



CITY OF SANTA PAULA

REQUEST FOR PROPOSAL TO PROVIDE SERVICES

PROPOSALS ARE DUE: Not later than 3:00 P.M. Thursday, April 7, 2016, at the City Clerk's office at 970 E. Ventura Street, Santa Paula, CA 93060.

The City of Santa Paula (City) is requesting proposals from qualified companies to provide contract operation and maintenance services for the City Water Reclamation Facility. The Request for Proposal (RFP) is enclosed. The RFP provides an introduction, schedule, City background, scope of services, deliverables, proposal requirements, insurance requirements, and evaluation criteria among other information.

The successful company shall execute a Professional Services Agreement with the City to perform the services.

One (1) original and three (3) copies of the proposal shall be submitted to the following address:

City of Santa Paula
City Clerk
970 E. Ventura Street
Santa Paula, CA 93060

Proposal shall include a copy of this form and be signed by the company's authorized representative.

I have read, understood, and agree to the terms and conditions on all pages of the RFP. The undersigned agrees to furnish the services stipulated in this RFP.

Company

Address

Name (Print)

Signature

Company Phone No.

Title

City of Santa Paula



REQUEST FOR PROPOSAL TO PROVIDE SERVICES

Water Reclamation Facility Contract Operation and Maintenance

February 26, 2016

**A mandatory Pre-proposal Conference is at 10:00 A.M. at on Tuesday March 8, 2016,
at:**

**City of Santa Paula
City Hall, Council Chambers
970 Ventura St.
Santa Paula, CA 93060**

**Requests for clarification are due by 4:00 P.M. on Tuesday March 22, 2016, and shall
be submitted in writing to Caesar Hernandez at chernandez@spcity.org.**

Proposals are due at the City Clerk's office by 3:00 P.M. Thursday April 7, 2016, at:

**City of Santa Paula
City Clerk's Office
970 E. Ventura Street
Santa Paula, CA 93060**

With this Request for Proposal (RFP), the City of Santa Paula (City, OWNER) is requesting proposals from qualified operations companies (OPERATOR) to provide contract operation and maintenance services for the City Water Reclamation Facility.

Introduction

The City of Santa Paula completed construction of the Water Reclamation Facility (WRF, Project) in 2010 within a design-build-operation-finance (DBOF) contract. The existing WRF is designed to treat 3.4 MGD and be phased to handle 4.2 million gallons per day (MGD) average dry weather flow in the future. The City is required to comply with the Waste Discharge Requirements as described in the Order No. R4-2007-0028-R2.

The WRF includes the following major facilities and processes:

- Influent lift station
- Primary screening
- Grit removal
- Influent equalization basins
- Fine screening
- Secondary biological nutrient removal (BNR) process
- Membrane separation process
- Aerobic sludge digestion
- Screw-type solids dewatering facilities
- Backup generator
- 14.2 acres of percolation basins for effluent disposal
- Operations building with laboratory, restroom, workshop, break room, and administrative offices located over the treatment basins
- Odor control
- Associated mechanical piping and appurtenances, electrical systems, instrumentation and controls systems

In April of 2015, the City arranged to terminate the original DBOF contract including the operations and maintenance efforts.

Project Schedule

The duration of the contract will be four years and is anticipated to begin in the summer of 2016 with the ability to extend the contract annually based on performance and satisfactory terms for the extension.

City Background

The City is located 65 miles northwest of Los Angeles and 14 miles east of Ventura and the coastline of the Pacific Ocean. The City is the geographical center of Ventura County, situated in the rich agricultural Santa Clara River Valley. The City is surrounded

by rolling hills and rugged mountain peaks in addition to orange, lemon and avocado groves. In fact, the City is referred to as the “Citrus Capital of the World.”

The City was incorporated on April 22, 1902, as a general law city. The City Council is made up of five members, elected at-large, serving four year terms. The Mayor is selected for a one-year term from among the members of the City Council. The City operates under a council-manager form of government. The City Council appoints the City Manager and City Attorney. The City Clerk and City Treasurer are elected and serve four year terms.

The City covers an area of 5.4 square miles and has a population of 30,556, as of January 1, 2014, based on estimates from the State of California. The square miles will change slightly with the recent annexation of property to the East of Santa Paula. The City delivers municipal services through six departments- Administration (City Council, City Manager, City Attorney, City Clerk, Personnel, Risk Management, Information Technology, Mobile Home Rent Review and California Oil Museum), Community Services (Community Center, Recreation, Parks, Senior Services, Cable Television, Buildings and Grounds Maintenance), Finance (City Treasurer, Utility Billing and Payments, Accounting and Payroll), Fire (Fire Emergency Services and Building-Code Enforcement), Police, Public Works (Streets, Water, Wastewater, Solid Waste, Transit and Engineering). Wastewater, Transit and Solid Waste services are provided under contract. Library services in Santa Paula are provided by the Blanchard/Santa Paula Library District.

Scope of Services

The services to be provided include those listed below for operations and maintenance of the City’s Water Recycling Facility (WRF). The services include specific tasks, as well as goals, which are expected to be achieved. Services shall be in accordance with State, Federal and Local regulations governing the operations and maintenance of domestic wastewater treatment systems in the City of Santa Paula (“City”). Company shall provide all labor, materials, and supplies.

1. Operations

- Develop and implement Best Management Practices (BMP’s) for the Project. At a minimum, this shall include operating the plant to comply with all regulatory requirements.
- Operate, maintain, and/or monitor the WRF such that the WRF is staffed seven days per week, 24 hours per day.
- Be responsive to alarms and emergency calls 24 hours per day, 7 days per week.

- Guarantee and provide certified operations staff including, at a minimum:
 - 1) One Grade IV Operator as Chief Plant Operator,
 - 2) Grade III Operator as Operator-in-Charge at all times the plant is operating.
- Provide computerized maintenance, process control, and laboratory management systems.
- Provide proper residuals management including maintaining an active approach for odor control and abatement.
- Assure that all produced biosolids are scheduled to be removed from the premises as required to minimize odors while maintaining cost efficiency. Provide copy of biosolids report to the Public Works Department.
- Assist the City in applying for, acquiring, and maintaining all governmental approvals required for the disposal or beneficial use of sewage sludge.
- Add or replace necessary chemicals to maintain acceptable quality levels necessary for operations.
- Maintain and update Emergency Response Plan (ERP).
- Create a Contingency Plan to address spills, overflows, and system failures for the Water Recycling Facility and provide a copy to the City of Santa Paula Public Works Department. Update plan annually.
- Maintain Site Specific Safety Plan and adhere to all OSHA requirements.
- Adopt and implement an OSHA compliance program for all personnel employed or managed by OPERATOR who are involved with the WRF. Prepare and maintain a list of all equipment with maintenance records.
- Cooperate with the City in enforcing all equipment warranties and guarantees. Administer and comply with all warranty and guarantee requirements.
- Ensure that building is locked, alarm is set & properly working; and all gates are secured. If plant is staffed 24/7, alarms should be tested at least quarterly. Operator shall provide report to City.
- Make access to the WRF available to City personnel at all times. Provide Public Works Staff with access codes and keys to facilities and provide updated codes and keys to Public Works Staff within four (4) hours of making any changes.

- Update and maintain Operations and Maintenance (O&M) Manual and Standard Operating Procedures (SOPs) for the Project and make all documents visible and readily available for review at the Operations Building.
- All materials, labor, equipment required for implementation of capital expenditure projects (CapEx) will be provided, developed, and maintained by the operator. Any requests for repairs and replacements to the WRF must be submitted to the City with the proper documentation prior to performing the work, unless emergency conditions arise and action must be taken to prevent damage, injury, or system overflows. Any repairs and replacements will be approved by the City of Santa Paula. The City requests the proposer provide recommended guidelines for responding to this requirement (including a specific, reasonable amount of time for advance notice) as part of the proposal. These conditions will be negotiated between the City and successful proposer.
- Repair or replace up to \$10,000 (“Replacement Cap”) within the proposed OPERATOR budget.
- Invoice up to \$50,000 to OWNER replacement budget (“Repairs Limit”) past “replacement cap”.
- Perform preventative maintenance and repairs for the Project, subject to the Repairs Limit.
- Participate in annual City budget process, providing input for operations, repair, replacement, and capital improvements related to the WRF.
- Provide out of scope (OOS) capital improvements above the Repairs Limit as mutually agreed upon OOS Cost based on a maximum 10% administrative fees.

2. Monitoring, Reporting & Compliance

- Arrange for sample collection and analysis of any parameters required for process monitoring or regulatory compliance that cannot be tested in the plant laboratory. At this time, the only water quality parameters from the WDRs that can be tested at the facility are pH and dissolved oxygen.
- Record daily activities in a Log Book that is maintained at the WRF.
- Update and maintain laboratory Quality Control program.
- Provide monthly plant operations report to the City including all repairs and preventative maintenance activities.

- Prepare and submit monthly and annual regulatory reports in accordance with the current WDR and MRP. Meet all reporting and monitoring requirements of LARWQCB during the contract period. Upload the aforementioned reports to Geotracker.
- Comply with all permitting and monitoring requirements of the Ventura County Air Pollution Control District (VCAPCD).
- Provide alarm monitoring and response as required for operations.
- Prepare and submit quarterly and annual laboratory reports required by law.
- Maintain monthly logs of operations, maintenance, and laboratory analysis.
- Maintain monthly odor and monthly call-out complaint log.
- Provide any other report required by law.
- Upon request, provide any report required by the City
- Provide maintenance and operation of all monitoring equipment.
- Perform maintenance, operation, and monitoring of all monitoring wells.
- Provide calibration and verification of all monitoring equipment once each calendar year, at a minimum.
- Provide verification of accuracy of analytic monitoring equipment in accordance with EPA, State, and Laboratory QA/QC Program.
- Provide within six months from the Notice to Proceed, a comprehensive assessment of plant equipment condition, projected life expectancy, and estimated replacement cost of key equipment and components for each system. Subsequent assessments will be required on an annual basis, due at the end of the calendar year.

3. Maintenance

- Provide equipment maintenance, at a minimum per the Manufacturer's O&M Manuals and as described above to perform adequate operations and monitoring.
- Landscape, Irrigation & Maintenance: Install landscaping and cover on the banks of all percolation ponds. Landscaping plan to be provided by City.

- Rip the infiltration basins(each pond once per year)
- Remove and dispose of trash and debris within the site, including parking areas
- Maintain all existing landscaping including decorative pond.
- Minimize presence of mosquitoes at the infiltration basins within all applicable state, federal, and local requirements
- Maintain and staff existing recreational vehicle dumping station. Provide a fee schedule and recommended hours of operation. Prior to submittal of any invoices for equipment repair or replacement, attach the manufacturer inspection report or third party inspection report for review and consideration by the City. Provide advance notice where reasonable to do so.

Proposal Requirements

The proposal shall demonstrate the qualifications, competence, and capacity of the company to provide the services in accordance with the requirements of the RFP. The proposal shall specify an approach that will meet the RFP requirements.

The proposal shall contain the information as set forth in this section at a minimum. Failure to include this information, or an incomplete response, may be cause for disqualification. The proposals will be used to evaluate and select the most qualified firm or firms.

The proposal shall include the following information as a minimum:

1. Transmittal cover letter signed by the person or persons authorized to represent the company.
2. Executive summary.
3. Company's name, background, and contact person, including corporate office and local office address, city, state, zip code, telephone number, facsimile number, web site address, and electronic mail address.
4. Company profile and experience, including completion of the forms identified in Exhibit C.
5. Descriptions of the proposed staffing plan and specific experience and capabilities of the operations, maintenance, and support staff related to the scope of services as identified on the forms in Exhibit C. Résumés for each key personnel shall be included and attached separately in an appendix to the proposal
6. All existing and past financial relationships including agreements between your company and proposed subconsultants, with current Members of the City Council and City staff, and entities for which said members are employed, or have an interest, both past and present. If there are none, the proposal shall clearly state

this. The Members of the City Council can be viewed at <http://www.ci.santa-paula.ca.us/Council-Members.htm>.

7. A brief explanation of why the company is best-suited to provide these services, and why participation will make the Project successful. The company's related experience, qualifications, expertise, experience, areas of specialization, and government contracts shall be stated.
8. A detailed scope of work addressing the company's approach to the Project. Address the scope of services as presented, but include other approaches, items, or considerations; or exceptions and additions. The approach should demonstrate a thorough understanding of the issues that may be anticipated in the operation and maintenance of the WRF. Recommend a strategy for coordinating with equipment vendors and other third parties for verification of timing and costs of proposed major repair and replacement projects. Address approach to ensure transparency to City staff and the public related to scope and costs of work.
9. Budget with fees to complete the proposed scope of work, broken down by each major task. Fee shall include all compensation to adequately provide all operations and maintenance services meeting the needs described herein. Include the estimated hours per employee category for each major task including those of all subconsultants to complete the scope of services. Include a rate sheet for the firm. If tiered subconsultants are part of the project organization, they shall be listed under the task performed.

One (1) original and five (5) copies of the proposal shall be submitted at the address set forth below, no later than 3:00 P.M. Thursday, April 7, 2016:

City of Santa Paula
City Clerk
970 E. Ventura Street
Santa Paula, CA 93060

The proposal and budget shall be sealed in an envelope. The name and address of the firm shall appear in the upper left hand corner of the envelope. If more than one envelope is required, each envelope shall be legibly numbered below the name of the firm, e.g. Envelope 1 of 3, as required.

A proposal may be amended only if the City receives such amendment before the deadline stated herein for receiving proposals.

A proposal may be considered non-responsive if conditional, incomplete, or if it contains alterations of form, additions not called for, or other irregularities that may constitute a material change to the proposal.

The City will not be responsible for proposals that are delinquent, lost, incorrectly marked, or sent to an address other than that given herein, or sent by mail or courier service and not signed for by the City. LATE PROPOSALS WILL NOT BE ACCEPTED.

4. Mandatory Pre-Proposal Meeting

A mandatory Pre-proposal meeting for this RFP will be held on Tuesday March 8, 2016, 10:00 A.M. at the following location:

City of Santa Paula
City Hall, Council Chambers
970 Ventura St.
Santa Paula, CA 93060

A site walk will also be held following the meeting.

5. Site Inspection

Before submitting a proposal, each Operator shall make all investigations and examinations necessary to ascertain all conditions and requirements affecting the full performance of the contract and to verify any representations made by the City upon which the Proposal will rely. Coordinate all visits with Caesar Hernandez, City Regulatory Compliance Specialist at (805) 933-4212 x306 or chernandez@spcity.org. If the proposed Operator receives an award as a result of its submitted Proposal, failure to have made such investigations and examinations will in no way relieve the proposed operator from its obligation to comply in every detail with all provisions and requirements of the documents, nor will a plea of ignorance of such conditions and requirements be accepted as a basis for any claim whatsoever by the operator for additional compensation.

Insurance Requirements

Insurance shall be obtained and maintained at all times during the term of the Professional Services Agreement, and not less than the following coverage and limits of insurance under forms of policies satisfactory to the City:

1. Commercial General Liability, limit \$1,000,000 per occurrence to cover bodily injury and property damage.
2. Commercial Automobile Liability, limit \$1,000,000 per occurrence to cover bodily injury and property damage.
3. Workers' Compensation Insurance, Statutory Limits of State of California, including \$1,000,000 Employers' Liability.
4. Professional Liability (errors and omissions) in the amount of \$1,000,000 per occurrence/\$2,000,000 policy aggregate.

Proof of insurance shall be submitted before award of the Professional Services Agreement. An example of an acceptable form of proof of insurance is enclosed (Exhibit A). The insurance company shall be an admitted carrier in the State of California with an A.M. Best rating of A-IV or better.

All insurance required pursuant to the Professional Services Agreement shall:

1. Name the City of Santa Paula, its employees, city council members, officers, and agents as additional insureds.

Specific provisions for insurance are set forth in the enclosed Professional Services Agreement template (Exhibit B).

Evaluation Criteria

From the proposals received, the City will select the most qualified firm. Selection will be based on the following:

Criteria	Assigned Value
Number of years providing relevant services	10
Client references	15
Experience with operations services at wastewater treatment or water recycling facility of similar capacity and process	10
Number of projects or resources in proximity capable of providing technical and staff support	10
Litigation, permit enforcement actions, and/or fines from similar projects	10
Detailed project plan and budget	10
Detailed corporate safety program addressing operations	5
Identifies strategy for providing operations support: SOPs, operations and maintenance manuals, facility evaluation, maintenance management approach	10
Provides in-house specialized support: process control, instrumentation and control, SCADA, and power management	5
Corporate training programs	5
Financial resources and stability	5
Completeness of proposal	5
Total	100

The tentative schedule for consultant selection is as follows:

Release/advertisement	February 26 through April 7, 2016
Mandatory Preproposal Meeting	March 8, 2016 at 10 A.M.
Proposal due	April 7, 2016 at 3 P.M.
Proposal review	April 8 to April 22, 2016
Interview schedule	Week of April 25, 2016
Contract and scope negotiation	April to May 2016
Contract approval by City Council	May 2016

Services to be Provided by City

The services to be provided by the City will include the following:

1. General direction to the Operations Company.
2. Bid advertisement including responding to public inquiries other than bidder inquiries; and distributing bid documents, bidder clarifications, and addenda, if needed.

Other separate professional services to be administered by the City for the Project will include the following:

1. Stormwater monitoring reports
2. Pretreatment and source control
3. Collection system operation and maintenance

Right to Reject Any or All Proposals

The City reserves the right to reject any or all proposals or to select the proposal most advantageous to the City. The City reserves the right to verify all information submitted in the proposal. The City reserves the right to amend the RFP or issue a notice of amendment. The City reserves the right to reject any and all proposals and to waive any informality, irregularity, or technicality in any proposal. The posting of this RFP is not a guarantee that consulting services will be purchased by the City.

The City may reject a proposal from any firm/company who previously failed to perform properly, or complete on time, contracts of similar nature, or to reject a proposal from the firm who is not in a position to perform such a contract satisfactory. The City may

reject a proposal from any firm who is in default of payment of taxes, licenses, or other monies due to the City.

No compensation will be made for the cost of preparing any proposal. All submitted materials of a proposal will become the property of the City. The City will retain all proposals submitted and may use any idea in a proposal regardless of whether that proposal is selected.

Evaluations of the proposals will be available for public inspection at the conclusion of the selection process.

Submission of a proposal constitutes acceptance of the conditions contained in the RFP unless clearly and specifically noted in the proposal submitted and confirmed in the Professional Services Agreement.

Enclosures: Exhibit A – Certificate of Insurance
Exhibit B – Professional Services Agreement
Exhibit C – Operator and Firm Requirements
Exhibit D – WDR Order No. R4-2007-0028, No. R4-2007-0028-R02 and
No. R4-2010-0074

<p><u>ACORD</u> <input type="checkbox"/> CERTIFICATE OF LIABILITY</p>	<p>Date (MM/DD/YY)</p>
<p>PRODUCER</p>	<p>THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER, THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.</p>
<p>INSURED</p>	<p>INSURERS AFFORDING COVERAGE</p> <p>INSURER A: INSURER B: INSURER C: INSURER D: INSURER E:</p>

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED NOT WITHSTANDING ANY REQUIREMENT TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS																
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DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

<p>CERTIFICATE HOLDER</p> <p>CITY OF SANTA PAULA PUBLIC WORKS DEPARTMENT P. O. BOX 569 SANTA PAULA, CA 93061-0569</p>	<p>ADDITIONAL INSURED; INSURER LETTER: CANCELLATION</p> <p>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY SHALL ENDEAVOR TO MAIL * 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KNID UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVE.</p>
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COVERAGES

POLICY NUMBER:
AUTO

BUSINESS

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY

ADDITIONAL INSURED

This endorsement modifies insurance provided under the following:

**THE CITY OF SANTA PAULA, IT'S OFFICERS, OFFICIALS,
EMPLOYEES, AGENTS AND VOLUNTEERS**

BUSINESS AUTO COVERAGE FORM

It is agreed that the "Who Is An Insured" provision is amended to include as an Insured the person or organization designated below as an additional insured, subject to the following provisions:

1. This insurance applies only with respect to any Liability arising out of the operation of covered autos on the additional insured premises described below;
2. The Named Insured is authorized to act for such additional insured in all matters pertaining to this insurance, including receipt of notice of cancellation;
3. Return premium, if any, shall be paid to Named Insured;
4. Nothing contained herein shall affect any right of recovery as a claimant which the additional Insured would have if not designated as such.

City of Santa Paula

Public Works Department
P.O. Box 569 / 93061
Santa Paula, CA 93060

POLICY NUMBER:
LIABILITY

COMMERCIAL

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - OWNERS, LESSEES or CONTRACTORS [Form B]

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

THE CITY OF SANTA PAULA, IT'S OFFICERS, OFFICIALS, EMPLOYEES, AGENTS AND VOLUNTEERS

SCHEDULE

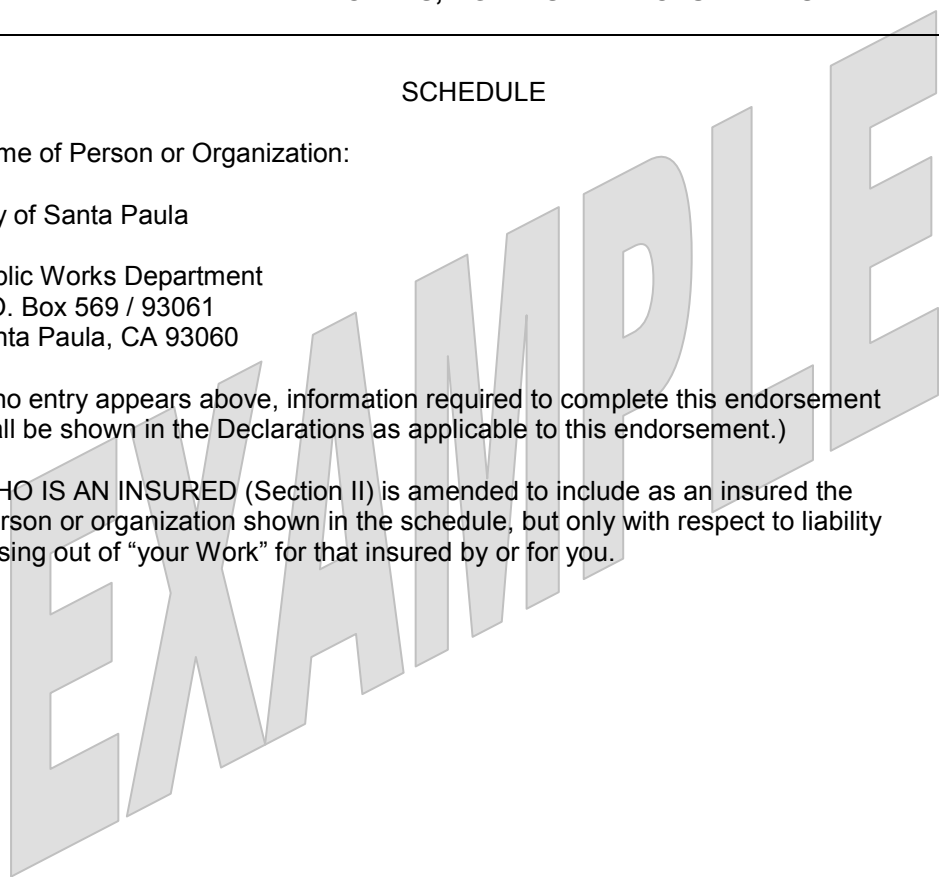
Name of Person or Organization:

City of Santa Paula

Public Works Department
P.O. Box 569 / 93061
Santa Paula, CA 93060

(If no entry appears above, information required to complete this endorsement shall be shown in the Declarations as applicable to this endorsement.)

WHO IS AN INSURED (Section II) is amended to include as an insured the Person or organization shown in the schedule, but only with respect to liability arising out of "your Work" for that insured by or for you.



Reproduction of Insurance Services Office, Inc. Form

INSURER: ISO FORM CG 20 10 22 85 : (MODIFIED)
POLICY NUMBER: COMMERCIAL GENERAL LIABILITY
ENDORSEMENT No.: EXHIBIT 1-A

THIS ENDORSEMENT CHANGES THE POLICY, PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - OWNERS, LESSEES OR CONTRACTORS (FORM B)

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART.

SCHEDULE

Name of Organization

(If no entry appears above, the information required to complete this endorsement shall be shown in the Declarations as applicable to this endorsement.)

WHO IS AN INSURED (Section II) is amended to include as an insured the person or organization shown in the Schedule, but only with respect to liability arising out of "your Work" for that insured by or for you.

Modifications to ISO form CG 20 10 11 85:

1. The insured scheduled above includes the Insured's officers, officials, employees, agents & volunteers.
2. This insurance shall be **PRIMARY** as respects the insured shown in the schedule above, or if excess, shall stand in an unbroken chain of coverage excess of the Named Insured's Scheduled underlying primary coverage. In either event, any other insurance maintained by the Insured scheduled above shall be in excess of this insurance and shall not be called upon to contribute with it.
3. The insurance afforded by this policy shall not be cancelled except after thirty (30) days prior written notice by certified mail return receipt requested has been given to the Entity.
4. Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subdivision (b) of section 2782 of the Civil Code.

Signature-Authorized Representative

Address

**PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE CITY OF SANTA PAULA AND
[CONSULTANT NAME]**

This AGREEMENT is entered into this ____ day of _____, _____, by and between the CITY OF SANTA PAULA, a municipal corporation and general law city (“CITY”) and _____, (“CONSULTANT”).

1. CONSIDERATION.

- A. As partial consideration, CONSULTANT agrees to perform the work listed in the SCOPE OF SERVICES, below;
- B. As additional consideration, CONSULTANT and CITY agree to abide by the terms and conditions contained in this Agreement;
- C. As additional consideration, CITY agrees to pay CONSULTANT a sum not to exceed _____ and _____ cents (\$ _____) for CONSULTANT’s services. CITY may modify this amount as set forth below. Unless otherwise specified by written amendment to this Agreement, CITY will pay this sum as specified in the attached Exhibit “A,” which is incorporated by reference.

2. SCOPE OF SERVICES.

- A. CONSULTANT will perform services listed in the attached Exhibit “A,” which is incorporated by reference.
- B. CONSULTANT will, in a professional manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CITY, necessary or proper to perform and complete the work and provide the professional services required of CONSULTANT by this Agreement.

3. PERFORMANCE STANDARDS. While performing this Agreement, CONSULTANT will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CITY will continuously monitor CONSULTANT’s services. CITY will notify CONSULTANT of any deficiencies and CONSULTANT will have fifteen (15) days after such notification to cure any shortcomings to CITY’s satisfaction. Costs associated with curing the deficiencies will be borne by CONSULTANT.

4. **PAYMENTS.** For CITY to pay CONSULTANT as specified by this Agreement, CONSULTANT must submit a detailed invoice to CITY which lists the hours worked and hourly rates for each personnel category and reimbursable costs (all as set forth in Exhibit “A”) the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date.

5. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to CONSULTANT for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CITY. In the event the CITY has not appropriated sufficient funds for payment of CONSULTANT services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year.

6. **ADDITIONAL WORK.**

- A. CITY’s city manager (“Manager”) may determine, at the Manager’s sole discretion, that CONSULTANT must perform additional work (“Additional Work”) to complete the Scope of Work. If Additional Work is needed, the Manager will give written authorization to CONSULTANT to perform such Additional Work.
- B. If CONSULTANT believes Additional Work is needed to complete the Scope of Work, CONSULTANT will provide the Manager with written notification that contains a specific description of the proposed Additional Work, reasons for such Additional Work, and a detailed proposal regarding cost.
- C. Payments over \$25,000.00 for Additional Work must be approved by CITY’s city council. All Additional Work will be subject to all other terms and provisions of this Agreement.

7. **FAMILIARITY WITH WORK.**

- A. By executing this Agreement, CONSULTANT agrees that it has:
 - i. Carefully investigated and considered the scope of services to be performed;
 - ii. Carefully considered how the services should be performed; and
 - iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.
- B. If services involve work upon any site, CONSULTANT agrees that CONSULTANT has or will investigate the site and is or will be fully acquainted with the conditions there existing, before commencing the services hereunder.

Should CONSULTANT discover any latent or unknown conditions that may materially affect the performance of the services, CONSULTANT will immediately inform CITY of such fact and will not proceed except at CONSULTANT's own risk until written instructions are received from CITY.

8. **TERM.** The term of this Agreement will be from January 30, 2015 to January 30, 2016. Unless otherwise determined by written amendment between the parties, this Agreement will terminate in the following instances:

- A. Completion of the work specified in Exhibit "A";
- B. Termination as stated in Section 16.

9. **TIME FOR PERFORMANCE.**

- A. CONSULTANT will not perform any work under this Agreement until:
 - i. CONSULTANT furnishes proof of insurance as required under Section 23 of this Agreement; and
 - ii. CITY gives CONSULTANT a written notice to proceed.
- B. Should CONSULTANT begin work on any phase in advance of receiving written authorization to proceed, any such professional services are at CONSULTANT's own risk.

10. **TIME EXTENSIONS.** Should CONSULTANT be delayed by causes beyond CONSULTANT's control, CITY may grant a time extension for the completion of the contracted services. If delay occurs, CONSULTANT must notify the Manager within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The Manager will extend the completion time, when appropriate, for the completion of the contracted services.

11. **CONSISTENCY.** In interpreting this Agreement and resolving any ambiguities, the main body of this Agreement takes precedence over the attached Exhibits; this Agreement supersedes any conflicting provisions. Any inconsistency between the Exhibits will be resolved in the order in which the Exhibits appear below:

- A. Exhibit A: Scope of Work/Cost Proposal

12. **CHANGES.** CITY may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by CONSULTANT and CITY. The cost or credit to CITY resulting from changes in the services will be determined in accordance with written agreement between the parties.

13. TAXPAYER IDENTIFICATION NUMBER. CONSULTANT will provide CITY with a Taxpayer Identification Number.

14. PERMITS AND LICENSES. CONSULTANT, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement.

15. WAIVER. CITY's review or acceptance of, or payment for, work product prepared by CONSULTANT under this Agreement will not be construed to operate as a waiver of any rights CITY may have under this Agreement or of any cause of action arising from CONSULTANT's performance. A waiver by CITY of any breach of any term, covenant, or condition contained in this Agreement will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

16. TERMINATION.

- A. Except as otherwise provided, CITY may terminate this Agreement at any time with or without cause.
- B. CONSULTANT may terminate this Agreement at any time with CITY's mutual consent. Notice will be in writing at least thirty (30) days before the effective termination date.
- C. Upon receiving a termination notice, CONSULTANT will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by CONSULTANT after receiving a termination notice will be performed at CONSULTANT's own cost; CITY will not be obligated to compensate CONSULTANT for such work.
- D. Should termination occur, all finished or unfinished documents, data, studies, surveys, drawings, maps, reports and other materials prepared by CONSULTANT will, at CITY's option, become CITY's property, and CONSULTANT will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 1(C).
- E. Should the Agreement be terminated pursuant to this Section, CITY may procure on its own terms services similar to those terminated.
- F. By executing this document, CONSULTANT waives any and all claims for damages that might otherwise arise from CITY's termination under this Section.

17. OWNERSHIP OF DOCUMENTS. All documents, data, studies, drawings, maps, models, photographs and reports prepared by CONSULTANT under this Agreement are

CITY's property. CONSULTANT may retain copies of said documents and materials as desired, but will deliver all original materials to CITY upon CITY's written notice. CITY agrees that use of CONSULTANT's completed work product, for purposes other than identified in this Agreement, or use of incomplete work product, is at CITY's own risk.

18. PUBLICATION OF DOCUMENTS. Except as necessary for performance of service under this Agreement, no copies, sketches, or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by CONSULTANT to any other person or public CITY without CITY's prior written approval. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CITY, unless otherwise provided by written agreement between the parties.

19. INDEMNIFICATION.

A. CONSULTANT agrees to the following:

i. *Indemnification for Professional Services.* CONSULTANT will save harmless and indemnify and at CITY's request reimburse defense costs for CITY and all its officers, volunteers, employees and representatives from and against any and all suits, actions, or claims, of any character whatever, brought for, or on account of, any injuries or damages sustained by any person or property resulting or arising from any negligent or wrongful act, error or omission by CONSULTANT or any of CONSULTANT's officers, agents, employees, or representatives, in the performance of this Agreement.

B. For purposes of this section "CITY" includes CITY's officers, officials, employees, agents, representatives, and certified volunteers.

C. It is expressly understood and agreed that the foregoing provisions will survive termination of this Agreement.

D. The requirements as to the types and limits of insurance coverage to be maintained by CONSULTANT as required by Section 23, and any approval of said insurance by CITY, are not intended to and will not in any manner limit or qualify the liabilities and obligations otherwise assumed by CONSULTANT pursuant to this Agreement, including, without limitation, to the provisions concerning indemnification.

20. ASSIGNABILITY. This Agreement is for CONSULTANT's professional services. CONSULTANT's attempts to assign the benefits or burdens of this Agreement without CITY's written approval are prohibited and will be null and void.

21. INDEPENDENT CONTRACTOR. CITY and CONSULTANT agree that CONSULTANT will act as an independent contractor and will have control of all work and

the manner in which is it performed. CONSULTANT will be free to contract for similar service to be performed for other employers while under contract with CITY. CONSULTANT is not an agent or employee of CITY and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CITY provides for its employees. Any provision in this Agreement that may appear to give CITY the right to direct CONSULTANT as to the details of doing the work or to exercise a measure of control over the work means that CONSULTANT will follow the direction of the CITY as to end results of the work only.

22. AUDIT OF RECORDS. CONSULTANT will maintain full and accurate records with respect to all services and matters covered under this Agreement. CITY will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities. CONSULTANT will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

23. INSURANCE.

- A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, CONSULTANT will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

<u>Type of Insurance</u>	<u>Limits</u>
Commercial general liability:	\$1,000,000
Professional Liability	\$1,000,000
Business automobile liability	\$1,000,000
Workers compensation	Statutory requirement

- B. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CITY, its officials, and employees as “additional insureds” under said insurance coverage and to state that such insurance will be deemed “primary” such that any other insurance that may be carried by CITY will be excess thereto. Such endorsement must be reflected on ISO Form No. CG 20 11 85 or 88, or equivalent. Such insurance will be on an “occurrence,” not a “claims made,” basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CITY.
- C. Professional liability coverage will be on an “occurrence basis” if such coverage is available, or on a “claims made” basis if not available. When coverage is

provided on a "claims made basis," CONSULTANT will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover CONSULTANT for all claims made by CITY arising out of any errors or omissions of CONSULTANT, or its officers, employees or agents during the time this Agreement was in effect.

- D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).
- E. CONSULTANT will furnish to CITY duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement and such other evidence of insurance or copies of policies as may be reasonably required by CITY from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A:VII."
- F. Should CONSULTANT, for any reason, fail to obtain and maintain the insurance required by this Agreement, CITY may obtain such coverage at CONSULTANT's expense and deduct the cost of such insurance from payments due to CONSULTANT under this Agreement or terminate pursuant to Section 16.

24. USE OF SUBCONTRACTORS. CONSULTANT must obtain CITY's prior written approval to use any consultants while performing any portion of this Agreement. Such approval must approve of the proposed consultant and the terms of compensation.

25. INCIDENTAL TASKS. CONSULTANT will meet with CITY monthly to provide the status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

26. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to CONSULTANT:

If to CITY:

City of Santa Paula
P.O. Box 569
Santa Paula, CA 93061-0569
Attention: Brian J. Yanez

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of

actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

27. CONFLICT OF INTEREST. CONSULTANT will comply with all conflict of interest laws and regulations including, without limitation, CITY's conflict of interest regulations.

28. SOLICITATION. CONSULTANT maintains and warrants that it has not employed nor retained any company or person, other than CONSULTANT's bona fide employee, to solicit or secure this Agreement. Further, CONSULTANT warrants that it has not paid nor has it agreed to pay any company or person, other than CONSULTANT's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should CONSULTANT breach or violate this warranty, CITY may rescind this Agreement without liability.

29. THIRD PARTY BENEFICIARIES. This Agreement and every provision herein is generally for the exclusive benefit of CONSULTANT and CITY and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of CONSULTANT's or CITY's obligations under this Agreement.

30. INTERPRETATION. This Agreement was drafted in, and will be construed in accordance with the laws of the State of California, and exclusive venue for any action involving this agreement will be in Ventura County.

31. COMPLIANCE WITH LAW. CONSULTANT agrees to comply with all federal, state, and local laws applicable to this Agreement.

32. ENTIRE AGREEMENT. This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There one (1) Attachment to this Agreement. This Agreement will bind and inure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

33. RULES OF CONSTRUCTION. Each Party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either Party.

34. SEVERABILITY. If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

35. AUTHORITY/MODIFICATION. The Parties represent and warrant that all necessary action has been taken by the Parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written

amendment. CITY's executive manager, or designee, may execute any such amendment on behalf of CITY.

36. ACCEPTANCE OF FACSIMILE SIGNATURES. The Parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of a party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

37. CAPTIONS. The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

38. TIME IS OF ESSENCE. Time is of the essence for each and every provision of this Agreement.

39. FORCE MAJEURE. Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the Parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

40. STATEMENT OF EXPERIENCE. By executing this Agreement, CONSULTANT represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CITY. CONSULTANT represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that CONSULTANT is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public CITY.

41. LIMITED AGENCY. CITY names CONSULTANT as its agent for the limited purposes of construction contractor insurance and indemnification.”

[Signatures on next page]

IN WITNESS WHEREOF the parties hereto have executed this contract the day and year first hereinabove written.

CITY OF SANTA PAULA

Jaime M. Fontes,
City Manager

[Authorized Signer Name]
[Title]

ATTEST:

Judy Rice,
City Clerk

[Authorized Signer Name]
[Title]

Taxpayer ID No. _____

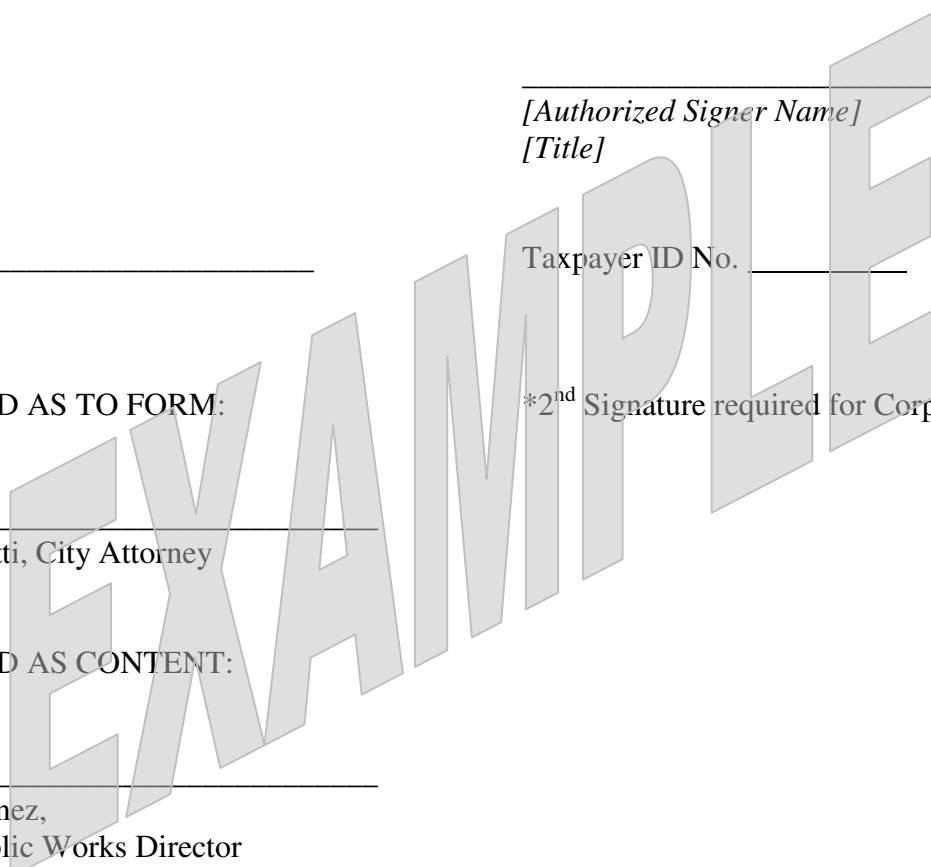
APPROVED AS TO FORM:

*2nd Signature required for Corporations.

John C. Cotti, City Attorney

APPROVED AS CONTENT:

Brian J. Yanez,
Interim Public Works Director



COMPANY INFORMATION:

Proposed Operator Name:

Address:

Phone Number: _____ Fax #: _____

Contact Name: _____ Email: _____

TYPE OF COMPANY:

Check the appropriate type of company:

- Corporation Limited Liability Company Partnership
- Joint Venture* Sole Proprietorship

If proposed Operator is a corporation, answer the following:

Date of Incorporation: _____
 State of Incorporation: _____
 Name of Officers: _____
 President: _____
 Vice President: _____
 Secretary: _____
 Treasurer: _____

If proposed Operator is a limited liability company, answer the following:

Date of Organization: _____
 State of Organization: _____
 Name(s) of Managing Member(s): _____ / _____
 Name(s) of Members: _____ / _____
 _____ / _____
 _____ / _____

If proposed Operator is a partnership, answer the following:

Date of Organization: _____
 Jurisdiction Where Filed: _____
 Type of Partnership (if applicable): _____
 Names of General Partner(s): _____

If proposed Operator is individually owned, answer the following:

Date of Organization: _____
 Jurisdiction Where Trade Name is Filed: _____
 Name of Owner(s): _____ / _____
 _____ / _____

*If a joint venture, provide a copy of joint venture agreement.

All parties shall submit appropriate forms from Exhibit C and history of each member of the joint venture.

Attached? Yes No

ORGANIZATION:

- How many years has proposed Operator been in business to provide operations management? _____
- How many years has proposed Operator been in business under its present name? _____
- How many personal are located within the Ventura/Los Angeles county region? _____
- Under what other or former names has proposed Operator operated? _____
- Does the Proposed Operator have access, within its firm, to professional engineering support for regulatory compliance and wastewater processing that is experienced with the RWQCB or SWRCB? Yes No

Tax Identification Numbers:

California State Tax ID#: _____
 Federal Tax ID#: _____

Number of Employees: _____

Office _____ Field _____ Shop _____

List jurisdictions and trade categories in which proposed Operator is legally qualified to do business.

State of California license, registration or certificate number (and if a joint venture, provide for each joint venture partner) for wastewater treatment operations:

	California Professional Engineer	California WWTP Operator Grade
Project Manager:		
Chief Operator:		
Supervisor:		
Operator #1:		
Operator #2:		
Operator #3:		

If there have been any significant changes to the ownership (by more than 10%), management or structure of Proposed Operator's business within the last three (3) years, please explain (use separate sheet if necessary):

BONDING CAPACITY:

Please take special note that the information provided by you relevant to your bonding status requires that your bonding agent provide a letter authenticating the information contained in items 1 through 4 below.

Is Proposed Operator able to provide Proposal, payment and performance bond?

Yes No

Bonding Company: _____

Address: _____

Agent Contact: _____ Phone: _____

1. Provide the most current rating the A.M. Best Company has assigned your bonding company: _____
2. Total bonding capacity of proposed Operator, as of the first working day of this month (state in dollars, not as a range): \$ _____
 - a. Total bonding committed, as of the first working day of this month: \$ _____
 - b. Maximum bonding permitted by your bonding company, for a single project. \$ _____
 - c. Provide a listing of your anticipated completion of current bonded work, to indicate when additional capacity will be available (such listing may be made via separate attachment).
3. Does your bonding company hold a certificate of authority as an acceptable surety acceptable to the U.S. Department of Treasury? Yes No
4. Provide the maximum single amount bond limitation established by the U.S. Department of Treasury for your bonding company. \$ _____
5. Has any surety which issued a performance bond on your behalf ever completed the work in its own name or financed such completion on your behalf? Yes No

PERFORMANCE AND CLAIMS HISTORY:

Within the last five years, has proposed Operator been defaulted, terminated or had any liquidated damages or other contractual penalties for failure to timely or properly perform a contract assessed against proposed Operator? Yes No

(If yes, please provide a detailed explanation, on a separate page, indicating the current status of any claim or litigation involving those transactions.)

Within the last five years, has any officer or principal of proposed Operator ever been an officer or principal of another organization when it failed to complete an assignment or project?

Yes No

(If yes, please provide a detailed explanation, on a separate page, identifying the project and reason for failing to complete the construction contract.)

Within the past five years, has proposed Operator been declared to be a non-responsible bidder or proposer on any public works project? Yes No

(If yes, please provide a detailed explanation, on a separate page, indentifying the project and date of findings.)

Has proposed Operator ever been involved in bankruptcy or re-organization in the past five (5) years?

Yes No

(If yes, please provide a detailed explanation, on a separate page)

Are there pending, or have there ever been, any claims or suits (including arbitration or administrative proceedings) by or against proposed Operator in relation to proposed Operator's job performance or compliance with applicable laws on wastewater and/or water operations assignment or project, either pending or resolved, within the last five (5) years? Yes No

(If yes, please provide a detailed explanation of all such claims or suits, on a separate page, including case name, docket number, jurisdiction, description of the claims at issue, and the final outcome.)

Are there any unpaid debts that are past due or alleged to be past due under arbitration awards or judgments against proposed Operator? Yes No

(If yes, please provide a detailed explanation, on a separate page.)

Within the past five years has proposed Operator, or any part of proposed Operator's organization, any owner, or partial owner of proposed Operator's organization, or any person in any way associated with or employed by proposed Operator, ever been barred, suspended, disqualified or otherwise precluded from bidding or offering a proposal on contracts by any municipality, any agency of the State of California, other states, or the Federal Government?

Yes No

(If yes, please provide a detailed explanation, on a separate page, including copies of any notice of reinstatement.)

Has proposed Operator or any of its principals (owner of more than 5% interest) ever been convicted of, or entered a plea of guilty, or *nolo contendere* or similar acknowledgment, for criminal violations relating to, or arising out of, its business activities or the bidding or performance of an wastewater and/or water operations assignment or project? Yes No

(If yes, please provide a detailed explanation, on a separate page, including the case name, docket number, jurisdiction and case description.)

Has proposed Operator or its principals (owners of more than 5% interest) ever been found civilly liable for any criminal activity or civil action involving embezzlement, fraud, forgery, bribery, falsification or destruction of records, receipt of stolen property, collusion, anti-trust, conspiracy or other similar offenses arising out of its business activities or the bidding or performance of a wastewater and/or water operations assignment or project? Yes No

(If yes, please provide a detailed explanation, on a separate page, including the case name, docket number, jurisdiction and case description.)

SAFETY:

Does Proposed Operator have a written safety program and/or policies? Yes No
(If yes, please attach a copy)

Does Proposed Operator have a written drug policy: Yes No
(If yes, please attach a copy)

In the past five (5) years, has Proposed Operator been cited for any (OSHA) safety violations? Yes No

(If yes, please provide an explanation on a separate page, including the dates, violation types, description and inspection numbers of each violation, fines or other penalties imposed, injuries sustained, lawsuits filed and now pending, settled or the subject of a judgment or award.)

REGULATORY:

Does Proposed Operator have any pending, or within the past 5 years, violations of the NPDES? Yes No

(If yes, please attach a description of violations)

Has the Proposed Operator been convicted of fraudulently submitting operational information to the RWQCB or SWRCB: Yes No

(If yes, please attach an explanation)

In the past five (5) years, has Proposed Operator been cited for any (OSHA) safety violations? Yes No

Does the Proposed Operator have access, within its firm, to professional engineering support for regulatory compliance and wastewater processing that is experienced with the RWQCB or SWRCB:

Yes No

(If yes, please attach a description)

OPERATOR/FIRM REFERENCES:

Municipal References:

Bank References:

PROJECT MANAGER AND/OR CHIEF PLANT OPERATOR (ONE SHEET FOR EACH INDIVIDUAL PROPOSED):

For the Project Manager and/or Chief Plant Operator, the Proposed Operator shall provide a minimum California certified Grade IV wastewater treatment plant operator. The Operator shall not operate the wastewater treatment plant without a valid, unexpired, California State Water Board-issued operator certificate at a grade level appropriate for the class of wastewater treatment plant being operated as set forth in Sections 3680, 3680.1, and 3680.2 of Title 23. Waters Division 3. State Water Resources Control Board and Regional Water Quality Control Boards, Chapter 26. Wastewater Treatment Plant Classification, Operator Certification, and Contract Operator Registration.

Projects Best Portraying Qualifications for this Project

- 1. Project Name: _____
- 2. Project Location: _____
- 3. Project Owner: _____
- 4. Project Role (check all that apply):
 - Project Manager
 - WWTP Operator
 - SCADA Operator
 - Maintenance staff
 - Other: _____
 - WWTP Lead Operator
 - Maintenance Operator
 - Contractor

5. Percentage of weekly work hours performed by proposed Project Manager and/or Chief Plant Operator: _____%

6. California Grade IV Certification and/or Licensed Engineer? Yes No
Description: _____

7. If the operations contract for the referenced project exceeded the original contract cost by more than 3%, provide a brief explanation.

8. If the operations contract for the referenced project incurred an NPDES violation, provide a brief explanation.

9. Major wastewater operations references (minimum three references):

NAME/AGENCY	TELEPHONE	WWTP	Collections
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

SUPERVISOR STAFF (ONE SHEET FOR EACH INDIVIDUAL PROPOSED):

For the Supervisor, the Proposed Operator shall provide a minimum California certified Grade III wastewater treatment plant operator. The Operator shall not operate the wastewater treatment plant without a valid, unexpired, California State Water Board-issued operator certificate at a grade level appropriate for the class of wastewater treatment plant being operated as set forth in Sections 3680, 3680.1, and 3680.2 of Title 23. Waters Division 3. State Water Resources Control Board and Regional Water Quality Control Boards, Chapter 26. Wastewater Treatment Plant Classification, Operator Certification, and Contract Operator Registration.

Projects Best Portraying Your Qualifications for this Application

- 1. Project Name: _____
- 2. Project Location: _____
- 3. Project Owner: _____

- 4. Project Role (check all that apply):
 - Project Manager
 - WWTP Operator
 - Collections Operator
 - SCADA Operator
 - Maintenance staff
 - Other: _____
 - WWTP Lead Operator
 - Collections Lead Operator
 - Maintenance Operator
 - Contractor

5. Percentage of weekly work hours allocated by proposed SUPERVISOR: _____%

6. California Grade III Certification? Yes No
Description: _____

7. If the operations contract for the referenced project exceeded the original contract cost by more than 3%, provide a brief explanation.

8. If the operations contract for the referenced project incurred an NPDES violation, provide a brief explanation.

9. Major wastewater operations references (minimum three references):

NAME/AGENCY	TELEPHONE	WWTP	Collections
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

OPERATIONS STAFF (ONE SHEET FOR EACH INDIVIDUAL PROPOSED):

For the operator or operator-in-training staff, the Proposed Operator shall provide a minimum two (2) staff members, and shall not operate the wastewater treatment plant without a valid, unexpired, California State Water Board-issued operator, provisional operator, or operator-in-training certificate at a grade level appropriate for the class of wastewater treatment plant being operated as set forth in Sections 3680, 3680.1, and 3680.2 of Title 23. Waters Division 3. State Water Resources Control Board and Regional Water Quality Control Boards, Chapter 26. Wastewater Treatment Plant Classification, Operator Certification, and Contract Operator Registration.

Projects Best Portraying Your Qualifications for this Application

- 1. Project Name: _____
- 2. Project Location: _____
- 3. Project Owner: _____
- 4. Project Role (check all that apply):
 - Project Manager
 - WWTP Operator
 - SCADA Operator
 - Maintenance staff
 - Other: _____
 - WWTP Lead Operator
 - Maintenance Operator
 - Contractor
- 5. Percentage of weekly work hours allocated by proposed Operator or Operator-in-Training: _____%
- 6. California Certification? Yes No
Description: _____

7. Major wastewater operations references (minimum three references):

NAME/AGENCY	TELEPHONE	WWTP	Collections
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

OTHER STAFF (ONE SHEET FOR EACH INDIVIDUAL PROPOSED):

Projects Best Portraying Your Qualifications for this Application

- 1. Project Name: _____
- 2. Project Location: _____
- 3. Project Owner: _____
- 4. Project Role (check all that apply):
 - Project Manager
 - WWTP Operator
 - SCADA Operator
 - Maintenance staff
 - Administration
 - WWTP Process Improvements
 - WWTP Lead Operator
 - Maintenance Operator
 - Contractor
 - Regulatory Compliance
 - CIP Engineering SupportOther: _____

- 5. Certification? _____ Yes No
Description: _____

7. Major wastewater operations references (minimum three references):

NAME/AGENCY	TELEPHONE	WWTP	Collections
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>



California Regional Water Quality Control Board
Los Angeles Region



Linda B. Adams
Agency Secretary

Recipient of the 2001 Environmental Leadership Award from King Callierak, Beverly Hills
328 W. 46th Street, Suite 200, Los Angeles, California 90012
Phone (213) 576-6600 FAX (213) 576-6600 - Internet Address: <http://www.waterboards.ca.gov/laangleas>

Arnold Subvaranoggy
Executive

May 15, 2007

Mr. Wally Bobkiewicz, City Manager
City of Santa Paula
740 Ventura Street
Santa Paula, CA 93080

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
CLAIM NO. 7002 2410 0005 0847 5580

RECEIVED

MAY 21 2007

Dear Mr. Bobkiewicz:

WASTE DISCHARGE REQUIREMENTS (WDRs) AND MONITORING AND REPORTING PROGRAM (MRP) FOR CITY OF SANTA PAULA (NEW SANTA PAULA WASTEWATER RECYCLING FACILITY), 905 CORPORATION STREET, SANTA PAULA, CALIFORNIA (FILE NO. 06-189, CI-9259)

Our letter of April 13, 2007, transmitted revised tentative Waste Discharge Requirements (WDRs) including a Monitoring and Reporting Program (MRP), for the new Santa Paula Wastewater Recycling Facility.

Pursuant to Division 7 of the California Water Code, this Regional Board at a public meeting held on May 3, 2007, reviewed the revised tentative WDRs, considered all factors in the case, and adopted WDRs Order No. R4-2007-0028 relative to this discharge. During the public hearing, Board members directed staff to make revisions to the tentative WDRs and MRP. Such revisions are summarized in the Changes per Board Meeting pages (copy attached). Standard Provisions, which are a part of the WDRs, are also enclosed.

The adopted WDRs and attachments have been posted on the Regional Board's website at <http://www.waterboards.ca.gov/losangeles/>. To save mailing and printing cost, hard copies of these documents have been sent only to the addressee (City of Santa Paula). However, any person who would like to receive hardcopies of these documents may contact Mr. Orlando H. Gonzalez of the Regional Board staff at (213) 620-2267 or send an e-mail to him at ogonzalez@waterboards.ca.gov.

You are required to implement the Monitoring and Reporting Program No. CI-9259 on the effective date of Order No. R4-2007-0028. Your first monitoring report under these Requirements is due to this Regional Board by January 15, 2011. All monitoring reports should be sent to the Regional Board, Attn: Information Technology Unit. Please reference all monitoring reports to our Compliance File No. CI-9259. We would appreciate it if you would not combine other reports, such as progress or technical, with your monitoring reports but would submit each type of report as a separate document.

If you have any questions or need additional information, please call me at (213) 620-6119 or Mr. Orlando H. Gonzalez at (213) 620-2267.

California Environmental Protection Agency

Recycled Paper

Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Mr. Wally Bobkiewicz
City of Santa Paula

- 2 -

May 15, 2007

Sincerely,

Rodney Nelson

Rodney Nelson, Unit Chief
Land Disposal Unit

Enclosures: Board Order R4-2007-0028
Standard Provisions
Monitoring and Reporting Program CI-9259

cc: Mr. Gordon Innes, State Water Resources Control Board - DWQ
Mr. Kurt Souza, Cal. DHS, Region 5 - So Cal. Branch, Drinking Water Field Operation
Mr. Jeffrey L. Stone, Cal. DHS, Division of Drinking Water and Environmental
Management, Recycled Water Unit
Mr. Ronald C. Coons, Director, Ventura County Public Works Agency
Mr. Gary Haden, Director of Water and Wastewater,
Ventura Regional Sanitation District
Mr. William Paznokas, Cal. Department of Fish and Game, Region 5
Mr. Ken Turner, United Water Conservation District
Ms. Dana Wisehart, General Manager, United Water Conservation District
Mr. William C. Stratton, County of Ventura, Environmental Health Division
Ms. Melinda Tallent, County of Ventura, Environmental Health
Mr. Jeff Pratt, Executive Director, Fox Canyon Groundwater Management Agency
Mr. Cliff Finley, City of Santa Paula Public Work
Mr. Glen M. Hille, Boyle Engineering Corporation
Mr. Brian Louie, Supervising Engineer, Water Quality and Soils Section, County
Sanitation Districts of Los Angeles County
Mr. James F. Stahl, Chief Engineer and General Manager,
County Sanitation Districts of Los Angeles County
Mr. Steven Braband, BioSolutions Incorporated
Ms. Elaine Matzacher, Matzacher Ranch

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

ITEM 11

FINAL CHANGES

Revisions to
WASTE DISCHARGE REQUIREMENTS
Dated May 3, 2007
FOR
CITY OF SANTA PAULA
ORDER NO. R4-2007-XXXX
(Santa Paula Wastewater Recycling Facility)
(File No. 06-189)

Change No. 1: WDRs Page 7. Third sentence of second paragraph of Finding 20: change Finding 31 to read Finding 32.

Change No. 2: WDRs Pages 11-12. Change numbering of Findings 35 through 38 to read 34 through 37.

Change No. 3: WDRs Page 18. Groundwater Limitations E.3 (top of page), last line. Change E.4 to read E.5.

Change No. 4: WDRs Pages 18 and 20-21. Prohibition 11 was moved and became E.2. Change numbering of Prohibitions 12 and 13 to read Prohibitions 11 and 12 respectively. Also, change numbering of Groundwater limitation 2 through 4 to read Groundwater Limitations 3 through 5 respectively.

Change No. 5: WDRs Page 23. Delete "prepared" from the second sentence of Provision 12.

Change No. 6: WDRs Page 23. Insert new Provision H.13. (Note original Provision H.13. will change to H.14. All following Provisions through H.27. will increase by one.)

H.13. The Discharger shall submit a hydrogeologic assessment technical report prepared by an independent California licensed engineer/geologist within 90 days of adoption of Order No. R4-2007-0028 that addresses concerns regarding potential mounding caused by the percolation ponds, by demonstrating that mounding will not cause groundwater to surface or degrade the adjacent wells. The report shall be submitted for review by Regional Board staff and interested parties prior to plant construction, the Regional Board shall evaluate the adequacy of the percolation ponds, and revise these waste discharge requirements, as appropriate, if the Regional Board at that time determines the ponds are inadequate to percolate the estimated discharge.

Change No. 7: WDRs Page 26. Change "G. REOPENER" to "I. REOPENER".

Change No. 8: Monitoring and Reporting Program Page T-5. The following constituents were added to effluent Monitoring Program.

NEW CONSTITUENTS TO BE ADDED TO EFFLUENT MONITORING PROGRAM (PAGE T-5) UNDER NDMA:

Base/Neutral Extractible ^m	µg/L	24-hour composite	annually ⁷
Acid Extractible ^m	µg/L	24-hour composite	annually ⁷

NEW FOOTNOTE:

^m After two years of monitoring, monitoring can be reduced to compounds detected under this monitoring schedule. This reduction is subject to approval of a written request that should be submitted to Executive Officer.

Change No. 9: WDRs Page 26 and MRP Page T-8. Change signatory from Jonathan S. Bishop, Executive Officer to Deborah J. Smith, Interim Executive Officer on pages 26 and T-8.

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

WASTE DISCHARGE REQUIREMENTS
FOR
CITY OF SANTA PAULA
ORDER NO. R4-2007-0028
(Santa Paula Wastewater Recycling Facility)
(File No. 06-188)

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) finds:

BACKGROUND

1. The City of Santa Paula (hereafter Discharger) owns a wastewater treatment plant commonly known as Santa Paula Wastewater Reclamation Facility (SPWRF). The SPWRF is located at 905 Corporation Street, Santa Paula, California (Figures 1 and 2: Site Location Map and SPWRF Area Map respectively). The existing SPWRF is, and the new Santa Paula wastewater recycling facility (new SPWRF) described herein will be, operated and maintained by the City of Santa Paula (hereinafter the City) or by an Operating Company under a service contract with the City. The SPWRF was originally constructed in 1939, and serves the community of the City of Santa Paula, which has a population of approximately 29,100 people.
2. Municipal, domestic and commercial wastewater (including pump and treat, metal foundry and fruit washing) produced from the community of Santa Paula is treated at the SPWRF. There are three significant industrial users within the City [Chevron Oil (ground water pump and treat), Aurora Casting (metal foundry), and Satcoy Lemon (lemon pecking house)]. One of them, subject to United States Environmental Protection Agency (USEPA) Categorical Pretreatment Standards (Chevron Oil), is using carbon filtration pretreatment. The final treated wastewater effluent (effluent) is discharged to the Santa Clara River, under Waste Discharge Requirements (WDRs) contained in Order No. 97-041, adopted by the Regional Board on April 7, 1997. Order 97-041 also serves as a permit under the National Pollutant Discharge Elimination System (NPDES) Permit No. CA0054224.
3. The City owns and operates the sewer collection system. Therefore, the City is required to implement a Pretreatment Program and to comply with the requirement of operation and maintenance of the sewer collection system.

May 3, 2007

City of Santa Paula
Santa Paula Wastewater Recycling Facility

Order No. R4-2007-0028

PURPOSE OF ORDER

4. On April 27, 2005, the Discharger filed a Report of Waste Discharge (ROWD) and applied to the Regional Board for WDRs for disposal and reuse of treated wastewater from the new SPWRF, to be constructed by the Discharger. The Discharger plans to complete construction of the new SPWRF by September 15, 2010, and achieve full compliance by December 15, 2010. The new SPWRF capacity is expected to meet the demand for treatment and disposal of municipal wastewater from the forecasted 2020 population of the City of Santa Paula. This new WDR has been written to establish the requirements for the future wastewater treatment processes and to include findings, effluent limitations, prohibitions, and a monitoring and reporting program for the new SPWRF.
5. These WDRs are issued pursuant to Chapter 9, Division 3, Title 23, California Code of Regulations (CCR) and are therefore eligible for a section 20090(a) exemption from CCR Title 27. The discharge(s) authorized herein and the treatment and storage facilities associated with the discharge of treated municipal wastewater, except for discharges of residual sludge and solid waste, are exempt from the requirements of Title 27, CCR, section 20005 et seq. (hereafter Title 27). The exemption, pursuant to section 20090(a) of Title 27, is based on the following factors; that the waste consists primarily of domestic sewage and treated effluent; that the waste discharge requirements are consistent with water quality objectives; and that the treatment and storage facilities described herein are associated with a municipal wastewater treatment facility.

FACILITY AND TREATMENT PROCESS DESCRIPTION

6. Municipal wastewater produced from the community of Santa Paula has been collected and treated at the existing SPWRF since 1939. The SPWRF is a secondary wastewater treatment plant and currently has a design capacity of 2.55 million gallons per day (mgd) and a peak design flow of 5.9 mgd. The treatment system at the SPWRF consists of primary sedimentation, primary and secondary biofiltration (trickling filter), secondary clarification, a trickling filter solids contact basin, sand filtration, chlorination and dechlorination. Solids removed from the primary and secondary treatment clarifiers are anaerobically treated in three digesters and then dried in drying beds. The supernatant is returned to the headwork. Dried sludge is hauled to a legal disposal facility on a periodic basis. Grit screening and digester cleaning wastes are also disposed of at a legal disposal site. Figure 3: Existing SPWRF Treatment Processes.
7. The United States Environmental Protection Agency (USEPA) and the Regional Board have classified the discharge from the existing SPWRF as a major Discharge. It has a Threat to Water Quality and Complexity rating of 1-A pursuant to Chapter 9, Division 3, Title 23, CCR section 2200.

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Order No. R4-2007-0028

8. The Discharger intends to construct a new SPWRF in order to meet regulatory compliance standards as well as to accommodate future growth in the area. The new SPWRF would be located on a site immediately adjacent (west) and southwest of the existing SPWRF (see Figure 2). The site is within the City's existing corporate boundary and City Urban Restriction Boundary, and within the City's Sphere of Influence. The site was identified in the City's 1998 General Plan as the West Area 2 expansion area. The Santa Paula Municipal Code (SPMC) designates the site for the new SPWRF as institutional/civil (IN).

9. The Discharger currently discharges all treated effluent from an existing SPWRF to the Santa Clara River. However, once the new SPWRF is constructed and is in operation, all treated effluent from the new SPWRF will be discharged to evaporation/percolation ponds and through future subsurface drip line and surface spray irrigation systems. The existing SPWRF will be decommissioned after the new SPWRF starts operation.

The uses of treated wastewater are not specifically addressed in the CEQA document. However, the Discharger intends to supplement the CEQA document should it identify uses for treated wastewater in the future. The exact locations where treated wastewater may be used are not known at this time. However, it is anticipated that these could include adjacent agriculture lands, municipal landscaping, City parks and landscaping in the California Department of Transportation (Caltrans) SR 126 maintained right-of-way as shown in Figure 4: Future Possible Reclaimed Water Use Areas. Future end-use users may also include non-agriculture and/or municipal uses identified at later date. The uses of treated wastewater will be determined after the Discharger meets Title 22 requirements. CEQA has been supplemented to include recycling issues, and the Regional Board Executive Officer approves on a project-by-project basis the recycling disposal approach. Therefore, the requirement for reuse of treated wastewater has been included herein instead of revising these WDR when the Discharger starts to reuse the treated wastewater. The Discharger has indicated that the reuse of the treated wastewater may begin as soon as a few months after September 15, 2010 when the new SPWRF begins operation but only after appropriate CEQA review is finalized.

10. Wastewater influent entering the new SPWRF will initially be screened in the headwork, an initial screening structure and/or device used to remove large floating objects such as rags and sticks that might clog or damage the treatment equipment. After initial screening, additional solids and other organic and inorganic materials will be removed through fine screens ahead of the membrane bioreactor treatment unit. From this primary treatment unit the wastewater will flow to the membrane bioreactor treatment unit (secondary treatment). The use of micro-filtration membranes with pore sizes usually between 0.1 and 0.4 microns (μm) at this unit will ensure the retention of suspended matter and lead to a considerable reduction of the amount of bacteria in the outflow. The treatment may include disinfection using ultra violet radiation and/or a sodium hypochlorite contact chamber to meet Title 22 standards for treated wastewater reuse. The treated wastewater will be reused once the CEQA and Title 22 requirements are met and the Regional Board Executive Officer has approved it's reuse. To reduce

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odors generated from new SPWRF operations, the headworks and dewatering facilities will be enclosed or covered. The odorous air will be removed and treated with four air scrubbers and/or biofilter. The disinfection level required for the treated wastewater discharged to the percolation/evaporation ponds will be according to the limits established in these WDR's. The disinfection level required for treated wastewater reuse will be in accordance with water recycling requirements established per Title 22 requirements.

11. The percolation/evaporation ponds would be built on approximately 34 acres of agriculture land and would be located in and around Section 21, Township 3N, Range 21W, San Bernardino Base & Meridian (Figure 2: SPWRF Area Map). The new SPWF's latitude is 34° 20' 04"; its longitude is 119° 04' 45". The percolation/evaporation ponds are located to the west of Peck Road in the Santa Clara-Santa Paula hydrological area.
12. The Regional Board is classifying the discharge to the percolation/evaporation ponds as a discharge of treated wastewater that is subject to Waste Discharge Requirements, and has not classified the discharge as a groundwater recharge project that is subject to State Department of Health Services groundwater recharge criteria.
13. The Flood Insurance Rate Maps (FIRM) (1985) published by the Federal Emergency Management Agency (FEMA) for the area in which the project site is located indicate that a part of the evaporation/percolation ponds are within the 100-year flood zone. The project site would be affected by flood overflow from Fagan Canyon and the Peck Road Drain. Both the Fagan Canyon drainage and Peck Road drain are located to the east of the project site, approximately 2,500 feet and 25 feet, respectively. The FIRM indicates that the project site is located within Zone AO (i.e., zone which would experience shallow flow of one foot in depth) and would experience flood overflow. Additional areas to the west of the project site (i.e. Adams Barranca and Todd Lane) have been identified as areas of overflow that might affect the project site. It should be noted however, that flows from these drainages may have been reduced or eliminated by channel improvements to these drainages since publication of the 1985 FIRM. A detailed hydraulic analysis is underway to determine the actual level of reduction in overflow levels for the project site from these improvements.
14. A hydrologic study of the Santa Clara River (2000) has been undertaken by the Ventura County Watershed Protection District (VCWPD) to determine the 100-year flood plain limits since preparation of the 1985 FIRM for this area. Draft information derived from this analysis indicates that the 100-year flood zone for this part of the Santa Clara River is located north of its current 1985 FIRM location. The study did not analyze flooding within the City of Santa Paula, but instead focused on potential river-related flooding. In addition, although FEMA or VCWPD has not adopted these revised floodplain limits, the VCWPD is required to use the document for land planning and development purposes. It should also be noted that the project site is located outside of the FEMA and VCWPD defined Santa Clara River floodway.

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15. The Discharger has stated in the Environmental Impact Report that to protect the site from a 100-year storm event, an earthen dike would be constructed along the southern boundary of the new SPWRF site. The earthen dike would be five feet high, ten feet wide and extend approximately 4,850 feet in length. Construction of the dike system is subject to the requirements of Clean Water Act section 401 and 404 and of the Ventura County Watershed Protection District.
16. The Discharger owns and operates five municipal water supply wells (Wells 1-B, 11, 12, 13, and 14) that supply drinking water to the residences and businesses in and around the City of Santa Paula (Figure 5: City of Santa Paula; Water Supply Wells Location). The five wells can produce up to 10.6 million gallons per day and are the source of drinking water for the community of Santa Paula. The groundwater quality complies with all primary State and federal drinking water standards. However, the groundwater has exceeded the secondary maximum contaminant level of 50 parts per billion and 500 parts per million for manganese and total dissolved solids, respectively. Many residents use self-regenerating water softeners to reduce the hardness levels of the water produced from City wells. However, self-regenerating water softening systems using salts discharge the salty waste (brine) directly into the sanitary sewer system. The Discharger believes that eliminating the need for the home water softeners will reduce the concentration of the chloride entering the existing SPWRF and new SPWRF. Consequently, the Discharger has adopted Ordinance No. 1160 (copy attached and incorporated herein by reference) which prohibits the installation or replacement, of residential self-regenerating water softeners discharging to the City sanitary sewer system within the City of Santa Paula. Ordinance No. 1160 authorizes the City Manager to promulgate administrative policies and procedures designed to enforce the Ordinance and to establish a buy-back program to assist in reducing the number of existing residential self-regenerating water softening appliances. To improve water quality and reduce discharges of self-regenerating water softener brines, the Discharger is analyzing alternatives to construct a centralized well water treatment system. A membrane technology is currently an alternative being considered. The Discharger will select an appropriate softening technology that can be the most cost effective treatment technology system and that complies with the requirements of this Order.

The Discharger proposes to discharge the hardness waste generated from the centralized well water treatment softening system by commingling it with the effluent from the SPWRF. The commingled wastewater mixture will be discharged only if it meets Basin Plan Water Quality Objectives and complies with the requirements of this waste discharge requirement.

The following table displays water quality of the municipal well water and the existing SPWRF effluent.

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Constituents	Units ¹	Well 1B ² Average	Well 11 ¹ Ave.	Well 12 ¹ Ave.	Well 13 ¹ Ave.	Well 14 ¹	SPWRF Effluent	Basin Plan ⁶
TDS	mg/L	959	886	961	831	990	1480 ³	2000
Total Hardness	mg/L	553.6	279.3	521	465.2	553	— ⁴	— ⁵
Boron	mg/L	0.3	0.3	0.6	0.4	0.5	0.5	1.0
Chloride	mg/L	45.1	38.9	38.2	39	49	150	110
Sulfate	mg/L	400	377	445.2	344	431	460	800
Fluoride	mg/L	0.5	0.4	0.6	0.3	0.4	— ⁴	— ⁵
Nitrate as N + Nitrite as N	mg/L	15.1	1.5	5.4	0.9	10.9	6.2	10
Manganese	mg/L	70.0	158	326	204	110	— ⁵	— ⁵
Sodium	mg/L	88.1	85.1	89.9	82.4	88	— ⁵	— ⁵
Total Alkalinity	mg/L	257.8	231.7	214.3	190	240	— ⁵	— ⁵

1. mg/L: milligram per liter; TDS: Total Dissolved Solids; Total hardness as CaCO₃; Total alkalinity as CaCO₃.
2. Based on analyses performed from 1996 through June 2004.
3. Based on analysis on June 16, 2004.
4. The highest level recorded in 2002.
5. —: No available data or No limit set for groundwater.
6. Basin Plan Objective for groundwater.

17. The Discharger will provide water services and hookups to residences within a radius of five hundred feet from the edge of the infiltration ponds.
18. Three agriculture water wells (B1, B2, and B3) are located inside the project site area and will be decommissioned prior to construction of the new SPWRF. Additional agriculture wells (A1 and A2) are located immediately east of the project site, outside the project limits. Three private domestic wells (G1, G2, G3) are located approximately 150 feet west, 200 feet west, and 300 feet southwest respectively of the project site, adjacent to the proposed location of the evaporation/percolation pond area, as shown in Figure 6: Vicinity Well Locations.
19. The new SPWRF will be constructed at a new location approximately 1,200 feet southwest of the existing site. The Discharger is planning on acquiring approximately 50 acres of land, which is currently used primarily for agriculture, and decommissioning the existing SPWRF site after the new SPWRF has started operations. The new SPWRF will discharge treated wastewater to evaporation/percolation ponds and ultimately make highly treated wastewater available for reclamation (see Figures 7 and 8). The new SPWRF will be designed for an average daily dry weather flow of 4.2 mgd and the peak day hydraulic design capacity of 8.0 mgd. The new SPWRF may include the following treatment processes and facilities:
 - Flow Equalization Tank
 - Influent Pump Station
 - Head works
 - Splitter Box
 - Sludge Dewatering and Thickening Building
 - Control Building
 - Mechanical Building
 - Future UV Tanks or Chlorine Contact Tank

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- Aeration Tank
- Odor Control Filters
- Membrane Bioreactor
- Future Recycling Water Tank
- Future Recycled Water Pump Station
- Evaporation/percolation Ponds

20. The new SPWRF will produce an effluent better than that produced by secondary treatment processes as required by the United States Environmental Protection Agency (USEPA) for publicly owned treatment works (POTWs) treating municipal wastewater. The Discharger indicated that the new SPWRF will be designed to produce the following treated effluent water quality (described in the engineering design proposal and proposed in the Final Environmental Impact Report for the Santa Paula Wastewater Recycling Facility, April 2005):

Constituent	Units	Concentration
Biochemical Oxygen Demand (BOD ₅)	mg/L	10 or less
Total suspended solids (TSS)	mg/L	10 or less
Turbidity	NTU	2 or less
Oil and grease	mg/L	10 or less
Settleable Solids	mg/L	0.1 or less
Total Chlorine Residual	mg/L	5 or less
Nitrite Nitrogen	mg/L	1 or less
Nitrate and Nitrite - N	mg/L	5.0 or less
Total dissolved solids	mg/L	2,000
Sulfate	mg/L	800 or less
Chloride	mg/L	110
Boron	mg/L	1.0
Fluoride	mg/L	1.5 or less
Total Coliform	MPN/100 ml	2.2 or less

mg/L: milligrams per liter; NTU: nephelometric turbidity unit; MPN/100 ml: most probable number per 100 milliliters.

Subsequently, however, the Discharger has become concerned that it may not be able to meet the groundwater quality objective of 110 mg/L for chloride. The Regional Board is considering either a regional solution for the area of Fillmore, Santa Paula, and Piru, or a case by case approach solution for those facilities with chloride issues in the area. Therefore, an amendment to this chloride limit may be made according to TMDL studies as explained in Finding 32. The reconsideration and action taken is tentatively scheduled for reopening by September 2008. A new water quality objective for chloride is expected for the Santa Paula area by the time this new SPWRF is in operation and discharging to the infiltration ponds and/or subsurface irrigation.

21. The new SPWRF site and associated project components are located in an approximately 50-acre tract along Todd Lane, south of Highway 128, west of Shell Road, east of Adam Barranca, and north of the Santa Clara River in Santa Paula. Depth to groundwater at the project site ranges from a depth of 14.76 to 40.90 feet below ground surface. Groundwater gradients generally appear to parallel the ground surface, gently

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Order No. RA-2007-0028

sloping downward to the southwest. During wet years, groundwater may rise to within ten to eleven feet of the ground surface in the southwest area (along the Santa Clara River).

22. The Discharger has been conducting quarterly groundwater-monitoring from three drill hole/wells (DH-3, DH-4, and DH-5) (Figure 9: Drill Hole/Wells Location) since July 2005. These temporary drill hole/wells will be decommissioned and replaced with permanent monitoring wells that will be located near the area. Two monitoring drill hole/wells (DH-4 and DH-5) are located in the future percolation ponds area and DH-3 is located east of the future new SPWRF. The following table shows a comparison of current groundwater monitoring data obtained since July 2005.

Constituents	Units ¹	Range of Concentrations		Groundwater Quality Objectives (Basin Plan)
		Downgradient Wells (DH-4 & DH-5)	Upgradient Well DH-3	
Nitrate-N	mg/L	0.4 - 34	0.4 - 37	10 (including Nitrite-N)
Boron	mg/L	0.27 - 1.1	0.28 - 2.30	1.0
TDS	mg/L	1270 - 2150	1430 - 2200	2,500
Chloride	mg/L	100 - 120	87 - 104	110
Sulfate	mg/L	470 - 890	610 - 890	800
Coliform	MPN/100 ml	- ²	- ²	1.1/100 ml
Cadmium	µg/L	0.4 - 3.3	0.5 - 1.6	5
Chromium	µg/L	0.78 - 12	0.87 - 30	50
Lead	µg/L	0.5 - 18	0.56 - 19	15
Selenium	µg/L	2.2 - 63	7.7 - 18	50

¹ mg/L: milligram per liter; MPN/100ml: most probable number per 100 milliliters; µg/L: micrograms per liter

² - : No monitoring for these parameters

ENFORCEMENT

23. These WDRs are for a new SPWRF that will be built by September 15, 2010. Therefore, there is no history of noncompliance or enforcement. However, the Discharger operates the existing SPWRF and discharges its effluent to Santa Clara River under NPDES No. CA0054224, Order 97-041. With respect to compliance with this NPDES, the Discharger has been in violation of several effluent limitations since its adoption on April 7, 1997. In December 1997, the Discharger engaged an environmental engineering firm to study improvements to the existing SPWRF that would bring the discharge into full compliance with effluent limitations. In February 2000, the final report (Wastewater Treatment and Reclamation Facilities Improvement Needs) indicated that the existing SPWRF can not provide the means of meeting effluent limits for biochemical oxygen demand (BOD), total suspended solids (TSS), turbidity, and coliform set forth in Order No. 97-041 because of

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the existing plant's physical configuration and capacity limitation. On January 23, 2001, the Discharger was issued a Notice of Violation (NOV) for exceeding effluent discharge limits that occurred between 1999 and 2000. Further review of the monitoring reports submitted in accordance with Monitoring and Reporting Program No. CI-1759 from January 1, 2000 to June 14, 2004 indicate that the Discharger continued to exceed effluent discharge limitations, as follows: for TSS 353 violations, for total coliform 527 violations, for BOD 472 violations, for turbidity 1,444 violations, for residual chlorine 5 violations, and for sulfate 4 violations. In addition to effluent discharge limit violations, the Discharger has incurred reporting violations and unpermitted discharge violations throughout the life of the NPDES permit. At this point the State of California ex rel. California Regional Water Quality Control Board, Los Angeles Region, under chapter 5.5 of the Porter-Cologne Water Quality Control Act (California Water Code, Division 7, commencing at section 13000) is engaged in settlement discussions with the City of Santa Paula to obtain penalties and injunctive relief for violations of (1) the Federal Water Pollution Control Act (commonly known as the Clean Water Act, 33 U.S.C. section 1251 et seq.), (2) California Water Code section 13376, and (3) Regional Board Order No. 97-041 through a Stipulated Consent Judgment and Final Order.

24. The Regional Board has required the Discharger to make the necessary modifications to the existing SPWRF to bring it into compliance with NPDES No. CA0054224 (Order No. 97-041). However, despite some modifications to the existing SPWRF, the Discharger has not been able to achieve full compliance with the requirements contained in Order No. 97-041. According to the Discharger's request, the Regional Board has issued and amended Time Schedule Orders (TSO) (R4-2003-0181, R4-2004-0149, R4-2005-0019) to extend the compliance date and to include interim effluent discharge limitations. TSO R4-2004-0149 expired October 6, 2006. A new TSO No. R4-2006-0090 was issued on October 6, 2006. Currently, the Discharger is operating the existing SPWRF under the interim effluent discharge limitations prescribed in TSO No. R4-2006-0090, which will expire on October 6, 2007.

APPLICABLE LAWS, PLANS, POLICIES AND REGULATIONS

25. On June 13, 1994, the Regional Board adopted a revised *Water Quality Control Plan for Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan). Subsequently, amendments to the Basin Plan have been adopted by the Regional Board in 1997 (Resolution No. 97-02); 1998 (Resolution No. 1998-018); 1999 (Resolution No. 1999-013); 2000 (Resolution No. 2000-010); 2001 (Resolution Nos. 2001-013, 2001-014, 2001-018); 2002 (Resolution Nos. 2002-004, 2002-011, 2002-017, 2002-022); and 2003 (Resolution Nos. 2003-001, 2003-009, 2003-010, 2003-011, 2003-012, 2003-018). The Basin Plan (i) designates beneficial uses for surface waters and groundwater, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the State anti-degradation policy, and (iii) describes implementation programs to achieve and maintain water quality standards contained in the Basin Plan in order to protect all waters in the Region. In addition, the Basin Plan

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incorporates by reference applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations. This Order implements the plans, policies and provisions of the Regional Board's Basin Plan.

26. State Water Resources Control Board (State Board) Resolution No. 68-16 (hereafter Resolution 68-16 or the "Antidegradation" Policy) requires the Regional Board in regulating the discharge of waste to maintain high quality waters of the State until it is demonstrated that any change in quality will be consistent with 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 Regional Board's policies (e.g., quality that exceeds water quality objectives).
27. The Regional Board finds that some degradation of groundwater beneath the SPWRF and Use Area is consistent with Resolution 68-16 provided that the degradation is confined to a specified area. The Discharger minimizes the degradation by fully implementing, regularly maintaining, and optimally operating best practicable treatment and control (BPTC) measures. The degradation is limited to waste constituents (BOD, Coliform and chloride) typically encountered in municipal wastewater as specified in the groundwater limitations in this Order. The degradation does not result in water quality less than that prescribed in the Basin Plan.
28. Some degradation of groundwater by some of the typical waste constituents released with discharge from a municipal wastewater facility after effective source control, treatment, and control is consistent with maximum benefit to the people of California. The technology, energy, water recycling, and waste management advantages of municipal utility service for the City of Santa Paula far exceed any benefits derived from a community otherwise reliant on numerous concentrated individual wastewater systems, and the impact on water quality will be substantially less.
29. This Order establishes limitations that will not unreasonably threaten present and anticipated beneficial uses or result in receiving ground water quality that exceeds water quality objectives set forth in the Basin Plan. This means that where the stringency of the limitations for the same waste constituent differs according to beneficial use, the most stringent applies as the governing limitation for that waste constituent. This Order contains tasks for assuring that BPTC and the highest water quality consistent with the maximum benefit to the people of the State will be achieved. Accordingly, the discharge is consistent with the antidegradation provisions of Resolution 68-16. Based on the results of the scheduled tasks, the Regional Board may reopen this Order to reconsider groundwater limitations and other requirements to comply with Resolution 68-16.
30. The new SPWRF will be located west of Peck Road in the Santa Clara-Santa Paula Hydrologic area. The Basin Plan designates beneficial uses and water quality objectives for the Santa Clara-Santa Paula Hydrologic Area Groundwater Basin water body as follows:

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Groundwater (West of Peck Road):

Existing: Municipal and Domestic Supply, Industrial Service Supply, Industrial Process Supply, and Agricultural Supply.

31. The Discharger will be able to achieve compliance with all the effluent limitations listed in this Order and will not discharge any wastewater to surface water from the new SPWRF when the plant becomes operational.
32. The Regional Board adopted a total maximum daily load (TMDL) to address chloride impairments of the Upper Santa Clara River (USCR) on May 6, 2004 (Resolution 04-004). The TMDL was approved by the State Water Resources Control Board (State Board), Office of Administrative Law (OAL) and United States Environmental Protection Agency (USEPA), and became effective on May 4, 2005. The TMDL applies to reaches 5 and 6 of the Santa Clara River, upstream of the Santa Paula WRF and requires the Sanitation Districts of Los Angeles County (Districts) to implement special studies and actions to reduce chloride loadings from their Saugus and Valencia Water Reclamation Plants (WRPs). Currently, TMDL studies are underway, including a groundwater and surface water interaction (GWSI) model study to provide information for the Regional Board to consider if a Site Specific Objective (SSO) for chloride and/or groundwater objective revisions is appropriate. The TMDL studies include reach 4 of the USCR. Based on these studies, the Regional Board may revise objectives or implement a site specific objective in reaches 4 and 3. The effluent discharge limitation contained in these WDR's may be revised to implement site specific objectives for chloride.
33. Section 13523 of the California Water Code (CWC) provides that a Regional Board, after consulting with, and receiving the recommendations of the State Department of Health Services (SDHS), and after any necessary hearing, shall, if it determines such action to be necessary to protect the public health, safety, or welfare, prescribe water reclamation requirements for water which is used, or proposed to be used, as reclaimed water. With respect to the future use of the treated wastewater proposed by the Discharger, the Discharger will be required to comply with SDHS requirements for CCR Title 22 Recycling Water Criteria.

CALIFORNIA ENVIRONMENTAL QUALITY ACT AND NOTIFICATION

34. In accordance with the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), the Discharger prepared and circulated an Environmental Impact Report for public comments. The document was certified by the Discharger on April 25, 2005.
35. The Regional Board has notified the Discharger and interested agencies and persons of the intent to issue WDRs for this discharge, and has provided them with an opportunity

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to submit their written views and recommendations for the requirements.

36. The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the tentative requirements.
37. Pursuant to CWC section 13320, any aggrieved party may seek review of this Order by filing a petition with the State Board. A petition must be received by the State Water Resources Control Board, P.O. Box 100, Sacramento, California, 95812, within 30 days of the date this Order is adopted.

IT IS HEREBY ORDERED that the Discharger, City of Santa Paula, shall be responsible for and shall comply with the following requirements in all operations and activities at the new Santa Paula wastewater recycling facility (SPWRF):

A. INFLUENT LIMITATIONS

1. Waste received by the wastewater treatment plant ("influent") shall be limited to domestic, commercial, industrial, and, if needed, a small amount of dry weather storm drain flow. The Discharger shall not allow new water softener regeneration brines to be discharged to the wastewater collection system and treatment plant. Industrial wastewater subject to the Prohibited Discharge Standards listed in 40 CFR 403.5 shall not be accepted by the new SPWRF.
2. The influent shall not exceed a daily average flow of 4.2 mgd and a peak wet weather daily flow of 8.0 mgd. The flow limitations also apply to treated effluent discharged to the percolation ponds.

B. EFFLUENT LIMITATIONS

1. Effluent (wastewater discharged from the wastewater treatment plant or treated wastewater to be discharged through the disposal and/or reuse system) shall not contain heavy metals, arsenic, or cyanide, or other pollutants designated Priority Pollutants by the USEPA in concentrations exceeding the limits contained in the SDHS Drinking Water Standards.
2. Effluent shall not contain organic chemicals, inorganic chemicals (i.e., heavy metals, arsenic, or cyanide) in concentrations exceeding the limits contained in the current California Drinking Water Standards, CCR title 22, sections 64431 (Attachment A-1) and 64444 (Attachment A-3) or subsequent revisions.
3. Radioactivity shall not exceed the limits specified in the CCR title 22, chapter 15, section 64441 et seq., (Attachment A-2) or subsequent revisions.
4. The pH in the effluent shall at all times be from 6.5 to 8.5 pH units.

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5. Effluent shall not contain constituents in excess of the following limits:

Constituent	Units ¹	Monthly Average	Daily Maximum
BOD ₅	mg/L	10	15
Suspended solids	mg/L	10	15
Ammonia plus Nitrate plus Nitrite plus Organic Nitrogen as nitrogen	mg/L	10	
Nitrite-Nitrogen	mg/L	1	
Oil and grease	mg/L	15	
Total Dissolved Solids (TDS)	mg/L	2000	
Sulfate	mg/L	800	
Chloride	mg/L	110 ²	
Boron	mg/L	1.0	

¹ mg/L: milligrams per liter
² This limit may be revised before September 15, 2010 in response to TMDL studies.

6. Effluent discharges to the percolation/evaporation ponds that have a minimum vertical separation of ten-feet between the bottom of the percolation ponds and water table (saturated zone) shall not contain E. coli and fecal coliform in excess of the following limits:

1. Geometric Mean Limits¹:
 - a) E. coli density shall not exceed 126 MPN/100 mL
 - b) Fecal coliform density shall not exceed 200 MPN/100 ml
2. Single Sample Limits²:
 - a) E. coli density shall not exceed 235 MPN/100 mL
 - b) Fecal Coliform density shall not exceed 400 MPN/100 ml

¹ Geometric Mean Limits: The geometric mean values shall be calculated based on a statistically sufficient number of samples (generally not less than five samples equally spaced over a 30 day period).

² Single Sample Limits: If any single sample limit is exceeded, the Discharger is required to repeat sampling on a daily basis until sample falls below the single limit in order to determine the persistence of the exceedance. When repeat sampling is conducted because of exceedance of any one single sample limit, values from all samples collected during that 30-day period will be used to calculate the geometric mean.

7. Effluent discharges to the percolation/evaporation ponds that have a minimum vertical separation of five-feet between the bottom of the percolation ponds and water table (saturated zone) shall not exceed a most probable number (MPN) of

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23 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 240 per 100 milliliters in more than one sample in any 30 days period.

C. INTERIM EFFLUENT LIMITATIONS

1. Recognizing that the Discharger cannot meet the effluent limitations of Section B above until the new SPWRF is constructed and operational, NPDES and WDRs, Order No. 97-41 and the existing TSO No. R4-2006-0090 for City of Santa Paula remain in full force and effect until further action or decision is taken by this Regional Board or until the new SPWRF is completed and operational by December 15, 2010. In addition, recognizing that the new SPWRF may not meet the effluent limitation for chloride, new limits may be established for chloride before the new SPWRF begins operation or discharge.

D. SURFACE AND SUBSURFACE DRIP REUSE AND DISPOSAL LIMITATIONS FOR TREATED WASTEWATER

1. In addition to meeting all effluent limitations in the above Section B, the treated wastewater to be discharged through subsurface drip and surface irrigation reuse and disposal shall be at all times adequately oxidized, disinfected tertiary-treated wastewater only. A disinfected tertiary-treated wastewater is wastewater that has been filtered and subsequently disinfected, and meets the following criteria:
 - a. The filtered wastewater has been disinfected by one of the following processes:
 - i. A chlorine disinfection process that provides a concentration-time (CT) 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 dry weather design flow. The CT is the product of total chlorine residual and modal contact time measured at the same period. The modal contact time is the amount of time that elapsed between the time that a tracer, such as salt or dye, is injected into the influent at the entrance of the chlorination chamber and the time that the highest concentration of the tracer is observed in the effluent from the chamber. The peak dry weather design flow is the arithmetic mean of the maximum peak flow rates sustained over some period of time (for example three hours) during the maximum 24-hour dry weather period. Dry weather period is defined as periods of little or no rainfall.
 - ii. A disinfection process that, when combined with the filtration process, has been demonstrated to inactivate and/or remove 99,999 percent of

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the plaque-forming units of F-specific bacteriophage MS2, or polio virus in the wastewater. A virus that is at least as resistant to disinfection as polio virus may be used for purposes of the demonstration. F-specific bacteriophage MS-2 means a strain of a specific type of virus that infects coliform bacteria that is traceable to the American Type Culture Collection (ATCC 15597B1) and is grown on lawns of *E. coli* (ATCC 15597).

- iii. Where ultraviolet (UV) disinfection is used for disinfection, UV disinfection shall deliver under worst operating conditions a minimum UV dose of 140 milliwatts seconds per square centimeters ($mW\text{-}s/cm^2$) at maximum weekly flow and 100 $mW\text{-}s/cm^2$ at peak daily flow, unless otherwise approved by the California Department of Health Services.
- b. The median concentration of total coliform bacteria measured in the disinfected wastewater does not exceed a most probable number (MPN) of 2.2 per 100 milliliters based on the bacteriological results of the last seven days for which analyses have been completed, and the number of total coliform bacteria does 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.
- c. A filtered wastewater shall be an oxidized wastewater that meets either (1) or (2):
 - (1) Has been coagulated and passed through natural undisturbed soil or a bed of filter media under the following conditions:
 - (a) At a rate that does not exceed 5 gallons per minute per square foot of surface area in mono, dual or mixed media gravity, upflow or pressure filtration systems, or does not exceed 2 gallons per minute per square foot of surface area in a traveling bridge-automatic backwash filter; and,
 - (b) The turbidity of the filtered wastewater does not exceed any of the following:
 - An average of 2 NTU within a 24-hour period;
 - 5 NTU more than 5 percent of the time within a 24-hour period; and
 - 10 NTU at any time.
 - (c) "NTU" (Nephelometric Turbidity Unit) is a turbidity measurement determined by the ratio of the intensity of light scattered by the sample to the intensity of incident light as measured by Method 2130 B, in *Standard Methods for the Examination of Water and Wastewater*, 20th
 - (2):

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Edition: Eaton, A. D., Ciesceri, L. S., and Greenberg, A. E., Eds;
American Public Health Association, Washington, D.C., 1998; p2-8.
Continuous chemical addition upstream of the filters is not required if:

- i) Final effluent turbidity does not exceed 2 NTU;
 - ii) The turbidity of the effluent to the filters is continuously measured;
 - iii) The influent turbidity to the filters does not exceed 5 NTU for more than 15 minutes in any 24-hour period and never exceeds 10 NTU; and,
 - iv) There is the capability to automatically activate chemical addition or divert the wastewater should the filter influent turbidity exceed 5 NTU for more than 15 minutes.
- (2) Has been passed through a microfiltration, ultrafiltration, nanofiltration, or reverse osmosis membrane so that the turbidity of the filtered wastewater does not exceed any of the following:
- (a) 0.2 NTU more than 5 percent of the time within any calendar day; and
 - (b) 0.5 NTU at any time.
- d. A coagulated wastewater shall be an oxidized wastewater in which colloidal and finely divided suspended matter have been destabilized and agglomerated upstream from a filter by the addition of suitable floc-forming chemicals.
- e. An oxidized wastewater shall be wastewater in which the organic matter has been stabilized, is nonputrescible, and contains dissolved oxygen.
2. Treated wastewater shall not be directly reused for purposes other than those defined above until requirements for other uses have been established by the Regional Board, in accordance with CWC section 13523, unless the Regional Board finds that the above cited standards are applicable to other uses.
3. No disposal areas with treated wastewater shall be located within 50 feet of any domestic water supply well unless all of the following conditions have been met:
- a. A geological investigation demonstrates that an aquitard exists at the well between the uppermost aquifer being drawn from and the ground surface;

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- b. The well contains an annular seal that extends from the surface into the aquifer;
 - c. The well is housed to prevent any treated wastewater spray from coming into contact with the wellhead facilities;
 - d. The ground surface immediately around the wellhead is contoured to allow surface water to drain away from the well; and,
 - e. The owner of the well approves of the elimination of the buffer zone requirement.
4. There shall be no storage or impoundment of treated wastewater within 100 feet of any domestic water supply well.
5. No disposal of sludge, waste, and treated wastewater shall take place within 50 feet of any reservoir or stream used as a source of domestic water.
6. Use of treated wastewater shall comply with the following:
 - a. Treated wastewater shall not be applied above ground at such a rate and volumes as to exceed vegetative demand and soil moisture conditions. Special precautions must be taken to: prevent clogging of spray nozzles, prevent overwatering, and minimize the production of run-off. Pipelines shall be maintained so as to prevent leakage;
 - b. Any runoff shall be confined to the proposed disposal area and shall not be allowed to escape as surface flow; unless the runoff does not pose a public health threat and is authorized under a National Pollutant Discharge Elimination System (NPDES) permit issued by the Regional Board. For the purpose of this requirement, however, minor amounts of irrigation return water from peripheral areas shall not be considered a violation of this Order;
 - c. Spray, mist, or runoff shall not enter dwellings, designated outdoor eating areas, or food handling facilities, and shall not contact any drinking water fountain; and,
 - d. Treated wastewater shall not be used for surface irrigation during periods of rainfall and/or run-off.
7. All treated wastewater use areas that are accessible to the public shall be posted with signs that are visible to the public, in a size no less than 4 inches high by 8 inches wide, that include the following wording: "RECYCLED WATER - DO NOT DRINK". Each sign shall display an international symbol similar to that shown in Figure 10. An alternative signage and wording may be used provided they are

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approved in advance by the California State Department of Health Services.

8. No physical connection shall be made or allowed to exist between any treated wastewater piping and any piping conveying potable water, except as allowed under section 7804 of CCR Title 17.
9. The portions of the treated wastewater piping system that are in areas subject to access by the general public shall not include any hose bibbs (a faucet or similar device to which a common garden hose can be readily attached). Only quick couplers that differ from those used on the potable water system shall be used on the portions of the treated wastewater piping system in areas subject to public access.
10. Treated wastewater use shall not result in earth movement in geologically unstable areas.
11. Treated wastewater shall not be used for direct human consumption or for the processing of food or drink intended for human consumption.

E. GROUNDWATER LIMITATIONS

1. "Receiving water" is defined as groundwater underlying the wastewater treatment plant, percolation/evaporation ponds, and all areas described for uses of treated wastewater (Finding 9), and the discharge areas described in Finding 11.
2. The Discharger shall periodically dry out the percolation ponds in order to maintain vertical separation between the bottom of the percolation ponds and the water table (saturated zone). For treated wastewater that meets effluent limitations listed in section B.6, this vertical separation shall be at least 10 feet. For treated wastewater that meets effluent limitations listed in section B.7, the Discharger may reduce the vertical separation to five feet. Within 180 days prior to initial discharge, the Discharger shall submit, for Executive Officer approval, a proposed strategy for periodically drying out the ponds to maintain the vertical separation specified above, and for measuring compliance with this groundwater vertical separation limitations.
3. The discharge of treated wastewater from the wastewater treatment plant shall not cause the receiving water to contain any waste constituents in concentration that are statistically greater than background water quality except as provided for in the limits in E.5 below.
4. The discharge of treated wastewater from the wastewater treatment plant shall not cause the concentration of total coliform in the receiving water over a seven-day period to exceed 1.1 most probable numbers (MPN) per 100 milliliters.

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5. The discharge of treated wastewater from the wastewater treatment plant shall not cause the receiving water to exceed the following limits:

Constituent	Units	Maximum
Total Dissolved Solids (TDS)	mg/L	2,000
Sulfate	mg/L	800
Chloride	mg/L	110
Boron	mg/L	1.0
Nitrate as nitrogen plus Nitrite as nitrogen	mg/L	10
Nitrite as N	mg/L	1

mg/L: milligram per liter

F. GENERAL REQUIREMENTS

- Standby or emergency power facilities and/or sufficient capacity shall be provided for treated wastewater discharge facility or storage during rainfall or in the event of plant upsets or outages, infiltration ponds exceed their hydraulic capacity and at times when irrigation cannot be practiced.
- Adequate facilities shall be provided to protect the new SPWRF, treatment system devices, sewer collection system and recycling/disposal facilities from damage by storm flows and run-off or run-on generated by a 100-year return storm/24 hour duration.
- The treatment plant including the collection system that is a part of the treatment and disposal system shall be maintained in such a manner that prevents sewage from surfacing or overflowing at any location.
- A minimum of two feet of freeboard shall be maintained in the percolation/evaporation ponds at all time to ensure that direct rainfall will not cause overtopping.
- Discharge of hardness wastes generated from any possible centralized well water treatment facility to be constructed shall not cause exceedance of constituent limits in Section E of this Order. Any proposed discharge of hardness waste generated from the centralized well water treatment facility shall be identified and approved by the Executive Officer prior to its discharge.

G. PROHIBITIONS

- There shall be no waste overflows or discharge of partially-treated wastes from the new SPWRF's treatment, storage or disposal facilities to adjacent drainage or water ways, adjacent properties or to waters of the State at any time.

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2. Wastes discharged shall not impart adverse tastes, odors, color, foaming or other objectionable characteristics to the receiving groundwater.
3. There shall be no onsite disposal of dry sludge for more than 90 days. Sludge-drying activities are allowed, but only as an intermediate treatment prior to off-site disposal. Any off-site disposal of sewage or sludge shall be made only to a legal point of disposal. For purposes of this Order, a legal disposal site is one for which requirements have been established by a regional water quality control board or comparable regulatory entity, and which is in full compliance therewith. Any sewage or sludge handling shall be in such a manner as to prevent its reaching surface waters or watercourses.
4. Sewage odors from the wastewater treatment plant shall not be detectable beyond the property line.
5. Wastes discharged from the wastewater treatment plant shall at no time contain any substances in concentrations toxic to human, animal, or plant life.
6. The discharge of waste shall not create a condition of pollution, contamination, or nuisance.
7. Nutrient materials in the waste discharged to the percolation/evaporation ponds shall not cause objectionable aquatic growth or degrade indigenous biota.
8. The discharge of any wastewater to surface waters or surface water drainage courses is prohibited without a NPDES permit.
9. The percolation/evaporation ponds shall not contain floating materials, including solids, foams or scum in concentrations that cause nuisance, adversely affect beneficial uses, or serve as a substrate for undesirable bacterial or algae growth or insect vectors.
10. The percolation/evaporation ponds, drying beds and the berms surrounding the ponds shall not contain plants, shrubs, or bushes that may damage the berms and the ponds.
11. Bypass (the intentional diversion of waste stream from any portion of a treatment facility) is prohibited. The Regional Board may take enforcement action against the Discharger for bypass unless:
 - (a) Bypass 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 cause them to

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become inoperable, or substantial and permanent loss in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production);

- (b) There were no feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated waste, or maintenance during normal periods of equipment down time. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that could occur during normal periods of equipment downtime or preventive maintenance; and
 - (c) The Discharger submitted a notice at least 48 hours in advance of the need for a bypass to the Regional Board.
12. Any discharge of treated wastewater from the treatment system (including the wastewater collection system) at any point other than specifically described in this Order is prohibited and constitutes a violation of this Order.

H. PROVISIONS

1. A copy of this Order shall be maintained at the wastewater treatment plant so as to be available at all times to operating personnel.
2. Prior any discharge to the infiltration ponds, the Discharger will provide water services and hookups to residences within a radius of five hundred feet from the edge of the infiltration ponds.
3. The agriculture water wells B1, B2, and B3 located inside the project site area of the new SPWRF shall be decommissioned pursuant to State of California, Department of Water Resources, Water Well Standards, Bulletin 74-90 prior to the construction of the new SPWRF.
4. The Discharger shall file with the Regional Board technical reports on self-monitoring work performed according to the detailed specifications contained in Monitoring and Reporting Program No. CI-9259 attached hereto and incorporated herein by reference, as directed by the Executive Officer. The results of any monitoring done more frequently than required at the location and/or times specified in the Monitoring and Reporting Program shall be reported to the Regional Board. The Discharger shall comply with all of the provisions and requirements of the Monitoring and Reporting Program.
5. Monitoring and Reporting Program No. CI-9259 contains requirements, among others, specifying that a groundwater monitoring program for the new SPWRF,

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percolation/evaporation ponds and reuse and disposal area shall be established so that the groundwater upgradient and downgradient from the percolation/evaporation ponds and discharge/disposal and reuse areas can be measured, sampled, and analyzed to determine if waste discharges from the percolation/evaporation pond/disposal system are impacting water quality. Background groundwater quality shall be established at the discharge areas described in Findings 9 and 11 based on two years groundwater monitoring data. The Discharger shall submit a technical workplan as required in Section III of Monitoring and Reporting Program No. CI-9259.

6. Should effluent monitoring data indicate possible contamination of groundwater attributable to Discharger's effluent, the Discharger shall submit, within 90-days after discovery of the problem, plans for measures that will be taken, or have been taken, to mitigate any long-term effects that may result from the discharge(s).
7. The Discharger shall monitor the background of the receiving groundwater quality as it relates to its effluent discharges. Should the constituent concentrations in any downstream monitoring well exceed the receiving water quality objectives in the Basin Plan and the increase in constituents is attributable to the Discharge's new SPWRF effluent disposal practices, the Discharger must develop a source control plan including a detailed source identification and pollution minimization plan, together with the time schedule of implementation, and must be submitted within 120-days of recording the exceedance.
8. The Discharger shall participate in the implementation of the watershed-wide Monitoring Program if the Executive Officer determines that a surface water monitoring program for the Santa Clara River is needed to evaluate impacts from effluent discharges to groundwater. The Regional Board may require the Discharger to participate with the Regional Board, Santa Clara River Enhancement and Management Plan Steering Committee, and other stakeholders, in the development and implementation of a watershed-wide monitoring program.
9. Should the nitrate and nitrite-nitrogen concentration in treated effluent from the new SPWRF exceeds 15 mg/L in three (weekly sampling plus two additional sampling events for result verification) consecutive samples taken within one month, the Discharger must submit an investigation plan (Plan) to the Executive Officer for approval within 90 days from the occurrence. The Plan must contain a detailed description of pollutant minimization strategies and prevention measures proposed, together with the time schedule of implementation.
10. The Discharger shall submit a final engineering report for the new SPWRF to the Executive Officer within one year of the effective date of this Order and at least eighteen months in advance from the estimated start of construction of any

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centralized well water treatment facility.

11. The Discharger shall not discharge any treated wastewater from the new SPWRF to any disposal or use areas that have not been identified in the final Environmental Impact Report certified on April 25, 2005, without completion of a revised CEQA documents and prior approval by the Executive Officer.
12. The Discharger shall prepare a CCR Title 22 Engineering Report for the production, distribution and use of recycled water using the guidelines prepared by the CDHS. The report shall be reviewed and approved by the CDHS-Drinking Water Field Operations Branch, Santa Barbara office prior to delivering any recycled water to use sites.
13. The Discharger shall submit a hydrogeologic assessment technical report prepared by an independent California licensed engineer/geologist within 90 days of adoption of Order No. R4-2007-0028 that addresses concerns regarding potential mounding caused by the percolation ponds, by demonstrating that mounding will not cause groundwater to surface or degrade the adjacent wells. The report shall be submitted for review by Regional Board staff and interested parties prior to plant construction, the Regional Board shall evaluate the adequacy of the percolation ponds, and revise these waste discharge requirements, as appropriate. If the Regional Board at that time determines the ponds are inadequate to percolate the estimated discharge.
14. Wastewater treatment and disposal system and, if any, future centralized well water treatment facility shall not cause pollution or nuisance as defined in CWC section 13050.
15. In accordance with CWC section 13280(c), the Discharger shall file a report of any material change or proposed change in the character, location, or volume of the discharge.
16. The Discharger shall operate and maintain its wastewater collection, treatment and disposal facilities in a manner to ensure that all facilities are adequately staffed, supervised, financed, operated, maintained, repaired, and upgraded as necessary, to provide adequate and reliable transport, treatment, and disposal of all wastewater from planned future wastewater sources under the Discharger's responsibilities. Anyone employed in the operation of the wastewater treatment plant must be certified pursuant to CWC sections 13625-13633.
17. The Discharger owns and operates a sanitary sewer system greater than one mile in length that collects and/or conveys untreated or partially treated wastewater to the SPWRF. Therefore, the Discharger is required to comply with the terms of the Statewide General Waste Discharge Requirement for Sanitary

City of Santa Paula
Santa Paula Wastewater Recycling Facility

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Sewer Systems, Order No. 2006-0003-DWQ.

18. The Discharger shall submit to the Regional Board an Operations and Maintenance Manual (O & M Manual) for the entire new SPWRF and disposal facilities prior to startup of the new SPWRF facility. The Discharger shall maintain the O & M Manual in useable condition, and available for reference and use by all applicable personnel. The Discharger shall regularly review, and revise or update as necessary, the O & M Manual(s) in order for the document(s) to remain useful and relevant to current equipment and operation practices. Reviews shall be conducted annually, and revisions or updates shall be completed as necessary and submitted to the Regional Board on an annual basis.
19. In the event that the new SPWRF employs UV disinfection, the Discharger shall establish an operation manual including quartz sleeve cleaning frequencies that ensure the minimum required UV dose delivery is consistently met, and file the operation manual with the Regional Board within 90 days prior to commissioning the UV disinfection system. The new SPWRF using UV disinfection shall comply with the National Water Research Institute/American Water Works Association Research Foundation UV Disinfection Guidelines specifying design and performance of UV systems.
20. The Discharger shall take all necessary steps to minimize or prevent any discharge that has a reasonable likelihood of adversely affecting human health, receiving groundwater or the environment.
21. For any violation of requirements in this Order, the Discharger shall notify the Regional Board within 24 hours of knowledge of the violation either by telephone or electronic mail. The notification shall be followed by a written report within one week. The Discharger, in its next regularly scheduled monitoring report shall also confirm this information. In addition, the report shall include the reasons for the violations or adverse conditions, the steps being taken to correct the problem (including dates thereof), and the steps being taken to prevent a recurrence.
22. This Order does not relieve the Discharger from the responsibility to obtain other necessary local, State, and federal permits to construct facilities necessary for compliance with this Order; nor does this Order prevent imposition of additional standards, requirements, or conditions by any other regulatory agency.
23. After notice and opportunity for a hearing, this Order may be terminated or modified for causes including, but not limited to:
 - a) Violation of any term or condition contained in this Order;

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- b) Obtaining this Order by misrepresentation, or failure to disclose all relevant facts; or
 - c) A change in any condition, or the discovery of any information, that requires either a temporary or permanent reduction or elimination of the authorized discharge.
24. The Discharger shall furnish, within a reasonable period of time, any information the Regional Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The Discharger shall also furnish to the Regional Board, upon request, copies of records required to be kept by this Order.
25. This Order includes the attached Standard Provisions Applicable to Waste Discharge Requirements which are incorporated herein by reference. If there is any conflict between provisions stated herein and the Standard Provisions Applicable to Waste Discharge Requirements, the provisions stated herein will prevail.
26. The Discharger shall allow Regional Board staff, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:
- a) Enter upon the Discharger premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
 - b) Have access to and copy any records that must be kept under the conditions of this Order;
 - c) Inspect any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
 - d) Sample or monitor for the purposes of assuring compliance with this Order, or as otherwise authorized by the CWC, any substances or parameters at any locations.
27. This Order shall remain in effect for a period of 10 years. Should the Discharger wish to continue discharging to groundwater for a period of time in excess of 10 years, the Discharger must file a Report of Waste Discharge with the Regional Board no later than 180 days in advance of the 10th-year anniversary date of the Order for consideration of issuance of new or revised requirements. Any discharge of waste ten years after the date of adoption of this Order, without filing

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a Report of Waste Discharge with this Regional Board, is a violation of CWC section 13284. The Regional Board is authorized to take appropriate enforcement action for any noncompliance with this provision including assessment of penalties.

28. All discharges of waste into the waters of the State are privileges, not rights. In accordance with CWC section 13283(g), these requirements shall not create a vested right to continue to discharge and are subject to rescission or modification.

I. REOPENER

1. The Regional Board may modify, or revoke and reissue this Order if present or future investigations demonstrate that the discharge(s) governed by this Order will cause, have the potential to cause, or will contribute to adverse impacts on water quality and/or beneficial uses of the receiving waters.
2. This Order may be reopened to include additional or modified requirements to address Discharger's expansion or mitigation plans, TMDL or Basin Plan mandates, or groundwater limitation compliance with Resolution 68-16.

I, Deborah J. Smith, Interim Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on May 3, 2007.


Deborah J. Smith
Interim Executive Officer

Date: May 3, 2007

Attachment A-1

Table 84431-A: Inorganic Chemicals	
Constituent	Maximum Contamination Levels (mg/L)
Aluminum	1
Antimony	0.006
Arsenic	0.05
Barium	1
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.2
Fluoride	2
Mercury	0.002
Nickel	0.1
Selenium	0.05
Thallium	0.002

California Code of Regulation (CCR) Title 22, Section 84431
Nitrate, Nitrate plus nitrite have been removed from this Table.

Attachment A-2

Table 4 - Radioactivity	
Constituent	Maximum Contamination Levels (pCi/L)
Combined Radium-226 and Radium-228	5
Gross Alpha Particle Activity (Including Radium-226 but Excluding Radon and Uranium)	15
Tritium	20000
Strontium-90	8
Gross Beta Particle Activity	50
Uranium	20

California Code of Regulation (CCR) Title 22, Section 64443

Attachment A-3

Table 64444-A - Organic/Regulated Chemicals	
Constituent	Maximum Contamination Levels (mg/L)
Volatile Organic Chemicals	
Benzene	0.001
Carbon Tetrachloride (CTC)	0.0005
1,2-Dichlorobenzene	0.6
1,4-Dichlorobenzene	0.005
1,1-Dichloroethane	0.005
1,2-Dichloroethane (1,2-DCA)	0.0005
1,1-Dichloroethane (1,1-DCE)	0.006
Cis-1,2-Dichloroethylene	0.006
Trans-1,2-Dichloroethylene	0.01
Dichloromethane	0.005
1,2-Dichloropropane	0.005
1,3-Dichloropropane	0.0005
Ethylbenzene	0.7
Methyl-tert-butyl-ether	0.013
Monochlorobenzene	0.07
Styrene	0.1
1,1,2,2-Tetrachloroethane	0.001
Tetrachloroethylene (PCE)	0.005
Toluene	0.15
1,2,4-Trichlorobenzene	0.07
1,1,1-Trichloroethane	0.2
1,1,2-Trichloroethane	0.005
Trichloroethylene (TCE)	0.005
Trichlorofluoromethane	0.15
1,1,2-Trichloro-1,2,2-Trifluoroethane	1.2
Vinyl Chloride	0.0005
Xylenes (m,p)	1.75
Non-Volatile synthetic Organic Chemicals	
Alechlor	0.002
Atrazine	0.003
Bentazon	0.018
Benzo(a)pyrene	0.0002
Carbofuran	0.018
Chloradene	0.0001
2,4-D	0.07
Dalapon	0.2
1,2-Dibromo-3-chloropropane	0.0002

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Table 64444-A - Organic/Regulated Chemicals	
Constituent	Maximum Contamination Levels (mg/L)
Non-Volatile synthetic Organic Chemicals	
Di(2-ethylhexyl)adipate	0.4
Di(2-ethylhexyl)phthalate	0.004
Dinoseb	0.007
Diquat	0.02
Endosulf	0.1
Endrin	0.002
Ethylene Dibromide (EDB)	0.00005
Glyphosate	0.7
Heptachlor	0.00001
Heptachlor Epoxide	0.00001
Hexachlorobenzene	0.001
Hexachlorocyclopentadiene	0.05
Lindane	0.0002
Methoxychlor	0.04
Molinate	0.02
Oxamyl	0.2
Pentachlorophenol	0.001
Picloram	0.5
Polychlorinated Biphenyls	0.0005
Simazine	0.004
Thiobencarb	0.07
Toxaphene	0.003
2,3,7,8-TCDD (Dioxin)	3×10^{-8}
2,4,5-TP (Silvex)	0.05

California Code of Regulation (CCR) Title 22, Section 64444

Attachment A-4

Table 64533-A - Primary MCLs for Disinfection Byproducts

Constituent	Maximum Contamination Levels (mg/L)
Total Trihalomethanes (TTHM)	0.08
Bromodichloromethane	
Bromoform	
Chloroform	
Dibromochloromethane	
Halooacetic acid (five) (HAA5)	0.06
Monochloroacetic acid	
Dichloroacetic acid	
Trichloroacetic acid	
Monobromoacetic acid	
Dibromoacetic acid	
Bromate	0.01
Chlorite	1.0

California Code of Regulation (CCR) Title 22, Section 64533, Chapter 15.5

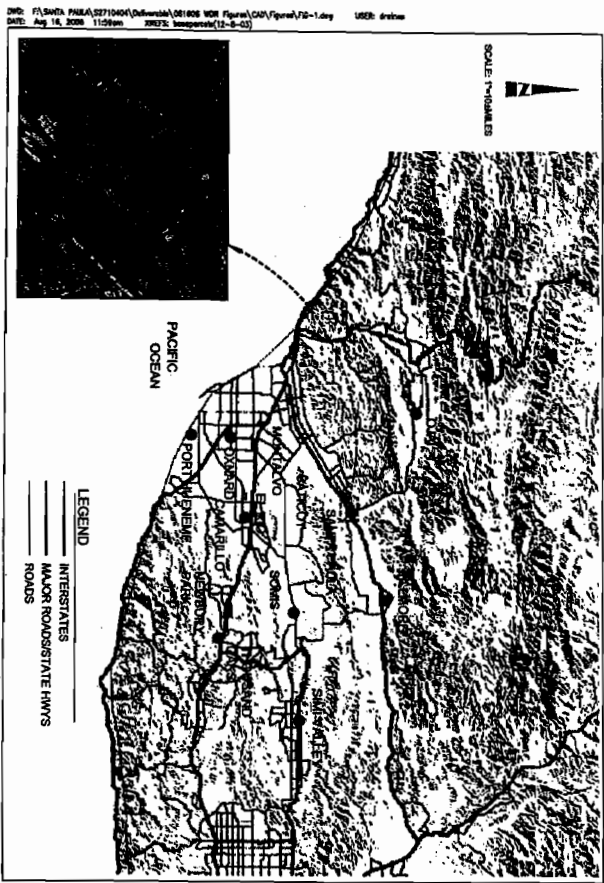


Figure 1: Site Location Map

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Figure 2: SPWRP Area Map

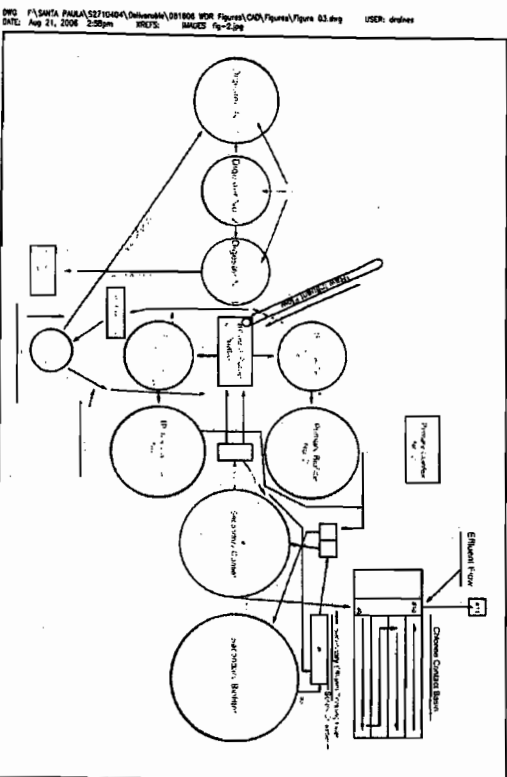


Figure 3: Existing SPWRP Treatment Processes

Figure 4.3
 Conceptual Diagram of Existing Plant Treatment Processes
 Santa Paula Water Recycling Facility
 8-17-08

Figure 4:
Future Possible Reclaimed Water Use Areas



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8-17-06

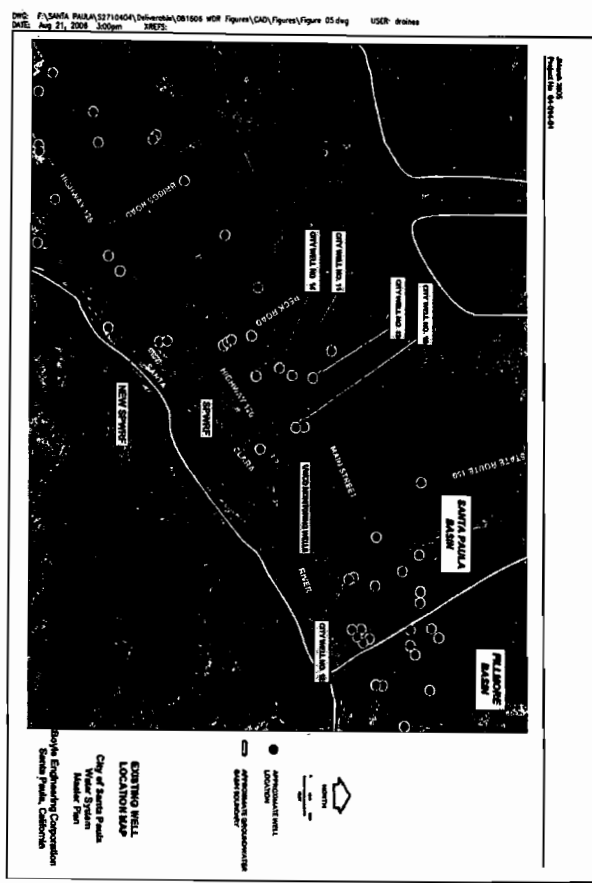


Figure 5

8-17-08

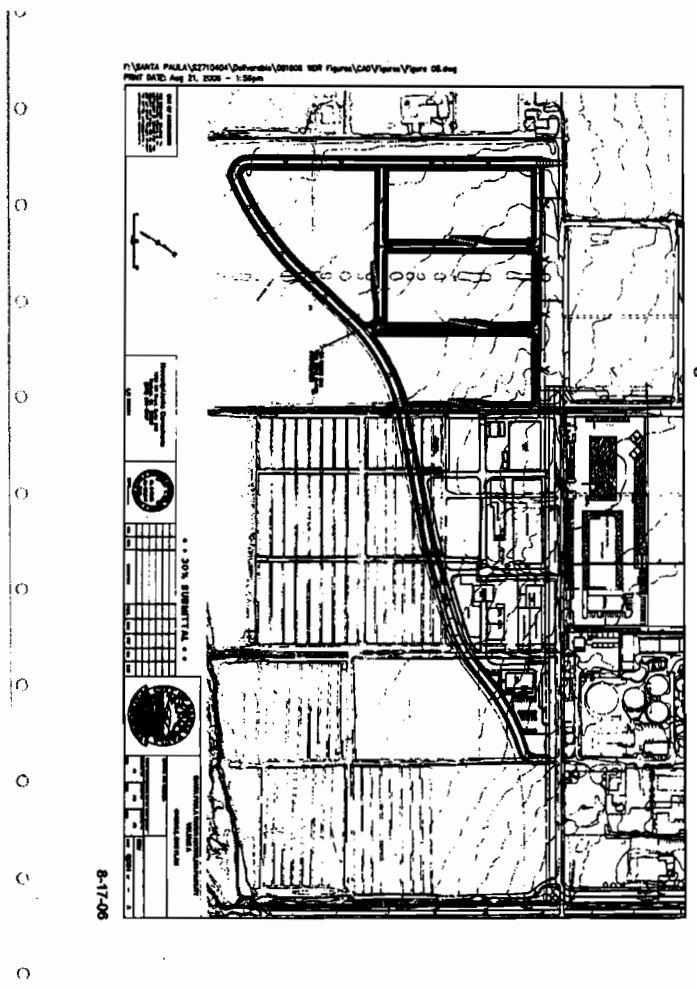


Figure 8: New SPWRP Site Plan

Figure 10

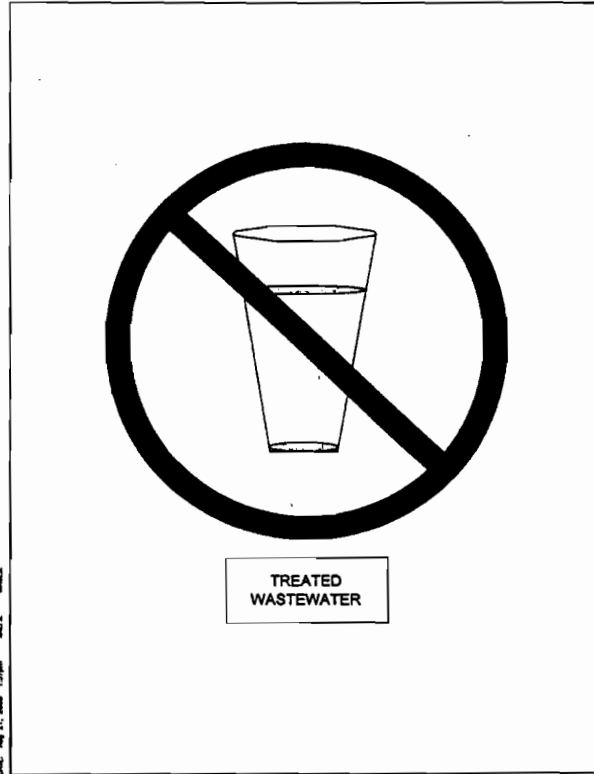


FIG. 10. TREATMENT OF WASTEWATER FOR REUSE IN IRRIGATION. (U.S. EPA, 1972)

8-17-06

STANDARD PROVISIONS
APPLICABLE TO WASTE DISCHARGE REQUIREMENTS

1. DUTY TO COMPLY

The discharger must comply with all conditions of these waste discharge requirements. A responsible party has been designated in the Order for this project, and is legally bound to maintain the monitoring program and permit. Violations may result in enforcement actions, including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board. [CWC Section 13261, 13263, 13265, 13266, 13300, 13301, 13304, 13340, 13350]

2. GENERAL PROHIBITION

Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the California Water Code (CWC). [H&SC Section 5411, CWC Section 13263]

3. AVAILABILITY

A copy of these waste discharge requirements shall be maintained at the discharge facility and be available at all times to operating personnel. [CWC Section 13263]

4. CHANGE IN OWNERSHIP

The discharger must notify the Executive Officer, in writing at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgement that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date on. [CWC Sections 13267 and 13263]

5. CHANGE IN DISCHARGE

In the event of a material change in the character, location, or volume of a discharge, the discharger shall file with this Regional Board a new Report of Waste Discharge. [CWC Section 13260(c)]. A material change includes, but is not limited to, the following:

- (a) 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.

November 7, 1990
WDR

Standard Provisions Applicable to
Waste Discharge Requirements

- (b) Significant change in disposal method, e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.
- (c) Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
- (d) Increase in flow beyond that specified in the waste discharge requirements.
- (e) Increase in the area or depth to be used for solid waste disposal beyond that specified in the waste discharge requirements. [CCR Title 23 Section 2210]

6. REVISION

These waste discharge requirements are subject to review and revision by the Regional Board. [CCR Section 13263]

7. TERMINATION

Where the discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information. [CWC Sections 13260 and 13267]

8. VESTED RIGHTS

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the discharger from his liability under Federal, State or local laws, nor do they create a vested right for the discharger to continue the waste discharge. [CWC Section 13263(g)]

9. SEVERABILITY

Provisions of these waste discharge requirements are severable. If any provision of these requirements are found invalid, the remainder of the requirements shall not be affected. [CWC Section 921]

Standard Provisions Applicable to
Waste Discharge Requirements

10. OPERATION AND MAINTENANCE

The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order. [CWC Section 13263(f)]

11. HAZARDOUS RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the Water Code unless the discharger is in violation of a prohibition in the applicable Water Quality Control plan. [CWC Section 1327(a)]

12. PETROLEUM RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Article 3.5 (commencing with Section 8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code. This provision does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Section 311 of the Clean Water Act or the discharge is in violation of a prohibition in the applicable Water Quality Control Plan. [CWC Section 13272]

Standard Provisions Applicable to
Waste Discharge Requirements

13. ENTRY AND INSPECTION

The discharger shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:

- (a) Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- (d) Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order, or as otherwise authorized by the California Water Code, any substances or parameters at any location. [CWC Section 13267]

14. MONITORING PROGRAM AND DEVICES

The discharger shall furnish, under penalty of perjury, technical monitoring program reports; such reports shall be submitted in accordance with specifications prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted. [CWC Section 13267]

All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year, or more frequently, to ensure continued accuracy of the devices. Annually, the discharger shall submit to the Executive Office a written statement, signed by a registered professional engineer, certifying that all flow measurement devices have been calibrated and will reliably achieve the accuracy required.

Unless otherwise permitted by the Regional Board Executive officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. The Regional Board Executive Officer may allow use of an uncertified laboratory under exceptional circumstances, such as when the closest laboratory to the monitoring location is outside the State boundaries and therefore not subject to certification. All analyses shall be required to be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants" [40CFR Part 136] promulgated by the U.S. Environmental Protection Agency. [CCR Title 23, Section 2230]

Standard Provisions Applicable to
Waste Discharge Requirements

15. TREATMENT FAILURE

In an enforcement action, it shall not be a defense for the discharger that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment 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 alternative method of treatment is provided. This provision applies, for example, when the primary source of power of the treatment facility fails, is reduced, or is lost. [CWC Section 13263(f)]

16. DISCHARGE TO NAVIGABLE WATERS

Any person discharging or proposing to discharge to navigable waters from a point source (except for discharge of dredged or fill material subject to Section 404 to the Clean Water Act and discharge subject to a general NPDES permit) must file an NPDES permit application with the Regional Board. [CCR Title 2 Section 22357]

17. ENDANGERMENT TO HEALTH AND ENVIRONMENT

The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence(s) must be reported to the Executive Office within 24 hours:

- (a) Any bypass from any portion of the treatment facility.
- (b) Any discharge of treated or untreated wastewater resulting from sewer line breaks, obstruction, surcharge or any other circumstances.
- (c) Any treatment plan upset which causes the effluent limitation of this Order to be exceeded. [CWC Sections 13263 and 13267]

18. MAINTENANCE OF RECORDS

The discharger shall retain records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and record of all data used

Standard Provisions Applicable to
Waste Discharge Requirements

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 the discharge or when requested by the Regional Board Executive Officer.

Records of monitoring information shall include:

- (a) The date, exact place, and time of sampling or measurement;
 - (b) The individual(s) who performed the sampling or measurement;
 - (c) The date(s) analyses were performed;
 - (d) The individual(s) who performed the analyses;
 - (e) The analytical techniques or method used; and
 - (f) The results of such analyses.
19. (a) All application reports or information to be submitted to the Executive Office shall be signed and certified as follows:
- (1) For a corporation – by a principal executive officer or at least the level of vice president.
 - (2) For a partnership or sole proprietorship – by a general partner or the proprietor, respectively.
 - (3) For a municipality, state, federal, or other public agency – by either a principal executive officer or ranking elected official.
- (b) A duly authorized representative of a person designated in paragraph (a) of this provision may sign documents if:
- (1) The authorization is made in writing by a person described in paragraph (a) of this provision.
 - (2) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and
 - (3) The written authorization is submitted to the Executive Officer.

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

Standard Provisions Applicable to
Waste Discharge Requirements

"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. [CWC Sections 13283, 13287, and 13288]"

20. OPERATOR CERTIFICATION

Supervisors and operators of municipal wastewater treatment plants and privately owned facilities regulated by the PUC, used in the treatment or reclamation of sewage and industrial waste shall possess a certificate of appropriate grade in accordance with Title 23, California Code of Regulations Section 3880. State Boards may accept experience in lieu of qualification training. In lieu of a properly certified wastewater treatment plant operator, the State Board may approve use of a water treatment plant operator of appropriate grade certified by the State Department of Health Services where reclamation is involved.

Each plan shall be operated and maintained in accordance with the operation and maintenance manual prepared by the municipality through the Clean Water Grant Program [CWC Title 23, Section 2233(d)]

ADDITIONAL PROVISIONS APPLICABLE TO
PUBLICLY OWNED TREATMENT WORKS' ADEQUATE CAPACITY

21. Whenever a publicly owned wastewater treatment plant will reach capacity within four years the discharger shall notify the Regional Board. A copy of such notification shall be sent to appropriate local elected officials, local permitting agencies and the press. The discharger must demonstrate that adequate steps are being taken to address the capacity problem. The discharger shall submit a technical report to the Regional Board showing flow volumes will be prevented from exceeding capacity, or how capacity will be increased, within 120 days after providing notification to the Regional Board, or within 120 days after receipt of notification from the Regional Board, of a finding that the treatment plant will reach capacity within four years. The time for filing the required technical report may be extended by the Regional Board. An extension of 30 days may be granted by the Executive Officer, and longer extensions may be granted by the Regional Board itself. [CCR Title 23, Section 2232]

ORDINANCE NO. 1180

AN ORDINANCE PROHIBITING INSTALLATION OF CERTAIN WATER SOFTENERS AND AUTHORIZING THE CITY MANAGER TO ESTABLISH A PROGRAM FOR PURCHASING EXISTING WATER SOFTENERS.

The city council of the city of Santa Paula does ordain as follows:

SECTION 1: The City Council finds and declares as follows:

- A. The California Legislature determined that consumers using water for general domestic purposes, including drinking, cleaning, washing, personal grooming, and sanitation is a right that may be regulated only when necessary for specified health and safety purposes or to protect the quality of the waters of the state.
- B. The California Legislature determined that pollution prevention should be the first step in a hierarchy for reducing pollution and managing wastes, and to achieve environmental stewardship.
- C. The City is currently undertaking all reasonable and practicable efforts to have its wastewater discharge comply with the requirements set forth in permits, including time schedule orders, issued and regulated by the California Regional Water Quality Control Board, Los Angeles Region, pursuant to the Porter-Cologne Water Quality Control Act (Water Code §§ 13000 et seq.).
- D. Prohibiting the installation, of self-regenerating water softening appliances (SRWS) is one of the only available means of achieving compliance with wastewater discharge limitations for chloride imposed by the Regional Board.
- E. The City has adopted and is enforcing regulatory requirements that limit the volumes and concentrations of saline discharges from nonresidential sources in the community waste disposal system to the extent technologically and economically feasible. Among other things, Santa Paula Municipal Code ("SPMC") Chapter 51 imposes specific limits on the discharge of chlorides for nonresidential dischargers (see SPMC § 51.370). Violations of Chapter 51 constitute misdemeanors (see SPMC § 13.10).

- F. A study entitled *Impact of Water Softeners on Water Quality in the City of Santa Paula*, dated August 2005, was conducted by Boyle Engineering for the City of Santa Paula and substantiates the findings set forth in this ordinance ("Study"). The Study is on file with the City Clerk's office and is incorporated by this reference as if fully set forth.
- G. The Study's findings, which are incorporated by reference, are based upon an examination of all sources of salinity, including, without limitation, residential water softening or conditioning appliances; residential consumptive use; industrial and commercial discharges; and seawater or brackish water infiltration and inflow into the City's wastewater reclamation system.
- H. The Study was made in accordance with the requirements of Health and Safety Code § 116788(c).
- I. Based upon the Study, the City's total maximum daily limit (TMDL) for chloride would be reduced by up to 50 mg/L if it were to prohibit Self-Regenerating Water Softening Appliances (SRWS's) beginning in 2008. This reduction in chloride TMDL would significantly advance the City's efforts to comply with chloride limits imposed by the Regional Board.
- J. In order to further the City's goal of reducing the amount of chloride discharges, the Council also believes that it is in the public interest to reduce the number of existing SRWS's by adopting a "buy-back" program. Such a program would either pay owners of existing SRWS's to remove such appliances; subsidize the purchase of new water softeners that utilize acceptable technologies; or a combination of such efforts. This ordinance will authorize the City Manager to implement such a program.
- K. This ordinance is intended to protect public health and safety by reducing the amount of pollutants that are discharged into waters commonly used by all Californians and thereby enhancing the quality of life enjoyed by all members of this community.

SECTION 2: A new Chapter 57, consisting of §§ 57.10 to 57.50 and entitled "*Water Softeners*," is added to the Santa Paula Municipal Code ("SPMC") to read as follows:

*Chapter 57

WATER SOFTENERS

57.10: Purpose.
57.20: Definitions.
57.30: Prohibition.
57.40: Exceptions.
57.50: Buy-back program.

57.10: Purpose.

This Ordinance is adopted pursuant to the City's police powers and Health and Safety Code § 118786, for the purpose of improving water quality, including, without limitation, protecting beneficial uses of the Santa Clara River downstream of the City's Wastewater Reclamation Plant.

57.20: Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this chapter:

- A. "Residence" means a structure which is or is intended to be, in whole or in part, a place of dwelling, whether occupied or not, whether fully constructed or not, and includes, without limitation, homes, whether attached to another structure or not, apartments, condominiums and mobile homes.
- B. "Self-Regenerating Water Softening Appliances" (SRWS) means a water softening device that removes calcium and magnesium salts from water by using an ion-exchange resin utilizing a chloride based exchange during the ion-exchange process. The ion-exchange resin used in SRWS's is recharged by using a chloride based brine solution which is subsequently discharged into the city's sewer system. SRWS's may be automatically recharged by timer or sensor.

57.30: Prohibition.

It is unlawful for any person to install or replace or cause to be installed or replaced a SRWS in a residence located within the city's jurisdiction.

57.40: Exceptions.

This chapter does not apply to Water Softeners recharged by portable cartridges supplied by service providers where the brine solution resulting from a Water Softener recharge is not discharged into the City's sewer system.

57.50: Buy-back program.

The city manager is authorized to promulgate administrative policies and procedures designed to implement this chapter and to establish a "buy-back" program to assist in reducing the number of existing SRWS's within the city's jurisdiction. The amount allocated for such a buy-back program will be determined by city council resolution.

SECTION 3: This Ordinance is categorically exempt from review under the California Environmental Quality Act (Cal. Pub. Res. Code §§ 21000, *et seq.*; "CEQA"), CEQA regulations (Cal. Code Regs. tit. 14, §§ 15000, *et seq.*) and the City's Environmental Guidelines since its adoption would generally implement measures to protect the environment. Accordingly, §§ 15301 (Class 1), 15304 (Class 4), 15305 (Class 5), 15307 (Class 7), 15308 (Class 8), 15309 (Class 9), and 15321 (Class 21) of the CEQA regulations exempt the Ordinance from further environmental review.

SECTION 4: if any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 5: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Santa Paula's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 6: This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED AND ADOPTED this 5 day of September, 2006.


Richard C. Cook, Mayor



ATTEST:


Joelle G. Ferreira, City Clerk



APPROVED AS TO FORM:


Karl H. Berger, City Attorney

APPROVED AS TO CONTENT:


Wally Bodurka, City Manager

STATE OF CALIFORNIA }
COUNTY OF VENTURA } ss
CITY OF SANTA PAULA }

I, Josie G. Herrera, City Clerk of the City of Santa Paula, do hereby certify that the above and foregoing Ordinance No. 1160 was duly passed and adopted by the City Council of the City of Santa Paula at a regular meeting thereof held on September 5, 2006, by the following vote:

AYES: Aguirre, Krause, Procter, Luna, Cook

NOES: None

ABSTAIN: None

ABSENT: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City this 5th day of September 2006.



Josie G. Herrera
Josie G. Herrera, City Clerk

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

MONITORING AND REPORTING PROGRAM NO. CI-8259
FOR
CITY OF SANTA PAULA
ORDER NO. R4-2007-0028
(Santa Paula Wastewater Recycling Facility)
(File No. 06-189)

I. REPORTING REQUIREMENTS

- A. The City of Santa Paula (hereinafter, Discharger) shall implement this monitoring program on the effective date of this Order (WDR Order No. R4-2007-0028). The first monitoring report under this Program is due by January 15, 2011. Monitoring reports must be addressed to the Regional Board, Attention: Information Technology Unit. Reference the reports to Compliance File No. CI-8259 to facilitate routing to the appropriate staff and file. Monitoring reports shall be received by the Regional Board by the dates in the following schedule:

<u>Reporting Period</u>	<u>Report Due</u>
January - March	April 15
April - June	July 15
July - September	October 15
October - December	January 15

- B. By January 30th of each year, beginning January 30, 2011, the Discharger shall submit an annual summary report to the Regional Board. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous calendar year. In addition, the Discharger shall discuss the compliance record and the corrective actions taken or planned, which may be needed to bring the discharge into full compliance with the waste discharge requirements.
- C. Laboratory analyses – all chemical, bacteriological, and toxicity analyses shall be conducted at a laboratory certified for such analyses by the California Department of Health Services Environmental Laboratory Accreditation Program (ELAP). A copy of the laboratory certification shall be provided each time a new and/or renewal is obtained from ELAP.
- D. The monitoring report shall specify the United States Environmental Protection Agency (USEPA) analytical method used, the Method Detection Limit (MDL) and the Minimum Level (ML) for each pollutant. For the purpose of reporting

May 3, 2007

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Santa Paula Wastewater Recycling Facility
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compliance with numerical limitations, and receiving water limitations, analytical data shall be reported by one of the following methods, as appropriate:

1. An actual numerical value for sample results greater than or equal to the ML;
2. "Detected, but Not Quantified (DNQ)" for sample results greater than or equal to the laboratory's MDL but less than the ML; or,
3. "Not Detected (ND)" for sample results less than the laboratory's MDL with the MDL indicated for the analytical method used.

The minimum levels are those published by the State Water Resources Control Board in the *Policy for the Implementation of Toxic Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California, February 24, 2005*.

- E. The MLs employed for effluent analyses shall be lower than the permit limits established for a given parameter, unless the Discharger can demonstrate that a particular ML is not attainable and obtains approval for a higher ML from the Executive Officer.
- F. Water/wastewater samples must be analyzed within allowable holding time limits as specified in 40 CFR Part 136.3. All Quality Assurance/Quality Control (QA/QC) samples must be run on the same dates when samples were actually analyzed. At least once a year, the Discharger shall maintain and update a list of the analytical methods employed for each test and the associated laboratory QA/QC procedures. The Discharger shall make available for inspection and/or submit the QA/QC documentation upon request by Regional Board staff.
- Each monitoring report must affirm in writing that "All analyses were conducted at a laboratory certified for such analyses by the California Department of Health Services, and in accordance with current USEPA guideline procedures or as specified in this Monitoring Program." Proper chain of custody procedures must be followed and a copy of the completed chain of custody form shall be submitted with the report.
- G. For every item where the requirements are not met, the Discharger shall submit a statement of the cause(s), and actions undertaken or proposed which will bring the discharge into full compliance with waste discharge requirements at the earliest possible time, including a timetable for implementation of those actions.
- H. The Discharger shall maintain all sampling and analytical results: date; exact place, and time of sampling; dates analyses were performed; analyst's name; analytical techniques used; and results of all analyses. Such records shall be retained for a minimum of three years. This period of retention shall be extended

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during the course of any unresolved litigation regarding this discharge, or when requested by the Regional Board.

- I. In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized to demonstrate compliance with the requirements and, where applicable, shall include results of receiving water observations.
- J. The Discharger shall submit an annual summary report containing a discussion of the previous year's treated wastewater monitoring data, as well as graphical and tabular summaries of the data. The data shall be submitted to the Regional Board on a hard copy and on a 3 1/2" computer diskette or CD. The submitted data must be PC and Windows compatible, preferably using Microsoft Excel spreadsheet software. The Regional Board may require the Discharger to submit the monitoring and annual summary reports electronically at some time in the future.

II. WATER QUALITY MONITORING REQUIREMENTS

A. Influent Monitoring

- 1. Influent monitoring is required to assess treatment plant performance and wastewater quality of discharge from the existing individual self-regenerating water softening facilities and community of Santa Paula.
- 2. Sampling stations shall be established at each point of inflow to the wastewater treatment plant and shall be located upstream of any in-plant return flows and/or where representative samples of the influent can be obtained. The date and time of sampling shall be reported with the analytical results.
- 3. Samples for influent BOD₅20°C and suspended solids analysis shall be obtained on the same day that the effluent BOD₅20°C and suspended solids samples are obtained. Similarly, sampling for other constituents shall also be coordinated with effluent sampling.
- 4. The following shall constitute the influent monitoring program for the new SPWRF:

Constituent	Type of Sample	Minimum Frequency of Analysis
Total flow BOD ₅ (20°C)	recorder grab	continuous weekly

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Suspended solids	grab	weekly
Chloride	grab	monthly
Sulfate	grab	monthly
Boron	grab	monthly
Total Dissolved Solids	grab	monthly
Metals ¹	grab	quarterly

Refer to attached priority pollutants list - Attachment A

B. Effluent Monitoring

An effluent sampling station(s) shall be established for the new Santa Paula Wastewater Recycling Facility (SPWRF) at a location(s) where representative samples of treated wastewater can be obtained prior to discharge to the ponds or surface and subsurface drip system. The sampling station may be located by the end of the pipe of the new SPWRF treatment system. Any proposed sampling station location for the new SPWRF shall be identified and approved by the Executive Officer prior to its use.

The following shall constitute the effluent monitoring program for the new SPWRF:

<u>Constituent</u>	<u>Units</u>	<u>Type of Sample</u>	<u>Minimum Frequency of Analysis</u>
Total Flow	mgd	recorder	continuous
UV Transmittance ¹	%	recorder	continuous
UV Dose ¹	mW-s/cm ²	calculated	continuous
Turbidity ²	NTU	recorder	continuous
pH	pH units	grab	daily
Fecal coliform ²	MPN/100mL	grab	daily
Total coliform ²	MPN/100mL	grab	daily
Enterococcus ²	MPN/100mL	grab	weekly
Total Suspended Solids	mg/L	24-hour composite	weekly
BOD ₅ 20° C	mg/L	24-hour composite	weekly
Oil and Grease	mg/L	grab	weekly
Dissolved oxygen	mg/L	grab	weekly
Ammonia-N	mg/L	grab	weekly
Nitrate-N	mg/L	grab	weekly
Nitrite-N	mg/L	grab	weekly
Organic-N	mg/L	grab	weekly
Residual Chlorine ³	mg/L	grab	weekly
Total Dissolved Solids	mg/L	grab	weekly
Sulfate	mg/L	grab	weekly
Chloride	mg/L	grab	weekly
Boron	mg/L	grab	weekly

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MBAS and CTAS ⁴	mg/L	24-hour composite	quarterly
Total hardness	mg/L	24-hour composite	quarterly
Total phosphorus	mg/L	24-hour composite	quarterly
Metals ⁵	µg/L	24-hour composite	quarterly
Bis(2-ethylhexyl) Phthalate	µg/L	24-hour composite	semi-annually
Pesticides ⁶	µg/L	24-hour composite	semi-annually
Volatile organics ⁶	µg/L	grab	semi-annually
Hexavalent chromium	µg/L	grab	semi-annually
Perchlorate	µg/L	24-hour composite	semi-annually
NDMA ⁷	µg/L	24-hour composite	semi-annually
Base/Neutral Extractable ⁸	µg/L	24-hour composite	annually ⁷
Acid Extractable ⁸	µg/L	24-hour composite	annually ⁷

- ¹ If Ultraviolet (UV) is used for disinfection, report daily minimum and daily average UV dose. (mW-s/cm²: mill-watts seconds per square centimeters)
- ² Turbidity and coliform samples shall be obtained at some point in the treatment process at a time when wastewater flow and characteristics are most demanding on the treatment facilities and disinfection procedures.
- ³ If chlorination is used for disinfection.
- ⁴ MBAS: Methylene blue active substances, CTAS: Cobalt thiocyanate active substances
- ⁵ Refer to attached priority pollutants list - Attachment A
- ⁶ NDMA: N-Nitrosodimethylamine
- ⁷ After two years of monitoring, monitoring can be reduced to compounds detected under this monitoring schedule. This reduction is subject to approval of a written request that should be submitted to Executive Officer.

III. GROUNDWATER MONITORING PROGRAM

A groundwater monitoring program shall be implemented to evaluate impacts of wastewater discharged from the new SPWRF to the percolation/evaporation pond system and the reuse and irrigation disposal areas. The Discharger must prepare a groundwater monitoring program to construct background water quality and fully assess any impacts from the historic surface discharge and future discharges (e.g. percolation ponds, subsurface linear dripline, subsurface percolation field, and Tile 22 irrigations) and submit a groundwater monitoring plan to the Regional Board for review by September 15, 2009. The groundwater-monitoring wells network for the new SPWRF is subject to approval by the Executive Officer prior to implementation, and shall include monitoring wells located upgradient, downgradient, and in close proximity to the ponds.

The following shall constitute the groundwater monitoring program for the new SPWRF:

Constituent of Analyte	Units	Type of Sample	Minimum Frequency
pH	pH units	grab	quarterly

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Total coliform	MPN/100mL	grab	quarterly
Fecal coliform	MPN/100mL	grab	quarterly
Enterococcus	MPN/100mL	grab	quarterly
MBAS	mg/L	grab	quarterly
Ammonia-N	mg/L	grab	quarterly
Nitrate-N	mg/L	grab	quarterly
Nitrite-N	mg/L	grab	quarterly
Organic-N	mg/L	grab	quarterly
Total dissolved solids	mg/L	grab	quarterly
Boron	mg/L	grab	quarterly
Chloride	mg/L	grab	quarterly
Sulfate	mg/L	grab	quarterly
Volatile organics ¹	ug/L	grab	quarterly ²
Pesticides ¹	ug/L	grab	quarterly ²
Metals ¹	ug/L	grab	quarterly ²

¹⁾ Refer to attached priority pollutants list - Attachment A

²⁾ Quarterly monitoring during the first year, semi-annual during the second year, and thereafter annual monitoring

All groundwater monitoring reports must include, at minimum, the following:

- a. Well identification, date and time of sampling;
- b. Sampler identification, and laboratory identification; and
- c. Quarterly observation of groundwater levels, recorded to .01 feet mean sea level, flow direction.

IV. TREATED WASTEWATER USERS SUMMARY REPORT

The Discharger shall submit a quarterly treated wastewater user summary report containing the following information:

- Volume of treated wastewater supplied to the users for each month of the reporting period,
- Total number and area size of treated wastewater use sites and
- Treated wastewater user site inspections on a monthly basis (for any prolonged ponding of water and broken or poorly adjusted distribution/disposal system)

V. SURFACE WATER MONITORING PROGRAM

The Executive Officer may determine that a surface water monitoring program for the Santa Clara River is needed to fully evaluate the impact from Discharger's wastewater discharge on groundwater. If this determination is made, the Discharger must submit a surface water monitoring plan to this Regional Board within 60 days of the notification.

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VI. WASTE HAULING REPORTING

In the event that waste oil and grease, sludge, or other wastes are hauled offsite, the name and address of the hauler shall be reported, along with types and quantities hauled during the reporting period and the location of final point of disposal. In the event that no wastes are hauled during the reporting period, a statement to that effect shall be submitted.

VII. OPERATION AND MAINTENANCE REPORT

The Discharger shall file a technical report with the Executive Officer, not later than 30 days after construction of the new SPWRF relative to the operation and maintenance program for the new SPWRF. The information to be contained in the report shall include, at a minimum, the following:

- a. The name and address of the person or company responsible for the operation and maintenance of the facility;
- b. Type of maintenance (preventive or corrective action performed);
- c. Frequency of maintenance, if preventive; and
- d. Maintenance of adequate UV light system performance to ensure continued system operation (if UV is used for disinfection).

This operation and maintenance report shall be filed with the annual summary report.

VIII. CERTIFICATION STATEMENT

Each report shall contain the following declaration:

"I certify under penalty of law that this document, including all attachments and supplemental information, was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment.

Executed on the ____ day of _____ at _____.

(Signature)

(Title)

City of Santa Paula
Santa Paula Wastewater Recycling Facility
Monitoring and Reporting Program No. CI-9259

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IX. MONITORING FREQUENCIES

Monitoring frequencies may be adjusted to a less frequent basis or parameters dropped by the Executive Officer if the Discharger makes a request and the Executive Officer determines that the request is adequately supported by statistical trends of monitoring data submitted.

These records and reports are public documents and shall be made available for inspection during normal business hours at the office of the California Regional Water Quality Control Board, Los Angeles Region.

Ordered by: 
Deborah J. Smith
Interim Executive Officer

Date: May 3, 2007

ATTACHMENT A

PRIORITY POLLUTANTS**Metals**

Antimony
Arsenic
Barium
Cadmium
Chromium
Copper
Lead
Mercury
Nickel
Selenium
Silver
Thallium
Zinc

Miscellaneous

Cyanide
Asbestos (only if
specifically
required)

Pesticides & PCBs

Aldrin
Chlordane
Dieldrin
4,4'-DDT
4,4'-DDE
4,4'-DDD
Alpha-endosulfan
Beta-endosulfan
Endosulfan sulfate
Erdin
Erdin aldehyde
Heptachlor
Heptachlor epoxide
Alpha-BHC
Beta-BHC
Gamma-BHC
Delta-BHC
Toxaphene
PCB 1016
PCB 1221
PCB 1232
PCB 1242
PCB 1248
PCB 1254
PCB 1260

Base/Neutral Extractibles

Acenaphthene
Benzidine
1,2,4-trichlorobenzene
Hexachlorobenzene
Hexachloroethane
Bis(2-chloroethyl) ether
2-chloronaphthalene
1,2-dichlorobenzene
1,3-dichlorobenzene
1,4-dichlorobenzene
3,3'-dichlorobenzidine
2,4-dinitrotoluene
2,6-dinitrotoluene
1,2-diphenylhydrazine
Fluoranthene
4-chlorophenyl phenyl ether
4-bromophenyl phenyl ether
Bis(2-chloroisopropyl) ether
Bis(2-chloroethoxy) methane
Hexachlorobutadiene
Hexachlorocyclopentadiene
Isophorone
Naphthalene
Nitrobenzene
N-nitrosodimethylamine
N-nitrosodi-n-propylamine
N-nitrosodiphenylamine
Bis (2-ethylhexyl) phthalate
Butyl benzyl phthalate
Di-n-butyl phthalate
Di-n-octyl phthalate
Diethyl phthalate
Dimethyl phthalate
Benzo(a) anthracene
Benzo(a) pyrene
Benzo(b) fluoranthene
Benzo(k) fluoranthene
Chrysene
Acenaphthylene
Anthracene
1,12-benzoperylene
Fluorene
Phenanthrene
1,2,6,6-tetrabenzanthracene
Indeno (1,2,3-cd) pyrene
Pyrene
TCDD

Acid Extractibles

2,4,6-trichlorophenol
P-chloro-m-cresol
2-chlorophenol
2,4-dichlorophenol
2,4-dimethylphenol
2-nitrophenol
4-nitrophenol
2,4-dinitrophenol
4,6-dinitro-o-cresol
Pentachlorophenol
Phenol

Volatile Organics

Acrolein
Acrylonitrile
Benzene
Carbon tetrachloride
Chlorobenzene
1,2-dichloroethane
1,1,1-trichloroethane
1,1-dichloroethane
1,1,2-trichloroethane
1,1,2,2-tetrachloroethane
Chloroethane
Chloroform
1,1-dichloroethylene
1,2-trans-dichloroethylene
1,2-dichloropropane
1,3-dichloropropane
Ethylbenzene
Methylene chloride
Methyl chloride
Methyl bromide
Bromofom
Dichlorobromomethane
Chlorodibromomethane
Tetrachloroethylene
Toluene
Trichloroethylene
Vinyl chloride
2-chloroethyl vinyl ether
Xylene



California Regional Water Quality Control Board
Los Angeles Region

EXHIBIT D



Matthew Rodriguez
Secretary for
Environmental Protection

320 W. 4th Street, Suite 200, Los Angeles, California 90013
(213) 576-6600 • FAX (213) 576-6640
<http://www.waterboards.ca.gov/losangeles>

Edmund G. Brown Jr.
Governor

February 14, 2012

Mr. Jaime Fontes
City of Santa Paula
740 Ventura Street
Santa Paula, CA 93060

AMENDED WASTE DISCHARGE REQUIREMENTS FOR SANTA PAULA WASTEWATER RECYCLING FACILITY, 905 CORPORATION ST., SANTA PAULA, CA 93060, (ORDER NOS. R4-2007-0028 and R4-2010-0074, CI-9259, FILE NO. 06-18, Global I.D.100000849)

Dear Mr. Fontes:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board), is the public agency with primary responsibility for the protection of ground and surface water quality for all beneficial uses within major portions of Los Angeles and Ventura Counties, including the referenced property above.

The Santa Paula Wastewater Recycling Facility (Permittee) discharges wastewater under waste discharge requirements (WDRs) contained in Regional Board Order Nos. R4-2007-0028 and R4-2010-0074 which were adopted by the Regional Board on May 3, 2007 and May 6, 2010, respectively.

Please find attached your Waste Discharge Requirement Order No. R4-2007-0028-R02, adopted at the February 2, 2012, Regional Board meeting, which is an amendment to Order Nos. R4-2007-0028 and R4-2010-0074 and Monitoring and Reporting Program CI No. 9259.

If you have any questions please call the Project Manager, Ms. Elizabeth Erickson, at (213) 620-2264 or me at (213) 576-6683.

Sincerely,

Eric Wu, Ph.D., P.E.
Chief of Groundwater Permitting Unit

Attachment: Water Discharge Requirements R4-2007-0028-R for Pretreatment

Cc: Mr. Brian Yanez, City of Santa Paula
Mr. Jim Kuykendahl, Stantec
Mr. Dennis Longhofer, City of Fillmore
Reddy Pakala and Cliff Finley, Ventura County Waterworks District 16

California Environmental Protection Agency

State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION
ORDER NO. R4-2007-0028-R02

AMENDING WASTE DISCHARGE REQUIREMENTS
in ORDER Nos. R4-2007-0028 and R4-2010-0074 and
MONITORING AND REPORTING PROGRAM CI No. 9259

FOR
NEW SANTA PAULA WATER RECYCLING PLANT
CITY OF SANTA PAULA DEPARTMENT OF PUBLIC WORKS
(File No. 06-189)

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board), finds:

1. The City of Santa Paula (Discharger) discharges to the groundwater through a percolation pond and recycled water system at the new Santa Paula Wastewater Recycling Plant. The Waste Discharge Requirements (WDRs) for this plant are contained in Order No. R4-2007-0028 and Monitoring and Reporting Program CI No. 9259, adopted by the Regional Board on May 3, 2007 and amended by Order No. 2010-0074 on May 6, 2010.
2. Currently, all disposal is to an unlined pond and thence to the Sulphur Springs sub-basin of the Santa Paula Basin under the Santa Clara River. The water table is known to intersect the channel of the Santa Clara River and surface water quality may be affected by the groundwater quality beneath the site, under some conditions. Historical groundwater discharge had an annual average of millions of gallons per day¹ at 2 miles downstream from the Plant. Additional disposal to a reclaimed water system with irrigation on public land is planned.
3. The old Santa Paula Wastewater Reclamation Plant operated under National Pollution and Discharge Elimination System (NPDES) Order No. 97-041 for discharge to the Santa Clara River, adopted on April 7, 1997. More than 3000 violations at the old plant lead the Regional Board to engage in settlement discussion with the City of Santa Paula resulting in a Stipulated Consent Judgment and Final Order. As a result, the new Santa Paula Wastewater Recycling Facility was built to discharge to groundwater and began accepting partial flow in April 2010 and then accepting all the flow from the City of Santa Paula on May 12, 2010.
4. The NPDES permit for the old Santa Paula Reclamation Facility had been amended to include pretreatment requirements with WDR Order No. R4-2007-0032 on June 7, 2007. On February 17, 2004, the Santa Paula City Council adopted Ordinance No. 1309 including the pretreatment Local Limits. Based on legal authority provided by Ordinance 1039 and amended by Ordinance 1156, adopted on October 2, 2006, an Enforcement Response Plan was also prepared by the Discharger.

¹ Department of Water Resources, Southern District, Final Project Report and Update of Basin Plan for Piru, Sespe, and Santa Paula Hydrologic Areas, June 1989, page 76. The annual average is for recorded flows before 1989,

City of Santa Paula

File No. 06-189

Pretreatment for New Santa Paula Wastewater Recycling Facility

Order No. R4-20007-0028-R02 Amending Order No. R4-2007-0028 and R4-2010-0074 and Monitoring and Reporting Program No. 9259

5. The Discharger's pretreatment program identified five industrial facilities discharging to the old Santa Paula Wastewater Reclamation Plant. The amendment to the NPDES permit, WDR Order No. R4-2007-0032, required the Discharger to ensure effluent from the industrial sources did not disrupt the treatment plant processes. The Discharger had to meet the pretreatment requirements described in Title 40 of the *Code of Federal Regulations* (CFR) section 403, Water Code section 13263 and Title 23 California Code of Regulations section 2233.
6. The potential disruption to the new Santa Paula Wastewater Recycling Plant from these industrial sources remains. The five sources described in the September 2000 report titled "Local Limits Development" are three fruit packing houses, an aluminum caster, and a portable toilet service. City representatives report that these industrial classes still discharge to the new Wastewater Recycling Plant and a new industrial source, a silicon application facility, is in operation. The material safety data sheets prepared for the new facility, Applied Silicon Corporation, describe human health and fire hazards from xylene and formaldehyde. The existing pretreatment program requires control of organic compounds, such as xylene and formaldehyde, as well as management of the flammability of the influent.
7. Pretreatment Compliance Inspections were completed by a representative of the United States Environmental Protection Agency (EPA) and the Regional Board in June 2009 and March 2007. In October 2010 and May 2007, the Regional Board sent the Discharger letters identifying areas that need to be addressed. Both inspections note that the permit and monitoring and reporting program for Aurora Casting and Engineering (the aluminum caster) lacked appropriate limits. In addition, the 2009 inspection found that the aluminum caster compliance problem persisted and that the quarterly reports submitted by the Saticoy Lemon Plant #3 contained incomplete information and described samples collected at the wrong location. Also, the industrial wastewater discharge permit for Saticoy Lemon Plant #3 and Aurora Casting and Engineering expired on May 31, 2009.
8. Local evidence of aquifer contamination demonstrates that chemicals used in these industries are present in the subsurface, and beneficial uses need continued protection. Adjacent drinking water wells operated by the City of Santa Paula contain chloride, barium, sulfate, selenium, total dissolved solids, aluminum, cadmium, manganese, silica, and iron. In addition, groundwater monitoring for the New Santa Paula WRF shows that groundwater requirements were violated eighteen times in the first quarter of 2011 for chloride, aluminum, chromium, nitrate and nitrite, and sulfate.
9. Pursuant to California Water Code section 13263 and Title 23 California Code of Regulations section 2233, the Regional Board has authority to include pretreatment requirements into WDR Order No. R4-2007-2008. Section 2233 sets forth other terms and conditions to be included in WDRs, including pretreatment requirements. Section 2233 specifically states:
 - (a) A condition shall be included for a publicly owned treatment works, treating or designed to treat, an average dry weather flow of 5 million gallons per day (mgd) or more of community wastewater that the operating entity shall have and enforce an adequate pretreatment program approved by the appropriate regional board. A condition requiring a local pretreatment program may be included for a publicly owned treatment

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works treating or designed to treat an average dry weather flow of less than 5 mgd of community wastewater where deemed appropriate by the state board or regional board.

(b) In cases where an operating entity does not have an adequate pretreatment program, a time schedule shall be included with the waste discharge requirements for adoption and implementation of the necessary program.

(c) The Regional Board in prescribing waste discharge requirements for a publicly owned treatment works shall require an annual report of effectiveness of the local pretreatment program.

10. While the new Santa Paula Wastewater Recycling Plant is designed for an average daily flow of 4.2 million gallons per day (mgd), less than 5 mgd, Regional Board staff deems a pretreatment program appropriate because:

(a) There is a possibility of system upset from the industrial sources addressed by the old plant's pretreatment requirements.

(b) The pretreatment program is designed to minimize effluent and groundwater violations for the Discharger, adding responsibility for compliance to industrial sources.

(c) An additional industry and other unknown sources now discharge to the new Plant. The potential for impact to the groundwater is not known.

(d) Despite regular inspections of the existing pretreatment program, the Discharger did not completely conform to the federal requirements.

11. The pretreatment language described here and amended to WDR Orders No. R4-2007-0028 and R4-2010-0074 and Monitoring and Reporting Program CI No. 9259, is based on federal pretreatment regulations (Part 403 in the CFR), and the original pretreatment requirements for Santa Paula Wastewater Reclamation Facility.

12. The 2007 pretreatment language amended to the NPDES permit on June 7, 2007 defined local limits for industrial discharge to ensure the plant could comply with the limits in Order No. 97-041 for the old Santa Paula wastewater Reclamation Plant. Waste Discharge Requirements (WDR) Order No. R4-2007-0028 adopted by this Regional Water Board on May 3, 2007 for the new Santa Paula Wastewater Recycling Plant specifies that effluent may not exceed limits designated for Priority Pollutants by EPA, California Drinking Water Standard, California Code of Regulations (CCR) title 22, section 64431 and 64444, and radioactivity in CCR title 22, chapter 15, section 64441 et seq. The WDR limits include most of those in the NPDES permit.

Applicable law, Plan and Policies and Regulations

13. The Discharger shall implement and enforce a Pretreatment Program pursuant to Section 2233, Title 23, California Code of Regulations.

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14. In 1990, the Santa Paula City Council adopted Ordinance 928, providing legal authority for implementing the Industrial Pretreatment Program. On February 17, 2004, the Santa Paula City Council adopted, after a public hearing, Ordinance No. 1309- *Sewer System and Wastewater Disposal*, amending the Municipal Code Chapter 51 and providing the old Santa Paula Wastewater Reclamation Plant the legal authority to implement and enforce a Pretreatment Program. Ordinance 1039 contains the pretreatment Local Limits. Based on the findings of a Pretreatment Compliance Inspection (PCI) performed by the EPA and the Regional Board in August 2004, that identified a number of areas in need of updating, the Santa Paula City Council amended the Municipal Code through Ordinance No. 1156, on October 2, 2006, to address the issues identified in the 2004 PCI. Based on legal authority provided by Ordinance 1039 and amended by Ordinance 1156, an Enforcement Response Plan was also prepared by the Discharger. The Regional Board determined that the Discharger pretreatment program met the conditions identified in federal and state regulations. The NPDES permit for the old Santa Paula Reclamation Plant was amended to include pretreatment requirements with WDR Order No. R4-2007-0032 on June 7, 2007.
15. If the City determines it is necessary, the existing Pretreatment Program for the old Santa Paula Wastewater Reclamation Plant shall be updated based upon subsurface receiving water quality. A current list of industrial sources to the sewer system shall be maintained. Any modified program shall be approved by the Regional Board. If necessary, the Santa Paula Municipal Code will be amended to provide additional legal authority to implement and enforce the revised Pretreatment Program.
16. The requirements contained in this Order, as they are met, shall be in conformance with the goals and objectives of the Basin Plan and policies of this Regional Water Board, and comply with the requirements of the Water Code.
17. Any person aggrieved by this action may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at: http://waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.
18. Amending waste discharge requirements for an existing facility is a project exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 2100 et seq.) in accordance with California Code of Regulations, Title 14, Chapter 3, section 15301.
19. The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to amend the waste discharge requirements and has provided them with an opportunity to submit their written views and recommendations. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the tentative Order amending the water recycling requirements.

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IT IS HEREBY ORDERED that Order Nos. R4-2007-0028, Monitoring and Reporting Plan CI No. 9259 and R4-2010-0074 adopted by this Regional Water Board on May 3, 2007, and May 6, 2010, respectively, are amended as follows:

1. On page 26 of WDR Order No. R4-2007-0028, under H. Provisions, a new item 29 as follows:

"29. Pretreatment Program Requirements

- a. Existing Pretreatment Program: The Discharger established a regional pretreatment program for its NPDES Order No. 97-041 (CI 1759). The program and its components such as City Ordinances and local limits, and control mechanisms, among others, are hereby made an enforceable condition of this Order until such time as they are revised.
- b. Program Revision: Any update to the City's pretreatment program shall be submitted for approval by the Regional Board's Executive Officer. . Until the new pretreatment program is approved, the Discharger shall implement the existing pretreatment program.
- c. Authority: The Discharger shall update as necessary the appropriate contractual agreements with all governmental agencies within one year of approval of an updated pretreatment program. The contractual agreements shall give the Discharger the authority to implement and enforce the approved pretreatment program within the sewer service areas of the treatment facility. The Discharger shall assure that any other steps necessary to provide this implementation and enforcement authority (e.g. adoption of ordinances, etc.) are taken by all governmental agencies. If a governmental agency has an approved pretreatment program for any portion of the service area of the treatment facility, the Discharger's pretreatment program shall contain provisions ensuring that that governmental agency's program is implemented. In the event that any agency discharging to Discharger's facility fails to effectively implement its individual approved pretreatment program, the Discharger shall implement and enforce its approved program within that agency's service area.
- d. Enforcement: The Discharger shall ensure that the pretreatment program for all contributory agencies discharging to the Discharger's treatment facility are implemented and enforced. The Discharger shall be responsible and liable for the performance of all pretreatment requirements. For violations of pretreatment requirements, the Discharger shall be subject to enforcement actions, penalties, fines and other remedies by the Regional Board as described in this WDR. The Regional Water Board may also initiate enforcement action against an industrial user for non-compliance with applicable standards and requirements as described in this WDR.
- e. The Discharger shall perform the pretreatment functions which are equivalent to those described in 40 CFR Part 403 including, but not limited to:

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- i. Enforce the pretreatment requirements equivalent to that described in 40 CFR 403.5 and 403.6;
 - ii. Implement the necessary legal authorities equivalent to that described in 40 CFR 403.8
 - iii. Implement the programmatic functions equivalent to that described in 40 CFR 403.8(f) (2);
 - iv. Publish a list of significant non-compliance equivalent to that described by 40 CFR 403.8(f) (2) (vii); and
 - v. Provide the requisite funding and personnel to implement the pretreatment program equivalent to that described in 40 CFR 403.8(f) (3).
- f. The following wastes shall not be introduced into the treatment works:
 - i. Wastes which create a fire or explosion hazard in the treatment works;
 - ii. Wastes which will cause corrosive structural damage to treatment works, but, in no case, wastes with a pH lower than 5.0 unless the works are designed to accommodate such wastes;
 - iii. Wastes at a flow rate and/or pollutant discharge rate which are excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency;
 - iv. Solid or viscous wastes in amounts that would cause obstruction to the flow in sewers or otherwise interfere with the proper operation of the treatment works.
- g. Update: The Discharger shall ensure compliance with any existing or future pretreatment requirements adopted by the Regional Board for any discharge to the municipal system.
- h. Protect Standards: The Discharger shall comply with effluent standards adopted by the Regional Board, or prohibitions equivalent to that described under Section 307(a) of the CWA for toxic pollutants, even if this Order has not yet been modified to incorporate the requirement.
- i. Reporting: The Discharger shall require each user not in compliance with any pretreatment standard to submit periodic notice (over intervals not to exceed nine months) of progress toward compliance with applicable toxic and pretreatment standards developed as part of the pretreatment requirements or amendments thereto. The Discharger shall forward a copy of such notice to the Regional Board.

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2. On page T- 3 of the Monitoring and Reporting Program CI-9259, Reporting Requirements, Section I delete the sentence that begins "The data shall be submitted to the Regional Board..." and the following sentence that begins "The Regional Board may require...."
3. On page T- 3 of the Monitoring and Reporting Program CI-9259, Reporting Requirements, Section I, after the first sentence, add the following language:

"The Discharger shall comply with the Electronic Submittal of Information (ESI) requirements by submitting all reports required under the MRP, including groundwater monitoring data, discharge location data, and pdf monitoring reports to the State Water Resources Control Board GeoTracker database under Global ID WDR100000849."

4. . On page T- 6 of the Monitoring and Reporting Program CI-9259, Add a new Section C with the following language:

C. Pretreatment Monitoring and Reporting

1. The Discharger shall submit to the Regional Water Board and the EPA Region 9, a quarterly compliance status report. This quarterly reporting requirement shall commence for the first full quarter following issuance of this Order. The reports shall identify:
 - a. All significant industrial users (SIUs) which violated any standards or reporting requirements during that quarter;
 - b. The violations committed;
 - c. The enforcement actions undertaken; and
 - d. The status of active enforcement actions from previous periods, including closeouts (facilities under previous enforcement actions which attained compliance during the quarter).
2. By January 30th of each year, beginning January 30, 2013, the Discharger shall submit an annual summary report to the Regional Board describing the pretreatment activities within the service area during the previous year. In the event that any control authority within the service area is not in compliance with any conditions or requirements of this Order or their approved pretreatment program (such as due to industrial user discharges, interjurisdictional agency agreement implementation issues, or other causes,) then the Discharger shall also include the reasons for non-compliance and state how and when the Discharger and the control authority shall comply with such conditions and requirements. The report shall contain, but not be limited to, the following information:
 - a. A summary of analytical results from representative, flow-proportioned, 24-hour composite sampling of the POTW's influent and effluent wastewaters for

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those pollutants which are known or suspected to be discharged by industrial users (IUs) as identified by the pretreatment program.

- b. The summary will include the result of annual full priority pollutant scan, with quarterly samples analyzed only for those pollutants detected in the full scan.
- c. The Discharger shall also provide any influent or effluent monitoring data for non-priority pollutants which the Discharger believes may be causing or contributing to Interference, Pass Through or adversely impacting sludge quality.
- d. Sampling and analysis shall be performed in accordance with the techniques prescribed in pretreatment program and amendments thereto.
- e. A discussion of any upset, interference, or pass-through incidents at the treatment plant (if any), which the Discharger knows or suspects were caused by IUs of the Publically Owned Treatment Works (POTW) system. The discussion shall include the following:
 - (1) The reasons why the incidents occurred, the corrective actions taken, and, if known, the name and address of the Industrial Users IU(s) responsible.
 - (2) 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, if any.
- f. A complete and updated list of the Discharger's significant industrial users (SIUs), including names, Standard Industrial Classification (SIC) code(s) and addresses, and a list of any SIU deletions and/or additions.
- g. The Discharger shall provide a brief explanation for each deletion. The SIU list shall identify the SIUs equivalent to Federal Categorical Standards by specifying which standards are applicable to each SIU. The list shall also indicate which SIUs are subject to local limitations and those, which are not subject to local limits.
- h. A list or table characterizing the industrial compliance status of each SIU, including:
 - (1) SIU name and address
 - (2) Industrial category;
 - (3) The type (processes) of wastewater treatment in place;

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- (4) Number of samples taken by the POTW during the year;
 - (5) Number of samples taken by the SIU during the year;
 - (6) Whether all needed certifications (if allowed) were provided by SIUs which have limits for total toxic organics;
 - (7) Regional Standards violated during the year, reported separately;
 - (8) Whether the SIU at any time in the year was in Significant Noncompliance (SNC), equivalent to that defined in 40 CFR 403.12 (f)(2)(vii); and
 - (9) A summary of enforcement actions against the SIU taken during the year, including the type of action, final compliance date, and amount of fines assessed/collected (if any). Proposed actions, if known, should be included.
 - (10) Number of inspections conducted at each SIU during the year.
- i. A compliance summary table which includes:
- (1) SIU's which were in SNC at any time during the year;
 - (2) The total number of SIUs which are in SNC with pretreatment compliance schedules during the year
 - (3) The total number of notices of violation and administrative orders issued against SIUs during the year;
 - a. The total number of civil and criminal judicial actions filed against SIUs during the year;
 - b. The number of SIUs which were published as being in SNC during the year; And
 - c. The number of IUs from which penalties were collected during the year.
- j. A short description of any significant changes in operating the pretreatment program which differ from the previous year including, but not limited to changes concerning:
- a. The program's administrative structure
 - b. Local industrial discharge limitations;

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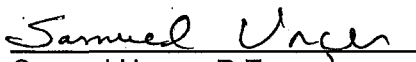
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- c. Monitoring program or monitoring frequencies;
 - d. Legal authority or enforcement policy;
 - e. Funding mechanisms; and
 - f. Resource requirements and/or staffing levels.
- k. A summary of the annual pretreatment budget, including the cost of pretreatment program functions and equipment purchases.
- l. A summary of public participation activities to involve and inform the public.
- m. A description of any changes in sludge disposal methods and a discussion of any concerns not described elsewhere in the report.
- n. The cumulative number of industrial users that the Discharger has notified regarding Baseline Monitoring Reports and the cumulative number of industrial user responses.
- o. The Discharger shall submit the quarterly compliance status reports and the annual pretreatment report to the Regional Water Board.

All other requirements, limitations, and provisions of Orders No. R4-2007-0028 and R4-2010-0074 and Monitoring and Reporting Program No. 9259 are not affected by the foregoing amendments shall remain in full force and effect.

This Order takes effect upon its adoption.

I, Samuel Unger, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on February 2, 2012.


Samuel Unger, P.E.
Executive Officer



California Regional Water Quality Control Board

Los Angeles Region

EXHIBIT D



Linda S. Adams
Agency Secretary

Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.waterboards.ca.gov/losangeles>

Arnold Schwarzenegger
Governor

May 19, 2010

Mr. Jaime M. Fontes
City Manager
City of Santa Paula
740 Ventura Street
Santa Paula, CA 93060

Dear Mr. Fontes

AMENDED WASTE DISCHARGE REQUIREMENTS (WDR) NEW SANTA PAULA WATER RECYCLING FACILITY ORDER R4-2010-0074 (Amending Order R4-2007-0028, CI No. 9259, File No. 06-189)

Our letter of April 15, 2010, transmitted revised tentative amended Waste Discharge Requirements (WDRs) for the new Santa Paula Water Recycling Facility.

Pursuant to Division 7 of the California Water Code, this Regional Board at a public meeting held on May 6, 2010, reviewed the tentative amended WDRs, considered all factors in the case, and adopted WDRs Order No. R4-2010-0074 (copy enclosed) relative to this discharge. Standard Provisions, which are a part of the WDRs, are also enclosed.

The document also includes the correction of the following typographical error.

WDR/WRR Title

Delete "Amending Waste Discharge Requirements in Order No. 06-189" and replace it with "Amending Waste Discharge Requirements in Order No. R4-2007-0028"

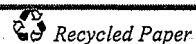
You are required to implement the Monitoring and Reporting Program No. CI-9259 on the effective date of Order No. R4-2010-0074. Your first monitoring report under these Requirements is due to this Regional Board by July 15, 2010. All monitoring reports should be sent to the Regional Board, Attn: Information Technology Unit, and referenced to our Compliance File No. CI-9259.

We are sending the WDRs to the discharger (Santa Paula) only. For recipients on the mailing list, an electronic copy will be available at:

http://www.waterboards.ca.gov/losangeles/board_decisions/adopted_orders/.

Hard copies of the WDRs and MRP will also be furnished upon request.

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Mr. Jamie Fontes

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May 19, 2010

If you have any questions or need additional information, please contact Ms. Elizabeth Erickson at (213) 620-2264 or me at (213) 620-6156.

Sincerely,



Rebecca Chou, Ph.D., P.E.

Acting Section Chief of Groundwater Permitting and Landfill

Enclosures:

1. Waste Discharge Requirements Order No. R4-2010-0074
2. Standard Provisions

cc: Mr. Bob Nespeca, PERC
Mr. James Matthew, PERC
Mr. Peter Leffler, FUGRO
Mr. David Gardner, FUGRO
Ms. Katherine Malzacher, Malzacher Ranch
Ms. Elaine Malzacher, Malzacher Ranch
Dr. Edo McGowan, Malzacher Ranch
Mr. Cliff Finley, City of Santa Paula Public Works
Mr. Gordon Innes, State Water Resources Control Board - DWQ
Mr. Kurt Souza, Cal. DHS, Region 5 - So Cal. Branch, Drinking Water Field Operation
Mr. Jeffrey L. Stone, Cal. DHS, Drinking Water, Recycled Water Unit
Mr. Jeff Pratt, Director, Ventura County Public Works Agency
Mr. Gerhart Hubner, Fox Canyon Groundwater Management Agency
Mr. Gary Haden, Water and Wastewater, Ventura Regional Sanitation District
Mr. William Paznokas, Cal. Department of Fish and Game, Region 5
Mr. Ken Turner, United Water Conservation District
Mr. William C. Stratton, County of Ventura, Environmental Health Division
Ms. Melinda Talent, County of Ventura, Environmental Health
Mr. Glen M. Hille, Boyle Engineering Corporation
Mr. Lynn Takaichi, Kennedy Jenks

California Environmental Protection Agency



Recycled Paper

Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

State of California
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION
ORDER NO. R4-2010-0074

AMENDING WASTE DISCHARGE REQUIREMENTS IN ORDER NO. R4-2007-0028

FOR
NEW SANTA PAULA WASTEWATER RECYCLING
CITY OF SANTA PAULA
SANTA PAULA DEPARTMENT OF PUBLIC WORKS
(File No. 06-189)

The California Regional Water Quality Control Board, Los Angeles Region (Regional Water Board), finds:

1. The City of Santa Paula (Discharger) will discharge water to the ground water through a percolation pond and recycled water system at the new Santa Paula Treatment Plant. The Waste Discharge Requirements (WDRs) are contained in Order No. R4-2007-0028 adopted by this Regional Water Board on May 3, 2007.

2. Provision H 13 of that order states that :

“The Discharger shall submit a hydrogeologic assessment technical report prepared by an independent California licensed engineer/geologist within 90 days of adoption of Order No. R4-2007-0028 that addresses concerns regarding potential mounding caused by the percolation ponds, by demonstrating that mounding will not cause groundwater to surface or degrade the adjacent wells. The report shall be submitted for review by Regional Board staff and interested parties prior to plant construction; the Regional Board shall evaluate the adequacy of the percolation ponds, and revise these waste discharge requirements, as appropriate, if the Regional Board at that time determines the ponds are inadequate to percolate the estimated discharge.”

3. Order No. R4-2007-0028 sets the effluent volume limitations to the percolation pond of 8 mgd. Additional hydrology modeling completed by the Discharger in 2008 identified 2.6 mgd as the steady state capacity of the percolation pond during wet years. The Discharger is developing additional disposal capacity through a recycled water system delivering treated effluent to municipal and commercial facilities, but the infrastructure will not be completed before discharge is scheduled to begin discharge at the new plant.
4. To prevent inappropriate use of the percolation ponds, which require periodic drying to retain subsurface waste treatment capacity, to ensure continued development and use of the recycled water system, and to prevent spills associated with peak storm flow discharge events, these WDRs should be amended to specify an annual average limit of 2.6 mgd, to be evaluated monthly, for discharge to the percolation ponds.

May 6, 2010

City of Santa Paula
New Santa Paula Wastewater Recycling Facility
Order No. R4-2010-0074 Amending Order No. R4-2007-0028

File No. 06-189

5. The requirements contained in this Order, as they are met, will be in conformance with the goals and objectives of the Basin Plan and policies of this Regional Water Board, and comply with the requirements of the Water Code.
6. Any person aggrieved by this action may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at: http://waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.
7. Amending waste discharge requirements for an existing facility is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 2100 et seq.) in accordance with California Code of Regulations, Title 14, Chapter 3, section 15301.

The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to amend the waste discharge requirements and has provided them with an opportunity to submit their written views and recommendations.

The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the tentative Order amending the water recycling requirements.

IT IS HEREBY ORDERED that Order No. R4-2007-0028 adopted by this Regional Water Board on May 3, 2007, is amended as follows:

1. On page 12 of Order No. R4-2007-0028, replace the requirements under Section A. INFLUENT LIMITATIONS, subsection 2, with the following: "2. The influent shall not exceed a daily average flow of 4.2 mgd and a peak wet weather daily flow of 8.0 mgd. The annual average flow limitation of 2.6 million gallons per day, as evaluated monthly, applies to all discharge to the percolation ponds."
2. On page T6 of the Monitoring and Reporting Program (CI-9259), replace the requirements under Section III Groundwater Monitoring Program, subsection c. with the following "c. Monthly observation of groundwater levels, recorded to 0.01 feet mean sea level, and flow direction."

All other Requirements, Limitations, and Provisions of Order No. R4-2007-0028 are not affected by the foregoing amendments shall remain in full force and effect.

This Order takes effect upon its adoption.

City of Santa Paula
New Santa Paula Wastewater Recycling Facility
Order No. R4-2010-0074 Amending Order No. R4-2007-0028

File No. 06-189

I, Samuel Unger, Interim Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Los Angeles Region, on May 6, 2010.



Samuel Unger . P.E.
Interim Executive Officer

STANDARD PROVISIONS
APPLICABLE TO WASTE DISCHARGE REQUIREMENTS

1. DUTY TO COMPLY

The discharger must comply with all conditions of these waste discharge requirements. A responsible party has been designated in the Order for this project, and is legally bound to maintain the monitoring program and permit. Violations may result in enforcement actions, including Regional Board orders or court orders requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board. [CWC Section 13261, 13263, 13265, 13268, 13300, 13301, 13304, 13340, 13350]

2. GENERAL PROHIBITION

Neither the treatment nor the discharge of waste shall create a pollution, contamination or nuisance, as defined by Section 13050 of the California Water Code (CWC). [H&SC Section 5411, CWC Section 13263]

3. AVAILABILITY

A copy of these waste discharge requirements shall be maintained at the discharge facility and be available at all times to operating personnel. [CWC Section 13263]

4. CHANGE IN OWNERSHIP

The discharger must notify the Executive Officer, in writing at least 30 days in advance of any proposed transfer of this Order's responsibility and coverage to a new discharger containing a specific date for the transfer of this Order's responsibility and coverage between the current discharger and the new discharger. This agreement shall include an acknowledgement that the existing discharger is liable for violations up to the transfer date and that the new discharger is liable from the transfer date on. [CWC Sections 13267 and 13263]

5. CHANGE IN DISCHARGE

In the event of a material change in the character, location, or volume of a discharge, the discharger shall file with this Regional Board a new Report of Waste Discharge. [CWC Section 13260(c)]. A material change includes, but is not limited to, the following:

- (a) 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.

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- (b) Significant change in disposal method, e.g., change from a land disposal to a direct discharge to water, or change in the method of treatment which would significantly alter the characteristics of the waste.
- (c) Significant change in the disposal area, e.g., moving the discharge to another drainage area, to a different water body, or to a disposal area significantly removed from the original area potentially causing different water quality or nuisance problems.
- (d) Increase in flow beyond that specified in the waste discharge requirements.
- (e) Increase in the area or depth to be used for solid waste disposal beyond that specified in the waste discharge requirements. [CCR Title 23 Section 2210]

6. REVISION

These waste discharge requirements are subject to review and revision by the Regional Board. [CCR Section 13263]

7. TERMINATION

Where the discharger becomes aware that it failed to submit any relevant facts in a Report of Waste Discharge or submitted incorrect information in a Report of Waste Discharge or in any report to the Regional Board, it shall promptly submit such facts or information. [CWC Sections 13260 and 13267]

8. VESTED RIGHTS

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, do not protect the discharger from his liability under Federal, State or local laws, nor do they create a vested right for the discharger to continue the waste discharge. [CWC Section 13263(g)]

9. SEVERABILITY

Provisions of these waste discharge requirements are severable. If any provision of these requirements are found invalid, the remainder of the requirements shall not be affected. [CWC Section 921]

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10. OPERATION AND MAINTENANCE

The discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the discharger to achieve compliance with conditions of this Order. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order. [CWC Section 13263(f)]

11. HAZARDOUS RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who, without regard to intent or negligence, causes or permits any hazardous substance or sewage to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) that person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State toxic disaster contingency plan adopted pursuant to Article 3.7 (commencing with Section 8574.7) of Chapter 7 of Division 1 of Title 2 of the Government Code, and immediately notify the State Board or the appropriate Regional Board of the discharge. This provision does not require reporting of any discharge of less than a reportable quantity as provided for under subdivisions (f) and (g) of Section 13271 of the Water Code unless the discharger is in violation of a prohibition in the applicable Water Quality Control plan. [CWC Section 1327(a)]

12. PETROLEUM RELEASES

Except for a discharge which is in compliance with these waste discharge requirements, any person who without regard to intent or negligence, causes or permits any oil or petroleum product to be discharged in or on any waters of the State, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the State, shall, as soon as (a) such person has knowledge of the discharge, (b) notification is possible, and (c) notification can be provided without substantially impeding cleanup or other emergency measures, immediately notify the Office of Emergency Services of the discharge in accordance with the spill reporting provision of the State oil spill contingency plan adopted pursuant to Article 3.5 (commencing with Section 8574.1) of Chapter 7 of Division 1 of Title 2 of the Government Code. This provision does not require reporting of any discharge of less than 42 gallons unless the discharge is also required to be reported pursuant to Section 311 of the Clean Water Act or the discharge is in violation of a prohibition in the applicable Water Quality Control Plan. [CWC Section 13272]

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13. ENTRY AND INSPECTION

The discharger shall allow the Regional Board, or an authorized representative upon the presentation of credentials and other documents as may be required by law, to:

- (a) Enter upon the discharger's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Order;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- (d) Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order, or as otherwise authorized by the California Water Code, any substances or parameters at any location. [CWC Section 13267]

14. MONITORING PROGRAM AND DEVICES

The discharger shall furnish, under penalty of perjury, technical monitoring program reports; such reports shall be submitted in accordance with specifications prepared by the Executive Officer, which specifications are subject to periodic revisions as may be warranted. [CWC Section 13267]

All monitoring instruments and devices used by the discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year, or more frequently, to ensure continued accuracy of the devices. Annually, the discharger shall submit to the Executive Office a written statement, signed by a registered professional engineer, certifying that all flow measurement devices have been calibrated and will reliably achieve the accuracy required.

Unless otherwise permitted by the Regional Board Executive officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. The Regional Board Executive Officer may allow use of an uncertified laboratory under exceptional circumstances, such as when the closest laboratory to the monitoring location is outside the State boundaries and therefore not subject to certification. All analyses shall be required to be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants" [40CFR Part 136] promulgated by the U.S. Environmental Protection Agency. [CCR Title 23, Section 2230]

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15. TREATMENT FAILURE

In an enforcement action, it shall not be a defense for the discharger that it would have been necessary to halt or to reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment 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 alternative method of treatment is provided. This provision applies, for example, when the primary source of power of the treatment facility fails, is reduced, or is lost. [CWC Section 13263(f)]

16. DISCHARGE TO NAVIGABLE WATERS

Any person discharging or proposing to discharge to navigable waters from a point source (except for discharge of dredged or fill material subject to Section 404 of the Clean Water Act and discharge subject to a general NPDES permit) must file an NPDES permit application with the Regional Board. [CCR Title 2 Section 22357]

17. ENDANGERMENT TO HEALTH AND ENVIRONMENT

The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submission shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Executive officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours. The following occurrence(s) must be reported to the Executive Office within 24 hours:

- (a) Any bypass from any portion of the treatment facility.
- (b) Any discharge of treated or untreated wastewater resulting from sewer line breaks, obstruction, surcharge or any other circumstances.
- (c) Any treatment plan upset which causes the effluent limitation of this Order to be exceeded. [CWC Sections 13263 and 13267]

18. MAINTENANCE OF RECORDS

The discharger shall retain records of all monitoring information including all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and record of all data used

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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.

Records of monitoring information shall include:

- (a) The date, exact place, and time of sampling or measurement;
 - (b) The individual(s) who performed the sampling or measurement;
 - (c) The date(s) analyses were performed;
 - (d) The individual(s) who performed the analyses;
 - (e) The analytical techniques or method used; and
 - (f) The results of such analyses.
19. (a) All application reports or information to be submitted to the Executive Office shall be signed and certified as follows:
- (1) For a corporation – by a principal executive officer or at least the level of vice president.
 - (2) For a partnership or sole proprietorship – by a general partner or the proprietor, respectively.
 - (3) For a municipality, state, federal, or other public agency – by either a principal executive officer or ranking elected official.
- (b) A duly authorized representative of a person designated in paragraph (a) of this provision may sign documents if:
- (1) The authorization is made in writing by a person described in paragraph (a) of this provision.
 - (2) The authorization specifies either an individual or position having responsibility for the overall operation of the regulated facility or activity; and
 - (3) The written authorization is submitted to the Executive Officer.

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

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"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. [CWC Sections 13263, 13267, and 13268]"

20. OPERATOR CERTIFICATION

Supervisors and operators of municipal wastewater treatment plants and privately owned facilities regulated by the PUC, used in the treatment or reclamation of sewage and industrial waste shall possess a certificate of appropriate grade in accordance with Title 23, California Code of Regulations Section 3680. State Boards may accept experience in lieu of qualification training. In lieu of a properly certified wastewater treatment plant operator, the State Board may approve use of a water treatment plant operator of appropriate grade certified by the State Department of Health Services where reclamation is involved.

Each plan shall be operated and maintained in accordance with the operation and maintenance manual prepared by the municipality through the Clean Water Grant Program [CWC Title 23, Section 2233(d)]

ADDITIONAL PROVISIONS APPLICABLE TO
PUBLICLY OWNED TREATMENT WORKS' ADEQUATE CAPACITY

21. Whenever a publicly owned wastewater treatment plant will reach capacity within four years the discharger shall notify the Regional Board. A copy of such notification shall be sent to appropriate local elected officials, local permitting agencies and the press. The discharger must demonstrate that adequate steps are being taken to address the capacity problem. The discharger shall submit a technical report to the Regional Board showing flow volumes will be prevented from exceeding capacity, or how capacity will be increased, within 120 days after providing notification to the Regional Board, or within 120 days after receipt of notification from the Regional Board, of a finding that the treatment plant will reach capacity within four years. The time for filing the required technical report may be extended by the Regional Board. An extension of 30 days may be granted by the Executive Officer, and longer extensions may be granted by the Regional Board itself. [CCR Title 23, Section 2232]