq 1.0$$

Where:

Cd = diazinon concentration in $\mu\text{g/L}$ of point source discharge

Cc = chlorpyrifos concentration in $\mu\text{g/L}$ of point source discharge

WQOd = acute or chronic diazinon water quality objective in $\mu\text{g/L}$

WQOc = acute or chronic chlorpyrifos water quality objective in $\mu\text{g/L}$

Available samples collected within the applicable averaging period for the water quality objective will be used to determine compliance with the allocations and loading capacity. For purposes of calculating the sum (S) above, analytical results that are reported as 'non-detectable' concentrations are considered to be zero."

Appendix A of the Diazinon and Chlorpyrifos TMDL lists waterways subject to the TMDL and includes the Sacramento River.

- (b) **RPA Results.** Chlorpyrifos and diazinon were not detected in the effluent during seven sampling events conducted between September 2018 and October 2020. However, since these pesticides have been banned for public use, they are not expected to be present in the effluent. The discharge does not have reasonable potential, but due to the TMDL for diazinon and chlorpyrifos in the Sacramento River, WQBELs for these constituents are required. The TMDL waste load allocation applies to all NPDES dischargers to the Sacramento River from Shasta Dam to Colusa Basin Drain and will serve as a basis for WQBEL's for this Facility.
- (c) **WQBELs.** WQBELs for diazinon and chlorpyrifos are required based on the TMDL for diazinon and chlorpyrifos in the Sacramento River. Therefore, this Order includes effluent limits calculated based on the waste load allocations contained in the TMDL, as follows:

Average Monthly Effluent Limitation (AMEL)

$$S(\text{AMEL}) = C_d (\text{M-avg})/0.079 + C_c (\text{M-avg})/0.012 \leq 1.0$$

Where:

$C_d(\text{M-avg})$ = average monthly diazinon effluent concentration in $\mu\text{g/L}$

$C_c (\text{M-avg})$ = average monthly chlorpyrifos effluent concentration in $\mu\text{g/L}$

Average Weekly Effluent Limitation (AWEL)

$$S(\text{AWEL}) = C_d (\text{W-avg})/0.14 + C_c (\text{W-avg})/0.021 \leq 1.0$$

Where:

$C_d(\text{W-avg})$ = average weekly diazinon effluent concentration in $\mu\text{g/L}$

$C_c (\text{W-avg})$ = average weekly chlorpyrifos effluent concentration in $\mu\text{g/L}$

- (d) **Plant Performance and Attainability.** Chlorpyrifos and diazinon were not detected in the effluent seven sampling events conducted between September 2018 and October 2020. Furthermore, since these pesticides have been banned for public use, they are not expected to be present in the influent to the Facility. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible.
- b. **Constituents with No Reasonable Potential.** Central Valley Water Board staff conducted reasonable potential analyses for nearly 200 constituents, including the 126 U.S. EPA priority toxic pollutants. All reasonable potential analyses are included in the administrative record and a summary of the constituents of concern is provided in Attachment G. WQBEL's are not included in this Order for constituents that do not demonstrate reasonable potential to cause or contribute to an instream excursion of an applicable water quality objective; however, monitoring for those pollutants is established in this Order as required by the SIP. If the results of effluent monitoring demonstrate reasonable potential, this Order may be reopened and modified by adding an appropriate effluent limitation.

Most constituents with no reasonable potential are not discussed in this Order. This section only provides the rationale for the reasonable potential analyses for the following constituents of concern that were found to have no reasonable potential after assessment of the data:

i. **Aluminum**

- (a) **WQO.** The State Water Board Division of Drinking Water (DDW) has established Secondary Maximum Contaminant Levels (MCLs) to assist public drinking water systems in managing their drinking water for public welfare considerations, such as taste, color, and odor. The Secondary MCL for aluminum is 200 µg/L for protection of the MUN beneficial use. Title 22 requires compliance with Secondary MCLs on an annual average basis.

Aluminum is the third most abundant element in the earth's crust and is ubiquitous in both soils and aquatic sediments. When mobilized in surface waters, aluminum has been shown to be toxic to various fish species. However, the potential for aluminum toxicity in surface waters is directly related to the chemical form of aluminum present, and the chemical form is highly dependent on water quality characteristics that ultimately determine the mechanism of aluminum toxicity. Surface water characteristics, including pH, temperature, colloidal material, fluoride and sulfate concentrations, and dissolved organic carbon, all influence aluminum speciation and its subsequent bioavailability to aquatic life.

The 2018 U.S. EPA NAWQC for protection of freshwater aquatic life for aluminum recommends acute (1-hour average; criteria maximum concentration or CMC) and chronic (4-day average; criteria continuous concentration or CCC) standards based upon Multiple Linear Regression (MLR) models for vertebrate and invertebrate species that use pH, dissolved organic carbon (DOC), and total hardness to quantify the effects of these water chemistry parameters on the bioavailability and resultant toxicity of aluminum to aquatic organisms. The 2018 Aluminum NAWQC document provides look up tables or a Microsoft Excel spreadsheet to calculate the criteria based on pH, DOC, and total hardness. The U.S. EPA aluminum criteria have been used to implement the Basin Plan's narrative toxicity objective.

A site-specific CMC of 1267 µg/L and CCC of 560 µg/L were calculated considering pH, hardness, and DOC representative of the receiving water and effluent conditions. Effluent and receiving water sampling results for pH and hardness from January 2018 to November 2020 were used in the evaluation. In the absence of DOC data, the criteria were calculated considering a conservative assumption of DOC for the receiving water and effluent of 1 mg/L and 5 mg/L, respectively.

- (b) **RPA Results.** For priority pollutants, the SIP dictates the procedures for conducting the RPA. Aluminum is not a priority pollutant. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Due to the site-specific conditions of the discharge, the Central Valley Water Board used professional judgment in determining the appropriate method for conducting the RPA for this non-priority pollutant constituent. The Secondary MCL is derived from human welfare considerations (e.g., taste, odor, laundry staining), not for toxicity. Secondary MCL's are drinking water standards contained in Title 22 of the California Code of Regulations and requires compliance with these standards on an annual average basis, when sampling at least quarterly. To be consistent with how compliance with the standards is determined, for the Secondary MCL the RPA was conducted based on the calendar annual average effluent aluminum concentrations. Calculating a maximum annual average concentration considers variability in the data, per 40 C.F.R. § 122.44(d)(1)(ii).

The maximum annual average effluent concentration for aluminum was 20.4 µg/L based on 6 samples collected between September 2018 through October 2020. Effluent aluminum is consistently less than the concentrations in the receiving water and below the Secondary MCL. Therefore, the Central Valley Water Board finds the discharge does not have reasonable potential to cause or contribute to an exceedance in the receiving water and the Facility is adequately controlling the discharge of aluminum.

For the 2018 U.S. EPA NAWQC the RPA was conducted considering the maximum effluent concentration (MEC) for aluminum, which was 44.8 µg/L based on 6 samples collected from September 2018 through October 2020. Effluent aluminum is consistently less than the concentrations in the receiving water and below the NAWQC. Therefore, the Central Valley Water Board finds the discharge does not have reasonable potential to cause or contribute to an exceedance of the narrative toxicity objective in the receiving water and the Facility is adequately controlling the discharge of aluminum.

ii. **Mercury**

- (a) **WQO.** The current NAWQC for protection of freshwater aquatic life, continuous concentration, for mercury is 0.77 µg/L (30-day average, chronic criteria). The CTR contains a human health criterion (based on a threshold dose level causing neurological effects in infants) of 0.050 µg/L for waters from which both water

and aquatic organisms are consumed. Both values are controversial and subject to change. In 40 C.F.R. part 131, U.S. EPA acknowledges that the human health criteria may not be protective of some aquatic or endangered species and that "...more stringent mercury limits may be determined and implemented through use of the State's narrative criterion." In the CTR, U.S. EPA reserved the mercury criteria for freshwater and aquatic life and may adopt new criteria at a later date.

The State Water Board adopted Resolution 2017-0027 on 2 May 2017, which approved Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California, Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions (Statewide Mercury Provisions). The Statewide Mercury Provisions establish a Sport Fish Water Quality Objective of an average 0.2 mg/kg methylmercury fish tissue concentration within a calendar year for waters with the beneficial uses of commercial and sport fishing (COMM), tribal tradition and culture (CUL), wildlife habitat (WILD), and marine habitat (MAR). This fish tissue objective corresponds to a water column concentration of 12 ng/L of total mercury for flowing water bodies (e.g., rivers, creeks, streams, and waters with tidal mixing) As shown in Table F-3, the beneficial uses of Sacramento River include MUN, AGR, PROC, IND, POW, REC-1, REC-2, WARM, COLD, MIGR, SPWN, WILD, NAV, and COMM; therefore, the Sport Fish Water Quality Objective is applicable and is the most stringent objective.

- (b) **RPA Results.** The Statewide Mercury Provisions specify that the RPA shall be conducted using the maximum annual average effluent and background mercury concentrations for comparison with the Sport Fish Water Quality Objective. The maximum observed effluent mercury concentration was 3.54 ng/L, based on seven samples collected from September 2019 to October 2020. The maximum annual average background concentration for mercury was 2.55 ng/L based on four samples collected from the year 2019.

Therefore, the discharge does not exhibit reasonable potential to cause or contribute to an exceedance of the Sport Fish Water Quality Objective in the receiving water.

iii. Salinity

- (a) **WQO.** The Basin Plan contains a chemical constituent objective that incorporates state MCLs, contains a narrative objective, and contains numeric water quality objectives for certain

specified water bodies for electrical conductivity, total dissolved solids, sulfate, and chloride. The USEPA Ambient Water Quality Criteria for Chloride recommends acute and chronic criteria for the protection of aquatic life. There are no USEPA water quality criteria for the protection of aquatic life for electrical conductivity, total dissolved solids, and sulfate. Additionally, there are no USEPA numeric water quality criteria for the protection of agricultural, livestock, and industrial uses. Numeric values for the protection of these uses are typically based on site specific conditions and evaluations to determine the appropriate constituent threshold necessary to interpret the narrative chemical constituent Basin Plan objective. See description under Attachment F Section VI.B.

- (1) **Chloride.** The Secondary MCL for chloride is 250 mg/L, as a recommended level, 500 mg/L as an upper level, and 600 mg/L as a short-term maximum. The Basin Plan contains a narrative objective for chemical constituents that state, in part, "Waters shall not contain chemical constituents in concentrations that adversely affect beneficial uses." Agricultural irrigation, municipal and domestic supply are beneficial uses of the receiving water. The Agricultural Water Quality Goal for chloride is 106 mg/L.
- (2) **Electrical Conductivity.** The Secondary MCL for EC is 900 μ mhos/cm as a recommended level, 1600 μ mhos/cm as an upper level, and 2200 μ mhos/cm as a short-term maximum. The Basin Plan contains a site-specific EC limit of 230 μ mhos/cm (50 percentile) or 235 μ mhos/cm (90 percentile) at Knights Landing above Colusa Basin Drain.
- (3) **Sulfate.** The Secondary MCL for sulfate is 250 mg/L as a recommended level, 500 mg/L as an upper level, and 600 mg/L as a short-term maximum.
- (4) **Total Dissolved Solids.** The Secondary MCL for TDS is 500 mg/L as a recommended level, 1000 mg/L as an upper level, and 1500 mg/L as a short-term maximum.

(b) **RPA Results.**

- (1) **Chloride.** Chloride concentrations in the effluent ranged from 63 mg/L to 80.7 mg/L, with an average of 72.38 mg/L. These levels do not exceed the Secondary MCL. Background concentrations in the Sacramento River

ranged from 2.1 mg/L to 2.8 mg/L, with an average of 2.45 mg/L, for four samples collected by the Discharger from March 2019 through November 2019.

- (2) **Electrical Conductivity or Total Dissolved Solids.** A review of the Discharger's monitoring reports shows an average effluent EC of 743 μ mhos/cm, with a range from 582 μ mhos/cm to 957 μ mhos/cm. These levels do not exceed the Secondary MCL. The background receiving water EC averaged 139.97 μ mhos/cm. The average TDS effluent concentration was 470 mg/L with concentrations ranging from 56.9 mg/L to 595 mg/L. These levels do not exceed the Secondary MCL. The background receiving water TDS ranged from 62.6 mg/L to 439 mg/L, with an average of 116.61 mg/L.
- (3) **Sulfate.** Sulfate concentrations in the effluent ranged from 32.1 mg/L to 39 mg/L, with an average of 35.59 mg/L. These levels do not exceed the Secondary MCL. Background concentrations in Sacramento River ranged from 3.5 mg/L to 6.1 mg/L, with an average of 4.4 mg/L.

c. **Constituents with No Data or Insufficient Data.** Reasonable potential cannot be determined for the following constituents because effluent data are limited or ambient background concentrations are not available. The Discharger is required to continue to monitor for these constituents in the effluent using analytical methods that provide the best feasible detection limits. When additional data become available, further analysis will be conducted to determine whether to add numeric effluent limitations or to continue monitoring.

i. **Cyanide**

- (a) **WQO.** The CTR includes maximum 1-hour average and 4-day average criteria of 22 μ g/L and 5.2 μ g/L, respectively, for total cyanide for the protection of freshwater aquatic life.

The Basin Plan includes a site-specific objective for the Sacramento-San Joaquin Delta of 10 μ g/L as a maximum concentration.

Footnote 4, page 3 of the Introduction of the SIP states, "*If a water quality objective and a CTR criterion are in effect for the same priority pollutant, the more stringent of the two applies.*" The Basin Plan objective cannot be directly compared to the CTR criteria to determine the most stringent objective because they have different averaging periods. In this situation, the RPA

has been conducted considering both the CTR criteria and the Basin Plan site-specific objective.

- (b) **RPA Results.** Effluent cyanide concentrations were below applicable criteria in nine out of ten samples analyzed between February 2018 to November 2019. The MEC for cyanide was 15 µg/L, collected on 26 November 2018. In addition, cyanide was detected in the upstream receiving water on 26 November 2018.

Sources of the elevated cyanide may be related to impacts associated with the 8 November 2018 Camp Fire, which burned more than 153,336 acres in and around the Town of Paradise, approximately 20 miles east of Chico. The sampling event that resulted in the data that demonstrated an exceedance in criteria (in both the effluent and the receiving water) occurred on 26 November 2018, a short period of time after the fire started and after a heavy rainfall event. The rainfall started on 22 November 2018 (approximately 1.11 inches of precipitation). The rain event helped contain the Camp Fire, however it also caused localized flooding in Chico, possibly leading to excess concentrations of cyanide in the watershed. Further sampling of cyanide has been incorporated into this Order to determine if there is reasonable potential for the need for cyanide limits and to determine if there is reasonable potential to cause or contribute to an in-stream excursion above a water quality standard for cyanide.

- d. **Constituents with Reasonable Potential.** The Central Valley Water Board finds that the discharge has a reasonable potential to cause or contribute to an in-stream excursion above a water quality standard for ammonia, chlorine residual, chlorodibromomethane, chloroform, copper, dichlorobromomethane, nitrate and nitrite, pathogens, and pH. WQBEL's for these constituents are included in this Order. A summary of the RPA is provided in Attachment G, and a detailed discussion of the RPA for each constituent is provided below.

i. **Ammonia**

- (a) **WQO.** The 2013 U.S. EPA National Ambient Water Quality Criteria (NAWQC) for the protection of freshwater aquatic life for total ammonia (2013 Criteria), recommends acute (1-hour average; criteria maximum concentration or CMC) and chronic (30-day average; criteria continuous concentration or CCC) standards based on pH and temperature. U.S. EPA also recommends that no 4-day average concentration should exceed 2.5 times the 30-day CCC.

The 2013 Criteria reflects the latest scientific knowledge on the toxicity of ammonia to certain freshwater aquatic life, including toxicity data on sensitive freshwater unionid mussels, non-pulmonary snails, and other freshwater organisms. The inclusion of new toxicity data for unionid mussels resulted in substantially more stringent criteria. In many cases, current wastewater treatment technologies are not capable of complying with effluent limitations based on the more stringent criteria.

The Central Valley Clean Water Association (CVCWA) organized a coordinated effort for POTWs within the Central Valley Region, the Freshwater Mussel Collaborative Study for Wastewater Treatment Plants, to determine how the latest scientific knowledge on the toxicity of ammonia reflected in the 2013 Criteria could be implemented in the Central Valley Region. Phase I, completed in June 2015, included a State of Knowledge Report developed by a consultant team consisting of Robertson-Bryan, Inc., Larry Walker Associates, and Pacific EcoRisk. The collaborative study involved policy and permitting discussions among representatives from the Central Valley Water Board, U.S. EPA, United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and regional mussel experts regarding the implementation of the 2013 Criteria in POTW NPDES permits. The discussions evaluated permitting approaches that provide reasonable protection of aquatic life beneficial uses, including protection of freshwater mussels.

The State of Knowledge Report explained that the species of freshwater mussels in waters within the Central Valley Region are different than what U.S. EPA used in the toxicity dataset for development of the 2013 Criteria. The State of Knowledge Report indicated that one resident freshwater mussel species was shown to not be as sensitive as the eastern mussel species used to derive the 2013 Criteria. However, the sensitivity of the other Central Valley Region mussel species was unknown.

Initial work under this project indicated the need to understand whether freshwater mussels are present or absent in POTW receiving waters in order to properly permit the discharge of ammonia in NPDES permits. Hence, a Phase II of the CVCWA study was conducted that developed and validated an effective environmental DNA (eDNA) method for determining the presence/absence of the three freshwater mussel genera in water bodies of the Central Valley. A Phase IIb of the study

involved further study and application of the eDNA methodology.

CVCWA submitted the Phase IIc Freshwater Mussel Collaborative Study for Wastewater Treatment Plants: Ammonia Criteria Recalculation Final Report, dated January 2020 (Criteria Recalculation Report) developed by the same consultant team. The Criteria Recalculation Report provides toxicity studies demonstrating all freshwater mussel species present in Central Valley Region waters are less sensitive than the eastern species used to develop the 2013 Criteria.

U.S. EPA developed the Guidelines for Deriving Numerical Aquatic Site-Specific Water Quality Criteria by Modifying National Criteria (EPA-600/S3-84-099 December 1984) that provides a Recalculation Procedure. U.S. EPA also developed the Revised Deletion Process for the Site-Specific Recalculation Procedure for Aquatic Life Criteria (EPA-823-R-13-001, April 2013) to guide the development of a site-specific toxicity dataset that is appropriate for deriving a site-specific aquatic life criterion, by modifying the national toxicity dataset for the pollutant of concern through correcting, adding, and/or deleting test results.

The Criteria Recalculation Report implemented U.S. EPA's Recalculation Procedure utilizing toxicity bioassays conducted on resident mussel species to replace the toxicity data for the eastern mussel species in the national dataset to develop site-specific ammonia criteria for waters within the Central Valley Region, including all surface waters in the Sacramento River, San Joaquin River, and Tulare Lake Basin Plans.

A draft Criteria Recalculation Report was provided to the Central Valley Water Board, U.S. EPA Region 9, U.S. EPA Office of Science and Technology, USFWS, and the Nature Conservancy. Comments were provided by Central Valley Water Board staff and U.S. EPA Office of Science and Technology. U.S. EPA agreed with the recalculation procedure for developing site-specific acute criterion. However, U.S. EPA recommended a more conservative approach for utilizing the acute-to-chronic ratio procedure for developing the site-specific chronic criterion. The final Criteria Recalculation Report addressed the comments and provided revised equations for the chronic criterion in Appendix D.

The Basin Plans' Policy for Application of Water Quality Objectives requires the Central Valley Water Board to consider,

“...on a case-by-case basis, direct evidence of beneficial use impacts, all material and relevant information submitted by the discharger and other interested parties, and relevant numerical criteria and guidelines developed and/or published by other agencies and organizations...In considering such criteria, the Board evaluates whether the specific numerical criteria which are available through these sources and through other information supplied to the Board, are relevant and appropriate to the situation at hand and, therefore, should be used in determining compliance with the narrative objective.”

The Central Valley Water Board finds that the site-specific ammonia criteria provided in the January 2020 Criteria Recalculation Report implement the Basin Plan’s narrative toxicity objective to protect aquatic life beneficial uses of the receiving water. This Order implements the site-specific acute and chronic criteria for ammonia provided by the January 2020 Criteria Recalculation Report, with the adjustments to the chronic criteria recommended by U.S. EPA.

Site-specific Criteria for Sacramento River. Similar to the U.S. EPA 2013 Criteria, the recalculated site-specific criteria developed in the Criteria Recalculation Report for the acute and chronic criteria are presented based on equations that vary according to pH and temperature. The pH and temperature speciation relationships developed by U.S. EPA were utilized without modification. Equations were developed for situations where freshwater mussels are present and where they are absent. In this case, for the Sacramento River freshwater mussels have been assumed to be present. In addition, the recalculated criteria include equations that provide enhanced protection for important salmonid species in the genus *Oncorhynchus*, that can be implemented for receiving waters where salmonid species are present. Because the Sacramento River has a beneficial use of cold freshwater habitat and the presence of salmonids in the Sacramento River is well-documented, the criteria equations for waters where salmonids are present were used.

The acute (1-hour average) criterion or CMC was calculated using paired upstream receiving water pH and temperature data, collected during the period from January 2018 and January 2021. The most stringent CMC of 7.35 mg/L (ammonia as N) calculated using the paired upstream receiving water pH and temperature data has been implemented in this Order.

The chronic (30-day average) criterion or CCC was calculated for the RPA using paired downstream receiving water pH and temperature data, collected during the period from January 2018 and January 2021. The most stringent 30-day rolling average CCC of 1.01 mg/L (ammonia as N) has been implemented in this Order for use in the RPA process.

The chronic (4-day average) concentration is derived in accordance with the U.S. EPA criterion as 2.5 times the 30-day CCC. Based on the 30-day CCC of 1.01 mg/L (ammonia as N), the 4-day average concentration that should not be exceeded is 2.52 mg/L (ammonia as N).

- (b) **RPA Results.** The Facility is a POTW that treats domestic wastewater. Untreated domestic wastewater contains ammonia in concentrations that is harmful to aquatic life and exceed the Basin Plan narrative toxicity objective. Federal regulations at 40 C.F.R. section 122.44(d)(1)(i) requires that, "Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality." For priority pollutants, the SIP dictates the procedures for conducting the RPA. Ammonia is not a priority pollutant. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Due to the site-specific conditions of the discharge, the Central Valley Water Board has used professional judgment in determining the appropriate method for conducting the RPA for this non-priority pollutant constituent.

U.S. EPA's September 2010 NPDES Permit Writer's Manual, page 6-30, states, "State implementation procedures might allow, or even require, a permit writer to determine reasonable potential through a qualitative assessment process without using available facility-specific effluent monitoring data or when such data are not available...A permitting authority might also determine that WQBEL's are required for specific pollutants for all facilities that exhibit certain operational or discharge characteristics (e.g., WQBEL's for pathogens in all permits for POTW's discharging to contact recreational waters)." U.S. EPA's TSD also recommends that factors other than effluent data should be considered in the RPA, "When determining whether or not a discharge causes, has the reasonable potential to cause, or contributes to an excursion of a numeric or narrative water quality criterion for individual toxicants or for

toxicity, the regulatory authority can use a variety of factors and information where facility-specific effluent monitoring data are unavailable. These factors also should be considered with available effluent monitoring data.” With regard to POTW’s, U.S. EPA recommends that, “POTW’s should also be characterized for the possibility of chlorine and ammonia problems.” (TSD, p. 50)

Nitrification is a biological process that converts ammonia to nitrite and nitrite to nitrate. Denitrification is a process that converts nitrate to nitrite or nitric oxide and then to nitrous oxide or nitrogen gas, which is then released to the atmosphere. The Discharger currently uses nitrification to remove ammonia from the waste stream. Inadequate or incomplete nitrification may result in the discharge of ammonia to the receiving stream. Ammonia is known to cause toxicity to aquatic organisms in surface waters. Discharges of ammonia in concentrations that produce detrimental physiological responses to human, plant, animal, or aquatic life would violate the Basin Plan’s narrative toxicity objective. Although the Discharger nitrifies the discharge, inadequate or incomplete nitrification creates the potential for ammonia to be discharged and provides the basis for the discharge to have a reasonable potential to cause or contribute to an in-stream excursion above the site-specific acute and chronic criteria for ammonia provided by the January 2020 Criteria Recalculation Report. Therefore, the Central Valley Water Board finds the discharge has reasonable potential for ammonia and WQBEL’s are required.

- (c) **WQBEL’s.** The Central Valley Water Board calculates WQBEL’s in accordance with SIP procedures for non-CTR constituents, and ammonia is a non-CTR constituent. The SIP procedure assumes a 4-day averaging period for calculating the long-term average discharge condition (LTA). However, U.S. EPA recommends modifying the procedure for calculating permit limits for ammonia using a 30-day averaging period for the calculation of the LTA corresponding to the 30-day CCC. Therefore, while the LTAs corresponding to the acute and 4-day chronic criteria were calculated according to SIP procedures, the LTA corresponding to the 30-day CCC was calculated assuming a 30-day averaging period. The lowest LTA representing the acute, 4-day CCC, and 30-day CCC is then selected for deriving the average monthly effluent limitation (AMEL) and average weekly effluent limitation (AWEL). The remainder of the WQBEL calculation for ammonia was performed according to the SIP procedures. This Order contains a final average monthly effluent limitation (AMEL) and average

weekly effluent limitation (AWEL) for ammonia of 8.2 mg/L and 17.6 mg/L, respectively, based on the NAWQC and acute and chronic criteria mixing zones granted with corresponding dilution credits of 7.3 and 6.2, respectively.

- (d) **Plant Performance and Attainability.** Analysis of the effluent data shows that the MEC of 6.14 mg/L is less than the applicable WQBEL's. Therefore, the Central Valley Water Board concludes that immediate compliance with these effluent limitations is feasible.

ii. **Chlorine Residual**

- (a) **WQO.** U.S. EPA developed NAWQC for protection of freshwater aquatic life for chlorine residual. The recommended 4-day average (chronic) and 1-hour average (acute) criteria for chlorine residual are 0.011 mg/L and 0.019 mg/L, respectively. These criteria are protective of the Basin Plan's narrative toxicity objective.
- (b) **RPA Results.** The concentrations of chlorine used to disinfect wastewater are high enough to harm aquatic life and violate the Basin Plan narrative toxicity objective if discharged to the receiving water. Reasonable potential therefore does exist and effluent limits are required.

Federal regulations at 40 C.F.R. section 122.44(d)(1)(i) requires that, "Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality." For priority pollutants, the SIP dictates the procedures for conducting the RPA. Chlorine is not a priority pollutant. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Due to the site-specific conditions of the discharge, the Central Valley Water Board has used its judgment in determining the appropriate method for conducting the RPA for this non-priority pollutant constituent.

U.S. EPA's September 2010 NPDES Permit Writer's Manual, page 6-30, states, "State implementation procedures might allow, or even require, a permit writer to determine reasonable potential through a qualitative assessment process without using available facility-specific effluent monitoring data or when such data are not available...A permitting authority might also

determine that WQBEL's are required for specific pollutants for all facilities that exhibit certain operational or discharge characteristics (e.g., WQBEL's for pathogens in all permits for POTW's discharging to contact recreational waters)." U.S. EPA's TSD also recommends that factors other than effluent data should be considered in the RPA, "When determining whether or not a discharge causes, has the reasonable potential to cause, or contributes to an excursion of a numeric or narrative water quality criterion for individual toxicants or for toxicity, the regulatory authority can use a variety of factors and information where facility-specific effluent monitoring data are unavailable. These factors also should be considered with available effluent monitoring data." With regard to POTW's, U.S. EPA recommends that, "POTW's should also be characterized for the possibility of chlorine and ammonia problems." (TSD, p. 50)

The Discharger uses chlorine for disinfection, which is extremely toxic to aquatic organisms. Although the Discharger uses a sulfur dioxide process to dechlorinate the effluent prior to discharge to Sacramento River, the existing chlorine use and the potential for chlorine to be discharged provides the basis for the discharge to have a reasonable potential to cause or contribute to an in-stream excursion above the NAWQC.

- (c) **WQBEL's.** The U.S. EPA's TSD for Water Quality-Based Toxics Control [EPA/505/2-90-001] contains statistical methods for converting chronic (4-day) and acute (1-hour) aquatic life criteria to average monthly and maximum daily effluent limitations based on the variability of the existing data and the expected frequency of monitoring. However, because chlorine is an acutely toxic constituent that can and will be monitored continuously, an average 1-hour limitation is considered more appropriate than an average daily limitation. This Order contains a 4-day average effluent limitation and 1-hour average effluent limitation for chlorine residual of 0.011 mg/L and 0.019 mg/L, respectively, based on U.S. EPA's NAWQC, which implements the Basin Plan's narrative toxicity objective for protection of aquatic life.
- (d) **Plant Performance and Attainability.** Analysis of effluent data shows that the Facility is capable of meeting the applicable WQBEL's. In addition, the Discharger uses sodium bisulfite to dechlorinate the effluent prior to discharge to the Sacramento River. The Central Valley Water Board concludes, therefore, that immediate compliance with these effluent limitations is feasible.

iii. **Chlorodibromomethane**

- (a) **WQO.** The CTR includes a criterion of 0.41 µg/L for chlorodibromomethane for the protection of human health for waters from which both water and organisms are consumed.
- (b) **RPA Results.** The MEC for chlorodibromomethane was 4.76 µg/L, while the maximum observed upstream receiving water concentration was non-detect with a reporting limit of 0.089 µg/L. Therefore, chlorodibromomethane in the discharge has a reasonable potential to cause or contribute to an in-stream excursion above the CTR criterion for the protection of human health.
- (c) **WQBEL's.** The receiving water contains assimilative capacity for chlorodibromomethane; therefore, a dilution credit of 41:1 was allowed in the development of the WQBEL's for chlorodibromomethane. Based on the allowable dilution credit, this Order contains an AMEL of 17.2 µg/L and MDEL of 34 µg/L for chlorodibromomethane.
- (d) **Plant Performance and Attainability.** Analysis of the effluent data shows that the MEC of 4.76 ug/L is less than the applicable WQBEL's. Therefore, the Central Valley Water Board concludes that immediate compliance with these effluent limitations is feasible.

iv. **Chloroform**

- (a) **WQO.** In 2015 USEPA updated its recommended National Ambient Water Quality Criteria for chloroform. The most stringent water quality objective for chloroform is the USEPA NAWQC for the protection of human consumption, 60 ug/L based on a 1-in a million cancer risk.
- (b) **RPA Results.** The MEC for chloroform was 155.64 µg/L, while the maximum observed upstream receiving water concentration was non-detect with a reporting limit of 0.2 µg/L. Therefore, chloroform in the discharge has a reasonable potential.
- (c) **WQBEL's.** In the past the Regional Board has regulated chloroform using the Total Trihalomethanes (TTHMs) USEPA Primary MCL of 80 ug/L. TTHMs are measured as the sum of bromoform, chlorodibromomethane, dichlorobromomethane, and chloroform. Setting chloroform WQBEL's based on the USEPA NAWQC for the protection of human consumption, 60 ug/L, rather than TTHMs (based on the primary MCL of 80 µg/L) is considered to be reasonable approach for water

quality protection. Order R5-2016-0023 established effluent limitations on two of the four constituents that constitute TTHMs (chlorodibromomethane and dichlorobromomethane). Further, this Order continues the requirement for effluent limitations on chlorodibromomethane and dichlorobromomethane. Establishing a TTHM effluent limit would result in regulating the same constituent with two effluent limitations. Therefore, instead of establishing a TTHM effluent limit, this Order establishes an effluent limit on chloroform based on the USEPA NAWQC for the protection of human consumption (60 ug/L). A dilution credit of 1.58:1 was allowed in the development of the WQBEL's. This Order contains an AMEL and MDEL for chloroform of 155 µg/L and 310 µg/L, respectively

- (d) **Plant Performance and Attainability.** Analysis of the effluent data shows that the MEC of 110 is less than the applicable WQBEL's. Therefore, the Central Valley Water Board concludes that immediate compliance with these effluent limitations is feasible.

v. Copper

- (a) **WQO.** The Basin Plan and CTR include hardness-dependent criteria for the protection of freshwater aquatic life for copper. These criteria for copper are presented in dissolved concentrations, as a maximum concentration, 1-hour acute criteria, and 4-day chronic criteria. USEPA recommends conversion factors to translate dissolved concentrations to total concentrations. Default USEPA translators were used for the receiving water and effluent.

As described in section IV.C.2.c.vi.(b) of this Fact Sheet, the applicable chronic criterion for copper for the receiving water is 5.9 µg/L, as total recoverable. The applicable dissolved chronic criterion for copper for the receiving water is 2.93 µg/L.

- (b) **RPA Results.** Section IV.C.2.c.vi.(b) of this Fact Sheet includes procedures for conducting the RPA for hardness-dependent CTR metals, such as copper. The CTR includes hardness-dependent criteria for copper for the receiving water. The maximum applicable observed upstream receiving water total recoverable copper concentration was 8.53 µg/L, based on 38 samples collected from January 2018 and January 2021. The maximum observed upstream receiving water dissolved concentration was 2.9 µg/L, based on eleven samples collected from January 2019 and January 2021. The RPA was conducted using the upstream receiving water hardness to calculate the

criteria for comparison to the maximum background copper concentration, and likewise using the reasonable worst-case downstream hardness to compare the maximum effluent concentration. The table below shows the specific criteria used for the RPA:

Water Type	CTR Chronic Criterion (ug/L)	Maximum Concentration (ug/L)	Reasonable Potential?
Receiving Water	6.7 (dissolved) 5.9 (total recoverable)	2.9 (dissolved) 8.53 (total recoverable)	No
Effluent	5.9 µg/L (total recoverable)	9.35 (total recoverable)	Yes

Table Notes:

- 1. Receiving Water.** The CTR Chronic Criterion (Total and dissolved) for the receiving water is based on lowest observed upstream hardness of 48 mg/L (as CaCO₃). Reasonable potential for the receiving water is per section 1.3, step 4 of the SIP.
- 2. Effluent.** The CTR Chronic Criterion (Total) for the effluent is based on reasonable worst-case downstream hardness of 59 mg/L (as CaCO₃). Reasonable potential for the Effluent is per section 1.3, step 6 of the SIP.

Based on the available data, copper in the discharge has a reasonable potential to cause or contribute to an in-stream excursion above the CTR criteria for the protection of freshwater aquatic life.

The MEC for total copper was 9.35 µg/L based on 38 samples collected between January 2018 and January 2021. Total recoverable copper was detected at a maximum concentration of 8.53 µg/L in the upstream receiving water based on 38 samples collected between January 2018 and January 2021. Therefore, copper in the discharge has a reasonable potential to cause or contribute to an in-stream excursion above the CTR criterion for the protection of aquatic life protection.

- (c) **WQBEL's.** The receiving water contains assimilative capacity for dissolved copper, therefore, an acute dilution credit of 8:1 and a chronic dilution credit of 2.25:1 was allowed in the development of the WQBEL's. This Order contains an AMEL and MDEL for copper, total recoverable of 15 µg/L and 20 µg/L, respectively, based on the CTR criterion for the protection of freshwater aquatic life.
- (d) **Plant Performance and Attainability.** Analysis of the effluent data shows that the MEC of 9.35 µg/L is equal to the applicable WQBEL's. Therefore, the Central Valley Water Board concludes that immediate compliance with these effluent limitations is feasible.

vi. **Dichlorobromomethane**

- (a) **WQO.** The CTR includes a criterion of 0.56 µg/L for dichlorobromomethane for the protection of human health for waters from which both water and organisms are consumed.
- (b) **RPA Results.** The maximum effluent concentration (MEC) for dichlorobromomethane was 23.86 µg/L, while the maximum observed upstream receiving water concentration was non-detect with a reporting limit of 0.089 µg/L. Therefore, dichlorobromomethane in the discharge has a reasonable potential to cause or contribute to an in-stream excursion above the CTR criterion for the protection of human health.
- (c) **WQBEL's.** The receiving water contains assimilative capacity for dichlorobromomethane, therefore, a dilution credit of 66.01:1 was allowed in the development of the WQBEL's for dichlorobromomethane. Based on the allowable dilution credit, this Order contains an average monthly effluent limitation (AMEL) of 31.7 µg/L and a maximum daily effluent limitation (MDEL) of 52.4 µg/L for dichlorobromomethane.
- (d) **Plant Performance and Attainability.** Analysis of the effluent data shows that the MEC of 23.86 ug/L is less than the applicable WQBEL's. Therefore, the Central Valley Water Board concludes that immediate compliance with these effluent limitations is feasible.

vii. **Nitrate and Nitrite**

- (a) **WQO.** DDW has adopted Primary MCLs for the protection of human health for nitrite and nitrate that are equal to 1 mg/L and 10 mg/L (measured as nitrogen), respectively. DDW has also adopted a Primary MCL of 10 mg/L for the sum of nitrate and nitrite, measured as nitrogen.

U.S. EPA has developed a primary MCL and an MCL goal of 1 mg/L for nitrite (as nitrogen). For nitrate, U.S. EPA has developed Drinking Water Standards (10 mg/L as Primary MCL) and NAWQC for protection of human health (10 mg/L for non-cancer health effects).
- (b) **RPA Results.** The Facility is a POTW that treats domestic wastewater. Untreated domestic wastewater contains ammonia in concentrations that is harmful to aquatic life and exceed the Basin Plan's narrative toxicity objective. This Order, therefore, requires removal of ammonia (i.e., nitrification). Nitrification is a biological process that converts ammonia to nitrate and nitrite,

and will result in effluent nitrate concentrations above the Primary MCL for nitrate plus nitrite. Nitrate concentrations in a drinking water supply above the Primary MCL threatens the health of human fetuses and newborn babies by reducing the oxygen-carrying capacity of the blood (methemoglobinemia).

Federal regulations at 40 C.F.R. section 122.44(d)(1)(i) requires that, "Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality." For priority pollutants, the SIP dictates the procedures for conducting the RPA. Nitrate and nitrite are not priority pollutants. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Due to the site-specific conditions of the discharge, the Central Valley Water Board has used professional judgment in determining the appropriate method for conducting the RPA for this non-priority pollutant constituent.

U.S. EPA's September 2010 NPDES Permit Writer's Manual, page 6-30, states, "State implementation procedures might allow, or even require, a permit writer to determine reasonable potential through a qualitative assessment process without using available facility-specific effluent monitoring data or when such data are not available...A permitting authority might also determine that WQBEL's are required for specific pollutants for all facilities that exhibit certain operational or discharge characteristics (e.g., WQBEL's for pathogens in all permits for POTW's discharging to contact recreational waters)." U.S. EPA's TSD also recommends that factors other than effluent data should be considered in the RPA, "When determining whether or not a discharge causes, has the reasonable potential to cause, or contributes to an excursion of a numeric or narrative water quality criterion for individual toxicants or for toxicity, the regulatory authority can use a variety of factors and information where facility-specific effluent monitoring data are unavailable. These factors also should be considered with available effluent monitoring data." With regard to POTW'S, U.S. EPA recommends that, "POTW's should also be characterized for the possibility of chlorine and ammonia problems." (TSD, p. 50)

The concentration of nitrogen in raw domestic wastewater is sufficiently high that the resultant treated wastewater has a

reasonable potential to exceed or threat to exceed the Primary MCL for nitrate plus nitrite unless the wastewater is treated for nitrogen removal, and therefore an effluent limit for nitrate plus nitrite is required. Denitrification is a process that converts nitrate to nitrite or nitric oxide and then to nitrous oxide or nitrogen gas, which is then released to the atmosphere. Inadequate or incomplete denitrification may result in the discharge of nitrate and/or nitrite to the receiving stream. Discharges of nitrate plus nitrite in concentrations that exceed the Primary MCL would violate the Basin Plan's narrative chemical constituents' objective. Inadequate or incomplete denitrification creates the potential for nitrate and nitrite to be discharged and provides the basis for the discharge to have a reasonable potential to cause or contribute to an in-stream excursion above the Primary MCL.

Therefore, the Central Valley Water Board finds the discharge has reasonable potential for nitrate plus nitrite and WQBEL's are required.

- (c) **WQBEL's.** The receiving water contains assimilative capacity for nitrate plus nitrite, therefore, a dilution credit of 5.2:1 was allowed in the development of the WQBEL's for nitrate plus nitrite. This Order contains an average monthly effluent limitation (AMEL) and average weekly effluent limitation (AWEL) for nitrate plus nitrite of 60 mg/L and 80 mg/L, respectively, based on the Basin Plan's narrative chemical constituents objective for protection of the MUN beneficial use. These effluent limitations are included in this Order to assure the treatment process adequately nitrifies and denitrifies the waste stream to protect the beneficial use of municipal and domestic supply.
- (d) **Plant Performance and Attainability.** Analysis of the effluent data shows that the MEC of 24.47 mg/L for nitrate plus nitrite is less than the applicable WQBEL's. Therefore, the Central Valley Water Board concludes that immediate compliance with these effluent limitations is feasible.

viii. Pathogens

- (a) **WQO.** In a letter to the Central Valley Water Board dated 8 April 1999, DDW indicated it would consider wastewater discharged to water bodies with identified beneficial uses of irrigation or contact recreation and where the wastewater receives dilution of more than 20:1 to be adequately disinfected if the effluent coliform concentration does not exceed

23 MPN/100 mL as a 7-day median and if the effluent coliform concentration does not exceed 240 MPN/100 mL more than once in any 30 day period.

- (b) **RPA Results.** Municipal and domestic supply, agricultural irrigation, and body contact water recreation are beneficial uses of the Sacramento River. Based on a review of data submitted by the Discharger and the period of record for the United States Geological Survey monitoring stations on the Sacramento River, a dilution of greater than 20:1 was available at all times. Therefore, the DDW requirements are applicable to the discharge.
- (c) **WQBEL's.** Pursuant to guidance from DDW, this Order includes effluent limitations for total coliform organisms of 23 MPN/100 mL as a 7-day median and 240 MPN/100 mL, not to be exceeded more than once in a 30-day period. These coliform limits are imposed to protect the beneficial uses of the receiving water, including public health through contact recreation and drinking water pathways.
- (d) **Plant Performance and Attainability.** The Facility utilizes a chlorine disinfection system that is designed to meet the applicable WQBEL's. Therefore, the Central Valley Water Board concludes that immediate compliance with these effluent limitations is feasible.

ix. **pH**

- (a) **WQO.** The Basin Plan includes a water quality objective for surface waters (except for Goose Lake) that the "pH shall not be depressed below 6.5 nor raised above 8.5."
- (b) **RPA Results.** Raw domestic wastewater inherently has variable pH. Additionally, some wastewater treatment processes can increase or decrease wastewater pH which if not properly controlled, would violate the Basin Plan's numeric objective for pH in the receiving water. Therefore, reasonable potential exists for pH and WQBEL's are required.

Federal regulations at 40 C.F.R. section 122.44(d)(1)(i) requires that, "Limitations must control all pollutants or pollutant parameters (either conventional, nonconventional, or toxic pollutants) which the Director determines are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any State water quality standard, including State narrative criteria for water quality." For priority pollutants, the SIP dictates the

procedures for conducting the RPA. pH is not a priority pollutant. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Due to the site-specific conditions of the discharge, the Central Valley Water Board has used professional judgment in determining the appropriate method for conducting the RPA for this non-priority pollutant constituent.

U.S. EPA's September 2010 NPDES Permit Writer's Manual, page 6-30, states, "State implementation procedures might allow, or even require, a permit writer to determine reasonable potential through a qualitative assessment process without using available facility-specific effluent monitoring data or when such data are not available...A permitting authority might also determine that WQBEL's are required for specific pollutants for all facilities that exhibit certain operational or discharge characteristics (e.g., WQBEL's for pathogens in all permits for POTW's discharging to contact recreational waters)." U.S. EPA's TSD also recommends that factors other than effluent data should be considered in the RPA, "When determining whether or not a discharge causes, has the reasonable potential to cause, or contributes to an excursion of a numeric or narrative water quality criterion for individual toxicants or for toxicity, the regulatory authority can use a variety of factors and information where facility-specific effluent monitoring data are unavailable. These factors also should be considered with available effluent monitoring data." (TSD, p. 50)

Although the Discharger has proper pH controls in place, the pH for the Facility's influent varies due to the nature of municipal sewage, which provides the basis for the discharge to have a reasonable potential to cause or contribute to an in-stream excursion above the Basin Plan's numeric objective for pH in the receiving water. Therefore, WQBEL's for pH are required in this Order.

- (c) **WQBEL's.** Effluent limitations for pH of 6.5 as an instantaneous minimum and 8.5 as an instantaneous maximum are included in this Order based on protection of the Basin Plan objectives for pH.
- (d) **Plant Performance and Attainability.** Analysis of effluent data demonstrates that the Facility can immediately comply with the WQBEL's

4. WQBEL Calculations

- a. This Order includes WQBEL's for ammonia, chlorpyrifos, chlorine residual, chlorodibromomethane, chloroform, copper, diazinon, dichlorobromomethane, nitrate plus nitrite, pathogens, pH. The general methodology for calculating WQBEL's based on the different criteria/objectives is described in subsections IV.C.5.b through e, below. See Attachment H for the WQBEL calculations.
- b. **Effluent Concentration Allowance.** For each water quality criterion/objective, the ECA is calculated using the following steady-state mass balance equation from section 1.4 of the SIP:

$$\begin{aligned} \text{ECA} &= C + D(C - B) \text{ where } C > B, \text{ and} \\ \text{ECA} &= C \text{ where } C \leq B \end{aligned}$$

where:

ECA = effluent concentration allowance
D = dilution credit
C = the priority pollutant criterion/objective
B = the ambient background concentration.

According to the SIP, the ambient background concentration (B) in the equation above shall be the observed maximum with the exception that an ECA calculated from a priority pollutant criterion/objective that is intended to protect human health from carcinogenic effects shall use the arithmetic mean concentration of the ambient background samples.

- c. **Primary and Secondary MCLs.** For non-priority pollutants with primary MCL's to protect human health (e.g., nitrate plus nitrite), the AMEL is set equal to the primary MCL and the AWEL is calculated using the AWEL/AMEL multiplier, where the AWEL multiplier is based on a 98th percentile occurrence probability and the AMEL multiplier is from Table 2 of the SIP.

For non-priority pollutants with secondary MCL's that protect public welfare (e.g., taste, odor, and staining), WQBEL's were calculated by setting the LTA equal to the secondary MCL and using the AMEL multiplier to set the AMEL. The AWEL was calculated using the MDEL/AMEL multiplier from Table 2 of the SIP.

- d. **Aquatic Toxicity Criteria.** For priority pollutants with acute and chronic aquatic toxicity criteria, the WQBEL's are calculated in accordance with section 1.4 of the SIP. The ECAs are converted to equivalent long-term averages (i.e. LTA_{acute} and $LTA_{chronic}$) using statistical multipliers and the lowest LTA is used to calculate the AMEL and MDEL using additional statistical multipliers. For non-priority pollutants, WQBEL's are calculated

using similar procedures, except that an AWEL is determined utilizing multipliers based on a 98th percentile occurrence probability.

- e. **Human Health Criteria.** For priority pollutants with human health criteria, the WQBEL's are calculated in accordance with section 1.4 of the SIP. The AMEL is set equal to the ECA and the MDEL is calculated using the MDEL/AMEL multiplier from Table 2 of the SIP. For non-priority pollutants with human health criteria, WQBEL's are calculated using similar procedures, except that an AWEL is established using the MDEL/AMEL multiplier from Table 2 of the SIP.

$$AMEL = mult_{AMEL} \left[\min \left(\overbrace{M_A ECA_{acute}}^{LTA_{acute}}, M_C ECA_{chronic} \right) \right]$$

$$MDEL = mult_{MDEL} \left[\min \left(M_A ECA_{acute}, \underbrace{M_C ECA_{chronic}}_{LTA_{chronic}} \right) \right]$$

$$MDEL_{HH} = \left(\frac{mult_{MDEL}}{mult_{AMEL}} \right) AMEL_{HH}$$

where:

- mult_{AMEL} = statistical multiplier converting minimum LTA to AMEL
- mult_{MDEL} = statistical multiplier converting minimum LTA to MDEL
- M_A = statistical multiplier converting acute ECA to LTA_{acute}
- M_C = statistical multiplier converting chronic ECA to LTA_{chronic}

**Summary of Water Quality-Based Effluent Limitations
 Discharge Point No. D-001**

Table F-11. Summary of Water Quality-Based Effluent Limitations

Parameter	Units	Average Monthly Effluent Limitations	Average Weekly Effluent Limitations	Maximum Daily Effluent Limitations
Ammonia	mg/L (as N)	8.2	17.6	--
Chlorine Residual	mg/L	--	0.011	0.019
Diazinon and Chlorpyrifos	µg/L	See table notes	--	See table notes
Copper, Total Recoverable	µg/L	15	--	20
Chlorodibromomethane	µg/L	17.2	--	34
Chloroform	µg/L	155	--	310

Parameter	Units	Average Monthly Effluent Limitations	Average Weekly Effluent Limitations	Maximum Daily Effluent Limitations
Dichlorobromomethane	µg/L	31.7	--	52.4
Total Coliform Organisms	MPN/100 mL		23	240
Nitrate plus Nitrite	mg/L (as N)	60	80	--
pH	standard units	--	--	6.5 – 8.5
Acute Toxicity	Percent survival	See table notes	See table notes	See table notes

Table F-11 Notes:

- Chlorine, Total Residual – Average Weekly Effluent Limitation. Applied as a 4-day average effluent limitation
- Chlorine, Total Residual – Maximum Daily Effluent Limitation. Applied as a 1-hour average effluent limitation
- Diazinon and Chlorpyrifos – Average Monthly Effluent Limitation.

$$S_{avg} = \frac{C_{D\ avg}}{0.079} + \frac{C_{C\ avg}}{0.012} \leq 1.0$$

- Diazinon and Chlorpyrifos – Maximum Daily Effluent Limitation.

$$S_{avg} = \frac{C_{D\ max}}{0.16} + \frac{C_{C\ max}}{0.025} \leq 1.0$$

- pH – Effluent Limitations. Applied as a range from instantaneous minimum to instantaneous maximum.
- Total Coliform Organisms – Average Monthly Effluent Limitation. Applied as: Not to exceed 240 MPN/100mL more than once in any 30-day period
- Total Coliform Organisms – Average Weekly Effluent Limitation. Applied as a 7-day median.
- Acute Toxicity – 70% minimum for any one bioassay; 90% median for any three consecutive bioassays median.

5. Whole Effluent Toxicity (WET)

For compliance with the Basin Plan’s narrative toxicity objective, this Order requires the Discharger to conduct whole effluent toxicity testing for acute and chronic toxicity, as specified in the Monitoring and Reporting Program (Attachment E section V.). This Order also contains effluent limitations for acute and chronic toxicity and requires the Discharger to implement best management practices to investigate the causes of, and identify corrective actions to reduce or eliminate effluent toxicity.

- Acute Toxicity.** The Basin Plan contains a narrative toxicity objective that states, “All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.” (Basin Plan at section 3.1.20) The

Basin Plan also states that, "...effluent limits based upon acute biotoxicity tests of effluents will be prescribed where appropriate...".

For priority pollutants, the SIP dictates the procedures for conducting the RPA. Acute toxicity is not a priority pollutant. Therefore, the Central Valley Water Board is not restricted to one particular RPA method. Acute whole effluent toxicity is not a priority pollutant. Therefore, due to the site-specific conditions of the discharge, the Central Valley Water Board has used professional judgment in determining the appropriate method for conducting the RPA. U.S. EPA's September 2010 NPDES Permit Writer's Manual, page 6-30, states, "State implementation procedures might allow, or even require, a permit writer to determine reasonable potential through a qualitative assessment process without using available facility-specific effluent monitoring data or when such data are not available...A permitting authority might also determine that WQBEL's are required for specific pollutants for all facilities that exhibit certain operational or discharge characteristics (e.g., WQBEL's for pathogens in all permits for POTW's discharging to contact recreational waters)." Although the discharge has been consistently in compliance with the acute effluent limitations, the Facility is a POTW that treats domestic wastewater containing ammonia and other acutely toxic pollutants. Acute toxicity effluent limits are required to ensure compliance with the Basin Plan's narrative toxicity objective.

U.S. EPA Region 9 provided guidance for the development of acute toxicity effluent limitations in the absence of numeric water quality objectives for toxicity in its document titled "Guidance for NPDES Permit Issuance", dated February 1994. In section B.2. "Toxicity Requirements" (pgs. 14-15) it states that, "In the absence of specific numeric water quality objectives for acute and chronic toxicity, the narrative criterion 'no toxics in toxic amounts' applies. Achievement of the narrative criterion, as applied herein, means that ambient waters shall not demonstrate for acute toxicity: 1) less than 90% survival, 50% of the time, based on the monthly median, or 2) less than 70% survival, 10% of the time, based on any monthly median. For chronic toxicity, ambient waters shall not demonstrate a test result of greater than 1 TUc." Accordingly, effluent limitations for acute toxicity have been included in this Order as follows:

Acute Toxicity. Survival of aquatic organisms in 96-hour bioassays of undiluted waste shall be no less than:

70%, minimum for any one bioassay; and

90%, median for any three consecutive bioassays

- b. **Chronic Aquatic Toxicity.** The Basin Plan contains a narrative toxicity objective that states, "All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological

responses in human, plant, animal, or aquatic life.” (Basin Plan at page section 3.1.) The table below is chronic WET testing performed by the Discharger from 14 November 2016 through 4 November 2020. This data was used to determine if the discharge has reasonable potential to cause or contribute to an in-stream excursion above the Basin Plan’s narrative toxicity objective.

Table F-12. Whole Effluent Chronic Toxicity Testing Results

Date	Fathead Minnow Pimephales promelas Survival (TUc)	Fathead Minnow Pimephales Growth (TUc)	Water Flea Ceriodaphnia dubia Survival (TUc)	Water Flea Ceriodaphnia dubia Growth (TUc)	Green Algae Selenastrum capricornutum Growth (TUc)
11/14/2016	1	1	1	1	2
1/23/2017	1	1	1	1	1
5/9/2017	1	1	1	1	1
6/4/2018	1	1	1	1	1
10/7/2019	1	1	1	1	1
11/2/2020	1	1	1	1	1
11/4/2020	--	--	--	--	1

Table F-12 Notes:

1. **Green Algae Selenastrum capricornutum Growth.** The 2016 sample collected on 11/14/16, arrived out of hold time due to the holiday shipping rush and was repeated on 1/23/17. Results from 1/23/17 sample shown.
 - i. **RPA.** A dilution ratio of 10:1 is available for chronic whole effluent toxicity. The Discharger received a maximum chronic toxicity result of 2 TUc for Green Algae Selenastrum capricornutum Growth during routine monitoring on 14 November 2016, below the 10 TUc trigger. However, the sample arrived at the laboratory outside of holding time and testing was repeated on 23 January 2017, with a result of 1 TUc. Based on the remaining chronic toxicity testing conducted from January 2017 through November 2020, the discharge does not have reasonable potential to cause or contribute to an instream exceedance of the Basin Plan’s narrative toxicity objective.

D. Final Effluent Limitation Considerations

1. Mass-based Effluent Limitations

40 C.F.R section 122.45(f)(1) requires effluent limitations be expressed in terms of mass, with some exceptions, and 40 C.F.R. section 122.45(f)(2) allows pollutants that are limited in terms of mass to additionally be limited in terms of other units of measurement. This Order includes effluent limitations expressed in terms of mass and concentration. In addition, pursuant to the exceptions to mass limitations provided in 40 C.F.R. section 122.45(f)(1), some effluent

limitations are not expressed in terms of mass, such as pH and temperature, and when the applicable standards are expressed in terms of concentration (e.g., CTR criteria and MCL's) and mass limitations are not necessary to protect the beneficial uses of the receiving water.

Mass-based effluent limitations have been removed from this Order for ammonia, BOD5, and TSS because both a flow discharge prohibition and concentration limits have been included for all three that are the equivalent of mass-based limits. Further rationale is provided in sections IV.D.3 and 4, below.

2. Averaging Periods for Effluent Limitations

40 C.F.R. section 122.45 (d) requires average weekly and average monthly discharge limitations for POTW's unless impracticable. For chlorodibromomethane, copper, chloroform, and dichlorobromomethane, average weekly effluent limitations have been replaced with maximum daily effluent limitations in accordance with section 1.4 of the SIP. Furthermore, for chlorine residual, pH, and total coliform organisms, weekly average effluent limitations have been replaced or supplemented with effluent limitations utilizing shorter averaging periods. The rationale for using shorter averaging periods for these constituents is discussed in section IV.C.3 of this Fact Sheet.

3. Satisfaction of Anti-Backsliding Requirements

The CWA specifies that a revised permit may not include effluent limitations that are less stringent than the previous permit unless a less stringent limitation is justified based on exceptions to the anti-backsliding provisions contained in CWA sections 402(o) or 303(d)(4), or, where applicable, 40 C.F.R. section 122.44(l).

The effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order, with the exception of effluent limitations for DCBM; maximum daily effluent limitations for BOD5 and TSS, and mass-based effluent limitations for BOD5, TSS, and ammonia based on 40 CFR parts 122.45 (d) and (f). The effluent limitations for these pollutants are less stringent than those in the previous Order. This relaxation of effluent limitations is consistent with the anti-backsliding requirements of the CWA and federal regulations.

- a. **CWA section 402(o)(1) and 303(d)(4).** CWA section 402(o)(1) prohibits the establishment of less stringent water quality-based effluent limits "except in compliance with Section 303(d)(4)." CWA section 303(d)(4) has two parts: paragraph (A) which applies to nonattainment waters and paragraph (B) which applies to attainment waters.
 - i. For waters where standards are not attained, CWA section 303(d)(4)(A) specifies that any effluent limit based on a TMDL or other

WLA may be revised only if the cumulative effect of all such revised effluent limits based on such TMDL's or WLAs will assure the attainment of such water quality standards.

- ii. For attainment waters, CWA section 303(d)(4)(B) specifies that a limitation based on a water quality standard may be relaxed where the action is consistent with the antidegradation policy.

The Sacramento River is considered an attainment water for ammonia, BOD₅, DCBM, and TSS because the receiving water is not listed as impaired on the 303(d) list for these constituents. The exceptions in section 303(d)(4) address both waters in attainment with water quality standards and those not in attainment, i.e. waters on the section 303(d) impaired waters list. As discussed in section IV.D.4, below, removal or relaxation of the effluent limits complies with federal and state antidegradation requirements. Thus, relaxation of the effluent limitations for DCBM; and the removal of mass-based limitations for ammonia, BOD₅ and TSS; and the removal of maximum daily effluent limits for BOD₅ and TSS from the previous Order meets the exception in CWA section 303(d)(4)(B).

- b. **CWA section 402(o)(2).** CWA section 402(o)(2) provides several exceptions to the anti-backsliding regulations. CWA 402(o)(2)(B)(i) allows a renewed, reissued, or modified permit to contain a less stringent effluent limitation for a pollutant if 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.

As described further in section IV.C.3.b of this Fact Sheet, updated information that was not available at the time the previous Order was issued indicates that less stringent effluent limitations for DCBM based on available dilution credits satisfy requirements in CWA section 402(o)(2). The updated information that supports the relaxation of effluent limitations for these constituents includes the following:

- i. **Dichlorobromomethane.** Based on dilution/mixing zone study conducted in 2012 and receiving water monitoring data collected between January 2018 and January 2021, a mixing zone and dilution credit of 66:1 is applicable and the receiving water contains assimilative capacity for dichlorobromomethane, as discussed in section IV.C.2.c of this Fact Sheet. Therefore, this Order includes less stringent effluent limitations for dichlorobromomethane based on the performance of the Facility and the available dilution.

Thus, relaxation of the effluent limitations for DCBM from the previous Order is in accordance with CWA section 402(o)(2)(B)(i), which allows

for the relaxation of effluent limitations based on information that was not available at the time of permit issuance.

- c. **Flow.** Order R5-2016-0023 included flow as an effluent limitation based on the Facility design flow. Compliance with the effluent limits for flow in Order R5-2016-0023 was calculated annually based on the average daily flow collected over three consecutive dry weather months. Flow is not a pollutant and therefore has been changed from an effluent limit to a discharge prohibition in this order, which is an equivalent level of regulation. This order is not less stringent because compliance with flow as a discharge prohibition will be calculated the same way as the previous Order. Flow as a discharge prohibition adequately regulates the Facility, does not allow for an increase in the discharge of pollutants, and does not constitute backsliding.

4. Antidegradation Policies

- a. **Surface Water.** The permitted discharge is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Anti-Degradation Policy. This Order provides for an increase in the volume and mass of pollutants discharged. The increase will not have significant impacts on human health, which is the beneficial use most likely affected by the pollutants discharged (DCBM). The increase will not cause a violation of water quality objectives. Any change in water quality that is expected to occur as a result of the issuance of this Order will be consistent with the maximum benefit to the people of the state and will not unreasonably affect present and anticipated beneficial uses. Furthermore, compliance with these requirements in this Order will result in the use of best practicable treatment or control of the discharge.

This Order relaxes the effluent limitations for DCBM based on the allowance of mixing zones in accordance with the Basin Plan, the SIP, U.S. EPA's Water Quality Standards Handbook, 2nd Edition (updated July 2007), and the TSD. As discussed in section IV.C.2.c of this Fact Sheet, the mixing zones comply with applicable provisions of both the state and federal antidegradation policies.

Furthermore, the allowance of a mixing zone for these pollutants will result in a minor increase in the discharge, resulting in less than 10 percent of the available assimilative capacity in the receiving water. According to U.S. EPA's memorandum on Tier 2 Antidegradation Reviews and Significance Thresholds, any individual decision to lower water quality for non-bioaccumulative chemicals that is limited to 10 percent of the available assimilative capacity represents minimal risk to the receiving water and is fully consistent with the objectives and goals of the Clean Water Act.

This Order also removes maximum daily and mass-based effluent limitations for BOD₅ and TSS based on 40 CFR parts 122.45 (d) and (f). The removal of maximum daily effluent limits for BOD₅ and TSS and mass-based effluent limits for BOD₅, TSS, and ammonia will not result in a decrease in the level of treatment or control or a reduction in water quality.

Furthermore, both concentration-based AMEL's and AWEL's remain for BOD₅, ammonia, and TSS, as well as an average dry weather flow prohibition that limits the amount of flow that can be discharged to the receiving water during dry weather months. The combination of concentration-based effluent limits and a flow prohibition in this Order are equivalent to mass-based effluent limitations, which were redundant limits contained in previous Orders by multiplying the concentration-based effluent limits and permitted average dry weather flow by a conversion factor to determine the mass-based effluent limitations. The Central Valley Water Board finds that the removal of maximum daily effluent limits for BOD₅ and TSS and mass-based effluent limits for BOD₅, TSS, and ammonia does not result in an allowed increase in pollutants or any additional degradation of the receiving water. Thus, the removal of maximum daily and mass-based effluent limits for BOD₅ and TSS and mass-based effluent limits for ammonia is consistent with the antidegradation provisions of 40 C.F.R. section 131.12 and the State Antidegradation Policy.

- b. **Groundwater.** As previously detailed in Order R5-2016-0023, the Discharger utilizes evaporation/percolation final disposal ponds for secondary treated and disinfected effluent. Domestic wastewater contains constituents such as total dissolved solids (TDS), specific conductivity, pathogens, nitrates, organics, metals and oxygen demanding substances (BOD). Percolation from the disposal ponds may result in an increase in the concentration of these constituents in groundwater. The State Anti-Degradation Policy generally prohibits the Central Valley Water Board from authorizing activities that will result in the degradation of high-quality waters unless it has been shown that:
 - i. The degradation will not result in water quality less than that prescribed in state and regional policies, including violation of one or more water quality objectives;
 - ii. The degradation will not unreasonably affect present and anticipated future beneficial uses;
 - iii. The discharger will employ Best Practicable Treatment or Control (BPTC) to minimize degradation; and
 - iv. The degradation is consistent with the maximum benefit to the people of the state.

The Board, in the previous permitting action, authorized limited degradation of groundwater from the Discharger's disposal to the evaporation/percolation ponds. As previously stated in Order R5-2016-0023, some degradation of groundwater may be consistent with the State Anti-Degradation Policy provided that the Discharger is implementing best practicable treatment or control (BPTC) measures. The Facility is designed and constructed to provide secondary level treatment and disinfection to treat municipal domestic wastewater prior to discharge. This level of treatment may result in limited groundwater degradation not exceeding water quality objectives. Providing wastewater treatment to the community is in the best interest of the people of the state. The Discharger's treatment constitutes best practicable treatment or control and complies with the State Anti-Degradation Policy. Additionally, Order R5-2016-0023 established land discharge specifications for BOD5, TSS, and total coliform organisms consistent with treatment capabilities at the Facility for the protection of designated and anticipated beneficial uses of groundwater and in accordance with the State Anti-Degradation Policy. This Order does not authorize additional degradation.

Order R5-2016-0023 required the Discharger to characterize the groundwater and perform an antidegradation reevaluation. The Discharger's Final Technical Report – Groundwater Quality Characterization and Antidegradation Reevaluation, April 2020 (Technical Report) provides a summary of two years of quarterly groundwater monitoring data. While there were some deficiencies in the Technical Report, as further discussed in Section VI.B.2 below, the primary constituents of concern identified include nitrate (as Nitrogen), total coliform organisms, dissolved iron, and dissolved manganese. Based on this information, there are existing elevated nitrate conditions in the groundwater below the Facility and in the Chico regional area necessitating additional control measures. Accordingly, this Order includes additional land discharge specifications for total nitrogen and continued monitoring and evaluation to confirm the Facility operations have not resulted in exceedances of groundwater water quality objectives and to identify additional treatment or control measures where necessary.

5. Stringency of Requirements for Individual Pollutants

This Order contains both technology-based effluent limitations and WQBEL's for individual pollutants. The technology-based effluent limitations consist of restrictions on BOD5, pH, and TSS. Restrictions on same pollutants listed are discussed in section IV.B.2 of the Fact Sheet. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. In addition, this Order contains effluent limitations more stringent than the minimum, federal technology-based requirements that are

necessary to meet water quality standards. These requirements include some limitations that are more stringent than required by the CWA.

WQBEL's have been 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 WQBEL's were derived from the CTR, the CTR is the applicable standard pursuant to 40 C.F.R. section 131.38. The procedures for calculating the individual water quality-based effluent limitations for priority pollutants are based on the CTR implemented by the SIP, which was approved by U.S. EPA on 18 May 2000. Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the requirements of the CWA.

This Order contains pollutant restrictions that are more stringent than applicable federal requirements and standards. Specifically, this Order includes effluent limitations for pH that are more stringent than applicable federal standards, but that are nonetheless necessary to meet numeric objectives or protect beneficial uses. The rationale for including these limitations is explained in section IV.C.3 of the Fact Sheet.

**Summary of Final Effluent Limitations
 Discharge Point D-001**

Table F-13. Summary of Final Effluent Limitations

Parameter	Units	Effluent Limitations	Basis¹
Biochemical Oxygen Demand (5-day @ 20°C)	mg/L	AMEL 30 AWEL 45	CFR
Biological Oxygen Demand	% Removal	AMEL 85	CFR
Total Suspended Solids	mg/L	AMEL 30 AWEL 45	CFR
Total Suspended Solids	% Removal	AMEL 85	CFR
Ammonia Nitrogen, Total (as N)	mg/L	AMEL 8.2 AWEL 17.6	NAWQC
Chlorine, Total Residual	mg/L	4-day average 0.011 1-hour average 0.019	
Diazinon and Chlorpyrifos	µg/L	See table notes	TMDL
Copper, Total Recoverable	µg/L	AMEL 15 MDEL 20	CTR
Chlorodibromomethane	µg/L	AMEL 17.2 MDEL 34	CTR

Parameter	Units	Effluent Limitations	Basis ¹
Chloroform	µg/L	AMEL 155 MDEL 310	CTR
Dichlorobromomethane	µg/L	AMEL 31.7 MDEL 52.4	CTR
Total Coliform Organisms	MPN/100 mL	AWEL 23 (7-day median) MDEL 240 (30-day)	Title 22
Nitrate plus Nitrite	mg/L (as N)	AMEL 60 AWEL 80	MCL
pH	standard units	Instantaneous Max 6.5 Instantaneous Min 8.5	BP, CFR
Acute Toxicity	% Survival	70% minimum for any one bioassay; 90% median for any three consecutive bioassays	BP

Table F-13 Notes:

- CFR – Based on secondary treatment standards contained in 40 CFR part 133.
 BP – Based on water quality objectives contained in the Basin Plan.
 CTR – Based on water quality criteria contained in the California Toxics Rule and applied as specified in the SIP.
 NAWQC – Based on U.S. EPA’s National Ambient Water Quality Criteria for the protection of freshwater aquatic life.
 TMDL – Based on the TMDL for salinity and boron in the lower San Joaquin River.
 MCL – Based on the Primary Maximum Contaminant Level.
 Title 22 – Based on State Water Board Division of Drinking Water Reclamation Criteria, CCR, Division 4, Chapter 3 (Title 22).

2. Diazinon and Chlorpyrifos Effluent Limitations:

$$S_{avg} = \frac{C_{D avg}}{0.079} + \frac{C_{C avg}}{0.012} \leq 1.0$$

$$S_{avg} = \frac{C_{D max}}{0.16} + \frac{C_{C max}}{0.025} \leq 1.0$$

E. Interim Effluent Limitations- Not Applicable

F. Land Discharge Specifications

1. As described in section IV.D.4.b of this Fact Sheet, discharges from the Facility have the potential to impact groundwater and are subject to applicable state regulatory requirements that include, in part, compliance with the State Anti-Degradation Policy. Some degradation of groundwater may be consistent with the State Anti-Degradation Policy provided that the Discharger is implementing best practicable treatment or control (BPTC) measures. The Facility is designed and constructed to provide secondary level treatment and disinfection to treat municipal domestic wastewater prior to discharge. This level of treatment may result in limited groundwater degradation not exceeding water quality objectives. Providing wastewater treatment to the community is in the best interest of the people of the state. The Discharger's treatment constitutes best practicable treatment or control and complies with the State Anti-Degradation Policy. This Order establishes land discharge specifications for BOD5, TSS, and total coliform organisms consistent with treatment capabilities at the Facility for the protection of designated and anticipated beneficial uses of groundwater and in accordance with the State Anti-Degradation Policy. This Order also establishes a land discharge specification for total nitrogen for the protection of designated and anticipated beneficial uses of groundwater based on existing elevated nitrate conditions in the groundwater; however, the Facility does not currently have the treatment capabilities to reliably meet the new total nitrogen discharge specification. Therefore, a compliance schedule has been established in this Order (Section VI.C.7) to allow time for the Discharger to come into compliance with the new specification. The Discharger may provide new information demonstrating an alternative concentration of total nitrogen is justified and protective of groundwater beneficial uses. For example, such demonstration could include an analysis of the soil attenuation properties in subsurface soils. This Order may be reopened to modify the total nitrogen specification, if justified, based on new information.

G. Recycling Specifications- Not Applicable

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

A. Surface Water

1. CWA section 303(a-c), requires states to adopt water quality standards, including criteria where they are necessary to protect beneficial uses. The Central Valley Water Board adopted water quality criteria as water quality objectives in the Basin Plan. The Basin Plan states that "[t]he numerical and narrative water quality objectives define the least stringent standards that the Regional Water Board will apply to regional waters in order to protect the beneficial uses." The Basin Plan includes numeric and narrative water quality objectives for various beneficial uses and water bodies. This Order contains receiving surface water

limitations based on the Basin Plan numerical and narrative water quality objectives for ammonia, bacteria, biostimulatory substances, color, chemical constituents, dissolved oxygen, floating material, oil and grease, pH, pesticides, radioactivity, suspended sediment, settleable substances, suspended material, tastes and odors, temperature, toxicity, salinity, and turbidity.

- a. **Bacteria.** On 7 August 2018 the State Water Board adopted Resolution No. 2018-0038 establishing Bacteria Provisions, which are specifically titled “Part 3 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Bacteria Provisions and a Water Quality Standards Variance Policy” and “Amendment to the Water Quality Control Plan for Ocean Waters of California—Bacteria Provisions and a Water Quality Standards Variance Policy.” The Bacteria Water Quality Objectives established in the Bacteria Provisions supersede any numeric water quality objective for bacteria for the REC-1 beneficial use contained in a water quality control plan before the effective date of the Bacteria Provisions.

The Bacteria Water Quality Objectives correspond with the risk protection level of 32 illnesses per 1,000 recreators and use *E. coli* as the indicator of pathogens in freshwaters and enterococci as the indicator of pathogens in estuarine waters and ocean waters.

The Bacteria Provisions provide that where a permit, waste discharge requirement (WDR), or waiver of WDR includes an effluent limitation or discharge requirement that is derived from a water quality objective or other guidance to control bacteria (for any beneficial use) that is more stringent than the Bacteria Water Quality Objective, the Bacteria Water Quality Objective would not be implemented in the permit, WDR, or waiver of WDR. This standard has not been met in this Order, therefore, the Bacteria Water Quality Objective has been implemented as a receiving water limitation.

The bacteria receiving water limitation in this Order has been established based on the Bacterial Water Quality Objective for inland surface waters, which requires the six-week rolling geometric mean of *Escherichia coli* (*E. coli*) shall not exceed 100 colony forming units (cfu) per 100 milliliters (mL), calculated weekly, and a statistical threshold value (STV) of 320 cfu/100 mL not to be exceeded by more than 10 percent of the samples collected in a calendar month, calculated in a static manner.

B. Groundwater

1. The beneficial uses of the underlying groundwater are municipal and domestic supply, industrial service supply, industrial process supply, and agricultural supply.

2. Basin Plan water quality objectives include narrative objectives for chemical constituents, tastes and odors, and toxicity of groundwater. The toxicity objective requires that groundwater be maintained free of toxic substances in concentrations that produce detrimental physiological responses in humans, plants, animals, or aquatic life. The chemical constituent objective states groundwater shall not contain chemical constituents in concentrations that adversely affect any beneficial use. The tastes and odors objective prohibit taste- or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses. The Basin Plan also establishes numerical water quality objectives for chemical constituents and radioactivity in groundwaters designated as municipal supply. These include, at a minimum, compliance with MCLs in Title 22 of the CCR. The bacteria objective prohibits coliform organisms at or above 2.2 MPN/100 mL. The Basin Plan requires the application of the most stringent objective necessary to ensure that waters do not contain chemical constituents, toxic substances, radionuclides, taste- or odor-producing substances, or bacteria in concentrations that adversely affect municipal or domestic supply, agricultural supply, industrial supply or some other beneficial use.
3. Groundwater limitations are required to protect the beneficial uses of the underlying groundwater.

VI. RATIONALE FOR PROVISIONS

A. Standard Provisions

Standard Provisions, which apply to all NPDES permits in accordance with 40 C.F.R. section 122.41, and additional conditions applicable to specified categories of permits in accordance with 40 C.F.R. section 122.42, are provided in Attachment D. The discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42.

Sections 122.41(a)(1) and (b) through (n) of 40 C.F.R. 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. Section 123.25(a)(12) of 40 C.F.R. allows the state to omit or modify conditions to impose more stringent requirements. In accordance with 40 C.F.R. section 123.25, this Order omits federal conditions that address enforcement authority specified in 40 C.F.R. sections 122.41(j)(5) and (k)(2) because the enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387(e).

B. Special Provisions

1. Reopener Provisions

- a. **Mercury.** This provision allows the Central Valley Water Board to reopen this Order in the event mercury is found to be causing toxicity based on

acute or chronic toxicity test results, or if a TMDL program is adopted. In addition, this Order may be reopened if the Central Valley Water Board determines that a mercury offset program is feasible for dischargers subject to NPDES permits.

- b. **Whole Effluent Toxicity.** This Order requires the Discharger to investigate the causes of, and identify corrective actions to reduce or eliminate effluent toxicity through a Toxicity Reduction Evaluation (TRE). This Order may be reopened to include a numeric chronic toxicity limitation, a new acute toxicity limitation, and/or a limitation for a specific toxicant identified in the TRE. Additionally, if a numeric chronic toxicity water quality objective is adopted by the State Water Board, this Order may be reopened to include a numeric chronic toxicity limitation based on that objective
- c. **Water Effects Ratio (WER) and Metal Translators.** A default WER of 1.0 has been used in this Order for calculating CTR criteria for applicable priority pollutant inorganic constituents. In addition, default dissolved-to-total metal translators have been used to convert water quality objectives from dissolved to total recoverable when developing effluent limitations for copper and lead. If the Discharger performs studies to determine site-specific WERs and/or site-specific dissolved-to-total metal translators, this Order may be reopened to modify the effluent limitations for the applicable inorganic constituents.
- d. **Effluent Limits Based on Facility Performance.** This Order may be reopened to revise interim and/or final effluent limitations where Facility performance was considered in the development of the limitations should the Discharger provide new information demonstrating the increase in discharge concentrations have been caused by water conservation efforts, drought conditions, and/or the change in disinfection chemicals.
- e. **Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS).** On 17 January 2020, certain Basin Plan Amendments to incorporate new strategies for addressing ongoing salt and nitrate accumulation in the Central Valley became effective. Other provisions subject to U.S. EPA approval became effective on 2 November 2020, when approved by U.S. EPA. As the Central Valley Water Board moves forward to implement those provisions that are now in effect, this Order may be amended or modified to incorporate new or modified requirements necessary for implementation of the Basin Plan Amendments. More information regarding these Amendments can be found on the [Central Valley Salinity Alternatives for Long-Term Sustainability \(CV-SALTS\)](https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/) web page:
(https://www.waterboards.ca.gov/centralvalley/water_issues/salinity/)

- f. **M&T Irrigation Canal Outfall.** The M&T Irrigation Canal Outfall has served as a historic, but inactive, discharge location for the Facility. Discharges to this outfall have not occurred in the past 35 years and information necessary to establish appropriate waste discharge requirements is not available. Discharges to the M&T Irrigation Canal is not authorized by this Order. If the Discharger provides information necessary to determine appropriate waste discharge requirements in order to protect public health and water quality this Order may be reopened and modified as necessary to reinstate the M&T Irrigation Canal Outfall as a permitted discharge location subject to limitations and other applicable regulatory requirements for waste discharge, or as a delivery of recycled water.
- g. **Cyanide.** There are indications that the discharge may contain constituents (i.e., cyanide) that may have reasonable potential to cause or contribute to an exceedance of water quality objectives. This Order requires the Discharger to conduct monitoring for these constituents as outlined in the Monitoring and Reporting Program (Attachment E). This reopener provision allows the Central Valley Water Board to reopen this Order for additional effluent limitations and requirements for cyanide if review of monitoring results determines that the discharge has reasonable potential to cause or contribute to an exceedance of a water quality objective.
- h. **Average Dry Weather Flow Prohibition.** The Facility features two wastewater treatment plants (Plant 1 and Plant 2). The average dry weather flow capacity of Plant 1 and Plant 2 is 3.6 MGD and 8.4 MGD, respectively. Plant 1 has not been operated regularly since the commissioning of Plant 2. The Plant 1 facilities would require extensive rehabilitation and/or replacement for reliable future use. As a result, this Order has established a Discharge Prohibition which limits the average daily dry weather discharge flow to 8.4 MGD. The previous Order contained a Discharge Prohibition on flow of 12 MGD, consistent with the Antidegradation Policies; given the current condition of Plant 1, this Order has reduced the discharge flow limit to 8.4 MGD. This Order may be reopened to revise the average dry weather flow discharge prohibition (Discharge Prohibition III.E.) from 8.4 MGD upward to the original 12 MGD Facility design capacity should the Discharger provide new information to the Central Valley Water Board demonstrating the Facility is designed and operational to adequately treat average dry weather flows greater than 8.4 MGD.

2. Special Studies and Additional Monitoring Requirements

- a. **Chronic Whole Effluent Toxicity Requirements.** The Basin Plan contains a narrative toxicity objective that states, "All waters shall be maintained free of toxic substances in concentrations that produce

detrimental physiological responses in human, plant, animal, or aquatic life.” (Basin Plan at section 3.1.20.) Based on whole effluent chronic toxicity testing performed by the Discharger from 14 November 2016 through 4 November 2020, the discharge does not have reasonable potential to cause or contribute to an in-stream excursion above of the Basin Plan’s narrative toxicity objective.

The Monitoring and Reporting Program of this Order requires chronic WET monitoring to demonstrate compliance with the Basin Plan’s narrative toxicity objective. If the discharge exceeds the chronic toxicity monitoring trigger, this provision requires the Discharger either participate in an approved Toxicity Evaluation Study (TES) or conduct a site-specific Toxicity Reduction Evaluation (TRE).

See the WET Monitoring Flow Chart (Figure F-3), below, for further clarification of the decision points for determining the need for TES/TRE initiation.

Figure F-3. WET Monitoring Flow Chart

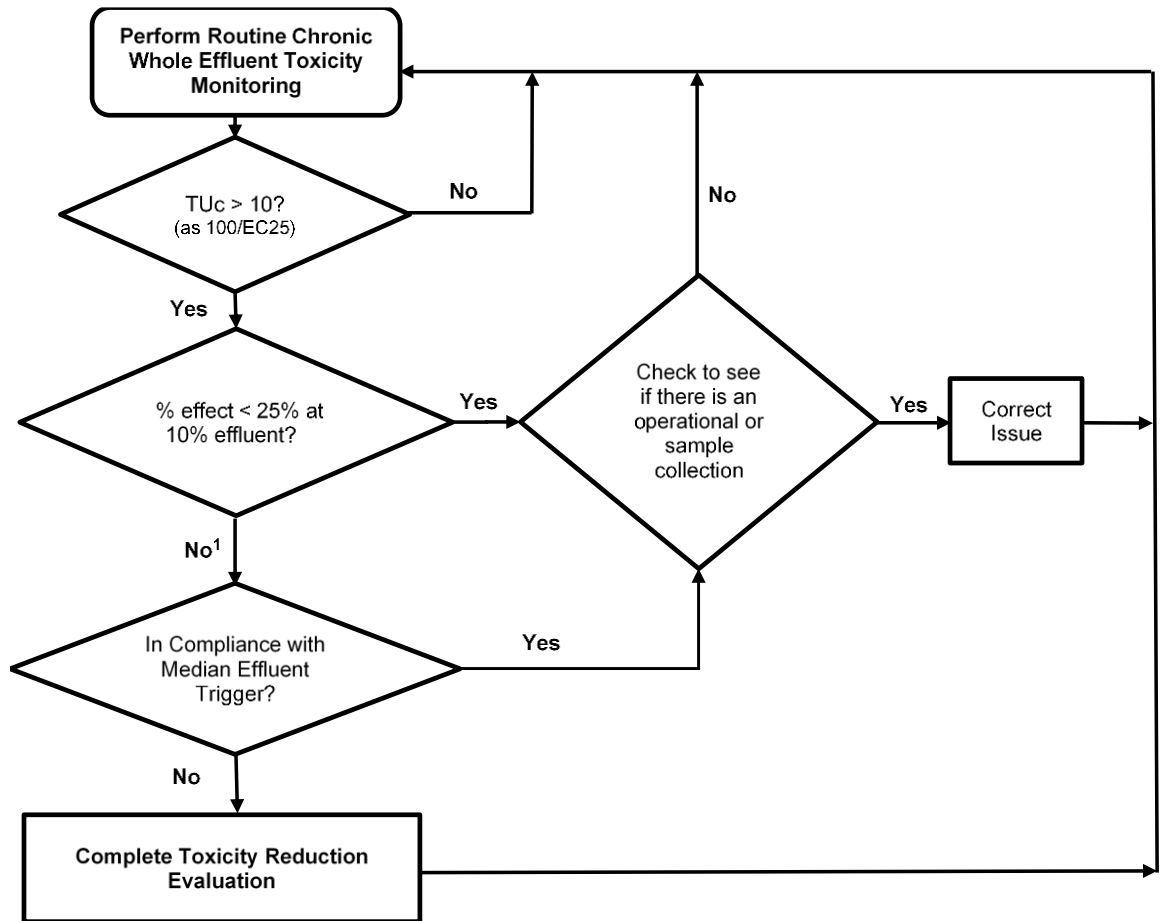


Figure F-3 Notes:

1. The Discharger may elect to take additional samples to determine the 3-sample median. The samples shall be collected at least one week apart and the final sample shall be within 6 weeks of the initial sample exhibiting toxicity. See Compliance Determination section VII.G for procedures for calculating 6-week median.
- b. **Groundwater Monitoring Well Network Evaluation.** The Discharger submitted *Final Technical Report – Groundwater Quality Characterization and Antidegradation Reevaluation, April 2020* (Technical Report) in accordance with requirements set forth in the previous Order (R5-2016-0023). The Technical Report identified potential concerns with the Facility’s monitoring well network; notably a questionable background well which resulted in the use of only one background well data (with limited data) to be used in the characterization evaluation. To determine compliance with the groundwater limitations contained in section V.B. of this Order and to address the concerns raised in the Technical Report related to the Facility’s monitoring well network, the Discharger is required to evaluate the adequacy of its groundwater monitoring network. This

provision requires the Discharger to evaluate its groundwater monitoring network to ensure there are appropriate number of background monitoring wells given the scale of the site and the size of independently managed agronomic units in the area and a sufficient number of designated monitoring wells downgradient of every treatment, storage, and disposal unit that does or may release waste constituents to groundwater. The evaluation of the adequacy of the monitoring well network is due within **6 months following effective date of this Order.**

- c. **Groundwater Monitoring Well Installation Work Plan.** After evaluation of the monitoring well network and determination of the need for additional groundwater monitoring wells or replacement wells, the Discharger shall submit a Groundwater Monitoring Well Installation Work Plan within **12 months following effective date of this Order.** The Work Plan shall be prepared in accordance with, and include the items listed in, Attachment I, "Requirements for Monitoring Well Installation Work Plans and Monitoring Well Installation Reports". All monitoring wells shall comply with the appropriate standards as described in California Well Standards Bulletin 74-90 (June 1991) and Water Well Standards: State of California Bulletin 74-81 (December 1981), and any more stringent standards adopted by the Discharger or County pursuant to Water Code section 13801. **Well installation shall be complete no later than 18 months following Work Plan approval by the Executive Officer.**
- d. **Groundwater Quality Characterization and BPTC Analysis.** The previous Order (R5-2016-0023) required the Discharger to characterize the groundwater and perform an antidegradation reevaluation. The Discharger's *Final Technical Report – Groundwater Quality Characterization and Antidegradation Reevaluation, April 2020* (Technical Report) provides a summary of two years of quarterly groundwater monitoring data. The Technical Report identified constituents where concentrations demonstrated a potential degradation of groundwater quality as a result of Facility operations or due to other land uses (such as agriculture) surrounding the Facility site or due to legacy impacts associated with historic biosolids drying practices at the Facility. The primary constituents of concern include nitrate (as Nitrogen), total coliform organisms, dissolved iron, and dissolved manganese. The Technical Report also identified deficiencies in the monitoring well network and limited sample sets for analysis. This Order requires the Discharger to re-evaluate the groundwater monitoring network and address the deficiencies related to the network noted the Technical Report. The Discharger to shall install new groundwater monitoring wells, if necessary, collect additional monitoring data, and submit a report evaluating the underlying groundwater by **3 years from the effective date of this Order.** The report shall also include an evaluation of the unsaturated soil thickness between the bottom of the ponds and highest groundwater. If the monitoring shows that any constituent concentrations are increased above

background water quality, by **4 years from the effective date of this Order**, the Discharger shall submit a technical report describing the groundwater evaluation report results and critiquing each evaluated facility component with respect to Best Practicable Treatment and Control (BPTC) and minimizing the discharge's impact on groundwater quality.

In accordance with California Business and Professions Code Section 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. The technical report shall be prepared by or under the direction of appropriately qualified professional(s) and shall bear the professional's signature and stamp.

- e. **Antidegradation Re-evaluation.** The Discharger is required to submit an Antidegradation Re-evaluation, as specified in section VI.C.2.e, to confirm that the land discharge continues to be consistent with the State Anti-degradation Policy.

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

- a. **Salinity Evaluation and Minimization Plan.** The Basin Plan includes a Salt Control Program for discharges to groundwater and surface water. The Salt Control Program is a phased approach to address salinity in the Central Valley Region. During Phase I the focus will be on conducting a Prioritization and Optimization (P&O) Study to provide information for subsequent phases of the Salt Control Program. During Phase I, the Salt Control Program includes two compliance pathways for dischargers to choose; a Conservative Salinity Permitting Approach and an Alternative Salinity Permitting Approach.

The Discharger submitted a notice of intent for the Salt Control Program indicating its intent to meet the Alternative Salinity Permitting Approach. Under the Alternative Permitting Approach the Basin Plan requires dischargers implement salinity minimization measures to maintain existing salinity levels, and participate in the P&O Study. The Discharger's NOI demonstrated adequate participation in the P&O and this Order requires continued participation to meeting the requirements of the Alternative Salinity Permitting Approach. This Order also requires continued implementation of the Discharger's Salinity Evaluation and Minimization Plan and includes a performance-based salinity trigger to ensure salinity levels do not increase. In accordance with the Basin Plan, the salinity trigger was developed based on existing facility performance, and considers possible temporary increases that may occur due to water conservation and/or drought.

4. Construction, Operation, and Maintenance Specifications

- a. The operation and maintenance specifications for the evaporation/percolation final disposal ponds and the emergency storage pond are necessary to protect the beneficial uses of the groundwater. The specifications included in this Order are retained from Order No. R5-2016-0023. In addition, reporting requirements related to use of the evaporation/percolation final disposal ponds and the emergency storage pond are required to monitor their use and the potential impact on groundwater.

5. Special Provisions for Publicly-Owned Treatment Works (POTWs)

a. Pretreatment Requirements.

- i. The federal CWA section 307(b), and federal regulations, 40 C.F.R. part 403, require publicly owned treatment works to develop an acceptable industrial pretreatment program. A pretreatment program is required to prevent the introduction of pollutants, which will interfere with treatment plant operations or sludge disposal and prevent pass through of pollutants that exceed water quality objectives, standards or permit limitations. Pretreatment requirements are imposed pursuant to 40 C.F.R. part 403.
- ii. The Discharger shall implement and enforce its approved pretreatment program and is an enforceable condition of this Order. If the Discharger fails to perform the pretreatment functions, the Central Valley Water Board, the State Water Board or U.S. EPA may take enforcement actions against the Discharger as authorized by the CWA.

- b. **Resource Recovery from Anaerobically Digestible Material.** Some POTWs choose to accept organic material such as food waste, fats, oils, and grease into their anaerobic digesters for co-digestion to increase production of methane and other biogases for energy production and to prevent such materials from being discharged into the collection system, which could cause sanitary sewer overflows. The California Department of Resources Recycling and Recovery has proposed an exemption from requiring Process Facility/Transfer Station permits where this activity is regulated under waste discharge requirements or NPDES permits. The proposed exemption is restricted to anaerobically digestible material that has been prescreened, slurried, and processed/conveyed in a closed system to be co-digested with regular POTW sludge. The proposed exemption requires that a POTW develop Standard Operating Procedures for the proper handling, processing, tracking, and management of the anaerobically digestible material before it is received by the POTW.

Standard Operating Procedures are required for POTWs that accept hauled food waste, fats, oil, and grease for injection into anaerobic

digesters. The development and implementation of Standard Operating Procedures for management of these materials is intended to allow the California Department of Resources Recycling and Recovery to exempt this activity from separate and redundant permitting programs. If the POTW does not accept food waste, fats, oil, or grease for resource recovery purposes, it is not required to develop and implement Standard Operating Procedures.

The Discharger currently does not accept hauled-in ADM for direct injection into its anaerobic digester for co-digestion. However, if the Discharger proposes to receive hauled-in ADM for injection into its anaerobic digester for co-digestion, this provision requires the Discharger to notify the Central Valley Water Board and develop and implement SOP's for this activity prior to initiation of the hauling. The requirements of the SOP's are discussed in section VI.C.5.c.

- c. **Sludge/Biosolids Treatment or Discharge Specifications.** Sludge in this Order means the solid, semisolid, and liquid residues removed during primary, secondary, or advanced wastewater treatment processes. Solid waste refers to grit and screening material generated during preliminary treatment. Residual sludge means sludge that will not be subject to further treatment at the wastewater treatment plant. Biosolids refer to sludge that has been treated and tested and shown to be capable of being beneficially and legally used pursuant to federal and state regulations as a soil amendment for agricultural, silvicultural, horticultural, and land reclamation activities as specified under 40 C.F.R. part 503. This Order does not regulate offsite use or disposal of biosolids, which are regulated instead under 40 C.F.R. part 503; administered by U.S. EPA. The Sludge/Biosolids Treatment or Discharge Specifications in this Order implement the California Water Code to ensure sludge/biosolids are properly handled onsite to prevent nuisance, protect public health, and protect groundwater quality.

6. Compliance Schedules

- a. This Order includes new land discharge specifications for total nitrogen when discharging secondary treated and disinfected effluent to the evaporation/percolation final disposal ponds. The Discharger also utilizes these disposal ponds for emergency discharges whenever the discharge may not comply with regulatory requirements. The Discharger has demonstrated the need for additional time to implement actions, or construct necessary improvements, to comply with the new discharge specifications. Therefore, a compliance schedule for compliance with land discharge specifications for total nitrogen is established in this Order.

The compliance schedule for total nitrogen is included in Special Provisions section VI.C.7.

VII. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

CWA section 308 and 40 C.F.R. sections 122.41(h), (j)-(l), 122.44(i), and 122.48 require that all NPDES permits specify monitoring and reporting requirements. Water Code sections 13267 and 13383 also authorize the Central Valley Water Board to establish monitoring, inspection, entry, reporting, and recordkeeping requirements. The Monitoring and Reporting Program (MRP), Attachment E of this Order establishes monitoring, reporting, and recordkeeping requirements that implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this facility.

A. Influent Monitoring

1. Influent monitoring is required to collect data on the characteristics of the wastewater and to assess compliance with effluent limitations (e.g., BOD₅ and TSS reduction requirements). The monitoring frequencies for flow, pH, BOD, TSS, and temperature have been retained from Order No. R5-2016-0023.

B. Effluent Monitoring

1. Pursuant to the requirements of 40 C.F.R. section 122.44(i)(2) effluent monitoring is required for all constituents with effluent limitations. Effluent monitoring is necessary to assess compliance with effluent limitations, assess the effectiveness of the treatment process, and to assess the impacts of the discharge on the receiving stream and groundwater.
2. Effluent monitoring frequencies and sample types for flow (continuous), biochemical oxygen demand (weekly), total suspended solids (weekly), total residual chlorine (continuous), total coliform organisms (weekly), chlorodibromomethane (monthly), total recoverable copper (monthly), dichlorobromomethane (monthly), temperature (weekly), electrical conductivity (weekly), hardness (monthly), nitrite (monthly), nitrite (monthly), and acute toxicity (quarterly) have been retained from Order No. R5-2016-0023 to determine compliance with effluent limitations for these parameters.
3. Effluent monitoring has been added for diazinon and chlorpyrifos (yearly) and chloroform (monthly) in order to determine compliance with effluent limitations.
4. Effluent monitoring frequency for ammonia has been increased from monthly to weekly in order to determine compliance with effluent limitations.
5. Effluent monitoring for dissolved organic carbon (quarterly), mercury (yearly), and methyl mercury (yearly) have been added. Effluent monitoring for cyanide (quarterly) has been retained from Order No. R5-2016-0023.
6. This Order contains a limitation requiring an average of 85 percent removal of BOD₅ and TSS over each calendar month, in accordance with 40 C.F.R. section

133.102. Thus, this Order requires the Discharger to calculate the average percent removal of BOD5 and TSS on a monthly-basis.

7. Water Code section 13176, subdivision (a), states: "The analysis of any material required by [Water Code sections 13000-16104] shall be performed by a laboratory that has accreditation or certification pursuant to Article 3 (commencing with section 100825) of Chapter 4 of Part 1 of Division 101 of the Health and Safety Code." The DDW accredits laboratories through its Environmental Laboratory Accreditation Program (ELAP).
8. Section 13176 cannot be interpreted in a manner that would violate federal holding time requirements that apply to NPDES permits pursuant to the CWA. (Wat. Code sections 13370, subd. (c), 13372, 13377.). Section 13176 is inapplicable to NPDES permits to the extent it is inconsistent with CWA requirements. (Wat. Code section 13372, subd. (a).) Lab accreditation is not required for field tests such as tests for color, odor, turbidity, pH, temperature, dissolved oxygen, electrical conductivity, and disinfectant residual. The holding time requirements are 15 minutes for chlorine residual, dissolved oxygen, and pH, and immediate analysis is required for temperature (40 C.F.R. section 136.3(e), Table II) The Discharger maintains an ELAP accredited laboratory on-site and conducts analysis within the required hold times.
9. **Pyrethroid Pesticides Monitoring.** A Basin Plan Amendment and TMDL for the Control of Pyrethroid Pesticide Discharges in the Sacramento and San Joaquin River basins (Resolution R5-2017-0057) was approved by the Central Valley Water Board on 8 June 2017 and is now effective. The Pyrethroids Control Program established by Resolution R5-2017-0057 requires monitoring by domestic and municipal wastewater dischargers discharging at least 1 MGD for the concentrations of pyrethroid pesticides, total and dissolved organic carbon in the water column, and water column toxicity testing. Monitoring is required to evaluate the potential impacts of discharges of pyrethroid pesticides to receiving waters.

C. Whole Effluent Toxicity Testing Requirements

Aquatic toxicity testing is necessary to evaluate the aggregate toxic effect of a mixture of toxicants in the effluent on the receiving water. Acute toxicity testing is conducted over a short time period and measures mortality, while chronic toxicity testing is conducted over a short or longer period and may measure mortality, reproduction, and growth. For this permit, aquatic toxicity testing is to be performed following methods identified in the Code of Federal Regulations, title 40, part 136, or other U.S. EPA-approved methods, or included in the following U.S. EPA method manuals: Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition (EPA-821-R-02-013), and Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition (EPA-821-R-02-012).

1. **Acute Toxicity.** Quarterly 96-hour bioassay testing is required to demonstrate compliance with the effluent limitation for acute toxicity.
2. **Chronic Toxicity.** Annual chronic whole effluent toxicity testing is required in order to demonstrate compliance with the Basin Plan's narrative toxicity objective.

D. Receiving Water Monitoring

1. Surface Water

- a. Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream.
- b. Receiving water monitoring for dissolved copper at RSW-001 has been added to help assess the assimilative capacity for copper in the receiving water and to help determine compliance with applicable water quality objectives.
- c. Receiving water monitoring for dissolved organic carbon (quarterly) at RSW-001 has been added to help determine applicable water quality objectives

2. Groundwater

- a. Water Code section 13267 states, in part, "(a) A Regional Water Board, in establishing waste discharge requirements may investigate the quality of any waters of the state within its region" and "(b)(1) In conducting an investigation, the Regional Water Board may require that any person who discharges waste that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the Regional Water Board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports." The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, a Regional Water Board shall provide the person with a written explanation with regard to the need for the reports and shall identify the evidence that supports requiring that person to provide the reports. The Monitoring and Reporting Program is issued pursuant to Water Code section 13267. The groundwater monitoring and reporting program required by this Order and the Monitoring and Reporting Program are necessary to assure compliance with these waste discharge requirements. The Discharger is responsible for the discharges of waste at the facility subject to this Order.

- b. Monitoring of the groundwater must be conducted to determine if the discharge has caused an increase in constituent concentrations, when compared to background. The monitoring must, at a minimum, require a complete assessment of groundwater impacts including the vertical and lateral extent of degradation, an assessment of all wastewater-related constituents which may have migrated to groundwater, an analysis of whether additional or different methods of treatment or control of the discharge are necessary to provide best practicable treatment or control to comply with the State Anti-Degradation Policy. Economic analysis is only one of many factors considered in determining best practicable treatment or control. If monitoring indicates that the discharge has incrementally increased constituent concentrations in groundwater above background, this permit may be reopened and modified. Until groundwater monitoring is sufficient, this Order contains Groundwater Limitations that allow groundwater quality to be degraded for certain constituents when compared to background groundwater quality, but not to exceed water quality objectives. If groundwater quality has been degraded by the discharge, the incremental change in pollutant concentration (when compared with background) may not be increased. If groundwater quality has been or may be degraded by the discharge, this Order may be reopened, and specific numeric limitations established consistent with the State Anti-Degradation Policy and the Basin Plan.
- c. This Order requires the Discharger to continue groundwater monitoring and includes a regular schedule of groundwater monitoring in the attached Monitoring and Reporting Program. This Order also establishes new monitoring requirements for total organic carbon, dissolved iron, dissolved manganese, dissolved arsenic, hardness, alkalinity, and trihalomethanes. The groundwater monitoring reports are necessary to evaluate impacts to waters of the State to assure protection of beneficial uses and compliance with Central Valley Water Board plans and policies, including the State Anti-Degradation Policy. Evidence in the record includes effluent monitoring data that indicates the presence of constituents that may degrade groundwater and surface water.

E. Other Monitoring Requirements

1. Biosolids Monitoring

Biosolids monitoring is required to ensure compliance with the pretreatment requirements contained in 40 C.F.R. part 403 and implemented in section VI.C.5.a. of this Order. Biosolids monitoring is required per U.S. EPA guidance to evaluate the effectiveness of the pretreatment program. Biosolids monitoring for compliance with 40 C.F.R. part 503 regulations is not included in this Order since it is a program administered by [U.S. EPA's part 503 Biosolids Program](https://www.epa.gov/biosolids/compliance-and-annual-reporting-guidance-about-clean-water-act-laws) (https://www.epa.gov/biosolids/compliance-and-annual-reporting-guidance-about-clean-water-act-laws)

2. Water Supply Monitoring

Water Supply monitoring location and monitoring requirements have been removed because this information is no longer applicable for purposes of the WDR's.

3. Pond Monitoring

Treatment pond monitoring is required to ensure proper operation of the storage pond. Weekly monitoring for freeboard, odors, and other pond parameters has been retained from Order No. R5-2016-0023.

4. Land Discharge Monitoring

Land discharge monitoring is required to ensure that the discharge to the land disposal area complies with the Storage Pond and Land Disposal Operating Requirements in section VI.A of this Order. Monitoring frequencies and sample types are for flow (continuous), pH (once per day), total suspended solids (once per week), total coliform organisms (once per week), and total nitrogen (once per week). Electrical conductivity (once per week), total dissolved solids (once per month), and standard minerals (twice per year) and other land discharge parameters are required to characterize the discharge to the M&T Pond (and the Southeast Pond and Southwest Pond) and its impact on groundwater.

5. Discharge Monitoring Report-Quality Assurance (DMR-QA) Study Program

Under the authority of section 308 of the CWA (33 U.S.C. section 1318), U.S. EPA requires all dischargers under the NPDES Program to participate in the annual DMR-QA Study Program. The DMR-QA Study evaluates the analytical ability of laboratories that routinely perform or support self-monitoring analyses required by NPDES permits. There are two options to satisfy the requirements of the DMR-QA Study Program: (1) The Discharger can obtain and analyze a DMR-QA sample as part of the DMR-QA Study; or (2) Per the waiver issued by U.S.EPA to the State Water Board, the Discharger can submit the results of the most recent Water Pollution Performance Evaluation Study from their own laboratories or their contract laboratories. A Water Pollution Performance Evaluation Study is similar to the DMR-QA Study. Thus, it also evaluates a laboratory's ability to analyze wastewater samples to produce quality data that ensure the integrity of the NPDES Program. The Discharger shall submit annually the results of the DMR-QA Study or the results of the most recent Water Pollution Performance Evaluation Study to the State Water Board. The State Water Board's Quality Assurance Program Officer will send the DMR-QA Study results or the results of the most recent Water Pollution Performance Evaluation Study to U.S. EPA's DMR-QA Coordinator and Quality Assurance Manager.

VIII. PUBLIC PARTICIPATION

The Central Valley Water Board has considered the issuance of WDR's that will serve as an NPDES permit for Chico Water Pollution Control Plant. As a step in the WDR adoption process, the Central Valley Water Board staff has developed tentative WDR's and has encouraged public participation in the WDR adoption process.

A. Notification of Interested Persons

The Central Valley Water Board notified the Discharger and interested agencies and persons of its intent to prescribe WDR's for the discharge and provided an opportunity to submit written comments and recommendations. Notification was provided through internet posting to the Central Valley Water Board's Website, and direct email to identified interested parties, and posting at the Facility and Chico City Hall.

The public had access to the agenda and any changes in dates and locations through the [Central Valley Water Board's website](http://www.waterboards.ca.gov/centralvalley/board_info/meetings/) (http://www.waterboards.ca.gov/centralvalley/board_info/meetings/)

B. Written Comments

Interested persons were invited to submit written comments concerning tentative WDR's as provided through the notification process. Comments were due either in person or by mail to the Executive Office at the Central Valley Water Board at the address on the cover page of this Order.

To be fully responded to by staff and considered by the Central Valley Water Board, the written comments were due at the Central Valley Water Board office by 5:00 p.m. on 8 May 2022.

C. Public Hearing

The Central Valley Water Board held a public hearing on the tentative WDR's during its regular Board meeting on the following date and time and at the following location:

Date: ~~<9/10>~~ **June 2022**

Time: ~~<10:00 a.m.>~~

Location: Online **AND**

Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Dr., Suite #200
Rancho Cordova, CA 95670

Interested persons were invited to attend. At the public hearing, the Central Valley Water Board heard testimony pertinent to the discharge, WDR's, and permit. For accuracy of the record, important testimony was requested in writing.

D. Reconsideration of Waste Discharge Requirements

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., within 30 calendar days of the date of adoption of this Order at the following address, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day:

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

Or by email at waterqualitypetitions@waterboards.ca.gov

[Instructions on how to file a petition for review](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instructions.shtml)

(http://www.waterboards.ca.gov/public_notices/petitions/water_quality/wqpetition_instructions.shtml) are available on the Internet.

E. Information and Copying

The Report of Waste Discharge, other supporting documents, and comments received are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Central Valley Water Board by calling (530) 224-4845.

F. Register of Interested Persons

Any person interested in being placed on the mailing list for information regarding the WDR's and NPDES permit should contact the Central Valley 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 Marisol Gonzalez at 530-224-4204, or Marisol.Gonzalez@waterboards.ca.gov.

ATTACHMENT G – SUMMARY OF REASONABLE POTENTIAL ANALYSIS

Constituent	Units	MEC	B	C	CMC	CCC	Water & Org	Org. Only	Basin Plan	MCL	Reasonable Potential
Aluminum	µg/L	44.8	880	200	1267	560	--	--	--	200	No
Ammonia (as N)	mg/L	6.14	0.025	1.01	3.21	1.01	NA	NA	NA	NA	Yes
Copper (Total Recoverable)	µg/L	9.35	8.53	5.9	7.0	5.0	1,300	NA	6.6	1,300	Yes
Copper (dissolved)	µg/L	--	2.93	--	4.8	6.7	--	--	6.6	1,300	--
Dichlorobromomethane	µg/L	23.86	0.089	0.56	--	--	--	--	--	80	Yes
Chlorodibromomethane	µg/L	4.52	0.078	0.41	--	--	100	3000	--	80	Yes
Nitrate plus Nitrite, Total (as N)	mg/L	20	0.40	10	--	--	--	--	--	10	Yes
Chloroform	µg/L	110	0.40	80	--	--	60	2000	--	80	Yes
Cyanide, Total (as CN)	µg/L	15	9.9	5.2	22	5.2	4	400	--	150	Yes (see table note 2)

Table Notes:

1. All inorganic concentrations are given as a total concentration, unless otherwise specified. Hardness-dependent criteria (copper) is based on a hardness of 48 mg/L of calcium carbonate.
2. See section IV.C.3.c.i. of the Fact Sheet for a discussion of the RPA result

Abbreviations used in this table:

MEC = Maximum Effluent Concentration
 B = Maximum Receiving Water Concentration or lowest detection level, if non-detect
 C = Criterion used for Reasonable Potential Analysis

CMC = Criterion Maximum Concentration (CTR or NTR)
CCC = Criterion Continuous Concentration (CTR or NTR)
Water & Org = Human Health Criterion for Consumption of Water & Organisms (CTR or NTR)
Org Only = Human Health Criterion for Consumption of Organisms Only (CTR or NTR)
Basin Plan = Numeric Site-Specific Basin Plan Water Quality Objective
MCL = Drinking Water Standards Maximum Contaminant Level
NA = Not Available
ND = Non-detect

ATTACHMENT H – CALCULATION OF WQBEL’S

HUMAN HEALTH WQBEL’S CALCULATIONS

Parameter	Units	Criteria	Mean Background Concentration	Effluent CV ¹	Dilution Factor	MDEL/AMEL Multiplier	AMEL Multiplier	AMEL	MDEL	AWEL
Chlorodibromomethane	µg/L	0.41	0.078	0.46	41	1.79	1.42	17.2	34	--
Dichlorobromomethane	µg/L	0.56	0.089	0.46	66.01	1.66	1.35	31.7	52.4	--
Chloroform	µg/L	60	0.20	0.60	1.58	2.01	1.55	155	310	--
Nitrate Nitrogen, Total (as N)	mg/L	10	0.40 ²	0.2	5.2	1.32	1.17	60	--	80

¹ Coefficient of Variation (CV) was established in accordance with section 1.4 of the SIP.

² Maximum background concentration.

Abbreviations used in this table:

CV = Coefficient of Variation
 MDEL = Maximum Daily Effluent Limitation
 AMEL = Average Monthly Effluent Limitation
 MDEL = Maximum Daily Effluent Limitation
 AWEL = Average Weekly Effluent Limitation

ATTACHMENT H – CALCULATION OF WQBEL’S

AQUATIC LIFE WQBEL’S CALCULATIONS

Parameter	Units	CMC Criteria	CCC Criteria	B	Effluent CV ¹	CMC Dilution Factor	CCC Dilution Factor	ECA Multiplier ^{acute}	LTA ^{acute}	ECA Multiplier ^{chronic}	LTA ^{chronic}	AMEL Multiplier ⁹⁵	AWEL Multiplier	MDEL Multiplier ⁹⁹	AMEL ²	AWEL ³	MDEL ⁴
Ammonia Nitrogen, Total (as N)	mg/L	3.21	1.01	0.05	2.86	7.35	6.2	0.09	2.51	0.36	2.51	3.25	7.02	10.53	8.2	17.64	26.44
Copper, Total Recoverable	µg/L	4.8 ⁵	6.7 ⁵	2.93 ⁵	0.25	8	2.25	0.58	11.9	0.75	11.9	1.22	1.62	1.73	15	--	20

¹ Coefficient of Variation (CV) was established in accordance with section 1.4 of the SIP.

² Average Monthly Effluent Limitations are calculated according to section 1.4 of the SIP using a 95th percentile occurrence probability.

³ Average Weekly Effluent Limitations are calculated according to section 1.4 of the SIP using a 98th percentile occurrence probability.

⁴ Maximum Daily Effluent Limitations are calculated according to section 1.4 of the SIP using a 99th percentile occurrence probability.

⁵ Dissolved concentration value.

Abbreviations used in this table:

B =	Maximum Receiving Water Concentration or lowest detection level, if non-detect
CMC =	Criterion Maximum Concentration (CTR or NTR)
CCC =	Criterion Continuous Concentration (CTR or NTR)
CV =	Coefficient of Variation (established in accordance with section 1.4 of the SIP)
ECA	Effluent Concentration Allowance
LTA	Aquatic Life Calculations – Long-Term Average
MDEL =	Maximum Daily Effluent Limitation
AMEL =	Average Monthly Effluent Limitation
MDEL =	Maximum Daily Effluent Limitation
AWEL =	Average Weekly Effluent Limitation

ATTACHMENT I - REQUIREMENTS FOR MONITORING WELL INSTALLATION WORKPLANS AND MONITORING WELL INSTALLATION REPORTS

Prior to installation of groundwater monitoring wells, the Discharger shall submit a workplan containing, at a minimum, the information listed in Section 1, below. Wells may be installed after staff approves the workplan. Upon installation of the monitoring wells, the Discharger shall submit a well installation report which includes the information contained in Section 2, below. All workplans and reports must be prepared under the direction of, and signed by, a registered geologist or civil engineer licensed by the State of California.

SECTION 1 - MONITORING WELL INSTALLATION WORKPLAN AND GROUNDWATER SAMPLING AND ANALYSIS PLAN

The monitoring well installation workplan shall contain the following minimum information:

A. General Information:

- Purpose of the well installation project
- Brief description of local geologic and hydrogeologic conditions
- Proposed monitoring well locations and rationale for well locations
- Topographic map showing facility location, roads, and surface water bodies
- Large scaled site map showing all existing on-site wells, proposed wells, surface drainage courses, surface water bodies, buildings, waste handling facilities, utilities, and major physical and man-made features

B. Drilling Details:

- On-site supervision of drilling and well installation activities
- Description of drilling equipment and techniques
- Equipment decontamination procedures
- Soil sampling intervals (if appropriate) and logging methods

C. Monitoring Well Design (in narrative and/or graphic form):

Diagram of proposed well construction details

- Borehole diameter
- Casing and screen material, diameter, and centralizer spacing (if needed)
- Type of well caps (bottom cap either screw on or secured with stainless steel screws)
- Anticipated depth of well, length of well casing, and length and position of perforated interval

- Thickness, position and composition of surface seal, sanitary seal, and sand pack
 - Anticipated screen slot size and filter pack
- D. Well Development (not to be performed until at least 48 hours after sanitary seal placement):
- Method of development to be used (i.e., surge, bail, pump, etc.)
 - Parameters to be monitored during development and record keeping technique
 - Method of determining when development is complete
 - Disposal of development water
- E. Well Survey (precision of vertical survey data shall be at least 0.01 foot):
- Identify the Licensed Land Surveyor or Civil Engineer that will perform the survey
 - Datum for survey measurements
 - List well features to be surveyed (i.e. top of casing, horizontal and vertical coordinates, etc.)
- F. Schedule for Completion of Work
- G. Appendix: Groundwater Sampling and Analysis Plan (SAP)

The Groundwater SAP shall be included as an appendix to the workplan, and shall be utilized as a guidance document that is referred to by individuals responsible for conducting groundwater monitoring and sampling activities.

Provide a detailed written description of standard operating procedures for the following:

- Equipment to be used during sampling
- Equipment decontamination procedures
- Water level measurement procedures
- Well purging (include a discussion of procedures to follow if three casing volumes cannot be purged)
- Monitoring and record keeping during water level measurement and well purging (include copies of record keeping logs to be used)
- Purge water disposal
- Analytical methods and required reporting limits
- Sample containers and preservatives
- Sampling

- General sampling techniques
- Record keeping during sampling (include copies of record keeping logs to be used)
- QA/QC samples
- Chain of Custody
- Sample handling and transport

SECTION 2 - MONITORING WELL INSTALLATION REPORT

The monitoring well installation report must provide the information listed below. In addition, the report must also clearly identify, describe, and justify any deviations from the approved workplan.

A. General Information:

- Purpose of the well installation project
- Brief description of local geologic and hydrogeologic conditions encountered during installation of the wells
- Number of monitoring wells installed and copies of County Well Construction Permits
- Topographic map showing facility location, roads, surface water bodies
- Scaled site map showing all previously existing wells, newly installed wells, surface water bodies, buildings, waste handling facilities, utilities, and other major physical and man-made features.

B. Drilling Details (in narrative and/or graphic form):

- On-site supervision of drilling and well installation activities
- Drilling contractor and driller's name
- Description of drilling equipment and techniques
- Equipment decontamination procedures
- Soil sampling intervals and logging methods
- Well boring log (including the following):
 - Well boring number and date drilled
 - Borehole diameter and total depth
 - Total depth of open hole (same as total depth drilled if no caving or back-grouting occurs)
 - Depth to first encountered groundwater and stabilized groundwater depth

- Detailed description of soils encountered, using the Unified Soil Classification System
- C. Well Construction Details (in narrative and/or graphic form).
- Well construction diagram, including:
 - Monitoring well number and date constructed
 - Casing and screen material, diameter, and centralizer spacing (if needed)
 - Length of well casing, and length and position of perforated interval
 - Thickness, position and composition of surface seal, sanitary seal, and sand pack
 - Type of well caps (bottom cap either screw on or secured with stainless steel screws)
- D. Well Development:
- Date(s) and method of development
 - How well development completion was determined
 - Volume of water purged from well and method of development water disposal
 - Field notes from well development should be included in report
- E. Well Survey (survey the top rim of the well casing with the cap removed):
- Identify the coordinate system and datum for survey measurements
 - Describe the measuring points (i.e. ground surface, top of casing, etc.)
 - Present the well survey report data in a table
 - Include the Registered Engineer or Licensed Surveyor's report and field notes in appendix.
- F. Water Sampling
- Date(s) of sampling
 - Sample identification
 - How well was purged
 - Analytical methods used
 - How many well Volumes purged
 - Laboratory analytical data sheets
 - Levels of temperature, EC, and pH at stabilization
 - Water level elevation(s)
 - Sample collection, handling, and preservation methods
 - Groundwater contour map

- G. H. Soil Sampling (if applicable):
- Date(s) of sampling
 - Sample collection, handling and preservation models
 - Sample identification
 - Analytical methods used
 - Laboratory analytical data sheets
 - Present soil sampling data in a table
- H. Well Completion Report(s) (as defined in California Water Code §13751). Blank forms are available from California Department of Water Resources website www.water.ca.gov. Submit this section under separate cover.
- I. Appendix-include, at minimum, copies of the following:
- County-issued well construction permits
 - Registered engineer or licensed surveyor's report and field notes
 - Field notes from well developer