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**APPROVED**  
BOARD OF DIRECTORS

JUN 12 2002  
By Cindy H. Turner  
Clerk of the Board

**DATE:** June 12, 2002  
**TO:** Honorable Board of Directors  
Sacramento Regional County Sanitation District  
**FROM:** Sacramento Regional County Sanitation District  
**SUBJECT:** APPROVAL OF WHOLESALE AGREEMENT  
BETWEEN SACRAMENTO REGIONAL COUNTY  
SANITATION DISTRICT AND THE SACRAMENTO  
COUNTY WATER AGENCY FOR THE WATER  
RECYCLING PROGRAM

**RECOMMENDATION:**

It is recommended that your Board approve the *Wholesale Agreement between the Sacramento Regional County Sanitation District (SRCSD) and the Sacramento County Water Agency (SCWA) for the Water Recycling Program.*

**BACKGROUND:**

The SRCSD's 2020 Master Plan identifies recycled water as an effluent management option for SRWTP. Likewise, the SCWA's Water Master Plan identifies recycled water as an element in the conjunctive use water program. The Laguna area is recognized as an opportunity for use of recycled water in the community. The SRCSD has constructed a 5 million gallon per day tertiary recycled water treatment facility at the Sacramento Regional Wastewater Treatment Plant. This facility will begin providing reclaimed water to the purple pipe distribution system this summer.

The highly treated water is regulated by the California State Department of Health Services for use by agricultural, commercial, institutional, and industrial users. Recycled water in the Laguna community will be limited to irrigation of parks, schools, and streetscapes.

The recycled water pipe distribution system has been constructed since the initial phases of the Laguna community and is ready to accept recycled water. This pipe system currently uses raw well water to supply the irrigation needs of the customers.

**Board of Directors**

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✦ Mary K. Snyder  
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Plant Manager

Technology in balance with nature

**DISCUSSION:**

The *Wholesale Agreement Between Sacramento Regional County Sanitation District and Sacramento County Water Agency for the Water Recycling Program* assigns responsibilities to each of the two agencies and sets a wholesale recycled water rate. The SRCSD is responsible for treating the SRWTP effluent to tertiary standards and ensuring compliance with the California Regional Water Quality Control Board Master Water Reclamation Permit, and providing recycled water to the SCWA at specified rates and pressures. The SCWA is responsible for compliance with off-site permit requirements, responding to customer service requests, training customers in the proper use of reclaimed water, and maintaining the recycled water distribution system.

SRCSD will sell recycled water to the SCWA at a wholesale rate equal to 60% of the potable water retail rate as indicated in Title 3, section 3.50.110 of the SCWA Code.

This agreement is the final stage needed to move forward on the first phase in the County's recycled water program. The next phase of the recycled water program can include the construction of a recycled water pipe distribution system and expansion of the existing SRCSD recycled water treatment facility to serve the East Franklin, Poppy Ridge, and Laguna Ridge communities.

**Financial Analysis:**

No fiscal impact is expected.

**CONCLUSION:**

It is recommended that your Board approve the *Wholesale Agreement between the Sacramento Regional County Sanitation District (SRCSD) and the Sacramento County Water Agency (SCWA) for the Water Recycling Program*.

County Counsel has approved this agreement as to form.

Respectfully Submitted,



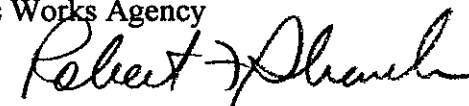
Wendell H. Kido  
District Manager

WHK/RRR:jag

Contact for additional information:  
Wendell Kido, District Manager, at 876-6115

APPROVED:

Warren H. Harada, Administrator  
Public Works Agency

By:   
Robert F. Shanks  
District Engineer

**WHOLESALE AGREEMENT  
BETWEEN SACRAMENTO REGIONAL COUNTY SANITATION  
DISTRICT AND SACRAMENTO COUNTY WATER AGENCY FOR THE  
WATER RECYCLING PROGRAM**

This Wholesale Agreement ("Agreement") is made and entered into this 12<sup>th</sup> day of June, 2002, by and between the Sacramento Regional County Sanitation District (DISTRICT), a political subdivision of the State of California and the Sacramento County Water Agency (AGENCY), a political subdivision of the State of California.

**RECITALS**

WHEREAS, the AGENCY's Zone 40 Water Supply Master Plan has identified the need for additional sources of water for Sacramento County, one of which is recycled water; and

WHEREAS, the AGENCY has service areas that provide retail water service; and

WHEREAS, operation of a recycled water facility will allow DISTRICT to evaluate water recycling as an effluent management alternative to providing higher levels of treatment for discharge to the Sacramento River; and

WHEREAS, recycled water is a valuable commodity that is a feasible alternative water supply source to supplement future non-potable water demands.

WHEREAS, California Water Code section 13550 mandates the use of recycled water for non-potable uses if feasible and available; and

WHEREAS, DISTRICT and AGENCY desire to implement a water recycling program by committing staff and funds to said program.

NOW, THEREFORE, in consideration of the promises made herein, DISTRICT and AGENCY agree as follows:

## **I. PURPOSE**

The purpose of this document is for the DISTRICT and the AGENCY to establish the institutional framework necessary to implement a successful Water Recycling Program and to ensure compliance with the Master Reclamation Permit and all other regulatory requirements.

## **II. DEFINITIONS**

Unless the context otherwise requires, the terms defined in Appendix A shall for all purposes of the Agreement have the meanings hereafter specified.

## **III. DELIVERY AND ACCEPTANCE**

DISTRICT agrees to deliver and AGENCY agrees to accept recycled water in the quantity and at the quality and pressure determined by the terms and conditions of this AGREEMENT.

## **IV. RECYCLED WATER QUALITY**

### Treatment Standards

DISTRICT shall treat the recycled water to be delivered to AGENCY in conformance with the criteria specified in Appendix B, Order No. 97-146, Master Water Reclamation Permit, attached hereto and incorporated herein by this reference. Should it be determined that the recycled water is out of compliance, the DISTRICT shall cease delivery of recycled water until it is deemed to be in compliance with applicable regulations.

### Upgraded Treatment Standards

If recycled water quality standards are made more stringent by the California Regional Water Quality Control Board, the California Department of Health Services, or other government agencies with jurisdiction such that upgraded treatment is required, DISTRICT and AGENCY shall negotiate a mutually agreeable solution to comply with the new standards.

## **V. QUANTITY TO BE DELIVERED**

DISTRICT shall provide AGENCY up to 3.5 million gallons per day of recycled water in accordance with Section III. The AGENCY is only required to purchase enough recycled water to meet the recycled water demands of AGENCY customers.

AGENCY is not required to purchase recycled water if the quality of the recycled water is not in conformance with the criteria specified in Appendix B, and AGENCY shall not be obligated to pay for that amount of water that is not in conformance with said criteria.

Both parties hereto further understand and agree that neither party hereto shall be liable to the other in the event there are interruptions in the delivery of recycled water.

#### **VI. RECYCLED WATER DELIVERY PRESSURE**

DISTRICT shall provide recycled water at a pressure ranging from 70 to 130 psi, with a minimum pressure of no less than 60 psi at the recycled water flow meter located on DISTRICT'S property.

#### **VII. RECYCLED WATER PRICING**

AGENCY agrees to pay DISTRICT a wholesale recycled water price equal to 60% of the most current potable water rate as indicated in the Sacramento County Water Agency Code, Title 3, section 3.50.110 General Metered Service, Quantity Rate. The Quantity Rate is the same rate charged to all commercial, residential and other users that have metered water service.

#### **VIII. TERMS OF PAYMENT**

DISTRICT will invoice the AGENCY quarterly, or as mutually agreed, for recycled water delivered to Zone 41. The billing amount of recycled water will be based on total volume of flow recorded at the recycled water flow meter located on DISTRICT'S property.

The AGENCY shall not charge the DISTRICT for potable water that may be needed to augment the back-up water supply, as defined in Section XIII. DISTRICT shall not charge AGENCY for water provided by the AGENCY.

#### **IX. RECYCLED WATER METERS**

AGENCY shall be responsible for operating, maintaining, and reading the DISTRICT recycled water flow meter and associated flow devices if required. AGENCY shall be responsible for reading, operating, and maintaining, all recycled water service meters to its customers within the AGENCY'S service areas. AGENCY shall report total recycled water flow usage (DISTRICT meter) to DISTRICT quarterly, or as mutually agreed. AGENCY shall report individual customer recycled water flow use to the DISTRICT quarterly, or as mutually agreed.

**X. OWNERSHIP, OPERATION, AND MAINTENANCE OF FACILITIES**

DISTRICT shall own and be responsible for the operation and maintenance of the recycled water treatment facility, and transmission system on DISTRICT'S property. DISTRICT shall own the recycled water flow meter on DISTRICT property, the AGENCY shall operate and maintain this meter. AGENCY shall own and maintain the recycled water distribution system within the AGENCY service areas up to and including the customer's water meter. Neither the DISTRICT nor the AGENCY shall own or be responsible for the operation and maintenance of the customer's irrigation system.

**XI. CONTRACT OBLIGATIONS**

AGENCY shall be responsible for responding to all recycled water customer service inquiries and requests and shall notify DISTRICT on a quarterly basis, or as mutually agreed, of any such inquiries or requests.

Prior to delivery of recycled water, AGENCY customers must obtain a Permit for Recycled Water Service from AGENCY, according to procedures outlined in *Rules and Regulations for Recycled Water Use and Distribution, County of Sacramento*. AGENCY shall be responsible for administering and processing all recycled water service requests from the AGENCY's customers.

AGENCY shall be responsible for obtaining necessary regulatory approvals for each customer site and for any site modifications (i.e. installation of signage, tagging of facilities, etc.) that may be required by the California Department of Health Services, State Water Resources Control Board, California Regional Water Quality Control Board, County EMD, or other regulatory body prior to delivery of recycled water.

AGENCY shall be responsible for providing recycled water training to the customer's onsite supervisor or employees as required by the California Department of Health Services, State Water Resources Control Board, California Regional Water Quality Control Board, County EMD, or other regulatory body.

AGENCY shall be responsible for compliance with all offsite permit requirements.

DISTRICT shall be responsible for compliance with Title 22 Water Quality Regulations and all master permit requirements except as to those permit requirements that are transferred to AGENCY. AGENCY shall be responsible for compliance with those permit requirements transferred to AGENCY by this agreement.

## **XII. MONITORING AND REPORTING**

AGENCY shall conduct or coordinate the construction inspection and periodic site inspections of recycled water use sites to ensure customer compliance with the requirements of Appendix B, Order No. 97-146, Master Water Reclamation Permit. Upon request, AGENCY shall furnish copies of site inspection reports to DISTRICT.

AGENCY shall be responsible for approving and coordinating the inspection for all modifications to the customer's site to ensure regulatory compliance, including but not limited, to installation of signage, tagging of facilities, etc., and shall notify DISTRICT of any such activities.

DISTRICT shall be responsible for preparing and submitting all reports to the California Regional Water Quality Control Board as required by Appendix B, Order No. 97-146, Master Water Reclamation Permit.

## **XIII. BACKUP WATER SUPPLY**

DISTRICT shall provide a backup water supply in the amount that the DISTRICT Water Recycling Facility Backup Well (well #401) can produce. It is estimated that this well has an output of approximately 1500 gallons per minute. The DISTRICT shall provide the use of this backup well as long as there is no change in regulations or circumstances that would prohibit the use of this water for backup purposes.

## **XIV. FUTURE SYSTEM EXPANSION**

DISTRICT may expand the Water Recycling Facility in the future should the economics, water demand, and overall viability of the program warrant expansion.

AGENCY shall cause to be constructed all water recycling transmission facilities outside the SRWTP boundary and within the AGENCY's service areas, should the DISTRICT decide to expand its recycled water facilities.

## **XV. ACCESS TO RECORDS**

All reports submitted by DISTRICT as part of the requirements of Appendix B, Order No. 97-146, Master Water Reclamation Permit, shall be made available to AGENCY upon request.

**I. MODIFICATIONS TO AGREEMENT**

This Agreement may be modified or amended upon the mutual written consent of the parties hereto.

**II. INDEMNIFICATION**

Each party agrees to protect, defend, indemnify, and hold harmless the other party, its directors, officers, agents, employees and representatives from and against any and all losses, claims, liens, demands, and causes of action of every kind and character, without limitation by enumeration, occurring or in any way incident to, connected with, or arising directly or indirectly out of the performance or non-performance by the indemnifying party hereunder.

**III. SEVERABILITY**


In the event one or more of the provisions of this Agreement are held to be invalid, void, or contrary to law by a court of competent jurisdiction, the remaining portions of the Agreement shall continue in full force and effect.

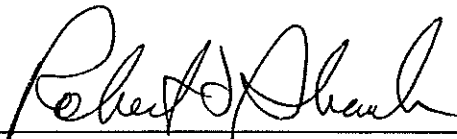
**IV. TERMINATION**

The Agreement may only be terminated by joint agreement between the DISTRICT and the AGENCY. Such termination agreement shall be in writing and signed by all parties.


**V. MODIFICATIONS**

Any modifications, changes, or additions relative to this Agreement, shall be effective when such modification is evidenced by a written amendment duly approved and executed by all parties. Amendments to this Agreement may be proposed by any party and shall be effective upon the date the amendment is executed by all parties.

  
\_\_\_\_\_  
Keith C. DeVore, Director  
Department of Water Resources  
Sacramento County Water Agency

  
\_\_\_\_\_  
Robert F. Shanks, District Engineer  
Sacramento Regional County  
Sanitation District

Date: \_\_\_\_\_

Approved as to Form:  
  
\_\_\_\_\_  
John H. Dodds, Deputy County Counsel



## **APPENDIX A DEFINITIONS**

<u>AFY</u>	Acre-Feet per Year.
<u>Agricultural use</u>	Water used for the production of crops and/or livestock and the preparation of these products for market.
<u>Agricultural user</u>	Any person (as defined herein) engaged in irrigation of food, fodder, fiber, seed, or nursery crops for commercial purposes.
<u>Applicant</u>	Any persons, firm, corporation, association, or agency that applies for recycled water service.
<u>Application rate</u>	The rate at which reclaimed water is applied to a design or use area, expressed in inches per hour.
<u>Approved backflow preventer</u>	A device installed to protect the potable water supply from contamination by non-potable water, such as treated wastewater. This device shall be approved by the State Department of Health Services and the County.
<u>Approved use</u>	An application of recycled water in a manner, and for a purpose, designated in a user permit issued by the County and in compliance with all applicable regulatory agency requirements.
<u>Approved use area</u>	A site with well-defined boundaries designated in a Permit for Recycled Water Service. The Permit is issued by the County for the site to receive recycled water for an approved use and acknowledged by all applicable regulatory agencies.
<u>As built drawings</u>	Record drawings that show the completed facilities as constructed or modified.
<u>Connection fee</u>	A fee imposed by the County for obtaining recycled water service from the County by means of its recycled water facilities.
<u>Contractor</u>	A person, persons or firm entering into a legal agreement with the agency or applicant for the performance of work on any portion of facilities subject to these guidelines.

<u>County</u>	The collective term used for the Sacramento County agencies jointly responsible for the implementation of the water recycling program. The agencies are: Sacramento Regional County Sanitation District, Sacramento County Water Agency, and County of Sacramento Environmental Management Department.
<u>Cross-connection</u>	Any unapproved and/or unprotected connection between any part of a potable water system and any source or system containing water or other substances not approved as safe and potable for human consumption.
<u>Customer</u>	Any person, group, firm, partnership, corporation, association, or agency that legally receives and accepts recycled water service from the County facilities for use in accordance with these Rules and Regulations. Applicant, owner or users are terms that are to be considered as customers.
<u>EMD</u>	County of Sacramento Environmental Management Department.
<u>Effluent</u>	Treated wastewater discharged from a Wastewater Treatment plant.
<u>General public</u>	Any person(s) at large who may come in contact with facilities and/or areas where Nondomestic Water is approved for use.
<u>Greenbelt areas</u>	Areas including, but not limited to, parkways, parks, rights-of-way and landscaping within and/or surrounding a community.
<u>Industrial use</u>	Water used for industrial processes such as cooling, flushing, or construction, and other related uses.
<u>Inspector</u>	Any person(s) authorized to perform inspection of either onsite or offsite facilities prior to construction, during construction, after construction and during operation.
<u>Installer</u>	A person(s) or firm performing work necessary to construct or install equipment or facilities subject to these Regulations.
<u>Landscape irrigation/use</u>	Recycled water used for the propagation and maintenance of trees, shrubs, ground cover and turf. This plant material is intended for erosion control and aesthetic value, not for resale/profit purposes.

Non-potable water

Water that has not been treated for, or is not acceptable for, human consumption in conformance with federal, state and local water standards. Non-potable water includes recycled water.

On-site recycled water supervisor

A qualified person designated by a recycled water user and approved by the County to be responsible for the safe and efficient operation of the user's recycled water system. This person shall be knowledgeable in the construction and operation of irrigation systems and in the application of federal, state, and local guidelines, criteria, standards and rules and regulations governing the use of recycled water.

Operations personnel

Any employee of a customer, whether permanent or temporary, or any contracted worker whose regular or assigned work involves the supervision, operation for maintenance of equipment on any portion of onsite facilities using nondomestic water.

Owner

Any holder of legal title, contract purchaser, or lessee under a lease with an unexpired term of more than one (1) year, of property for which nondomestic water service has been requested.

Permit

A processed and approved application package to, and agreement with, the County for recycled water service.

Potable water

Water which conforms to the latest federal, state, and local drinking water standards

PSI

Pounds per square inch. The most common unit of pressure measurement.

Purveyor

An agency which supplies domestic or non-domestic water. The Sacramento County Water Maintenance District is a purveyor.

Recycled Water

As defined in Title 22, Division 4, of the California Administrative Code, water that, as a result of treatment of wastewater, is suitable for direct beneficial use or a controlled use that otherwise would not occur. The treatment of wastewater is accomplished in accordance with the criteria set forth in the code.

<u>Recycled water facilities</u>	Systems, structures, etc. used in the treatment, storage, pumping, transmission and distribution of recycled water.
<u>Regulatory agency</u>	The California Regional Water Quality Control Board(s) that have jurisdiction over the recycling plant and use areas.
<u>RWQCB</u>	Regional Water Quality Control Board.
<u>SCWA</u>	Sacramento County Water Agency.
<u>Secondary effluent</u>	Wastewater which has been treated by gravity sedimentation to remove settleable solids remaining after the primary biological treatment process.
<u>Service connection</u>	The County facilities between the County recycled water distribution system and the customer's recycled water service valve, including, but not limited to, the meter, meter box, valves, and piping equipment.
<u>SRCS D</u>	Sacramento Regional County Sanitation District.
<u>Standard specifications</u>	Specifications adopted by the distributor for construction of water and nondomestic water facilities.
<u>Tertiary effluent</u>	Secondary effluent which has been disinfected and filtered. Full body contact is not allowed unless certain requirements are fully met.
<u>Unauthorized discharge</u>	Any release of recycled water that violates these Rules and Regulations or any applicable federal, state, or local statutes, regulations, ordinances, contracts, or other requirements.
<u>URP</u>	User Reclamation Plan
<u>Use area</u>	An area of recycled water use with defined boundaries. A use area may contain one or more facilities.
<u>User</u>	Any person, group, firm, partnership, corporation, association or agency accepting recycled water from the County recycled water facilities for use in accordance with these Rules and Regulations. Applicant, owner, or customers are terms that are to be considered as users.

Violation

Noncompliance with any condition or conditions of these Regulations and/or a user permit by any person, action or occurrence, whether willfully or by accident.

**APPENDIX A**  
**Master Water Reclamation Permit**

**APPENDIX B**  
**Master Water Reclamation Permit**

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

1443 Routier Road, Suite A  
Sacramento, CA 95827-3098  
PHONE: (916) 255-3000  
FAX: (916) 255-3015




2 July 1997

CERTIFIED MAIL  
Z 684 995 547

Cecilia T. Jensen  
Sacramento Regional Sanitation District  
8521 Laguna Station Road  
Elk Grove, CA 95758-9550

NOTICE OF ADOPTION  
OF  
NEW MASTER WATER RECLAMATION PERMIT  
FOR  
SACRAMENTO REGIONAL WASTEWATER TREATMENT PLANT  
SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT  
SACRAMENTO COUNTY WATER AGENCY  
SACRAMENTO COUNTY

Waste Discharge Requirements Order No. 97-146 for the above named discharger was adopted by the California Regional Water Quality Control Board, Central Valley Region, at its 20 June 1997 meeting. The Order was adopted as originally proposed.

  
ROBERT J. YEADON  
Senior Engineer

PAM:dlk

Enclosures (Adopted Order and Standard Provisions)

cc+w/o enc: Office of Drinking Water, Department of Health Services, Sacramento  
Environmental Mgmt. Branch, Department of Health Services, Sacramento  
Department of Fish and Game, Region 2, Rancho Cordova  
Mrs. Betsy Jennings, State Water Resources Control Board, Sacramento  
Division of Water Quality, State Water Resources Control Board, Sacramento  
Sacramento County Health Department, Sacramento  
Sacramento County Planning Department, Sacramento



CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

ORDER NO. 97-146

MASTER WATER RECLAMATION PERMIT  
FOR  
SACRAMENTO REGIONAL WASTEWATER TREATMENT PLANT  
SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT  
SACRAMENTO COUNTY WATER AGENCY  
SACRAMENTO COUNTY ...

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

1. On 24 July 1995, Sacramento Regional County Sanitation District (hereafter Producer) submitted a request for a master water reclamation permit. The Producer owns and operates the Sacramento Regional Wastewater Treatment Plant (Plant), serving the metropolitan Sacramento area. Currently all wastewater receives secondary treatment, chlorination, and dechlorination prior to discharge to the Sacramento River.
2. The California Department of Health Services (the Department) has established statewide reclamation criteria in Chapter 3, Division 4, Title 22, California Code of Regulations, Section 60301, et seq. (hereafter Title 22) for the use of reclaimed water for food crop irrigation; fodder, fiber, and seed crop irrigation; landscape irrigation; and impoundment supply. These requirements implement the reclamation criteria in Title 22.
3. The Producer proposes to construct a 5 million gallons per day (mgd) reclamation plant which would further treat the secondary effluent by chemical conditioning, coagulation, flocculation, filtration, and chlorination with extended contact time. The treated effluent will meet the requirements of Title 22 for unrestricted use. The plant will be expandable to 10 mgd. The reclaimed water is proposed to be used for irrigation of publicly owned areas of residential neighborhoods, parks, streetscapes, schools, commercial areas, and at the treatment plant. The Sacramento County Water Agency will be responsible for distribution of the reclaimed water off of the Plant site.
4. The State Water Resources Control Board (State Board) adopted Resolution No. 77-1, titled, *Policy with Respect to Water Reclamation in California* on 6 January 1977. This policy requires the Board to encourage reclamation and reuse of water in water-short areas of the State.
5. This Order is adopted pursuant to Section §13523.1, Chapter 7, Article 2, of the California Water Code (CWC), which authorizes issuance of a Master Reclamation Permit to producers or distributors, or both, of reclaimed water in lieu of issuing individual water reclamation requirements to each Reclaimed Water User [hereafter User(s)]. Uses of reclaimed water other than those identified in Title 22 are not regulated by this Order, and are to be considered on a case-by-case basis.
6. In 1996, the State Board and the Department set forth principles, procedures, and agreements to which the agencies committed themselves, relative to the use of reclaimed water in California, in a

MASTER RECLAMATION PERMIT ORDER NO. 97-146  
SACRAMENTO REGIONAL WASTEWATER TREATMENT PLANT  
SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT  
SACRAMENTO COUNTY

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document titled *Memorandum of Agreement Between the Department of Health Services and The State Water Resources Control Board On Use of Reclaimed Water* (MOA). This Order is consistent with the MOA.

7. The Board adopted a Water Quality Control Plan, Third Edition, for the Sacramento River Basin (hereafter Basin Plan) which contains water quality objectives for waters of the Basin. These requirements implement the Basin Plan.
8. The beneficial uses of the underlying ground water include municipal, domestic, agricultural and industrial supply.
9. Sacramento Regional County Sanitation District has certified a final environmental impact report (EIR), in accordance with the California Environmental Quality Act (CEQA), (Public Resources Code Section 21000, et seq.) and the State CEQA Guidelines. The project, as approved, will not have a significant effect on water quality.
10. Water reclamation 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 is issuing a Master Reclamation Permit, and
  - b. The reclamation complies with the Basin Plan, and
  - c. The reclaimed water does not need to be managed according to 22 CCR, Division 4.5, Chapter 11, as a hazardous waste.
11. The Board consulted with the Department, County Health Department, and Mosquito Abatement District and considered their recommendations regarding public health aspects for use of reclaimed water.
12. The Board has notified the Producer and interested agencies and persons of its intent to prescribe reclamation requirements for this water reuse and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
13. The Board, in a public meeting, heard and considered all comments pertaining to the reclamation.
14. Any person adversely affected by this action of the Board may petition the State Board to review the action. The petition must be received by the State Water Resources Control Board, Office of the Chief Counsel, P.O. Box 100, Sacramento, CA, 95812-0100, within 30 days of the date on which this action was taken. Copies of the law and regulations applicable to filing petitions will be provided on request.

IT IS HEREBY ORDERED that the Sacramento Regional County Sanitation District, its agents, successors, and assigns, 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. Reclaimed Water Prohibitions**

1. The direct discharge of reclaimed water to surface waters is prohibited.
2. By-pass or overflow of untreated or partially treated reclamation water from the reclamation plant or any intermediate unit processes to the point of use is prohibited.
3. Excessive irrigation with reclaimed water which results in excessive runoff of reclaimed water, or continued irrigation of reclaimed water during periods of rain is prohibited. Overspray or runoff associated with normal sprinkler use is acceptable.
4. Application or impoundment of reclaimed water within 50 feet of any well used for domestic water supply is prohibited, unless approved by the Department of Health Services Drinking Water Branch.
5. The use of reclaimed water shall not cause the degradation of groundwater.

**B. Reclaimed Water Limitations**

1. The reclaimed water shall, at a minimum, be adequately oxidized, coagulated, filtered, and disinfected.
2. The median concentration of total coliform bacteria measured in the disinfected effluent shall not exceed an MPN of 2.2 per 100 milliliters utilizing the bacteriological results of the last seven days for which analyses have been completed and the number of total coliform bacteria shall not exceed an MPN of 23 per 100 milliliters in more than one sample in any 30-day period. No sample shall exceed an MPN of 240 total coliform bacteria per 100 milliliters.
3. Disinfection of tertiary treated wastewater shall be accomplished by a chlorine disinfection process that provides a CT (chlorine concentration times modal contact time) value of not less than 450 milligram-minutes per liter at all times with a modal contact time of at least 90 minutes, based on peak daily design flow.
4. The coagulation system shall be used whenever the plant is producing tertiary treated wastewater for unrestricted use. For the purpose of maintenance and repair of the system,

MASTER RECLAMATION PERMIT ORDER NO. 97-146  
SACRAMENTO REGIONAL WASTEWATER TREATMENT PLANT  
SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT  
SACRAMENTO COUNTY

the Discharger is allowed to have the coagulation system off-line for short periods of time (up to 30 minutes for each occurrence), when the turbidity of the influent to the tertiary treatment plant is less than 5 NTU.

5. Disinfected tertiary treated wastewater for unrestricted use shall be continuously sampled for turbidity using a continuous turbidity meter and recorder at a point prior to filtration and again following filtration. Turbidity measurements shall be based on a reading and recording of the turbidity strip charts or computer records at four-hour intervals at least once per day. Compliance with the daily average operating turbidity shall be determined by averaging the results of all four-hour turbidity samples read during the day. The results of the daily average turbidity determinations shall be reported quarterly to the Board.

The turbidity of the filter effluent shall not exceed 2 NTU as a daily average, 5 NTU more than 5 percent of the time, nor 10 NTU at any time.

6. The peak daily flow of the tertiary plant shall not exceed 5 million gallons. After expansion to a design capacity of 10 mgd, the peak daily flow of the tertiary plant shall not exceed 10 million gallons.
7. Water in the surface layer of any pond or earthen reservoir containing reclaimed water shall meet the following limitations at all times:
  - a. Dissolved oxygen shall not be less than 1.0 mg/l.
  - b. pH shall not be less than 6.0 or greater than 9.5.
8. The use of reclaimed water shall not cause a statistically significant increase of nitrate or salt concentrations in underlying ground water.
9. The use of reclaimed water shall not cause concentrations of chemicals and radionuclides in ground water to exceed limits set forth in Title 22, Chapter 15, Articles 4 and 5, of the California Code of Regulations.

**C. Reclaimed Water Specifications**

1. Neither the treatment nor the use of reclaimed water shall cause a pollution or nuisance as defined by Section 13050 of the CWC.
2. The use of reclaimed water shall not cause degradation of any water supply.

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3. Reclaimed water shall be managed in conformance with the regulations contained in Title 22, Division 4, Chapter 3, CCR.
4. All reclamation equipment, pumps, piping, valves, and outlets shall be appropriately marked to differentiate them from potable facilities.
5. Perimeter warning signs indicating that reclaimed water is in use shall be posted as prescribed in the User's Reclamation Plan which is subject to approval by the Board and the Department.
6. Reclaimed water shall not be allowed to escape from the authorized use areas by airborne spray or by surface flow except in minor amounts such as that associated with good irrigation practices.
7. A minimum freeboard of two (2) feet shall be maintained at all times in any reservoir or pond containing reclaimed water, except with prior written authorization by the Board's Executive Officer.
8. All reservoirs and ponds shall be adequately protected from erosion, washout and flooding from a rainfall event having a predicted frequency of once in 100 years.
9. There shall be at least a ten foot horizontal and one foot vertical separation at crossings between all pipelines transporting reclaimed water and those transporting domestic supply, with the domestic supply above the reclaimed water pipeline, unless approved by the Department.
10. There shall be no cross-connection between potable water supply and piping containing reclaimed water. Supplementing reclaimed water with potable water shall not be allowed except through an air-gap separation, or if approved by the Department, a reduced pressure principle backflow device.
11. Areas irrigated with reclaimed water shall be managed to prevent ponding and conditions conducive to the proliferation of mosquitos and other disease vectors, and to avoid creation of a public nuisance or health hazard. The following practices shall be implemented, at a minimum:
  - a. Irrigation water must infiltrate completely within a 48-hour period.
  - b. Ditches receiving irrigation runoff, not serving as wildlife habitat, shall be maintained free of emergent, marginal, and floating vegetation.

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- c. Low-pressure and unpressurized pipelines and ditches accessible to mosquitos shall not be used to store recycled water.
12. The reclaimed water piping system shall not include any hose bibs, except at the treatment plant, on hose bibs with appropriate signage.

**D. Provisions**

1. The Producer shall establish and enforce rules and/or regulations for Users governing the design and construction of reclaimed water use facilities and the use of reclaimed water in accordance with the criteria established in Title 22.
2. The Producer shall develop administrative procedures specifying how the permit-based system for regulating Users will be implemented and how compliance with Title 22 criteria will be assured. Upon Executive Officer approval of the Producer's program, the Producer may authorize specific reclamation projects on a case-by-case basis in accordance with the approved program.
3. The Producer shall be responsible for ensuring that reclaimed water meets the quality standards of this Order and for the operation and maintenance of major transport facilities and associated appurtenances. The Producer shall hold the Users responsible for the application and use of reclaimed water on their designated use areas and associated operations and maintenance in accordance with all applicable Title 22 requirements.
4. The Producer shall conduct periodic inspections of the User's facilities and operations to monitor and assure compliance with conditions of the Producer's permit and this Order. The Producer shall take whatever actions are necessary, including termination of delivery of reclaimed water to the User, to correct any User violations.
5. The Producer shall submit a notice to the Board in anticipation of reclaiming water at a new location, prior to the commencement of reclamation activities at the new location. The notice shall include the following; the site location, the County Assessor Parcel Number(s), the name of the property owner, the name of the User, and a User Reclamation Plan. The User Reclamation Plan shall estimate the anticipated volume of reclaimed water to be used, identify the on-site supervisor who is knowledgeable of the User Reclamation Plan, describe the reclaimed water management facilities and operations plan, reflect consultation with state and local health departments, and explain in detail how compliance with the User Reclamation Plan, Title 22 criteria, and the requirements of the Master Reclamation Permit will be achieved.

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6. If, in the opinion of the Executive Officer, reclamation at proposed new locations cannot be adequately regulated under the Master Reclamation Permit, a Report of Waste Discharge may be requested and individual Water Reclamation Requirements may be formulated.
7. A contingency plan, including notification of the Board and health agencies and outlining actions to be taken when effluent quality fails to meet required standards, shall be submitted within 90 days of adoption of this Order.
8. The Producer shall comply with the Monitoring and Reporting Program No. 97-146, which is part of this Order, and any revisions thereto as ordered by the Executive Officer.
9. The Producer shall comply with all applicable requirements for Dischargers in 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)."
10. The Producer must comply with all conditions of this Order, including timely submittal of technical and monitoring reports as directed by the Executive Officer. Violations may result in enforcement action, including Regional Board or court orders requiring corrective action or imposing civil monetary liability, or in revision or rescission of this Order.
11. The Producer shall comply with the criteria established in Title 22. Uses of reclaimed water other than those identified in Title 22 are not regulated by this Order, and are to be considered on a case-by-case basis.
12. The Board will review this Order periodically and will revise requirements when necessary.

I, GARY M. CARLTON, 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 20 June 1997.

  
GARY M. CARLTON, Executive Officer

PAM:pam

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM NO. 97-146  
FOR  
MASTER RECLAMATION PERMIT  
SACRAMENTO REGIONAL WASTEWATER TREATMENT PLANT  
SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT  
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The Sacramento Regional County Sanitation District (hereafter Producer) shall implement the following monitoring and reporting program.

**Reclamation Treatment Plant Process Monitoring**

The Producer shall retrieve samples of filter influent. Monitoring shall include at least the following:

<u>Constituents</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
Turbidity	turbidity units	Meter	Continuous

**Reclamation Treatment Plant Effluent Monitoring**

The Producer shall retrieve samples of reclamation treatment plant effluent prior to discharge into the distribution system. Monitoring shall include at least the following:

<u>Constituents</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Sampling Frequency</u>
pH	pH units	Grab	Daily
Total Coliform Organisms	MPN/100 ml	Grab	Daily
Turbidity	turbidity units	Meter	Continuous <sup>1</sup>
Flow	mgd	Meter	Continuous

<sup>1</sup> Report daily average, daily maximum, and percentage of time which effluent exceeds 5 NTU on a daily basis.



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**Reclamation Site Monitoring**

The Producer shall inspect and monitor the reclamation sites on a quarterly basis to verify compliance with the User Reclamation Plan, Title 22 criteria, and the requirements of the Master Reclamation Permit. Any evidence of runoff and, or, discharge to surface waters shall be noted.

**Reporting**

The Producer shall submit quarterly reports summarizing reclaimed water use, including the total amount of reclaimed water used, the total amount of reclaimed water supplied, the total number of reclaimed water use sites, and the locations of those sites, including the names of the hydrologic areas underlying the reclaimed water use sites, the County Assessor Parcel Number(s), and the names of the User(s). The quarterly report shall summarize Reclamation Treatment Plant Effluent Monitoring and Reclamation Site Monitoring.

In reporting the monitoring data, the Producer 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 clearly illustrate compliance with the User Reclamation Plan, Title 22 criteria and the requirements of the Master Reclamation Permit.

Quarterly monitoring reports shall be submitted to the Regional Board by the 20th day of the following month.

Upon written request by the Board, the Producer 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 Producer shall discuss the compliance record and the corrective actions taken or planned which may be needed to bring the reclamation into full compliance with the Master Reclamation Permit.

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

Ordered by:

  
GARY M. CARLTON, Executive Officer

20 June 1997

(Date)

## INFORMATION SHEET

### MASTER RECLAMATION PERMIT SACRAMENTO REGIONAL WASTEWATER TREATMENT PLANT SACRAMENTO REGIONAL COUNTY SANITATION DISTRICT SACRAMENTO COUNTY

The California Water Code authorizes issuance of a Master Reclamation Permit to suppliers or distributors, or both, of reclaimed water in lieu of issuing individual water reclamation requirements to each user.

The Sacramento Regional County Sanitation District owns and operates the Sacramento Regional Wastewater Treatment Plant, serving the Sacramento metropolitan area. Currently all wastewater receives secondary treatment, chlorination and dechlorination prior to discharge to the Sacramento River. The District proposes to become a Producer of reclaimed water by constructing a 5 mgd reclamation plant which will further treat the secondary effluent by chemical conditioning, flocculation, filtration, and chlorination with extended contact time. The treated effluent will meet the requirements of Title 22 for unrestricted use. The plant will be expandable to 10 mgd. The District has requested a master reclamation permit be issued.

The California Department of Health Services (the Department) has established uniform statewide reclamation criteria in Chapter 3, Division 4, Title 22, California Code of Regulations, Section 60301, et. seq. (Title 22) for food crop irrigation; fodder, fiber, and seed crop irrigation; landscape irrigation; and supply of impoundments. A master reclamation permit is applicable for uses of reclaimed water that are identified in Title 22. Those uses that are not identified in Title 22 must be considered on a case-by-case basis.

Sacramento Regional County Sanitation District certified a final environmental impact report for the project. The report evaluated the potential for using water reclamation to partially offset the need to develop new potable water supplies and to enhance wastewater disposal options, and identified and evaluated potential Users in the vicinity of the plant.

The permit contains reclaimed water limitations and specifications to require compliance with the uniform statewide reclamation criteria established by the Department of Health Services.

The permit requires the District to establish and enforce rules and/or regulations for Users governing the design and construction of reclaimed water use facilities and the use of reclaimed water, as well as administrative procedures for a permit-based system for regulating Users.

The permit makes the District responsible for ensuring that reclaimed water meets all quality standards and for the operation and maintenance of major transport facilities and associated appurtenances. The District must also hold the Users responsible for the application and use of reclaimed water on their designated use areas and associated operations and maintenance in accordance with all applicable requirements.

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The permit requires the District to conduct periodic inspections of the User's facilities, and to take whatever actions are necessary, including termination of delivery of reclaimed water to the User, to correct any User violations.

The permit requires the District to notify the Board prior to initiating reclamation activities in a new location. The notification is required to include specific information on the site, the activity, and evidence of consultation with state and local health departments.

The permit contains a monitoring and reporting program to assess compliance with the requirements of this Order.

PAM:pam May 28, 1997

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

STANDARD PROVISIONS AND REPORTING REQUIREMENTS  
FOR  
WASTE DISCHARGE REQUIREMENTS

1 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.

STANDARD PROVISIONS AND REPORTING REQUIREMENTS  
Waste Discharge to Land

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A. General Provisions (continued)

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

A. General Provisions (continued)

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. For a corporation: by a principal executive officer of at least the level of senior vice-president.
  - b. For a partnership or sole proprietorship: by a general partner or the proprietor.
  - c. For a municipality, state, federal or other public agency: by either a principal executive officer or ranking elected or appointed official.

STANDARD PROVISIONS AND REPORTING REQUIREMENTS  
Waste Discharge to Land

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B. General Reporting Requirements (continued)

- 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

1. 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).
2. 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,
  - f. the analytical techniques or methods used, and
  - g. the results of such analyses.
4. 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.



STANDARD PROVISIONS AND REPORTING REQUIREMENTS  
Waste Discharge to Land

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C. Provisions For Monitoring (continued)

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 (Chapter 15)

1. 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

1. 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.
  2. 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. (1) 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
      - (2) 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. (1) by-pass is required for essential maintenance to assure efficient operation; and
      - (2) neither effluent nor receiving water limitations are exceeded; and
      - (3) 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.
3. 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;

STANDARD PROVISIONS AND REPORTING REQUIREMENTS  
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E. Dischargers Exempt from Chapter 15 (continued)

- 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.

E. Dischargers Exempt from Chapter 15 (continued)

- 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;
  - (1) at equal time intervals, with a maximum interval of one hour
  - (2) 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

E. Dischargers Exempt from Chapter 15 (continued)

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);

E. Dischargers Exempt from Chapter 15 (continued)

- (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;

E. Dischargers Exempt from Chapter 15 (continued)

- (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.
  - i. 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  
P.O. Box 944213  
Sacramento, CA 94244-2130