CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
3443 Routier Road, Suite A
Sacramento, CA 95827-3098
PHONE: (916) 255-3000
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10 May 1996

Mr. Marshall Cloud
DDRW-Tracy
P.O. Box 96001
Stockton, CA 95296-0710

NOTICE OF ADOPTION
OF
AMENDED WASTE DISCHARGE REQUIREMENTS
FOR
DEFENSE LOGISTICS AGENCY
DEFENSE DISTRIBUTION REGION WEST TRACY
WASTEWATER TREATMENT PLANT
SAN JOAQUIN COUNTY

Waste Discharge Requirements Order No. 96-122 for the above named discharger was adopted by the California Regional Water Quality Control Board, Central Valley Region, on 3 May 1996. The Order was amended with minor changes.

ROBERT J. YEADON
Senior Engineer

PAM:ldj

Enclosures - Adopted Order & Standard Provisions (Discharger only)

cc w/o Encl: Office of Drinking Water, Department of Health Services, Stockton
Environmental Management Branch, Department of Health Services, Sacramento
Department of Toxic Substances Control, Sacramento
Department of Fish and Game, Region II, Rancho Cordova
Ms. Betsy Jennings, Office of Chief Counsel, State Water Resources Control Board, Sacrametno
Mr. John Norton, Division of Water Quality, State Water Resources Control Board, Sacramento
San Joaquin County Health Department, Stockton
San Joaquin County Planning Department, Stockton

MAY 13 1996

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER NO. 96-122

WASTE DISCHARGE REQUIREMENTS FOR DEFENSE LOGISTICS AGENCY DEFENSE DISTRIBUTION REGION WEST TRACY WASTEWATER TREATMENT PLANT SAN JOAQUIN COUNTY

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

1. The Defense Logistics Agency (DLA), Department of Defense (hereafter, Discharger), the owner and operator of Defense Distribution Region West (DDRW) Tracy submitted a Report of Waste Discharge for its wastewater treatment facility, dated 11 March 1996.

2. The Board, on 27 October 1989, adopted Order No. 89-209 which prescribes requirements for a discharge from a sanitary sewage treatment plant to evaporation-percolation ponds.

3. Order 89-209 is neither adequate nor consistent with plans and policies of the Board.

4. Defense Distribution Region West, Tracy is operated by the Defense Logistics Agency of the Department of Defense. The function of the base is to receive, store, maintain, and issue a wide range of supplies to Department of Defense and federal civilian agencies.

5. The Discharger occupies 907.3 acres of land 1-1/2 miles southeast of the city of Tracy in San Joaquin County. The surrounding area is used mainly for agriculture. The Discharger's sewage treatment facility is in the northwest 1/4 of Section 35, T2S, R5E, MDB&M.

6. The Discharger presently discharges 30,000 gallons per day of effluent, consisting of domestic and boiler blowdown wastewater, to one of two percolation-evaporation ponds (used alternately) after secondary treatment which includes, clarification, trickling filters, and chlorination.

7. The Report of Waste Discharge and past Monitoring Reports describe representative waste characteristics as follows:

Design Flow:	500,000 gpd
Average Flow:	38,000 gpd (summer)
Pond Capacity:	12.8 acre-feet

Constituent	Influent Average	Effluent Average
BOD	225 mg/l	6.0 mg/l
Suspended Solids	103 mg/l	18.0 mg/l
pH	7.8	7.2

8 The wastewater disposal ponds have been preliminarily characterized for presence of industrial contamination which is found in the ground water to the northeast of the ponds. The initial results indicate the presence of some constituents and the Discharger has begun the process to further characterize and remediate the ponds.

9 Further characterization of the wastewater disposal ponds will require wastewater to be diverted from the ponds to allow for excavation and testing of the pond soils. The Discharger proposes to discharge wastewater from its treatment system and from its disposal ponds into the storm water detention basin for a period of up to four months during the dry season, while a remedial investigation, and possibly cleanup, is conducted. The storm water detention basin would then be dried to ensure complete infiltration of the wastewater effluent prior to the approach of winter rains.

10. All storm water runoff at the facility is collected and discharged to an on-site pond in the northwest corner of the site. During extreme storm events, the pond may discharge to the Banta-Carbona Irrigation District Canal north of the facility. The Discharger is proposing to discharge from the wastewater facilities to the storm water ponds only during the dry season to prevent any offsite discharges of wastewater to the Banta-Carbona Irrigation District Canal.

1 Past waste disposal and waste handling techniques at the facility outside of the wastewater treatment plant have polluted the underlying ground water. The major contaminants are trichloroethene and tetrachloroethene.

12 The sewage treatment plant (STP) and all the disposal ponds are located above an area of contaminated ground water.

13 The beneficial uses of the ground water are municipal, industrial, and agricultural supply.

14 The Board adopted a Water Quality Control Plan, Third Edition, for the Sacramento River and the San Joaquin River Basins which contains water quality objectives for all waters of the Basin. These requirements implement the Basin Plan.

15 The action to revise waste discharge requirements for this facility is exempt from the provisions of the California Environmental Quality Act in accordance with Section 15301, Title 14, California Code of Regulations (CCR).

16. This discharge is exempt from the requirements of Title 23, CCR, Section 2510, et seq. (hereafter Chapter 15). The exemption, pursuant to Section 2511 (b), is based on the following:

a. The Board has issued waste discharge requirements, and
b. The discharge is in compliance with the Basin Plan, and
c. The wastewater does not need to be managed according to 22 CCR Division 4.5, Chapter 11, as a hazardous waste.

7. The Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for this discharge.

18. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that Order No. 89-209 is rescinded, and Defense Logistics Agency, Department of Defense, and Defense Distribution Region West Tracy, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. Discharge Prohibitions

1 Discharge of wastes to surface waters or surface water drainage courses is prohibited.

2. The by-pass or overflow of untreated or partially treated waste is prohibited.

B. Effluent Limitations

1 The discharge of effluent in excess of the following is prohibited:

Constituent	Units	30-Day Average	Daily Maximum
BOD[1]	mg/l	30	50
Suspended Solids	mg/l	30	50
Settleable Solids	mg/l		0.2

[1] 5-Day, 20 Degree Centigrade, Biochemical Oxygen Demand.

C. Discharge Specifications:

Neither the treatment nor the discharge shall cause a nuisance or condition of pollution as defined by the California Water Code, Section 13050.

2. The discharge shall not cause degradation of any water supply.

The discharge shall remain within the designated disposal area at all times.

4. The 30-day average daily dry weather discharge flow to the ponds shall not exceed 500,000 gallons.

5 Collected screening, sludges, and other solids removed from liquid wastes shall be disposed of in a manner consistent with Subchapter 15, Chapter 3, Title 23, CCR.

6 The discharge shall not have a pH less than 6.5 nor greater than 8.5

7. The Discharger shall use the best practicable cost-effective control technique currently available to limit mineralization to no more than a reasonable increment.

8. A freeboard of at least 24 inches shall be maintained in the ponds at all times.

9 The dissolved oxygen content of holding ponds shall not be less than 1.0 mg/l for 16 hours in any 24-hour period.

D. Discharge Specifications for Discharge of STP Effluent to the Storm Water Detention Pond:

STP Effluent discharged to the storm water detention basin is subject to the following specifications in addition to all other requirements contained in this Order.

Discharge of wastewater effluent to the storm water detention pond is restricted to the months of May through September.

2 Following the cessation of discharge of wastewater effluent to the storm water detention pond, the Discharger shall assure that no standing wastewater remains in the storm water detention pond at the beginning of the wet season. The wet season is defined as beginning on 15 October. The Discharger may use evaporation, percolation, or other means, as necessary, to comply with this specification.

E. Provisions

The Discharger may be required to submit technical reports as directed by the Executive Officer.

2 The Discharger shall comply with the attached Monitoring and Reporting Program No. 96-122.

3 The Discharger shall comply with the "Standard Provisions and Reporting Requirements for Waste Discharge Requirements", dated 1 March 1991, which are attached hereto and by reference a part of this Order. This attachment and its individual paragraphs are commonly referenced as "Standard Provision(s)."

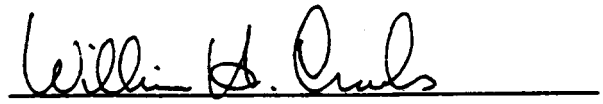
4. Within **90 days** from the adoption of this Order, the wastewater treatment plant shall be supervised and operated by certified waste treatment plant personnel possessing certificates of appropriate grade in accordance with Title 23 CCR, Division 4, Chapter 14.

5 The Discharger shall report promptly to the Board any material change or proposed change in the character, location, or volume of the discharge.

6. 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 forwarded to this office.

7 The Board will review this Order periodically and may revise requirements when necessary.

I, WILLIAM H. CROOKS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 3 May 1996.



WILLIAM H. CROOKS, Executive Officer

PAM/ldj/amended

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM NO. 96-122

FOR
DEFENSE LOGISTICS AGENCY
DEFENSE DISTRIBUTION REGION WEST TRACY
WASTEWATER TREATMENT PLANT
SAN JOAQUIN COUNTY

INFLUENT MONITORING

Samples shall be collected at the same frequency and at approximately the same time as effluent samples and should be representative of the influent for the period sampled. The following shall constitute the influent monitoring program:

Constituents	Units	Type of Sample	Frequency
BOD	mg/l	24-hour Composite	Weekly
Suspended Solids	mg/l	24-hour Composite	Weekly
Flow	mgd	Continuous	Daily
EPA Methods 601/602	µg/l	Grab	Weekly

EFFLUENT MONITORING

Samples shall be collected at the outlet of the treatment plant immediately prior to discharge into the percolation/evaporation ponds.

Constituents	Units	Type of Sample	Frequency
Flow	mgd	Continuous	Daily
pH	pH units	Grab	Daily
BOD	mg/l	24-hour Composite	Weekly
Suspended Solids	mg/l	24-hour Composite	Weekly
Settleable Solids	mg/l	Grab	Daily
Electrical Conductivity	µmhos/cm	24-hour Composite	Weekly
EPA Methods 601/602	µg/l	Grab	Weekly
Total Coliform Organisms	MPN/100 ml	Grab	Weekly
Effluent Disposal Location	Name		Weekly

EVAPORATION/PERCOLATION POND MONITORING

The Evaporation/Percolation Pond shall be monitored as follows

Constituents	Units	Type of Sample	Frequency	Location
Dissolved Oxygen	mg/l	Grab	Daily	Each Pond
Pond Freeboard	feet		Weekly	Each Pond

[1] Dissolved oxygen is to be monitored only during periods that the pond recieves effluent from the wastewater treatment plant

GROUND WATER MONITORING

Existing down gradient monitoring wells LM2, LM3, and LM15, and the upgradient monitoring well LM79 shall be monitored as follows:

Constituents	Units	SamplingFrequency
Total Dissolved Solids	mg/l	Quarterly
Nitrates	mg/l	Quarterly
Total Coliform Organisms	MPN/100 ml	Quarterly
BOD	mg/l	Quarterly
EPA Methods 601/602	µg/l	Quarterly

WATER SUPPLY MONITORING

A sampling station shall be established where a representative sample of the water supply can be obtained. The following shall constitute the water supply monitoring program:

Constituents	Units	Sampling Frequency
Standard Minerals[1]	mg/l	Quarterly

[1] Standard Minerals are: Total Dissolved Solids, Electrical Conductivity, Chloride, Sulfate, Nitrate, Bicarbonate Alkalinity, Carbonate Alkalinity, Calcium, Magnesium, Potassium, Sodium, pH, Hardness, Silica, Boron, Iron, Ammonia, and Phosphate.

SLUDGE

A sample of sludge shall be collected annually or before disposal (whichever is more frequent) and analyzed for the following:

Constituents	Units	Type of Sample
Heavy Metals[1]	mg/kg	Composite
Moisture Content	percent	Composite
Acid/Base-Neutral Organics	mg/kg	Composite

[1] Heavy Metals to consist of Antimony, Arsenic, Barium, Beryllium, Cadmium, Chromium (total), Cobalt, Copper, Lead, Molybdenum, Nickel, Silver, Thallium, Tin, Titanium, Vanadium, and Zinc by AA, GF, or ICAP methods.

STORM WATER MONITORING

A sampling station shall be established at the outfall or immediately downstream of the last inlet to the storm water collection system. Samples shall be collected at the beginning and end of the first significant storm (greater than ½ inch precipitation) of the rainy season, or a storm when there has not been a previous storm for 30 or more days. Samples shall also be collected at the approximate mid-point of all subsequent significant storms during the rainy season (through May of each year). The following shall constitute the storm water monitoring program:

Constituents	Units	Sampling Frequency
Heavy Metals[1]	mg/l	Grab
EPA Methods 601/602	µg/l	Grab
Total Petroleum Hydrocarbons	mg/l	Grab

[1] Heavy Metals to consist of Antimony, Arsenic, Barium, Beryllium, Cadmium, Chromium (total), Cobalt, Copper, Lead, Molybdenum, Nickel, Silver, Thallium, Tin, Titanium, Vanadium, and Zinc by AA, GF, or ICAP methods.

REPORTING

In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly the compliance with waste discharge requirements.

Monthly monitoring reports shall be submitted to the Regional Board by the **15th day** of the following month.

The results of any monitoring done more frequently than required at the locations specified in the Monitoring and Reporting Program shall be reported to the Board. Upon written request of the Board, the Discharger shall submit a report to the Board by 30 January of each year. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. In addition, the Discharger shall discuss the compliance record and the corrective actions taken or planned which may be needed to bring the discharge into full compliance with the waste discharge requirements.

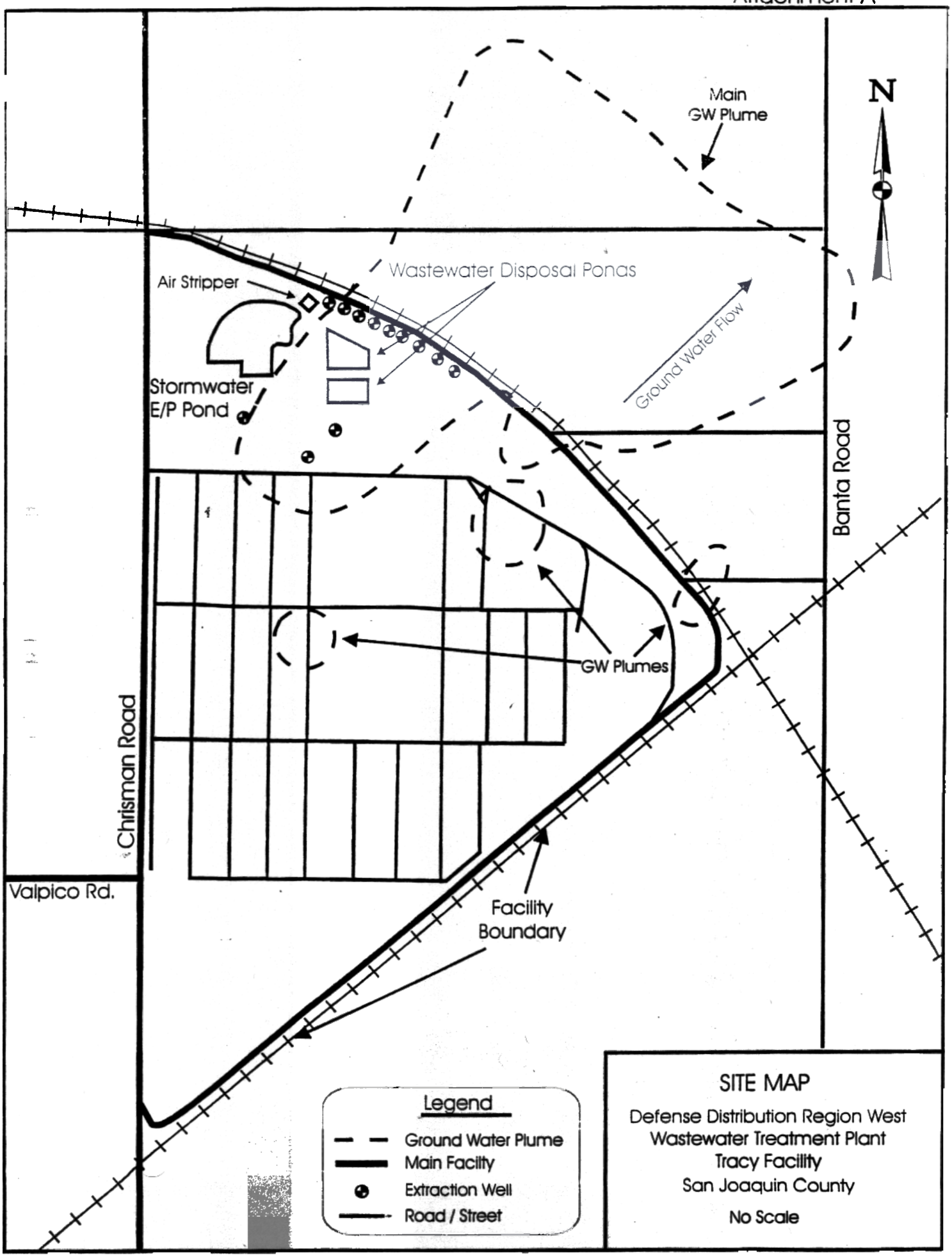
The Discharger shall implement the above monitoring program as of the date of this Order.

Ordered by: William H. Crooks
WILLIAM H. CROOKS, Executive Officer

3 May 1996
(Date)

PAM:pam/ldj/Amended

Attachment A



INFORMATION SHEET

DEFENSE DISTRIBUTION REGION WEST (DDRW) TRACY
WASTEWATER TREATMENT PLANT
SAN JOAQUIN COUNTY

DDRW Tracy discharges approximately 38,000 gallons per day of domestic wastewater to two evaporation/percolation (E/P) ponds. The wastewater is treated using trickling filters, clarifiers, and chlorine disinfection.

Ground water beneath the area has been degraded by some industrial chemicals, such as trichlorethylene. Soils in the E/P ponds were sampled during a Remedial Investigation, and were found to contain some pollutants. More sampling and possibly some cleanup will be conducted on the ponds.

The Discharger proposes to divert the wastewater flow from the E/P ponds to a storm water detention pond, which is immediately adjacent to the E/P ponds, to allow access to the E/P ponds for the proposed work. The waste discharge requirements allow this work to be conducted in the dry season and requires that the storm water detention pond be dried prior to the start of winter to ensure that no wastewater is discharged off-site.

Storm water is discharged to the detention basin and is discharged to the Banta-Carbona Irrigation District Drainage Canal when it reaches capacity. Surface water drainage is to this canal.

PAM:ldj/May 8, 1996

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

STANDARD PROVISIONS AND REPORTING REQUIREMENTS FOR WASTE DISCHARGE REQUIREMENTS

March 1991

A. General Provisions:

1. The requirements prescribed herein do not authorize the commission of any act causing injury to the property of another, or protect the discharger from liabilities under federal, state, or local laws. This Order does not convey any property rights or exclusive privileges.

2. The provisions of this Order are severable. If any provision of this Order is held invalid, the remainder of this Order shall not be affected.

3. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:

   a. Violation of any term or condition contained in this Order;

   b. Obtaining this Order by misrepresentation, or failure to disclose fully all relevant facts;

   c. A change in any condition that results in either a temporary or permanent need to reduce or eliminate the authorized discharge:

   d. A material change in the character, location, or volume of discharge.

4. Before making a material change in the character, location, or volume of discharge, the discharger shall file a new Report of Waste Discharge with the Regional Board. A material change includes, but is not limited to, the following:

   a. An increase in area or depth to be used for solid waste disposal beyond that specified in waste discharge requirements

   b. A significant change in disposal method, location or volume, e.g., change from land disposal to land treatment.

   c. The addition of a major industrial, municipal or domestic waste discharge facility.

   d. The addition of a major industrial waste discharge to a discharge of essentially domestic sewage, or the addition of a new process or product by an industrial facility resulting in a change in the character of the waste.

5 Except for material determined to be confidential in accordance with California law and regulations, all reports prepared in accordance with terms of this Order shall be available for public inspection at the offices of the Board. Data on waste discharges, water quality, geology, and hydrogeology shall not be considered confidential.

6. The discharger shall take all reasonable steps to minimize any adverse impact to the waters of the state resulting from noncompliance with this Order. Such steps shall include accelerated or additional monitoring as necessary to determine the nature and impact of the noncompliance.

7 The discharger shall maintain in good working order and operate as efficiently as possible any facility, control system, or monitoring device installed to achieve compliance with the waste discharge requirements.

8. The discharger shall permit representatives of the Regional Board (hereafter Board) and the State Water Resources Control Board, upon presentation of credentials, to:

   a. Enter premises where wastes are treated, stored, or disposed of and facilities in which any records are kept,

   b. Copy any records required to be kept under terms and conditions of this Order,

   c. Inspect at reasonable hours, monitoring equipment required by this Order, and

   d. Sample, photograph and video tape any discharge, waste, waste management unit or monitoring device.

9 For any electrically operated equipment at the site, the failure of which could cause loss of control or containment of waste materials, or violation of this Order, the discharger shall employ safeguards to prevent loss of control over wastes. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means.

10. The fact that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this Order shall not be a defense for the discharger's violations of the Order.

1 Neither the treatment nor the discharge shall create a condition of nuisance or pollution as defined by the California Water Code, Section 13050.

12. The discharge shall remain within the designated disposal area at all times.

B. General Reporting Requirements

1. In the event the discharger does not comply or will be unable to comply with any prohibition or limitation of this Order for any reason, the discharger shall notify the Board by telephone at (916) 255-3000 as soon as it or its agents have knowledge of such noncompliance or potential for noncompliance, and shall confirm this notification in writing within two weeks. The written notification shall state the nature, time and cause of noncompliance, and shall describe the measures being taken to prevent recurrences and shall include a timetable for corrective actions.

2. The discharger shall have a plan for preventing and controlling accidental discharges, and for minimizing the effect of such events.

   This plan shall:

   a. Identify the possible sources of accidental loss or leakage of wastes from each waste management, treatment, or disposal facility.

   b. Evaluate the effectiveness of present waste management/treatment units and operational procedures, and identify needed changes or contingency plans.

   c. Predict the effectiveness of the proposed changes in waste management/treatment facilities and procedures and provide an implementation schedule containing interim and final dates when changes will be implemented.

   The Board, after review of the plan, may establish conditions that it deems necessary to control leakages and minimize their effects.

3. All reports shall be signed by persons identified below:

   a. <u>For a corporation</u>: by a principal executive officer of at least the level of senior vice-president.

   b. <u>For a partnership or sole proprietorship</u>: by a general partner or the proprietor.

   c. <u>For a municipality, state, federal or other public agency</u>: by either a principal executive officer or ranking elected or appointed official. Monitoring reports must also be signed by the chief plant operator and if the chief plant operator is not in the direct line of supervision of the laboratory function, the chief of the laboratory also.

d. A duly authorized representative of a person designated in 3a. 3b or 3c of this requirement if:

(1) the authorization is made in writing by a person described in 3a. 3b. or 3c of this provision:

(2) 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 waste management unit, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and

(3) the written authorization is submitted to the Board

Any person signing a document under this Section shall make the following certification:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

4. Technical and monitoring reports specified in this Order are requested pursuant to Section 13267 of the Water Code. Failing to furnish the reports by the specified deadlines and falsifying information in the reports, are misdemeanors that may result in assessment of civil liabilities against the discharger.

5. The discharger shall mail a copy of each monitoring report and any other reports required by this Order to:

California Regional Water Quality Control Board
Central Valley Region
3443 Routier Road, Suite A
Sacramento, CA 95827-3098

or the current address if the office relocates

C. Provisions for Monitoring

All analyses shall be made in accordance with the latest edition of: (1) "Methods for Organic Chemical Analysis of Municipal and Industrial Wastewater" (EPA 600 Series) and (2) "Test Methods for Evaluating Solid Waste" (SW 846-latest edition). The test method may be modified subject to application and approval of alternate test procedures under the Code of Federal Regulations (40 CFR 136).

Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. In the event a certified laboratory is not available to the discharger, analyses performed by a noncertified 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 must be kept in the laboratory and shall be available for inspection by Board staff. The Quality Assurance-Quality Control Program must conform to EPA guidelines or to procedures approved by the Board.

Unless otherwise specified, all metals shall be reported as Total Metals

3. The discharger shall retain records of all monitoring information, including all calibration and maintenance records, all original strip chart recordings of continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of three years from the date of the sample, measurement, report, or application. This period may be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board Executive Officer.

Record of monitoring information shall include:

a. the date, exact place, and time of sampling or measurements,
b. the individual(s) who performed the sampling of measurements,
c. the date(s) analyses were performed,
d. the individual(s) who performed the analyses,
e. the laboratory which performed the analysis,
the analytical techniques or methods used, and
g. the results of such analyses.

All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated at least yearly to ensure their continued accuracy.

5 The discharger shall maintain a written sampling program sufficient to assure compliance with the terms of this Order. Anyone performing sampling on behalf of the discharger shall be familiar with the sampling plan.

6. The discharger shall construct all monitoring wells to meet or exceed the standards stated in the State Department of Water Resources Bulletin 74-81 and subsequent revisions. and shall comply with the reporting provisions for wells required by Water Code Sections 13750 through 13755.22

D. Standard Conditions for Facilities Subject to California Code of Regulations. Title 23, Division 3. Chapter 15

All classified waste management units shall be designed under the direct supervision of a California registered civil engineer or a California certified engineering geologist. Designs shall include a Construction Quality Assurance Plan. the purpose of which is to:

a. demonstrate that the waste management unit has been constructed according to the specifications and plans as approved by the Board.

b. provide quality control on the materials and construction practices used to construct the waste management unit and prevent the use of inferior products and/or materials which do not meet the approved design plans or specifications.

2 Prior to the discharge of waste to any classified waste management unit, a California registered civil engineer or a California certified engineering geologist must certify that the waste management unit meets the construction or prescriptive standards and performance goals in Chapter 15, unless an engineered alternative has been approved by the Board. In the case of an engineered alternative. the registered civil engineer or certified engineering geologist must certify that the waste management unit has been constructed in accordance with Board-approved plans and specifications.

3 Materials used to construct liners shall have appropriate physical and chemical properties to ensure containment of discharged wastes over the operating life. closure. and post-closure maintenance period of the waste management units.

4 Closure of each waste management unit shall be performed under the direct supervision of a California registered civil engineer or California certified engineering geologist.

E. Conditions Applicable to Discharge Facilities Exempted From Chapter 15 Under Section 2511

If the discharger's wastewater treatment plant is publicly owned or regulated by the Public Utilities Commission, it shall be supervised and operated by persons possessing certificates of appropriate grade according to California Code of Regulations, Title 23, Division 4, Chapter 14.

By-pass (the intentional diversion of waste streams from any portion of a treatment facility, except diversions designed to meet variable effluent limits) is prohibited. The Board may take enforcement action against the discharger for by-pass unless:

a. By-pass was unavoidable to prevent loss of life, personal injury, or severe property damage. (Severe property damage means substantial physical damage to property, damage to the treatment facilities that 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 by-pass. Severe property damage does not mean economic loss caused by delays in production); and

There were no feasible alternatives to by-pass, such as the use of auxiliary treatment facilities or retention of untreated waste. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a by-pass that would otherwise occur during normal periods of equipment downtime or preventive maintenance; or

b. by-pass is required for essential maintenance to assure efficient operation; and

neither effluent nor receiving water limitations are exceeded; and

the discharger notifies the Board ten days in advance.

The permittee shall submit notice of an unanticipated by-pass as required in paragraph B.1. above.

A discharger that wishes to establish the affirmative defense of an upset (see definition in E.6 below) in an action brought for noncompliance shall demonstrate, through properly signed, contemporaneous operating logs, or other evidence, that:

a. an upset occurred and the cause(s) can be identified:

b the permitted facility was being properly operated at the time of the upset;

c the discharger submitted notice of the upset as required in paragraph B.1., above: and

d the discharger complied with any remedial measures required by waste discharge requirements.

In any enforcement proceeding, the discharger seeking to establish the occurrence of an upset has the burden of proof.

4 A discharger whose waste flow has been increasing, or is projected to increase, shall estimate when flows will reach hydraulic and treatment capacities of its treatment, collection, and disposal facilities. The projections shall be made in January, based on the last three 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 four years, the discharger shall notify the Board by **31 January**.

5. 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 disposal. Samples shall be collected at such a point and in such a manner to ensure a representative sample of the discharge.

6. Definitions

a Upset means an exceptional incident in which there is unintentional and temporary noncompliance with 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 action.

b. The monthly average discharge is the total discharge by volume during a calendar month divided by the number of days in the month that the facility was discharging. This number is to be reported in gallons per day or million gallons per day.

Where less than daily sampling is required by this Order, the monthly average shall be determined by the summation of all the measured discharges by the number of days during the month when the measurements were made.

c. The monthly average **concentration** is the arithmetic mean of measurements made during the month.

d. The "daily maximum" **discharge** is the total discharge by volume during any day.

e. The "daily maximum" **concentration** is the highest measurement made on any single discrete sample or composite sample.

f. A "grab" sample is any sample collected in less than 15 minutes.

g. Unless otherwise specified, a composite sample is a combination of individual samples collected over the specified sampling period;

at equal time intervals, with a maximum interval of one hour

at varying time intervals (average interval one hour or less) so that each sample represents an equal portion of the cumulative flow.

The duration of the sampling period shall be specified in the Monitoring and Reporting Program. The method of compositing shall be reported with the results.

7 Annual Pretreatment Report Requirements:

Applies to dischargers required to have a Pretreatment Program as stated in waste discharge requirements.)

The annual report shall be submitted **by 28 February** and include, but not be limited to, the following items:

a. A summary of analytical results from representative, flow-proportioned, 24-hour composite sampling of the influent and effluent for those pollutants EPA has identified under Section 307(a) of the Clean Water Act which are known or suspected to be discharged by industrial users.

The discharger is not required to sample and analyze for asbestos until EPA promulgates an applicable analytical technique under 40 CFR (Code of Federal Regulations) Part 136. 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 CFR 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 industrial users of the system. The discussion shall include the reasons why the incidents occurred, the corrective actions taken and, if known, the name and address of the industrial 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 industrial users that the discharger has notified regarding Baseline Monitoring Reports and the cumulative number of industrial user responses.

d. An updated list of the discharger's industrial users including their names and addresses, or a list of deletions and additions keyed to a previously submitted list. The discharger shall provide a brief explanation for each deletion. The list shall identify the industrial users subject to federal categorical standards by specifying which set(s) of standards are applicable. The list shall indicate which categorical industries, or specific pollutants from each industry, are subject to local limitations that are more stringent than the federal categorical standards. The discharger shall also list the noncategorical industrial users that are subject only to local discharge limitations. The discharger shall characterize the compliance status through the year of record of each industrial user by employing the following descriptions:

(1) Complied with baseline monitoring report requirements(where applicable);

(2) Consistently achieved compliance;

(3) Inconsistently achieved compliance;

(4) Significantly violated applicable pretreatment requirements as defined by 40 CFR 403.8(f)(2)(vii);

(5) Complied with schedule to achieve compliance (include the date final compliance is required);

(6) Did not achieve compliance and not on a compliance schedule;

(7) Compliance status unknown.

A report describing the compliance status of any industrial user characterized by the descriptions in items (d)(3) through (d)(7) above shall be **submitted quarterly from the annual report date** to EPA and the Board. The report shall identify the specific compliance status of each such industrial user. This quarterly reporting requirement shall commence upon issuance of this Order.

e. A summary of the inspection and sampling activities conducted by the discharger during the past year to gather information and data regarding the industrial users. The summary shall include but not be limited to, a tabulation of categories of dischargers that were inspected and sampled; how many and how often; and incidents of noncompliance detected.

f. A summary of the compliance and enforcement activities during the past year. The summary shall include the names and addresses of the industrial users affected by the following actions:

1) Warning letters or notices of violation regarding the industrial user's apparent noncompliance with federal categorical standards or local discharge limitations. For each industrial user, identify whether the apparent violation concerned the federal categorical standards or local discharge limitations;

(2) Administrative Orders regarding the industrial user's noncompliance with federal categorical standards or local discharge limitations. For each industrial user. identify whether the violation concerned the federal categorical standards or local discharge limitations;

(3) Civil actions regarding the industrial user's noncompliance with federal categorical standards or local discharge limitations. For each industrial user, identify whether the violation concerned the federal categorical standards or local discharge limitations;

(4) Criminal actions regarding the industrial user's noncompliance with federal categorical standards or local discharge limitations. For each industrial user. identify whether the violation concerned the federal categorical standards or local discharge limitations.

(5) Assessment of monetary penalties. For each industrial user identify the amount of the penalties;

(6) Restriction of flow to the treatment plant: or

(7) Disconnection from discharge to the treatment plant.

g. A description of any significant changes in operating the pretreatment program which differ from the discharger's approved Pretreatment Program. including, but not limited to, changes concerning: the program's administrative structure; local industrial discharge limitations; monitoring program or monitoring frequencies; legal authority or enforcement policy; funding mechanisms: resource requirements; and staffing levels.

h. A summary of the annual pretreatment budget. including the cost of pretreatment program functions and equipment purchases.

A summary of public participation activities to involve and inform the public.

j. A description of any changes in sludge disposal methods and a discussion of any concerns not described elsewhere in the report.

Duplicate signed copies of these reports shall be submitted to the Board and:

Regional Administrator
U.S. Environmental Protection Agency W-5
75 Hawthorne Street
San Francisco. CA 94105

and

State Water Resources Control Board
Division of Water Quality
Regulatory Unit
P.O. Box 944213
Sacramento. CA 94244-2130

Revised March 1993 to update phone number of Central Valley Regional Board.
Revised December 1995 to update signatory requirements (B.3.c).

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