

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

**ATTACHMENT A
CONDITIONS OF DISCHARGE**

RESOLUTION R5-2013-XXXX
WAIVER OF REPORTS OF WASTE DISCHARGE AND WASTE DISCHARGE
REQUIREMENTS FOR SPECIFIC TYPES OF DISCHARGE
WITHIN THE CENTRAL VALLEY REGION

Each person who discharges a waste type identified herein that is of very low complexity and very low threat to water quality and who meets the conditions specified herein for that type of discharge need not obtain waste discharge requirements (WDRs) and may commence discharge forthwith of that waste type, provided:

1. The Discharger first submits, if requested by the Executive Officer or if specified below for the discharge type or situation, a filing fee and Report of Waste Discharge (RWDs) that documents that the discharge will comply with the conditions of waiver, and obtains written approval of waiver from the Executive Officer.
2. For discharge types covered by Statewide General Order 2003-0003-DWQ for low threat discharges to land, the Discharger must provide information that demonstrates that the discharge is of such low-threat/duration that waiver of WDRs and RWDs is appropriate. Specifically: (a) evaporative cooling water discharges; (b) drilling muds/boring waste discharges; (c) inert solid waste disposal; (d) test pumping of fresh water wells; (e) swimming pool discharges; (f) construction dewatering discharges; and (g) hydrostatic testing.
3. The Discharger complies with the conditions in this document specific to the type of discharge and with the following general provisions:
 - a. The discharge shall neither create nor threaten to create a condition of nuisance, as defined by Water Code section 13050.
 - b. The discharge shall neither degrade the quality of waters of the State nor create or threaten to create a condition of pollution or contamination as defined by Water Code section 13050.
 - c. The discharge shall not contain hazardous wastes, as that term is defined in California Code of Regulations, title 22 (Title 22), section 66261.1 et seq.
 - d. The discharge of any waste not specifically regulated by this waiver **and that could affect the quality of the waters of the state** is prohibited, unless the discharger obtains **regulatory coverage under separate WDRs or certification issued by other permission from the Central Valley Water Board for the discharge of that waste or the State Water Resources Control Board.**
 - e. The discharger shall allow Central Valley Water Board staff reasonable access onto the affected property for the purpose of performing inspections to determine compliance with waiver conditions.

- f. Field test instruments (such as Electrical Conductivity meters) may be used provided that the operator is trained in the proper use of the instrument and each instrument is serviced and/or calibrated at the recommended frequency by the manufacturer or in accordance with manufacturer instructions.
- g. The discharger shall submit technical and monitoring reports as specified by the Executive Officer and consistent with Water Code section 13267.
- h. Discharge of waste to wetlands, surface waters, drainage courses, or biologically sensitive areas is prohibited.
- i. The discharger shall comply with all federal, state, county, and local laws and regulations pertaining to the discharge.
- j. It shall not be a defense for a discharger in an enforcement action that it would have been necessary to halt or reduce its activity in order to maintain compliance with conditions of waiver.
- k. This waiver expires on XXX December 2018. A discharger of waste subject to a RWD shall submit a new RWD and filing fee before then for consideration of renewal of the waiver, or cease discharge.

Type of Waste Discharge	RWD and Filing Fee Required ¹	Conditions
1. Air Conditioner, Cooling and Elevated Temperature Waters ³	Contact Cooling Water-Yes	<ul style="list-style-type: none"> • Waste constituent concentrations comparable to uppermost underlying groundwater (e.g., Electrical Conductivity [EC] less than 500 µmhos/cm over source water). • Biochemical oxygen demand (BOD) must be consistently less than 30 mg/L without treatment and, if impounded, must be less than 10 lb/acre/day. • If additives are used, provide the Material Safety Data Sheets (MSDS) and include an analysis for metals in the RWD, especially if metal-containing algaecides are used.
	Non-Contact Cooling Water-Yes	<ul style="list-style-type: none"> • Waste constituent concentrations comparable to underlying groundwater (e.g., EC less than 500 µmhos/cm over source water). • If additives are used, provide the appropriate MSDS and include an analysis for metals in the RWD, especially if metal-containing algaecides are used.
	Non-Contact Cooling Water-No ²	<ul style="list-style-type: none"> • Waste constituent concentrations comparable to underlying groundwater (e.g., EC less than 500 µmhos/cm over source water). • Discharge is of good quality (e.g., no additives, including metal-containing algaecides). • One time or limited seasonal discharge.

Type of Waste Discharge	RWD and Filing Fee Required ¹	Conditions
2. <u>Fresh Water Well Drilling Muds/Boring Wastes</u> ³	No ²	<p>Fresh water based drilling muds are drilling muds formulated with water containing 1,000 mg/L or less total dissolved solids (1,600 µmhos/cm or EC), and may in addition, contain bentonite, barite, or other inert additives. Fresh water based drilling muds/boring wastes from fresh water wells and oil and gas wells that use only fresh water drilling muds are waived as long as:</p> <ul style="list-style-type: none"> • Drilling operations are in uncontaminated soils. • Drilling mud must be non-hazardous and contain no halogenated solvents. • Prior to burial, drilling muds must first be dried then the site restored to pre-sump conditions and covered with at least one foot of clean compacted soil. • Sump must be greater than 100 feet from nearest surface water and bottom of the sump must be at least 5 feet above the highest anticipated groundwater level. <p>Oil field drilling muds that use additives that may increase the concentration of soluble constituents, or fresh water well drilling fluids that are formulated with water containing more than 1,000 mg/L total dissolved solids (1,600 µmhos/cm EC), are waived provided the muds meet the four conditions for fresh water based mud/boring wastes above and:</p> <ul style="list-style-type: none"> • EC of the drilling mud does not exceed that of underlying groundwater by more than 500 µmhos/cm; or • The first encountered fluid beneath the discharge is an “exempted aquifer” pursuant to Section 146.4 of Title 40 of the Code of Federal Regulations; or • The first encountered fluid beneath the discharge is naturally occurring hydrocarbons; or • When the drilling operation is in an area that 1) a third-party, board, or other group is actively pursuing a basin plan amendment to de-designate or modify the beneficial use through the CV-SALTS process; and 2) the third-party provides the required information indicating that it is reasonably likely that the beneficial use is not appropriate in the area of the proposed de-designation. <p>This waiver category is only for fluids from drilling operations, and completion and workover activities that utilize drilling muds to prevent formation fluids from flowing to the surface and for wellbore stability. The waiver does not authorize the discharge of any fluid associated with well stimulation activities such as acidization or hydraulic fracturing, or fluids not typically used in drilling.</p>

Type of Waste Discharge	RWD and Filing Fee Required ¹	Conditions
3. Disposal of Dredge Material to Land	Yes	<ul style="list-style-type: none"> • If the dredged material may contain constituents that are potentially hazardous or at concentrations that could impair beneficial uses of receiving water, the discharger must provide a chemical analysis of the fine (silt and clay) portion of the substrate material and a written waste management plan (WMP) describing Best Management Practices (BMPs) which will be employed to prevent excess erosion and prevent runoff from the emplaced sediments. • Excludes disposal of dredge material from mining operations.
4. Inert Solid Waste Disposal ³	No²	<ul style="list-style-type: none"> • Short-term or one time disposal of no more than a few months. • Wastes must be insoluble, without decomposable solids, and contain no “free liquids”. • The site must be well constructed, managed to restrict access, and outside of natural or man-made drainage courses. • Excludes tires, semi-solid wastes, dewatered sludge, liquid wastes, ash, fresh concrete solids, and any waste deemed by the Executive Officer to have the potential to degrade groundwater, even if classified as inert by Title 27.
5. Test Pumping of Fresh Water Wells ³	No²	<ul style="list-style-type: none"> • One time discharge from testing or development of individual domestic or irrigation supply well or periodic discharge of purge water from a monitoring well as part of compliance monitoring program. • Discharge remains on the property where the test is being conducted, unless there is a signed use agreement. • Discharge shall not be conducted in a manner such as to cause nuisance conditions or threaten surface waters. • Excludes discharge from wells associated with a cleanup or remediation project unless conducted under an approved cleanup or remediation management plan.

Type of Waste Discharge	RWD and Filing Fee Required ¹	Conditions
6. Swimming Pool Discharges ³	No²	<ul style="list-style-type: none"> • Infrequent (e.g., once every three years) • Single pool
7. Construction – Dewatering Discharges ³	No²	<ul style="list-style-type: none"> • Limited volume and duration of no more than a few weeks. • The impoundment or use area must pose low risk of nuisance and the water must infiltrate/evaporate within 72 hours.
8. Hydrostatic Testing ³	Yes	<ul style="list-style-type: none"> • Limited volume and duration of no more than a few weeks. • Provide data to demonstrate that all residual pollutants have been removed or are below water quality objectives. • The impoundment or use area must pose low risk of nuisance and the water must infiltrate/evaporate within 72 hours.
	No²	<ul style="list-style-type: none"> • Testing on existing lines or tanks used for potable water only or new lines or tanks that have only ever contained potable water.
9. Agricultural Commodity Wastes	Recurring Discharge- Yes One-time Discharge- No²	<ul style="list-style-type: none"> • An “agricultural commodity waste” is an unprocessed product excepting livestock, poultry, and fish that becomes a waste as a result of culling, spoilage, or contamination. • BMPs are employed to preclude the potential for nuisance conditions. • Wastes must not be discharged in close proximity to buildings occupied by people. • Excludes discharge of processed food or processed food residuals (e.g., whey), dead animals, or animal byproducts.
10. Disposal of Residual Waste to Land as a Soil Amendment	No²	<ul style="list-style-type: none"> • The discharge is enrolled under an approved County Program.

Type of Waste Discharge	RWD and Filing Fee Required ¹	Conditions
11. Water Recycling for Construction Projects and Road Dust Control	Yes	<ul style="list-style-type: none"> • Recycled water must be treated to Title 22 standards by permitted recycled water producer. • User must certify that the discharge will conform with Title 22 restrictions and Department of Public Health Guidelines and that the use has been approved by local and State health departments.
12. Projects Requiring Water Quality Certification		<ul style="list-style-type: none"> • Not renewed
13. Small, Short-Term Sand and Gravel Operations	Yes	<ul style="list-style-type: none"> • BMPs are employed to prevent excessive erosion or runoff conditions. • Impoundment or use area must pose low risk of nuisance. • All wash waters are confined to land. • Excludes sand and gravel operations in stream channels or drainage courses that have the potential to discharge to surface waters.

- 1 Does not preclude the Executive Officer from requesting a RWD for a specific project as necessary to perform an evaluation of the discharge.
- 2 Applicant should contact staff regarding applicability of the discharge meeting the conditions of the waiver without need for a RWD.
- 3 Covered by Statewide General Order No. 2003-0003-DWQ for low threat discharges to land. For those categories that are covered by both, the waiver should only apply to those discharges that represent the very lowest threat to water quality.