

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**ORDER NO. 97-52
WASTE DISCHARGE AND WATER RECYCLING REQUIREMENTS
FOR THE PRODUCTION AND PURVEYANCE OF RECYCLED WATER BY
MEMBER AGENCIES OF THE
SOUTH ORANGE COUNTY RECLAMATION AUTHORITY,
ORANGE COUNTY**

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), finds that:

1. On September 12, 1992, this Regional Board adopted Order No. 92-67, *South Orange County Reclamation Authority, Orange County, Consolidation of Requirements*. Order No. 92-67 prescribed recycled water production and purveyance requirements to the South Orange County Reclamation Authority (SOCRA) and its member agencies. The current membership of SOCRA is shown in Table 1.

Table 1

SOCRA MEMBER AGENCIES

AGENCIES	MEMBERSHIP STATUS
Capistrano Beach Water District	MEMBER
Capistrano Valley Water District	MEMBER
El Toro Water District	MEMBER
Irvine Ranch Water District	ASSOCIATE MEMBER
Los Alisos Water District	MEMBER
Moulton Niguel Water District	MEMBER
Santa Margarita Water District	MEMBER
South Coast Water District	ASSOCIATE MEMBER
Trabuco Canyon Water District	MEMBER

The institutional boundaries of SOCRA and its member agencies are shown in Figure 1.

2. On April 28, 1997, David A. Caretto, General Manager of SOCRA, submitted a Report of Waste Discharge in application for modified waste discharge requirements. The requested modifications of Order No. 92-67 included increased production and reuse volumes, changes to the Monitoring and Reporting Program and changes to effluent limitations. The application was determined complete on July 1, 1997.
3. This Order regulates discharges of recycled water within the service areas of all member agencies of SOCRA, except for the South Coast Water District (SCWD). Discharges within the SCWD service area are regulated under Order No. 97-19,

Waste Discharge and Water Recycling Requirements for the South Coast Water District Advanced Wastewater Treatment Plant, Orange County. South Coast Water District has an agreement with Moulton Niguel Water District to provide up to 1000 acre-feet per year to Moulton Niguel Water District for distribution.

4. El Toro Water District (ETWD) produces secondarily treated recycled water. Recycled water from ETWD is delivered to one user, Professional Community Management. The recycled water is used for irrigation purposes. Professional Community Management lies entirely within the Santa Ana Regional Board jurisdiction. El Toro Water District is regulated under Order No. 94-03, issued by the Santa Ana Regional Board. Secondarily treated recycled water is not provided to SOCRA for distribution within this Regional Board's jurisdiction.
5. The sanitation agencies shown in Table 2 are responsible for the collection, treatment, and/or disposal of sewage within SOCRA.

Table 2

SANITATION AGENCIES WITHIN SOCRA

AGENCIES
Capistrano Beach Water District
Dana Point Sanitary District
El Toro Water District
Emerald Bay Service District
City of Laguna Beach
Los Alisos Water District
Moulton Niguel Water District
City of San Clemente
City of San Juan Capistrano
Santa Margarita Water District
South Coast Water District
Trabuco Canyon Water District

6. The Aliso Water Management Agency (AWMA) is a joint powers authority formed to operate regional sewage treatment and disposal facilities, including an ocean outfall, on behalf of its member agencies within the Aliso watershed. Table 3 lists the AWMA member agencies.

Table 3

ALISO WATER MANAGEMENT AGENCY MEMBERS

AGENCIES
El Toro Water District Emerald Bay Service District City of Laguna Beach Los Alisos Water District Moulton Niguel Water District South Coast Water District

7. The South East Regional Reclamation Authority (SERRA) is a joint powers authority formed to operate regional sewage treatment and disposal facilities, including an ocean outfall, for the benefit of its member agencies, as shown in Table 4. SERRA encompasses that area of south Orange County north of the Orange/San Diego County boundary and south of the AWMA jurisdiction.

Table 4

SOUTH EAST REGIONAL RECLAMATION AUTHORITY MEMBERS

AGENCIES
Capistrano Beach Water District Dana Point Sanitary District Moulton Niguel Water District City of San Clemente City of San Juan Capistrano Santa Margarita Water District

8. The City of San Clemente is not a member of SOCRA. However, the City of San Clemente may provide recycled water to SOCRA for distribution within the SOCRA service area. The City of San Clemente's Water Reclamation Plant is regulated under Order No. 91-50, *Waste Discharge Requirements for the City of San Clemente Water Reclamation Plant, Reclamation Projects, Orange County*.
9. Table 5 lists the existing Title 22 capacity and production and planned future Title 22 capacity for each SOCRA member agency and for SERRA and the City of San Clemente, which may provide recycled water to the SOCRA service area in the future.
10. Table 6 indicates the current annual volume and projected ultimate annual volume of recycled water for use in each hydrologic subunit within SOCRA.

Table 5

EXISTING AND PROPOSED RECYCLED WATER PRODUCTION
FOR SOCRA SERVICE AREA

AGENCY	FACILITY	SOCRA SERVICE AREA TITLE 22 CAPACITY ^{A,B}			
		EXISTING ORDER	CURRENT PERMITTED WASTE DISCHARGE (MGD)	CURRENT PRODUCTION (MGD) ^J	PROPOSED WASTE DISCHARGE ^H (MGD)
CBWD	CBWD WPCF	92-67	2.80	0.00	2.80
SERRA	SERRA WPCF	NONE	0.00	0.00	7.00
ETWD	El Toro AWT	94-03 ^C	2.60 ^{D,E}	0.33 ^{D,E}	2.60 ^{D,E}
IRWD	Michelson WRP	92-67	0.00	0.00	0.00
LAWD	Los Alisos AWT	94-03 ^C	5.50 ^{E,F}	1.27 ^E 0.13 ^F	5.50 ^{E,F}
MNWD	Joint Regional Plant Plant 3A WRP AWMA Coastal WRP	92-67	4.80	0.84	11.40
		92-67	2.40	0.79	5.20
		92-67	0.00	0.89 ^G	0.89 ^G
CSC	San Clemente WRP	91-50	0.00	0.79 ^I	4.40 ^I
SMWD	Chiquita WRP Oso Creek WRP Nichols Institute	92-67	6.00	0.00	7.50
		92-67	3.00	0.00	3.00
		92-67	0.08	0.02	0.08
SCWD	SCWD WRP	97-19	0.00 ^G	0.89 ^G	0.89 ^G
TCWD	Robinson Ranch WRP	92-67	1.10	0.65	1.10

Footnotes:

- A Tertiary disinfected effluent unless otherwise noted; produced in and for Region 9 unless otherwise noted.
- B Capacities expressed as 30-day average.
- C Order adopted by RWQCB, Santa Ana Region (Region 8).
- D Secondary disinfected effluent.
- E Santa Ana Region (Region 8).
- F San Diego Region (Region 9).
- G Agreement between SCWD and MNWD for SCWD to provide up to 1000 AF/yr to MNWD.
- H These values are planned or proposed increases in flow during the 5 year permit period.
- I The City of San Clemente is not currently providing recycled water to the SOCRA service area, however, the City may provide recycled water to SOCRA and may receive recycled water from SMWD in the future.
- J 1996 values.

Table 6

EXISTING AND PROPOSED RECYCLED WATER USE
BY HYDROLOGIC SUBUNIT FOR SOCRA SERVICE AREA

HYDROLOGIC SUBUNIT	HYDROLOGIC NAME	CURRENT PERMITTED VOLUME OF USE (AC-FT/YR)	CURRENT VOLUME OF USE (AC-FT/YR) ^A	PROPOSED VOLUME OF USE (AC-FT/YR)
REGION 8		6129	2428	6129
1.10	LAGUNA HA			
1.11	San Joaquin Hills HSA	0.00	0.00	0.00
1.12	Laguna Beach HSA	502	0.00	1026
1.13	Aliso HSA	7330	1280	10494
1.14	Dana Point HSA	4280	1359	5804
1.20	MISSION VIEJO HA	19349	5081	
1.21	Oso HSA			7168
1.22	Upper Trabuco HSA			420
1.23	Middle Trabuco HSA			4232
1.24	Gobernadora HSA			4148
1.25	Upper San Juan HSA			977
1.26	Middle San Juan HSA			0.00
1.27	Lower San Juan HSA			4396
1.28	Ortega HSA			2758
1.30	SAN CLEMENTE HA	3890	706	3890
1.40	SAN MATEO CANYON HA	900	265	837
SOCRA		36251	11119	52279

A 1996 Values.

11. Definitions:

AWMA - Aliso Water Management Agency

CCR - California Code of Regulations

CBWD - Capistrano Beach Water District

CEQA - California Environmental Quality Act

CFR - Code of Federal Regulations

Common Facilities - Recycled water distribution facilities connected with more than one distributor.

CWC - California Water Code

CSJC - City of San Juan Capistrano

CVWD - Capistrano Valley Water District

CSC - City of San Clemente

ETWD - El Toro Water District

Executive Officer - Executive Officer of the California Regional Water Quality Control Board, San Diego Region

IRWD - Irvine Ranch Water District

LAWD - Los Alisos Water District

MNWD - Moulton Niguel Water District

NPDES - National Pollutant Discharge Elimination System

Recycled Water - Water which, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur (Water Code Section 13050(n)).

Recycled Water Agency - means the public water system, or a publicly owned or operated recycled water system, proposing to deliver recycled water to a facility.

Recycled Water Producer - Any person, agency, business, or organization treating wastewater so that it is suitable for direct beneficial use or controlled use that would not otherwise occur and allowing such uses to occur.

Recycled Water Purveyance Requirements - Requirements issued by a Regional Water Board to regulate the producer, distributor, and/or user of recycled water.

RWQCB - Regional Water Quality Control Board

SMWD - Santa Margarita Water District

SCWD - South Coast Water District

SERRA - South East Regional Reclamation Authority

SOCRA - South Orange County Reclamation Authority

TDS - Total Dissolved Solids

TCWD - Trabuco Canyon Water District

User - Any person, group, firm, partnership, corporation, association, agency, business, or organization receiving recycled water directly or indirectly from a producer and thereafter either distributing the water to others or applying it to a beneficial use. (There may be more than one user for any single producer.)

WDR - Waste Discharge Requirements

12. Under California Water Code (CWC) Section 13263 the San Diego RWQCB shall prescribe waste discharge requirements for any discharge of waste within the region which could affect water quality in the region. Waste discharge requirements must ensure compliance with applicable water quality control plans and prevent pollution, contamination, and nuisance. Under Water Code Section 13523 the San Diego RWQCB must, if necessary to protect the 'public health, safety and welfare,' prescribe water reclamation requirements for water which is used or proposed to be used as recycled water. In lieu of issuing waste discharge requirements for each user of recycled water, the Regional Board, pursuant to CWC Section 13523.1, may establish master water reclamation requirements which are issued to a producer or distributor, or both. The joint powers agreement creating SOCRA authorizes SOCRA to receive a single order, on behalf of its member agencies, containing both waste discharge requirements and water recycling requirements governing the production, distribution, use, and discharge of recycled water within the SOCRA jurisdictional area.
13. The Regional Board, acting in accord with Section 13244 of the California Water Code, adopted the Water Quality Control Plan for the San Diego Basin (9), (hereinafter Basin Plan) on September 8, 1994. The Basin Plan was subsequently approved by the State Water Resources Control Board (SWRCB) on December 13, 1994. Subsequent revisions to the Basin Plan have also been adopted by the Regional Board and approved by the SWRCB. The Basin Plan contains beneficial uses and water quality objectives. The requirements of this Order are consistent with the Basin Plan.

Tables 7 and 8 show the various hydrologic areas within SOCRA and their designated beneficial uses for ground and surface waters, respectively.

Table 7
EXISTING AND POTENTIAL BENEFICIAL USES OF GROUND WATERS

HYDROLOGIC AREAS AND SUBAREAS	FOOT- NOTES	M U N	A G R	I N D	P R O C	G W R	R E C 1
1.10 Laguna HA							
1.11 San Joaquin Hills HSA	A	•	•				
1.12 Laguna Beach HSA	A	•	•				
1.13 Aliso HSA	B	•	•				
1.14 Dana Point HSA	A	+	•				
1.20 Mission Viejo HA							
1.21 Oso HSA		•	•	•			
1.22 Upper Trabuco HSA		•	•	•			
1.23 Middle Trabuco HSA		•	•	•			
1.24 Gobernadora HSA		•	•	•			
1.25 Upper San Juan HSA		•	•	•			
1.26 Middle San Juan HSA		•	•	•			
1.27 Lower San Juan HSA	C	•	•	•			
1.28 Ortega HSA		•	•	•			
1.30 San Clemente HA							
1.31 Prima Deshecha HSA	B	•	•				
1.32 Segunda Deshecha		+					
1.40 San Mateo Canyon HA	B	•	•	•			

HSA = Hydrologic Subarea

HA = Hydrologic Area

Definitions: • = Existing Beneficial Use per the 1994 Water Quality Control Plan

+ = Excepted from MUN

Footnotes:

- A These beneficial uses do not apply to all lands on the coastal side of the inland boundary of the right-of-way of Pacific Coast Highway 1, and this area is excepted from the sources of drinking water policy. The beneficial uses for the remainder of HA 1.10 are as shown.
- B These beneficial uses do not apply westerly of the easterly boundary of the of the right-of-way of Interstate Highway 5 and this area is excepted from sources of drinking water policy. The beneficial uses for the remainder of the hydrologic area are as shown.
- C These beneficial uses do not apply to all lands on the coastal side of the inland boundary of the right-of-way of Pacific Coast Highway 1 west of the San Juan Creek channel and this area is excepted from the sources of drinking water policy. The beneficial uses for the remainder of HA 1.20 are as shown.

Table 8

EXISTING AND POTENTIAL BENEFICIAL USES OF INLAND SURFACE WATERS

HYDROLOGIC	BENEFICIAL USE
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AREAS AND SUBAREAS																			
	MUN	AGR	IND	PROC	GR	FRSH	NAV	POW	REC1	REC2	COMM	WARM	COLD	SAL	WILD	RARE	MAR	MIGR	SPWN
1.10 Laguna HA																			
1.11 San Joaquin HSA	+	•							o	•		•			•				
1.12 Laguna Beach HSA	+	•							o	•		•			•				
1.13 Aliso HSA	+	•							o	•		•			•				
1.14 Dana Point HSA	+	•							o	•		•			•				
1.20 San Juan HA																			
1.21 Oso HSA	+	•	•						•	•		•	•		•				
1.22 Upper Trabuco HSA	+	•	•						•	•		•	•		•				
1.23 Middle Trabuco HSA	+	•	•						•	•		•	•		•				
1.24 Gobernadora HSA	+	•	•						•	•		•	•		•				
1.25 Upper San Juan HSA	+	•	•						•	•		•	•		•				
1.26 Middle San Juan HSA	+	•	•						•	•		•	•		•				
1.27 Lower San Juan HSA	+	•	•						•	•		•	•		•				
1.28 Ortega HSA	+	•	•						•	•		•	•		•				
1.30 San Clemente HA																			
1.31 Prima Deshecha HSA	+	•							o	•		•			•				
1.32 Segunda Deshecha HSA	+	•							o	•		•			•				
1.40 San Mateo HA	+								o	•		•			•	*			

HA = Hydrologic Area
HSA = Hydrologic Subarea

Definitions:

- = Existing Beneficial Use per the Comprehensive Water Quality Control Plan 1994
- o = Potential Beneficial Use per the Comprehensive Water Quality Control Plan 1994
- = Excepted from MUN
- * The Rare beneficial use applies only to portions of San Mateo Creek and to Wildhorse Canyon only.

Water quality objectives for ground and surface waters are shown in Tables 9 and 10, respectively.

Table 9

WATER QUALITY OBJECTIVES FOR GROUNDWATER

(Concentrations not to be exceeded more than 10% of the time during any one year period)
(mg/L or as noted)

HYDROLOGIC AREAS AND SUBAREAS	FOOT- NOTE	TDS	CL	SO ₄	% Na	NO 3	Fe	Mn	M B A S	B	O D O R	TURB NTU	COL- OR UNITS	F
1.10 Laguna HA														
1.11 San Joaquin Hill HSA		1200	400	500	60	10	0.3	0.05	0.5	0.75	NONE	5	15	1.0
1.12 Laguna Beach HSA		1200	400	500	60	45	0.3	0.05	0.5	0.75	NONE	5	15	1.0
1.13 Aliso HSA		1200	400	500	60	45	0.3	0.05	0.5	0.75	NONE	5	15	1.0
1.14 Dana Point HSA		1200	400	500	60	45	0.3	0.05	0.5	0.75	NONE	5	15	1.0
1.20 Mission Viejo HA														
1.21 Oso HSA		1200	400	500	60	45	0.3	0.05	0.5	0.75	NONE	5	15	1.0
1.22 Upper Trabuco HSA		500	250	250	60	45	0.3	0.05	0.5	0.75	NONE	5	15	1.0
1.23 Middle Trabuco HSA		750	375	375	60	45	0.3	0.05	0.5	0.75	NONE	5	15	1.0
1.24 Gobernadora HSA		1200	400	500	60	45	0.3	0.05	0.5	0.75	NONE	5	15	1.0
1.25 Upper San Juan HSA		500	250	250	60	45	0.3	0.05	0.5	0.75	NONE	5	15	1.0
1.26 Middle San Juan HSA		750	375	375	60	45	0.3	0.05	0.5	0.75	NONE	5	15	1.0
1.27 Lower San Juan HSA		1200	400	500	60	45	0.3	0.05	0.5	0.75	NONE	5	15	1.0
1.28 Ortega HSA		1100	375	450	60	45	0.3	0.05	0.5	0.75	NONE	5	15	1.0
1.30 San Clemente HA														
1.31 Prima Deshecha HSA		1200	400	500	60	10	0.3	0.05	0.5	0.75	NONE	5	15	1.0
1.32 Segunda Deshecha HSA		1200	400	500	60	10	0.3	0.05	0.5	0.75	NONE	5	15	1.0
1.40 San Mateo Canyon HA	A,B	500	250	250	60	45	0.3	0.05	0.5	0.75	NONE	5	15	1.0

HA = Hydrologic Area
HSA = Hydrologic Subarea

Source: Water Quality objectives per the Comprehensive Water Quality Control Plan 1994.

Footnotes:

- A The water quality objectives do not apply westerly of the easterly boundary of Interstate Highway 5. The objectives for the remainder of the Hydrologic Area (Subarea) are as shown.
- B Detailed salt balance studies are recommended for this area to determine limiting mineral concentration levels for discharge. On the basis on existing data, the tabulated objectives would probably be maintained in most areas. Upon completion of the salt balance studies, significant water quality objective revisions may be necessary. In the interim period of time, projects of ground water recharge with water quality inferior to the tabulated numerical values may be permitted following individual review and approval by the Regional Board if such projects do not degrade existing ground water quality to the aquifers affected by the recharge.

Table 10

WATER QUALITY OBJECTIVES FOR INLAND SURFACE WATERS

(Concentrations not to be exceeded more than 10% of the time during any one year period)														
(mg/L or as noted)														
HYDROLOGIC	TDS	CL	SO ₄	%	N a	Fe	Mn	M B	B	O D	TURB NTU	COLOR UNITS	F	

AREAS AND SUBAREAS				Na	P			A S		O R	NTU	UNITS	
1.10 Laguna HA													
1.11 San Joaquin Hills HSA	1000	400	500	60	A	0.3	0.05	0.5	0.75	NONE	20	20	1.0
1.12 Laguna Beach HSA	1000	400	500	60	A	0.3	0.05	0.5	0.75	NONE	20	20	1.0
1.13 Aliso HSA	1000	400	500	60	A	0.3	0.05	0.5	0.75	NONE	20	20	1.0
1.14 Dana Point HSA	1000	400	500	60	A	0.3	0.05	0.5	0.75	NONE	20	20	1.0
1.20 Mission Viejo HA	500	250	250	60	A	0.3	0.05	0.5	0.75	NONE	20	20	1.0
1.30 San Clemente HA	500	250	250	60	A	0.3	0.05	0.5	0.75	NONE	20	20	1.0
1.40 San Mateo Canyon HA	500	250	250	60	A	0.3	0.05	0.5	0.75	NONE	20	20	1.0

HA = Hydrologic Area
HSA = Hydrologic Subarea

Source: Water Quality objectives per the Comprehensive Water Quality Control Plan 1994.

Footnotes:

- A Concentrations of nitrogen and phosphorus, by themselves or in combination with other nutrients, shall be maintained at levels below those which stimulate algae and emergent plant growth. Threshold total Phosphorus (P) concentrations shall not exceed 0.05 mg/L in any stream at the point where it enters any standing body of water, nor 0.025 mg/L in any standing body of water. A desired goal in order to prevent plant nuisances in streams and other flowing waters appears to be 0.1 mg/L total P. These values are not to be exceeded more than 10% of the time, unless studies of the specific water body in question clearly show that water quality objective changes are permissible and changes are approved by the Regional Board. Analogous threshold values have not been set for nitrogen compounds; however, natural ratios of nitrogen to phosphorus are to be determined by surveillance and monitoring and upheld. If data is lacking, a ratio of N:P = 10:1 shall be used. Note - Certain exceptions to the above water quality objectives are described in Chapter 4 (1994 Comprehensive Water Quality Control Plan) in the Sections titled Discharges to Coastal Lagoons from Pilot Reclamation Projects and Discharges to Surface Waters.

14. Waste Discharge Requirements may be waived for short term usage of recycled water for soil compaction, dust control and other construction purposes as authorized by the Basin Plan, described in Chapter 4, Table 4-4.
15. Wastewater recycling and reuse projects that will occur in the areas under the terms and conditions of this Order will:
 - have maximum benefit to the people of the State, because in the absence of recycled wastewater, imported potable water would be used for irrigation of the recycled water use areas permitted in this Order;
 - not unreasonably affect the beneficial uses of groundwater in the hydrologic areas in which the use of recycled water has been permitted; and
 - not cause the groundwater quality objectives of the hydrologic subareas as currently designated to be exceeded.
16. The Basin Plan has established a policy for the implementation of ground water quality objectives for discharges of recycled water. The policy encourages the use of adequately treated recycled water for irrigation or groundwater recharge in basins where reuse is clearly beneficial.
17. Ocean disposal is permitted via ocean outfall permits for SERRA (Order No. 95-01) and for AWMA (Order No. 95-107) which are not within the authority of SOCRA. This Order does not replace the existing NPDES permits for the treatment and disposal of secondary effluent to the ocean.
18. On September 10, 1992, South Orange County Reclamation Authority approved a Negative Declaration for the use of recycled water within the SOCRA jurisdictional area in accordance with the California Environmental Quality Act (Public Resources Code Section 21000, et seq.), after a public hearing was held. The project as approved by SOCRA will not have a significant effect on water quality.
19. The Final Environmental Impact Report for the SMWD Oso Creek Water Reclamation Plant (WRP) identified a significant water resource related effect of the project: possible degradation of ground and surface water quality in the Oso Creek basin. The Oso Creek Barrier was constructed to assure that possible adverse impacts resulting from the SMWD Oso Creek WRP would be confined to the Oso Creek Basin and that the San Juan Basin would not be degraded. Flows captured at the Oso Creek Barrier are pumped to the Oso Creek WRP and mixed with the plant effluent for discharge to Upper Oso Reservoir.

20. The Basin Plan established the following water quality objectives for waters designated for use as domestic or municipal supply:

CHEMICAL	MAXIMUM CONTAMINANT LEVEL, MG/L
Aluminum	1.
Antimony	0.006
Arsenic	0.05
Asbestos	7 MFL*
Barium	1.
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.2
Mercury	0.002
Nickel	0.1
Nitrate (as NO ₃)	45.
Nitrate + Nitrite (sum as nitrogen)	10.
Nitrite (as nitrogen)	1.
Selenium	0.05
Thallium	0.002
* MFL = million fibers per liter, MCL for fibers exceeding 10 micro-meters in length	

21. This Order prescribes waste discharge and water recycling requirements for SOCRA governing the production, distribution, use and discharge of recycled water within the SOCRA service area which the Regional Board has determined are necessary to protect the public health, safety and welfare pursuant to California Water Code, Division 7, Chapter 7, Sections 13500-13550 ("Water Reclamation Law"). This Order requires that SOCRA ensure compliance by its member agencies and recycled water users within its service area with the terms and conditions of this Order. This Order requires that SOCRA establish and enforce minimum rules and regulations governing the production, distribution, and use of recycled water within the SOCRA service area, which ensure compliance with this Order.
22. The San Diego RWQCB, in establishing the requirements contained herein, considered factors including, but not limited to, the following:
 - (a) Beneficial uses to be protected and water quality objectives reasonably required for that purpose;
 - (b) Other waste discharges;
 - (c) The need to prevent nuisance;
 - (d) Past, present, and potential future beneficial uses of the hydrologic units being considered;
 - (e) Environmental conditions of the hydrologic units;
 - (f) Water quality conditions that could reasonably be achieved through the coordinated control of all factors which affect water quality in the area;
 - (g) Economic considerations;
 - (h) The need for developing housing within the region;
 - (i) The need for reliable water supplies into the area; and
 - (j) The need to develop and use recycled water.
23. The Regional Board has considered all water resource related environmental factors associated with the proposed discharge of waste.
24. The Regional Board has notified SOCRA, all SOCRA members and all known interested parties of the intent to prescribe waste discharge requirements for the proposed discharge.

25. The Regional Board in a public meeting heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, that SOCRA shall, in order to meet the provisions contained in Division 7 of the California Water Code and Regulations adopted thereunder, comply and ensure compliance by its member agencies and their users with the following requirements for the discharge and purveyance of recycled water within the SOCRA service area:

A. DISCHARGE SPECIFICATIONS

1. The discharge for landscape irrigation and other land disposal projects of an effluent containing pollutants in excess of the following limitations is prohibited:

Table A-1

**EFFLUENT LIMITATIONS FOR RECYCLED WATER
COMMON TO ALL FACILITIES WITHIN THE SOCRA AREA**

CONSTITUENT	12 month ¹ Avg. (mg/L)	Daily ² Maximum (mg/L)
Biochemical Oxygen Demand (BOD ₅ @ 20°C)	30	45
Total Suspended Solids	30	45
pH (within limits shown at all times)	6.0 - 9.0	6.0 - 9.0
Total Dissolved Solids	1000	1100
Chloride	375	400
Sulfate	400	450
% Sodium	60	65
Nitrate	45	50
Iron	0.3	0.4
Manganese	0.05	0.06
MBAS	0.5	0.6
Boron	0.67	0.75
Odor	NONE	NONE
Aluminum	1.0	
Arsenic	0.05	
Antimony	0.006	
Barium	1.0	
Beryllium	0.004	
Cadmium	0.005	
Chromium	0.05	
Cyanide	0.2	
Mercury	0.002	
Nickel	0.1	
Selenium	0.05	
Thallium	0.002	

- 1 The 12 month average effluent limitation shall apply to the arithmetic mean of the results of all samples collected during any 12 month consecutive calendar period.
- 2 The daily maximum effluent limitation shall apply to the results of a single composite or grab sample.

2. The 30-day average flow from each facility shall not exceed the Title 22 certified design capacity for that facility. The cumulative discharge from all SOCRA agency treatment facilities shall not exceed **52.36 MGD**.
3. The total annual recycled water use shall not exceed the volume specified in Table 6 of this Order.
4. Total coliform concentration of recycled water produced shall not exceed a MPN (most probable number) of 2.2 per 100 mL, utilizing the bacteriological results of the last seven days for which analyses have been completed and shall not exceed a MPN of 23 per 100 mL in more than one sample in any 30-day period.
5. Turbidity concentration of recycled water produced shall not exceed a daily average value of 2 NTU (Nephelometric turbidity unit), and shall not exceed 5 NTU more than 5% of the time during a 24-hour period and shall not exceed 10 NTU at any time.
6. Disinfection must comply with all requirements of the California Administrative Code, Title 22, Division 4. When chlorine is the disinfectant, disinfection of recycled water shall be accomplished by a chlorine disinfection process that provides a CT (chlorine concentration times modal contact time) value of not less than 450 mg-min/liter at all times with a modal chlorine contact time of at least 90 minutes based on peak design flow. Modal Contact Time is defined as the amount of time elapsed between the time that a tracer, such as salt or dye, is injected into the influent at the entrance to a chamber and the time that the highest concentration of the tracer is observed in the effluent from the chamber.
7. Discharges of recycled water shall not cause a violation of any Prohibition contained in the Water Quality Control Plan.
8. Disposal of captured Oso Creek Barrier flows shall be consistent with Finding 19 of this Order unless an alternative method of disposal is approved by the Executive Officer.

B. RECYCLED WATER PURVEYANCE REQUIREMENTS

1. SOCRA shall ensure that all recycled water producers within its jurisdictional area shall establish new, or have existing, **Rules and Regulations for Recycled Water Users** governing the design and construction of recycled water use facilities and the use of recycled water. SOCRA shall ensure that the rules and regulations are implemented and enforced with respect to the recycled water users. SOCRA shall certify, within 30 days of the adoption of this Order, that SOCRA's and SOCRA's member agencies' Rules and Regulations for Recycled Water Users are consistent with Attachment 1 to this Order.
2. SOCRA shall certify, within 30 days of the adoption of this Order, that all recycled water distributors have developed and submitted to SOCRA a program to conduct compliance inspections of recycled water use sites to determine the status of compliance with the Rules and Regulations for Recycled Water Users.
3. SOCRA shall certify, within 30 days of the adoption of this Order, that the following information has been developed and is available to the State and County Health Departments for all current recycled water use areas:
 - a) The number, location, and type of facilities within the use area proposing to use domestic and recycled water. "Facility" means any type of building or structure, or defined area of specific public use that utilizes or proposes to utilize a dual plumbed system.
 - b) The average number of persons estimated to be served at each use area on a daily basis.
 - c) The specific boundaries of the proposed use site area including a map showing the location of each facility, drinking water fountain and impoundment to be served.
 - d) The person or persons responsible for operation of the recycled water system at each use area.
 - e) The specific use to be made of the recycled water at each use area.
 - f) The methods to be used by the recycled water agency to assure that the installation and operation of the recycled water system will not result in cross connections between the recycled water piping system and the potable water piping system. This shall include a description of pressure, dye or other test methods to be used to test the system.
 - g) Plans and specifications shall include the following and shall be submitted upon request to the State and County Health Departments:

- 1) Proposed piping system to be used,
 - 2) Pipe locations of both the recycled and potable systems,
 - 3) Type and location of the outlets and plumbing fixtures that will be accessible to the public,
 - 4) The methods and devices to be used to prevent backflow of recycled water into the public water system,
 - 5) Plan notes relating to recycled water specific installation and use requirements.
4. Prior to providing recycled water to a new use site, SOCRA shall ensure that the recycled water agency has done the following:
 - a) Submitted for review and approval a report that either certifies that the new use site conforms with what is described in the master plan or documents that all criteria described in *Recycled Water Purveyance Requirements B.3* has been submitted to and approved by the appropriate regulatory agency. Information submitted as a supplement to the master plan shall document compliance with any criteria, as described by *Recycled Water Purveyance Requirements B.3*, not met through submittal of the master plan.
 - b) Submitted for review and approval the information required by Monitoring and Reporting Program No. 97-52 E.2a, Recycled Water Users Summary Report, for the new use site.
5. SOCRA, or the appropriate member agency, shall do the following for all use sites:
 - a) Enforce recycled water rules and regulations,
 - b) Conduct recycled water use site compliance inspections in accordance with the program submitted in compliance with *Recycled Water Purveyance Requirements B.2* of this Order,
 - c) Notify the State Department of Health Services and the County of Orange Department of Environmental Health of any incidence of recycled water backflow into the potable water system as soon as possible, but in no case later than 24 hours of finding the incident,
 - d) Maintain a current list of all on-site recycled water supervisors.

6. Recycled water shall not be supplied to parties who use, transport, or store such water in a manner which causes a pollution, contamination or nuisance, as defined by Section 13050 of the California Water Code.
7. SOCRA shall ensure that users of recycled water designate a recycled water supervisor responsible for the recycled water system at each use area under the user's control. Recycled water supervisors should be responsible for the installation, operation, and maintenance of the irrigation system, as well as enforcement of rules and regulations, prevention of potential hazards, and maintenance of the distribution system plans in "as built" form.
8. Prior to using recycled water or supplying recycled water for use by other parties in any manner or in any area other than as described in the Findings of this Order, SOCRA shall obtain an amendment to this Order.
9. All use of recycled water shall be in accord with the operational plan for the use of recycled water submitted by the user and approved by SOCRA.

C. FACILITY DESIGN AND OPERATION SPECIFICATIONS

1. ENFORCEMENT

The Regional Board may initiate enforcement action against SOCRA or any member agency, which may result in the termination of the recycled water supply, if any person uses, transports, or stores such water in a manner which creates, or threatens to create conditions of pollution, contamination, or nuisance, as defined in Water Code Section 13050.

2. PROPER OPERATION

SOCRA shall ensure that all facilities and systems of treatment, distribution, and control (and related appurtenances) which are installed or used to achieve compliance with conditions of this Order are at all times properly operated and maintained. 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 and auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of this Order.

3. OPERATION MANUAL

A copy of the facility operations manual shall be maintained at each facility and shall be available to operation personnel and Regional Board staff at all times. The following portions of the operations manual shall be posted at the treatment plant as a quick reference for treatment plant operators:

- a) Alarm set points for secondary turbidity, tertiary turbidity and chlorine residual,
- b) Levels at which flow will be diverted for secondary turbidity, tertiary turbidity and chlorine residual.
- c) When to divert flow for high daily and weekly median total coliform;
- d) When the authorities (DHS, EHD, Regional Board) will be notified of a diversion,
- e) Names and numbers of those authorities to be notified in case of a diversion,
- f) Frequency of calibration for turbidimeters and chlorine residual analyzers.

4. OPERATORS' CERTIFICATION

The wastewater treatment facilities shall be supervised and operated by persons possessing certificates of appropriate grade pursuant to Chapter 3, Subchapter 14, Title 23 of the California Code of Regulations.

5. FLOOD AND RUNOFF PROTECTION

All water recycling facilities shall be protected against 100-year peak stream flows as defined by the Orange County flood control agency and shall also be protected from overland runoff and other impacts resulting from a 100-year frequency 24-hour storm. The Upper Oso Reservoir shall be operated to contain 100-year storm and seasonal runoff, prevent seepage into Oso Creek, capture low surface and subsurface flows, and prevent violation of surface and groundwater objectives.

6. MONITORING AND REPORTING

SOCRA and its member agencies shall comply with the attached Monitoring and Reporting Program No. 97-52, and future revisions thereto as specified by the Executive Officer. Monitoring results shall be reported to SOCRA at the intervals specified in Monitoring and Reporting Program No. 97-52. Any increase in the maximum waste discharge flow specified for each recycled water production facility in Table 5, and/or increase in the volume of use specified for each HSA in Table 6, other than increases requiring a new report of waste discharge, shall be included in SOCRA's summary data. SOCRA shall submit monitoring results and summary data quarterly to the San Diego RWQCB.

7. EFFLUENT STORAGE FACILITIES

Effluent storage facilities shall be designed, constructed, operated, and maintained so as to prevent surfacing of wastes on property not owned or controlled by the facility owner or operator. Surface runoff of any wastes onto property not owned or controlled by the owner or operator shall be prevented.

8. DESIGN, OPERATION AND RELIABILITY

The producers shall meet the design, operational, and reliability requirements of Articles 7, 8, 9 and 10 of the California Code of Regulations, Title 22, Division 4, Chapter 3.

D. BIOSOLIDS SPECIFICATIONS

1. Collected screenings, sludges, other solids removed from liquid wastes, and filter backwash shall be disposed in a manner approved by the Executive Officer.
2. Management of all solids and sludge must comply with all requirements of 40 CFR Parts 257, 258, 501 and 503; CWA Part 405(d), and Title 23, CCR, Chapter 15, including all monitoring, record keeping and reporting requirements. Since the State of California, hence the State and Regional Boards, has not been delegated the authority by the USEPA to implement the sludge program, enforcement of sludge requirements of CFR Part 503 is under USEPA's jurisdiction. Once sludge leaves a facility, it is subject to all applicable local, state and federal laws and regulations.

3. All solids and sludge must be disposed of in a municipal solid waste landfill, reused by land application or disposed of in a sludge-only landfill accordance with 40 CFR Parts 503 and 258, and Title 23 CCR Chapter 15. If the discharger desires to dispose of solids or sludge by a different method, a request for permit modification must be submitted to the USEPA and this Regional Board 180 days prior to the initiation of the alternative disposal.
4. Solids and sludge treatment, storage, and disposal or reuse shall not create a nuisance, such as objectionable odors or flies, and shall not result in groundwater contamination.
5. The solids and sludge treatment site and storage site shall have facilities adequate to divert surface water runoff from adjacent areas, to protect the boundaries of the site from erosion, and to prevent drainage from the treatment and storage site. Adequate protection is defined as protection from at least a 100-year storm and protection from the highest possible tidal stage that may occur.
6. The discharge of sewage sludge and solids shall not cause waste material to be in a position where it is, or can be, conveyed from the treatment and storage sites and deposited in the waters of the state.
7. The discharger shall submit a copy of each of the annual reports required by 40 CFR 503 to this Regional Board Executive Officer at the same time those reports are submitted to USEPA. The discharger shall also submit an annual report of the quantity and disposition of sludge generated in the previous calendar year.

E. STANDARD PROVISIONS

1. DUTY TO COMPLY

SOCRA shall ensure that all member agencies and recycled water users comply with all applicable conditions of this Order. Any noncompliance with this Order is grounds for:

- enforcement action;
- termination, revocation and reissuance, or modification of the Order for which a noncompliance has occurred; or
- denial of a report of waste discharge in application for new or revised waste discharge requirements.

2. ENTRY AND INSPECTION

SOCRA shall ensure that the San Diego RWQCB, or an authorized representative, or any representative of the United States Environmental Protection Agency, the State Department of Health Service, or the County of Orange, Health Care Agency, Environmental Health, Water Quality Section, upon the presentation of proper credentials and other documents as may be required by law, may:

- enter upon any premises where a regulated facility or activity is located, or where records must be kept under the conditions of this Order;
- have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;
- inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- 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.

SOCRA shall provide written responses to requests by the San Diego RWQCB, the United States Environmental Protection Agency, the State Department of Health Service, and the County of Orange, Health Care Agency, Environmental Health, Water Quality Section, for any information relating to this Order or the San Diego RWQCB's responsibility under the Water Code.

3. CIVIL MONETARY REMEDIES

The California Water Code provides that any person who intentionally or negligently violates any waste discharge requirements issued, reissued, or amended by this Regional Board is subject to a civil monetary remedy of up to 20 dollars per gallon of waste discharged or, if a cleanup and abatement order is issued, up to 15,000 dollars per day of violation or some combination thereof.

4. PENALTIES FOR INVESTIGATION, MONITORING OR INSPECTION VIOLATIONS

The California Water Code provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or falsifying any information provided in the monitoring reports is guilty of a misdemeanor and is subject to a civil liability of up to 5,000 dollars for each day in which the violation occurs.

5. ENDANGERMENT OF HEALTH AND ENVIRONMENT

SOCRA or the appropriate member agency, shall report any noncompliance which may endanger health or the environment. Any such information shall be provided orally to the San Diego RWQCB within 24 hours from the time SOCRA or the agency becomes aware of the circumstances. A written submission shall also be provided within **five** days of the time SOCRA 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 San Diego RWQCB, 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 Executive Officer shall be informed by SOCRA of all such notifications and of the resultant actions taken. The following occurrence(s) must be reported to the San Diego RWQCB Executive Officer within 24 hours:

- Any bypass from any portion of the treatment facility.
- Any discharge of treated or untreated wastewater resulting from sewer line breaks, obstruction, surcharge, or any other circumstances.
- Any treatment plant upset which causes the effluent limitations of this Order to be exceeded.

6. PRIOR NOTICE OF BYPASS

If a need for a discharge bypass is known in advance, the producer or distributor shall submit prior notice to SOCRA and, if at all possible, such notice shall be submitted at least 10 days prior to the date of the bypass. Discharge bypasses must be reported to the San Diego RWQCB by SOCRA.

7. CORRECTIVE ACTION

SOCRA, or the appropriate member agency, shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this Order, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the noncompliance.

8. TREATMENT FAILURE

In an enforcement action, it shall not be a defense for SOCRA, its member agencies or recycled water users that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with this Order. Upon reduction, loss, or failure of the treatment facility, the recycled water producer 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.

9. 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, 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 Director of Environmental Health Division, County of Orange in accordance with California Health and Safety Code Section 5411.5 and 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 recycled water agency is in violation of a prohibition in the applicable Water Quality Control Plan.

10. 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 requirement 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.

11. PERMIT REPOSITORY

A copy of this Order shall be maintained and posted at a prominent location at or near each treatment and disposal facility subject to this Order, and shall be available to operating personnel at all times.

12. RETENTION OF RECORDS

SOCRA, or the appropriate member agency, shall retain records of all monitoring information, including all calibration and maintenance records, copies of all reports required by this Order, and records of all data used to complete the application for this Order. Records shall be maintained for a minimum of five 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.

13. GENERAL REPORTING REQUIREMENT

SOCRA member agencies shall furnish to SOCRA, to be forwarded to the Executive Officer, within a reasonable time, any information which the Executive Officer may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. SOCRA member agencies shall also furnish to the Executive Officer through SOCRA, upon request, copies of records required to be kept by this Order.

14. PERMIT REVISION

This Order may be modified, revoked and reissued, or terminated for cause including, but not limited to:

- violation of any terms or conditions of this Order;
- obtaining this Order by misrepresentation or failure to disclose fully all relevant facts; or
- a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

The filing of a request by SOCRA for the modification, revocation and reissuance, or termination of this Order, or notification of planned changes or anticipated noncompliance does not stay any condition of this Order.

15. CHANGE IN DISCHARGE

SOCRA shall file a new Report of Waste Discharge at least 120 days prior to the following:

- 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 wastes. A change in the character of the wastes includes the addition of pollutants not previously present in the waste stream, or an increase of 25% or greater of the flow volume or concentration of any previously permitted pollutant.
- Significant change in the treatment or disposal method (e.g., change in the method of treatment which would significantly alter the nature of the waste.)
- Change in the disposal area for any waste product other than recycled water from that described in the Findings of this Order.
- Increase in proposed volume of use in any hydrologic area beyond that specified in Table 6 of this Order.
- Increase in proposed waste discharge flow for any facility beyond that specified in Table 5 of this Order.
- Other circumstances which result in a material change in character, amount, or location of the waste discharge.

- Any planned change in any regulated facility or activity which may result in noncompliance with this Order.
- Any other significant planned physical alterations or additions to the permitted facility.

16. CHANGE IN OWNERSHIP

This Order is not transferrable to any person except after notice to the Executive Officer. SOCRA shall submit this notice in writing at least 30 days in advance of any proposed transfer. The notice must include a written agreement between SOCRA and new responsible party containing a specific date for the transfer of this Order's responsibility and coverage between SOCRA and the new responsible party. This agreement shall include an acknowledgement that SOCRA is liable for violations up to the transfer date and that the new responsible party is liable from the transfer date on. The Regional Board may require modification or revocation and reissuance of this Order to change the name of the responsible party and incorporate such other requirements as may be necessary under the California Water Code.

17. INCOMPLETE REPORTS

Where SOCRA 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 San Diego RWQCB, it shall promptly submit such facts or information to the San Diego RWQCB.

18. REPORT DECLARATION

All applications, reports, or information submitted to the Executive Officer shall be signed and certified as follows:

- a) The Report of Waste Discharge shall be signed as follows:
 - 1) For a corporation - by a principal executive officer of 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) All other reports required by this Order and other information required by the Executive Officer shall be signed by a person designated in paragraph (a) of this provision, or by a duly authorized representative of that person. An individual is a duly authorized representative only if all of the following are true:
 - 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 a position having responsibility for the overall operation of the regulated facility or activity, and
 - 3) The written authorization is submitted to the Executive Officer.
- c) Any person signing a document under this Section shall make the following certification,

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

19. REGIONAL BOARD ADDRESS

The member agencies shall submit reports required under this Order, or other information required by the Executive Officer, to SOCRA, whose current address is:

South Orange County Reclamation Authority
30290 Rancho Viejo Road
San Juan Capistrano, CA 92675

All member agencies shall be informed of any future change of address by SOCRA.

SOCRA shall submit all reports required by this Order to the San Diego RWQCB, whose current address is:

Executive Officer
California Regional Water Quality Control Board
San Diego Region

9771 Clairemont Mesa Blvd, Suite A
San Diego, California 92124-1324

SOCRA shall be informed of any future change of address by the San Diego RWQCB.

F. NOTIFICATIONS

1. 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, nor protect the recycled water agency from liability under federal, state or local laws, nor create a vested right for the recycled water agency to continue the waste discharge.

2. U.S. EPA REVIEW

These requirements have not been officially reviewed by the United States Environmental Protection Agency and are not issued pursuant to Section 402 of the Clean Water Act.

3. SEVERABILITY

The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.

4. FACILITY MODIFICATIONS

For any future treatment plant modifications to increase recycled water capacity production, the facility owner or operator shall file an engineering report conforming to Section 60323, Article 7 of the California Code of Regulations, Title 22, Division 4, Chapter 3. The engineering report shall be submitted to the State Department of Health Services, County Department of Health Services, San Diego RWQCB Executive Officer, and SOCRA. Increased volumes of recycled water, due to plant modifications, shall not be purveyed until the engineering report is approved by the Executive Officer.

5. SECTION 311 CLEAN WATER ACT

Nothing in this Order shall be construed to preclude the institution of any legal action or relieve SOCRA from any responsibilities, liabilities, or penalties to which SOCRA is, or may be, subject to under Section 311 of the Clean Water Act.

6. SECTION 510 CLEAN WATER ACT

Nothing in this Order shall be construed to preclude the institution of any legal action or relieve SOCRA from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act.

7. OSO CREEK BARRIER

Santa Margarita Water District shall report the volume of groundwater and surface water captured at the Upper Oso Creek Barrier. The method of disposal of these waters shall be consistent with Finding 19 of this Order. The volume of captured flows shall be reported monthly to SOCRA.

8. EFFECTIVE DATE

This Order becomes effective on the date of adoption by the San Diego RWQCB.

I, John H. Robertus, 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, San Diego Region on October 15, 1997.

