

ATTACHMENT 1  
RESOLUTION NO. 5-2002-0177  
AMENDMENT TO BASIN PLAN  
TO CLARIFY AND UPDATE LANGUAGE

Revise Basin Plan sections as follows:

~~CHAPTER II – PRESENT AND POTENTIAL BENEFICIAL USES~~

~~The following sentence is proposed to be added to the end of the second complete paragraph in the second column of Page II-2.~~

~~The judgment of the Regional Board on beneficial use evaluations and designations, particularly to change the above designated and assigned beneficial uses, will be conducted in accordance with California Water Code Sections 13240 through 13247 and 40 CFR Part 131 which relate to the adoption and approval of water quality control plans and water quality standards.~~

CHAPTER III – WATER QUALITY OBJECTIVES

Page III-1, second column, first full paragraph:

*Changes to the water quality objectives can also occur because of new scientific information on the effects of specific waste constituents~~a pollutant~~ on beneficial uses.*

~~Page III-7, Bacteria objective:~~

~~In ground waters designated for use as domestic or municipal supply (MUN) designated MUN, the concentration for total most probable number of coliform organisms over any 7-day period shall be less than 2.2/100 ml.~~

CHAPTER IV – IMPLEMENTATION

The following revision is proposed for the “Water Quality Limited Segments (WQLSs)” section on Page IV-26:

*WQLSs are those sections of lakes, streams, rivers or other fresh water bodies where water quality does not meet (or is not expected to meet) water quality standards even after the application of appropriate effluent limitations for point sources (40 CFR 130, et seq.).*

*Additional treatment beyond minimum federal requirements will be imposed on dischargers to WQLSs. Point source dischargers will be assigned or allocated a maximum allowable load of critical pollutants. If necessary, nonpoint source discharges will be identified and reduction goals will be developed for these sources.*

*The list of WQLSs is ~~contained in Appendix Item 33~~ updated biennially as required by the Clean Water Act Section 303(d). The current list may be obtained by contacting the Regional Water Board office.*

Page IV-7, first column, beginning of first full paragraph:

*... **Title 23, California Code of Regulations (CCR), Division 2, Chapter 15 and Title 27, CCR, Division 2, Subdivision 1** contains standards to protect both surface and ground waters from discharge of mining wastes.*

Page IV-18, first column, first paragraph:

*... If the concentrations of waste constituents ~~pollutants~~ in the land-discharged waste are sufficiently high to prevent the waste from being classified as "inert waste" under ~~23 CCR, Section 252427~~ CCR, Section 20230, discharges of such wastes to waste management units require long term containment or active treatment following the discharge in order to prevent waste or waste constituents from migrating to and impairing the beneficial uses of waters of the State.*

The following two sentences will be added to Page IV-18, second column, end of paragraph continued from previous column:

*In addition, the Toxic Pits Cleanup Act of 1984 precludes the storage or disposal of liquid hazardous wastes or hazardous wastes containing free liquid. The Regional Water Board is responsible for enforcing this Act under the authority of the Health and Safety Code, Section 25208 et seq.*

Page IV-18, second column, last paragraph:

*... ~~R~~recent monitoring efforts under the State and Regional Water Boards' **Title 23, CCR, Division, Chapter 15 and Title 27, CCR, Division 2, Subdivision 1** have revealed that discharges of municipal solid wastes to unlined landfills have resulted in ground water degradation and pollution by volatile organic constituents (VOCs) and other waste constituents.*

Page IV-19, first column, first full paragraph:

*... ~~The State Water Board is in the process of developing revised regulations under 23 California Code of Regulations, Division 3, Chapter 15, Discharges of Waste to Land, adopted revised regulations in 27 CCR, Division 2, Subdivision 1 to fully implement water quality-related portions of the RCRA Subtitle D federal regulations.~~*

Page IV-23, first column, first paragraph under Ground Water Cleanup:

*The Regional Water Board's strategy for managing contaminated sites is guided by several important principles, which are based on Water Code Sections 13000 and 13304, the Title 23, CCR, Division 3, Chapter 15 and Title 27, CCR, Division 2, Subdivision 1 regulations and State Water Board Resolution Nos. 68-16 and 92-49:*

Page IV-23, first column, Item 1:

*The Regional Water Board will require conformance with the provisions of State Water Board Resolution No. 68-16 in all cases and will require conformance with applicable or relevant provisions of Title 23, California Code of Regulations, Division 3, Chapter 15 and 27 CCR, Division 2, Subdivision 1 to the extent feasible.*

Page IV-25, second column, Item 12:

*Where leachable/mobile concentrations of constituents of concern remain on-site in concentrations which threaten water quality, the Regional Water Board will require implementation of applicable provisions of Title 23, CCR, Division 3, Chapter 15 and Title 27, CCR, Division 2, Subdivision 1. Relevant provisions of Title 23, CCR, Division 3, Chapter 15 and Title 27, CCR, Division 2, Subdivision 1 which may not be directly applicable, but which address situations similar to those addressed at the cleanup site will be implemented to the extent feasible, in conformance with ~~Title 23, California Code of Regulations, Section 2511(d)~~ 27 CCR, Section 20090(d). This may include, but is not limited to, surface or subsurface barriers or other containment systems, pollutant immobilization, toxicity reduction, and financial assurances.*

## CHAPTER V – PLANS AND POLICIES

Item 2 under “State Water Board Policies and Plans” on Page V-1.

*2. State Water Board Resolution No. 68-16, Statement of Policy with Respect to Maintaining High Quality of Water in California.*

*This policy, adopted on 28 October 1968, is intended to maintain high quality waters. It established criteria the Regional Water Board must satisfy before allowing discharges that may reduce water quality of surface or ground waters even though such a reduction will still protect beneficial uses.*

*Changes in water quality may be allowed only if the change is consistent with maximum benefit to the people of the State, does not unreasonably affect present and anticipated beneficial uses, and does not result in water quality less than that prescribed in water quality control plans and policies. USEPA water quality standards regulations require each state to adopt an “antidegradation” policy and specify the minimum requirements for the policy (40 CFR 131.12). Although Resolution No. 68-16 preceded the federal policy, The State Water Board has interpreted State Water Board Resolution No. 68-16 to incorporate the federal antidegradation policy. Therefore, the federal antidegradation*

~~policy must be followed where it is applicable. The federal antidegradation policy applies if a discharge or other activity, which began after November 28, 1975, will lower surface water quality. Application of the federal policy may be triggered by water quality impacts or mass loading impacts to receiving waters. Appendix 2 contains Resolution No. 68-16; Appendix 26 contains the federal policy.~~

Add the following to the “State Water Board Policies and Plans” section on Page V-2:

12. State Water Board Resolution No. 2000-015, Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California” (SIP)

In March 2000, the State Water Board adopted the SIP in Resolution No. 2000-015. This Policy establishes: (1) implementation provisions for priority pollutant criteria promulgated by the U.S. Environmental Protection Agency (U.S. EPA) through the National Toxics Rule (NTR) (promulgated on December 22, 1992 and amended on May 4, 1995) and through the California Toxics Rule (~~CTR~~**40 CFR 131.38**) (promulgated on 18 May 2000 and amended on 13 February 2001), and for priority pollutant objectives established by Regional Water Boards in their basin plans; (2) monitoring requirements for 2,3,7,8-TCDD equivalents; and (3) chronic toxicity control provisions. In addition, this Policy includes special provisions for certain types of discharges and factors that could affect the application of other provisions in this Policy.

The following revision is proposed for Item 3 under “State Water Board Management Agency Agreements (MAAs), Memoranda of Understanding (MOUs), and Memoranda of Agreement (MOAs)” on Page V-3.

3. *Department of Health Services*

~~In 1988~~1996, the State Water Board signed an MOA with the Department of Health Services regarding the use of reclaimed water.

APPENDIX

Appendix 13 is proposed to be replaced with current Memoranda of Agreement (MOA) signed 20 February 1996.

Appendix 33 is proposed to be removed.