

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**

**ORDER NO. 95-055**

**WASTE DISCHARGE REQUIREMENTS  
FOR  
CHOCOLATE MOUNTAIN GANG, LTD., OWNER/OPERATOR  
IMPERIAL SEA VIEW SPA  
DOMESTIC WASTEWATER DISPOSAL PONDS  
North of Niland - Imperial County**

The California Regional Water Quality Control Board, Colorado River Basin Region, finds that:

1. Chocolate Mountain Gang, Ltd., 24311 DeLeon, Dana Point, CA 92257, owner/operator of Imperial Sea View Spa (hereinafter referred to as the discharger), 10595 Hot Mineral Spa Road, Niland, CA 92257, submitted an updated Report of Waste Discharge, dated January 20, 1995.
2. The discharger is discharging a maximum of 38,000 gallons-per-day (GPD) of domestic wastewater from a campground complex consisting of 92 mobile home spaces, 142 travel trailer spaces, 10 restrooms and one laundry room. The average daily flow is about 12,000 GPD. The design capacity of the facility is reported to be 60,000 GPD. The wastewater is alternately discharged into three natural clay lined waste stabilization ponds located in the N 1/2 of Section 2, T9S, R12E, SBB&M as shown on the attached site map, incorporated herein and made a part of this Order.
3. There are no domestic wells within 500 feet of the discharge facilities described in Finding No. 2, above. Supply water is received from Coachella Valley Water District.
4. This discharge has been subject to waste discharge requirements adopted in Board Order No. 85-040.
5. This Board Order updates the waste discharge requirements to comply with current laws and regulations as set forth in the California Water Code and the California Code of Regulations.
6. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) was adopted on November 17, 1993 and designates the beneficial uses of ground and surface waters in this Region.
7. The designated beneficial uses of ground waters in the Imperial Hydrologic Unit are:
  - a. Municipal supply (MUN)
  - b. Industrial supply (IND)
8. The Board has notified the discharger and all known interested agencies and persons of its intent to update waste discharge requirements for said discharge and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
9. The Board in a public meeting heard and considered all comments pertaining to this discharge.

10. In accordance with Section 15301, Chapter 3, Title 14 of the California Code of Regulations, the issuance of these waste discharge requirements, which govern the operation of an existing facility involving negligible or no expansion of use beyond that previously existing, is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et. seq.).

IT IS HEREBY ORDERED, that Board Order No.85-040 is rescinded, and in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the discharger shall comply with the following:

**A. Effluent Limitations**

1. Wastewater flow to the evaporation/percolation ponds shall not exceed 60,000 gallons-per-day.

**B. Prohibitions**

1. The direct discharge of any wastewater to surface waters or surface drainage courses is prohibited.
2. Bypass or overflow of untreated or partially treated waste is prohibited.
3. The discharge of wastewater containing any carcinogen or reproductive toxins listed by the Governor pursuant to Health and Safety Code Sections 25249.5 through 25249.13, also known as the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65), where such chemical passes or probably will pass into any source of drinking water, is prohibited.
4. Discharge of treated wastewater at a location or in a manner different from that described in Finding No. 2, above, is prohibited.
5. The discharger shall not accept waste in excess of the design treatment capacity of the disposal system.
6. The discharge of wastewater to land not owned or controlled by the discharger is prohibited.

**C. Specifications**

1. The treatment or disposal of wastes at this facility shall not cause pollution or nuisance as defined in Sections 13050(l) and 13050(m) of Division 7 of the California Water Code.
2. The facility shall be protected from any washout or erosion of wastes or covering material, and from any inundation which could occur as a result of floods having a predicted frequency of once in 100 years.
3. There shall be no surface flow of wastewater away from the discharge facility.
4. A minimum depth of freeboard of two (2) feet shall be maintained at all times in the evaporation/percolation ponds.
5. Solids and settled materials shall be disposed of in a manner that will not result in pollution or nuisance as defined by the California Water Code.
6. Adequate measures shall be taken to maintain aerobic conditions at the ponds.

7. Ponds shall be managed to prevent breeding of mosquitoes, In particular,
  - a. An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface.
  - b. Weeds shall be minimized through control of water depth, harvesting, or herbicides.
  - c. Dead algae, vegetation, and debris shall not accumulate on the water surface.
8. Public contact with undisinfected wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.
9. Objectionable odors originating at this facility shall not be perceivable beyond the limits of the wastewater treatment and disposal system.
10. The discharger shall use the best practical cost effective control technique currently available to limit mineralization to no more than a reasonable increment approved by the Regional Board's Executive Officer.

**D. Provisions**

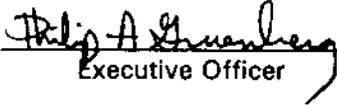
1. The discharger shall comply with "Monitoring and Reporting Program No. 95-055", and future revisions thereto, as specified by the Regional Board's Executive Officer.
2. Prior to any modifications in this facility which would result in material change in the quality or quantity of wastewater treated or discharged, or any material change in the location of discharge, the discharger shall report all pertinent information in writing to the Regional Board and obtain revised requirements before any modifications are implemented.
3. Prior to any change in ownership or management of this operation, the discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.
4. The discharger shall ensure that all site operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.
5. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
6. Facilities shall be available to keep the plant in operation in the event of commercial power failure.
7. The discharger shall allow the Regional Board, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:
  - a. Enter upon the premises regulated by this Board Order, or the place where records must be kept under the conditions of this Board Order;
  - b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and

- d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, any substances or parameters at this location.
8. The discharger shall comply with all of the conditions of this Board Order. Any noncompliance with this Board Order constitutes a violation of the Porter-Cologne Water Quality Control Act and is grounds for enforcement action.
9. The discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the discharger to achieve compliance with this Board Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems which are installed by a discharger only when necessary to achieve compliance with the conditions of this Board Order.
10. This Board Order does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.
11. The Board will review this Order periodically and may revise requirements when necessary.
12. The discharger shall comply with the following:
  - a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
  - b. The discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Board Order, and records of all data used to complete the application for this Board Order, for a period of at least 5 years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Board's Executive Officer at any time.
  - c. Records of monitoring information shall include:
    1. The date, exact place, and time of sampling or measurements.
    2. The individual(s) who performed the sampling or measurements.
    3. The date(s) analyses were performed.
    4. The individual(s) who performed the analyses.
    5. The results of such analyses.
13. Unless otherwise approved by the Regional Board's Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants", promulgated by the United States Environmental Protection Agency.
14. All regulated disposal systems shall be readily accessible for sampling and inspection.
15. Adequate measures shall be taken to assure that flood or surface drainage waters do not erode or otherwise render portions of the discharge facilities inoperable.

16. Adequate measures shall be taken to assure that unauthorized persons are effectively excluded from contact with the wastewater disposal facilities.
17. The discharger shall provide an inventory of all hazardous materials which will be handled at the facility by January 15, 1996.
18. The discharger is the responsible party for the waste discharge requirements and the monitoring and reporting program for the facility. The discharger shall comply with all conditions of these waste discharge requirements. 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..
19. All maintenance performed shall be reported with the monitoring reports as required.
20. The discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with the specifications prepared by the Regional Board's Executive Officer. Such specifications are subject to periodic revisions as may be warranted.
21. The discharger shall obtain prior written approval from the Regional Board's Executive Officer specifying location and method of disposal, before disposing of treated or untreated sludge, or similar solid waste materials. In addition, the discharger shall provide the results of any sludge analyses as specified by the Regional Board's Executive Officer.
22. The Regional Board and the Director of the County Environmental Health Department shall be notified immediately of any failure of the wastewater containment facilities. Such failure shall be promptly corrected in accordance with the requirements of this Board Order.
23. The discharger may be required to submit technical reports as directed by the Regional Board's Executive Officer.
24. The discharger shall report any noncompliance which may endanger health or the environment. Any such information shall be provided verbally to the Regional Board's Executive Officer within 24 hours from the time the discharger becomes aware of the circumstances. A written submittal shall also be provided within five days of the time the discharger becomes aware of the circumstances. The written submittal 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 Regional Board's Executive Officer, or an unauthorized representative, may waive the written report on a case-by-case basis, if the oral report has been received within 24 hours.
25. 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.
26. The concentration of any volatile organic constituents in the discharged wastewater shall not exceed the maximum containment levels listed in the State Drinking Water Standards or the California Department of Health Services Action Levels. Violation of these limits shall be reported immediately to the Regional Board and a cleanup proposal shall be submitted within two weeks. The discharger shall initiate cleanup work immediately upon approval of the Regional Board's

Executive Officer. Upon completion, the Regional Board's Executive Officer shall be notified of the results of this work.

I, Philip A. Gruenberg, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on June 28, 1995.

  
Executive Officer

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**

**MONITORING AND REPORTING PROGRAM NO. 95-055  
FOR  
CHOCOLATE MOUNTAIN GANG, LTD., OWNER/OPERATOR  
IMPERIAL SEA VIEW SPA  
DOMESTIC WASTEWATER DISPOSAL PONDS  
Niland - Imperial County**

Location of Discharge: N 1/2 of Section 2, T9S, R12E, SBB&M

**MONITORING**

1. The collection, preservation and holding times of all samples shall be in accordance with U. S. Environmental Protection Agency approved procedures. All analyses shall be conducted by a laboratory certified by the State Department of Health Services to perform the required analyses.
2. Compliance with the discharge limitations shall be determined at the end of the discharge pipe.
3. If the facility is not in operation, or there is no discharge during a required reporting period, the discharger shall forward a letter to the Regional Board indicating that there has been no activity during the required reporting period.
4. The discharger shall submit the following information in an annual status report:
  - a. Estimate of maximum daily flow (GPD) of discharge to ponds.
  - b. Number of house(s), units and restrooms(s) connected to the sewerage system.
  - c. List any proposed changes in the sewage disposal facilities during the coming year.
  - d. Explain any problem(s) in the sewage treatment and disposal system during the preceding year.

**EFFLUENT MONITORING**

A sampling station shall be established at the point of discharge and shall be located where representative samples of effluent can be obtained. Wastewater discharged into Coachella Valley Water District shall be monitored for the following constituents:

<u>Constituent</u>	<u>Unit</u>	<u>Type of Sample</u>	<u>Sample Frequency</u>
Total Dissolved Solids	mg/L	Grab	Annually
pH	pH	Grab	Annually

<u>Constituent</u>	<u>Unit</u>	<u>Type of Sample</u>	<u>Sample Frequency</u>
Volatile Organics	$\mu\text{g/L}^1$	Grab	Annually
Nitrate as $\text{NO}_3\text{-N}$	mg/L	24-Hr. Composite	Annually
Total Nitrogen	mg/L	Grab	Annually

### REPORTING

1. The discharger shall arrange the data in tabular form so that the specified information is readily discernible. The data shall be summarized in such a manner as to clearly illustrate whether the facility is operating in compliance with waste discharge requirements.
2. Records of monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurement(s);
  - b. The individual(s) who performed the sampling or measurement(s);
  - 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.
3. Each report shall contain the following statement:
 

"I declare under the penalty of law that I have personally examined and am familiar with the information submitted in this document, 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 for knowing violations."
4. A duly authorized representative of the discharger may sign the documents if:
  - a. The authorization is made in writing by the person described above;
  - b. The authorization specified an individual or person having responsibility for the overall operation of the regulated disposal system; and
  - c. The written authorization is submitted to the Regional Board's Executive Officer.
5. Report immediately any failure in the waste disposal system to the Regional Board and the Director of the County Environmental Health Department by telephone with follow-up by letter.
6. Note any changes in the operating procedure for the season.

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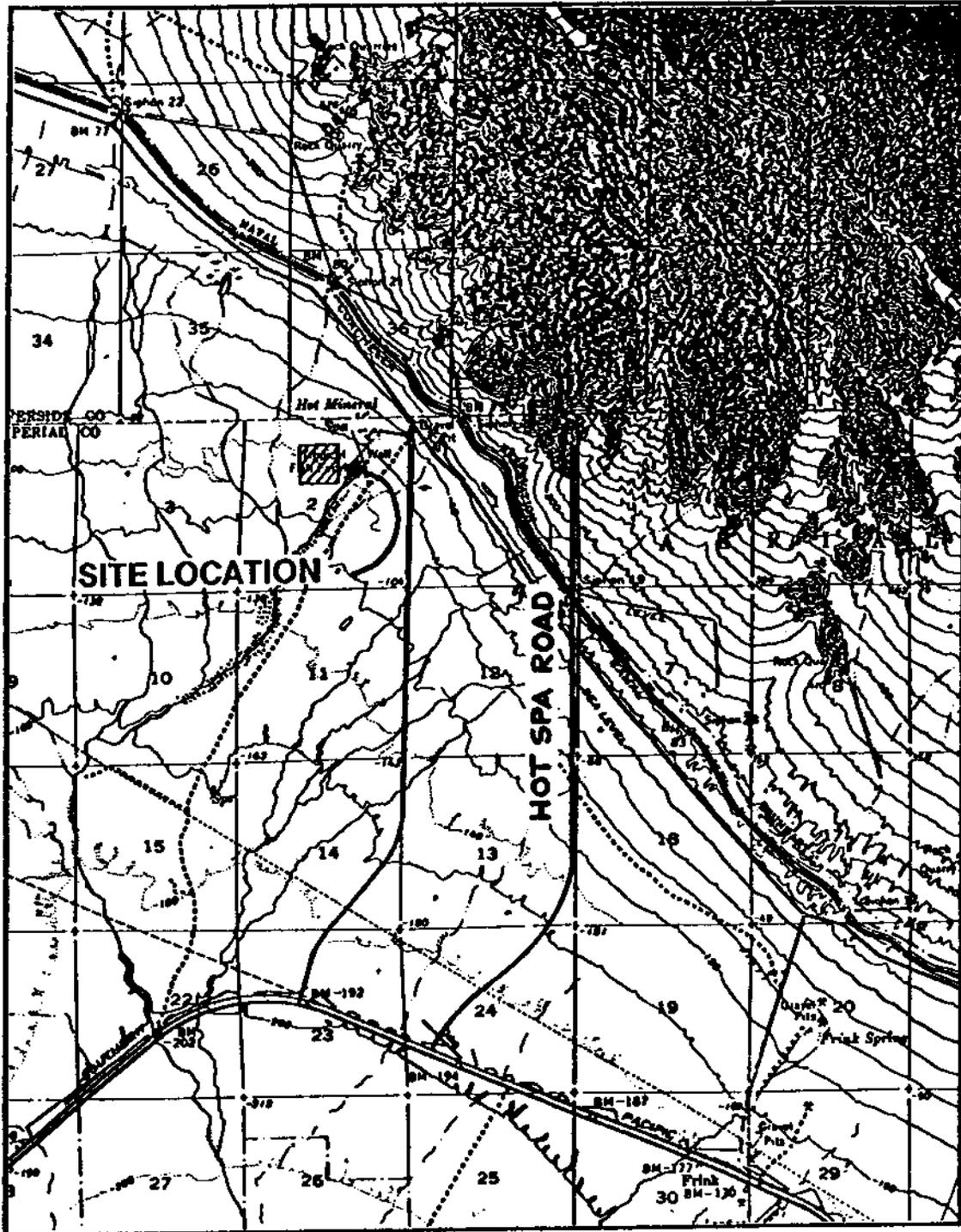
<sup>1</sup>  $\mu\text{g/L}$  - micrograms per Liter

7. Monitoring reports shall be certified under penalty of perjury to be true and correct, and shall contain the required information at the frequency designated in this monitoring report.
8. Annual monitoring reports shall be submitted to the Regional Board by January 15 of each year.
9. Submit monitoring reports to:

California Regional Water Quality Control Board  
Colorado River Basin Region  
73-720 Fred Waring, Suite 100  
Palm Desert, CA 92260

Ordered by: Philip A. Gruenberg  
Executive Officer

June 28, 1995  
Date



SITE MAP

CHOCOLATE MOUNTAIN, LTD., OWNER/OPERATOR  
IMPERIAL SEA VIEW SPA  
DOMESTIC WASTEWATER DISPOSAL PONDS  
Niland - Imperial County  
N 1/2 of Section 2, T9S, R12E, SBB&M  
USGS Frink 15 min. Topographic Map



Board Order No. 95-055