CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

BOARD ORDER R7-2013-0058

WASTE DISCHARGE REQUIREMENTS
FOR
YUCCA VALLEY SENIOR HOUSING, OWNER/OPERATOR
YUCCA VALLEY SENIOR HOUSING ONSITE WASTEWATER TREATMENT SYSTEM
Yucca Valley – San Bernardino County

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

1. Yucca Valley Senior Housing Partners. L.P. (YVSHP), 9065 Haven Avenue, Suite 100, Rancho Cucamonga, CA 91730, Owner, and National Community Renaissance of California (NCRC), Operator, hereinafter referred to collectively or separately as Discharger, submitted an application for Waste Discharge Requirements (WDRs) for Yucca Valley Senior Housing Onsite Wastewater Treatment System (OWTS). The Discharger proposes to install a conventional OWTS and disposal system (hereinafter referred to as the Facility) that provides domestic sewerage service to a senior housing development. The Facility will be located at the corner of Dumosa Avenue and Twentynine Palms Highway in Yucca Valley with a design treatment capacity of 16,000 gallons per day (gpd).

2. The Discharger is constructing a new three-story senior housing project on approximately 2.87 acres. The proposed project consists of two buildings with a maximum total of 75 units, common areas, a community leasing area and laundry facilities. The project will include onsite stormwater retention, landscaping, and parking stalls, and it may include a clubhouse and a spa.

3. The site of the project is located in the Town of Yucca Valley, Assessor's Parcel Number 595-371-11, as shown on the Location and Vicinity Map (Attachment A), incorporated herein by reference and made part of this Board Order.

Wastewater Treatment Facility and Discharge

4. The OWTS will consist of a collection system, three (3) 6,000 gallon septic tanks and three (3) six-feet in diameter, 20-foot deep seepage pits with a total infiltration area of 1,130 square feet.

5. The OWTS is a gravity system and requires no back-up auxiliary power system.

6. The Discharger's Report of Waste Discharge (ROWD) reports the following typical raw domestic wastewater characteristics:

Constituent	units	Range	Typical
Total Suspended Solids (TSS)	mg/L[1]	155 – 330	250

[1] milligrams per Liter

Constituent	units	Range	Typical
Biochemical Oxygen Demand (BOD)	mg/L	155 – 286	250
pH	s.u.[2]	6 – 9	6.5
Total Coliform Bacteria	CFU/100mL[3]	$10^8 – 10^{10}$	10^9
Fecal Coliform Bacteria	CFU/100mL	$10^6 – 10^8$	10^7
Ammonium Nitrogen	mg/L	4 – 13	10
Nitrate-Nitrogen	mg/L	Less than 1	Less than 1
Total Nitrogen	mg/L	26 – 75	60
Total Phosphorus	mg/L	6 – 12	10

7. The Discharger's ROWD reports the following typical septic tank effluent characteristics:

Constituent	units	Range	Typical
Total Suspended Solids (TSS)	mg/L	36 – 85	60
Biochemical Oxygen Demand (BOD)	mg/L	118 – 189	120
pH	s.u.	6.4 – 7.8	6.5
Fecal Coliform Bacteria	CFU/100mL	$10^6 – 10^7$	10^6
Ammonium Nitrogen	mg/L	30 – 50	40
Nitrate-Nitrogen	mg/L	0 – 10	0
Total Nitrogen	mg/L	29.5 – 63.4	60
Total Phosphorus	mg/L	8.1 – 8.2	8.1

Hydrogeologic Conditions

8. Annual precipitation averages less than eight (8) inches.

9. There are no surface waters in the vicinity of the OWTS.

10. The nearest domestic supply well (Well 12E), owned and operated by Hi-Desert Water District (HDWD), is located approximately 930 feet from the OWTS. Depth to groundwater at the well is approximately 200 feet below ground surface.

11. Water quality data for well 12E indicate that the TDS concentration in the vicinity of the OWTS is approximately 300 mg/L and nitrate concentration is approximately 16 mg/L. Pathogen indicators show Non-Detect for E. coli and Total Coliforms.

12. Water supply to the community is from groundwater production wells located in the Warren Valley sub-basin. HDWD's 2011 annual water quality report indicates TDS ranges from 220 to 270 mg/L with an average of 250 mg/L.

13. The Discharger reported that historic records in the vicinity of the project site indicate that groundwater has fluctuated between 159 and 385 feet below ground surface within the past 65 years.

[2] standard units
[3] Colony-forming units per 100 milliliters

14. The Discharger completed a geotechnical investigation for structural design and project planning purposes and soil infiltration rates at the site in April 2011. The results are summarized in a report submitted to the Regional Water Board titled *Geotechnical Investigation Report, Yucca Valley Senior Housing, Yucca Valley, California, May 2011*. Data was collected from six (6) exploratory borings drilled in the range of 21.5 to 51.5 feet below ground surface. Groundwater was not encountered in the investigation.

15. The project site slopes gently to the northwest with elevations of approximately 3,250 feet to 3,270 feet above mean sea level (MSL) in the Mojave Desert region of the California high desert.

16. The soils beneath the site consist primarily of medium dense to dense silty sands and loose to medium dense sandy silts.

17. Two (2) soil percolation tests were performed at the site in accordance with the San Bernardino County report standard, as described in *On-Site Waste Water Disposal System, August 1992* published by the San Bernardino Department of Environmental Health and available on the internet at http://www.sbcounty.gov/dehs/. The test results indicate the stabilized percolation rate in the soil ranges from 31 to 36 gallons per square foot per day. The Discharger proposes to use a safety factor of two (2) resulting in a design percolation rate of 15 gallons per square foot per day.

18. Summer temperatures average above 100 degrees Fahrenheit. Winter temperatures can be in the mid- to low-20's.

19. The Discharger reports that the site is in the vicinity of, but not within, a State of California, Alquist-Priolo Earthquake Fault Zone. A review of liquefaction potential and seismic settlement showed that the potential for both was minimal or not significant.

Basin Plan, Beneficial Uses, and Regulatory Considerations

20. The Basin Plan designates beneficial uses and establishes water quality objectives for ground and surface waters in the Region, and contains implementation programs and policies to achieve those objectives. In addition, State Water Resources Control Board (State Water Board) Resolution 88-63 requires that, with certain exceptions, the Regional Water Board assign the municipal and domestic supply use to water bodies that do not have beneficial uses specifically listed in the Basin Plan.

21. The proposed discharge is within the Joshua Tree Hydrologic Unit, Warren Hydrologic Area. Beneficial uses for groundwater in the Joshua tree Hydrologic Unit include:

    a. Municipal supply (MUN), and

    b. Industrial supply (IND).

22. WDRs implement numeric and narrative water quality objectives for ground and surface waters established by the Basin Plan. The numeric objectives for groundwater designated for municipal and domestic supply are the maximum contaminant levels (MCL), and bacteriological limits specified in Section 64421 et seq. of Title 22, California Code of Regulations (CCR). The narrative objectives are:

    a. Ground water for use as domestic or municipal water supply (MUN) shall not contain taste or odor-producing substances in concentrations that adversely affect beneficial

uses as a result of human activity (Basin Plan, page 3-8).

b. Discharges of water softener regeneration brines, other mineralized wastes, and toxic wastes to disposal facilities which ultimately discharge in areas where such wastes can percolate to ground water usable for domestic and municipal purposes are prohibited (Basin Plan, page 3-8).

23. On May 19, 2011, the Regional Water Board adopted Resolution R7-2011-0004, which approved and adopted an amendment to the Water Quality Control Plan for the Colorado River Basin Region (Basin Plan Amendment) to prohibit the discharge of wastewater into the ground from onsite septic systems in the Town of Yucca Valley in San Bernardino County. The Basin Plan Amendment was approved by the State Water Resources Control Board pursuant to Resolution 2011-0054 on November 1, 2011, and the Office of Administrative Law on April 10, 2012, at which time it became effective.

24. The Basin Plan Amendment enacts a prohibition on discharges of wastewater from onsite septic systems in the Town of Yucca Valley (Prohibition) and includes a time schedule for implementation based on three geographic areas, identified as phases, which are scheduled for sewer installation, as defined in the Hi-Desert Water District (HDWD) Sewer Master Plan.

    "Pursuant to Section 13280 of the California Water Code, the discharge of wastewater from new or existing individual disposal systems on parcels within Phase 1, Phase 2, and Phase 3 of the Hi-Desert Water District Sewer Master Plan… is prohibited with certain exceptions noted below… The prohibition shall become effective for all parcels within Phase 1 of the Hi-Desert Water District Sewer Master Plan by May 19, 2016, or when a municipal sewage collection system becomes available, whichever occurs first."

    The Phase 1 area generally follows the main business corridor along Twentynine Palms Highway. Phases 2 and 3 generally radiate outward from Phase 1. The Prohibition specifies that the discharge of wastewater from new or existing individual disposal systems is prohibited on parcels within Phases 1, 2, and 3 of the Hi-Desert Water District Sewer Master Plan according to the time schedule below, or when a municipal sewage collection system becomes available, whichever occurs first. In addition, the Prohibition defines when a municipal sewage collection system is considered "available" as when the system is operational and is located within 500 lineal feet of an existing or proposed new disposal system discharge.

    a. Phase 1: May 19, 2016
    b. Phase 2: May 19, 2019
    c. Phase 3: May 19, 2022

25. The Facility is located in the area defined as Phase 1 by the HDWD Sewer Master Plan. Therefore, in accordance with the implementation schedule, the Discharger will be prohibited from discharging sewage in accordance with these WDRs as of May 19, 2016, or when a sewer collection system becomes available, whichever occurs first.

26. In a letter dated April 25, 2013, the Discharger requested a prohibition exemption for the project citing that the installation of an on-site advanced treatment and disposal system would be economically excessively burdensome. Therefore, the Discharger proposes to

install the conventional septic tank and seepage pit system that is the subject of these WDRs. The Discharger has provided a financial statement and a cost analysis that indicates that the installation of an advanced treatment system at this time would be infeasible. The request for an exemption prior to the Prohibition's Phase 1 effective date is premature and the Dischargers financials were not investigated by Regional Water Board staff. This Order does not provide for an exemption to the prohibition. More importantly, the Order requires the Discharger in accordance with the Prohibition, to connect to the centralized system as soon as it becomes available, or to cease discharging from its OWTS by May 19, 2016, whichever occurs first.

27. The Discharger has planned and budgeted for, and indicated that it intends to begin, discharging the Facility's domestic wastewater into the HDWD sewer system as soon as it becomes available, even if that date occurs prior to the May 19, 2016 deadline. The Discharger will install a "dry sewer" stub-out line in addition to the piping and appurtenances required for the OWTS and seepage pits, which will be used to connect to the HDWD sewer when it becomes available.

28. Section 13267 of the California Water Code (CWC) authorizes the Regional Water Boards to require technical and monitoring reports. The Monitoring and Reporting Program (MRP) establishes monitoring and reporting requirements to implement federal and state requirements.

29. This Order establishes WDRs pursuant to Division 7, Chapter 4, Article 4, of the CWC for discharges that are not subject to regulation under Clean Water Act (CWA) Section 402 (33 U.S.C. Section 1342).

30. Pursuant to CWC Section 13263(g), the discharge of waste is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.

31. Federal regulations for storm water discharges were promulgated by the U.S. Environmental Protection Agency on November 16, 1990, (40 CFR Parts 122, 123, and 124) to implement the Clean Water Act's storm water program set forth in Clean Water Act section 402(p) (33 U.S.C. § 1342(p).). In pertinent part, the regulations require specific categories of facilities that discharge storm water associated with industrial activity to "waters of the United States" to obtain NPDES permits and to require control of such pollutant discharges using Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) to prevent and reduce pollutants and any more stringent controls necessary to meet water quality standards. Facilities used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are within the confines of the facility with a design flow of one million gallons a day or more or required to have an approved pretreatment program are under 40 CFR Part 403. The facility discharges less than one million gallons a day and there are no "waters of the United States" in the vicinity of the discharges. Therefore, the federal stormwater requirements do not apply.

Groundwater Degradation

32. State Water Resources Control Board (State Water Board) Resolution 68-16 ("Policy with Respect to Maintaining High Quality Waters of the State") (hereinafter Resolution 68-16) requires a Regional Water Board in regulating the discharge of waste to maintain high

quality waters of the state (i.e., background water quality) 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 as described in plans and policies (e.g., violation of any water quality objective). Moreover, the discharge is required to meet WDRs that result in the best practicable treatment or control (BPTC) of the discharge necessary to assure pollution or nuisance will not occur, and highest water quality consistent with maximum benefit to the people will be maintained.

33. Some degradation of groundwater from the discharge to the seepage pits is consistent with Resolution 68-16, provided that the degradation:
    a. Is confined to a reasonable area;
    b. Is minimized by means of full implementation, regular maintenance, and optimal operation of BPTC measures;
    c. Is limited to waste constituents typically encountered in domestic wastewater; and
    d. Does not result in the loss of any beneficial use as prescribed in the applicable basin plan, or violation of any water quality objective.

34. The discharge of wastewater from the OWTS, as permitted herein, reflects BPTC only with respect to Findings 34.b., c., and d., below. The treatment technology consists of a conventional septic system and seepage pit disposal system. However, this Order allows this technology to be used only on an interim basis until the discharge Prohibition date of May 19, 2016, at which time the Discharger must comply with the Prohibition by ceasing discharge, connecting to a municipal sewage collection system, if it is available, or upgrading its treatment system to meet more stringent effluent limitations to ensure water quality is protected. The final effluent limitations set forth in this Order, along with the interim controls described below, assure the discharge does not create a condition of pollution or nuisance, and that water quality will be maintained which is consistent with the anti-degradation provisions of Resolution 68-16. The OWTS incorporates:
    a. Technology for treatment of domestic wastewater on an interim and long-term basis;
    b. Solids handling facilities;
    c. Staffing to assure proper operation and maintenance; and
    d. 100 percent replacement area for the seepage pits in the event of seepage pit failure due to loss of infiltration capacity.

35. Constituents in domestic OWTS effluent that present the greatest risk to groundwater quality are nitrogen, coliforms (pathogen-indicator organisms), and dissolved salts (TDS). The proposed OWTS provides removal of soluble organic matter, solids, and nitrogen.

36. The chosen interim treatment technology provides no significant total nitrogen removal. However, the long-term treatment technology would provide improved nitrogen removal. Until then, total nitrogen concentrations are expected to be about 60 mg/L. The interim OWTS, seepage pits, and soils beneath the disposal areas are not likely to prevent groundwater degradation by total nitrogen and nitrates. However, because the interim OWTS will be operated on a very short-term basis, it is in the public interest to allow this project to go forward to encourage economic growth in the Yucca Valley area and to

provide affordable housing for seniors, and any degradation to groundwater by nitrogen constituents that occurs should be limited in quantity and location to the area underlying the disposal areas, the discharge as authorized is consistent with the anti-degradation provisions of Resolution 68-16.

37. While an OWTS reduces fecal coliform densities by about 90%, the remaining organisms in the effluent are still 10^6 to 10^7 CFU/100 ml (United States Environmental Protection Agency, Onsite Wastewater Treatment Manual, 2002). Given the depth to groundwater and soil types beneath the seepage pits, effluent disinfection is not needed to prevent pathogen-indicator bacteria from reaching groundwater at densities exceeding those prescribed in Title 22, CCR.

38. The typical incremental addition of dissolved salts from domestic water usage is 150 to 380 mg/L. Domestic water supply to the community has an average of about 200 mg/L. The interim OWTS, seepage pits, and soils beneath the disposal areas are not likely to prevent groundwater degradation by TDS. Again, because the interim OWTS will be operated on a very short-term basis, it is in the public interest to allow this project to go forward to encourage economic growth in the Yucca Valley area and to provide affordable housing for seniors, and any degradation to groundwater by salinity constituents that occurs should be limited in quantity and location to the area underlying the disposal areas, the discharge as authorized is consistent with the anti-degradation provisions of Resolution 68-16.

39. The discharge does not immediately meet water quality standards that are protective of the beneficial uses of groundwater within the Prohibition area. Therefore, this Order includes Interim Effluent Limits for the conventional OWTS that are effective until May 19, 2016 and Final Effluent Limits that are effective with the effective date of the Prohibition of May 19, 2016.

40. Salinity of groundwater in the region of the OWTS is approximately 200 mg/L. Board Order R7-2013-0058 proposes a TDS limit of 400 mg/L above the community water supply.

41. Groundwater limits consistent with water quality objectives for indicator waste constituents are appropriate and protective of water quality objectives. YVSH development will provide a valuable service to the area in the form of affordable housing for seniors and contribute to the economic development of the area. This factor and the associated allowable increase in TDS are consistent with maximum benefit to the people of the State. Accordingly, the discharge as authorized is consistent with the anti-degradation provisions of Resolution 68-16.

CEQA and Public Participation

42. In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code Section 21000 et seq.) and implementing Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), the Town of Yucca Valley (TYV), acting as the Lead Agency, prepared a Mitigated Negative Declaration (MND) and Initial Study for the project. The draft MND and Initial Study were circulated for a mandatory 20-day public commenting period. Based on the MND and Initial Study, TYV determined that although the proposed project could have a significant effect on the environment, TYV explained in the MND and Initial Study that it would avoid the effects or mitigate the effects to a point

where no significant effect on the environment would occur. On May 17, 2011, TYV approved the MND and Initial Study, and on May 26, 2011, filed a Notice of Determination (NOD) with the Clerk of the Board, County of San Bernardino. The Prohibition was adopted by the Regional Water Board on May 19, 2011 and, as noted in Finding 23 above, became effective on April 10, 2012, the date of approval by the Office of Administrative Law. The Regional Water Board has considered the findings and proposed mitigation measures described in the MND and Initial Study, which did not include, however, any analysis of potentially significant environmental impacts to ground water quality associated with the proposed discharge from the OWTS into the seepage pits, such as those ground water quality impacts from conventional septic tank system discharges that were identified during the Basin Plan amendment process and that supported the need for the Prohibition. In light of this analytical deficiency, the Regional Water Board has prescribed technically appropriate interim and final effluent limitations and monitoring requirements for the proposed OWTS to ensure that any water quality impacts that may occur are of a limited, short-term nature until the Prohibition deadline of May 19, 2016, occurs, at which time the Discharger will be required to cease discharging, connect to a municipal sewage collection system, if available, or upgrade its treatment system to meet more stringent effluent limitations to ensure water quality is protected. Accordingly, the Regional Water Board concludes, based on its review of the whole administrative record before it, that compliance with the Order's requirements, including its interim and final effluent limitations and monitoring requirements, will effectively mitigate any significant impacts to water quality.

43. The Board has notified the Discharger and all known interested agencies and persons of its intent to draft WDRs for this discharge, and has provided them with an opportunity for a public meeting and an opportunity to submit comments.

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

IT IS HEREBY ORDERED, that 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. Discharge Prohibitions

1. Discharge of waste classified as "hazardous", as defined in Title 23, CCR, Section 2521(a), or "designated", as defined in California Water Code Section 13173, is prohibited.

2. The treatment or disposal of wastes from the facility shall not cause pollution or nuisance as defined in Sections 13050(l) and 13050(m) of Division 7 of the California Water Code, respectively.

3. Discharge of treated wastewater at a location other than the designated disposal areas is prohibited.

4. The OWTS shall be maintained to prohibit sewage or treated effluent from surfacing or overflowing.

5. The discharge of any wastewater from the facility to any surface waters or surface drainage courses is prohibited.

6. The discharge of waste to land not owned or authorized for such use by the Discharger is prohibited.

7. Surfacing or ponding of wastewater outside of the designated disposal locations is prohibited.

8. Bypass or overflow of untreated or partially treated waste is prohibited.

9. In accordance with the Basin Plan Amendment, by May 19, 2016, or when the HDWD sewer collection system becomes available, whichever occurs first, the discharge of wastewater from the Facility regulated by this Board Order is prohibited.

10. Discharge of water softener regenerate brine and process backwash water into the OWTS is prohibited.

B. Interim Effluent Limitations Effective until May 19, 2016

1. The 30-day monthly average daily discharge from the OWTS shall not exceed 16,000 gpd.

2. Effluent from the OWTS shall not have a pH below 6.0 or above 9.0.

3. The concentration of total dissolved solids (TDS) in the wastewater discharged from the OWTS shall not exceed 400 mg/L over the TDS concentration of the community water supply.

C. Final Effluent Limitations Effective May 19, 2016

1. Effluent from the waste water treatment shall not exceed the following limits:

Constituent	Unit	Monthly Average	Weekly Average	Daily Maximum
BOD5[1]	mg/L	30	45	65
Total Suspended Solids	mg/L	30	45	65
Nitrogen (as Total Nitrogen)	mg/L	10	15	20
Total Dissolved Solids (TDS)	mg/L	550	--	--

[1]5-day biochemical oxygen demand at 20 °C.

D. Groundwater Limitations

1. Discharge of waste constituents from the OWTS shall not cause groundwater to:

a. Contain constituents in excess of California Maximum Contaminant Levels (MCLs), as set forth in the California Code of Regulations, Title 22, Section 64426.1 for bacteriological constituents; Section 64431 for inorganic chemicals; Section 64432.1 for nitrates; and Section 64444 for organic chemicals;

b. Acquire taste, odor, toxicity, or color that creates nuisance or impairs beneficial use.

E. Discharge Specifications

1. Septic tanks shall be monitored on a rotating basis. In the event that the effluent limitations for pH or TDS are exceeded, the Discharger shall resample the discharge within two (2) weeks of obtaining the initial sample results. Should the results of the second sampling exceed the pH or TDS effluent limitations, the Discharger shall have the septic tank pumped by a duly authorized septage hauler.

2. All treatment, storage, and disposal areas shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.

3. Objectionable odors originating at this facility shall not be perceivable beyond the limits of the OWTS and disposal area.

4. No wastewater other than domestic wastewater shall be discharged into the sewage disposal system.

5. Septic tank cleanings shall be discharged only by a duly authorized service.

6. Septic tank system shall be maintained to remain effective in treating domestic wastewater.

7. The discharge shall not cause degradation of groundwater nor adversely affect any of beneficial uses.

F. Provisions

Special Provisions

1. Sufficient land area shall be reserved for possible 100 percent replacement of the seepage pits, until such time as the Facility is connected to a municipal sewer system. Replacement seepage pits its shall be installed in accordance with Title 22, Chapter 16, Section 64630 of the Water Works Standards of the California Water Code.

2. The Discharger shall install a “dry sewer” line, in addition to the piping and appurtenances required for the OWTS and seepage pits, which will be used to connect to the HDWD sewer when it becomes available.

3. **By May 19, 2015**, the Discharger shall submit an updated ROWD including all of the necessary plans, specifications, milestones, and a time schedule to upgrade the onsite level of treatment and ensure compliance with the May 19, 2016 Basin Plan Prohibition deadline and compliance with all of the terms of this Order, particularly the Final Effluent Limitations under Section C.1. The Discharger shall implement the approved time schedule and treatment upgrade, unless the HDWD sewer collection system is available

and functioning by May 19, 2016.

Standard Provisions

4. The Discharger shall comply with all of the conditions of this Board Order. Noncompliance is a violation of the Porter-Cologne Water Quality Control Act (CWC, Section 13000 et seq.), and grounds for enforcement action.

5. The Discharger shall comply with Monitoring and Reporting Program (MRP) R7-2013-0058, and future revisions thereto, as specified by the Regional Water Board's Executive Officer.

6. The Discharger shall not cause degradation of any water supply in accordance with State Water Resources Control Board Resolution 68-16.

7. 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.

8. The Discharger shall at all times properly operate and maintain all systems and components of collection, treatment and control, installed or used by the Discharger to achieve compliance with this Board Order. Proper operation and maintenance includes effective performance, adequate process controls, and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities/systems when necessary to achieve compliance with this Board Order. All systems in service or reserved shall be inspected and maintained on a regular basis. Records of inspections and maintenance shall be retained, and made available to the Regional Water Board's Executive Officer on request.

9. 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.

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

    a. Enter the premises regulated by this Board Order, or the place where records are kept under the conditions of this Board Order;

    b. Have access to and copy, at reasonable times, records 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.

11. Disposal of oil and grease, screenings, and other solids collected from liquid wastes shall be pursuant to Title 27, and the review and approval of the Regional Water Board's Executive Officer.

12. The Discharger shall maintain a permanent log of all septage hauled away from the treatment facility for disposal elsewhere and shall provide a summary of the volume and the destination in accordance with the MRP of this Board Order.

13. The Discharger shall provide a report to the Regional Water Board when it determines that the plant's average dry-weather flow rate for any month exceeds 80 percent of the design capacity. The report should indicate what steps, if any, the discharger intends to take to provide for the expected wastewater treatment capacity necessary when the facility reaches design capacity.

14. Prior to implementing a modification that results in a material change in the quality or quantity of wastewater treated or discharged, or a material change in the location of discharge, the Discharger shall report all pertinent information in writing to the Regional Water Board, and obtain revised requirements.

15. Prior to a change in ownership or management of OWTS, 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 Water Board.

16. The Discharger shall provide adequate notice to the Regional Water Board's Executive Officer of the following:

    a. The introduction of pollutants into any treatment facility described in the Findings of this Board Order from an indirect Discharger which would be subject to Section 301 or 306 of the Clean Water Act, if the pollutants were discharged directly;

    b. Any substantial change in the volume or character of pollutants introduced into any treatment facility described in the Findings of this Board Order, by an existing or new source; and

    c. Any planned physical alteration or addition to the facilities described in this Board Order, or change planned in the Discharger's sludge use or disposal practice, where such alterations, additions, or changes may justify the application of Board Order conditions that are different from or absent in the existing Board Order, including notification of additional disposal sites not reported during the Board Order application process, or not reported pursuant to an approved land application plan.

17. The Discharger shall report orally, any noncompliance that may endanger human health or the environment. The noncompliance shall be reported immediately to the Regional Water Board's Executive Officer, and the Office of Emergency Services as soon as:

    a. The Discharger has knowledge of the discharge,

    b. Notification is possible, and

    c. Notification will not substantially impede cleanup or other emergency measures.

    During non-business hours, the Discharger shall leave a message on the Regional Water Board's office voice recorder at (760) 346-7491. A written report shall also be provided within five (5) business days of the time the discharger becomes aware of the incident. The written report shall contain a description of the noncompliance and its cause, the period of noncompliance, the anticipated time to achieve full compliance, and the steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance. The discharger shall report all intentional or unintentional spills in excess of one thousand (1,000) gallons occurring within the facility or collection system to the Regional Water Board office in accordance with the above time limits.

18. The Discharger shall report all instances of noncompliance. Reports of noncompliance

shall be submitted with the Discharger's next scheduled SMR or earlier if requested by the Regional Water Board's Executive Officer, or if required by an applicable standard for sludge use and disposal.

19. By-pass (i.e., the intentional diversion of waste streams from any portion of the treatment facilities, except diversions designed to meet variable effluent limits) is prohibited. The Regional Water Board may take enforcement action against the Discharger for by-pass unless:

    a. By-pass was unavoidable to prevent loss of life, personal injury, or severe property damage. Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to be inoperable, or substantial and permanent loss of natural resources reasonably expected to occur in the absence of a by-pass. Severe property damage does not mean economic loss caused by delays in production; and

       There were no feasible alternatives to by-pass, such as the use of auxiliary treatment facilities or retention of untreated waste. This condition is not satisfied if adequate back-up equipment was not installed to prevent by-pass occurring during equipment downtime, or preventive maintenance.

    b. By-pass is:

       i. Required for essential maintenance to assure efficient operation; and

       ii. Neither effluent nor receiving water limitations are exceeded; and

       iii. The Discharger notifies the Regional Water Board ten (10) days in advance.

20. In the event of an unanticipated by-pass, the Discharger shall immediately report the incident to the Regional Water Board. During non-business hours, the Discharger shall leave a message on the Regional Water Board's office voice recorder. A written report shall be provided within five (5) business days the Discharger is aware of the incident. The written report shall include a description of the by-pass, any noncompliance, the cause, period of noncompliance, anticipated time to achieve full compliance, and steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance.

Limitations

21. This Board Order does not authorize violation of any federal, state, or local laws or regulations.

22. This Board Order does not convey property rights of any sort, or exclusive privileges, nor does it authorize injury to private property or invasion of personal rights, or infringement of federal, state, or local laws or regulations.

23. This Board Order may be modified, rescinded, or reissued, for cause. The filing of a request by the Discharger for a Board Order modification, rescission or reissuance, or notification of planned changes or anticipated noncompliance, does not stay any Board Order condition. Causes for modification include a change in land application plans, or sludge use or disposal practices, and adoption of new regulations by the State or Regional Water Board (including revisions to the Basin Plan), or Federal government.

I, Robert Perdue, 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 20, 2013.

ROBERT PERDUE
Executive Officer

June 20, 2013
Date

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

MONITORING AND REPORTING PROGRAM R7-2013-0058
FOR
YUCCA VALLEY SENIOR HOUSING, OWNER/OPERATOR
YUCCA VALLEY SENIOR HOUSING ONSITE WASTEWATER TREATMENT SYSTEM
Yucca Valley – San Bernardino County

Location of Wastewater Treatment Facilities and Discharges:
Latitude/ Longitude, 34.11208° N / Longitude 116.4183° W

A. Monitoring

1. This Monitoring and Reporting Program (MRP) describes requirements for monitoring a wastewater system and groundwater quality (when needed). This MRP is issued pursuant to California Water Code (Water Code) Section 13267. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Executive Officer.

2. Water Code section 13267 states, in part:

   > "In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."

3. Water Code section 13268 states, in part:

   > "(a) (1) Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of § 13267, or failing or refusing to furnish a statement of compliance as required by subdivision (b) of Section 13399.2, or falsifying any information provided therein, is guilty of a misdemeanor, and may be liable civilly in accordance with subdivision (b). (b) (1) Civil liability may be administratively imposed by a regional board in accordance with Article 2.5 (commencing with Section 13323) of Chapter 5 for a violation of subdivision (a) in an amount which shall not exceed one thousand dollars ($1,000) for each day in which the violation occurs."

4. The Discharger owns and operates the wastewater system that is subject to Board Order R7-2013-0058. The reports are necessary to ensure that the Discharger complies with the Order. Pursuant to Water Cole section 13267, the Discharger shall implement the MRP

and shall submit the monitoring reports described herein.

5. All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. The time, date, and location of each grab sample shall be recorded on the sample chain of custody form. If composite samples are collected, the basis for sampling (time or flow weighted) shall be approved by Regional Water Board staff.

6. Field test instruments (such as those used to test pH, dissolved oxygen, and electrical conductivity) may be used provided that:
   a. The user is trained in proper use and maintenance of the instruments;
   b. The instruments are field calibrated prior to monitoring events at the frequency recommended by the manufacturer;
   c. Instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
   d. Field calibration reports are submitted as described in the "Reporting" section of this MRP.

7. The collection, preservation and holding times of all samples shall be in accordance with United States Environmental Protection Agency (USEPA) approved procedures. Unless otherwise approved by the Regional Water Board's Executive Officer, all analyses shall be conducted by a laboratory certified by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of the "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40 CFR Part 136), promulgated by the USEPA.

8. 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. In the event that continuous monitoring equipment is out of service for period greater than 24-hours, the Discharger shall obtain representative grab samples each day the equipment is out of service. The Discharger shall correct the cause(s) of failure of the continuous monitoring equipment as soon as practicable. The Discharger shall report the period(s) during which the equipment was out of service and if the problem has not been corrected, shall identify the steps which the Discharger is taking or proposes to take to bring the equipment back into service and the schedule for these actions.

9. Samples shall be collected at the location specified in the WDRs. If no location is specified, sampling shall be conducted at the most representative sampling point available.

10. Given the monitoring frequency prescribed by MRP R7-2013-0058, if only one sample is available for a given reporting period, compliance with monthly average, or weekly average Discharge Specifications, will be determined from that sample.

11. 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, 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.

c. Records of monitoring information shall include:

   i. The date, exact place, and time of sampling or measurements.

   ii. The individual(s) who performed the sampling or measurements.

   iii. The date(s) analyses were performed.

   iv. The individual(s) who performed the analyses.

   v. The analytical techniques or methods used; and

   vi. The results of such analyses.

12. 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 Water Board indicating that there has been no activity during the required reporting period.

OWTS Effluent Monitoring

13. The Discharger shall monitor effluent from the OWTS according to the following schedule:

Constituent	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Flow (Total Plant Effluent)	MGD	Estimate	Daily	Monthly
pH	pH units	Grab	Monthly	Monthly
Total Dissolved Solids	mg/L	Grab	Monthly	Monthly
Nitrate (NO_3^-N) as N	mg/L	Grab	Monthly	Monthly
Total Nitrogen	mg/L	Grab	Monthly	Monthly
Total Phosphorous	mg/L	Grab	Monthly	Monthly
Volatile Organic Compounds[4]	µg/L[5]	Grab	Annual	Annual

Water Supply to the Community

14. The domestic water supply shall be monitored according to the following schedule:

Constituent	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Total Dissolved Solids	mg/L	Grab	Monthly	Monthly

[4] Analysis of Volatile Organic Compounds is to be accomplished using the USEPA test methods 601 and 602 or 624.
[5] Micrograms per Liter.

Septage Disposal Monitoring

15. The Discharger shall report annually on the quantity, location and method of disposal of all septage and similar solid materials being produced at the OWTS. If no septage is disposed of during the year being reported, the Discharger shall state “No Sepatage Removed” in the annual monitoring report.

B. Reporting

1. The Discharger shall inspect and document any operation/maintenance problems by inspecting each unit process. In addition, calibration of flow meters and equipment shall be performed in a timely manner and documented. Operation and Maintenance reports shall be submitted to the Regional Water Board Office annually.

2. 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 WDRs. Where appropriate, the Discharger shall include supporting calculations (e.g., for monthly averages).

3. The results of any analysis taken, more frequently than required at the locations specified in this MRP shall be reported to the Regional Water Board.

4. SMR shall be certified under penalty of perjury to be true and correct, and shall contain the required information at the frequency designated in this MRP.

5. 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 a fine and imprisonment for knowing violations".

6. The SMR, and other information requested by the Regional Water Board, shall be signed by a principal executive officer or ranking elected official.

7. 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 Water Board's Executive Officer.

8. The Discharger shall report any failure in the facility (wastewater treatment plant, and collection and disposal systems). The incident shall be reported immediately to the Regional Water Board’s Executive Officer as soon as:

   a. The Discharger has knowledge of the discharge,

   b. Notification is possible, and

   c. Notification will not substantially impede cleanup or other emergency measures.

Results of analyses performed shall be provided within 15 days of sample collection.

9. The Discharger shall attach a cover letter to the SMR. The information contained in the cover letter shall clearly identify violations of the WDRs, discuss corrective actions taken or planned and the proposed time schedule of corrective actions. Identified violations should include a description of the requirement that was violated and a description of the violation.

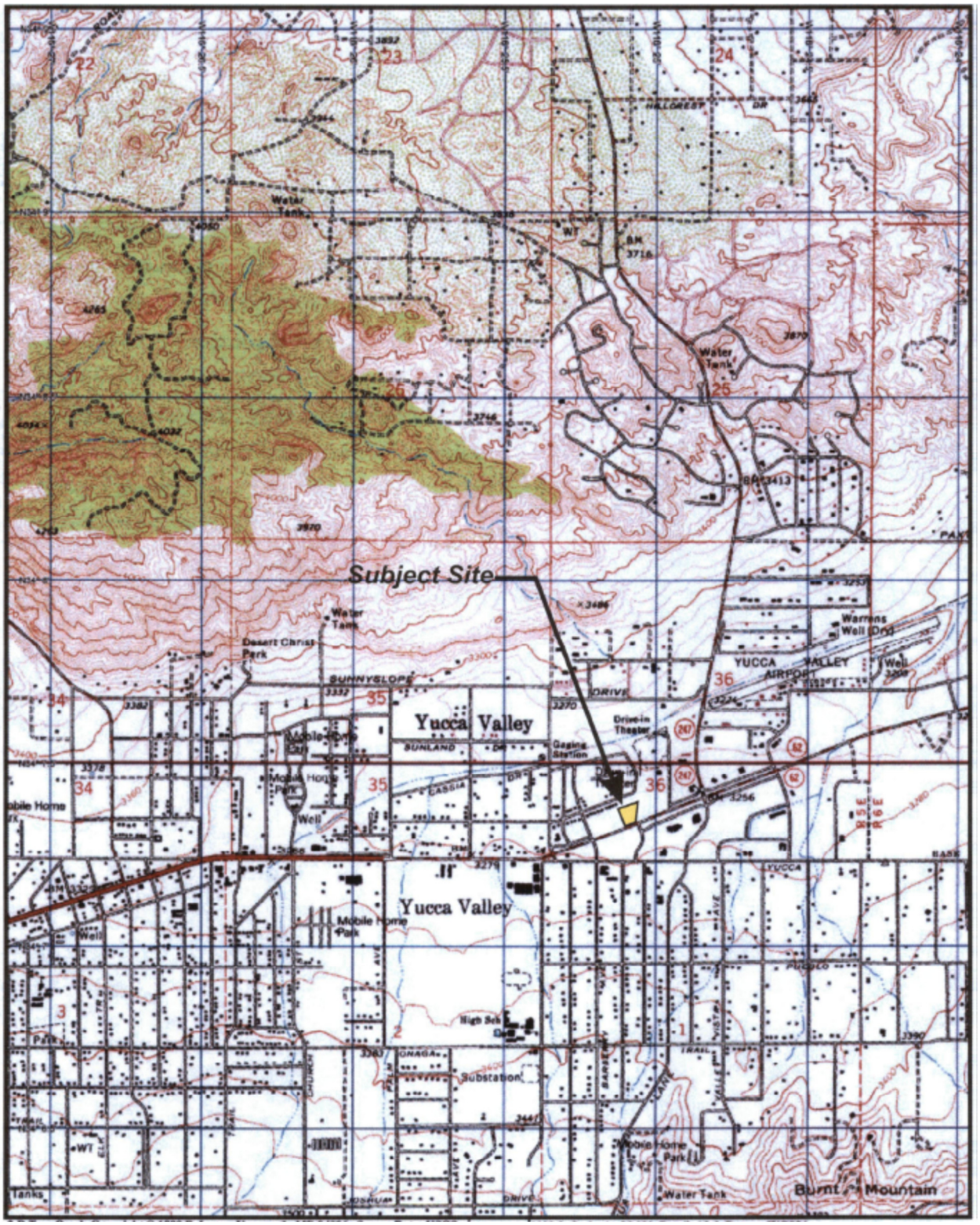
10. Daily, weekly, and monthly monitoring shall be included in the monthly monitoring report. Monthly monitoring reports shall be submitted to the Regional Water Board by the 15th day of the following month. Quarterly monitoring reports shall be submitted by January 15th, April 15th, July 15th and October 15th. Annual monitoring reports shall be submitted to the Regional Water Board by January 15th of the following year.

11. The Discharger shall submit monitoring reports to:

    California Regional Water Quality Control Board
    Colorado River Basin Region
    73720 Fred Waring, Suite 100
    Palm Desert, CA 92260

Ordered By: _____
ROBERT PERDUE
Executive Officer

June 20, 2013
Date



Discharge Location: Latitude 34.11208° N, Longitude 116.4183° W

ATTACHMENT A – SITE MAP