

TO: MICHAEL S. LEBRUN ^{MSL}
GENERAL MANAGER

FROM: PETER V. SEVCIK
DISTRICT ENGINEER

DATE: DECEMBER 8, 2011

**AGENDA ITEM
E-6
DECEMBER 14, 2011**

**REVIEW CENTRAL COAST REGIONAL WATER QUALITY CONTROL
BOARD DRAFT PROPOSED WASTE DISCHARGE REQUIREMENTS
FOR SOUTHLAND WASTEWATER TREATMENT FACILITY**

ITEM

Review Central Coast Regional Water Quality Control Board (RWQCB) Draft Proposed Waste Discharge Requirements for District's Southland Wastewater Treatment Facility (WWTF), Consider Draft Comment Letter and Direct Staff to Provide Letter to RWQCB [RECOMMEND REVIEW COMMENT LETTER AND BY MOTION AND ROLL CALL VOTE, DIRECT STAFF TO PROVIDE LETTER TO RWQCB BY DECEMBER 21, 2011].

BACKGROUND

The operation of the District's Southland WWTF is regulated by RWQCB Waste Discharge Requirements Order No. 97-75. The District submitted a Report of Waste Discharge application on August 3, 2011 to the RWQCB that included the District's planned upgrade of the Southland WWTF. The upgrade will improve effluent water quality and address historical water quality compliance issues.

The Southland WWTF Upgrade Phase 1 Project will replace the current 0.9 MGD pond plant with a new treatment plant that will include an influent lift station, influent screening system, grit removal system, Biolac® extended aeration system, a clarifier, gravity belt thickener, two concrete lined sludge drying beds, controls & blower building, and a non-potable plant water system. The proposed project also includes an additive alternate bid item for a second clarifier and an additive alternate bid item for additional on-site effluent disposal basins.

On November 21, 2011, the RWQCB issued a Notice of Availability of Draft Waste Discharge Requirements (WDR) that would replace existing Order No. 97-75 and continue to regulate the collection, treatment, and disposal of wastewater at the Southland Wastewater Treatment Facility. While the new draft WDR does not appear to be significantly different from the current WDR, there are some differences as follows:

1. NEW - Requires installation of new upgradient groundwater monitoring well
2. NEW - Requires District to participate in basin-wide salt and nutrient management plan stakeholder group
3. NEW - Requires District to enroll in General WDR for Sanitary Sewer Systems (District already enrolled in program)
4. NEW - Requires District to implement public education and waste minimization/source reduction programs to limit introduction of toxic pollutants and pesticides into treatment plant
5. NEW - Requires monthly 24-hour composite influent samples (No influent sampling required currently)
6. REVISED - Requires weekly 24-hour composite effluent samples (Currently 16-hour composite weekly)

FISCAL IMPACT

Incremental costs to implement new WDR have not yet been developed and are not anticipated to be significant. District staff will develop costs to include in future operating budgets for the Southland WWTF.

STRATEGIC PLAN

Strategic Plan Goal 2.2 – Upgrade and Maintain Collection and Treatment Works
Strategic Plan Goal 2.3 – Select Disposal Solution for Southland Effluent and Implement
Strategic Plan Goal 2.5 – Comply with State and Federal Regulations and Mandates

RECOMMENDATION

Staff recommends that the Board receive staff's presentation, consider the draft comment letter, suggest edits and revisions, and by motion and roll call vote, direct staff to provide the comment letter to RWQCB by December 21, 2011.

ATTACHMENTS

- Draft WDR Notice of Availability and Attachments Dated November 21, 2011
- Draft Comment Letter



California Regional Water Quality Control Board Central Coast Region



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(805) 549-3147 • FAX (805) 543-0397
<http://www.waterboards.ca.gov/centralcoast>

Matthew Rodriguez
Secretary for
Environmental Protection

Edmund G. Brown Jr.
Governor

November 21, 2011

RECEIVED

Mr. Michael LeBrun
General Manager
Nipomo Community Services District
Email (mlebrun@ncsd.ca.gov)
509 Southland Street
Nipomo, CA 93444

RECEIVED

NOV 22 2011

NIPOMO COMMUNITY
SERVICES DISTRICT

Dear Mr. LeBrun:

NOTICE OF AVAILABILITY OF DRAFT WASTE DISCHARGE REQUIREMENTS FOR THE NIPOMO COMMUNITY SERVICES DISTRICT, SOUTHLAND WASTEWATER TREATMENT FACILITY, SAN LUIS OBISPO COUNTY

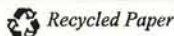
This letter is to notify you of the availability of draft waste discharge requirements for the Nipomo Community Services District, Southland Wastewater Treatment Facility, Draft Order No. R3-2012-0003 for review and comment. The draft order and staff report are available online at:

http://www.waterboards.ca.gov/centralcoast/board_decisions/tentative_orders/index.shtml.

Persons wishing to comment on the draft order must submit comments in writing to the letterhead address no later than 5:00 pm on **December 21, 2011**. All comments received prior to that date will be considered in the formulation of staff recommendations regarding the waste discharge. The Central Coast Water Board will not accept written comments on the proposed Order after 5:00 pm on **December 21, 2011**, unless the Chair rules that exclusion would create a severe hardship and that the late submission will not prejudice any party or the Water Board. Any person asking to submit late materials must explain why the materials were not submitted earlier. The Chair will rule at or before the hearing. Late submissions that consist of evidence (as opposed to policy statements or comments) are generally prejudicial unless all designated parties and Water Board staff have time to consider the evidence before the meeting.

The Water Board will hold a public hearing to consider adoption of Order No. R3-2012-0003 on **February 2, 2012**, during a regularly scheduled meeting in Salinas. Interested persons are invited to attend the hearing and will have the opportunity to make oral

California Environmental Protection Agency



comments on the proposed Order. For the accuracy of the record, all important testimony should be submitted in writing. The Board Chair will limit time for oral comment, generally three minutes.

All documents relevant to the draft order are available for review and copying at the office of the Central Coast Water Board, 895 Aerovista Place, Suite 101, San Luis Obispo, California 93401-5427, on weekdays between the hours of 8:00 a.m. and 5:00 p.m. Please bring the foregoing to the attention of any persons known to you who would be interested in this matter.

If you have questions, please call **David LaCaro at 805-549-3892** or Harvey Packard at 805-542-4639.

Sincerely,



Digitally signed by Harvey Packard
DN: cn=Harvey Packard, o=California Regional
Water Quality Control Board, ou=Central Coast
Region, email=hpackard@waterboards.ca.gov,
c=US
Date: 2011.11.21 13:54:18 -08'00'

for Roger W. Briggs
Executive Officer

Attachments:

1. Draft Staff Report for Order No. R3-2012-0003
2. Draft Order No. R3-2012-0003 with Monitoring & Reporting Program
3. Central Coast Water Board Standard Provisions

cc (Email):

Nipomo Community Service District IPL
Peter V. Sevcik (NCSD): psevcik@ncsd.ca.gov
Eileen K. Shields (AECOM): Eileen.shields@aecom.com

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STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

NIPOMO COMMUNITY
SERVICES DISTRICT

STAFF REPORT FOR REGULAR MEETING OF FEBRUARY 2, 2012

Prepared on October 18, 2011

ITEM NUMBER: XX

SUBJECT: Reissuance of Waste Discharge Requirements for the Nipomo Community Services District, Southland Wastewater Treatment Facility, San Luis Obispo County (Order No. R3-2012-0003)

KEY INFORMATION

Facility Name	Southland Wastewater Treatment Facility
Facility Owner:	Nipomo Community Services District
Location:	509 Southland Street, Nipomo, CA 93444
Discharge Type:	Municipal/Domestic
Design Capacity:	0.9 MGD Annual Average
Treatment Type:	Aerated Ponds, with a proposed upgrade to extended aeration (Biolac®)
Disposal:	Infiltration Basins (percolation)
Recycling:	Discharger does not produce, distribute, or use recycled water
This Action:	Adopt Order No. R3-2012-0003

SUMMARY

The Nipomo Community Services District (Discharger or District) owns and operates the Southland Wastewater Treatment Facility. Wastewater that is collected, treated, and disposed is currently regulated by Waste Discharge Requirements Order No. 97-75. The District submitted a report of waste discharge application on August 3, 2011, which includes the District's proposal to upgrade the treatment facility to include extended aeration and clarification. The purpose for the upgrade is to improve effluent water quality, which would address historical water quality compliance issues. Proposed Waste Discharge Requirements Order No. R3-2012-0003 (Order) replaces existing Order No. 97-75 and continues to regulate the collection, treatment, and disposal of wastewater at the Southland Wastewater Treatment Facility.

DISCUSSION

The Setting – The Southland Treatment Facility is owned and operated by the District and located southeast of the intersection of South Frontage Road and Southland Street (509 Southland Street). The District's population is 12,148 and the facility currently provides wastewater treatment to 2,465 connections in the

Nipomo system and 519 connections within the San Luis Obispo County Services Area 1.

Treatment and Disposal Facilities - The Southland Treatment Facility currently treats wastewater via two grinders, four aerated lagoons and eight infiltration basins. Solids are dried in two sludge drying beds. The proposed upgrades will include primary solids removal via shaftless screw screen and grit classifier, extended aeration via a Parkson Biolac® system, secondary clarifiers, and percolation via infiltration basins. Current design capacity of the facility is 900,000 gallons per day. Anticipated facility upgrades will improve effluent quality while maintaining the permitted monthly flows of 900,000 gallons per day. Treatment upgrades will specifically improve biochemical oxygen demand (BOD), total suspended solids (TSS), and total nitrogen (TN) effluent concentrations. According to the District's report of waste discharge, the following design goals were used to develop facility improvements.

Table 1 – Effluent Quality Design Goals

Parameter	Design Goal (mg/L)
BOD	20
TSS	20
TN	10

Note: Design goals are not considered nor proposed as effluent limitations.
mg/L – milligrams per liter

Solids handling will include a polymer system for sludge conditioning and gravity belt thickener. After thickening, the sludge will be sent to lined sludge drying beds. Dried sludge will be hauled to a designated off-site location.

General Groundwater Characteristics - According to recent geotechnical investigations, a mound of perched treated effluent beneath the infiltration ponds is at an approximate depth of 35 feet below ground surface. An aquitard/confining layer reduces the amount of treated effluent from percolating to the deeper aquifer (located approximately 180 to 200 feet below ground surface). According to the most recent groundwater modeling study, the perched groundwater is restricted from moving laterally to the southwest due to the Santa Maria River Fault. As a result, the perched groundwater may be moving laterally in a northeast direction, resulting in an egg-shape perched groundwater aquifer. Groundwater monitoring results from upstream monitoring well is in the influence of the egg-shaped perched groundwater aquifer (refer to Table 2 below).

Studies indicate that the perched groundwater level is stable with the existing disposal practices. However, increased disposal volumes may increase the perched groundwater levels, which would minimize the infiltration basins' separation to groundwater. Existing average daily flows are approximately 0.57 MGD. Modeling studies demonstrate that a maximum of 0.58 million gallons per day could be disposed of without increasing the perched groundwater level.

Groundwater Quality - The primary source of the District's water supply is produced from the Nipomo Mesa groundwater aquifer with a small portion pumped from the Nipomo Valley groundwater basin. Current groundwater quality (upgradient and downgradient) is not consistent with median groundwater quality objectives identified in Table 3-8 of the Basin Plan.

Table 2: Groundwater Quality

Monitoring Well ¹	Depth to Groundwater (feet)	TDS (mg/L)	Sodium (mg/L)	Chloride (mg/L)	Total Nitrogen (mg/L)	Sulfate (mg/L)	Boron (mg/L)
MW-1	37	940	144	208	16	270	0.3
MW-2	38	770	158	181	17	195	0.4
MW-3	37	850	169	199	12	255	0.3
Groundwater Sub-Area	Median Groundwater Quality Objectives ²						
Lower Nipomo Mesa	No Information	710	90	95	5.7	250	0.15

1 - Nipomo CSD Semiannual Self-Monitoring report July 2011

2 - Section II.A.5, Table 3-8 of the Basin Plan

TDS – Total Dissolved Solids

mg/L – milligrams per liter

According to available water supply well data (average of eight active water supply wells), source water quality has the potential to impact the treated effluent quality. As a result the District has been designing, negotiating and funding a Supplemental Water Project, which will deliver supplemental water from the City of Santa Maria via intertie pipeline over Santa Maria River. The supplemental project will significantly reduce the amount of water supply pumping and result in an overall improvement of water quality and subsequent treated effluent quality.

Furthermore, the District developed the *Southland Wastewater Treatment Salts Minimization Plan* (October 1, 2008). This plan projects a 10 to 20 percent reduction in average total dissolved solids as a result of the supplemental water project.

PROPOSED REQUIREMENTS

This proposed Order is consistent with the California Water Code, Basin Plan requirements and recommendations, and staff's professional judgment. The Order is also consistent with discharge requirements for similar facilities within the Central Coast Region and designed to protect water quality for existing and anticipated beneficial uses of surface waters and groundwaters in the vicinity of the discharge.

Prohibitions and Effluent Limitations – The proposed prohibitions require full treatment of the discharge and limit the disposal at the designated disposal depicted on Attachment B of the Order. Effluent limitations are based on the

design capacity of the treatment facilities (0.9 million gallons per day) and constituent concentrations common for percolation basins (settleable solids, suspended solids and biochemical oxygen demand, dissolved oxygen, pH) to ensure long-term function of the disposal system.

Monitoring Requirements – The proposed Order includes a monitoring and reporting program to ensure protection of water quality and compliance with specified requirements. Requirements include daily, weekly, and semiannually effluent monitoring and semiannual groundwater monitoring. Submittal of self-monitoring reports is required monthly with an annual summary report due January 30th of each year.

ENVIRONMENTAL SUMMARY

The District developed and certified a final EIR on November 16, 2011, for the proposed facility upgrades. In the final EIR, the District determined that the upgrades will not have any significant impacts to surface water or groundwater quality.

COMPLIANCE HISTORY

Since the adoption of Waste Discharge Requirements Order No. 97-75, the District has accumulated 122 effluent violations¹. Approximately 48 percent are total suspended solids violations, 41 percent are biochemical oxygen demand violations, and 9 percent are other effluent violations (i.e., settleable solids). Central Coast Water Board staff issued a notice of violation on February 7, 2006. The notice of violation identified numerous biochemical oxygen demand and total suspended solids violations. The District was expected to submit a report that identified immediate actions necessary to comply with Order No. 97-75. In response, the District submitted its *Technical Memorandum for Immediate Improvements at Southland WWTP* on July 5, 2006. The memorandum identified immediate improvement actions, such as additional aeration, contracting with a certified analytical laboratory, removing Pond No. 4 from service, and ensuring better management and maintenance for Pond No. 3. Subsequently, effluent quality improved with minimal biochemical oxygen demand exceedances. The District's proposed facility upgrades are expected to improve effluent quality and provide compliance with all effluent limitations.

ATTACHMENTS

1. Draft WDR Order No. R3-2012-0003 with Monitoring and Reporting Program
2. Central Coast Water Board Standard Provisions, 1984

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¹ California Integrated Water Quality System database, Place No. 244361

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
895 Aerovista Place, Suite 101
San Luis Obispo, California 93401-7906**

**WASTE DISCHARGE REQUIREMENTS
DRAFT ORDER NO. R3-2012-0003
Waste Discharger Identification No. 3 400104001**

**FOR THE
NIPOMO COMMUNITY SERVICES DISTRICT, SOUTHLAND WASTEWATER
TREATMENT FACILITY
SAN LUIS OBISPO COUNTY**

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

PURPOSE OF ORDER

1. The Nipomo Community Services District (hereafter Discharger or District) submitted a report of waste discharge on August 3, 2011, for authorization to discharge treated municipal wastewater from Southland Treatment Facility, which serves approximately 2,465 residents in the community of Nipomo, in San Luis Obispo County. The District's report of waste discharge includes a discussion of the future treatment facility upgrade, which is anticipated to be constructed in 2013.
2. Discharges from Southland Treatment Facility are currently regulated by Waste Discharge Requirements Order No. 97-75. The purpose of this Order is to replace Order No. 97-75, reflect the District's proposal to upgrade the treatment facility, update the District's waste discharge requirements (WDRs) to reflect current State Water Board and Central Coast Water Board policies and requirements, and revise the monitoring reporting program to be consistent current regional waste discharge requirements.

FACILITY OWNER AND LOCATION

3. The Southland Treatment Facility is owned and operated by the District and located southeast of the South Frontage Road and Southland Street intersection (509 Southland Street). The site is bounded by agricultural fields to the southeast and southwest, Southland Street to the northwest, and Highway 101 to the east (refer to Attachment A of this Order).

FACILITY/SITE DESCRIPTION

4. **Service Area** - According to the report of waste discharge, the District's population is 12,148. The Southland Treatment Facility currently provides wastewater treatment to 2,465 connections in the Nipomo system and 519 connections within the San Luis Obispo County Services Area 1 (Attachment B of this Order). The Southland Treatment Facility has a maximum permitted capacity of 0.9 million gallons per day based on a peak monthly flows. The proposed facility upgrades are not proposed to increase peak monthly flows or the service area boundary.
5. **Treatment and Disposal** – Currently, the Southland Treatment Facility treats wastewater via two grinders, four aerated lagoons, and eight infiltration basins. Solids are dried in two sludge drying beds (refer to Attachment C). Current design capacity of the facility is 900,000 gallons per day.

Section 4.2 of the District's report of waste discharge includes a description of its anticipated facility upgrade to be constructed in 2013. The District's proposed upgrades will improve effluent quality while maintaining the permitted monthly flows of 900,000 gallons per day. The proposed upgrades will include primary solids removal via shaftless screw screen and grit classifier, extended aeration via a Parkson Biolac® system, secondary clarifiers, and percolation via infiltration basins (refer to Attachment D of this Order). Solids handling will include a polymer system for sludge conditioning and gravity belt thickener. After thickening, the sludge will be sent to lined sludge drying beds. Dried sludge will be hauled to a designated off-site location.

GEOLOGY, SOILS, AND GROUNDWATER

6. **Soils and Groundwater** – The infiltration basins are located on level topography consisting mainly of sandy soils. According to recent geotechnical investigations, a mound of perched treated effluent (groundwater) beneath the infiltration basins is at an approximate depth of 35 feet below ground surface. An aquitard layer from 60 to 140 feet below ground surface inhibits treated effluent from percolating to the deeper aquifer (located approximately 180 to 200 feet below ground surface). According to the most recent groundwater modeling study, the perched groundwater is restricted from moving laterally to the southwest due to the Santa Maria River Fault. As a result, the perched groundwater may be moving laterally in a northeast direction, resulting in an egg-shape perched groundwater aquifer. Groundwater monitoring results from upstream monitoring well is in the influence of the egg-shaped perched groundwater aquifer (refer to Table 1 below).

Studies indicate that the perched groundwater level is stable with the existing disposal rate of 0.57 million gallons per day (MGD). Increased disposal in the infiltration basin may increase the perched groundwater level. According to recent groundwater modeling studies, effluent disposal rates ranging from 0.56 million gallons per day

(MGD) to 0.58 MGD could be percolated without increasing the perched groundwater level. The District continues to monitor groundwater to assess the perched groundwater level.

7. **Groundwater Quality** – The following table presents the most recent groundwater quality data available from three existing groundwater monitoring wells. Groundwater Monitoring Well No. 1 is located upgradient (northeast boundary of the infiltration basins), Groundwater Monitoring Well No. 2 is located downgradient (southeast boundary of the infiltration basins), and Groundwater Monitoring Well No. 3 is located downgradient (southwest boundary of the infiltration basins) (refer to Attachment E of this Order).

Table 1: Nipomo Groundwater Quality

Monitoring Well	Depth to Groundwater (feet)	TDS (mg/L)	Sodium (mg/L)	Chloride (mg/L)	Total Nitrogen (mg/L)	Sulfate (mg/L)	Boron (mg/L)
1	37	940	144	208	16	270	0.3
2	38	770	158	181	17	195	0.4
3	37	850	169	199	12	255	0.3

Data Source: Nipomo CSD Semiannual Self-Monitoring report July 2011

TDS – Total Dissolved Solids

In addition to the District's proposed facility upgrades, a new upgradient groundwater monitoring well will be installed to further assess water level and water quality data for the localized perched groundwater outside of the influence of the facility discharge. The new groundwater monitoring well is proposed to be installed 2,000-feet upgradient of the infiltration basins (refer to Attachment E of this Order).

SURFACE WATERS

8. Nipomo Creek, tributary to the Santa Maria River, is located approximately ¼ mile northeast of the discharge facilities and flows in a southeasterly direction. The wastewater facilities are not within the 100-year flood plain of Nipomo Creek.
9. **Stormwater** - Federal regulations for stormwater discharges, promulgated by the U.S. Environmental Protection Agency, require specific categories of industrial activities including publicly owned treatment works (POTWs) and construction activities that disturb a total of one acre or more to obtain NPDES permits regulating the discharge of stormwater. The State Water Resources Control Board has adopted general NPDES permits for stormwater discharges associated with industrial facilities and construction activities. This Order requires the Discharger to obtain coverage under the appropriate general NPDES permits before commencing construction of the upgraded wastewater treatment facility.

BASIN PLAN

10. The Central Coast Water Board adopted its *Water Quality Control Plan, Central Coast Basin* (the Basin Plan), which designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for receiving waters within the Region.
11. **Surface Water Beneficial Uses** - Present and anticipated beneficial uses of the Nipomo Mesa Hydrologic Subarea (HSA) and Santa Maria River are included in the following table. Although this facility does not discharge to surface waters, protection of these beneficial uses is important as the discharge may have direct and indirect impacts to surface waters.

Table 2 – Surface Water Beneficial Uses

Receiving Water	Beneficial Uses
Nipomo Creek (Nipomo Mesa HSA)	Municipal (MUN) Agricultural (AGR) Industrial Process Supply (PROC), Industrial Service Supply (IND)
Santa Maria River	Municipal (MUN) Agricultural (AGR) Industrial Process Supply (PROC), Industrial Service Supply (IND) Groundwater Recharge (GWR) Water Contact Recreation (REC-1) Non-contact Water Recreation (REC-2) Wildlife Habitat (WILD) Cold Fresh Water Habitat (COLD) Warm Fresh Water Habitat (WARM) Migration of Aquatic Organisms (MIGR) Rare, Threatened or Endangered Species (RARE) Fresh Water Replenishment (FRSH) Commercial and Sport Fishing (COMM)

12. **Groundwater Beneficial Uses** - Present and anticipated beneficial uses of groundwater in the Lower Nipomo Mesa Groundwater Subarea include:

Table 3: Groundwater Beneficial Uses

Receiving Water	Beneficial Uses
Lower Nipomo Mesa Groundwater Subarea	Municipal, and Domestic Supply (MUN), Agricultural Supply (AGR) Industrial Process Supply (PROC), Industrial Service Supply (IND)

According to Section II.A.5, Table 3-8 of the Basin Plan identifies the following median groundwater quality objectives for the Lower Nipomo Mesa Groundwater Basin Sub-Area:

Table 4 – Median Groundwater Quality Objectives (mg/L)

Groundwater Sub-Area	TDS	Chloride	Sulfate	Boron	Sodium	Nitrogen (As N)
Lower Nipomo Mesa	710	95	250	0.15	90	5.7

mg/L – milligrams per liter
TDS – Total Dissolved Solids
N - Nitrogen

13. **Recycled Water Policy** - The Strategic Plan Update 2008-2012 for Water Boards includes a priority to increase sustainable local water supplies available for meeting existing and future beneficial uses by 1,725,000 acre-feet per year, in excess of 2002 levels, by 2015, and ensure adequate water flows for fish and wildlife habitat. The State Water Resources Control Board (State Water Board) adopted the Recycled Water Policy (Resolution No. 2009-0011) on February 3, 2009. The Recycled Water Policy is intended to support the Strategic Plan priority to promote sustainable local water supplies. Increasing the acceptance and promoting the use of recycled water is a means towards achieving sustainable local water supplies and can result in reduction in greenhouse gases, a significant driver of climate change. The Recycled Water Policy is also intended to encourage beneficial use of, rather than solely disposal of, recycled water. The Recycled Water Policy calls for the development of regional groundwater basin/sub-basin salt and nutrient management plans, which is a locally driven and controlled, collaborative processes open to all stakeholders that will prepare salt and nutrient management plans for each basin/sub-basin in California. As specified in the Recycled Water Policy, salt/nutrient contributing stakeholders will be responsible for conducting, compiling, and reporting the monitoring data once the regional groundwater monitoring programs are developed.

Currently, the District's treated domestic wastewater does not meet recycled water standards, pursuant to Title 22, Division 4, Chapter 3, of the California Code of Regulations. The proposed future facility upgrades are not intended to produce

recycled water, but improve effluent quality. However, we consider the District a contributing stakeholder. As such, the District is responsible for participating in a basin-wide salt and nutrient management plan stakeholder group.

14. Since 1997, the Santa Maria Groundwater Basin has been subject to litigation which has led to adjudication of basin water rights. As a result of the Stipulated Judgment established on June 30, 2005, the Nipomo Mesa Management Area (NMMA) was formed. The NMMA is approximately 33 square miles and is located in the north-central portion of the Santa Maria Groundwater Basin. The NMMA Technical Group prepares an annual report that includes a monitoring program, well management plan, a discussion of supplemental water, water supply and demand (groundwater production, recycled water, and supplemental water), hydrologic inventory, as well as current groundwater conditions (quantity and quality).

ANTIDegradation

15. State Water Board Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters in California*, requires the Central Coast Water Board, in regulating the discharge of waste, to maintain high quality waters of the State unless it is demonstrated that any change in quality will be consistent with the maximum benefit to the people of the State, will not unreasonably affect beneficial uses, and will not result in water quality less than that described in the Water Board's policies (i.e., quality that exceeds applicable water quality standards). Resolution No. 68-16 also states, in part:

Any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in best practicable treatment and 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.

This Order sets forth effluent and receiving water limitations and other requirements to ensure compliance with applicable water quality objectives and will result in prevention of nuisance. As such, these waste discharge requirements are consistent with the provisions of Resolution No. 68-16.

MONITORING PROGRAM

16. Monitoring and Reporting Program (MRP) No. R3-2012-0003 is part of this Order. The MRP requires routine wastewater influent, effluent, and receiving water (groundwater) sampling and analysis to verify compliance with this Order. Monitoring reports are required monthly and an annual report is required by January 30th of each year.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

17. The facility is an existing facility as defined by the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000, et. seq.) and the California Code of Regulations. The District has proposed to upgrade the existing facility to improve its effluent quality. The District developed and proposes to certify a final EIR on November 16, 2011, for the proposed facility upgrades. In the final EIR, the District determined that the upgrades will not cause any significant impacts to surface water or groundwater quality and did not identify any potentially significant effects on water quality that could occur as a result of the project. The Central Coast Water Board is a responsible agency for purposes of CEQA. The Central Coast Water Board considered the EIR and in this Order makes its own conclusions on whether and how to approve the project. This Order includes prohibitions, effluent limitations, receiving water limitations, recycled water specifications, pretreatment specifications, biosolid specifications, and other provisions that will result in protection of the waters of the state and prevention of nuisance.

EXISTING ORDERS AND RESOLUTIONS

18. **Resolution No. 78-02** – In 1978, the Central Coast Water Board adopted Resolution No. 78-02, which amended the Basin Plan to prohibit discharges of waste from individual and community sewage systems within portions of the District boundaries, effective July 1, 1982. The amendment established two separate prohibitions; one which prohibits discharges from new individual and community on-site wastewater disposal systems starting in 1978 and existing systems in 1982, and another which prohibits discharges from new on-site wastewater disposal systems that are proposed for parcels smaller than one acre. Since the prohibition adoption, the District has sewered various areas of Nipomo. Currently, the District has sewered approximately 97 percent of the community. The remaining homes with individual on-site wastewater disposal systems have property titles requiring connection to sewer upon sale or property transfer.

19. **Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (General WDRs)**. - The General WDRs, Order No. 2006-0003-DWQ, adopted May 2, 2006, apply to publicly owned sanitary sewer systems (collection systems) that are one mile or greater in length. The General WDRs require collection system entities to develop a Sanitary Sewer Management Plan (SSMP). SSMPs are required to include goals; organization; legal authority; operations and maintenance program; design and performance provisions; an overflow emergency response plan; fats, oils, and greases control program; systems evaluations and capacity assurance program; monitoring, measures, and program modifications; and an SSMP Program audit. Additionally, the General WDRs require the collection system entities to report sanitary sewer overflows (SSOs). Collection system entities are

required to report SSOs that are greater than 1,000 gallons. Furthermore, some entities must also report SSOs less than 1,000 gallons discharging to surface waters or storm drains or that threaten public health. Reporting provisions are set forth in the General WDRs. Reporting occurs through the Statewide Online SSO database. Reporting times vary depending on discharge amount and destination. This Order requires the Discharger to enroll under the General WDRs prior to the operation of the WRF. The District enrolled in the General WDSR program on October 11, 2006.

GENERAL FINDINGS

20. On **November 21, 2011**, the Central Coast Water Board notified the Discharger and interested agencies and persons of its intent to consider reissuance of waste discharge requirements for the discharge and provided them with a copy of the draft Order and an opportunity to submit written comments and scheduled a public hearing. Written comments were required to be received by December 21, 2011.
21. In a public hearing on **February 2, 2012**, the Central Coast Water Board heard and considered all comments pertaining to the discharge, all evidence in the record, the Final Environmental Impact Report, and applicable law and found this Order consistent with the above findings.

IT IS HEREBY ORDERED that, pursuant to authority in the California Water Code, Division 7, including Sections 13263 and 13267, Nipomo Community Services District, its agents, successors, and shall comply with the following:

All technical and monitoring reports submitted pursuant to this Order are required pursuant to Section 13267 of the California Water Code. Failure to submit reports in accordance with schedules established by this Order or attachments to this Order, or failure to submit a report of sufficient technical quality to be acceptable to the Executive Officer, may subject the Discharger to enforcement action pursuant to Section 13268 of the California Water Code.

(Note: General permit conditions, definitions and the method of determining compliance are contained in the attached "Standard Provisions and Reporting Requirements for Waste Discharge Requirements," dated January 1984, referenced in Section E.2. of this Order.)

Throughout these requirements footnotes are listed to indicate the source of requirements specified. Requirement footnotes are as follows:

CWC = California Water Code

BP = Basin Plan

T22 = California Code of Regulations, Title 22, Recycled Water Criteria

DPH = State Department of Public Health

Requirements without footnotes are based on staff's professional judgment.

A. PROHIBITIONS

1. Discharge to areas other than the disposal facilities shown on Attachment C and D of this Order is prohibited.^{CWC}
2. Discharge of any wastes including overflow, bypass, seepage, overspray and runoff from transport, treatment, or disposal systems to adjacent properties, adjacent drainage ways, or to waterways is prohibited.^{CWC}
3. Discharge of untreated or partially treated wastewater is prohibited.^{CWC}
4. Discharge of wastewater within 100 feet of any well used for domestic supply or irrigation of food crops is prohibited.

B. EFFLUENT LIMITATIONS

(Discharge to Infiltrations Basins)

1. The annual average effluent shall not exceed 0.9 MGD.
2. Effluent discharged to the infiltration basins shall not exceed the following limitations:

Table 4: Effluent Limitations

Constituent	Units	Monthly Average (30-day)	Daily Maximum
Settleable Solids	ml/L	0.2	0.5
BOD, 5-Day	mg/L	60	100
Suspended Solids	mg/L	60	100
Dissolved Oxygen	mg/L	Minimum of 1.0	
pH	s.u.	Within the range of 6.5 to 8.4	

BOD – biochemical oxygen demand

ml/L – milliliters per liter

mg/L – milligrams per liter

s.u. – standard units

3. The treatment, storage, and disposal facilities shall be managed to exclude the public and posted to warn the public of the presence of wastewater.
4. Freeboard in all ponds shall be two feet or greater, unless the ponds are designed to functionally allow a freeboard less than two feet (i.e., future extended aeration ponds).

C. RECEIVING WATER LIMITATIONS

(Groundwater Limitations)

(Receiving water quality is a result of many factors, some unrelated to the discharge. This permit considers these factors and is designed to minimize the influence of the discharge to receiving waters.)

1. The discharge shall not cause nitrate concentrations in the groundwater downgradient of the disposal facilities to exceed 10.0 mg/L.
2. The discharge shall not cause groundwater to contain taste- or odor-producing substances in concentrations that adversely affect beneficial uses.^{BP}
3. The discharge shall not cause radionuclides to be present in concentrations that are deleterious to human, plant, animal, or aquatic life or result in the accumulation of radionuclides in the food web to an extent which presents a hazard to human, plant, animal, or aquatic life.^{BP}
4. The discharge shall not cause groundwater to contain concentrations of organic or inorganic chemicals in excess of the limiting concentrations set forth in California Code of Regulations, Title 22, Division 4, Chapter 15, Article 5.5, Section 64444 (organic) and Article 4, Section 64431 (inorganic).^{BP}
6. The discharge shall not cause a significant increase in mineral constituent concentrations in the underlying groundwater, as determined by comparison of samples collected from wells located upgradient and downgradient of the disposal area.^{BP}
7. The discharge shall not cause underlying groundwater to contain concentrations of constituents in excess of water quality objectives listed in Table 3-8 of the Basin Plan.

D. RECYCLED WATER SPECIFICATIONS

The production and disposal of recycled water does not currently occur as the District's current and proposed facility is not designed to meet recycled water requirements. Pursuant to the Statewide Recycled Water Policy (Finding No. 13, above), Central Coast Water Board encourages the production and use of recycled water when feasible. The following Recycled Water Specifications allow the District to consider the future production and use of recycled water. Reclamation (reuse) requirements adopted under California Water Code section 13523 apply in addition to effluent limitations specified above)

1. Discharger shall develop an Engineering Report on the Production, Distribution and Use of Recycled Water (Engineering Report) in conformance with Title 22 of the California Code of Regulations, for review and approval of the Executive Officer (after consultation with State and local health departments). The Engineering Report must be submitted no less than six months in advance of proposed reuse of wastewater. Recycled water production and use shall at all times be in conformance with recycled water criteria established in Title 22, Division 4, Chapter 3 of the California Code of Regulations and the Engineering Report. Recycled water shall be adequately oxidized, coagulated, clarified, filtered, disinfected^{T22, CWC}

E. PRETREATMENT SPECIFICATIONS

The Discharger is exempt from applicable pretreatment requirements specified under 40 CFR 125.66(d). In accordance with requirements specified in this Order, the Discharger shall implement public education and waste minimization/source reduction programs to limit the introduction of toxic pollutants and pesticides into the treatment plant. Implementation of a pollution prevention program will substitute for those requirements specified under 40 CFR 125.66 (d) (Nonindustrial Source Control Program).

E. BIOSOLIDS SPECIFICATIONS

Biosolids refers to non-hazardous sewage sludge as defined in 40 CFR 503.9. Sewage sludge that is hazardous (as defined in 40 CFR 261) must be disposed of in accordance with requirements of the Resource Conservation Recovery Act (RCRA). Sludge with PCB levels in excess of 50 mg/kg must be disposed in accordance with 40 CFR 761.

1. All biosolids generated by the Discharger shall be used or disposed of in compliance with the applicable portions of the following regulations.
 - a. 40 CFR 503 - for biosolids that are land applied, placed in surface disposal sites (dedicated land disposal sites or monofills), or incinerated.
 - b. 40 CFR 258 - for biosolids disposed of in municipal solid waste landfills.
 - c. 40 CFR 257 - for all biosolids use and disposal practices not covered under 40 CFR 258 or 503).
 - d. 40 CFR 503 Subpart B (land application) applies to biosolids applied for the purpose of enhancing plant growth or for land reclamation. Section 503 Subpart C (surface disposal) applies to biosolids placed on the land for the purpose of disposal.

The Discharger is responsible for ensuring that all biosolids produced at its facility are used or disposed of in accordance with these rules, whether the Discharger uses

or disposes of the biosolids itself or transfers them to another party for further treatment, use, or disposal.

G. PROVISIONS

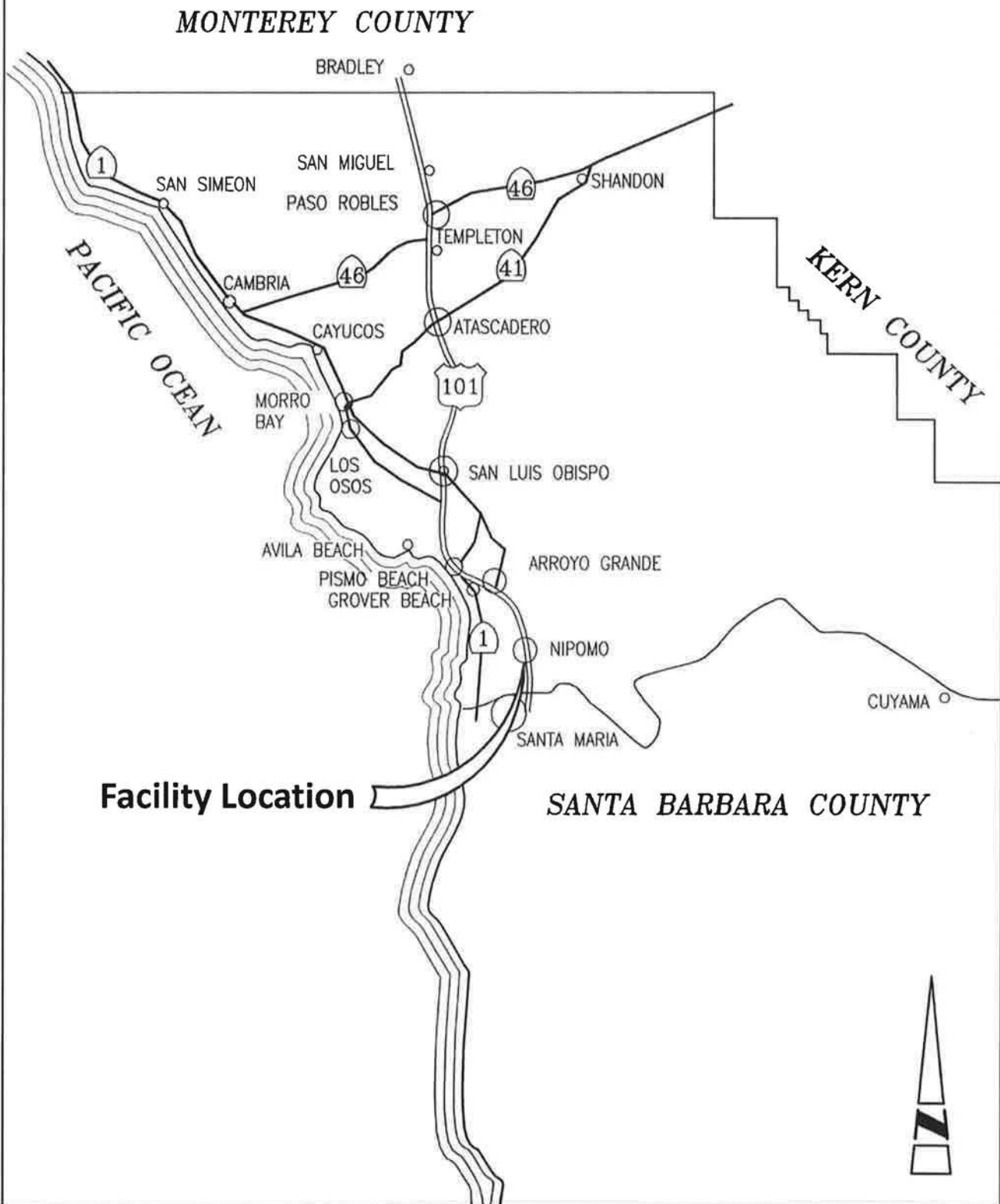
1. The requirements prescribed in this Order supersede requirements prescribed by Order No. 97-75 adopted by the Central Coast Water Board on October 27, 1997. Order No. 97-75 "Waste Discharge Requirements for Nipomo Community Services District, Southland Wastewater Works" is hereby rescinded, except for enforcement purposes.
2. Discharger shall comply with Monitoring and Reporting Program No. R3-2012-0003 (included as part of this Order), as ordered by the Executive Officer.
3. Discharger shall comply with all items of the attached "Standard Provisions and Reporting Requirements for Waste Discharge Requirements," dated January 1984 (included as part of this Order).
4. Treatment and discharge shall not cause pollution or nuisance as defined in Section 13050 of the California Water Code.
5. All accumulated biosolids or solid residue shall be disposed of at a location authorized by law.
6. Treatment, storage, and disposal facilities shall be managed to exclude the public and posted to warn the public of the presence of wastewater.
7. In accordance with Finding No. 13, stakeholders associated with the management and protection of the Nipomo Mesa Groundwater Basin are required to develop and implement a Salt and Nutrient Management Plan. The Discharger shall participate in a basin-wide stakeholder group and participate in the development, implementation, and monitoring of the salt and nutrient management plan as required by the Recycled Water Policy.
8. Pursuant to Title 23, Division 3, Chapter 9, Article 2 of the California Code of Regulations, the Discharger must submit a report to the Executive Officer, no later than **February 2, 2017**, addressing:
 - a. Whether there will be changes in the continuity, character, location or volume of the discharge; and,
 - b. Whether, in its opinion, there is any portion of the Order that is incorrect, obsolete or otherwise in need of revision.

I, **Roger W. Briggs, 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 Coast Region on February 2, 2012.

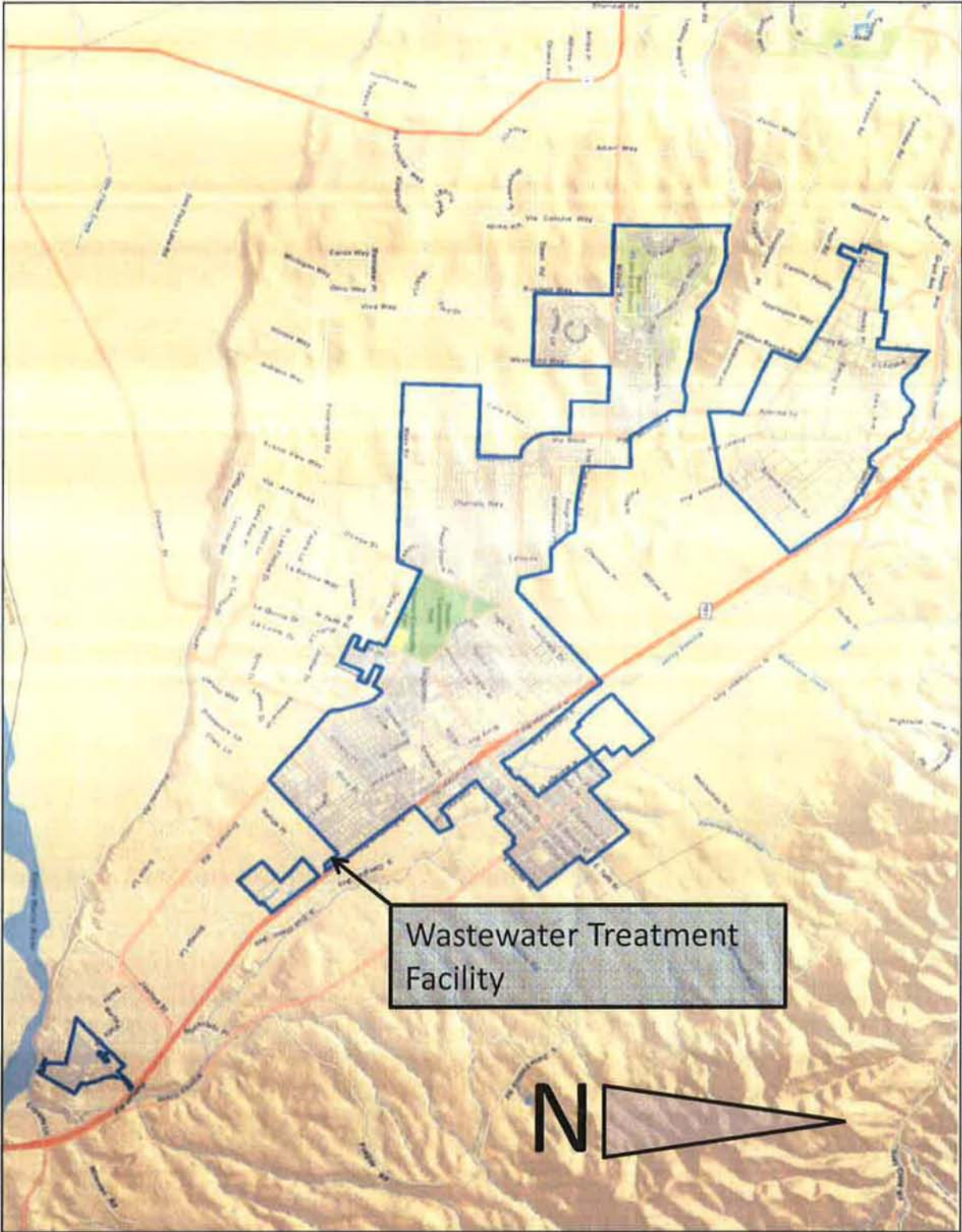
Roger W. Briggs
Executive Officer

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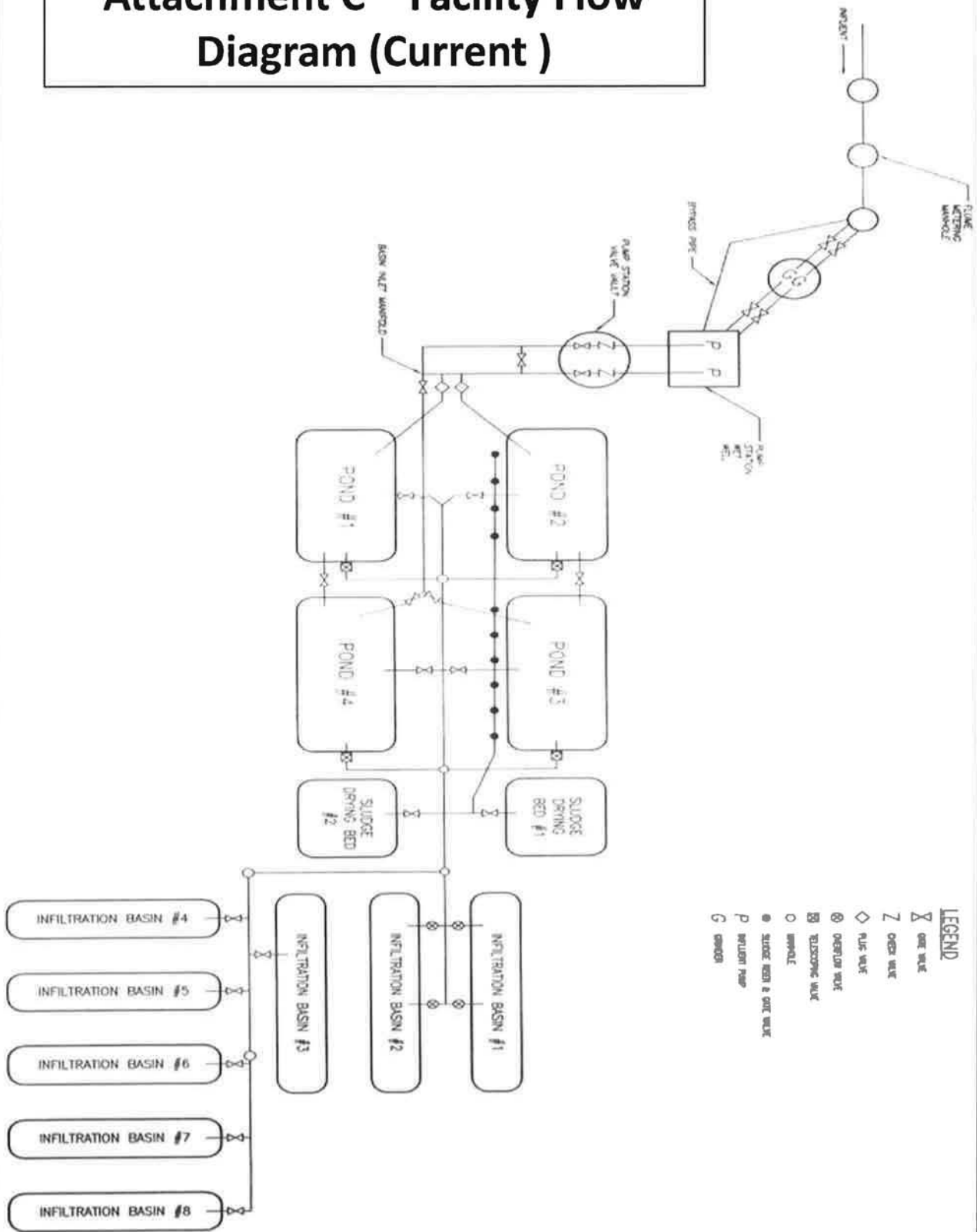
Attachment A – Facility Location



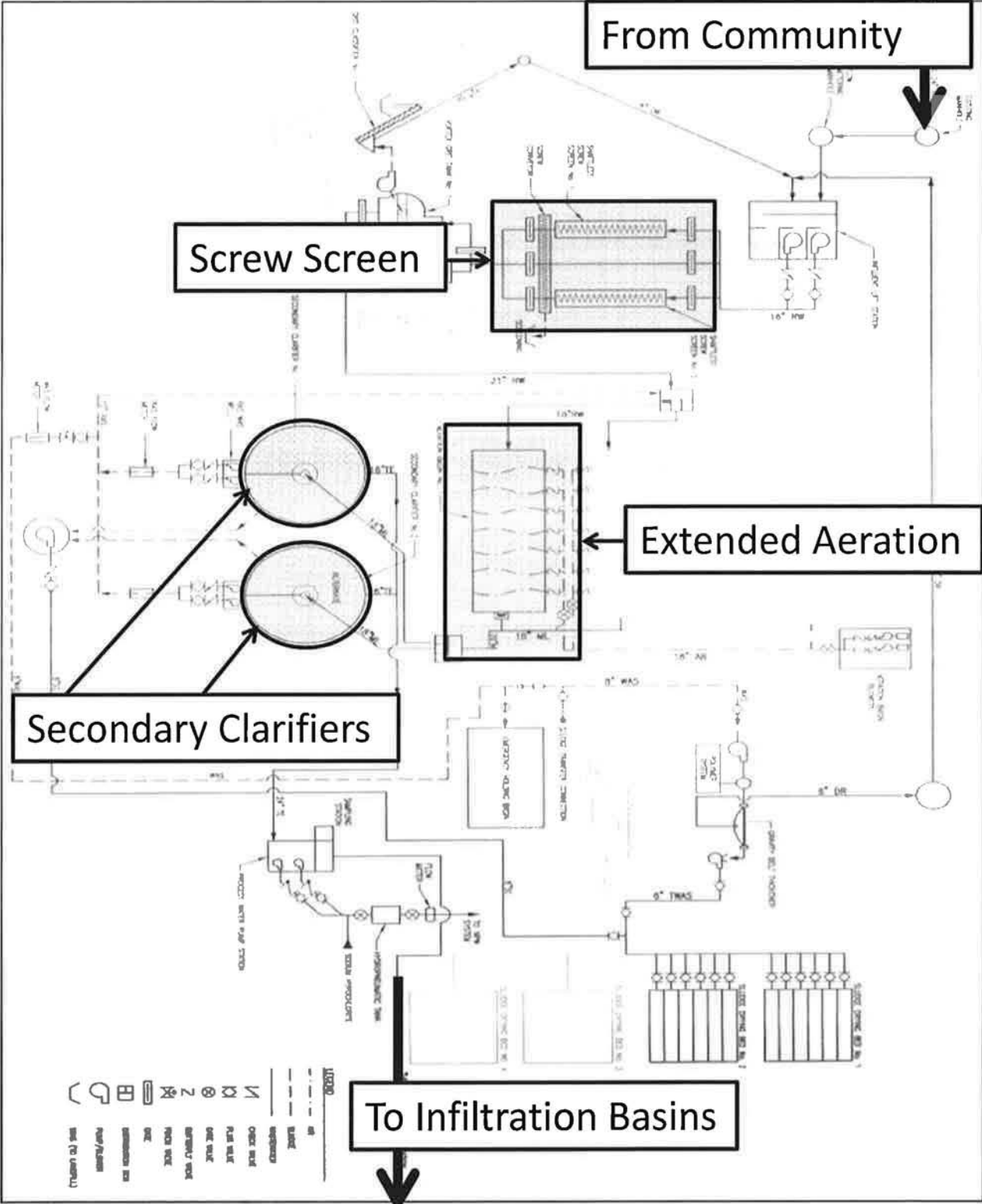
Attachment B – Service Area



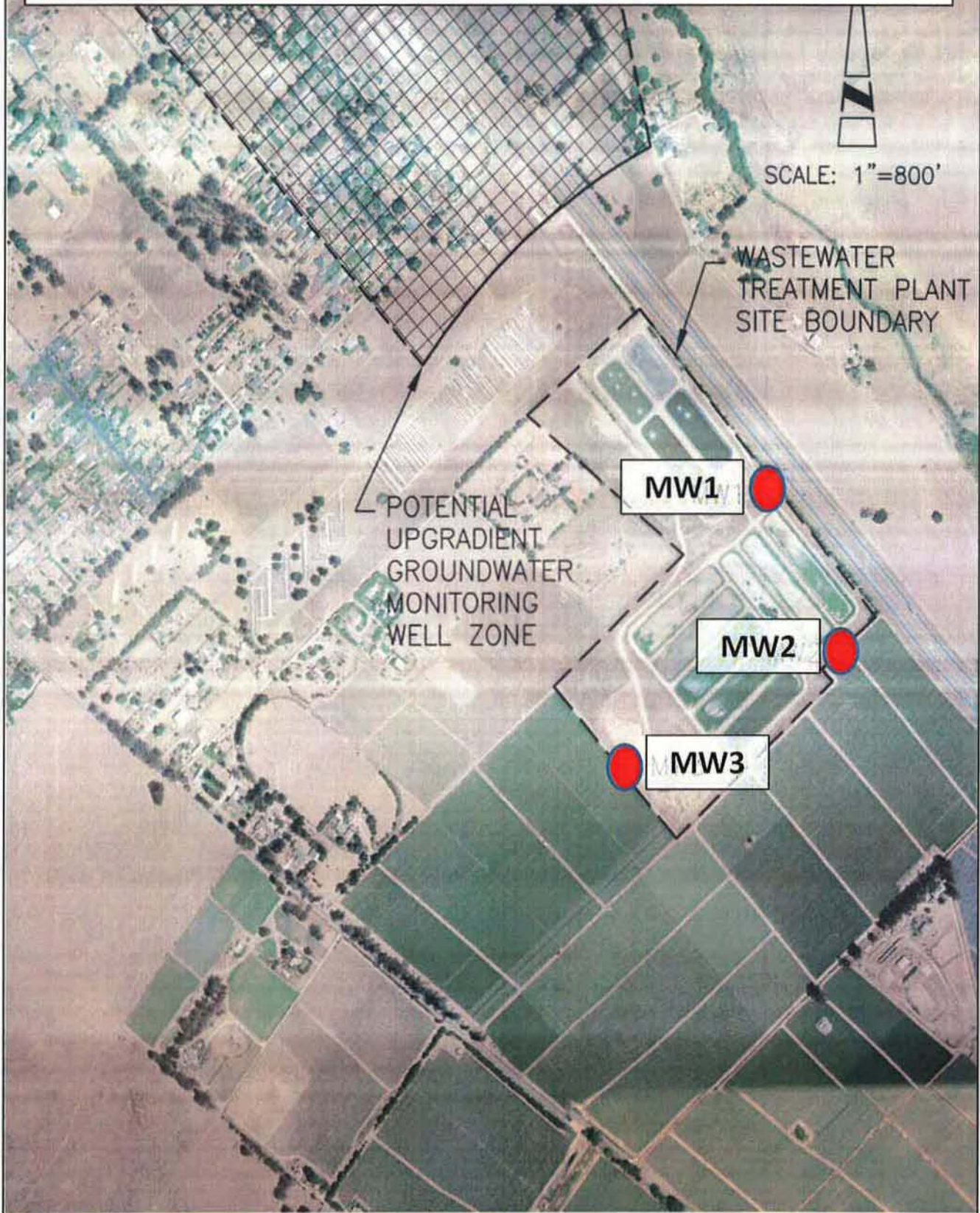
Attachment C – Facility Flow Diagram (Current)



Attachment D – Facility Flow Diagram (Upgraded)



Attachment E – Groundwater Monitoring Wells



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

**MONITORING AND REPORTING PROGRAM ORDER NO. R3-2012-0003
FOR
NNIPOMO COMMUNITY SERVICES DISTRICT
SOUTHLAND WASTEWATER TREATMENT FACILITY**

This Monitoring and Reporting Program (MRP) is issued pursuant to California Water Code Section 13267. This MRP is issued to Nipomo Community Services District because it is the owner and operator of the Southland Wastewater Treatment Facility. The reports required by this MRP are necessary to determine compliance with waste discharge requirements and ensure protection of the beneficial uses of waters of the state and public health.

Influent Monitoring

Representative samples of the influent to the treatment plant shall be collected and analyzed as follows:

Table 1: Influent Monitoring

Constituent	Units	Type of Sample	Minimum Sampling and Analysis Frequency
Flow Volume	mgd	Metered	Daily
Maximum Daily Flow	mgd	Calculated	Monthly
Suspended Solids	mg/L	24-hr. Composite	Monthly
Biochemical Oxygen Demand, 5-day	mg/L	24-hr. Composite	Monthly

mgd – million gallons per day
mg/L – milligrams per liter

Effluent Monitoring

Representative samples of the effluent shall be collected (downstream of any in-plant return flows of disinfection units) and analyzed as follows:

Table 2: Effluent Monitoring

Constituent	Units	Type of Sample	Minimum Sampling and Analyzing Frequency
Settleable Solids	mL/L	Grab	Daily
Biochemical Oxygen Demand, 5-day	mg/L	24-hr. Composite	Weekly
Suspended Solids	mg/L	24-hr. Composite	Weekly
pH	s.u.	grab	weekly
Total Dissolved Solids	mg/L	24-hr. Composite	Semiannually
Sodium	mg/L	24-hr. Composite	Semiannually
Chloride	mg/L	24-hr. Composite	Semiannually
Total Nitrogen (as N)	mg/L	24-hr. Composite	Semiannually

mgd – million gallons per day
mL/L – milliliters per liter
mg/L – milligrams per liter
s.u. – standard units

Groundwater Monitoring

Semiannual Groundwater Monitoring - Representative samples of groundwater shall be collected and analyzed semiannually from groundwater monitoring wells MW-1, MW-2, and MW-3 (refer to Attachment E of this Order). As part of the District's facility upgrades, an upgradient well is proposed to be installed approximately 2,000 feet north of the facility. After installation, the additional upgradient well shall be analyzed semiannually. The semiannual samples are to be analyzed in accordance with the following table.

Table 4: Semiannual Groundwater Monitoring

Constituent	Units	Type of Sample
Depth to groundwater	Feet	measure
Total Dissolved Solids	mg/L	grab
Total Nitrogen (as N) (all forms identified)	mg/L	grab
Sodium	mg/L	grab
Chloride	mg/L	grab
Sulfate	mg/L	grab
Boron	mg/L	grab

mg/L – milligrams per liter
s.u. – standard unit

Biosolids Monitoring

Representative samples of biosolids removed from the facilities for disposal shall be collected and analyzed as follows:

Table 6: Biosolids Monitoring

Constituent	Units	Type of Sample	Minimum Sampling and Analyzing Frequency
Volume	Gallons or cubic yards	grab	Annually or when disposal occurs (whichever is less frequent)
Moisture Content	Percent	grab	Annually or when disposal occurs (whichever is less frequent)
Metals ¹	mg/kg	grab	Annually or when disposal occurs (whichever is less frequent)

mg/kg – milligrams per kilograms

¹ – Metals include Cadmium, Copper, Total Chromium, Lead, Mercury, Nickel, Silver, and Zinc.

Reporting

Monthly monitoring reports shall be submitted to the Central Coast Water Board by the 30th day of the calendar month following the sampling month. Reports shall summarize monitoring data, noncompliance, reasons for noncompliance, associated corrective action(s), and any other significant events relating to compliance with Order No. R3-2012-0003. Annual summary reports shall be submitted in accordance with Standard Provision C.16.

Enforcement

Violation of this MRP could subject the discharger to administrative civil liability pursuant to Water Code section 13268.

Roger W. Briggs
Executive Officer

Date

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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
JANUARY, 1984
STANDARD PROVISIONS AND REPORTING REQUIREMENTS
for
WASTE DISCHARGE REQUIREMENTS

CONTENTS:

- A. General Conditions
- B. General Monitoring Requirements
- C. General Reporting Requirements
- D. Bypasses or Upsets
- E. Enforcement
- F. Definitions (Defines terms that appear in quotes)

A. General Permit Conditions:

Prohibitions:

1. Introduction of "incompatible wastes" to the treatment system is prohibited. (See F.9.)
2. Discharge of chemical and biological warfare agents is prohibited.
3. Discharge of "toxic wastes" is prohibited. (See F.18.)
4. Introduction of pollutants into the collection, treatment, or disposal system by an "indirect discharger" that:
 - a) inhibit or disrupt the treatment process, system operation, or the eventual use or disposal of sludge; or,
 - b) cause or "significantly contribute" to a violation of any requirement of this Order, is prohibited. (See F.17.)
5. Introduction of "pollutant-free" wastewater to the collection, treatment, and disposal system in amounts that threaten compliance with this order is prohibited. (See F.14.)

Provisions:

6. Production and use of reclaimed water shall conform with reclamation criteria established in Title 22, Chapter 3, of the California Code of Regulations. For uses of reclaimed water not addressed in Title 22 and not in the main body of this order, use is subject to review and dependent upon approval by the Executive Officer before use may begin (For uses addressed in Title 22, see C.8.).

7. Collection, treatment, and discharge of waste shall not create nuisance or pollution, as defined by Section 13050 of the California Water Code.
8. As necessary to assure safe and reliable collection, treatment, and disposal of waste and consistent compliance with this order, the discharger shall adopt and enforce a local source control program. (See C.16.)
9. Objectionable odors originating at this facility shall not be perceivable beyond the limits of the wastewater treatment and disposal areas.
10. The discharger shall prevent formation of a habitat for carriers of pathogenic microorganisms in any part of the treatment and disposal system.
11. Petroleum products, grease, and scum shall not be visible on disposal ponds.
12. Facilities and systems for collection, treatment, and control of wastewater shall be properly operated and maintained. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staff and training, and adequate laboratory and process controls, including appropriate quality assurance procedures.
13. Transport and treatment facilities and permanent disposal ponds shall be adequately protected against overflow, flooding, or washout as the result of a 100-year frequency flood or 100-year, 24-hour storm.
14. All disposal areas shall be on land owned or controlled by the discharger.
15. Operation of collection, treatment, and disposal systems shall be in a manner that precludes public contact with wastewater.
16. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed in a manner approved by the Executive Officer.
17. Publicly owned wastewater treatment plants shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Title 23 of the California Code of Regulations
18. The Regional Board shall be allowed:
 - a) entry upon premises where an effluent source is located or where records must be kept under the conditions of this order;
 - b) access to copy any records that must be kept under the conditions of this order;
 - c) to inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this order; and,

- d) to photograph, sample, and monitor for the purpose of showing compliance with this order.
19. 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 by failure to disclose fully all relevant facts;
 - c) a change in any condition or endangerment to human health or environment that requires a temporary or permanent reduction or elimination of the authorized discharge; and,
 - d) a material change in character, location, or volume of the discharge.
20. The order does not authorize commission of any act causing injury to the property of another, does not convey any property rights of any sort, does not remove liability under federal, state, or local laws, and does not guarantee a capacity right.
21. The discharger shall take all reasonable steps to minimize or correct adverse impacts on the environment resulting from noncompliance with this order.
22. Provisions of this order are severable. If any provision of the order is found invalid, the remainder of the order shall not be affected.
23. The discharger shall furnish, within a reasonable time, any information the Regional Board may request to determine compliance with this order or to determine whether cause exists for modifying or terminating this order.
24. Safeguards shall be provided to assure maximal compliance with all terms and conditions of this order. Safeguards shall include preventative and contingency plans and may also include alternative power sources, stand-by generators, retention capacity, operating procedures, or other precautions. Preventative and contingency plans for controlling and minimizing the effect of accidental discharges shall:
- a) identify possible situations that could cause "upset", "overflow" or "bypass", or other noncompliance. (Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks, and pipes should be considered.)
 - b) evaluate the effectiveness of present facilities and procedures and describe procedures and steps to minimize or correct any adverse environmental impact resulting from noncompliance with the order.
25. Physical facilities shall be designed and constructed according to accepted engineering practice and shall be capable of full compliance with this order when properly operated

and maintained. Proper operation and maintenance shall be described in an Operation and Maintenance Manual. Facilities shall be accessible during the wet weather season.

26. Should additional data become available through monitoring or investigation that indicates compliance with this order is not adequately protecting ground water, the Regional Board will review and revise this order as appropriate.

B. General Monitoring Requirements:

1. Monitoring location, minimum sampling frequency, and sampling method for each parameter shall comply with the Monitoring and Reporting Program of this order. Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, entitled "Guidelines Establishing Test Procedures for Analysis of Pollutants," unless other test procedures have been specified in this order.
2. If results of monitoring a pollutant appear to violate effluent limitations based on a weekly, monthly, 30-day, or six-month period, but compliance or non-compliance cannot be validated because sampling is too infrequent, the frequency of sampling must be increased to validate the test within the next monitoring period. The increased frequency must be maintained until the Executive Officer agrees the original monitoring frequency may be resumed.

For example, if suspended solids are monitored weekly and results exceed the weekly average numerical limit in the order, monitoring of suspended solids must be increased to at least four (4) samples every week (ref. paragraph F.1.).

3. Water quality analyses performed in order to monitor compliance with this order shall be by a laboratory certified by the State Department of Health Services for the constituent(s) being analyzed.
4. If the laboratory used or proposed for use by the discharger is not certified by the California Department of Health Services due to restrictions in the State's laboratory certification program, the discharger shall be considered in compliance with this provision provided:
 - a) Data results remain consistent with results of samples analyzed by the Regional Board;
 - b) A quality assurance program is used at the laboratory, including a manual containing steps followed in this program that is available for inspections by the staff of the Regional Board; and,
 - c) Certification is pursued in good faith and obtained as soon as possible after the program is reinstated.
5. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. Samples shall be taken during periods of peak loading conditions. Influent samples shall be samples collected from the combined flows of all incoming wastes, excluding recycled wastes. Effluent samples shall be samples collected downstream of the last treatment unit.

6. If any parameter is monitored at locations specified in the order more frequently than required and is analyzed using approved test procedures, the results shall be included in calculations and reports.
7. All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy.
8. The discharger shall maintain records of all monitoring information, including all calibration and maintenance records; all original strip chart recordings for continuous monitoring instrumentation; the date, exact place, and time of sampling; the individual who performed the sampling; the date analysis was performed; the laboratory and individual who performed the analysis; the analytical techniques used; and results. Records shall be maintained for a minimum of three years. This period may be extended during the course of any unresolved litigation or when requested by the Board.

C. General Reporting Requirements:

1. Monitoring results shall be reported at intervals and in a manner specified in the Monitoring and Reporting Program of this order.
2. Monitoring reports shall be submitted on State Water Resource Control Board Form Q2 or an acceptable alternate form. A master copy of the form will be supplied by the Regional Board upon request.
3. Any noncompliance that may endanger health or the environment shall be reported orally within 24 hours from the time the discharger becomes aware of the circumstances (telephone: 805-549-3147). Unless waived by the Executive Officer of the Regional Board, a written report shall be submitted within five (5) days of awareness and shall contain a description of the noncompliance and its cause; the period of noncompliance (including exact dates and times) or anticipated duration; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. This provision includes, but is not limited to:
 - a) violation of a discharge prohibition;
 - b) any "upset", "overflow", or "bypass";
 - c) violation of a discharge limitation for any "hazardous substance."
4. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule shall be submitted within 14 days following each scheduled date unless otherwise specified within the order. If reporting non compliance, the report shall include a description of the reason, a description and schedule of tasks necessary to achieve compliance, and an estimated date for achieving full compliance. A second report shall be submitted within 14 days of full compliance.

5. All instances of noncompliance not reported under paragraph numbers C.3. and C.4., above, shall be submitted along with monitoring reports. The report shall contain the information listed in paragraph C.3.
6. Reports shall be submitted in advance of any planned changes in the permitted facility or activity that may result in noncompliance.
7. The "discharger" shall file a report of waste discharge or secure a waiver from the Executive Officer at least 120 days before making any material change or proposed change in the character, location, or volume of the discharge.
8. An engineering report as specified by Section 60323, Chapter 3, Title 22, of the California Code of Regulations is required, and written approval of the Executive Officer must be received by the discharger and user, before reclaimed water is supplied for any uses and to any users other than those enumerated in this Order.
9. Within 120 days after the discharger discovers, or is notified by the Regional Board, that monthly average daily flow will or may reach design capacity of waste treatment and/or disposal facilities within four (4) years, the discharger shall file a written report with the Regional Board. The report shall include:
 - a) the best estimate of when the monthly average daily dry weather a flow rate will equal or exceed design capacity; and,
 - b) a schedule for studies, design, and other steps needed to provide additional capacity for waste treatment and/or disposal facilities before the waste flow rate equals the capacity of present units.

In addition to complying with paragraphs C.14.c and C.15, the required technical report shall be prepared with public participation and reviewed, approved and jointly submitted by all planning and building departments having jurisdiction in the area served by the waste collection, treatment, or disposal facilities.

10. The "Discharger" shall submit reports to the:

California Regional Water

Quality Control Board
Central Coast Region
81 Higuera St., Suite 200
San Luis Obispo, CA 93401-5427

11. Transfer of control or ownership of a waste Discharge facility must be preceded by a notice to the Regional Board at least 30 days in advance of the proposed transfer date. The notice must include a written agreement between the existing discharger and proposed discharger containing specific date for transfer of responsibility, coverage, and liability between them. Whether an order may be transferred without modification and a public hearing is at the discretion of the board. If order modification is necessary, transfer may be delayed 120 days after the Regional Board's receipt of a complete Report of Waste Discharge.

12. Except for data determined to be confidential under Section 13267(b) of the California Water Code, all reports prepared in accordance with this order shall be available for public inspection at the office of the Regional Board.
13. Should the Discharger discover that it failed to submit any relevant facts or that it submitted incorrect information in a report, it shall promptly submit the missing or incorrect information.
14. All reports shall be signed as below:
 - a) For a corporation; by a principle executive officer of at least the level of vice president;
 - b) For a partnership or sole proprietorship; by a general partner or the proprietor, respectively;
 - c) For a public agency; by either a principal executive officer or ranking elected official; or,
 - d) Their "duly authorize] representative."
15. Any person signing a report makes the following certification, whether it is expressed or implied:

"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."

16. By January 30 of each year, the discharger shall submit an annual report to the Regional Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year. The Discharger shall discuss the compliance record and corrective actions taken, or which may be needed, to bring the discharger into full compliance. The report shall address operator certification and provide a list of current operating personnel and their grade of certification. The report shall inform the Board of the date of the Facility's Operation and Maintenance Manual (including contingency plans as described in Provision A.24 .), of the date the manual was last reviewed, and whether the manual is complete and valid for the current facility. The report shall restate, for the record, the laboratories used by the discharger to monitor compliance with effluent limits and provide a summary of performance relative to Section B, General Monitoring Requirements.

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

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

17. The discharger must notify the Regional Board whenever there is a substantial change in the volume or character of pollutants being introduced into the wastewater system. Notice shall include information on the quality and quantity of waste being introduced to the system and the anticipated impact of the waste upon the quantity and quality of the aggregate discharge.
18. The discharger must notify the Regional Board as soon as it knows or has reason to believe that it or an indirect discharger has begun, or expects to begin, use or manufacture of a "toxic waste" or "hazardous substance" not reported in the Report of Waste Discharge that may, directly or indirectly, discharge into the treatment and disposal system.

D. Bypasses or Upsets

1. Bypass

- a) If the discharger knows in advance of the need for a "bypass", it shall submit notice to the Executive Officer at least 10 days before the "bypass".
- b) Enforcement action will be taken against the discharger for "bypass" unless:
 - (1) "Bypass" was unavoidable to prevent loss of life, personal injury, or "severe property damage";
 - (2) There was no feasible alternative to the "bypass," such as use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment downtime. (This condition is not satisfied if adequate back-up equipment could have been installed to prevent a "bypass" which occurred during normal periods of equipment down-time or preventive maintenance); and,
 - (3) The discharger submitted notice to the Executive Officer as specified in paragraphs C.3. and D.1.a., above.

2. Upset

A discharger seeking to establish the occurrence of an "upset" has the burden of proof. A discharger who wishes to establish the affirmative defense of "upset" shall demonstrate, through properly signed, contemporaneous operating logs or other relative evidence that:

- a) an "upset" occurred and the discharger can identify the specific cause(s) of the "upset"; and,

- b) the facility was at the time of "upset" being properly operated; the discharger submitted notice of "upset" within 24 hours; and the discharger took all reasonable steps to minimize or correct any adverse impact on the environment.

E. Enforcement:

1. The discharger must comply with all conditions of this order. Noncompliance violates state law and is grounds for enforcement action or modification of the existing order.
2. Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of section 13267 of the California Water Code, or falsifying any information provided therein, is guilty of a misdemeanor.
3. The discharger and any person who violates waste discharge requirements and/or who intentionally or negligently discharges waste or causes or permits waste to be deposited where it is discharged into surface waters of the state may be liable for civil and/or criminal remedies, as appropriate, pursuant to sections 13350, 13385, and 13387 of the California Water Code.
4. Upon reduction, loss, or failure of any part of the wastewater facility, the discharger shall, to the extent necessary to maintain compliance with this order, control production or all discharges, or both, until the facility is restored or an acceptable interim method of treatment or disposal is provided. Should enforcement action be brought against the discharger, the necessity to halt or reduce the permitted activity in order to obtain compliance with the conditions of this order shall not be a defense.

F. Definitions:

1. "Average" or "Mean" is the arithmetic mean of daily concentrations over the specified period in which "N" is the number of days samples were analyzed during the period and "X" is either the constituent concentration (mg/l) or flow for each sampled day. To be valid, "N" must be four or greater.
2. "Bypass" means the diversion of waste streams around any portion of a treatment facility to the disposal area or from the treatment facility to a nonauthorized location.
3. A "composite sample" is a combination of no fewer than eight (8) individual samples obtained at equal time intervals (usually hourly) over the specified sampling (composite) period. The volume of each individual sample is proportional to the flow rate at time of sampling. The period shall be specified in the Monitoring and Reporting Program ordered by the Executive Officer.
4. "Daily Discharge" means the discharge of a pollutant measured during a calendar day or during any 24-hour period reasonably representative of the calendar day for purposes of sampling.
5. "Daily Maximum" limit means the maximum acceptable concentration or mass emission rate of a pollutant measured during a calendar day or during any 24-hour period

reasonably representative of the calendar day for purposes of sampling. Its normally compared with results based on "composite samples".

6. "Duly Authorized Representative" is one where:
 - a) the authorization is made in writing by a person described in the signatory paragraph (C.14:a,b, or c) of this document;
 - b) the authorization specifies either an individual or the occupant of a position having responsibility for the overall operation of the regulated facility, such as the plant manager; and,
 - c) the written authorization was submitted to the Regional Board.
7. A "grab sample" is defined as any individual sample collected in less than 15 minutes. "Grab samples" shall be collected during peak loading conditions, which may or may not be during hydraulic peaks.
8. "Hazardous substance" means any substance designated as hazardous or extremely hazardous in sections 66680 or 66685 of the California Code of Regulations (Title 22, Division 4, Chapter 30, Article 9).
9. "Incompatible wastes" are:
 - a) Wastes which create a fire or explosion hazard in the treatment works;
 - b) Wastes which will cause corrosive structural damage to treatment works, including all wastes with a pH lower than 5.0 unless the works is specifically designed to accommodate such wastes;
 - c) Solid or viscous wastes in amounts which cause obstruction to flow in sewers, or which cause other interference with proper operation of treatment works;
 - d) Any waste, including oxygen demanding pollutants (BOD, etc.), released in such volume or strength as to cause inhibition or disruption in the treatment works and subsequent treatment process upset and loss of treatment efficiency; and,
 - e) Heat in amounts that inhibit or disrupt biological activity in the treatment works or that raise influent temperatures above 40°C (104°F) unless the treatment works is designed to accommodate such heat.
10. "Indirect Discharger" means a nondomestic discharger introducing pollutants into a publicly owned treatment and disposal system.
11. "Log Mean" is the geometric mean. Used for determining compliance of fecal or total coliform populations, it is calculated with the following equation:

$$\text{Log Mean} = (C_1 * C_2 * \dots * C_N)^{1/N}$$

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

12. "Median" is the value below which half the samples (ranked progressively by increasing value) fall. It may be considered the middle value, or the average of two middle values. To be valid, three or more values are required.
13. "Overflow" means the intentional or unintentional diversion of flow from the collection and transport systems, including pumping facilities, and from disposal areas.
14. "Pollutant-free wastewater" means infiltration and inflow, storm waters, and cooling waters and condensates which are essentially free of pollutants.
15. "Severe property damage" means substantial physical damage to property, damage to treatment facilities which causes them to become inoperable, or substantial and permanent loss to natural resources which can reasonably be expected to occur in the absence of a "bypass". It does not mean economic loss caused by delays in production.
16. "Sludge" means the solids, residues, and precipitates separated from, or created in, wastewater by the unit processes of a treatment system.
17. "To significantly contribute" to a waste discharge requirement violation means an "indirect discharger" must:
 - a) Discharge a daily pollutant loading in excess of that allowed by contract with the discharger or by state or local law;
 - b) Discharge wastewater which substantially differs in nature or constituents from its average discharge;
 - c) Discharge pollutants, either alone or in conjunction with discharges from other sources, which results in a waste discharge requirement violation or prevents sludge use or disposal; or,
 - d) Discharge pollutants, either alone or in conjunction with pollutants from other sources, that increase the magnitude or duration of waste discharge requirement violations.
18. "Toxic waste" means any toxic and persistent waste which falls within the following categories:
 - a) PCB's
 - b) Pesticides
 - c) Toxic Metals
 - d) Cyanides

- e) Halogenated Organics
- f) Non-halogenated volatile organics

19. "Upset" means an exceptional incident causing noncompliance with technology-based effluent limitations because of factors beyond the reasonable control of the discharger. It does not include noncompliance caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.

NIPOMO COMMUNITY

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JON SEITZ, GENERAL COUNSEL

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December XX, 2011

Roger W. Briggs, P.E.
Executive Officer
Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-5427

**SUBJECT: NIPOMO CSD SOUTHLAND WASTEWATER TREATMENT FACILITY DRAFT
ORDER NO. R3-2012-0003**

Dear Mr. Briggs:

The District has reviewed the Draft Waste Discharge Requirements Order No. R3-2012-0003 and has the following comments:

1. Page 1 of the Discharge Order, Purpose of Order, Paragraph 1, Part of sentence 1 states "...which serves approximately 2,465 residents in the community of Nipomo..." This is incorrect. Suggest changing 'residents' to 'connections', and add "and 519 connections from San Luis Obispo County Service Area 1 in the community of Nipomo..."
2. Attachment B should be re-titled to District Service Area, as it represents both the water and sewer service area. Paragraph 4 of the Order should be reworded accordingly. Suggest adding sentence between 1st and 2nd sentence: "The District provides water and sewer service to the Nipomo area (Attachment B of this Order)." and delete subsequent reference.
3. Attachment D, Facility Flow Diagram (Upgraded), does not highlight the grit removal system that the District is installing. The District suggests lengthening the box entitled 'screw screen' to include the adjacent grit system and title "Screenings and Grit Removal".

The District appreciates the Central Coast RWQCB's cooperation in the development and timely consideration of the new WDR to facilitate the planned \$12M upgrade of the Southland Wastewater Treatment Facility. Construction of the upgrade is currently schedule to commence in May 2012.

Should you have any questions or require additional information, please contact Peter Sevcik, District Engineer, at 805-929-1133.

Very truly yours,

NIPOMO COMMUNITY SERVICES DISTRICT

Michael S. LeBrun, P.E.
General Manager

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: DECEMBER 9, 2011

AGENDA ITEM
E-7
DECEMBER 14, 2011

ELECTION OF 2012 BOARD PRESIDENT AND VICE PRESIDENT

ITEM

Election of Board President and Vice President for 2012 [BOARD ACTION]

BACKGROUND

Section 1.4 of the Board By-Laws requires the Board of Directors elect a President and a Vice President for the upcoming year at the last regular meeting of the calendar year. The term of office for the President and Vice President shall commence on January 1, 2012 and end on December 31, 2012.

RECOMMENDATION

Staff recommends that the General Manager administer the election of officers of the Board of Directors.

The following is the recommended procedure:

- Nominations taken for the President of the Board
- Public Comment is taken
- Voice vote taken for the President, if by acclamation
- If there are two or more candidates, Staff will distribute ballots
- Staff will announce the results of the ballots (ballots become part of the public record)
- Nominations taken for the Vice President of the Board
- Public Comment is taken
- Voice vote taken for the Vice President, if by acclamation
- If there are two or more candidates, Staff will distribute ballots
- Staff will announce the results of the ballots (Ballots become part of the public record)

ATTACHMENTS

None